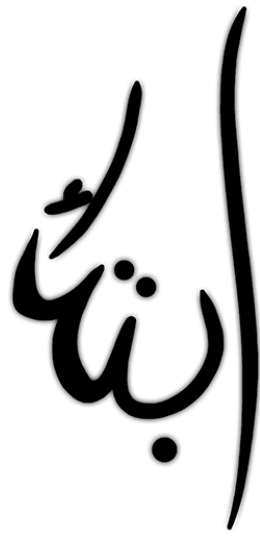


WHEN REPORTING REPLACES PROTECTION

Recurring Human Rights Concerns and Pakistan's National Action Plan 2026



Prepared and researched by Zeeba T. Hashmi

Dedicated to Iman Mazari and Hadi Ali Chatta, whose steadfast defence of constitutional freedoms and human rights is an inspiration to many.

May this work stand in solidarity with all who continue to uphold human dignity, justice and fundamental rights for all.



ابتداء

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Acronyms and Abbreviations

Acronym	Full form	Acronym	Full form
ACLED	Armed Conflict Location & Event Data Project	IFE	Ibtidah for Education
APS	Army Public School, Peshawar	IFRP	Illegal Foreigners' Repatriation Plan
AQIS	Al-Qaeda in the Indian Subcontinent	ILO	International Labour Organization
ATA	Anti-Terrorism Act, 1997	JICA	Japan International Cooperation Agency
ATC	Anti-Terrorism Court	JIT	Joint Investigation Team
CAAC	Children and Armed Conflict	JISA	Juvenile Justice System Act, 2018
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	KP	Khyber Pakhtunkhwa
CBD	Convention on Biological Diversity	KPI	Key Performance Indicator
CCPR	(UN) Human Rights Committee	MoHR	Ministry of Human Rights
CDA	Capital Development Authority, Islamabad	MRM	(UN) Monitoring and Reporting Mechanism on Children and Armed Conflict
CED	Committee on Enforced Disappearances	NACTA	National Counter Terrorism Authority
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women	NADRA	National Database and Registration Authority
CERD	Committee on the Elimination of Racial Discrimination	NAP	National Action Plan (against terrorism, 2015)
CESCR	Committee on Economic, Social and Cultural Rights	NAP-HR	National Action Plan for Human Rights
CII	Council of Islamic Ideology	NCCIA	National Cyber Crime Investigation Agency
CMW	Committee on Migrant Workers	NCHR	National Commission for Human Rights
CrPC	Code of Criminal Procedure, 1898	NCRC	National Commission on the Rights of the Child
CRC	Convention on the Rights of the Child	NCSW	National Commission on the Status of Women
CRPD	Convention on the Rights of Persons with Disabilities	NDMA	National Disaster Management Authority
CSO	Civil society organisation	NHRI	National Human Rights Institution
CTD	Counter Terrorism Department	NMRF	National Mechanism for Reporting and Follow-up
DGRE	Directorate General of Religious Education	OHCHR	Office of the United Nations High Commissioner for Human Rights
DRF	Digital Rights Foundation	OPCAT	Optional Protocol to the Convention against Torture
ESS7	World Bank Environmental and Social Standard 7 (Indigenous Peoples)	PCSW	Punjab Commission on the Status of Women
EU	European Union	PECA	Prevention of Electronic Crimes Act, 2016
FATA	Federally Administered Tribal Areas (former)	PPC	Pakistan Penal Code, 1860
FATF	Financial Action Task Force	PSSF	Pakistan School Safety Framework
FIA	Federal Investigation Agency	SATP	South Asia Terrorism Portal
FIR	First Information Report	SCA	(GANHRI) Sub-Committee on Accreditation
FPIC	Free, Prior, and Informed Consent	SSD	Safe Schools Declaration
FSC	Federal Shariat Court	TA	Thematic Area (of the Draft NAP-HR Matrix)
GANHRI	Global Alliance of National Human Rights Institutions	TIC	Treaty Implementation Cell
GCPEA	Global Coalition to Protect Education from Attack	TLP	Tehreek-e-Labbaik Pakistan
GSP+	(European Union) Generalised Scheme of Preferences Plus	TTP	Tehreek-e-Taliban Pakistan
HRC	(UN) Human Rights Council	UDHR	Universal Declaration of Human Rights
HRCP	Human Rights Commission of Pakistan	UN	United Nations
HRW	Human Rights Watch	UNCCD	United Nations Convention to Combat Desertification

Acronym	Full form	Acronym	Full form
ICCPR	International Covenant on Civil and Political Rights	UNDP	United Nations Development Programme
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination	UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
ICESCR	International Covenant on Economic, Social and Cultural Rights	UNHCR	United Nations High Commissioner for Refugees
ICJ	International Commission of Jurists	UNICEF	United Nations Children's Fund
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance	UNSC	United Nations Security Council
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	UPR	Universal Periodic Review
ICT	Islamabad Capital Territory	WASH	Water, sanitation and hygiene
IDP	Internally displaced person	WGEID	(UN) Working Group on Enforced or Involuntary Disappearances
IED	Improvised explosive device		



Chapter 1 — Introduction

Human rights, as we know them, present the backbone for all that defines the delicate relationship between a state and the people seeking guarantees for their protection. There can be no concept of a healthy nation if the human rights of its people are not recognised. The law can never be meaningful if it continues to avoid the human rights implications it carries. Pakistan committed itself first to the very Constitution that guarantees fundamental rights through Articles 8–28, then to the principles of the Universal Declaration of Human Rights (UDHR), and thereafter to the corresponding international human rights instruments to which it is a party and by which it is bound. It is therefore essential for Pakistan to develop for itself a workable plan to improve the human rights situation, whether through legislation or through policy-making and implementation. But more than what the entire architecture itself represents, it was, and remains, essential to first recognise the very right of a human being to fully exist — with dignity, freedom, fairness and harmony.

In the myriad and maze of the international laws to which Pakistan is a party, its focus has gradually shifted towards a defensible reporting mechanism, rather than towards an inherent understanding of what a violation actually means for a person living here. The first commitment of a state is to ensure the rights and wellbeing of its own people, before making reporting an international political priority in itself. This review is therefore an analysis *not* of what a reporting mechanism should or should not be, but of what such reports mean for Pakistan, and of the reason why a complicated web of reporting and documentation is being maintained.

Many of the violations reported to the international treaty bodies through shadow reporting are those able to capture international media attention, but they leave out many of the internal dynamics that accompany them. This is where the government has an opportunity to identify these challenges more closely, and to address them with a spirit of genuine resolve. However, within all the reporting architecture, and in the attempts of the state to respond to a seemingly endless list of issues, the real problems remain unattended. This report is therefore written with the intention of bringing to light what does not form part of Pakistan’s reporting infrastructure, and what strategies may work best for the state and its citizens, with compliance reporting becoming a secondary rather than a primary concern. These missed aspects are discussed in detail in the chapters that follow. The exploitation that results from certain ambiguities or anomalies in the law has also been compiled here, to open a discussion on why reporting mechanisms fail to capture the root causes of violations that keep reappearing as recurring observations across human rights review cycles.

The purpose here is not to undermine the importance of “compliance” reporting, but to draw attention to what it misses in the process. The performance of the government is projected through indicators that leave little room to assess whether rights are actually being enjoyed in practice. We must also be mindful that the growing emphasis on compliance reporting risks narrowing the scope of civil society engagement towards producing smarter indicators and increasingly sophisticated reporting matrices, rather than investing honest effort in developing practical, evidence-based solutions capable of addressing the underlying causes of recurring human rights violations. The concern is that the system can come to revolve around documentation, rather than the work that actually needs to be carried out to ensure fundamental rights, the rule of law and economic progress.

It is important to acknowledge and commend the development of a National Action Plan for Human Rights (NAP-HR) 2026, a continuation of work that was first initiated over a decade ago by the Ministry of Human Rights. It is, indeed, never too late to keep the conversation open around the human rights violations that take place in a country as diverse as Pakistan, where differences of opinion, thought, faith, language and region can easily undermine social cohesion if the strained relationship between citizen and state is left unattended by the government.

A well-intentioned plan can promote an understanding of rights and responsibilities, conflict prevention and peace, mutual understanding, and social cohesion among all people living here. The Ministry's initiative in preparing the draft deserves recognition, as do the sustained efforts of civil society organisations, lawyers, researchers and human rights defenders who continue to document violations, amplify the voices of affected communities, and offer constructive recommendations for repairing a system they see as precarious. This report examines in detail the human rights concerns that the Plan does not yet adequately address. This matters, because those gaps leave the most vulnerable outside the ambit of state protection against exploitative harm.

The report comprises nine chapters covering a range of issues: the architecture of reporting mechanisms; the extent of autonomy and independence of the national commissions reporting on human rights; the erosion of academic freedom and the human rights implications of violence at educational institutions; freedom of religion or belief; the vulnerable communities whose concerns remain unrecognised and therefore outside the protection framework; the need for human rights education; and the way hate speech is being defined. Other intersecting issues are also discussed within these chapters, such as the legal ambiguities surrounding age determination of a child in the juvenile justice system and in the marriage laws applying to religious minorities. Each chapter documents the domestic legal and policy framework governing a particular right, in light of recurring observations of its violation, Pakistan's corresponding response mechanisms, and the opportunities for the human rights plan of action to bridge the gap between obligations and ground realities through practical steps.

It must also be recognised that the human rights concerns addressed through international treaties do not always capture the full complexity of local realities. International standards are necessarily framed within broad legal, social and political contexts, whereas the lived experiences of rights violations are often shaped by far more nuanced historical, cultural and institutional circumstances. The implementation of treaty obligations must therefore be informed by an understanding of these local realities; otherwise, the very purpose of undertaking those international commitments risks being undermined.

Ibtidah for Education is deeply indebted to its many well-wishers and supporters. Special thanks go to Mr. Amjad Nazeer and Mr. Rasheed Chaudhury for their insights into Pakistan's reporting mechanisms — what they consist of and how they are carried out. IFE is also grateful to Dr. Abdul Hameed Nayyer, Dr. Khadim Hussain, and Dr. Noor Hussain for their feedback on our preceding review of the draft HR-Plan 2026, on matters of fundamental rights, religious extremism, and the impact of violence on schools. We are equally grateful to Ms. Waiza Rafique for sharing her legal inputs and recommendations specific on the rights of transgender persons and of religious minority women facing forced conversions and discriminatory marriage laws. Our special thanks also go to Mr. Asad Jamal, human rights lawyer, who shared his opinion on certain issues in the draft relating to the indicators placed in its matrix.

Ibtidah for Education believes that knowledge which helps citizens understand their rights should be gathered, compiled, and made freely accessible. This report is therefore available free of cost in PDF form for anyone interested in the subject of human rights. We only ask our readers to be mindful that a great deal of hard work has gone into providing them the best we can offer, and we hope that, as a matter of good research practice and integrity, those wishing to cite this work will seek permission to do so. A further disclosure is equally important: intellectual efforts, writing and research in this report is original. AI tools were used for basic editing, proofreading, formatting, and basic design of the report, and for summarising collected data into tables, in each case under this author's specific prompts and direction.

It is hoped that the learnings of this report will help chart a pathway rooted in life as it is actually lived, in all its simplicity and complexity, anchored in the single principle that must govern any such plan: the assurance of protection.

1.1 How This Report is Organised

The report that follows is organised into nine chapters and eight annexures. For the reader's convenience, each chapter is summarised briefly here.

- Chapter 2 lays out the context for human rights instruments, their mechanisms and reporting structure at federal and provincial levels. This chapter also discusses extent of autonomy of the statutory bodies of NHRIs, and their governing structures
- Chapter 3 sets out the objective and the method of the review and analyses the present and missing human rights aspects of the 2026 Draft National Action Plan for Human Rights. .
- Chapter 4 addresses legal and policy reforms — the ensuring of fundamental rights, and protection from the misuse of the laws — and talks briefly on the need for the countering of violent extremism (based in light of the directives provided in the Supreme Court's Jillani judgment, 2014, and the NACTA guidelines).
- Chapter 5 examines a vital missing human rights aspect arising out of education under attack: this chapter further carries data on children in armed conflict and the 2014–2026 pattern of attacks. It also addresses in detail the missing aspect of the effects on academic freedom amid the presence of state legislation and religious extremism. This chapter draws on IFE's own compilation of data on academics killed, prosecuted, or threatened.
- Chapter 6 covers the rights of minorities and freedom of religion or belief, and implications of violations on women and girl children, and the question of legal protection and safeguards for Ahmadi community.
- Chapter 7 concerns the protection of vulnerable communities that remain without adequate legal coverage. This chapter talks about indigenous and nomadic populations; refugee and stateless children; impoverished victims of forced evictions; transgender persons; and the women prisoners and minors in juvenile justice systems".
- Chapter 8 addresses human rights education, sensitisation, and awareness — curriculum and textbook revision, and hate speech.

- Chapter 9 consolidates the recommendations under each of the six thematic areas of the Draft NAP, including a dedicated treatment of budgetary allocations for priority human rights concerns.
- The Annexures provide, respectively: the summary of recurring human rights concerns across international review mechanisms; the documented timeline of attacks on schools (2014–2026); the five-year record of vigilante and mob violence; the dataset on academics under threat; the treaty frameworks relevant to indigenous and nomadic communities; the dataset on children charged under blasphemy; and the legal status of the Transgender Persons (Protection of Rights) Act, 2018.



Chapter 2 — National Action Plan and Reporting Mechanisms: Why Are Issues Recurring?

2.1 Background: From the 2016 National Action Plan for Human Rights to the Draft NAP-HR 2026

The present draft succeeds Pakistan’s first-ever National Action Plan for Human Rights (NAP-HR), launched by the Ministry of Human Rights in February 2016. The first NAP-HR laid down many of the same thematic areas as are reflected in the present draft, which include policy and legislative reform, protection of vulnerable groups, human rights education, treaty implementation, strengthening of national human rights institutions, and the establishment of monitoring mechanisms. This draft seeks to provide a policy, legislative and implementation framework for coordinated action between federal ministries and provincial departments, supported by Provincial Task Forces on Human Rights constituted to facilitate its implementation.

The first NAP-HR emerged at a time when Pakistan was confronted with a series of grave security challenges. Most significant among these were the 2013 bombing of All Saints Church in Peshawar and the subsequent landmark Supreme Court judgment in *Suo Motu Case No. 1 of 2014* (commonly referred to as the Jillani Judgment), followed by the December 2014 terrorist attack on the Army Public School (APS), Peshawar. In the aftermath of the APS attack, the Government adopted the twenty-point National Action Plan against Terrorism, including Point 9, which committed the State to taking “effective steps against religious persecution.”

Progress under the 2016 NAP-HR, however, remained a matter of concern. Public reporting has been limited, implementation across its thematic areas has been inconsistent, and several national and provincial institutions envisaged under the framework remain either insufficiently established or inadequately resourced. Similar shortcomings are reflected in the absence of measurable indicators, limited institutional ownership, and weak alignment with recommendations emerging from the Universal Periodic Review (UPR) and the UN human rights treaty bodies. The Draft NAP-HR 2026 is, in effect, the Ministry’s effort to continue with the framework: a successive plan intended to carry forward earlier commitments, reflect a decade of legislative and institutional developments, and respond to the commitments Pakistan accepted during its last Universal Periodic Review.

A careful review of the draft nevertheless identifies a number of gaps which, if addressed, would considerably strengthen the proposed framework. More fundamentally, the NAP-HR should present itself as a framework grounded first and foremost in Pakistan’s own constitutional values, institutional realities and the lived experiences of its people, rather than appearing primarily as an instrument for fulfilling international reporting obligations. A framework developed around locally identified concerns and contextually relevant priorities is more likely to generate institutional ownership and achieve sustained implementation than one driven predominantly by external reporting commitments.

2.2 Reporting Mechanisms

Pakistan’s international human rights reporting framework encompasses the Universal Periodic Review (UPR) of the UN Human Rights Council, engagement with UN Special Procedures, situation-specific monitoring mechanisms such as the UN Monitoring and Reporting Mechanism (MRM) on Children and Armed Conflict, and the European Union’s GSP+ monitoring framework, which evaluates Pakistan’s implementation of twenty-seven international conventions linked to preferential trade status. Collectively, these mechanisms provide multiple avenues for assessing Pakistan’s compliance with its international human rights commitments through periodic reviews, country engagement, thematic assessments and implementation monitoring.

1. Treaty body reporting — Pakistan, as a state party to core UN human rights treaties, must submit periodic reports to the expert committees (“treaty bodies”) that monitor each treaty, alongside its own NHRI (the National Commission for Human Rights) and civil society “shadow reports.”
2. Universal Periodic Review (UPR) — a separate, state-driven mechanism under the Human Rights Council where every UN member reviews its overall human rights record roughly every 4–5 years, regardless of which treaties it has ratified. The UPR involves a review of the human rights records of all UN Member States, providing the opportunity for each State to declare what actions it has taken to fulfil its human rights obligations. Pakistan is now in its fourth UPR cycle.

For ease of reference, a summary of Pakistan’s treaty body reporting is provided in Table 2.1 below.

Table 2.1: Treaty body reporting — summary

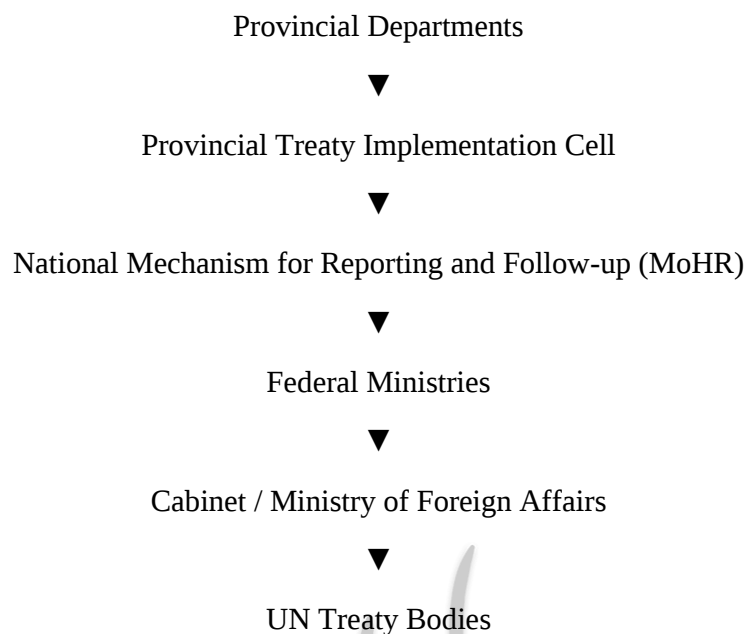
Treaty	Committee	Pakistan’s Status	Reporting Situation
ICCPR (Civil and Political Rights)	Human Rights Committee (CCPR)	Ratified 2010	Report reviewed; the Human Rights Committee concluded its 142nd session adopting concluding observations on Pakistan in early 2026.
ICESCR (Economic, Social and Cultural Rights)	Committee on Economic, Social and Cultural Rights. (CESCR)	Ratified 2008	Initial report reviewed 2017; follow-up report in preparation.
CEDAW (Convention on the Elimination of All Forms of Discrimination against Women.)	CEDAW Committee	Ratified 1996	Periodic reporting cycle ongoing.
CRC (Rights of the Child)	Committee on the Rights of the Child	Ratified 1990	Reviewed in January 2026, with Committee experts praising Pakistan’s protections for children’s best interests while raising questions on violence against children
CAT (Convention	Committee	Ratified 2010	The Committee against Torture concluded its 84th

Treaty	Committee	Pakistan's Status	Reporting Situation
against Torture)	against Torture		session in early 2026, adopting concluding observations on Pakistan a follow-up report is under finalisation.
ICERD (International Convention on the Elimination of All Discrimination.) Forms of Racial	CERD Committee	Ratified 1966	Combined 24th–26th periodic report submitted.
CRPD (Convention on the Rights of Persons with Disabilities)	Committee on the Rights of Persons with Disabilities	Ratified 2011	Reviewed in the Committee's 34th session.
ICPPED (International Convention for the Protection of All Persons from Enforced Disappearance.)	Committee on Enforced Disappearances.	Not ratified	No reporting obligation (signature only, or not signed).
ICRMW (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families)	CMW Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.	Not ratified	No reporting obligation.
OP-CAT (Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment)	Subcommittee on Prevention of Torture	Not ratified	N/A.

National Reporting Mechanisms

Pakistan's National Mechanism for Reporting and Follow-up (NMRF), established within the Ministry of Human Rights, serves as the central coordinating mechanism for reporting and follow-up on Pakistan's international human rights obligations. It is supported by Treaty Implementation Cells (TICs) at the federal and provincial levels, which coordinate the implementation of recommendations arising from the core UN human rights treaties, the Universal Periodic Review (UPR), UN Special Procedures, and the twenty-seven international conventions monitored under the

European Union’s GSP+ framework. Information generally flows from provincial departments through the respective Provincial Treaty Implementation Cells to the NMRF, which consolidates inputs from federal ministries before submission to the relevant international mechanisms.



Following the Eighteenth Constitutional Amendment, many human rights-related subjects were devolved to the provinces, requiring stronger intergovernmental coordination and prompting reforms to improve reporting under international reporting mechanisms, including under GSP+. Despite these developments, significant implementation challenges continue to persist. The Treaty Implementation Cells continue to remain constrained by limited technical and human resources, and frequently encounter inconsistencies in data collection and reporting methodologies across provinces.

More fundamentally, the reporting framework remains predominantly compliance-oriented. It has largely evolved to demonstrate adherence to treaty obligations, with reporting indicators often measuring procedural compliance rather than outcomes reflecting substantive improvements in the enjoyment of rights. The framework does not sufficiently promote institutional ownership of specific human rights concerns or drive reforms irrespective of whether those concerns arise directly from treaty obligations. Instead, it places greater emphasis on documenting positive developments than on systematically identifying implementation gaps, structural constraints and areas requiring policy intervention.

Similarly, institutional linkages between the NMRF/TIC framework and sectoral policy instruments — including the Draft National Action Plan for Human Rights 2026 — remain limited, thereby reducing opportunities to translate international commitments into coordinated policy implementation, measurable outcomes and evidence-based human rights governance.

The recently issued European Union’s GSP+ Review of Pakistan (2023–2025) also highlights Pakistan’s “compliance issues with its GSP+ obligations” in the opening line of its Executive Summary. The report raises concerns regarding the shrinking space for freedom of expression through cybercrime legislation, continued incidents of enforced disappearances and extrajudicial killings without effective accountability, the impact of recent constitutional developments on judicial

independence, and the targeting of journalists and human rights defenders through administrative and criminal proceedings. It further highlights the implications of these developments for fair trial guarantees and access to justice, and identifies priority areas requiring urgent attention if Pakistan is to remain compliant with the revised GSP+ eligibility framework from 2027¹.

Recurring Patterns of Reported Human Rights Violations

The same pattern emerges from successive reviews undertaken by UN treaty bodies and other international human rights mechanisms. Since approximately 2012–2014, the most persistent concerns have continued to centre on enforced disappearances, torture and custodial violence, fair trial guarantees, military courts, freedom of expression, shrinking civic space, judicial independence, and accountability for extrajudicial killings². Although Pakistan has introduced important legislative and institutional reforms — including the enactment of the Torture and Custodial Death (Prevention and Punishment) Act, 2022, the establishment of the NMRF, and other institutional measures — international review mechanisms continue to conclude that implementation, accountability and institutional independence remain largely inadequate.

A second tier of recurring concerns, consistently raised since the mid-2000s, relates to freedom of religion or belief, minority rights, women's rights, child protection, prison conditions, labour rights and access to justice. While these areas have witnessed some progressive legislative reforms, particularly at the provincial level, implementation has remained uneven, with many recommendations continuing to recur across successive reporting cycles. More recently, particularly since 2020, international mechanisms have also increasingly raised concerns over constitutional amendments and legislation directly affecting judicial independence, restrictions on digital freedoms, the targeting of journalists and human rights defenders, and the treatment of refugees and asylum seekers³.

¹ European Commission and European External Action Service, *Joint Staff Working Document: The EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) Assessment of the Islamic Republic of Pakistan Covering the Period 2023–2025*, SWD(2026) 184 final (Brussels: European Commission, 16 July 2026), Executive Summary and section 3 ("Compliance with GSP+ Obligations")

² Human Rights Committee, *Concluding Observations on the Initial Report of Pakistan*, UN Doc. **CCPR/C/PAK/CO/1** (23 August 2017); Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, UN Doc. **CCPR/C/PAK/CO/2** (7 November 2024); Committee against Torture, *Concluding Observations on the Initial Report of Pakistan*, UN Doc. **CAT/C/PAK/CO/1** (1 June 2017); Committee on the Rights of the Child, *Concluding Observations on the Combined Fifth Periodic Report of Pakistan*, UN Doc. **CRC/C/PAK/CO/5** (11 July 2016); Committee on the Rights of the Child, *Concluding Observations on the Combined Sixth and Seventh Periodic Reports of Pakistan*, UN Doc. **CRC/C/PAK/CO/6-7** (2026); Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, UN Doc. **CERD/C/PAK/CO/24-26** (23 September 2024); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Pakistan*, UN Doc. **A/HRC/53/13** (2023); European Commission and European External Action Service, *Joint Staff Working Document: The EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) Assessment of the Islamic Republic of Pakistan Covering the Period 2023–2025*, SWD(2026) 184 final (16 July 2026).

³ Committee on the Elimination of Discrimination against Women, *Concluding Observations on the Sixth Periodic Report of Pakistan*, UN Doc. **CEDAW/C/PAK/CO/6** (10 March 2020) (women's rights, child marriage, gender-based violence, access to justice); Committee on the Rights of the Child, *Concluding Observations on the Combined Fifth Periodic Report of Pakistan*, UN Doc. **CRC/C/PAK/CO/5** (11 July 2016), and *Concluding Observations on the Combined Sixth and Seventh Periodic Reports of Pakistan*, UN Doc. **CRC/C/PAK/CO/6-7** (2026) (child protection, juvenile justice, education and violence against children); Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, UN Doc. **CERD/C/PAK/CO/24-26** (23 September 2024) (freedom of religion or belief, minority rights, forced conversions, discrimination and hate crimes); Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, UN Doc. **CCPR/C/PAK/CO/2** (7 November 2024) (freedom of religion or belief, fair trial, freedom of expression, judicial independence and civic space); Committee against Torture, *Concluding Observations on the Initial Report of Pakistan*, UN Doc. **CAT/C/PAK/CO/1** (1

Taken together, the priority concerns identified in the GSP+ Review (2023–2025), the recurring observations of UN treaty bodies, and the continued inadequacy of national reporting in substantively addressing these issues raise a more fundamental question: how is the Government responding to human rights concerns that continue to recur across multiple international review mechanisms? Does the persistence of these issues reflect a lack of political acknowledgement and institutional ownership, or has the reporting framework evolved primarily as a mechanism for demonstrating compliance and defending the State’s record rather than driving meaningful reforms?

These questions become important to ask because implementation deficits continue to persist. In many instances, progressive legal and policy reform has been slowed or stalled by competing institutional mandates, adverse judicial interpretations, opinions issued by bodies such as the Council of Islamic Ideology, and sustained political or societal resistance, including pressure exerted by religious extremist groups. Several such examples are examined in the subsequent chapters. Annexure A provides a consolidated summary of recurring human rights concerns and Lists of Issues identified by the international treaty bodies monitoring the conventions to which Pakistan is a State Party.

2.3 Pakistan’s Commitment to Human Rights and Recurring UPR Recommendations

Pakistan’s recent human rights record is largely a matter of public record through the country’s own engagement with the United Nations. During its fourth-cycle Universal Periodic Review (UPR), held on 30 January 2023, with the outcome adopted later the same year, Pakistan received 340 recommendations, of which it accepted 253, noted 84, and rejected 3. The recommendations most frequently noted or rejected concern the death penalty, reform of blasphemy laws, and freedom of expression. It is also noteworthy that Pakistan has neither ratified nor acceded to the Rome Statute of the International Criminal Court, the Optional Protocol to the Convention against Torture (OPCAT), or the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED). Broadly, the recommendations accepted by Pakistan tend to relate to institutional and administrative reforms, whereas several of those that were noted or rejected concern some of the most serious and recurring human rights violations⁴.

June 2017) (prison conditions, torture and access to justice); Committee on Economic, Social and Cultural Rights, *Concluding Observations on the Initial Report of Pakistan*, UN Doc. **E/C.12/PAK/CO/1** (2017) (labour rights, housing, health and education); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Pakistan*, UN Doc. **A/HRC/53/13** (2023); and European Commission and European External Action Service, *Joint Staff Working Document: The EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) Assessment of the Islamic Republic of Pakistan Covering the Period 2023–2025*, SWD(2026) 184 final (16 July 2026)

⁴ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Pakistan*, UN Doc. **A/HRC/53/13** (11 April 2023); Human Rights Council, *Addendum: Views on Conclusions and/or Recommendations, Voluntary Commitments and Replies Presented by the State under Review*, UN Doc. **A/HRC/53/13/Add.1** (12 June 2023). Pakistan received **340 recommendations**, of which it **supported 253, noted 84**, and **did not enjoy the support of the State Party (rejected) 3**. The recommendations that were noted or rejected predominantly concerned abolition of the death penalty, reform or repeal of blasphemy laws, freedom of expression, ratification of outstanding international treaties, and accountability for serious human rights violations.

2.4 The Paris Principles and Human Rights Institutional Mapping in Pakistan

The Paris Principles Framework

The Paris Principles, adopted by the UN General Assembly in Resolution 48/134,⁵ emerged from the recognition that a dedicated, national, independent human rights institution is necessary to monitor international obligations, investigate violations, and advise governments from within the state structure, while remaining independent of their executive control on policies and legislative reforms so required. The 1993 Vienna World Conference on Human Rights affirmed this rationale, encouraging every state to establish an NHRI consistent with the Principles. For Pakistan, this is not strictly binding, as the Paris Principles and their corresponding frameworks are the result of a 1993 UN General Assembly resolution; but it is required as a practice to reflect on its compliance with the main treaties it is party to, without compromising on independence and without being complicit.

An NHRI is required to possess a broad mandate addressing universal human rights standards, a diverse and independent composition, an appointment process free of any executive control, dedicated and autonomous funding, autonomous powers of investigation, and genuine independence from the government, as it is supposed to monitor it through impartiality. Their significance is practical: compliance with the Paris Principles is the sole criterion by which the Global Alliance of National Human Rights Institutions (GANHRI), enabled by the Office of the United Nations High Commissioner for Human Rights (OHCHR), accredits NHRIs with an “A” or a “B” status. An “A” status accreditation determines an institution’s speaking and participation rights before the UN Human Rights Council and treaty bodies.⁶

Pakistan’s Dedicated NHRI and the SCA (Sub Committee on Accreditation)’s General Observations

In accordance with the Paris Principles, Pakistan presently has only one institution recognised as a National Human Rights Institution (NHRI) — the National Commission for Human Rights (NCHR). The NCHR has been granted “A” status accreditation by the Sub-Committee on Accreditation (SCA) of GANHRI.⁷ While this accreditation recognises the Commission’s compliance with the core requirements of the Paris Principles, the accompanying General Observations also identify important institutional shortcomings, particularly regarding transparency, institutional capacity and operational independence.

During its First Session of 2024, the SCA reaffirmed the NCHR’s “A” status accreditation while identifying five areas requiring further attention. Among these were shortcomings in the transparency of appointment procedures, including inadequate screening mechanisms, limited consultation with civil society organisations during appointments, and the absence of safeguards against prolonged vacancies in the Commission’s leadership.

⁵ UN General Assembly, *Principles Relating to the Status of National Institutions (The Paris Principles)*, Res. 48/134, 20 December 1993.

⁶ GANHRI Sub-Committee on Accreditation, *General Observations of the Sub-Committee on Accreditation* (revisions adopted 21 February 2018), <https://ganhri.org/accreditation/general-observations/>. “A” status accreditation determines an NHRI’s independent participation rights before the UN Human Rights Council and treaty bodies.

⁷ GANHRI Sub-Committee on Accreditation, *Report and Recommendations of the First Session of 2024* (Online, 26–28 March 2024; Geneva, 29 April–3 May 2024), “Pakistan: The National Commission for Human Rights (NCHR),” pp. 10–12, <https://ganhri.org/wp-content/uploads/2024/06/SCA-Report-First-Session-2024-EN.pdf>.

With respect to treaty engagement, the SCA acknowledged the Commission's advocacy for the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the Optional Protocol to the Convention against Torture (OPCAT), as well as its support for the Torture and Custodial Death (Prevention and Punishment) Act and prison reforms aligned with the Mandela Rules and Bangkok Rules. However, the SCA also observed that these functions are yet to be expressly codified within the Commission's statutory mandate.

The SCA further recognised that the NCHR has interpreted its mandate broadly by engaging on issues relating to enforced disappearances, trafficking in persons, migrant workers' rights, economic, social and cultural rights, and civil and political rights, despite what it described as the "challenging environment" in which the Commission operates. Equally significant was the SCA's observation regarding the need for greater advocacy and outreach among regional and marginalised communities. This observation is particularly noteworthy given that the Commission secured a dedicated operational budget from the Finance Division, increasing its allocation from Rs. 83.18 million to Rs. 161.17 million during the 2024–2025 financial year.

It is also worth noting that, beyond the Commission's own self-reported assessments, no publicly available external audit or performance evaluation could be identified on the website of the Auditor General of Pakistan or any other independent oversight body. Concerns regarding institutional effectiveness have likewise been echoed by the Committee on the Elimination of Racial Discrimination (CERD),⁸ which observed:

"The Committee is... concerned about the disparity between the significant financial resources allocated to the National Commission for Human Rights and its low annual spending, which may indicate a greater need for human and technical resources. The Committee is also concerned about the lack of public participation and of an independent procedure for the nomination or appointment of the single representative of all ethnic minority groups."

This observation reinforces broader concerns regarding the effective implementation of the pluralism principle under the Paris Principles.

Extent of Independence of Human Rights Bodies in Pakistan

Despite Pakistan's compliance with the Paris Principles through the accreditation of a single National Human Rights Institution (NHRI), a more fundamental concern lies in the extent to which the country's dedicated human rights institutions are able to exercise genuine autonomy and independence in practice. Formal recognition alone does not necessarily guarantee institutional independence where legal, administrative or financial arrangements continue to place these bodies within the influence of the very executive institutions they are expected to monitor.

At present, Pakistan has four principal statutory bodies dedicated to the promotion and protection of human rights in specific thematic areas: the National Commission for Human Rights (NCHR), the National Commission on the Status of Women (NCSW), the National Commission on the Rights of the Child (NCRC), and the recently established National Commission for Minorities, enacted through an Act of Parliament but yet to be fully constituted. While each of these institutions claims

⁸ Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, UN Doc. CERD/C/PAK/CO/24-26, para. 9.

operational autonomy, questions continue to arise regarding the extent of their institutional and financial independence, particularly where their budgets, administrative support or appointments remain closely linked to the executive branch.

These concerns are especially relevant in light of the Committee on the Rights of the Child's General Comment No. 2 (2002),⁹ which requires States Parties to establish independent institutions for the promotion and protection of children's rights, guided by the Paris Principles and adapted to children's particular vulnerability. Pakistan has established the National Commission on the Rights of the Child; however, its operational budget continues to be channelled through the Ministry of Human Rights, raising legitimate questions regarding its financial autonomy. In addition, civil society organisations have expressed concerns regarding the transparency of appointment procedures and the Commission's governance arrangements.

The statutory frameworks governing these four institutions contain a number of provisions that merit closer examination. In several instances, institutional oversight, appointment mechanisms, administrative control or ex-officio representation are embedded within the enabling legislation in ways that place these bodies under the jurisdiction or influence of particular ministries or government departments. Such arrangements have the potential to undermine the principle of institutional impartiality, particularly where commissions are expected to independently monitor the human rights implications of actions undertaken by those same public authorities. Table 2.2 provides a comparative assessment of these statutory arrangements against the criteria established under the Paris Principles.

⁹ UN Committee on the Rights of the Child, *General Comment No. 2: The Role of Independent National Human Rights Institutions in the Promotion and Protection of the Rights of the Child*, CRC/GC/2002/2 (2002).

Table 2.2: Comparative Paris Principles-based criterion overview of human rights bodies enacted through Acts of Parliament

Criterion (Paris Principles)	NCHR (Act, 2012)	NCSW (Act, 2012)	NCRC (Act, 2017)	National Commission for Minorities' Rights (Act, 2025)*
GANHRI accreditation	"A" status, May 2024 — Pakistan's only accredited NHRI	Never applied	Never applied	Never applied; not yet constituted*
Appointment process	Public advertisement of vacancies, but the SCA found consultation and civil society participation not formalised (G.O. 1.1, 1.8)	Chairperson shortlisted jointly by the PM and the Leader of the Opposition; final selection by Parliamentary Committee	Chairperson and members appointed by the Federal Government "in the prescribed manner" — no parliamentary or opposition role, no mandated civil society consultation	Members selected via Parliamentary Committee; provincial CMs forward nominees; the PM makes appointments, and may appoint the chairperson directly in case of a committee deadlock
Pluralism (in executive board memberships)	Broad membership including minority and provincial representation	Provincial and minority representation, and five ex-officio ministry members (Law, Finance, Foreign Affairs, Interior, Human Rights)	Provincial members, two child members; ex-officio seats for MoHR, Interior, and Foreign Affairs officials (Joint Secretary and above) sit inside the Commission	Fixed minority-community quotas (Hindu, including a scheduled-caste seat, Christian, Sikh, Parsi, Baha'i) and Muslim human rights experts; ex-officio ministry officials also included. Ahmadi faith representatives excluded by design
Investigative powers	Full investigatory mandate including suo motu; powers of a civil court	Civil-court powers to compel documents and attendance	Inquiry powers into child rights abuses, but no explicit suo motu power or authority to intervene in court proceedings; Section 20 of the Act allows the Federal Government to issue binding directives to the Commission	Suo motu powers and the overriding-effect clause were removed before passage; cannot summon witnesses or inspect detention centres

Criterion (Paris Principles)	NCHR (Act, 2012)	NCSW (Act, 2012)	NCRC (Act, 2017)	National Commission for Minorities' Rights (Act, 2025)*
Independence from executive	Directly accountable to Parliament; SCA General Observations have flagged vacancy-safeguard gaps	Independent Secretariat with financial and administrative autonomy since 2012	Administratively housed under MoHR; constituted by MoHR notification (28 February 2020); first term lapsed in February 2023 with a c. six-week appointment gap	Reports to be reviewed by Senate and National Assembly human rights committees; no power to compel government action on recommendations
Funding	Separate Finance Division budget line (FY 2024); the SCA flagged outreach funding as inadequate (G.O. 1.10)	Statutory fund; the Chairperson is Principal Accounting Officer	No independent budget line; financial dependence on MoHR allocations identified as a core weakness	Funding rules not yet notified*

The Ministry of Human Rights occupies a complex position within Pakistan's human rights institutional architecture. While statutory bodies such as the National Commission for Human Rights (NCHR), the National Commission on the Status of Women (NCSW) and the National Commission on the Rights of the Child (NCRC) are established as independent commissions under their respective Acts, they continue to maintain varying degrees of administrative and financial linkage with the Ministry. In addition, senior representatives from the Ministry serve as ex-officio members of both the NCSW and the NCRC, while the Ministry also performs coordination and administrative functions in relation to these institutions. Although these arrangements are established in law, they may give rise to legitimate questions regarding institutional independence and impartiality, particularly where these commissions are expected to scrutinise the actions, policies or omissions of the executive itself.

This needs to be addressed specifically, as in 2017, during Pakistan's initial review under the ICCPR, the UN Human Rights Committee already raised this concern by noting that the NCHR's inability to appear independently before UN committees, and its operation under the aegis of the Ministry of Human Rights, posed a problem for the institution's real independence.¹⁰

The NCRC also reflects this problem, as its Act leaves room for the Federal Government to issue binding directives to the Commission (Section 20), the appointments are made directly by the Federal Government without parliamentary or civil society involvement, and it raises concerns regarding the Commission's operational independence and institutional autonomy, particularly in relation to executive oversight and financial dependence upon the Federal Government. — It underscores the need for amending the NCRC Act, 2017 to bring it into alignment with Article 4 of the CRC and General Comment No. 2, which call for the autonomy and independence of the commissions.^{11 12}

Human Rights Bodies Across the Provinces: Enactment, Autonomy and Independence

The Eighteenth Constitutional Amendment (2010) resulted in the devolution of a number of human rights-related subjects to the provinces. The institutional response, however, has been inconsistent. Provincial legislatures have adopted different approaches towards establishing statutory bodies responsible for promoting and protecting human rights, women, children and minority communities.

Among the provinces, Sindh has taken the most comprehensive legislative approach by establishing both the Sindh Human Rights Commission under the Sindh Protection of Human Rights Act, 2011, and the Sindh Minorities Rights Commission through provincial legislation enacted in 2016. Independent commissions on the status of women have also been established in Punjab, Sindh, Khyber Pakhtunkhwa and Balochistan through separate provincial statutes. In contrast, child rights continue to be monitored primarily through the National Commission on the Rights of the Child, without corresponding independent statutory commissions at the provincial level. Likewise, although Parliament has enacted legislation establishing the National Commission for Minorities, the

¹⁰ OHCHR, "Human Rights Committee Discusses the Initial Report of Pakistan," press release, July 2017, <https://www.ohchr.org/en/press-releases/2017/07/human-rights-committee-discusses-initial-report-pakistan>.

¹¹ "Strengthening Pakistan's National Commission on the Rights of the Child (NCRC)," *Courting the Law*, 8 July 2025, <https://courtingthelaw.com/2025/07/07/commentary/guest-columnists/strengthening-pakistans-child-rights-watchdog/>.

¹² UN Committee on the Rights of the Child, *General Comment No. 2, CRC/GC/2002/2* (2002).

Commission has yet to be constituted, while Sindh remains the only province to have established a dedicated provincial minorities commission.

The absence of independent statutory institutions across all provinces has practical implications for accountability and reform. Cross-cutting issues such as child marriage, the minimum age of marriage, protection of minority children, and broader child protection concerns often remain without dedicated institutional oversight capable of monitoring implementation, recommending reforms and ensuring accountability. Table 2.3 provides a comparative overview of provincial human rights institutions and their legal status.



Table 2.3: Provincial human rights institutions and their legal status

Province	General human rights	Women	Children	Minorities
Punjab	No independent commission at the provincial level exists; the Human Rights and Minorities Affairs Department is an executive arm of the provincial government	Punjab Commission on the Status of Women (PCSW Act 2014, established March 2014); removal and appointments not as per procedures laid out in the Provincial Act: for example, the founding Chairperson was removed prematurely in May 2019 by departmental notification, contrary to the removal procedure in the Act	No child rights commission at the provincial level; the Child Protection and Welfare Bureau (2004) exists, but is a body under the executive of the Punjab Government	No statutory commission; minority affairs handled by the Human Rights and Minorities Affairs Department of the Government of the Punjab
Sindh	Sindh Human Rights Commission (Protection of Human Rights Act 2011) — the only provincial human rights commission	Sindh Commission on the Status of Women (Act 2015)	No child rights commission; the Sindh Child Protection Authority (Act 2011) — an executive protection body	Sindh Minorities Rights Commission (Act passed November 2016) — the only provincial statutory minorities body; civil-court powers, minimum 33 per cent women's membership, power to recommend prosecutions and Human Rights Courts
Khyber Pakhtunkhwa	No provincial commission; the Law, Parliamentary Affairs and Human Rights Department operates under the arm of the provincial government	KP Commission on the Status of Women (operational, with its own secretariat in Peshawar)	No child rights commission; the KP Child Protection and Welfare Commission (Act 2010) — a protection body working under the KP provincial government	No statutory commission
Balochistan	No provincial commission; a Human Rights Wing falls under the Inter-Provincial Coordination Department	Balochistan Commission on the Status of Women (Act 2017)	No child rights commission; a child protection framework exists under the Balochistan Child Protection Act 2016	No statutory commission

Against this institutional backdrop, the Draft National Action Plan for Human Rights 2026 should have provided a stronger framework for addressing these structural gaps. Instead, the draft remains largely silent on several areas directly protected under Articles 8–28 of the Constitution of Pakistan, including the right to a fair trial (Article 10A), freedom of speech and expression (Article 19), freedom of assembly (Article 16), the right to education (Article 25A), and the constitutional protection against compulsory religious instruction for minority students under Article 22(1).

Many issues lying at the heart of Pakistan’s contemporary human rights landscape require greater recognition if public confidence in State institutions is to be restored. Given the gravity of their consequences, subsequent chapters examine threats to freedom of thought, conscience and religion, restrictions on freedom of expression, the application of the Prevention of Electronic Crimes Act, 2016 (PECA), misuse of blasphemy laws, attacks on education and educational institutions, religious extremism, and the adequacy of State responses.

Schools and educational institutions have witnessed a renewed pattern of attacks in recent years, as documented by the Global Coalition to Protect Education from Attack (GCPEA) and summarised in Annexure B. Similarly, independent monitoring indicates a continuing pattern of attacks on academic freedom, including educators being killed, prosecuted or coerced into public recantation, discussed further in Chapter 5 and Annexure D. On freedom of religion or belief, both the Human Rights Commission of Pakistan (HRCP) and international monitoring mechanisms continue to document vigilante killings, attacks on minority places of worship, forced conversions of minority girls, and increasingly exclusionary educational content. These findings closely mirror concerns repeatedly raised by Pakistan’s own superior courts, statutory commissions and international human rights mechanisms. The gaps identified in this review are therefore not novel; rather, they reflect persistent shortcomings that have been documented across multiple national and international sources.

Chapter 3 — Draft National Action Plan for Human Rights 2026: An At-a-Glance Review

3.1 Scope of the Review

This chapter reviews the Draft National Action Plan for Human Rights (NAP-HR) 2026 against the broader human rights concerns identified throughout this report. While the preceding chapters examined Pakistan’s reporting architecture, institutional framework and international commitments, the focus here shifts to the extent to which those commitments have been translated into the Draft NAP-HR itself. Please note, a post script has been added in the conclusion chapter, which carries further observations on the Final Plan issued by the Ministry for Human Rights on 22nd July, 2026.

The review is organised around the Matrix contained in the Draft NAP-HR 2026, which sets out six thematic areas, each accompanied by proposed actions, responsible institutions and Key Performance Indicators (KPIs). Rather than reviewing the Matrix in isolation, this chapter assesses whether it adequately captures Pakistan’s contemporary human rights realities and the recurring concerns emerging from constitutional guarantees, international review mechanisms and domestic developments.

The intention is not to replace the Ministry’s framework, but to identify opportunities through which less-recognised yet persistent human rights concerns may be more effectively incorporated into national planning.

3.2 Methodology of Review

The review was undertaken by examining the Draft NAP-HR 2026 against three principal benchmarks: Pakistan’s previous National Action Plan for Human Rights, the constitutional guarantees contained in the Constitution of Pakistan, and the country’s international human rights obligations.

The methodology consisted of four stages. First, the Draft Matrix was reviewed in its entirety and each thematic area was mapped against the relevant constitutional provisions and the international human rights instruments ratified by Pakistan. Second, gaps were identified where recognised and recurring human rights observations made through review of relevant UN committees were either absent from the Matrix, insufficiently addressed, or reflected through indicators unlikely to measure meaningful implementation. Third, these findings were assessed against primary legal and policy instruments, including the Constitution of Pakistan, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). The review also considered relevant domestic policy and jurisprudence, including the Jilani Judgment (*Suo Motu Case No. 1 of 2014*), the National Counter Terrorism Authority (NACTA) National Countering Violent Extremism Policy Guidelines, 2018, and the Rabat Plan of Action.

The documentary review was supplemented by open-source evidence drawn from the annual reports of the Human Rights Commission of Pakistan (HRCP), periodic publications of the Global Coalition to Protect Education from Attack (GCPEA), the United Nations Children’s Fund (UNICEF), Sahil, and the reviewers’ own field research. Where appropriate, interviews with legal practitioners and subject experts were also undertaken to clarify questions relating to legislative interpretation and implementation. Finally, each identified gap was accompanied, wherever possible, by proposed recommendations and improvements to the Draft Matrix’s Key Performance Indicators, so that the observations made through this review could translate into practical policy measures.

The observations throughout this review are organised under the six thematic areas of the Draft Matrix, enabling each recommendation to be read alongside the corresponding section of the Ministry’s framework.

To support the analysis, complementary annexures accompany this review and present datasets compiled by Ibtidiah for Education (IFE) and specifically categorised for this report through open-source data banks. These include the categorisation of data on schools under attack, and on attacks on academic freedoms, comprising: (i) a documented timeline of attacks on educational institutions in Pakistan (2014–2026); (ii) a five-year record of incidents of vigilante and mob violence; and (iii) a dataset documenting threats, attacks and legal action against academics between 2013 and 2025. These datasets have been compiled from publicly available sources and verified through documentary review to provide an evidence base for the findings and recommendations presented in the chapters that follow. Interviews with legal practitioners and subject experts on questions relating to the applicable legal framework were also conducted, and their insights have informed this review.

3.3 Thematic Framework of the Draft NAP-HR 2026

The Draft National Action Plan for Human Rights 2026 organises its implementation framework under six thematic areas:

- Thematic Area 1: Legal and Policy Reforms, Enforcement of Laws and Access to Justice.
- Thematic Area 2: Implementing Key Human Rights Priorities.
- Thematic Area 3: Human Rights Education, Sensitisation and Awareness.
- Thematic Area 4: Institutional Strengthening, Training and Capacity Building.
- Thematic Area 5: International and UN Obligations and Reporting Mechanisms.
- Thematic Area 6: Implementation, Monitoring Mechanisms and Civil Society Engagement.

A cross-cutting observation runs throughout this review. Human rights concerns rarely fall within a single thematic area, and many of the issues examined in the subsequent chapters intersect multiple areas of the Draft Matrix. Accordingly, the analysis seeks to identify not only gaps in law and policy, but also procedural inadequacies in implementation, institutional responsibility and the measurement of outcomes. Particular attention is given to concerns that remain insufficiently recognised despite their recurrence in Pakistan’s constitutional framework, international review processes and domestic human rights record.

The following section therefore examines the Draft Matrix against these broader obligations and identifies the principal areas where additional policy attention, institutional ownership and measurable indicators are required.

3.4 Review of the Draft NAP-HR Matrix: Structural Gaps and Missing Priorities

Key Observations on the Draft NAP-HR Matrix

A review of the Draft National Action Plan for Human Rights Matrix identifies the following cross-cutting observations across its six thematic areas:

- The Matrix places greater emphasis on institutional processes than on human rights outcomes. Most Key Performance Indicators (KPIs) measure activities such as trainings, consultations, meetings, notifications, policy development and institutional coordination, while comparatively fewer indicators assess whether these interventions have resulted in measurable improvements in the protection and enjoyment of human rights.
- Success is frequently measured through administrative outputs and procedural compliance, with limited attention to indicators capable of measuring reductions in violations, improvements in accountability, enhanced access to justice, or better protection of vulnerable groups.
- Thematic Area 5 (International and UN Obligations and Reporting Mechanisms) remains the least developed of the six thematic areas. While it focuses on reporting coordination and institutional capacity, it does not establish measurable indicators for implementation of treaty body recommendations, accepted UPR recommendations, engagement with UN Special Procedures, treaty reporting timelines, or follow-up to Concluding Observations.
- Several recurring human rights concerns remain absent or insufficiently reflected across the Matrix. These include attacks on education, academic freedom, freedom of thought, conscience and religion, protection of human rights defenders, civic space, refugees, stateless persons, indigenous and nomadic communities, digital rights, and children affected by armed conflict, despite their repeated appearance in Pakistan's international human rights reviews.
- The Matrix adopts a compartmentalised approach to implementation. Many human rights concerns cut across several thematic areas, yet responsibilities remain divided among institutions without clear mechanisms for coordination, resulting in cross-cutting issues falling outside a single implementation framework.
- The implementation framework remains predominantly reactive rather than preventive. Most indicators become operational after a violation has occurred, with comparatively limited emphasis on prevention, early intervention, institutional safeguards, or addressing the structural causes of recurring human rights violations.

Table 3.1: Mapping of recurring human rights concerns to the Draft NAP-HR thematic areas

Human Rights Concern	Primary Thematic Area	Cross-cutting Areas	Present Status in Draft Matrix	Suggested Enhancement
Freedom of Expression and Media Freedom	TA1: Legal and Policy Reforms	TA3, TA5, TA6	Limited reference; no indicators on PECA, journalists or digital freedoms	Include legal safeguards, monitoring of restrictions, implementation of the UN Human Rights Committee's recommendation for ICCPR Article 19 ¹³
Freedom of Thought, Conscience and Religion or Belief	TA2: Human Rights Priorities	TA1, TA3	Fragmented; emphasis on interfaith harmony rather than freedom of religion or belief	Include constitutional protections, prevention of coercion, implementation of UPR and ICCPR recommendations
Religious Minorities and Hate Crimes	TA2	TA1, TA3, TA6	Partially reflected	Include indicators on attacks, hate crimes, forced conversions, implementation of the Supreme Court judgment (<i>Suo Motu Case No. 1 of 2014</i>)
Violent Extremism and Prevention	TA2	TA3, TA4	Largely absent as a human rights concern	Align with the NACTA National Countering Violent Extremism Policy Guidelines (2018); include preventive and community-based indicators
Attacks on Education and Safe Schools	TA2	TA3, TA4	Absent	Include protection of education, school safety, emergency preparedness, consideration of the Safe Schools Declaration, and

¹³ Article 19 of the International Covenant on Civil and Political Rights (ICCPR) guarantees the right to hold opinions without interference and the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds. In its periodic reviews of Pakistan, the UN Human Rights Committee has repeatedly recommended that Pakistan ensure that restrictions on freedom of expression comply with the requirements of legality, necessity and proportionality under Article 19(3). The Committee has also raised concerns regarding the application of cybercrime legislation, criminal defamation, restrictions on journalists and human rights defenders, internet shutdowns, and misuse of blasphemy-related laws to suppress freedom of expression.

Human Rights Concern	Primary Thematic Area	Cross-cutting Areas	Present Status in Draft Matrix	Suggested Enhancement
				monitoring of attacks on education
Academic Freedom and Protection of Academics	TA2	TA3, TA6	Absent	Introduce indicators on protection of higher education institutions, academic freedom and attacks against educators
Children and Armed Conflict (CAAC/MRM)	TA2	TA5	Absent	Include monitoring of the six grave violations under the UN Monitoring and Reporting Mechanism (MRM) established by UNSC Resolution 1612 (2005)
Refugees, Stateless Persons and Migrants	TA2	TA1, TA5	Absent	Include access to justice, education, healthcare and protection against refoulement consistent with international standards
Indigenous, Nomadic and Semi-Nomadic Communities	TA2	TA3, TA6	Absent	Include recognition, access to education, healthcare, livelihoods and participation in policy development
Human Rights Defenders	TA1	TA5, TA6	Absent	Introduce indicators on protection from reprisals and enabling civic space
Digital Rights and Online Civic Space	TA1	TA3	Limited	Include proportionality of cyber legislation, online expression and privacy safeguards
Enforced Disappearances	TA1	TA5	Partially reflected	Include implementation of treaty body recommendations and consideration of accession to ICPPED
Torture, Custodial Violence and Prison Reform	TA1	TA2, TA5	Partially reflected	Include implementation of the Torture and Custodial Death (Prevention and Punishment) Act, 2022, prison oversight and Mandela/Bangkok Rules indicators

Human Rights Concern	Primary Thematic Area	Cross-cutting Areas	Present Status in Draft Matrix	Suggested Enhancement
Judicial Independence and Fair Trial	TA1	TA6	Limited	Include measurable indicators on due process, legal aid, military courts and implementation of constitutional guarantees under Article 10A
Women's Rights and Gender-Based Violence	TA2	TA3, TA4	Moderately covered	Strengthen implementation and outcome-based indicators rather than awareness activities alone
Child Rights and Juvenile Justice	TA2	TA3, TA4	Partially covered	Include diversion, rehabilitation, children in detention and implementation of CRC recommendations
Human Rights Data and Disaggregation	TA4: Institutional Strengthening	TA5	Weak	Require disaggregation by sex, age, disability, religion, ethnicity and minority status
Treaty Reporting, UPR and Follow-up	TA5: International Obligations	TA4	Weakly developed	Introduce a treaty reporting calendar, implementation tracker, UPR monitoring, follow-up to Concluding Observations, engagement with Special Procedures and GSP+ reporting
Civil Society and NHRI Participation	TA6: Monitoring and Civil Society	TA5	Limited	Institutionalise consultation, parallel reporting and protection against reprisals

3.5 Lessons from the National Action Plan against Terrorism

The structural gaps identified in the Draft NAP-HR Matrix become more apparent when viewed against Pakistan's experience with the National Action Plan against Terrorism (NAP). The NAP provides an important policy lesson, demonstrating both the State's ability to rapidly mobilise institutional and legislative responses when a crisis is acknowledged, and the consequences of uneven implementation where security objectives begin to outweigh broader human rights considerations.

The National Action Plan was adopted in early 2015 following the All Parties Conference convened by Prime Minister Muhammad Nawaz Sharif in the aftermath of the tragic Army Public School (APS) attack in Peshawar. The resulting twenty-point agenda reflected an unprecedented national consensus to combat terrorism and violent extremism through coordinated legislative, institutional and security measures.

The urgency of the national response cannot be understated. However, several measures adopted under the NAP were introduced without sufficient consideration of their longer-term implications for constitutional rights, democratic governance, judicial independence and the rule of law.

Among the most consequential developments was the enactment of the Constitution (Twenty-first Amendment) Act, 2015, read together with amendments to the Pakistan Army Act, 1952, which created a constitutional framework permitting the trial of certain terrorism-related offences before military courts. While introduced as an exceptional counter-terrorism measure, these amendments raised concerns regarding the right to a fair trial, judicial transparency and due process. Similarly, the lifting of the moratorium on the death penalty — initially for terrorism-related offences and shortly thereafter for all capital offences — resulted in a significant increase in executions and renewed concerns regarding fair trial guarantees and miscarriages of justice. Although executions have declined considerably since 2019, the death penalty remains available for a wide range of offences, and the underlying concerns identified by international human rights mechanisms continue to persist.

The implementation of the twenty-point agenda itself has also remained uneven. Measures introduced following the APS attack focused primarily on strengthening the physical security of educational institutions through boundary walls, surveillance systems, security personnel and controlled access. However, a broader framework encompassing school safety, psychosocial support, continuity of education during emergencies, emergency preparedness and child protection was never comprehensively developed. It is also noteworthy that, despite experiencing repeated attacks on schools and universities over the past two decades, Pakistan has yet to endorse the voluntary Safe Schools Declaration, an intergovernmental political commitment aimed at strengthening the protection of education during armed conflict and complementing existing obligations under international humanitarian and human rights law.

At the same time, several commitments contained within the National Action Plan reflected an implicit acknowledgement by the State of long-standing human rights concerns that had previously received limited policy attention. These included Point 5 on hate speech and extremist material; Point 9 on protecting religious minorities from persecution arising from violent extremism; Point 10 on the registration and reform of madrassahs; Point 12 on the rehabilitation of internally displaced

persons (IDPs) and development of the former Federally Administered Tribal Areas (FATA); Point 14 on preventing the misuse of social media for terrorist propaganda and hate speech; Point 17 on political reconciliation in Balochistan; Point 18 on addressing sectarian violence; and Point 20 on strengthening the National Counter Terrorism Authority (NACTA) and provincial Counter Terrorism Departments through legislative and institutional reform.

A decade later, implementation demonstrates a clear pattern of uneven prioritisation. The greatest progress has been achieved in financial counter-terrorism measures that contributed to Pakistan's removal from the Financial Action Task Force (FATF) Grey List, followed by large-scale security operations such as Zarb-e-Azb and Radd-ul-Fasaad, together with legislative reforms expanding counter-terrorism powers, military courts and cybercrime regulation. While these measures strengthened Pakistan's security architecture, they have also generated increasing concerns regarding restrictions on freedom of expression, media freedom, civic space and access to information. More recently, legislative changes affecting the regulation of madrassahs following the Twenty-sixth Constitutional Amendment have introduced new questions regarding regulatory oversight, institutional accountability and consistency of governance.

By comparison, many of the NAP's human rights-oriented commitments have received considerably less policy attention. Progress remains limited in relation to political reconciliation in Balochistan, rehabilitation of internally displaced persons, development reforms in the former FATA, protection of religious minorities, criminal justice reform, and safeguards for freedom of expression. Viewed in its entirety, the implementation of the National Action Plan has evolved into a predominantly security-oriented framework rather than a balanced strategy integrating both national security and human rights objectives.

The experience of the National Action Plan offers an important lesson for the Draft National Action Plan for Human Rights 2026. A comprehensive action plan cannot be judged solely by the breadth of its institutional measures or legislative commitments. Its effectiveness ultimately depends upon whether implementation remains balanced, rights-based and capable of addressing the underlying causes of recurring human rights concerns. Without measurable indicators, institutional ownership and sustained monitoring, many of the commitments recognised within a national action plan risk remaining aspirational rather than transformative.

Key Takeaways

The National Action Plan demonstrates that political recognition of a crisis can generate legislative and institutional responses; however, sustained implementation requires equal attention to constitutional rights and human rights safeguards.

A decade of implementation reflects uneven prioritisation, with security measures advancing more rapidly than commitments relating to justice, reconciliation, minority protection, education and human rights reforms.

The experience of the National Action Plan highlights the importance of incorporating measurable, rights-based indicators that assess implementation outcomes rather than institutional activity alone.

The Draft NAP-HR 2026 should build upon these lessons by strengthening cross-cutting human rights concerns, improving institutional ownership, and ensuring that implementation frameworks measure tangible improvements in the enjoyment of rights rather than procedural compliance alone.

Chapter 4 — Legal Reform, Fair Trial and the Protection of Fundamental Freedoms

The protection of fundamental freedoms lies at the heart of any democratic society governed by the rule of law. Freedoms of thought, conscience, religion or belief, expression, peaceful assembly and association, together with the right to a fair trial and due process of law, form the constitutional safeguards through which all other human rights are realised and protected. When these freedoms are undermined, institutions responsible for justice, accountability and democratic governance become increasingly vulnerable to external influence, arbitrary exercise of power and public mistrust.

The preceding chapter demonstrated that several of these recurring concerns receive limited recognition within the Draft National Action Plan for Human Rights 2026 despite their consistent appearance in Pakistan’s constitutional jurisprudence, international human rights reviews and domestic experience. This chapter therefore examines a number of interrelated issues that directly affect the protection of fundamental freedoms, including the right to a fair trial, judicial independence, misuse of blasphemy-related provisions and the Prevention of Electronic Crimes Act, 2016 (PECA), countering violent extremism through a human rights lens, and the protection of vulnerable groups whose rights are particularly affected by gaps in legal and policy frameworks.

Although these issues intersect several thematic areas of the Draft NAP-HR, they are examined together because they share a common concern: the protection of constitutional freedoms through an independent justice system, accountable institutions and rights-based implementation of the law. The recommendations proposed throughout this chapter are subsequently mapped to the relevant thematic areas and Key Performance Indicators of the Draft Matrix.

4.1 The Right to a Fair Trial

The Draft National Action Plan for Human Rights does not expressly recognise the right to a fair trial as a priority area, despite it remaining one of the most recurring concerns raised across Pakistan’s international human rights reviews. Recommendations concerning the right to a fair trial have consistently intersected with broader concerns relating to enforced disappearances, arbitrary detention, torture, military courts, misuse of blasphemy laws,¹⁴ judicial independence, and restrictions on fundamental freedoms. These concerns have recurred across successive reviews by UN treaty bodies, the Universal Periodic Review, UN Special Procedures, and, more recently, the European Union’s GSP+ monitoring process.^{15 16} Although Pakistan has accepted a number of

¹⁴ Committee on the Elimination of Racial Discrimination (CERD), *Concluding Observations on Pakistan’s Combined Twenty-Fourth to Twenty-Sixth Periodic Reports*, CERD/C/PAK/CO/24-26 (2025), paras. 15–16; Human Rights Committee (ICCPR), CCPR/C/PAK/CO/1 (2017); Universal Periodic Review, Fourth Cycle (2023), recommendations concerning blasphemy legislation, freedom of religion or belief, and freedom of expression.

¹⁵ UN Human Rights Committee (ICCPR), *Concluding Observations on the Initial Report of Pakistan*, CCPR/C/PAK/CO/1 (2017), paras. 31–38 (fair trial, military courts, judicial independence, due process); Human Rights Committee, *List of Issues Prior to the Second Periodic Report of Pakistan*, CCPR/C/PAK/QPR/2 (2024); Universal Periodic Review, Fourth Cycle (2023), recommendations concerning military courts, judicial independence, due process and fair trial guarantees.

¹⁶ Committee against Torture (CAT), *Concluding Observations on Pakistan’s Initial Report*, CAT/C/PAK/CO/1 (2026), concerning torture, arbitrary detention, enforced disappearances and accountability; Human Rights Committee (ICCPR),

institutional recommendations aimed at strengthening the justice sector, the reporting framework continues to require measurable indicators capable of demonstrating that allegations of human rights violations are effectively and independently investigated, that due process is ensured, and that accountability is secured against those responsible for violations.

A rights-centric approach therefore requires the Draft NAP-HR to move beyond measuring legislative or administrative reforms alone. It should also assess whether persons deprived of liberty have effective access to legal representation, whether judicial proceedings remain free from intimidation or external influence, whether investigations are conducted impartially, and whether remedies are available where violations of due process occur.

4.1.1 Judicial Independence and Protection of the Administration of Justice

The independence of the judiciary remains a fundamental precondition for the protection of fair trial guarantees. Concerns regarding judicial independence in Pakistan have been documented by the UN Special Rapporteur on the Independence of Judges and Lawyers, Gabriela Knaul (2013),¹⁷ and subsequently by the International Commission of Jurists (ICJ),¹⁸ highlighting threats and intimidation directed not only against judges but also against defendants, defence counsel and their families.

Particularly concerning are situations in which judicial proceedings become vulnerable to organised intimidation, vigilante violence or external pressure capable of influencing the administration of justice. Such pressures undermine public confidence in the judiciary and weaken the constitutional guarantee of equal protection before the law.

The Draft NAP-HR does not presently include actions or Key Performance Indicators aimed at strengthening compliance with professional codes of conduct governing members of the legal profession or ensuring accountability where serious professional misconduct contributes to intimidation of judicial proceedings. Greater institutional oversight is required to strengthen enforcement of existing professional standards applicable to lawyers and members of the judiciary, while ensuring that disciplinary mechanisms remain independent, transparent and consistent with due process. Corresponding KPIs of the Plan should therefore measure not only institutional capacity-building but also compliance with professional standards, disciplinary action in proven cases of misconduct, and measures adopted to safeguard judges, lawyers and litigants from intimidation during legal proceedings. Recommendations concerning the right to a fair trial have consistently intersected with broader concerns relating to enforced disappearances, arbitrary detention, torture, military courts, misuse of blasphemy laws, judicial independence and restrictions on fundamental freedoms.¹⁹

CCPR/PAK/CO/1 (2017); Working Group on Enforced or Involuntary Disappearances (WGEID), communications and follow-up relating to Pakistan.

¹⁷ Report of the Special Rapporteur on the Independence of Judges and Lawyers, Gabriela Knaul, *Mission to Pakistan* (2013), A/HRC/23/43/Add.2; International Commission of Jurists, *On Trial: The Implementation of Pakistan's Blasphemy Laws* (2015).

¹⁸ International Commission of Jurists (ICJ), *On Trial: The Implementation of Pakistan's Blasphemy Laws* (Geneva: ICJ, November 2015), especially Chapters 4–6 (fair trial, judicial independence, intimidation of judges and lawyers, and due process violations).

¹⁹ See Annexure A of this report (Summary of Recurring Human Rights Concerns Across International Review Mechanisms). These concerns recur across the Human Rights Committee (ICCPR, 2017; List of Issues Prior to Reporting,

4.1.2 Misuse of the Blasphemy Laws and the Prevention of Electronic Crimes Act, 2016

Laws that regulate speech carry a heightened obligation to incorporate adequate procedural safeguards against arbitrary application and misuse. The Draft National Action Plan for Human Rights refers generally to the Prevention of Electronic Crimes Act, 2016 (PECA) and the role of the National Cyber Crime Investigation Agency (NCCIA), yet it remains largely silent on the institutional safeguards, oversight mechanisms and accountability measures required to prevent misuse of these laws. Also, the draft inadequate measurable indicators assessing whether their implementation remains consistent with constitutional guarantees of due process, fair trial and freedom of expression.

Successive international review mechanisms have repeatedly expressed concern regarding the application of blasphemy-related provisions of the Pakistan Penal Code (PPC) and PECA, particularly where their enforcement affects journalists, human rights defenders, religious minorities, political activists and individuals expressing dissenting or unpopular views. The concerns raised relate to the substantive provisions of the law and extend to the manner of their application: prolonged detention before trial, intimidation of defendants and defence counsel, mob violence, custodial safety, and the absence of effective accountability where malicious prosecutions or extrajudicial violence occur.²⁰

Most recently, the Committee on the Elimination of Racial Discrimination (CERD) expressed grave concern over the increasing pattern of violent reprisals against persons accused of blasphemy, specifically referring to incidents occurring during 2024 in Punjab and Khyber Pakhtunkhwa, where accountability for perpetrators remained limited. It strongly noted the factors that undermine both the right to a fair trial and protection from torture and other cruel, inhuman or degrading treatment. The Committee also noted the “*significant*” increase in blasphemy-related prosecutions in recent years, under both Sections 295 and 298 of the Pakistan Penal Code and the Prevention of Electronic Crimes Act, 2016. The Committee’s recommendations centred on strengthening the procedural safeguards necessary for protecting the rights of persons accused under the blasphemy laws. It reminded Pakistan to ensure its own domestic legal safeguards, particularly the principles laid down by the Supreme Court in *Asia Bibi v. The State* and *Mumtaz Qadri v. The State*,²¹ which call for adopting standard operating procedures for police and law enforcement agencies to (i) protect the under-trial accused, (ii) protect them from violent reprisal, and (iii) preserve the burden of proof upon the prosecution and raise evidentiary standards. These recommendations are noteworthy

2024), Committee against Torture (CAT, 2026), Committee on the Elimination of Racial Discrimination (CERD, 2025), the Universal Periodic Review (Fourth Cycle, 2023), UN Special Procedures including the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on the Independence of Judges and Lawyers, as well as the European Commission’s GSP+ Review of Pakistan (2023–2025).

²⁰ Human Rights Committee, *Concluding Observations on the Initial Report of Pakistan*, CCPR/C/PAK/CO/1 (2017), paras. 39–44; Universal Periodic Review, Fourth Cycle (2023), recommendations concerning freedom of expression, blasphemy legislation and protection of human rights defenders; Special Rapporteur on the Independence of Judges and Lawyers, *Mission to Pakistan*, A/HRC/23/43/Add.2 (2013); International Commission of Jurists, *On Trial: The Implementation of Pakistan’s Blasphemy Laws* (2015).

²¹ NOTE: In *Asia Bibi v. The State* (PLD 2019 SC 64), the Supreme Court reaffirmed fundamental criminal law principles applicable to blasphemy prosecutions, which are: (i) the exclusive authority of courts to determine whether an offence under Section 295-C PPC has been committed following a fair trial; (ii) the presumption of innocence; (iii) the burden resting upon the prosecution to prove guilt beyond reasonable doubt; (iv) the principle that even a single reasonable doubt entitles the accused to acquittal; (v) strict scrutiny of delayed First Information Reports (FIRs), contradictory witness testimony and extra-judicial confessions; and (vi) the recognition that false allegations of blasphemy are themselves a grave abuse of the law requiring protection by the State.

because they place practical emphasis on the administration of justice, protection of the accused and accountability of perpetrators, rather than focusing exclusively on legislative reform.²²

The problem is not only one of external observations on how the anti-blasphemy laws are misused or exploited. There has always been an implicit acknowledgement by the state of the problems that have compounded the human rights situation due to this. In 2015–2016, on the direction of the Senate Functional Committee on Human Rights, the NCHR (National Commission for Human Rights) presented its recommendations for procedural reforms to prevent misuse of the law. The recommendations included extending the enhanced investigation safeguards under Section 156-A CrPC²³ to all blasphemy offences; ensuring independent and impartial investigation and prosecution; prosecuting complainants and witnesses for perjury where courts found false testimony; trying blasphemy cases before District and Sessions Judges; making blasphemy offences bailable through amendments to the CrPC; removing Section 295-A PPC²⁴ from the schedule of offences under the Anti-Terrorism Act, 1997;²⁵ strengthening training for investigators, prosecutors, judges, lawyers and religious leaders; involving district peace/interfaith committees at the initial stage of proceedings; and considering the concept of repentance in the substantive law. These proposals were discussed by the Senate Functional Committee on Human Rights and were later tabled before the Senate as a Special Report on proposed procedural changes to prevent misuse of blasphemy law in 2018.

However, there is no evidence that Parliament or the Senate considered these recommendations, and Pakistan's subsequent reports to the UN Human Rights Committee merely indicated that the proposals were "under consideration". The problem remains one of protecting the accused from mistrial and open intimidation — not just of the under-trial person, but also of their defending lawyers and the judges hearing these cases. The violence and intimidation they face remain on public record.

The issue regained national attention when the NCHR initiated an independent inquiry in October 2023 into allegations that young individuals (including minors) were being entrapped in blasphemy cases through online platforms. Published in October 2024, the investigation found a sharp increase in blasphemy prosecutions, many initiated by the Federal Investigation Agency's (FIA) Cybercrime Wing, and documented serious procedural irregularities, including alleged entrapment, arrests by

²² Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, CERD/C/PAK/CO/24-26 (2025), paras. 15–16.

²³ Section 156-A, Code of Criminal Procedure, 1898 (CrPC): Section 156-A provides a special procedural safeguard for the investigation of certain offences. It requires that investigations into specified offences be conducted by a police officer not below the rank of Superintendent of Police (SP), with the aim of ensuring greater scrutiny before prosecution. The NCHR recommended extending this safeguard to all blasphemy-related offences to reduce prosecutions based on false or malicious complaints, as at the time the provision applied only to a limited category of offences.

²⁴ Section 295-A of the Pakistan Penal Code, 1860 criminalises deliberate and malicious acts intended to outrage the religious feelings of any class of citizens by insulting its religion or religious beliefs. The offence is punishable with imprisonment of up to 10 years, a fine, or both. The NCHR recommended removing Section 295-A from the list of scheduled offences under the Anti-Terrorism Act, 1997, so that allegations under this provision would not ordinarily be prosecuted under the anti-terrorism framework.

²⁵ The Anti-Terrorism Act, 1997 is Pakistan's principal counter-terrorism legislation, enacted to provide for the prevention, investigation and speedy trial of terrorism-related offences through Anti-Terrorism Courts (ATCs). Certain offences under the Pakistan Penal Code are included in the Act's schedules, allowing them to be prosecuted under the ATA where the statutory requirements are met. The NCHR recommended removing Section 295-A PPC from the scheduled offences to ensure that blasphemy cases are dealt with under the ordinary criminal justice system rather than the exceptional procedures provided under anti-terrorism legislation.

private individuals, coerced statements, denial of legal assistance, inadequate forensic investigation, and poor prison conditions for those accused. The NCHR further found that the Prevention of Electronic Crimes Act, 2016 (PECA) has increasingly been used as the principal legal mechanism for initiating online “blasphemy” prosecutions. The PECA law, under Section 11 (dealing with hate speech), empowers the Federal Investigation Agency’s (FIA) Cybercrime Wing to investigate alleged online cases. The NCHR recommended the constitution of a Joint Investigation Team (JIT) to investigate the alleged network behind these cases, an independent review of FIA practices, strengthened judicial and investigative safeguards, improved digital literacy for youth, and greater oversight of blasphemy investigations. In this very report, the NCHR observed that the PECA laws, since the 2018 amendment, have facilitated a significant rise in “social media blasphemy” cases, many allegedly initiated by a small number of private complainants working in collaboration with some FIA officials.²⁶ Very recently, the concern over the expanding ambit of the PECA laws, coupled with very vague definitions of hate speech, criminal defamation, sedition and counter-terrorism laws, has been expressed in the European Commission’s GSP+ (2023–2025) assessment of Pakistan’s legal framework governing online expression. According to the Commission, the effect of these laws constrains civic space and creates a significant chilling effect on journalists, human rights defenders, political dissidents and individuals belonging to religious and ethnic minorities — the very concern that Pakistan’s own independent institutions have been cautioning about.

How is the NAP-HR 2026 taking up the issue?

None of the procedural reforms recommended by the NCHR in 2016 or reiterated in its 2024 investigation have been incorporated into the Draft National Action Plan for Human Rights 2026, which instead confines its response to monitoring the implementation of existing penal provisions under Sections 194 and 211 of the Pakistan Penal Code.

Expert legal counsel interviewed for this review questioned the inclusion of Section 211 PPC (false charge with intent to injure) as a Key Performance Indicator measuring the number of times it is invoked following the acquittal of a person accused of blasphemy. They noted that this indicator is unlikely to produce meaningful results, as Section 211 carries a comparatively lesser penalty (two to seven years) and has rarely been invoked in blasphemy-related prosecutions. More fundamentally, the prevailing climate of intimidation, threats and violence surrounding blasphemy allegations leaves little practical scope for initiating proceedings under either Sections 194 or 211 PPC against complainants or witnesses. As a result, reporting against this KPI is likely to produce negligible or zero figures by default, creating a misleading impression of progress while diverting attention from the procedural and institutional reforms required to prevent the misuse of Section 295-C PPC against innocent persons.

²⁶ See National Commission for Human Rights (NCHR), *Investigation Report on Blasphemy-Related Arrests and Detentions* (2024), finding that online blasphemy investigations initiated by the FIA under the Prevention of Electronic Crimes Act (PECA) have increased significantly. See also Clooney Foundation for Justice, *TrialWatch Report on Pakistan* (2024), observing that the FIA has increasingly pursued “social media blasphemy” cases by invoking PECA alongside Pakistan Penal Code offences and expressing concern over prolonged detention, inadequate scrutiny of electronic evidence and fair trial guarantees. See also the Government of the United Kingdom’s Country Information and Policy Note, which raised serious concerns over growing numbers of under-trial prisoners charged with online blasphemy. Digital rights organisations and legal experts — including the Digital Rights Foundation (DRF), the Human Rights Commission of Pakistan (HRCPP), and Amnesty International — have consistently warned that PECA’s broad investigative and enforcement powers, vague drafting and inadequate oversight have facilitated regulatory overreach, arbitrary enforcement and serious implications for freedom of expression, and have called for enhanced procedural safeguards.

Absence of safeguards for freedom of expression and protection against misuse of laws

While the Draft National Action Plan addresses hate speech and prevention of misuse of blasphemy laws under Thematic Area 2, Outcome 6, Action Point 31, its approach is confined to monitoring enforcement through indicators such as the number of cases registered, conviction rates and implementation of existing SOPs. It would have been more meaningful to provide for procedural safeguards to prevent the arbitrary or abusive application of laws that directly affect the exercise of freedom of expression, including the Prevention of Electronic Crimes Act, 2016 (PECA), blasphemy provisions, and criminal defamation laws.

This omission cannot be reconciled with Pakistan's recurring commitments under the international human rights review mechanisms of its treaty obligations. The UN Human Rights Committee (ICCPR), successive Universal Periodic Review (UPR) cycles, the UN Special Rapporteur on freedom of religion or belief, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and most recently the European Commission's GSP+ monitoring report (2023–2025) have consistently called for safeguards against the misuse of laws restricting expression, citing concerns over vague legal provisions, weak procedural protections, and their effect on journalists, human rights defenders, academics, political dissidents and members of religious minorities. Despite the persistence of these recommendations across reporting cycles, the Draft NAP-HR does not carry any corresponding legal or institutional reform agenda to address these concerns.

4.2 Countering Violent Extremism

As discussed in the above section, reprisals against vulnerable communities over false accusations of blasphemy, and the vigilante murders, go without strict accountability. The Draft NAP-HR 2026 refers to hate speech but does not sufficiently address the broader challenge of violent religious extremism, despite its direct implications for human rights protection. Countering violent extremism requires measurable commitments that go beyond awareness and enforcement to monitor incidents of mob violence and vigilante killings carried out in the name of religion.

According to the Human Rights Commission of Pakistan (HRCP), at least 24 people were killed by vigilante mobs in 2024, several in blasphemy-related incidents, while its *Streets of Fear* report documents a growing pattern of mob violence targeting religious minorities. The attacks in Jaranwala (2023), Sargodha (2024) and Madyan, Swat (2024) illustrate a recurring cycle in which communities are displaced, traumatised and economically devastated, while accountability remains limited and prosecutions continue to face prolonged delays.²⁷ The recurrence of these incidents also coincided with the State's decision to remove Tehreek-e-Labbaik Pakistan (TLP) from the Fourth Schedule of the Anti-Terrorism Act, enabling the party to contest the 2024 general elections (see Annexure C).

Rehabilitation should therefore be recognised as a core human rights obligation and an essential component of countering violent extremism. Without financial, social and psychosocial

²⁷ HRCP, *State of Human Rights in 2024* — “at least 24 deaths were attributed to vigilante mobs, some linked to allegations of blasphemy, including in Swat and Sargodha”: <https://hrcp-web.org/hrcpweb/rising-militancy-and-democratic-backsliding-mark-2024/>; and HRCP, *Streets of Fear: Freedom of Religion or Belief in 2024/25*, reported in Dawn (20 August 2025): <https://www.dawn.com/news/1931919>.

rehabilitation, affected communities remain vulnerable while the culture of impunity surrounding mob violence persists.

The Draft NAP omits important domestic mechanisms and directives to ensure protection from mob violence. Some directives could easily turn into performance indicators to track the performance of the government. For example, the government's compliance with the Supreme Court's landmark judgment of 19 June 2014 (the Jillani Judgment), delivered in the aftermath of the terrorist attack on a church in Peshawar, could provide a concrete way forward in fighting extremism. The judgment directed the establishment of a National Council for Minorities' Rights to monitor constitutional safeguards and recommend policy reforms; the creation of a special police force for the protection of places of worship; action against hate speech; enforcement of the employment quota for minorities; and strengthened law enforcement mechanisms. Compliance should be monitored through the reports of the One-Man (Saddle) Commission, which was constituted by the Supreme Court to oversee implementation of these directives.

Another consensus-based policy instrument remains without acknowledgement, in particular NACTA's National Counter Extremism Policy Guidelines (2018),²⁸ which carried certain mechanisms for adoption to curb the menace of extremism. The Guidelines identified the root cause of extremism by addressing a perpetuated sense of superiority over others, self-righteousness and the resulting process of otherisation as key drivers of intolerance, polarisation and violence. This recognition has important implications for education and curriculum reform, requiring measurable efforts to eliminate narratives that reinforce exclusion, discrimination and religious intolerance within society. These measures could provide practical steps for curbing the mindset and public dispositions responsible for extremism.

How is the National Action Plan dealing with violent extremism?

In its current form, the Draft NAP measures responses to incidents rather than the drivers and consequences of violent extremism. The Draft National Action Plan addresses the issue indirectly through Thematic Area 2 (Protection of Rights of Minorities), Outcome 6, Action Point 31, which focuses on combating hate speech and preventing the misuse of blasphemy laws. The proposed Key Performance Indicators primarily measure the implementation of existing Standard Operating Procedures, the number of awareness and consultative sessions held, and the number of cases registered and convicted under relevant legal provisions. While these indicators may assist in monitoring the enforcement of existing laws, the purpose should have been to prevent further violence from occurring through better educational and institutional interventions. .

Need for rehabilitation of victims and communities after mob violence

The Draft NAP would have been more effective if the rehabilitation of victims and affected communities following mob violence as a human rights obligation. It is Pakistan's most visible and recurring human rights failures in recent years.

²⁸ National Counter Terrorism Authority (NACTA), *National Counter Extremism Policy Guidelines* (January 2018), p. 9. The Guidelines define extremism as "having absolute belief in one's truth with an ingrained sense of self-righteousness," explaining that such self-righteousness cultivates intolerance, polarisation into "us and them," and ultimately violence aimed at excluding others and imposing one's own belief system. The Guidelines identify these dynamics as drivers of violent extremism and present the framework as a basis for provincial governments to formulate policy responses to minimise intolerance and violence.

Accordingly, the Draft NAP's KPIs should record:

- the number of mob violence and vigilante incidents, disaggregated by province and affected community;
- compensation, reconstruction of damaged homes and places of worship, and livelihood restoration;
- provision of psychosocial and trauma support, particularly for children exposed to violence;
- protection and relocation mechanisms for persons who remain at risk following allegations, including those subsequently acquitted; and
- investigation, prosecution and conviction rates of perpetrators, recognising accountability as an essential component of community recovery.

4.3 Administrative and Jurisdictional Vagueness in the Regulation of Madrassahs

In addressing oversight mechanisms to counter violent religious extremism, madrassah reforms merit attention, because the regulatory ambiguity created by the Societies Registration (Amendment) Act, 2024 affects multiple human rights concerns, including child protection, curriculum oversight, safeguarding, teacher regulation, monitoring of extremist narratives, and institutional accountability. Corporal punishment then becomes one illustration of the larger governance gap.

This gap has been further complicated by the Societies Registration (Amendment) Act, 2024,²⁹ enacted as part of the political settlement surrounding the Twenty-sixth Constitutional Amendment. The legislation allows madrassahs to register either with the Ministry of Education through the Directorate General of Religious Education or under the Societies Registration framework, thereby creating uncertainty regarding the authority responsible for enforcing child protection standards.

Because the prohibition of corporal punishment in the Islamabad Capital Territory and Sindh operates largely through education-sector oversight, seminaries registered outside that framework may fall beyond effective administrative monitoring. The resulting ambiguity raises important questions regarding institutional accountability, especially for enforcing safeguards against corporal punishment and other forms of child abuse.

Sahil's *Cruel Numbers 2024* documented 3,364 reported cases of child abuse nationwide during 2024 — an average of nine children each day — with religious teachers identified among the principal categories of alleged perpetrators.

Does the Draft NAP-HR carry any action points regarding religious seminaries?

Despite identifying violent extremism and hate speech as priority concerns, the Draft NAP-HR needs a dedicated action point or KPI addressing the governance, regulation or reform of Deeni Madaris. This omission is particularly significant following the enactment of the Societies

²⁹ Societies Registration (Amendment) Act, 2024 (assented 27 December 2024). See Dawn, "After Months of Delay, President Zardari Gives Assent to Madressah Bill," <https://www.dawn.com/news/1881818>; and Business Recorder (Editorial), "Madrassa Registration — Crisis Averted?" (3 January 2025), on the DGRE arrangement and the Twenty-sixth Amendment linkage, <https://www.brecorder.com/news/40340829/madrassa-registration-crisis-averted>.

Registration (Amendment) Act, 2024, which introduced an alternative registration framework without clarifying the institutional authority responsible for education standards, child safeguarding, curriculum oversight and institutional accountability. In the absence of measurable commitments addressing these governance questions, the Draft NAP provides no mechanism to monitor whether madrassah reforms contribute to the prevention of violent extremism, the protection of children or the implementation of broader human rights obligations.

Regulatory ambiguity after the 2024 amendment



Lack of education-sector oversight



Weak curriculum oversight



Weak monitoring of violent extremism



Weak child protection



Weak safeguarding against abuse



No measurable KPIs

Key Takeaways

Successive international and domestic human rights review mechanisms have consistently identified the right to a fair trial, judicial independence, due process and accountability as among Pakistan's most recurring human rights concerns. They need to be sufficiently reflected as measurable priorities within the Draft National Action Plan for Human Rights 2026.

The reporting framework of the Draft NAP-HR remains largely implementation-oriented, measuring enforcement of existing laws. More procedures for ensuring constitutional constitutional guarantees, procedural safeguards and institutional accountability are needed to protect individuals from arbitrary prosecution, intimidation, misuse of law and denial of justice.

Although the Draft NAP acknowledges blasphemy-related provisions and the Prevention of Electronic Crimes Act, 2016 (PECA), it further needs to incorporate the procedural safeguards recommended by the Supreme Court, the National Commission for Human Rights (NCHR), or successive international human rights review mechanisms to prevent their misuse.

The proposed KPIs under Sections 194 and 211 PPC are unlikely to provide a meaningful measure of accountability in blasphemy-related cases and risk obscuring the need for broader procedural and institutional reforms.

Recurring recommendations from the ICCPR, CERD, successive UPR cycles, UN Special Procedures

Key Takeaways

and the European Commission's GSP+ monitoring process have highlighted the need to safeguard freedom of expression and prevent the misuse of restrictive laws. These concerns need to be effectively addressed within the Draft NAP-HR's legal reform and reporting framework.

Countering violent extremism is addressed primarily through monitoring hate speech and existing legal enforcement. More measurable commitments are needed to address the structural drivers of extremism, vigilante violence, implementation of the Jillani judgment, or Pakistan's own National Counter Extremism Policy Guidelines (2018).

The rehabilitation of victims and communities affected by mob violence needs to be addressed in the Draft NAP-HR, despite repeated incidents demonstrating that community recovery, psychosocial support and accountability are integral components of a human rights-based response to violent extremism.

The Draft NAP-HR needs to contain a dedicated action point or KPI addressing the governance and regulation of Deeni Madaris, and address the regulatory ambiguity introduced by the Societies Registration (Amendment) Act, 2024, and its implications for child protection, curriculum oversight, safeguarding and efforts to counter violent extremism.

The chapter demonstrates that strengthening Pakistan's compliance with its constitutional and international human rights obligations requires measurable safeguards that assess the quality of justice, the protection of fundamental freedoms and institutional accountability, rather than merely recording the implementation of existing laws.

Chapter 5 — Protecting Education from Violence, Extremism and Suppression

This chapter reviews the Draft NAP from the perspective of protecting education as a human rights obligation. While the Plan addresses education primarily through access and child rights, it pays limited attention to the growing threats posed by violent extremism, attacks on educational institutions, and restrictions on academic freedom. Together, these challenges undermine not only the physical security of schools, teachers and students, but also the freedom to teach, learn and pursue knowledge without fear.

Education today is under attack in two ways. The first concerns the physical protection of education — which includes safety at schools and of educational infrastructure, and the wellbeing of teachers and students increasingly exposed to human rights violations and insecurity. The second concerns the intellectual protection of education, which is equally vital for survival. Academic freedom is increasingly being undermined by the shrinking civic space for expression, freedom of thought and critical enquiry arising from intimidation, violence and the misuse of restrictive laws. Both dimensions are central to the right to education and merit equal attention within the National Action Plan.

Accordingly, this chapter examines three interrelated domains: (i) children and young people affected by human rights violations; (ii) the protection, rehabilitation and recovery of educational institutions following violence and attacks; and (iii) safeguards for academic freedom, institutional autonomy and the protection of educators and students against violence, intimidation and arbitrary restrictions on the exercise of fundamental freedoms.

5.1 Education Under Attack

Human rights reporting on education cannot remain confined to enrolment, infrastructure and access alone. Increasingly, the protection of education itself has emerged as a human rights concern. Schools, teachers, academics and students are exposed to intimidation and restrictions on academic freedom. Yet these dimensions remain largely unaddressed in Draft National Action Plan. A lack of mention will keep the situation without the framework required for monitoring attacks on education, the rehabilitation of affected communities, or the protection of academic freedoms as a human rights subject.

Here, we are concerned with three domains: children and youth who are learning; schools and institutes where education is imparted; and academic integrity, freedom of thought and growth.

5.2 Children Caught in Conflict

The National Action Plan for Human Rights provides an elaborate section on child rights, but it contains no mechanism for reporting, or for the intake of feedback, on children caught in armed conflict. A reporting mechanism and framework should be included for the rehabilitation and recovery of the educational and economic rights of children affected by armed conflict, aligned with the six grave violations recognised under the UN Security Council reporting mechanism.

There have been recent attacks on schools in Khyber Pakhtunkhwa and Balochistan — in Mastung, Balochistan, on 1 November 2024 (an improvised explosive device (IED) near a girls’ high school, with five schoolchildren among those killed),³⁰ and in Khuzdar, Balochistan, on 21 May 2025 (a vehicle-borne IED and suicide attack on an Army Public School bus).³¹ GCPEA (the Global Coalition to Protect Education from Attack) also identified at least eight attacks on schools during the 2022–2023 reporting period. These are not just requiring security measures, but complementing processes that can ensure no child or teacher are exposed to violence and they have the confidence of the state to ensure their safety.

5.3 Rehabilitation of Education (2014–2026)

The Draft NAP does not address the psychological and economic impact of attacks on schools, which cause fear and apprehension among communities in affected areas. Structural rehabilitation, confidence-building, and security for schools are pertinent human rights concerns. The attack on the Army Public School (APS) in Peshawar on 16 December 2014, in which more than 141 people — the great majority of them children — were killed, is the defining event in this history; but attacks had been occurring before it, and some incidents have been reported again in recent months. The Draft NAP needs to take into consideration the destruction of schools, the killing and abduction of teachers, and misuse of educational buildings. Educational rights and security in areas of ongoing military engagement need to be protected. (See Annexure B for the documented timeline of attacks on schools, the latest recorded on 2 July 2026 and added to this document on 4 July 2026.)

At different points in the timeline (2014 to the present), documented incidents extend beyond the north-west: to Sindh (the Karachi campus killings and the Jamshoro bomb disposals), Punjab (the Tandlianwala girls’-school shooting), and Azad Jammu and Kashmir. All provinces and areas under the Federation need protection frameworks for education, both to address the hesitance and fear surrounding schooling and to ensure greater security for schools.

The pattern of attacks also shows a consistent share of girls’ schools — ten in 2024 and six in 2025 by GCPEA’s count.³² There is an urgent need to ensure safety and confidence-inspiring measures. Child deaths have also been reported in recent militant attacks on schools in Balochistan.

Although, it is really encouraging that Pakistan does not appear in the UN Secretary-General’s 2026 Children and Armed Conflict report (S/2026/357) as a standalone “situation” with its own country chapter — but this does not undermine to take proper steps to ensure that educational interests and children remain safe from any violence, and more preventive strategies are needed.

Rehabilitation of Schools and Education

Not taking school attacks and their associated impact into consideration will leave unaddressed the concern of removing the fear of education that affected communities inhabit. The Draft NAP should commit to a mechanism for rehabilitating schools and education destroyed by militancy. Whenever a

³⁰ UNICEF, “Statement on Attack in Mastung, Balochistan, Pakistan” (1 November 2024), <https://www.unicef.org/pakistan/press-releases/unicef-statement-attack-mastung-balochistan-pakistan>.

³¹ UN News, “Four Children Dead in ‘Horrific’ Attack on School Bus in Baluchistan: UNICEF” (21 May 2025), <https://news.un.org/en/story/2025/05/1163556>.

³² Global Coalition to Protect Education from Attack (GCPEA), *Education under Attack 2026*, reporting period 2024–2025.

school is attacked, enrolment collapses, girls are withdrawn first, and children are left exposed to different vulnerabilities, including recruitment by armed groups. Comprehensive rehabilitation plans for schools in security-risk areas should be placed at the heart of the fundamental right guaranteed by Article 25-A.

For the reconstruction of schools destroyed, accountability for reconstruction and rehabilitation needs to be undertaken must be owned by the government. , For example, for rehabilitation, the reliance had mainly been on project-based and external assistance rather than government owning responsibility for the critical issues facing children at school. It is notable that in Khyber Pakhtunkhwa, the reconstruction of 50 schools destroyed by terrorism in Bara and adjoining areas of Khyber district — 35 primary, seven middle, seven high, and one senior high school — were executed with the financial and technical assistance of China.³³ Separately, disaster-resilient reconstruction of schools in Khyber Pakhtunkhwa was undertaken under the United Nations Development Programme (UNDP) / UN-Habitat / Japan International Cooperation Agency (JICA) Disaster Resilient School Infrastructure project.³⁴ Human rights coordination would become more meaningful if this were made part of the documentation and monitoring of implementation under this Plan.

The historical concern remains structurally unchanged. At the time of the APS attack, the federal budget allocated education a share of roughly 2.1 per cent — too low to cover ordinary costs, let alone the securing and rehabilitation of schools; and the Khyber Pakhtunkhwa government's comparatively higher education allocation (a 13 per cent increase, to Rs 362.68 billion for 2024–25) has been criticised as disconnected from school-level realities. The state must maintain, at both federal and provincial levels, the data required to rehabilitate schools and education — covering both structural repairs and security, and confidence-building steps for communities, in particular for girls. A Human Rights Watch report³⁵ specifically identified this gap to recommended for consistent, transparent national data on attacks as undermining the government's ability to track repairs, identify protective trends, and prosecute those responsible. The National Action for Human Rights, must therefore, improve on collecting such data requiring rehabilitation work on education.

5.4 School Protection and Pakistan's International Commitments

The protection of education during armed conflict forms part of Pakistan's obligations under several international human rights treaties and United Nations monitoring mechanisms.

Through the international treaties it has ratified and the reporting mechanisms to which it is subject, Pakistan bears obligations to protect children, educational institutions and the continuity of education during situations of violence and insecurity. Table 5.1 summarises the principal treaty provisions and reporting mechanisms relevant to school protection.

³³ The Nation, "KP Rebuilds 50 Terror-Hit Schools in Khyber District" (11 February 2026), <https://www.nation.com.pk/11-Feb-2026/kp-rebuilds-50-terror-hit-schools-khyber-district>.

³⁴ UNDP, "Building Resilience in Education: Handover of Disaster-Resilient Schools in Khyber Pakhtunkhwa" (4 September 2025), <https://www.undp.org/pakistan/press-releases/building-resilience-education-handover-disaster-resilient-schools-khyber-pakhtunkhwa>.

³⁵ Human Rights Watch, "Pakistan: Attacks on Schools Devastate Education" (27 March 2017), <https://www.hrw.org/news/2017/03/27/pakistan-attacks-schools-devastate-education>.

Table 5.1: International instruments and mechanisms relevant to the protection of education

International Instrument / Mechanism	Relevant Provision	Pakistan's Obligation	Relevance to Protection of Education
Convention on the Rights of the Child (CRC)	Article 28 (Right to Education); Article 29 (Aims of Education); Article 38 (Protection of children affected by armed conflict); Article 39 (Recovery and reintegration of child victims)	Pakistan reports periodically to the Committee on measures taken to protect children's right to education, safeguard children affected by conflict, and ensure their rehabilitation and reintegration.	Requires protection of schools, continuity of education, rehabilitation of children affected by attacks, and recovery of education systems.
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Article 13 (Right to Education); Article 14 (Progressive implementation of compulsory education)	Pakistan reports on the availability, accessibility, acceptability and adaptability of education, including measures ensuring continuity of education.	Educational institutions should remain accessible, safe and functional, including during insecurity or conflict.
International Covenant on Civil and Political Rights (ICCPR)	Article 6 (Right to Life); Article 19 (Freedom of Expression); Article 24 (Special protection of children)	Pakistan reports on protection of life, security, and the freedoms necessary for education, including protection of children and educational environments.	Attacks on schools threaten the right to life, children's protection and the freedoms necessary for teaching and learning.
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	Article 10 (Equal rights in education)	Pakistan reports on equal educational opportunities for girls and measures eliminating discrimination.	Attacks disproportionately affecting girls' schools undermine Pakistan's obligations regarding equal access to education.
Convention on the Rights of Persons with Disabilities (CRPD)	Article 24 (Education)	Pakistan reports on inclusive and accessible education for children with disabilities.	Reconstruction and rehabilitation of schools should ensure accessibility and continuity for children with disabilities.
UN Security Council Resolution 1612 (2005) (<i>Children and Armed Conflict Monitoring and</i>	Establishes the Monitoring and Reporting Mechanism (MRM) on the six grave violations against children,	This is not a treaty reporting obligation but a Security Council monitoring mechanism,	Provides the internationally recognised framework for monitoring attacks on

International Instrument / Mechanism	Relevant Provision	Pakistan's Obligation	Relevance to Protection of Education
<i>Reporting Mechanism)</i>	including attacks on schools	applied where applicable.	schools and their impact on children.
Safe Schools Declaration (2015) (<i>Voluntary Political Commitment</i>)	Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict	Pakistan is not an endorser and therefore has no formal reporting obligation under the Declaration.	Encourages States to protect schools from military use, collect national data on attacks, support victims, investigate violations and ensure continuity of education.
Universal Periodic Review (UPR)	Recommendations adopted by the Human Rights Council	Pakistan reports voluntarily on implementation of accepted recommendations.	Protection of education has featured in successive review cycles.

Pakistan has also received recommendations to endorse the Safe Schools Declaration,³⁶ through a combination of UN treaty bodies, the UN Secretary-General's Children and Armed Conflict agenda, and the UPR process. While the Safe Schools Declaration (SSD) is not a legally binding treaty, it represents a voluntary intergovernmental political commitment, launched in Oslo in 2015, through which endorsing States commit to protecting education during armed conflict by implementing the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, collecting data on attacks on education, supporting victims, investigating violations, and ensuring the continuity of education. As of 2025, 123 States had endorsed the Declaration. Pakistan has not yet done so.³⁷

Pakistan's non-endorsement of the Safe Schools Declaration does not, however, undermine its existing obligations to protect education. Through treaties that Pakistan has ratified, and through recurring recommendations received under United Nations human rights mechanisms, the State is already expected to report on the protection of children, schools and educational institutions affected by conflict and violence.

Under the Convention on the Rights of the Child (CRC), Pakistan is required to report periodically on measures taken to protect children from violence, ensure access to education, safeguard children during armed conflict, and facilitate their recovery and reintegration, engaging in particular Articles 28, 29, 38 and 39 of the Convention. Likewise, under the International Covenant on Economic, Social and Cultural Rights (ICESCR), Pakistan reports on the availability, accessibility and continuity of education, including measures taken to protect educational institutions and ensure uninterrupted access to schooling. The Committee on Economic, Social and Cultural Rights (CESCR) has repeatedly encouraged Pakistan to endorse the Safe Schools Declaration and to prohibit the military use of schools.

Protection of education has also featured in successive Universal Periodic Review (UPR) cycles, where States have recommended strengthening school safety, protecting children from violent extremism and armed attacks, and improving safeguards for education in conflict-affected areas. In situations where grave violations against children are documented, attacks on schools are additionally monitored under the UN Monitoring and Reporting Mechanism (MRM) established pursuant to Security Council Resolution 1612 (2005), which identifies attacks on schools as one of the six grave violations against children in armed conflict. Although Pakistan is not currently listed as a country situation under the UN Secretary-General's annual Children and Armed Conflict report, the recurring attacks documented by national and international organisations point to rising attacks on schools.

³⁶ *Safe Schools Declaration*, Oslo Conference on Safe Schools, May 2015. The Declaration is a voluntary intergovernmental political commitment rather than an international treaty. It encourages States to implement the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*, collect data on attacks on education, support victims, investigate violations and facilitate the continuation of education during armed conflict. As of 2025, 123 States had endorsed the Declaration.

³⁷ See Committee on Economic, Social and Cultural Rights, *Concluding Observations on the Initial Report of Pakistan*, E/C.12/PAK/CO/1 (2017), recommending that Pakistan prohibit the military use of schools and consider endorsing the Safe Schools Declaration; Committee on the Rights of the Child, *Concluding Observations on the Fifth Periodic Report of Pakistan*, CRC/C/PAK/CO/5 (2016), and the List of Issues for the Combined Sixth and Seventh Periodic Reports (2024), raising concerns regarding attacks on education and protection of children affected by conflict; UN Security Council Resolution 1612 (2005), establishing the Monitoring and Reporting Mechanism (MRM) on the six grave violations against children, including attacks on schools; and successive Reports of the UN Secretary-General on Children and Armed Conflict, encouraging States that have not yet done so to endorse the Safe Schools Declaration.

Several United Nations mechanisms have also encouraged Pakistan to endorse the Safe Schools Declaration, including the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child, and successive reports of the UN Secretary-General on Children and Armed Conflict. Their recommendations consistently emphasise strengthening protection against attacks on education, preventing the military use of schools, and improving rehabilitation and recovery for affected children and educational institutions.

It is pertinent to note, and also encouraging, that Pakistan has devised its school safety mechanism in Pakistan at the domestic level, developed by the National Disaster Management Authority (NDMA). The Framework provides a comprehensive approach to disaster risk reduction, emergency preparedness, school safety planning and resilience, and in 2025 was formally handed over to the federal and provincial education departments for nationwide implementation. However, steps would be more encompassing when it comes to protecting schools from any violent impact and prevent them from any harm. The Safe Schools Declaration is an effective international political commitment specifically aimed at protecting education and the Guidelines for Protecting Schools and Universities might be useful for adoption as it includes supporting victims and strengthening accountability. Against this background, the Draft National Action Plan for Human Rights 2026 represents a great opportunity for initiating to maintain purposeful data aimed at protecting and rehabilitating education. National Action Plan very positively addresses children's rights and education, but indicators on school protection and safety measures can help ensure realisation of rights of the child and all at learning institutes. The inclusion of the measurable indicators for rehabilitation of schools destroyed by attacks, protection of educational institutions during conflict, or implementation of Pakistan's existing international commitments. Incorporating these indicators would strengthen coherence between the Draft NAP, Pakistan's treaty reporting obligations and its broader commitment to ensuring that schools remain protected spaces for learning.

These considerations integrated into the National Action Plan for Human Rights 2026 complement Pakistan's own School Safety Framework within a broader human rights and international humanitarian law framework, strengthening protection against attacks on education, safeguarding academic institutions during conflict, improving national data collection, and reinforcing Pakistan's obligations under the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights.

5.5 Threats to Academic Freedom, Thought and Conscience

The current human rights legislation is listed in the document; however, there is a need to improve the procedures, policies, and practices relating to the right-to-information laws across the provinces. Reference to this legislation and its corresponding KPIs is integral to the National Action Plan. A principal concern that must form part of the human rights action plan is the protection of academic freedom, which requires certain safeguards.

Ibtidiah for Education (IFE) has compiled documented cases of Pakistani academics — professors, lecturers, and college and university teaching staff — who, between 2013 and 2025, were killed in religiously motivated attacks, falsely indicted under blasphemy or PECA-related laws, or coerced

into public apologies through community and clerical intimidation.³⁸ Three patterns emerge. First, target killings cluster heavily in Karachi, Sindh province and Balochistan between 2013–2016, largely attributed to sectarian (anti-Shia) violence by violent groups such as Lashkar-e-Jhangvi, before a second wave (2019–2023) driven directly by blasphemy accusations — thus marking a shift from organised sectarian violence towards individualised, often vigilante or student-perpetrated blasphemy killings. Second, formal prosecutions under blasphemy and PECA laws remain fewer than the vigilante killings, but they carry severe outcomes for the academic wrongfully accused. Third, coerced public apologies represent a distinct and likely under-documented category of academic suppression; although here no formal charge is filed, clerical or community pressure has succeeded in halting academic and scientific growth in education. At present, there are data gaps in Pakistan because none are officially maintained, by category, on how academic voices are restricted or threatened.

The Plan needs to include academic freedom and freedom of thought and conscience. Unchecked violence of this kind has greatly stunted the intellectual and scientific growth of our youth. The denial of educational access to minority and other socially vulnerable students, the denial of employment opportunities to teachers from religious and vulnerable communities, and the experiences of victims of sexual crimes at schools (public and private) and madrassahs are also matters of serious human rights concern. Performance indicators on the right to education must not be limited to access to schools alone; they must define measures against those who deny access, those who deny critical enquiry and freedom of expression to students, those who take no action against hate crimes on campus, and those who fail to act against discriminatory practices.

It is also pertinent to recall that in July 2025 the Human Rights Council adopted, by consensus, Resolution 59/9 on academic freedom — expressing deep concern at increasing restrictions on academic thought and expression, affirming that scholars and students must be free to pursue and disseminate knowledge under the full protection of human rights law, recognising for the first time the right of every individual to be safe in education, and taking note with appreciation of the Principles for Implementing the Right to Academic Freedom.³⁹ These Principles⁴⁰ are grounded in the international treaties Pakistan has ratified and are legally binding. Even instruments that are formally non-binding — such as the 1997 UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel, they still carry extensive frameworks for international standardisation based on institutional autonomy and academic freedom.

As a state that has signed and ratified the ICCPR, Pakistan is bound to legislate on freedom of expression under Articles 19 and 20. An international framework, Rabat Plan of Action was devised in 2012 to guide states specifically on it. It carried within it a comprehensive understanding

³⁸ Ibtidiah for Education (IFE), “Academics Under Threat in Pakistan,” research documentation (2013–2025). All case entries are drawn from open-source media and human rights reporting and should be read as a documented floor, not a comprehensive count.

³⁹ UN Human Rights Council, Resolution A/HRC/RES/59/9 on the right to education (adopted 7 July 2025), <https://docs.un.org/en/A/HRC/RES/59/9>.

⁴⁰ Report of the Special Rapporteur on the Right to Education, “Principles for Implementing the Right to Academic Freedom” (A/HRC/56/58, 2024). The nine Principles affirm, in essence: (1) the right to develop knowledge and ideas; (2) protection under international human rights law; (3) the autonomy of institutions; (4) intramural and extramural expression; (5) access to information; (6) freedom of movement and association; (7) that academic freedom is essential at all levels of education; (8) that students hold the right to academic freedom; and (9) that its respect, protection and promotion is a shared responsibility.

of legislative patterns, judicial practices, and policies relating to incitement to national, racial, or religious hatred, and offers a six-part threshold test for determining what constitutes incitement to hatred. What is significant about this framework is that the test is victim-centred, evidence-based, and designed to protect both freedom of expression and communities from incitement.

The NAP-HR 2026 should open pathways for local consultations from the perspective of victims of discrimination, and work transparently towards ending violence and unfair treatment without compromising freedom of expression or the right to information.

The NAP-HR should therefore treat academic freedom as a measurable protection concern: maintaining disaggregated data on attacks against educators, ensuring the fair-trial protections set out in Chapter 4 for those accused, and recording the institutional response in each case as a KPI.

NOTE: The scale and character of this suppression can be seen in IFE’s own documentation, “Academics Under Threat in Pakistan,” which tracks documented cases of academics killed, prosecuted, or coerced into public apology between 2013 and 2025.⁴¹ The dataset is organised into three categories, each describing a distinct mechanism by which academic freedom is threatened or suppressed. The full case tables are attached at Annexure D; their pattern has been summarised earlier in this section.

Key Takeaways

Academic freedom and freedom of thought and conscience need to be acknowledged and also integrated into NAP.).

An official tracker that disaggregates blasphemy-related or violent incidents by profession, can be helpful.

HRC Resolution 59/9 (2025) and the Principles for Implementing the Right to Academic Freedom provide a ready, treaty-grounded framework for protection.

The Rabat Plan of Action offers a victim-centred, six-part threshold test for incitement that protects both freedom of expression and communities. This can work as a policy framework for formulating or reforming freedom of expression laws.

KPIs should record disaggregated data on attacks against educators, fair-trial protection for the accused, and the institutional response in each case.

Data needs to be maintained for rehabilitation of education and school infrastructure that have been destroyed by attacks.

School safety mechanisms need to be made more effective and relevant to situations, especially in areas that are susceptible to conflicts and attacks

⁴¹ Ibtidat for Education (IFE), “Academics Under Threat in Pakistan: Religiously Motivated Killings, Blasphemy/PECA Prosecutions, and Coerced Public Apologies of Pakistani Academics (2013–2025).” A hand-compiled, open-source dataset; sourcing quality varies by entry and figures should be read as a documented floor. Full case references are reproduced in Annexure D.

Chapter 6 — Freedom of Religion or Belief and Rights of Minorities

Freedom of religion and belief is at the centre of human rights concerns for Pakistan. This chapter relates to two very vulnerable communities among the religious minorities that require more concrete actions to structurally bring reforms to end exploitation due to vague legal definitions concerning one's religion and one's age when it comes to religious conversions. This chapter corresponds primarily to Thematic Area 2 of the NAP-HR on Implementing Key Human Rights Priorities. It carries topics on the factors that restrict freedom of religion or belief, forced religious conversions and the impacts on the rights of minorities, especially women.

6.1 Freedom of Religion or Belief

Freedom of religion or belief is guaranteed by Article 20 of the Constitution, which secures for every citizen the right to profess, practise and propagate his or her religion, and grants every religious denomination the right to establish, maintain and manage its religious institutions. Articles 21 and 22 prohibit compulsory taxation for the propagation of another religion and protect individuals from being compelled to receive religious instruction or participate in religious ceremonies relating to a faith other than their own. These guarantees are complemented by the equality provisions contained in Articles 25, 26 and 27, while Article 36 sets a principle of policy for safeguarding the legitimate rights and interests of minorities, including their due representation in the federal and provincial services. Sections 153-A and 295-A of the Pakistan Penal Code criminalise acts intended to promote inter-religious hostility or deliberately outrage religious feelings.

The protection framework has also developed through judicial intervention, as pointed out in earlier chapters of this report. One noteworthy example is the judgment in *Suo Motu Case No. 1 of 2014*, commonly referred to as the *Jillani Judgment*, where the Supreme Court directed the establishment of a National Council for Minorities' Rights, the creation of a special police force for the protection of places of worship, the development of a curriculum promoting religious tolerance, and the establishment of a mechanism for monitoring hate speech and protecting minority rights. More than a decade later, implementation of these directions has remained uneven and has continued to feature prominently in domestic and international human rights assessments. Compliance remains inadequate to this date. A National Commission for Minorities has indeed been enacted through an Act of Parliament in December 2025, but it is yet to be constituted and made operational.

As a State Party to several core international human rights treaties, Pakistan is under a positive obligation to respect, protect and fulfil the right to freedom of thought, conscience and religion without discrimination. Pakistan was one of the earliest endorsees of the Universal Declaration of Human Rights soon after its independence. Article 18 of the UDHR states:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

This has later been adopted as Article 18 of the ICCPR, which Pakistan has ratified, and is, therefore, a binding treaty. It is also very important to read the further interpretative clarity for the

said clause under General Comment No. 22, which states that this freedom protects the right to *hold, adopt, change, or leave* a belief, and that any limitation must be narrowly and lawfully drawn. To further elaborate on what can constitute coercion, and what does not, Professor Heiner Bielefeldt, the former UN Special Rapporteur on Freedom of Religion or Belief (FoRB),⁴² presented at least four subcategories of the right to conversion that need to be considered:

- *the right to conversion (in the sense of changing one's own religion or belief);*
- *the right not to be forced to convert;*
- *the right to try to convert others by means of non-coercive persuasion; and*
- *the rights of the child and of his or her parents in this regard.*

These sub-categorisations are important to understand the essence of what constitutes a lack of “freedom” when it comes to conversions — in particular, in Pakistan’s case, as it has legislatively attempted to address this issue, both at national and provincial levels, but has met with strong right-wing opposition.

Table 6.1 below depicts Pakistan’s obligations under the binding treaties, and their relevant clauses, on freedom of religion or belief.

Table 6.1: Pakistan’s treaty obligations on freedom of religion or belief

Instrument	Status	Relevant Provision	Protection Afforded
Universal Declaration of Human Rights (1948)	Foundational (non-binding)	Article 18	Recognises freedom of thought, conscience and religion, including the freedom to change religion or belief.
ICCPR	Binding	Article 18	Guarantees freedom to have, adopt or change a religion or belief without coercion.
Human Rights Committee	Authoritative interpretation	General Comment No. 22	Clarifies the scope of Article 18 and prohibits coercion affecting freedom of religion or belief.
CRC	Binding	Articles 14, 19, 30 & 35	Protects children’s freedom of religion and minority identity and requires protection from violence, abduction and exploitation.
CEDAW	Binding	Articles 2, 15 & 16	Requires protection of women against discrimination and forced marriage.
CERD	Binding	Article 5(d)(vii)	Protects equality in the enjoyment of freedom of religion without discrimination.

⁴² Heiner Bielefeldt, *Report of the Special Rapporteur on Freedom of Religion or Belief*, UN Human Rights Council, UN Doc. A/HRC/25/58 (26 December 2013), paras. 42–48.

Instrument	Status	Relevant Provision	Protection Afforded
1981 Declaration on Religion or Belief	Soft law	Articles 1–6	Elaborates State responsibilities to eliminate religious intolerance and discrimination.

6.2 Vulnerabilities of Minority Women and Girls

The vulnerabilities experienced by women and girls belonging to religious minorities arise from a lack of protection under FoRB that exposes the vulnerable to unopposed discrimination, gender-based violence, and age-exploitation. These vulnerabilities, especially for girls, become further compounded by legal and institutional frameworks governing marriage, age determination and child protection. In cases involving alleged religious conversion for the purpose of marriage, particularly where the individual is under 18, disputes concerning age, consent and religious identity frequently intersect with the application of Muslim personal law and criminal justice processes. The absence of a uniform legal framework governing the minimum age for girls across all provinces, inconsistencies in age determination procedures, and limited judicial scrutiny of conversion proceedings involving minors continue to expose minority girls to heightened risks of coercion, forced marriage and denial of effective remedies. These recurring concerns have been reflected not only in domestic reporting but also in successive observations of United Nations human rights mechanisms.

Legal Frameworks of Protection

The legislative framework provides only partial protection. The Sindh Hindu Marriage Act, 2016 marked an important legislative development by providing legal recognition and registration of Hindu marriages for the first time, while the Khyber Pakhtunkhwa Protection of Communal Properties of Minorities Act, 2014 safeguards places of worship and communal property belonging to minority communities. Other legislation, including the Criminal Law (Amendment) Act, 2017, extends protection against harassment, violence and hate-motivated offences irrespective of religion. Nevertheless, these legislative measures do not comprehensively address the specific vulnerabilities arising where religious conversion, child marriage, disputed age and coercion intersect, nor do they establish clear procedural safeguards for determining the free and informed consent of minors.

Discrimination in Education

The educational consequences of these vulnerabilities remain largely undocumented. There is currently no national mechanism collecting data on school dropout for girls to understand the reasons for their or their families' apprehensions. The fear of education gets compounded by a rise in the number of abductions, forced or coerced religious conversions, child marriages, and the fear of targeted violence among minorities. Consequently, the scale of educational exclusion resulting from these practices remains unknown.

The Draft National Action Plan for Human Rights 2026 similarly does not include minority girls' school retention or dropout associated with religiously motivated violence or coercion as a monitoring indicator, despite the clear intersection between children's rights, minority rights and the right to education. The absence of disaggregated data significantly limits evidence-based

policymaking and obscures the long-term educational consequences experienced by affected communities.

Beyond physical security, minority children may also experience exclusion through discrimination within educational institutions. Fear of attending school arising from religious discrimination, social stigma, bullying, coercive religious practices or pressure to conceal or abandon one's religious identity constitutes a significant but under-recognised barrier to education. Addressing these challenges requires more than awareness initiatives. Behavioural change measures within schools, teacher training, effective complaint mechanisms, anti-discrimination policies and safe reporting procedures are necessary to ensure that educational institutions become environments in which children belonging to minority communities can exercise their right to education without fear or coercion.

Minority children, especially girls, may also experience what Katarina Tomasevski⁴³ described as the “fear of education” — a condition in which education ceases to be a safe and enabling environment because of discrimination, intimidation, humiliation, coercion or the abuse of educational institutions themselves. For children belonging to religious minorities, fear of education may arise not only from bullying or social stigma, but also from pressure to conceal or abandon one's religious identity, discriminatory attitudes of teachers or administrators, exclusion from classroom participation, coercive religious practices, and the broader fear experienced by families following incidents of religiously motivated violence or forced conversion. These factors may discourage school attendance, contribute to dropout, and undermine the child's ability to enjoy education on an equal basis with others. The concept therefore extends beyond access to education and requires schools to be assessed as environments that are safe, inclusive and respectful of every child's identity. As Tomasevski observed, education itself may become a vehicle of exclusion where it reinforces discrimination rather than dismantling it. This dimension remains largely absent from Pakistan's human rights planning and monitoring framework, including the Draft National Action Plan for Human Rights 2026.

Findings presented in the author's own research on the educational impacts of forced religious conversions upon minority girls have also been reflected in the National Commission on the Rights of the Child's *Situation Analysis of Children from Minority Religions in Pakistan*, the *State of Children in Pakistan 2024*, and successive observations of the Committee on the Rights of the Child. Together, these sources demonstrate that discrimination, religious coercion, social stigma and fear within educational settings constitute significant barriers to the enjoyment of the right to education by minority children.⁴⁴

⁴³ Katarina Tomasevski, *Human Rights Obligations: Making Education Available, Accessible, Acceptable and Adaptable* (Gothenburg: Novum Grafiska AB, 2001); see also Katarina Tomasevski, *The State of the Right to Education Worldwide: Free or Fee?* (Copenhagen: Right to Education Project, 2006).

⁴⁴ Zeeba Hashmi, *Impacts of Forced Conversions on Education of Girls Belonging to Minority Communities* (Islamabad: Ibtidat for Education, 2022), 17–32; National Commission on the Rights of the Child, *Situation Analysis of Children from Minority Religions in Pakistan* (Islamabad: NCRC, 2025), especially chaps. 3–5; National Commission on the Rights of the Child, *The State of Children in Pakistan 2024* (Islamabad: NCRC, 2025), sections on children belonging to minority communities and education; Committee on the Rights of the Child, *Concluding Observations on the Combined Sixth and Seventh Periodic Reports of Pakistan*, UN Doc. CRC/C/PAK/CO/6-7 (2025), particularly the Committee's observations concerning discrimination against children belonging to minority communities, inclusive education, protection from violence and harmful practices.

Minority Women's Marriage, Inheritance and Property Rights

The framework should work towards treating all women equally: the right to annulment of marriage, the right to a share in property, and the right to inheritance. Clarification is needed on how the property rights of minority women will be resolved, and protection from traditional harmful practices in property disputes should be available to all, irrespective of religious affiliation. Because religious conversion is often used to justify marriage under Muslim jurisprudence, and because the age of the child for marriage has not yet been established in Khyber Pakhtunkhwa, inter-agency coordination should also address forced religious conversion for the purpose of marriage. Performance indicators should be established for ensuring the authenticity of evidence, including National Database and Registration Authority (NADRA) records and the medico-legal determination of age in cases involving minors. (The absence of any provision for the annulment of a minor's marriage is a related gap requiring pathways developed with consultations with field social workers, affected families, and legal experts.)

Provincial legislation has also addressed particular aspects of minority protection, including the *Sindh Hindu Marriage Act 2016*, which for the first time provided legal recognition and registration of Hindu marriages, and the *Khyber Pakhtunkhwa Protection of Communal Properties of Minorities Act 2014*, which seeks to safeguard religious properties belonging to minority communities. Other legislation, including the *Protection against Harassment of Women at the Workplace Act 2010* and the *Criminal Law (Amendment) Act 2017*, also provides protections that are applicable to minority communities in circumstances involving discrimination, violence or hate-motivated offences.

Women belonging to minority communities continue to encounter legal and practical barriers in matters relating to marriage registration, dissolution of marriage, inheritance and property ownership. These vulnerabilities become particularly acute where allegations of religious conversion are associated with marriage involving minors. In such cases, the absence of harmonised minimum marriage ages across provinces, combined with inconsistencies in birth registration and medico-legal age determination, may undermine the effective protection of children. Strengthening institutional coordination between child protection authorities, police, NADRA, medico-legal services and the judiciary is therefore essential to ensure that questions relating to age, consent and religious conversion are determined on the basis of reliable evidence and in accordance with Pakistan's constitutional and international human rights obligations.

Recurring Observations on Forced Conversions and Forced Marriages

Successive international human rights mechanisms have progressively recognised that forced religious conversion is not solely an issue of freedom of religion or belief, but an intersectional human rights concern engaging the rights of the child, women's rights, protection from trafficking and gender-based violence, access to justice, the right to education, equality before the law, and protection from violence.⁴⁵

⁴⁵ Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, UN Doc. CCPR/C/PAK/CO/2 (7 November 2024), paras. 47–52 (freedom of religion or belief, discrimination against religious minorities, misuse of blasphemy laws and religiously motivated violence); Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, UN Doc. CERD/C/PAK/CO/24-26 (23 September 2024), paras. 31–38 (forced conversions, attacks against religious minorities, discrimination and accountability); Committee on the Rights of the Child, *Concluding Observations on the*

The same concerns have also been reflected in the European Union's GSP+ monitoring process, which has identified the absence of legislation addressing forced religious conversions, the close relationship between forced conversions, underage marriage and the marginalisation of religious minorities, and the continued misuse of blasphemy laws as matters requiring sustained legislative and institutional reform.

6.3 Tackling Discrimination and the Ahmadiyya Question in State Protection

Among Pakistan's religious minorities, the position of the Ahmadiyya community presents a distinct constitutional and legal challenge. Unlike other minority communities, their legal status is expressly regulated through criminal legislation. The Constitution (Second Amendment) Act, 1974 inserted Article 260(3)(b), declaring persons belonging to the Ahmadiyya or Qadiani/Lahori groups to be non-Muslims for constitutional purposes. This constitutional classification was subsequently reinforced through Ordinance XX of 1984, which inserted Sections 298-B and 298-C into the Pakistan Penal Code, criminalising the use of Islamic epithets, descriptions and modes of religious expression by members of the Ahmadi community. These provisions have created a legal environment which makes protections for this group a challenge, where they face recurring patterns of discrimination, violence and religiously motivated hate crimes.

The resulting protection gap extends beyond criminal law. Although Parliament enacted the National Commission for Minorities Rights Act, 2025, the Commission has yet to be constituted, and questions surrounding the representation of the Ahmadi community have generated considerable political and religious opposition. Consequently, the community continues to face uncertainty regarding its participation in the State's institutional mechanism for minority rights protection. More broadly, the constitutional and statutory framework governing Ahmadis has complicated the ability of state institutions to provide equal protection where violations arise directly from the exercise of religious identity or expression.

The recurring pattern documented by Pakistan's own domestic oversight institutions demonstrates that violence against Ahmadis is rarely confined to isolated incidents. Rather, it encompasses attacks on places of worship, desecration of graves, targeted killings, criminal prosecutions arising from religious practices, administrative restrictions on worship, economic boycotts and discrimination in education and public life. These violations frequently intersect with broader concerns regarding freedom of religion or belief, equality before the law and effective access to justice, making the Ahmadiyya question one of the most persistent human rights concerns raised before both domestic and international accountability mechanisms.

The National Commission for Human Rights (NCHR) has repeatedly documented these patterns in its monitoring reports, concluding that incidents affecting the Ahmadi community are not isolated acts of intolerance and are recurring.

Combined Sixth and Seventh Periodic Reports of Pakistan, UN Doc. CRC/C/PAK/CO/6-7 (5 February 2026), particularly the Committee's observations concerning discrimination against minority children, harmful practices, child marriage, violence and access to education; European Commission and European External Action Service, *Joint Staff Working Document: The EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) Assessment of the Islamic Republic of Pakistan Covering the Period 2020–2022*, SWD(2023) 363 final (21 November 2023), section 5.1.1, noting the absence of legislation addressing forced conversions and marriages, the close relationship between forced conversion, underage marriage and marginalisation of religious minorities, and continued concerns regarding blasphemy laws and mob violence.

The violations documented between 2023 and 2025 in the NCHR's *Situation Report II: The Ahmadiyya Community in Pakistan* (2026)⁴⁶ lead the Commission to conclude that the violent attacks against members of the Ahmadi community form part of a sustained pattern linking clerical mobilisation, administrative action, policing practices, criminal prosecutions and inconsistent judicial protection. The report highlighted that religious mobilisation and complaints are frequently followed by administrative restrictions upon Ahmadi religious practices, police intervention directed towards the affected community rather than those issuing threats. A worrying trend of criminal proceedings under Sections 298-B, 298-C and related provisions of the Pakistan Penal Code against members of the community have also been observed. The Commission further observed with alarm that members of the community have also been charged under particular clauses of anti-terrorism laws.

These institutional findings are consistent with earlier field research undertaken by this author following the 2018 attack on an Ahmadi place of worship in Sialkot. Interviews conducted with individuals involved in the attack suggested that anti-Ahmadi violence was frequently understood as socially sanctioned conduct undertaken with little expectation of legal accountability. The findings highlighted how religious mobilisation, local narratives and institutional inaction combined to normalise discrimination and reinforce impunity, providing important context for the recurring patterns subsequently documented by the National Commission for Human Rights and international human rights mechanisms. The findings showed that a major hindrance to stopping such mobs is a general complacency towards targeted hate speech, which ultimately turns into violent crimes.⁴⁷

Relationship with UN Treaty Body Observations

This domestic assessment closely mirrors recurring observations made by international human rights mechanisms.

The Human Rights Committee (2024) expressed concern regarding discrimination against Ahmadis, misuse of blasphemy laws, attacks motivated by religion, and restrictions affecting the manifestation of religion protected under Article 18 ICCPR.

The Committee on the Elimination of Racial Discrimination (CERD) (2024) similarly expressed concern regarding attacks upon Ahmadi places of worship and cemeteries, harassment, arbitrary arrests and the absence of effective accountability mechanisms.

Special Procedures of the Human Rights Council have likewise repeatedly communicated concerns regarding attacks on Ahmadi communities, desecration of places of worship and graves, restrictions upon religious practice and the climate of impunity surrounding such incidents.⁴⁸

⁴⁶ National Commission for Human Rights, *Situation Report II: The Ahmadiyya Community in Pakistan* (2026), <https://nchr.gov.pk/wp-content/uploads/Ahmadiya-Report-2026.pdf>.

⁴⁷ Zeeba T. Hashmi, "The State and Religious Apartheid: Lessons from the Interviews with 2018 Sialkot Ahmadi Worship Place Attackers," *Ibtidat for Education*, <https://ibtidatforeducation.com/the-state-and-religious-apartheid-lessons-from-the-interviews-with-2018-sialkot-ahmadi-worship-place-attackers/>.

⁴⁸ Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, UN Doc. CCPR/C/PAK/CO/2 (7 November 2024), paras. 47–52 (freedom of religion or belief, blasphemy laws, discrimination against religious minorities and violence motivated by religion); Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, UN Doc. CERD/C/PAK/CO/24-26 (23 September 2024), paras. 31–38 (attacks against religious minorities, including Ahmadis, destruction of places of worship and cemeteries, arbitrary arrests and accountability); Office of the United Nations High

How is the National Action Plan addressing it?

The Draft NAP-HR addresses freedom of religion or belief primarily under Thematic Area 2: Implementing Key Human Rights Priorities, Outcome 6 — Protection of Rights of Minorities, through action points which focus on interfaith harmony, religious tolerance, socio-economic inclusion, elimination of forced conversions and forced marriages, operationalisation of the National Commission on Minorities' Rights, and protection of minority places of worship. The corresponding KPIs largely measure policy implementation, institutional coordination, scholarships and quotas, reported cases, prosecutions, complaints, and security arrangements. While these actions acknowledge many of the recurring concerns raised by domestic and international human rights mechanisms, a clear policy line needs to be maintained to ensure protection for all religious minorities and their representation in decision making matters are equal and without exceptions. For minorities, improved KPI to determination of minors particularly girls, victim protection and rehabilitation, educational retention of minority girls, inter-agency coordination, or institutional accountability for religiously motivated violence and coercion will strengthen Pakistan's reporting and documentation mechanism. The targeted violence against individuals of Ahmadi groups in particular, need to be registered, because of the unique persecution they face in the form of attacks on cemeteries, discrimination in education and employment, or hate campaigns directed at them.

Viewed collectively, the minority rights chapter of the NAP-HR represents a positive acknowledgement that freedom of religion or belief requires dedicated policy attention. The framework, however, needs to incorporate the substantive protection indicators repeatedly recommended by UN treaty bodies and reflected in domestic reporting: protection of minority girls from forced conversion and child marriage, reliable age determination, verification of free and informed consent, educational retention of minority children, monitoring of hate crimes, accountability for incitement and mob violence, rehabilitation of victims, and disaggregated national data on violations. Consequently, while the Plan improves administrative monitoring, it falls short of establishing a comprehensive rights-based framework capable of measuring whether freedom of religion or belief is being effectively protected in practice.

Key Takeaways

Freedom of religion or belief remains a recurring human rights concern despite constitutional guarantees. While the Constitution recognises religious freedom and equality for minorities, successive treaty bodies, the Universal Periodic Review, GSP+ monitoring and domestic oversight institutions have consistently recommended steps for improved implementation, protection and accountability.

Forced conversions have progressively been recognised as an intersectional human rights issue. International mechanisms now assess them not only through the lens of freedom of religion or belief, but also as engaging children's rights, women's rights, protection from violence, access to justice, education, equality before the law and protection from harmful practices.

Minority women and girls remain disproportionately vulnerable. The absence of harmonised child marriage laws, inconsistent age determination procedures, inadequate safeguards for establishing free and informed

Commissioner for Human Rights, *Communications Report of Special Procedures*, including communications concerning Pakistan relating to attacks on the Ahmadiyya community, desecration of places of worship and graves, restrictions on freedom of religion or belief, and allegations of impunity, including AL PAK 2/2023, AL PAK 4/2023, AL PAK 2/2024, and AL PAK 4/2025.

Key Takeaways

consent, and the lack of coordinated child protection mechanisms continue to expose minority girls to heightened risks of forced conversion, child marriage and educational exclusion.

The pattern of persecution affecting the Ahmadi community represents a distinct protection challenge. Constitutional classification, criminal law restrictions and recurring hate crimes have created protection deficits that continue to be documented by domestic and international human rights mechanisms, while institutional responses remain inconsistent.

Discrimination, religious coercion, bullying and the broader “fear of education” experienced by minority children constitute significant barriers to the enjoyment of the right to education. Despite growing recognition by national and international bodies, these dimensions remain largely absent from national monitoring frameworks.

The NAP-HR acknowledges minority rights but needs to shift from remaining process-oriented to more results focused. While the Draft Plan encouragingly includes actions on interfaith harmony, socio-economic inclusion, forced conversions and institutional strengthening, its KPIs largely measure activities and outputs rather than substantive protection outcomes. Critical safeguards relating to age determination, free and informed consent, victim rehabilitation, educational retention, hate crime monitoring, institutional accountability and implementation of treaty body recommendations remain insufficiently reflected.

A rights-based monitoring framework should measure protection. Future iterations of the NAP-HR should align their indicators with Pakistan’s constitutional obligations and recurring recommendations from treaty bodies by measuring reductions in religiously motivated violence, effective protection of minority women and girls, educational inclusion, institutional accountability and the implementation of judicial and international recommendations.

ابنه

Chapter 7 — Vulnerable Communities Left Without Legal Safeguards

This chapter examines those communities that continue to fall through gaps in Pakistan’s legal and institutional protection framework. Whether owing to the absence of legal recognition, vague or contested legal definitions, fragmented statutory safeguards, or persistent failures in implementation, these communities continue to experience recurring human rights violations despite repeated recommendations from international and domestic human rights mechanisms. The issues examined in this chapter correspond primarily to Thematic Area 2 of the Draft National Action Plan for Human Rights 2026 on implementing key human rights priorities, while several — including forced evictions, juvenile justice and custodial protections — also cut across Thematic Area 1 on legal and policy reforms, enforcement of laws and access to justice.

7.1 Legal Coverage of Vulnerable Communities

The Draft NAP identifies children, women, transgender persons, religious minorities, senior citizens and persons with disabilities as vulnerable groups requiring protection. It omits, however, several communities that face distinct and well-documented human rights vulnerabilities: ethnic and cultural minorities, including nomadic and pastoral communities; stateless persons and refugees; internally displaced persons; conflict-affected populations; and communities disproportionately affected by climate change. These vulnerabilities arise from different historical, social and geographic circumstances and cannot be addressed through generic policy responses; the NAP should therefore adopt a contextualised approach, allowing provincial and regional authorities to develop targeted interventions responsive to local realities.

The omission is particularly significant in light of the Committee on the Elimination of Racial Discrimination,⁴⁹ which has repeatedly documented entrenched discrimination against ethnic minorities in Pakistan — identifying persistent inequalities in employment, housing, infrastructure, health, education and security affecting the Sheedi, Baloch, Hazara, Pashtun and scheduled caste communities, linking disproportionately high school dropout rates among ethnic minority children to structural exclusion rather than isolated education-sector deficiency, and recommending targeted measures including culturally appropriate instruction in native languages.

7.2 Lack of Recognition of Indigenous and Nomadic Populations

Indigenous communities — pastoralists, nomadic herders, and gatherers — have no formal legal recognition in Pakistan’s domestic laws, due to which they face persistent difficulty in accessing basic services. In 1960, Pakistan ratified International Labour Organization (ILO) Convention No. 107 (Indigenous and Tribal Populations, 1957). That Convention was later revised into ILO Convention No. 169 (Indigenous and Tribal Peoples, 1989), which shifted from the earlier instrument’s regressive orientation towards the idea of “integration” through assimilation — but Pakistan has not ratified this second Convention. It must be mentioned here that the main difference

⁴⁹ Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, UN Doc. CERD/C/PAK/CO/24-26, paras. 21–22.

between C107 and C169 lies in the right of the people to their self-identification, which is a human rights-based approach replacing the assimilationist framework that remains part of C107. This principle, and the difference between C107 and C169, are explained in detail in Annexure E.

The non-ratification of C169⁵⁰ does not, however, absolve Pakistan of its obligations: C107 remains in force and legally binding for the states that ratified it and did not subsequently ratify C169. It may also be relevant to mention that Pakistan was among the nations that voted in favour of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)⁵¹ in 2007, which carries the same principle of self-identification and provides for a human rights-based framework of Free, Prior, and Informed Consent (FPIC) — the requirement that indigenous communities be consulted, free of coercion, and given the genuine opportunity to grant or withhold consent before any measure affecting their lands, resources, or way of life is adopted.⁵² Further protections relevant to these communities arise under the treaty obligations of the ICCPR, ICESCR, CEDAW, CRC, and ICERD, and Pakistan is bound to translate these into domestic law.

Pakistan's domestic laws do not carry any formal recognition of its indigenous or nomadic communities, due to which they remain outside the ambit of any special safeguards they may require owing to their unique demographic characteristics and lifestyles. Displacement caused by major development projects carries complexities for the affected population, but it falls with far greater weight on the economically and culturally indigenous, who bear its consequences across generations — facing perpetual poverty and severe ostracisation while attempting to reintegrate into a society where they face exclusion. Their forced transition from a familiar environment to a wholly unfamiliar one demands a radical reordering of the patterns of living to which they have long been culturally and economically accustomed. If their concerns are not heeded with extra care, they may perish. It is for this reason that any development project must be linked first to ensuring the wellbeing of vulnerable indigenous communities.

There is a requirement under the World Bank's Environmental and Social Standard 7 (ESS7) which makes it mandatory for the borrower to obtain the FPIC of affected indigenous peoples where a project would adversely affect land or resources under customary use, cause their relocation, or affect their cultural heritage.⁵³

The human rights plan of action as devised by the Ministry must also take into consideration the requirement of safeguarding indigenous communities and ensuring their consent and participation in consultative processes whenever a provincial or federal government is undertaking mega-

⁵⁰ Convention No. 169 introduced a rights-based framework founded on self-identification, consultation and participation in decision-making, together with stronger protections for indigenous lands, cultures and development priorities, replacing the assimilationist approach of Convention No. 107.

⁵¹ *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*, adopted by the UN General Assembly on 13 September 2007 (A/RES/61/295). Although not legally binding, UNDRIP is the principal international standard on the rights of indigenous peoples. It does not define “indigenous peoples”, but recognises self-identification as a fundamental principle, affirming in Article 33 that indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. Pakistan supported the adoption of UNDRIP but has not ratified ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989).

⁵² UN Declaration on the Rights of Indigenous Peoples (2007), Art. 19 (FPIC before adopting measures affecting indigenous peoples). On the binding character of ILO C107 for states that have not ratified C169, see the ILO Conventions status records.

⁵³ World Bank, *Environmental and Social Framework, ESS7 (Indigenous Peoples)*, on FPIC, <https://thedocs.worldbank.org/en/doc/837721522762050108-0290022018/original/ESFFramework.pdf>.

development projects that involve their displacement. The State should abide by the concerns of these communities as a condition of accepting World Bank and other international donor financing projects, and should require full compliance with all relevant safeguard protocols — including ILO C107, UNDRIP, and lender standards such as ESS7 — before any such project proceeds.

Compliance reports from the respective national and provincial governments must form part of the KPIs devised by the Ministry for Human Rights given the wide range of international obligations requiring equality, non-discrimination, protection of minority cultures, culturally appropriate education and participation in public life for nomadic, indigenous and linguistic communities. A detailed annexure on this is attached at Annexure F.

It will also be worth mentioning here that Pakistan has received recurring international recommendations to ratify the International Labour Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. The Committee on the Elimination of Racial Discrimination (CERD), in its 2009 Concluding Observations, encouraged Pakistan to ratify the Convention. In its combined twenty-first to twenty-third periodic report submitted in 2025,⁵⁴ Pakistan acknowledged the recommendation and stated that the relevant ministries had been requested to initiate the process. Similar recommendations were also made during Pakistan's third Universal Periodic Review. Nevertheless, Pakistan has not yet ratified Convention No. 169 and remains bound instead by the earlier ILO Convention No. 107 concerning Indigenous and Tribal Populations (1957).

Pakistan should also move towards ratification of ILO C169, a long-standing commitment, and exert efforts towards adopting a formal legal recognition of its indigenous communities, without which every protection above rests on a category the State does not yet name.

7.3 Rights of Refugee and Stateless Children

Refugee and stateless children in Pakistan face one of the most acute child-rights crises in South Asia. Because Pakistan is not a party to the 1951 Refugee Convention, its 1967 Protocol, or the 1954 and 1961 Statelessness Conventions,⁵⁵ and has enacted no comprehensive national asylum law, these children lack any dedicated domestic legal protection framework; their protection rests instead on constitutional guarantees, Pakistan's obligations under the human rights treaties it has ratified — above all the Convention on the Rights of the Child — and administrative arrangements with UNHCR. Children born in Pakistan remain without naturalisation rights: members of the Bengali refugee community are still denied NADRA cards, obstructing their access to higher education.

The State's operative policy is one of deportation, and it is tearing families apart — especially those of children born to one Pakistani parent. Under the Illegal Foreigners' Repatriation Plan, more than

⁵⁴ Government of Pakistan, *Combined Twenty-Fourth to Twenty-Sixth Periodic Reports Submitted under Article 9 of the Convention*, CERD/C/PAK/24-26 (submitted 28 October 2021), para. 245, stating that ratification of ILO Convention No. 169 requires tripartite consultations and that the relevant ministries have been requested to initiate the ratification process.

⁵⁵ Pakistan is not a State Party to the 1951 Convention relating to the Status of Refugees, the 1967 Protocol relating to the Status of Refugees, the 1954 Convention relating to the Status of Stateless Persons, or the 1961 Convention on the Reduction of Statelessness. See UNHCR, "Asylum System in Pakistan"; see also UNHCR, *Submission by the United Nations High Commissioner for Refugees for the Universal Periodic Review: Pakistan*, confirming Pakistan's non-accession to the refugee and statelessness conventions.

one million Afghans were forcibly returned in 2025, and over 146,000 more by April 2026, with removals accelerating after the reopening of the Torkham border; the government's halt to Proof of Registration card renewals has meanwhile rendered some 1.3 million long-registered refugees effectively undocumented.⁵⁶ Police raids intensified after the February 2026 border clashes, with detentions of Afghans holding valid visas; most alarmingly, children as young as thirteen have been deported alone, separated from parents left behind.

Access to services is dire. The National Commission on the Rights of the Child reports that only 28 per cent of school-aged refugee children can access public or UNHCR-supported schools; the rest are excluded by documentation requirements, with the loss of birth certificates and registration — and safety restrictions — hitting girls hardest.⁵⁷ Afghan refugees are being denied access to health facilities without valid visas, even in medical emergencies involving children. This contradicts Pakistan's binding obligations: the CRC and ICESCR Committees have urged Pakistan to register all births immediately, remove registration fees, and ensure that children lacking identity documents are not refused education, health, or public services.⁵⁸

The Draft NAP-HR must expand on internally recognizing human rights implications arising from Pakistan's evolving refugee and repatriation policies, despite recurring concerns expressed through international human rights reporting mechanisms. Since the commencement of the Illegal Foreigners' Repatriation Plan in 2023,⁵⁹ UN treaty bodies and Special Procedures have emphasised that repatriation measures must comply with the principle of non-refoulement,⁶⁰ incorporate individualised assessments of protection needs, and afford special safeguards to women, children and other vulnerable groups. In its 2024 Concluding Observations, the Committee on the Elimination of Racial Discrimination (CERD) expressed concern that Pakistan's repatriation framework lacked individualised assessments of the risk of persecution and failed to adequately protect the rights and best interests of children, particularly unaccompanied or separated children who face heightened risks of trafficking and exploitation. The Committee further raised concerns regarding reports of harassment, intimidation and arrests of Afghan migrants, refugees and asylum seekers, recommending the adoption of legislative and institutional safeguards, strict law-enforcement guidelines and protection measures consistent with the principle of non-refoulement. Likewise, in April 2025, a group of UN Special Rapporteurs and Working Groups urged Pakistan to halt mass relocations, deportations, arrests, evictions and other coercive measures against refugees,

⁵⁶ Human Rights Watch, "Pakistan: Surge in Forced Returns of Afghan Refugees," 21 April 2026, <https://www.hrw.org/news/2026/04/21/pakistan-surge-in-forced-returns-of-afghan-refugees>; Refugees International, "Pakistan Must Immediately Halt Deportation of Afghan Refugees," April 2026 (over one million forcibly returned in 2025; more than 146,000 in 2026 by April; some 1.3 million refugees rendered effectively undocumented by the halt to Proof of Registration card renewals).

⁵⁷ National Commission on the Rights of the Child (NCRC), Pakistan, on refugee children's access to education (approximately 28 per cent of school-aged refugee children able to access public or UNHCR-supported schools).

⁵⁸ UN Committee on the Rights of the Child and Committee on Economic, Social and Cultural Rights, Concluding Observations on Pakistan, urging immediate and free birth registration and non-refusal of education, health, and public services to children lacking identity documents.

⁵⁹ The *Illegal Foreigners' Repatriation Plan (IFRP)* was announced by the Government of Pakistan on 3 October 2023 to facilitate the phased return of undocumented foreign nationals. Subsequent phases expanded its scope to additional categories of Afghan nationals. Its implementation has attracted recurring concerns from UN human rights mechanisms regarding compliance with the principle of non-refoulement, individualised protection assessments and safeguards for vulnerable groups.

⁶⁰ Although Pakistan is not a State Party to the 1951 Refugee Convention, it remains bound by its obligations under CAT, the ICCPR and the Convention on the Rights of the Child (CRC), which require protection against return where there is a real risk of torture, arbitrary deprivation of life or other serious human rights violations.

warning that vulnerable groups — including women, girls, ethnic and religious minorities, and unaccompanied children — required individual protection assessments in light of the deteriorating human rights situation in Afghanistan. These recurring concerns demonstrate that refugee protection has become an increasingly significant human rights issue requiring consideration within the Draft National Action Plan.

7.4 Forced Evictions of the Impoverished

Forced eviction is among the gravest human rights concerns that are missing in the Draft NAP for Human Rights 2026. At the heart of the problem is a failure of legal protection and access to justice for the poor. Forced eviction should be understood not solely as a housing issue, but as a cross-cutting human rights concern affecting education, health, equality, access to justice and the protection of vulnerable communities.

A case in point is the current chaos caused in Islamabad due to demolitions of the houses of impoverished communities by the Capital Development Authority. An education and health-access survey of forty-nine informal settlements in Islamabad found children aged five to fourteen attending roughly 182 primary and middle schools — all placed at risk by eviction — with a marked reliance on private and community-run schools where public schools have excluded minority children.⁶¹ The demolition of a settlement is therefore also the demolition of a school system, in a country already facing one of the world's largest out-of-school-children crises. The concern is most acute where the evicted are themselves a persecuted minority resettled by the state: IFE's field documentation of Islamabad's Rimsha Colony illustrates a double persecution — first by religious extremism, then by the very functionaries who had offered refuge.⁶²

Reliable national statistics on those made homeless through forced evictions are not maintained in Pakistan. Nevertheless, documented cases indicate that thousands of low-income households have been displaced by demolition drives undertaken for urban development, anti-encroachment operations and infrastructure projects, frequently without adequate consultation, resettlement or compensation. Human Rights Watch⁶³ has observed that the absence of national data obscures the true scale of the problem, while organisations working in Islamabad estimate that more than 532,000 residents living in *katchi abadis* remain under constant threat of demolition and displacement.

Pakistan is bound by both international and domestic law. The OHCHR Basic Principles and Guidelines on Development-Based Evictions and Displacement treat forced eviction as a gross violation of the right to adequate housing, and Pakistan's obligations under the UDHR, ICESCR, CRC, CEDAW, and ICERD require it to refrain from, and protect against, such evictions.⁶⁴ Domestically, a series of instruments — from the Land Acquisition Act 1894 and the Katchi Abadis Act 1987 to the ICT Urban Katchi Abadi Regulations 2025 — require compensation, relocation, or

⁶¹ Alliance for Urban Rights, education- and health-access survey across 49 informal settlements in Islamabad (children aged 5–14 attending approximately 182 primary and middle schools), cited in Zeeba T. Hashmi, “Intrusive State Powers of CDA Islamabad and Human Rights Violations,” Ibtidat for Education, 14 May 2026.

⁶² Zeeba T. Hashmi, “Intrusive State Powers of CDA Islamabad and Human Rights Violations,” Ibtidat for Education, 14 May 2026, <https://ibtidatforeducation.com/intrusive-state-powers-of-cda-islamabad-and-human-rights-violations/>.

⁶³ UN-Habitat, *Pakistan Country Report 2023*; cited in Human Rights Watch, “*I Escaped with Only My Life*”: Abusive Forced Evictions in Pakistan (2024), noting that more than 50 per cent of Pakistan's urban population lives in informal settlements, rendering millions vulnerable to forced eviction and insecure tenure.

⁶⁴ OHCHR, *Basic Principles and Guidelines on Development-Based Evictions and Displacement*, A/HRC/4/18, Annex I.

prior resettlement before any eviction, while the superior courts have repeatedly restrained the authorities: the practice has been judicially acknowledged as an “abuse of the power of eminent domain,” yet demolitions have continued irrespective of stay orders.⁶⁵

These obligations have been reinforced through recurring observations by UN human rights mechanisms. The Committee on Economic, Social and Cultural Rights (CESCR)⁶⁶ has repeatedly expressed concern regarding inadequate housing conditions, informal settlements and access to basic services, calling upon Pakistan to strengthen protection of the right to adequate housing in accordance with Article 11 of the Covenant. Similarly, the Committee on the Elimination of Racial Discrimination (CERD)⁶⁷ has emphasised that housing, public services and access to education must be enjoyed without discrimination, particularly by marginalised and minority communities. The National Action Plan needs to dedicate its focus on this ignored area, especially make housing policies and evictions more consistent by providing recommendations for relevant authorities to take up this matter, The enhancement of the procedural safeguards — including prior consultation, resettlement planning, compensation, livelihood restoration and continuity of education can significantly close the gap that results in human rights implications.

The KPIs under this thematic area should accordingly require, and measure: (i) compliance with the applicable domestic statutes and the OHCHR Basic Principles before any eviction proceeds — including mandatory prior notice, meaningful consultation, and the provision of alternative housing or adequate compensation; (ii) the maintain database over the number of evictions carried out with, and without, prior resettlement, disaggregated by settlement and by the community affected, with particular attention to persecuted minorities resettled by the State; (iii) the continuity of children’s schooling through any relocation — recorded as the number of children who lose, and who retain, school access following an eviction, so that the educational cost ceases to be invisible; (iv) access to health, water and sanitation for relocated families; and (v) accountability for the use of force. The right to dignified relocation, and the child’s right to uninterrupted schooling, should be written into the Draft NAP as measurable commitments requiring compliance and reporting — not left to the discretion of the authority holding the bulldozer.

7.5 Rights of Women Prison Inmates and their “Jail Babies”

Women incarcerated or detained under law continue to face multiple challenges that undermine their fundamental rights guaranteed under Articles 9, 10A, 14 and 25 of the Constitution, including the rights to life, dignity, fair trial and equality before the law. Pakistan’s legal framework governing women prisoners comprises the colonial-era Prisons Act 1894, the Pakistan Prison Rules 1978, and the Code of Criminal Procedure 1898, alongside provincial prison legislation and various oversight

⁶⁵ *Noman Ahmed and Others v. Capital Development Authority*, W.P. No. 244/2018 (Islamabad High Court, per Minallah J) (abuse of the power of eminent domain). Domestic instruments include the Land Acquisition Act 1894, the Katchi Abadis Act 1987, the CDA Ordinance 1960, the National Housing Policy 2001, the National Resettlement Policy 2002, and the ICT Urban Katchi Abadi Regulations 2025.

⁶⁶ Committee on Economic, Social and Cultural Rights (CESCR), *Concluding Observations on the Initial Report of Pakistan*, E/C.12/PAK/CO/1 (2017), expressing concern regarding the enjoyment of the right to adequate housing and recommending strengthened measures to ensure adequate housing and access to basic services under Article 11 of the Covenant.

⁶⁷ Committee on the Elimination of Racial Discrimination (CERD), *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, CERD/C/PAK/CO/24-26 (2024), reiterating Pakistan’s obligations to ensure equal access to housing, education and public services without discrimination.

mechanisms. While these laws contain several safeguards for women prisoners and successive provincial reforms have sought to modernise prison administration in line with international standards, repeated national assessments indicate that implementation remains weak and institutional practice has not kept pace with legislative intent.

Some progress has been made legislatively, but it remains inadequate. See Table 7.1 for a quick glance at the situation at federal and provincial levels.

Table 7.1: Status of women- and juvenile-responsive prison reform by province

Province	Status of women- and juvenile-responsive prison reform
Punjab	Revised amendments to the Punjab Prison Rules (2022) remain unadopted; child- and women-specific protections are locked inside draft rules that two reform committees produced and no government has notified. A single women-only prison (Multan) serves the largest province.
Sindh	Most progressive: the Sindh Prisons and Corrections Services Act 2019 embeds child-specific protections and grants statutory status to the Committee for the Welfare of Prisoners, unlike any other province.
Khyber Pakhtunkhwa	Amendments introduced through the Prisons (Amendment) Acts of 2020 and 2024; the KP Prison Rules 2018 provide for the education and reintegration of children.
Balochistan	No substantial modernisation of prison rules since 2011; administration continues under the colonial framework.

Evidence gathered by the Ministry of Human Rights, the National Commission for Human Rights (NCHR),⁶⁸ and successive prison reform initiatives demonstrates that women continue to experience unsafe detention conditions, inadequate healthcare, prolonged pre-trial detention, abuse, and limited access to rehabilitation and legal assistance. The Ministry's own report *Plight of Women in Pakistan's Prisons* (2020)⁶⁹ found that 66 per cent of surveyed women prisoners had not been convicted of the offences for which they were detained, while the NCHR's inspection of Adiala Central Jail in 2023 documented widespread allegations of torture and financial extortion for basic necessities. These findings suggest that despite an expanding legal and policy framework, accountability and oversight mechanisms remain inadequate.

⁶⁸ National Commission for Human Rights inspection of Adiala Jail, September 2022, as reported in Human Rights Watch, *"A Nightmare for Everyone": The Health Crisis in Pakistan's Prisons*, 29 March 2023, <https://www.hrw.org/report/2023/03/29/nightmare-everyone/health-crisis-pakistans-prisons>.

⁶⁹ Ministry of Human Rights, Government of Pakistan, *Plight of Women in Pakistan's Prisons* (report submitted to the Prime Minister, 26 August 2020); Human Rights Watch, "Pakistan: Poor Conditions Rife in Women's Prisons," 7 September 2020, <https://www.hrw.org/news/2020/09/07/pakistan-poor-conditions-rife-womens-prisons>.

Recurring Observations

A review of national assessments, international human rights recommendations and Pakistan's legal framework against the United Nations Bangkok Rules reveals several recurring concerns that have consistently remained insufficiently addressed.⁷⁰

Weak implementation despite existing legal safeguards. Although Pakistan has introduced legal protections for women prisoners through prison legislation and repeated reform initiatives, implementation remains inconsistent across provinces. Since 2019, multiple committees — including the Prime Minister's Prison Reforms Committee, the Islamabad High Court Prison Reforms Commission, the Ministry of Interior's National Committee for Prison Reforms and the Chief Justice's National Jail Reforms Initiative — have recommended prison reforms. Nevertheless, revisions to the Pakistan Prison Rules remain pending at the federal level, while provincial progress has been uneven, resulting in fragmented standards of protection.

Inadequate gender-responsive healthcare. National reports and the Bangkok Rules consistently identify deficiencies in reproductive healthcare, mental health services, prenatal and postnatal care, and the availability of specialist female medical staff. Existing prison healthcare provisions remain largely general in nature and fail to adequately respond to the specific physical and psychological needs of women prisoners.⁷¹

Persistent abuse and weak accountability mechanisms. Reports continue to document allegations of torture, violence, financial extortion and other forms of abuse against women prisoners. Oversight bodies have repeatedly observed that independent complaints mechanisms remain weak, investigations into abuse are inadequate, and accountability for custodial violence remains limited. Similar concerns were reiterated by the UN Human Rights Committee in its 2024 Concluding Observations under the ICCPR⁷².

Excessive reliance on pre-trial detention and imprisonment. Both domestic evidence and international recommendations highlight the continued overuse of custodial detention for women, including those accused of non-violent offences. The Ministry of Human Rights reported that a majority of surveyed women prisoners remained incarcerated without conviction, while the Bangkok Rules and the Human Rights Committee encourage wider application of bail and non-custodial measures, particularly for pregnant women and primary caregivers.⁷³

⁷⁰ Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan* (2024) (compliance with the Nelson Mandela Rules, the Bangkok Rules and the Tokyo Rules; reduction of overcrowding and pretrial detention; investigation of abuse of women prisoners including sexual violence; ratification of OPCAT and establishment of a National Preventive Mechanism).

⁷¹ Research Society of International Law, "The State of Female Prisoners in Pakistan," 2023, <https://rsilpak.org/2023/the-state-of-female-prisoners-in-pakistan>.

⁷² National Commission for Human Rights (Pakistan), *Annual Report 2023–2024* (Islamabad: NCHR, 2024), chapters on prisons, detention facilities and women prisoners; National Commission for Human Rights (Pakistan), *Monitoring of Prisons and Places of Detention* (various reports); Justice Project Pakistan, *Women in Pakistan's Prisons: A Fact Sheet* and related prison-monitoring publications documenting allegations of custodial violence, abuse, extortion, inadequate complaint mechanisms and limited accountability; Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, UN Doc. **CCPR/C/PAK/CO/2** (7 November 2024), paras. 39–42, expressing concern regarding allegations of torture and ill-treatment in places of detention, inadequate investigations, impunity for perpetrators, weak oversight mechanisms and recommending effective complaints procedures, independent investigations and accountability.

⁷³ Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan* (2024).

Insufficient protection for mothers and accompanying children. While prison rules permit young children to reside with their mothers, recurring concerns relate to the absence of uniform standards governing childcare, nutrition, education, developmental support and welfare assessments. National data on children living in prisons also remains limited, constraining evidence-based policy responses.⁷⁴

Limited rehabilitation and reintegration support. Existing legal provisions provide only fragmented assistance for rehabilitation, vocational training, legal aid and post-release reintegration. Weak psychosocial support, employment assistance and community reintegration mechanisms continue to undermine women's prospects of successful rehabilitation following release.

Weak monitoring and data collection. National assessments continue to identify the absence of systematic sex-disaggregated prison data, regular gender audits and monitoring against the Bangkok Rules. These shortcomings hinder evidence-based policymaking and limit the ability to measure progress in improving prison conditions for women⁷⁵.

How does the NAP-HR 2026 take up the issue?

The Draft National Action Plan for Human Rights 2026 acknowledges the need to align Pakistan's prison framework with the United Nations Bangkok Rules through as it focuses on identifying legislative gaps and notifying revised prison rules without specifying which provisions of the Bangkok Rules will be operationalised or establishing measurable indicators for implementation.

In light of several recurring concerns identified by national institutions and international human rights mechanisms remain inadequately addressed the Action Plan must carry measurable commitments relating to gender-responsive healthcare, mental health services, protection from custodial violence, alternatives to imprisonment for pregnant women and primary caregivers, the welfare of children residing with imprisoned mothers, rehabilitation and reintegration programmes, or the systematic collection of sex-disaggregated prison data. It also does not establish accountability mechanisms for monitoring compliance with the Bangkok Rules or evaluating improvements in detention conditions.

In its current form, Action Point 42 reflects an intention to modernise the legal framework but falls short of providing a results-based roadmap capable of addressing the structural and institutional deficiencies that have repeatedly been identified through domestic prison reform initiatives, independent oversight bodies and international human rights reviews.

7.6 Juvenile Justice and the Determination of the Child's Age

Pakistan's Juvenile Justice System Act (JJSA) 2018 represented an important step towards aligning domestic law with international juvenile justice standards, incorporating many of the principles

⁷⁴ Pakistan Prison Rules 1978 (children with imprisoned mothers); Kanwal et al., "The Legal and Psychological Challenges of Female Prisoners in Pakistan," *Pakistan Journal of Humanities and Social Sciences* (2023) (absence of data on children residing in prisons or separated from imprisoned mothers).

⁷⁵ United Nations Office on Drugs and Crime (UNODC), *The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules): A Gender-sensitive Criminal Justice Response to Women Offenders* (Vienna: UNODC, 2011); United Nations General Assembly, *United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)*, A/RES/65/229 (21 December 2010), particularly Rules 67–70 on research, evaluation, monitoring and gender-responsive information systems.

contained in the Convention on the Rights of the Child (CRC) and the Beijing Rules. The Act establishes specialised juvenile courts, prohibits the death penalty for offences committed by persons below eighteen years of age, provides diversion and rehabilitation measures, and gives the Act overriding effect over others. However, despite these safeguards, implementation remains uneven and several structural inconsistencies within Pakistan's legal framework continue to undermine children's rights, particularly for those accused of serious offences.

Pakistan is further obligated under the CRC, the ICCPR and the Beijing Rules; however, the basic fallacy lies in the inconsistent application of the age of criminal responsibility, which has detrimental effects on a child who has not yet reached the age of 18. Sections 82–83 of the Pakistan Penal Code set the minimum age at ten years through the Criminal Law (Second Amendment) Act 2016, which raised the floor from seven only to ten. This law retains judicial discretion to determine the maturity of children between ten and fourteen years.⁷⁶ This is a concerning question of compliance, because Beijing Rule 4.1 provides that the minimum age “*shall not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity*”; and CRC Article 40(3)(a) has also set a benchmark, which was further explained in General Comment No. 10 (2007), clarifying that a minimum age below twelve is “*not internationally acceptable*”, while the subsequent General Comment No. 24 (2019) raised it to at least fourteen. Pakistan's legislature has so far not brought its reforms into alignment with obligatory international standards. Separate age groups also continue to exist under the Hudood laws. This fragmented approach creates uncertainty regarding when juvenile protections apply and leaves age determination largely dependent upon judicial interpretation rather than uniform statutory safeguards. The CRC Committee⁷⁷ has repeatedly called upon Pakistan to raise the minimum age of criminal responsibility to at least fourteen years and eliminate discretionary maturity tests.⁷⁸

Note to readers: “Discretionary maturity test” is not a formal legal term in Pakistan's legislation, but it is commonly used to describe how Section 83 of the Pakistan Penal Code (PPC) operates. Section 83 provides that a child above ten years but under fourteen years is not criminally liable if the child has not attained sufficient maturity of understanding to judge the nature and consequences of the conduct. In other words, criminal responsibility is not determined by age alone for children in this age bracket. This is criticised because the maturity test does not specify any parameters or procedure based on which a judge can establish whether a juvenile under 14 had attained maturity or not.

Weak Implementation of JJSA Safeguards

Although the JJSA grants exclusive jurisdiction to juvenile courts and prohibits capital punishment for children, implementation gaps remain significant. Age determination generally occurs after arrest, leaving children claiming juvenility within ordinary criminal procedures until their age is established. Children accused of “heinous offences” above sixteen years also lose important protections relating to bail and diversion, which weakens the chances of rehabilitation — the very

⁷⁶ Pakistan Penal Code, ss. 82–83, as amended by the Criminal Law (Second Amendment) Act 2016 (raising the minimum age from seven to ten and preserving judicially assessed “maturity” discretion for children between ten and fourteen).

⁷⁷ Committee on the Rights of the Child, *List of Issues in Relation to the Combined Sixth and Seventh Periodic Reports of Pakistan*, UN Doc. CRC/C/PAK/Q/6-7 (21 October 2024).

⁷⁸ UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), r. 4.1; Convention on the Rights of the Child, art. 40(3)(a); CRC Committee, General Comment No. 10 (2007), para. 32 (a minimum age below twelve “not internationally acceptable”); General Comment No. 24 (2019), para. 22 (at least fourteen).

underlying philosophy of juvenile justice. In practice, children accused of the gravest offences often receive the least protection.

The Juvenile Justice System Act 2018 presents another challenge under its own “heinous offence” category (Section 2(o)), which strips a minor above sixteen of the statutory right to bail and excludes such offences from diversion under Section 9. It must also be noted that age determination by the judiciary occurs only after an arrest has been made, leaving the claimed juvenile at the mercy of their custodians, or of the adult inmates with whom they are placed, until their juvenility is proved.⁷⁹

Female Juveniles

Section 17 of the JJSA provides that no female juvenile shall, in any circumstances, be apprehended or investigated by a male police officer and may be detained only in centres certified exclusively for female inmates, and Section 20 requires separate centres for female juveniles; yet only two borstal institutions exist in the entire country, while approximately 1,400 juveniles are held in prisons, an estimated 20 per cent of them girls and roughly 90 per cent awaiting trial. The consequence is that girl juveniles are held in the women’s sections of adult prisons, in direct contravention of the JJSA, the Beijing Rules and the Bangkok Rules alike.⁸⁰

Children Accused Under Anti-Terrorism Laws

International human rights mechanisms have repeatedly expressed concern over children prosecuted under Pakistan’s Anti-Terrorism Act. Although the JJSA now gives juvenile courts overriding jurisdiction, concerns persist regarding the continued prosecution of minors under anti-terrorism procedures, delayed age determination, denial of bail and inadequate procedural safeguards. The CRC Committee has specifically questioned whether Pakistan ensures exclusive juvenile court jurisdiction over all children, including those accused of terrorism-related offences.⁸¹

Officials arrested children as young as twelve on terrorism charges, and the US State Department confirmed in 2018 — after the JJSA — that children were still being sentenced to death under anti-terrorism laws, with a lack of documentation making age determination a challenge.⁸² The CRC Committee in 2016 termed the trial of juvenile offenders under the anti-terrorism laws a violation.⁸³ The record since the December 2014 moratorium lift includes at least six juvenile offenders executed: Aftab Bahadur (fifteen at the time of the offence, executed June 2015), Shafqat Hussain (who claimed to be fourteen at arrest, convicted on a confession his lawyers said was extracted by nine days of torture, executed August 2015), and Ansar Iqbal (fifteen at arrest according to school records, hanged October 2015).

⁷⁹ Juvenile Justice System Act 2018 (Act XXII of 2018), ss. 2(o), 4(4), 4(7), 6, 8, 9, 16, 17, 20, 23.

⁸⁰ “Juvenile Justice System in Pakistan,” *Courting the Law*, 26 June 2022; SPARC juvenile justice data; Ministry of Human Rights, *Plight of Women in Pakistan’s Prisons* (2020) (ten girl juveniles recorded in the 2020 survey).

⁸¹ Committee on the Rights of the Child, *List of Issues in Relation to the Combined Sixth and Seventh Periodic Reports of Pakistan*, UN Doc. CRC/C/PAK/Q/6-7 (21 October 2024).

⁸² US Department of State, *Country Reports on Human Rights Practices: Pakistan*, 2015 (children as young as twelve arrested on terrorism charges; JJSA protections not extending to terrorism or narcotics offences) and 2018 (children sentenced to death under the ATA notwithstanding the JJSA; age determination hampered by lack of documentation).

⁸³ Committee on the Rights of the Child, *Concluding Observations on the Fifth Periodic Report of Pakistan*, CRC/C/PAK/CO/5 (2016) (juvenile courts to oversee all stages of cases involving juveniles, including terrorism cases).

Children Accused of Blasphemy

An emerging concern relates to children accused under Pakistan's blasphemy provisions, increasingly including cases linked with the Prevention of Electronic Crimes Act (PECA). Available evidence suggests prolonged pre-trial detention, contested age determination and limited application of juvenile safeguards during investigation and bail proceedings. Despite several documented cases involving children, no official authority publishes disaggregated data identifying minors charged under blasphemy laws or PECA, limiting transparency and accountability. The CRC Committee's 2024 List of Issues asks Pakistan to explain whether it:

- ensures juvenile courts have jurisdiction over children charged with terrorism;
- raises the minimum age to 14;
- reviews death sentences imposed for offences committed under 18;
- expands diversion; and
- publishes disaggregated juvenile justice data.

(See Annexure G: Children Accused of Blasphemy — Including Under PECA.)

No federal or provincial authority publishes juvenile detention data disaggregated by charge.

Pakistan's Response

In its UPR third cycle, Pakistan supported the recommendation to include international juvenile justice standards in the workings of the national judiciary. In its fourth cycle, Pakistan accepted broader recommendations relating to prison reform, including reviewing prison legislation against the Nelson Mandela Rules, while leaving unresolved the structural deficiencies in juvenile justice that continue to be raised by treaty bodies, particularly age determination, exclusive juvenile court jurisdiction, and safeguards for children accused of serious offences.⁸⁴

How is the NAP-HR treating recommendations for juvenile justice?

It is encouraging to see Draft National Action Plan addressing juvenile justice primarily through indicators relating to legal aid, establishment of juvenile courts, Juvenile Justice Committees, rehabilitation centres, releases on good behaviour, jail visits, and documentation of age determination cases. Action 29 further proposes developing standard operating procedures for diversion and rehabilitation. These are positive administrative measures that may improve institutional coordination and monitoring.

However, the Action Plan also needs to address several of the structural concerns repeatedly identified by treaty bodies and domestic assessments. In light of the recurring recommendations Pakistan has received and noted, the Plan must address the issue where the burden placed upon

⁸⁴ UN Human Rights Council, A/HRC/37/13 and A/HRC/37/13/Add.1 (third cycle: juvenile-justice-standards recommendation supported; recommendations to desist from sentencing juveniles to death and to enact a statutory prohibition merely noted); A/HRC/53/13 and A/HRC/53/13/Add.1 (fourth cycle: no recommendation on juvenile justice implementation; death-penalty and ATA-review recommendations concerning children noted; prison-legislation review per the Nelson Mandela Rules and birth-registration legislation supported).

children to establish their juvenility following arrest, which undermine the safeguards for children accused under "heinous" charges.

The NAP-HR focuses largely on documenting juvenile justice institutions rather than addressing the legislative and procedural deficiencies that continue to expose children accused of serious offences to prolonged detention, inconsistent age determination and unequal access to juvenile justice protections.

7.7 Gender-Based Vulnerabilities and Transgender Persons

Legal recognition of transgender persons in Pakistan has evolved primarily through judicial intervention rather than legislative reform. In *Dr. Muhammad Aslam Khaki v. SSP Rawalpindi* (2009), the Supreme Court recognised the Khawaja Sira community as a distinct gender entitled to the protection of fundamental rights under the Constitution. Building upon these directions, Parliament enacted the Transgender Persons (Protection of Rights) Act, 2018, which recognised the right of transgender persons to self-perceived gender identity, prohibited discrimination in education, employment, healthcare, housing and public services, and enabled the issuance of identity documents reflecting an individual's self-perceived gender. The Act has been widely recognised internationally as one of the more progressive legislative frameworks on gender identity.

The legal position, however, remains uncertain. In May 2023, the Federal Shariat Court declared several key provisions of the 2018 Act, including those relating to self-perceived gender identity, repugnant to the Injunctions of Islam. Appeals against that judgment were filed before the Shariat Appellate Bench of the Supreme Court, suspending the operation of the Federal Shariat Court's decision pending final adjudication. Consequently, the contested provisions of the Act continue to remain legally operative until the appeals are decided. Nevertheless, the prolonged pendency of the appeals, together with proposals to amend the 2018 Act, has created uncertainty regarding the future legal framework governing transgender rights⁸⁵.

Pakistan's Obligations

Pakistan's obligations towards transgender persons arise not only from domestic constitutional guarantees of equality, dignity and non-discrimination under Articles 9, 14 and 25 of the Constitution, but also from its commitments under the ICCPR, ICESCR, CEDAW and the Convention on the Rights of the Child. UN treaty bodies have consistently interpreted the principles of equality, dignity and non-discrimination to extend protection against discrimination based on gender identity. As a beneficiary of the European Union's GSP+ arrangement, Pakistan's continued preferential market access is linked to the effective implementation of core international human

⁸⁵ *Federal Government of Pakistan v. Federation of Pakistan & Others* (Federal Shariat Court, Shariat Petition Nos. 15-I, 16-I, 17-I, 18-I, 19-I and connected petitions, judgment dated **19 May 2023**), declaring Sections **2(f), 3, 7, 8, 18 and related provisions** of the **Transgender Persons (Protection of Rights) Act, 2018** repugnant to the Injunctions of Islam. Appeals were subsequently filed before the **Shariat Appellate Bench of the Supreme Court of Pakistan**, resulting in suspension of the operation of the Federal Shariat Court's judgment pending final adjudication. See also International Commission of Jurists, *Pakistan: Supreme Court Must Restore Rights of Transgender Persons* (Geneva: ICJ, 2023); ILGA World, *Our Identities under Arrest: A Global Overview of the Enforcement of Laws Criminalising Consensual Same-sex Sexual Acts and Diverse Gender Expression* (2024), discussing the continuing legal uncertainty surrounding the implementation of the 2018 Act.

rights conventions, making domestic implementation and measurable progress central not only to treaty compliance but also to the country's ongoing GSP+ monitoring process.⁸⁶

Recurring Observations

A review of domestic evidence, treaty body recommendations, Universal Periodic Review cycles and GSP+ monitoring demonstrates several recurring concerns relating to the protection of transgender persons.

Legal uncertainty regarding implementation of the 2018 Act. Since the enactment of the Transgender Persons (Protection of Rights) Act, 2018, the principal concern has shifted from legislative recognition to legal certainty. The pending appeals against the Federal Shariat Court judgment have left the implementation of key provisions subject to continuing uncertainty, while legislative proposals seeking to amend the Act remain under consideration. This uncertainty affects the consistent implementation of legal protections across federal and provincial institutions.⁸⁷

Violence and access to justice. UN human rights mechanisms, civil society organisations and international partners have repeatedly highlighted violence against transgender persons, including killings, physical assaults and discrimination, alongside low levels of investigation and prosecution. The recurring concern has been the absence of reliable national data on violence against transgender persons and limited institutional mechanisms for monitoring hate crimes and ensuring accountability.⁸⁸

Equal access to public services. Despite statutory guarantees under the 2018 Act, transgender persons continue to face barriers in accessing education, healthcare, employment, housing and social protection programmes. Reports also continue to identify discrimination within detention facilities, healthcare settings and educational institutions, indicating that legislative protections have not consistently translated into institutional practice.

Limited availability of official data. International human rights mechanisms have repeatedly emphasised the importance of reliable, disaggregated data for measuring progress. Pakistan continues to publish limited official information regarding violence against transgender persons, educational participation, employment, healthcare access, detention conditions and social protection coverage, making it difficult to evaluate implementation of legal protections.

How does the NAP-HR 2026 address these recurring concerns?

The Draft National Action Plan acknowledges transgender persons within its thematic areas on equality and non-discrimination and proposes awareness-raising, capacity-building and sensitisation

⁸⁶ European Commission, *EU Trade Relations with Pakistan* (updated 2026), stating that Pakistan must maintain ratification and effectively implement the 27 core international conventions to retain GSP+ status; European External Action Service, *European Union GSP+ Mission Arrives to Assess Progress in Implementation of International Conventions* (22 June 2022).

⁸⁷ Federal Shariat Court, judgment of 19 May 2023 (striking ss. 2(f), 3, 7); JURIST, "Pakistan Federal Shariat Court Rules Against Landmark Transgender Rights Legislation," 21 May 2023.

⁸⁸ UN Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, CCPR/C/PAK/CO/2 (2024), paras. on non-discrimination and protection of the Transgender Persons (Protection of Rights) Act 2018; Committee on the Rights of the Child, *Concluding Observations on the Fifth Periodic Report of Pakistan*, CRC/C/PAK/CO/5 (2016), paras. 18–19; International Commission of Jurists, *Submission to the UN Human Rights Committee on Pakistan* (2024); Human Rights Watch, *World Report 2026: Pakistan*, section on Sexual Orientation and Gender Identity.

measures for relevant institutions. These initiatives represent positive steps towards improving institutional understanding of transgender rights.

However, the Action Plan does not address several of the structural issues that continue to be challenging for protection of transgender persons. There is a need to acknowledge the legal uncertainty arising from the pending appeals concerning the Transgender Persons (Protection of Rights) Act, 2018, and identify measures to ensure consistent implementation of the existing legal framework pending judicial determination. Similarly, the Matrix must measurable indicators relating to violence against transgender persons, investigation and prosecution of hate crimes, issuance of identity documents, access to education and healthcare, detention safeguards, or inclusion within social protection programmes.

. Without measurable indicators and periodic reporting, it remains difficult to assess whether constitutional guarantees, statutory protections and Pakistan's international human rights commitments are being translated into improved outcomes for transgender persons.

(See Annexure H for more understanding.)

Key Takeaways

Indigenous communities lack formal legal recognition; their prior consent (under ILO C107, UNDRIP, and lender standards such as ESS7) must be may be taken into account of mega-development projects, and Pakistan should move towards ratifying ILO C169.

Refugee and stateless children face deportation-driven family separation and exclusion from schools and health care. The ministry should be mindful in the human rights implication arising out of absence of refoulement strategy,

Forced evictions ultimately transcend into the loss of schooling, health, water, and dignity; dignified relocation and the continuity of children's education should be written into the NAP as measurable commitments.

Juvenile justice requires a single statutory minimum age of criminal responsibility of fourteen; also, the challenge of proof of juvenility on the minors and lack of protections until it is proved must be taken into consideration.

Transgender persons must be expressly included across all KPIs in this thematic area, with a commitment to the restoration of the 2018 Act, data maintained on transphobic violence, and inclusive coverage of elderly Khawaja Sira persons in social protection. The subject must best be grouped under Gender vulnerabilities, instead of grouping with persons with disabilities in the matrix.

Chapter 8 — Institutionalising Human Rights Education: Civic Education, Curriculum Reform and Preventing Discrimination

This chapter touches upon the need for human rights education, sensitisation and awareness, which corresponds to Thematic Area 3 of the NAP-HR 2026. It examines whether the Draft National Action Plan adopts education not merely as a means of improving awareness, but as a long-term strategy for preventing the human rights challenges of discrimination, hate speech, violent extremism and exclusion — and, last but not least, how it tackles civic education.

8.1 Civic Education and the National Civic Education Commission Act, 2018

Civic awareness occupies a unique position within the human rights framework. It serves as the principal means through which empathy-based human behaviours, knowledge of constitutional values, efforts for democratic enhancement, and the promotion of equal rights for all are cultivated. The idea of responsible citizenship and peaceful coexistence cannot be achieved through legal sanctions alone; it requires sustained civic learning capable of shaping attitudes and behaviours. Recognising this, Parliament enacted the National Civic Education Commission Act, 2018 to institutionalise civic education as a national responsibility.

The Act defines civic education as *“the provision of information and learning experiences to equip and empower citizens to participate in democratic processes.”*

It seeks to promote awareness of the Constitution, democratic institutions, the fundamental rights and duties of citizens, the rule of law and responsible participation in public life. To achieve these objectives, the Act envisages the establishment of a National Civic Education Commission, comprising representatives of Parliament, the Federal and Provincial Governments, educational institutions, civil society and subject experts, thereby ensuring that civic education remains impartial, representative and responsive to Pakistan’s constitutional and democratic framework.⁸⁹

Introduced as a Private Member’s Bill and enacted in 2018, the legislation anticipated an institutional mechanism responsible for developing civic education standards, coordinating with educational institutions, promoting public awareness and strengthening civic competencies across society. Although the Act remains in force, implementation has progressed slowly, and the Commission envisaged under the legislation has not yet been established. Consequently, many of its objectives have continued to rely upon fragmented curriculum initiatives rather than a coordinated national framework.

How is the NAP-HR 2026 addressing it?

Against this background, the inclusion of the National Civic Education Commission Act, 2018 within the Draft National Action Plan for Human Rights 2026 is a welcome inclusion. Under its

⁸⁹ National Civic Education Commission Act, 2018 (Act No. XIV of 2018), ss. 2(a), 3–9. The Act defines civic education as “the provision of information and learning experiences to equip and empower citizens to participate in democratic processes” and establishes a National Civic Education Commission comprising representatives from Parliament, the Federal and Provincial Governments, educational institutions, civil society and subject experts to promote constitutional literacy, democratic participation and responsible citizenship.

Thematic Area 1 (Legal and Policy Reforms, Enforcement of Laws and Policies, and Access to Justice), Outcome 2 (Effective Implementation of Human Rights-related Laws and Policies), Action xxiii, the Draft NAP commits to operationalising the Act. The corresponding KPIs measure (i) the establishment and strengthening of the Commission, (ii) the level of inclusion of civic education within primary and secondary school curricula, and (iii) the number of schools imparting civic education.

These measures constitute an important starting point. They will need to expand beyond the scope of school curriculum reforms, and make civic education an integral part of capacity development for all in government and non-governmental departments. While the Plan's action indicators will document whether the Commission is established and whether civic education is introduced into schools, they do not evaluate whether civic education achieves the broader objectives envisaged by the Act itself. There are no indicators established for observing behavioural changes and institutional reforms oriented towards education in fundamental rights and civic responsibilities, democratic participation, critical thinking, media and digital literacy, and respect for diversity. The KPIs are primarily based on education reforms, but the absence of any assessment of teacher preparedness to deliver civic education, or of the quality of the pedagogical approaches through which these values are communicated, is felt.

Civic education, as envisaged under the Act, is not intended to function solely as a school subject. Rather, it represents a broader constitutional project aimed at cultivating informed, responsible and rights-conscious citizens across society. The operationalisation of the Commission should therefore be understood not merely as an administrative exercise, but as an opportunity to institutionalise a preventive human rights strategy capable of addressing the social conditions from which discrimination, hate speech, violent extremism and intolerance emerge. It is within this broader framework that curriculum reform, human rights education and civic competencies should be assessed.

8.2 Curriculum Modernisation and Behavioural Change

Curriculum modernisation is named in the draft plan, but no elaboration is offered on the mechanism for the behavioural change needed to remove bias or to address discrimination through education and the professional training of teachers.

An ideal curriculum is expected to be enriched with child-friendly pedagogies and age-appropriate content on rights, safety, and protection. Digital skills — including safe web use, the ability to identify fake news, and the process for verifying information — and media literacy more broadly must be embedded in the curriculum and pedagogies. The Ministry of Federal Education and Professional Training and the provincial education departments must be made part of the curriculum, pedagogy, and school-education policy work under the human-rights communication strategy.

Successive treaty bodies have also consistently linked curriculum reform to Pakistan's obligations to combat discrimination and promote human rights education. Most recently, the UN Human Rights Committee, in its 2024 review of Pakistan's second periodic report under the ICCPR,⁹⁰

⁹⁰ UN Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, CCPR/C/PAK/CO/2 (2024), para. 34(e). The Committee recommended that Pakistan "review school textbooks and curricula with a view to removing all religiously biased content, incorporate human rights education therein and continue to regulate madrasas." The

recommended reviewing school textbooks and curricula to remove religiously biased content, incorporate human rights education and continue regulating madrassahs. Similar concerns have been raised by the Committee on the Elimination of Racial Discrimination (2024)⁹¹ and the Committee on the Rights of the Child (2016),⁹² reflecting a recurring expectation that education policy should serve as a vehicle for equality, tolerance and non-discrimination.

8.2.1 Revision of Curriculum and Textbooks

The revision of textbooks is extremely important, as current educational content continues to include material that reflects biases, both explicit and implicit. Curriculum reform will remain incomplete unless human rights considerations are appropriately integrated into the review of curricula, textbooks and pedagogical approaches across both public and private education systems. The Ministry of Federal Education and Professional Training (MoFEPT), provincial education departments, the Higher Education Commission (HEC) and the Ministry of Human Rights do not have a coordinated review mechanism incorporating specialised expertise in human rights, civic education and curriculum development. This process should also involve credible civil society organisations working on education and human rights, alongside curriculum specialists, to ensure that educational content promotes constitutional values, equality and respect for diversity.

How is the NAP-HR addressing curriculum reforms?

Although the Draft NAP identifies curriculum modernisation and human rights education under Thematic Area 3 (Human Rights Education, Sensitisation and Awareness), its reporting framework does not establish measurable indicators for reviewing curricula or textbooks from a human rights perspective. Nor does it define any KPI to assess the removal of discriminatory or religiously biased content, incorporation of human rights education into learning objectives, revision of pedagogical approaches, or participation of specialised education and human rights institutions in curriculum development. Similarly, while Thematic Area 2, Outcome 6, Action Point 31 addresses hate speech, it approaches the issue primarily through legal enforcement and awareness measures rather than integrating it into educational reforms. Consequently, the Draft NAP misses an opportunity to position curriculum reform as a measurable strategy for addressing prejudice, discrimination and the process of “otherisation” through education.

recommendation followed the Committee’s consideration of Pakistan’s second periodic report under the ICCPR in October 2024.

⁹¹ Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, CERD/C/PAK/CO/24-26, adopted on 19 August 2024 following the Committee’s review of Pakistan’s combined twenty-fourth to twenty-sixth periodic reports under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). The Committee reiterated concerns regarding hate speech, racist stereotypes, discrimination against ethnic and religious minorities, and deficiencies in implementing Article 4 of the Convention, reinforcing the need for educational measures that address prejudice and intolerance.

⁹² See also Committee on the Rights of the Child, *List of Issues in Relation to the Combined Sixth and Seventh Periodic Reports of Pakistan*, CRC/C/PAK/Q/6-7 (adopted by the Pre-sessional Working Group on 20 September 2024 and issued on 21 October 2024), requesting information on measures to address discrimination, violence against children, implementation of the right to education and previous recommendations under the Convention. Pakistan’s combined Sixth and Seventh Periodic Reports were examined by the Committee in January 2026.

8.3 Addressing Hate Speech

The Draft National Action Plan addresses hate speech under Thematic Area 2 (Protection of Rights of Minorities), Outcome 6, Action Point 31, which focuses on combating hate speech in accordance with existing laws and preventing the misuse of blasphemy laws. The corresponding KPIs primarily measure implementation of Standard Operating Procedures (SOPs), awareness and consultative sessions, and the number of cases registered and convictions secured under the relevant legal provisions. While these indicators are useful for monitoring enforcement, they do not establish measurable outcomes for preventing hate speech through education, curriculum reform or behavioural change. Nor do they assess whether educational content, teaching methodologies or school environments contribute to reducing prejudice, discrimination and the process of “otherisation.”

The draft therefore adopts a law-enforcement approach to hate speech. A concrete response requires developing an understanding of hate speech within Pakistan’s social and educational context that is also aligned with the international human rights obligations to which Pakistan is bound. This requires a fundamental shift in educational narratives and learning objectives to remove bias, promote inclusion and address the process of “otherisation” — as discussed earlier — before it manifests into irreconcilable differences or violence.

This approach is consistent with Pakistan’s recurring recommendations under international human rights review mechanisms. Most recently, the Committee on the Elimination of Racial Discrimination (CERD), in its 2024 Concluding Observations on Pakistan’s combined twenty-fourth to twenty-sixth periodic reports,⁹³ repeated its concern that, although hate speech is criminalised under Sections 295-A and 296–298 of the Pakistan Penal Code, Pakistan’s domestic legal framework does not fully implement Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), particularly regarding the prohibition of organisations promoting superiority and the dissemination of ideas based on superiority or racial hatred. Likewise, the Human Rights Committee, in its 2024 review of Pakistan’s second periodic report under the ICCPR, recommended reviewing school textbooks and curricula to remove religiously biased content and incorporate human rights education. These recurring recommendations reinforce the need to address hate speech not only through criminal law but also through educational reform.

8.3.1 Defining Hate Speech

A definition of hate speech in general, and in education in particular, cannot be developed without first reaching consensually accepted principles that can define what hate is and how a state should address it through different means and tools, for initiating behavioural change.

Table 8.1 below sets out the conceptual definitions of hate speech as presented through different laws and policies in Pakistan.

⁹³ Committee on the Elimination of Racial Discrimination, *Concluding Observations on the Combined Twenty-Fourth to Twenty-Sixth Periodic Reports of Pakistan*, CERD/C/PAK/CO/24-26 (2024), paras. 13–16, expressing concern that Pakistan’s criminal law does not fully implement Article 4 of ICERD regarding racist organisations and the dissemination of ideas based on superiority or racial hatred, and recommending stronger measures to combat hate speech and discrimination.

Table 8.1: Conceptualisations of hate speech across Pakistan’s laws and policies

Instrument	How hate speech is conceptualised	Limitation
Constitution of Pakistan (Art. 19)	Freedom of speech is guaranteed, subject to reasonable restrictions in the interests of Islam, security, public order, decency, morality, contempt of court, defamation and incitement to an offence.	Does not define hate speech itself.
Pakistan Penal Code (PPC)	Criminalises expression that promotes enmity, insults religion or wounds religious feelings through provisions such as Sections 153-A, 295-A and 296–298C.	Oriented towards protecting religion and maintaining public order; no comprehensive definition based on discrimination.
Anti-Terrorism Act, 1997	Treats dissemination of sectarian hatred and certain forms of hate speech linked to terrorism as terrorism-related offences.	Oriented on security threats rather than broader discriminatory expression.
PECA 2016 and 2025 Amendments	Addresses unlawful online content and defines “dishonest intention” to include creating hatred or incitement to violence in certain contexts; provides investigative powers over cyber content. Includes criminalising speech concerning the ideology of Pakistan, the state, security forces and the judiciary, along with individuals.	Not a standalone definition of hate speech; concerns have been raised about overbroad application, particularly following the 2025 amendments, which extend beyond addressing genuine cybercrime and have increasingly been used to regulate criticism of state institutions and public officials.
National Counter Extremism Policy Guidelines (2018)	Defines the root causes of extremism as pinned in the idea of self-righteousness, intolerance, polarisation into “us and them”, and ultimately violence. It frames hate and intolerance as products of social attitudes rather than merely criminal conduct.	Policy guidance only; not legally binding. As per open-source evidence and observation undertaken for this report, no evidence of it ever being adopted.
Pakistan’s National Narrative against Terrorism and Extremism (NACTA)	Treats hate speech as extremist propaganda that fuels violence and calls for suppression of online and offline extremist narratives, sectarian hatred and intolerance (nacta.gov.pk).	Security-oriented; limited educational focus.

The existing laws tend to approach hate speech from the perspectives of religion, public order, national security or cyber regulation, rather than through a rights-based framework centred on equality, non-discrimination and the prevention of incitement, as ideals for promoting equality and citizen-consciousness. The closest that came to promoting the idea of peaceful coexistence was in the institutional reforms provided in the National Counter Extremism Policy Guidelines (2018), which provided comprehensive recommendations for the educational curriculum; however, that became a stalled project. This fragmented approach towards understanding and countering hate speech reinforces the need for preventive educational strategies, including curriculum reform and civic education, to address the underlying causes of prejudice and intolerance. Although the National Action Plan summarises a few action points, they lack practical efforts to make genuine behavioural change outcomes. Human rights education must come embedded as a policy for all employees of state institutions responsible for ensuring the fundamental rights of every citizen.

Hate speech should be addressed through precise legal standards consistent with Articles 19 and 20 of the ICCPR and the Rabat Plan of Action,⁹⁴ while education should equip learners to distinguish criticism, misinformation, discriminatory expression and unlawful incitement rather than conflating them under broad criminal prohibitions.

Reforms for education should involve curriculum experts, child psychologists, historians, representatives of minority and marginalised communities and human rights practitioners. Selective history, historical omissions, the manipulation of historical narratives, and propaganda or fictional material presented as historical fact should all be identified and reviewed through an independent and transparent mechanism. The process should also include the sensitisation of textbook authors, publishers and curriculum developers. Furthermore, the implications of discrimination and stigmatisation for children belonging to marginalised and vulnerable communities should be reflected in curriculum standards, while the directives of the Jillani judgment⁹⁵ should inform curriculum review and civic education.

For the National Action Plan for Human Rights, the reporting framework should therefore move beyond awareness activities to include measurable educational outcomes. KPIs must assess curriculum and textbook review against human rights standards; teacher training on recognising and responding to discrimination and incitement; integration of media literacy, critical thinking and digital literacy into educational programmes; and institutional responses to discrimination, hate speech and denial of education within schools. Indicators should also record complaints received by district education authorities, actions taken to protect affected students, and budgetary allocations for implementing civic education under the National Civic Education Commission Act, including curriculum development, pedagogical reform and teacher-sensitisation programmes.

⁹⁴ International Covenant on Civil and Political Rights (ICCPR), Arts. 19 (freedom of expression) and 20(2) (prohibition of advocacy of national, racial or religious hatred constituting incitement to discrimination, hostility or violence); Office of the United Nations High Commissioner for Human Rights (OHCHR), *Rabat Plan of Action on the Prohibition of Advocacy of National, Racial or Religious Hatred that Constitutes Incitement to Discrimination, Hostility or Violence* (2012), which interprets these provisions through a six-part threshold test balancing freedom of expression with protection against incitement and recommends education, dialogue and counter-speech alongside narrowly tailored legal restrictions.

⁹⁵ The Supreme Court, in *Suo Motu Case No. 1 of 2014 (Regarding the Rights of Minorities)*, PLD 2014 SC 699 (the “Jillani Judgment”), directed the Federal Government to develop appropriate curricula promoting religious and social tolerance, revise educational content to foster a culture of pluralism and interfaith harmony, and establish mechanisms to protect the constitutional rights of religious minorities.

8.3.2 Addressing Transphobia Through Inclusive Education

The Draft National Action Plan recognises the rights of transgender persons under Thematic Area 2 — Implementing Key Human Rights Priorities, Outcome 8 (Rights of Transgender Persons). Action Point 40 seeks to strengthen implementation of the Transgender Persons (Protection of Rights) Act, 2018 and expand provincial protections. Its KPIs measure implementation of employment quotas, issuance of Computerised National Identity Cards (CNICs), development of prosecutorial guidelines for investigating violence against transgender persons, enrolment in vocational training programmes, establishment of shelter homes, and harmonisation of provincial legislation.

These are important legal and administrative safeguards. However, the Draft NAP-HR 2026 does not recognise education as an effective mechanism for curbing transphobia. According to UNICEF's State of Children in Pakistan 2024, approximately 57 per cent of transgender students report experiencing harassment or discrimination in educational institutions, while the National Commission for Human Rights has recommended that schools adopt specific measures to protect transgender students from bullying, violence and social exclusion.⁹⁶ These findings demonstrate that legal recognition alone cannot eliminate discrimination unless accompanied by curriculum reform, teacher training and inclusive school environments — illustrating the extent to which prejudice continues to undermine equal access to education. None of the proposed KPIs assess discrimination experienced by transgender children within educational institutions, school retention, bullying, denial of admission, curriculum content, teacher preparedness or behavioural change. Nor do the curriculum-related actions under Thematic Area 3 explicitly integrate gender diversity or non-discrimination within human rights education. While Action Point 48 provides for the inclusion of human rights and civic education in primary and secondary curricula, Action Point 50 focuses on revising educational materials relating to religious minorities. Neither action extends to educational safeguards addressing gender identity or transphobia.

Curriculum reform should therefore promote the equal participation of transgender persons as citizens by integrating age-appropriate content on equality, dignity and non-discrimination into school curricula and textbooks. Behavioural change strategies should involve the Ministry of Federal Education and Professional Training, provincial education departments, teacher training institutions and curriculum authorities to ensure that transgender children are not denied education or subjected to discrimination because of their gender identity. Educational content should likewise promote equal access to public services and economic opportunities, reinforcing the constitutional principle that all citizens are entitled to equal protection of the law.

The need for educational safeguards is reinforced by Pakistan's international human rights obligations. The Committee on Economic, Social and Cultural Rights (CESCR), in its 2017 Concluding Observations on Pakistan's initial report under the ICESCR,⁹⁷ expressed concern regarding discrimination against transgender persons in education, employment, health care and

⁹⁶ National Commission for Human Rights (NCHR), *Report on Transgender Persons: A Need for Mainstreaming* (2017), Recommendations on the Right to Education. The Commission recommended that the Government ensure equal access to education for transgender persons, provide scholarships and dedicated funding for transgender children, and ensure that laws and policies “provide adequate protection for students, staff and teachers of transgender people against all forms of social exclusion and violence within the school environment, including bullying and harassment.”

⁹⁷ Committee on Economic, Social and Cultural Rights, *Concluding Observations on the Initial Report of Pakistan*, E/C.12/PAK/CO/1 (2017), expressing concern regarding discrimination against transgender persons in access to education, employment and health care, and recommending comprehensive anti-discrimination measures.

access to public services, recommending comprehensive measures to eliminate discrimination. Likewise, the Human Rights Committee, in its 2024 Concluding Observations on Pakistan’s second periodic report under the ICCPR,⁹⁸ called upon Pakistan to strengthen protection against discrimination, violence and social exclusion affecting persons on the basis of sexual orientation and gender identity. The European Commission’s GSP+ Monitoring Report (2023–2025)⁹⁹ similarly notes continuing concerns regarding violence and discrimination affecting transgender persons and stresses the effective implementation of Pakistan’s obligations relating to equality and non-discrimination. These recurring observations indicate that legal protection alone is insufficient unless accompanied by sustained educational and institutional measures capable of transforming discriminatory attitudes.

Educational institutions are among the earliest environments in which prejudice, stereotyping and exclusion are either reinforced or challenged. Addressing transphobia through curriculum reform therefore serves not only to protect transgender students from discrimination but also to promote respect for equality, dignity and diversity among all learners. KPIs should go beyond mere awareness campaigns to include indicators on school inclusion, anti-bullying mechanisms, teacher training on equality and non-discrimination, complaints relating to discrimination in educational institutions, and the incorporation of inclusive pedagogies within curriculum standards.

Given that the development of educational standards on hate speech and discrimination involves matters of significant public interest, the process should remain transparent. Records of consultations, expert opinions and public expenditure relating to curriculum development and the formulation of educational standards should therefore be made publicly accessible, consistent with the public’s right to information.

Key Takeaways

Curriculum modernisation is named as an aim of the Draft NAP without any mechanism for the behavioural change or teacher training needed to remove bias and discrimination.

Textbook revision must involve coordinated human rights and civic-education expertise — MoFEPT, provincial departments, the HEC, the Ministry of Human Rights, and credible civil-society organisations.

A locally grounded, consensus-based definition of hate speech should be made part of the SOPs and respective indicators to ensure curriculum and human rights education is aligned with international conventions and guidelines on tackling hatespeech. —

Media literacy and digital skills, including the identification of fake news, should be embedded in curricula and teacher training at all levels.

Curriculum reform should normalise the participation of transgender persons as equal citizens and bring transphobia within the definition of hate speech.

⁹⁸ UN Human Rights Committee, *Concluding Observations on the Second Periodic Report of Pakistan*, CCPR/C/PAK/CO/2 (2024), recommending strengthened protection against discrimination and violence affecting persons on the basis of sexual orientation and gender identity, and effective implementation of legal safeguards.

⁹⁹ European Commission, *Pakistan GSP+ Monitoring Report 2023–2025*, highlighting continuing concerns regarding discrimination and violence affecting transgender persons and recommending effective implementation of Pakistan’s international human rights obligations relating to equality and non-discrimination.

Chapter 9 — Consolidated Recommendations

The observations set out in the preceding chapters translate into the following consolidated recommendations. They are grouped by subject to correspond with the priorities identified across this report, and are offered so that each may be adopted directly as an action point, with a measurable Key Performance Indicator (KPI). Five priorities cut across all of them: the right to a fair trial; the protection of schools and education under attack; academic freedom; freedom of religion or belief; and the countering of violent extremism through education and rehabilitation work.

The recommendations that follow are extensive, because the gaps they respond to are real and documented throughout this report.

9.1 Legal and Policy Reforms, Enforcement, and Access to Justice

- Incorporate the right to a fair trial (Article 10-A) into the Plan, with protection for defendants, their lawyers, and lower-court judges in blasphemy and terrorism matters, and enforce the professional codes of conduct binding on lawyers, with KPIs recording action taken against courtroom intimidation.
- Replace PPC Section 211 as the indicator for blasphemy-law misuse — it is rarely invoked and will produce zero results by default with measurable protections for under-trial defendants and those subsequently acquitted.
- Incorporate the outstanding directives of the Jillani judgment (2014) and re-examine the NACTA National Counter Extremism Policy Guidelines (2018) as measurable commitments, rather than as policy documents that remain unimplemented.
- Clarify the arrangements for regulations of religious seminaries under the Societies Registration (Amendment) Act, 2024, with KPIs confirming that madrassahs registering through the Societies Act route are monitored

9.2 Protect Schools and Education from Attacks as a Dedicated Priority

- KPIs must consider documenting budget lines — federal and provincial — for the reconstruction and rehabilitation of schools damaged by attacks, with the amount allocated, spent, and outstanding reported annually. This will improve school safety systems tremendously.
- Adopt School Safety Declaration based guidelines where relevant.
- Prioritise the re-enrolment and rehabilitation of girls, who are targeted first and withdrawn longest.
- Incorporate reporting on children caught in armed conflict, aligned with the six grave violations, into the NMRF and MRM guidelines for international reporting. Recognise academic freedom and freedom of thought and conscience expressly in the national plan for human rights, grounded in HRC Resolution 59/9 (2025) and the Principles for Implementing the Right to Academic Freedom.
- Maintain disaggregated data on attacks against academics, since no official tracker currently disaggregates by profession.

- Define performance indicators that measure the quality of academic thought — encouraging critical enquiry, acting against campus hate crimes, and protecting employment for minority teachers — not access to schools alone.

9.3 Institutionalise Human Rights Education, Civic Education and Curriculum Reform

- Operationalise the National Civic Education Commission Act, 2018 without further delay, ensuring the Commission includes provincial education departments, civil society and human rights institutions.
- Establish a coordinated curriculum and textbook review mechanism and indicators for it between MoFEPT, provincial education departments, the HEC and the Ministry of Human Rights, with civil society participation, to remove discriminatory content and integrate human rights education into learning objectives.
- Embed media literacy, digital literacy and the ability to identify misinformation within curricula and teacher training at all levels.
- Develop a locally grounded, consensus-based definition of hate speech, aligned with the the Jillani directives, arrived at through a transparent and publicly documented process.
- Integrate gender diversity and non-discrimination — including protection from transphobia — explicitly within curriculum standards, rather than leaving this to legal recognition alone.
- Make records of curriculum-development consultations, expert opinions and associated public expenditure publicly accessible.

9.4 Freedom of Religion or Belief and Protection of Minorities

- Expedite the constitution of the National Commission for Minorities, ensuring representation consistent with Pakistan's constitutional and international non-discrimination obligations.
- Include in the plan a dedicated hate-crime monitoring mechanism for religiously motivated violence — attacks on places of worship, cemeteries and targeted killings — with data disaggregated by community and province.
- Provide in the Plan a pathways to legislate clear procedural safeguards against forced religious conversion: a single reliable age-determination protocol, verification of free and informed consent, and coordinated action between child-protection authorities, NADRA, medico-legal services and the judiciary.
- Track school retention and dropout among minority girls associated with religious coercion or fear of violence, and integrate this into national education monitoring.
- Plan must indicate actions that can harmonise the minimum age of marriage across all provinces, including Khyber Pakhtunkhwa, closing the gap currently exploited in conversion-for-marriage cases involving minors. This can be done through better data maintainance addressing all dynamics of conversions and the resultant vulnerabilities faced by it. Fully include the implementation plan to address outstanding directives of the Jillani judgment — the National Council for Minorities' Rights

and the special police force for the protection of places of worship — with compliance monitored and published.

9.5 Identification and Recognition of Vulnerable Communities

- Extend the scope of the human rights framework to ethnic and cultural minorities (including nomadic and semi-nomadic communities), stateless persons and refugees, the internally displaced, conflict-affected populations, and those affected by climate change.
- The plan must include taking consent of the affected communities as a precondition for donor-financed mega-development projects affecting indigenous communities, with provincial compliance reports (covering ILO C107, UNDRIP and lender standards such as ESS7) as a KPI. The Plan must also consider taking steps to move towards ratification of ILO C169 and formal recognition of indigenous communities.
- Establish a coordinated mechanism, with housing authorities, for the dignified relocation and rehabilitation of communities facing forced eviction — with KPIs on prior consultation, compensation, continuity of children's schooling, and access to health, water and sanitation following relocation.
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- Include KPIs that can help reform juvenile justice and custodial conditions so that minors are never held with adults, and protect incarcerated mothers and “jail babies”.
- Include transgender persons expressly across all relevant KPIs, and maintain data on transphobic violence.
- Protect refugee and stateless children as a distinct priority: prevent family separation during deportation, delink access to schools and hospitals from documentation status, and enforce the right to citizenship by birth for all children born in Pakistan.

9.6 Institutional Strengthening and International Obligations

- Pair capacity-building with oversight and accountability mechanisms against the abuse of authority, custodial torture and child abuse.
- Recognise rehabilitation of victims and communities after mob violence as a measurable counter-extremism commitment, covering compensation, reconstruction, psychosocial support, protection for the acquitted, and prosecution rates for mob participants.
- Extend sensitisation and training to provincial, National and Senate Human Rights Committees and to legislators.
- Fully develop the National Mechanism for Reporting and Follow-up (NMRF) and the MRM, with clear indicators and complaint mechanisms, integrating reporting on children in armed conflict. Make consultation process more transparent and participatory for inclusion of concerns as expressed by the people directly affected by conflict and militancy.

9.7 Implementation, Monitoring, and Civil Society Engagement

- Make the consultation process transparent — publishing attendance, expert opinion and minutes before Cabinet approval, not after.
- Match budget allocations realistically to the NAP's commitments, including dedicated funding for civic education.
- Protect complainants and whistle-blowers, and make community engagement, including with indigenous women, a measurable KPI.
- Root monitoring indicators in local realities, and require inter-departmental and inter-ministerial coordination to resolve overlapping concerns.
- Ensure recommendations received on all independent statutory bodies, including the SCA-accredited NCHR, are implemented and autonomy is ensured for all bodies enacted through the act of parliament at federal and provincial levels.

Taken together, these recommendations are intended to move the NAP-HR 2026 from a statement of intent towards an instrument of measurable protection.

9.9 Enabling Budgetary Allocations for Priority Human Rights Concerns

Problems remain untouched when commitments are made without a corresponding budget line, allocations are announced but not released, and no disaggregated financial data exists by which the state could measure its own performance.

Conclusion

The review undertaken in this report demonstrates that Pakistan’s principal human rights challenge is not the absence of constitutional guarantees, legislation, policy commitments or international obligations. Rather, it lies in the persistent gap between legal commitments and their implementation. Across successive treaty body reviews, Universal Periodic Review cycles, GSP+ monitoring, findings of Special Procedures and domestic oversight institutions, many of the same concerns have recurred over decades. Yet these recurring observations have only partially translated into legislative reform, institutional practice, measurable outcomes or accountability.

The Draft National Action Plan for Human Rights 2026 represents an important opportunity to consolidate Pakistan’s human rights commitments into a coherent implementation framework. The decision of the Ministry of Human Rights to invite public comments reflects an important recognition that human rights planning must remain open process, evolving with time and frequently updated with information and data it is generating. It must never be a one-off activity that will take another decade to review.

This report has found that several recurring human rights concerns continue to receive limited or no attention within the draft Plan. Among these are the protection of fair trial guarantees in blasphemy and terrorism-related; protection of schools and educational institutions from attacks; academic freedom; safeguards against religiously motivated violence; freedom of religion or belief and the protection of minority communities, including forced conversions and the situation of the Ahmadiyya community; protection of children affected by armed conflict; age determination and juvenile justice; women in detention; legal protection for indigenous, nomadic, refugee and stateless communities; transgender rights; forced evictions; and the development of a comprehensive National Mechanism for Reporting and Follow-up (NMRF). In several areas, the challenge is not only the absence of action points, but also the absence of measurable indicators capable of demonstrating whether rights are progressively being realised.

Table C.1 below consolidates these findings into a single reference, mapping each recurring human rights concern examined in this Review against the corresponding thematic area and action point of the Draft NAP-HR 2026, the KPIs currently proposed, and the substantive protection indicators that remain missing.

Table C.1 (Grand Table): Mapping of recurring human rights concerns against the Draft NAP-HR 2026

Human Rights Issue	Recurring International Observations	NAP-HR Thematic Area / Action Point	Existing KPI(s)	Relevance of KPI	Assessment / Missing Protection Indicators
Blasphemy laws and misuse	ICCPR, CERD, UPR, GSP+ and Special Procedures repeatedly recommend safeguards against misuse, due process and protection from mob violence.	TA-2, Outcome 6, AP-31	Cases reported, prosecutions, trainings	Moderate	Measures reporting rather than false accusations, mob violence, witness protection, acquittals, rehabilitation or accountability.
Freedom of religion or belief	ICCPR Art. 18, CERD, UPR and GSP+ repeatedly call for protection of minorities and freedom of belief.	TA-2, Outcome 6, AP-30	Interfaith committees, awareness activities	Low-Moderate	Measures dialogue rather than the actual enjoyment of FoRB or reduction in violations.
Forced conversions and forced marriage	CRC, CERD, ICCPR and Special Procedures, and GSP+, recommend legislative safeguards, age verification and free consent.	TA-2, Outcome 6, AP-33	Cases reported, convictions, complaints resolved	Moderate	No indicators on age determination, informed consent, rehabilitation, safe shelters, education or reintegration.
Minority girls	CRC, CEDAW and CERD repeatedly identify heightened vulnerability.	Partly AP-32 & AP-33	Scholarships; quotas	Low	No indicators on school dropout, forced marriage, educational reintegration or child protection.
Ahmadiyya community	CERD, ICCPR, Special Procedures and NCHR repeatedly identify discrimination, attacks and restrictions.	General minority protections only	None specific	Very Low	No KPI on hate crimes, attacks on worship places, cemeteries, discrimination or legal restrictions affecting Ahmadis.

Human Rights Issue	Recurring International Observations	NAP-HR Thematic Area / Action Point	Existing KPI(s)	Relevance of KPI	Assessment / Missing Protection Indicators
Hate crimes against religious minorities	CERD, ICCPR and NCHR recommend accountability and monitoring.	AP-31 & AP-35	Security arrangements; prosecutions	Moderate	No national hate-crime database; no monitoring of incitement, organised hate campaigns or convictions.
Women in prison	CAT, CEDAW, the Bangkok Rules, the Mandela Rules, and the UPR.	TA-2 (Custodial Protection)	Trainings, prison improvements	Moderate	No gender-responsive detention indicators, reproductive health, childcare or independent monitoring.
Juvenile justice	CRC, ICCPR and the UPR repeatedly raise age determination, diversion and detention.	TA-2 & TA-1	JJSA implementation	Low	No KPI on age determination, diversion rates, legal aid, children in ATA/PECA/blasphemy cases or separate detention.
Age determination	CRC and Special Procedures, and treaty bodies, repeatedly recommend reliable age verification.	Not specifically addressed	None	Absent	No measurable framework for birth registration, ossification protocols or judicial review.
Children under blasphemy / ATA / PECA	CRC List of Issues, Human Rights Committee, Special Procedures.	None	None	Absent	Complete omission despite an increasing number of minors implicated.
Transgender rights	UPR, ICCPR, CEDAW, GSP+, Special Procedures.	TA-2 (Gender Equality)	Awareness, inclusion activities	Low	No indicators regarding implementation of the 2018 Act, violence, employment, education or detention safeguards.

Human Rights Issue	Recurring International Observations	NAP-HR Thematic Area / Action Point	Existing KPI(s)	Relevance of KPI	Assessment / Missing Protection Indicators
Forced evictions	ICESCR, UPR, Special Rapporteurs.	TA-2	Resettlement measures	Moderate	Does not measure legal remedies, compensation, consultation or compliance with international standards.
Academic freedom	CESCR, UNESCO, Special Rapporteurs.	Scattered references	Awareness/training	Very Low	No KPI on campus violence, restrictions, disciplinary action or institutional autonomy.
Education and human rights	CRC, CESCR, UNESCO.	Various thematic areas	Enrolment, awareness	Low	No indicators on discrimination, “fear of education”, curriculum reform or safe learning environments.
Implementation of treaty body recommendations	Rekurs across every review cycle.	Cross-cutting	General reporting	Moderate	No KPI measuring the implementation rate of accepted UPR/treaty recommendations or follow-up.
National human rights institutions	Paris Principles, GANHRI, UPR.	Institutional strengthening	Meetings, SOPs	Moderate	Measures establishment rather than effectiveness, independence or implementation of recommendations.

Human rights protection depends upon the quality of evidence available to guide decision-making. Where governments do not collect reliable, disaggregated and publicly accessible data, violations remain invisible, institutional responses remain reactive, and resource allocation cannot be effectively monitored. The absence of data should therefore not be interpreted as the absence of violations; rather, it often reflects the absence of systems capable of recognising them.

Equally, implementation cannot be separated from budgeting. Commitments that are unsupported by dedicated financial allocations, institutional responsibility and public reporting remain statements of intent rather than instruments of reform. Human rights planning requires measurable outcomes, realistic timelines, transparent financing and independent oversight capable of assessing progress over time.

Ultimately, the success of any National Action Plan will not be determined by the number of activities it records, but by whether it strengthens the relationship between the citizen and the State through greater protection of rights, increased public confidence in institutions and demonstrable improvements in the lives of those who continue to experience discrimination, exclusion and violence. Human rights planning must therefore evolve from a reporting exercise into a sustained framework for prevention, accountability and institutional learning.



Post Script

The Ministry of Human Rights issued its final Plan on 22 July 2026, during the writing of this review. The final Plan was therefore compared with the previous draft against which this report has been written. The intention was to repeat the exercise to provide a careful, objective assessment with honest appraisals of the changes the Ministry needed to make.

Within the purview of the narrative setting of goals and objectives, there has been an improvement in clearly defining a practical pathway for human rights documentation across the six thematic areas as defined by the Ministry. Also of note is a serious consideration for including accountability measures, tracking of legislative reforms and capacity-building steps, and for conducting needs assessments for allocating funds within the designated departments of the relevant ministries under which specific human rights action is expected. Designated budget allocations for all human rights-related work have remained a vital requirement, and systematically laying down an intent for enabling them is a welcome sign. However, it still needs to be ensured that the statutory human rights watchdogs that have come into force through Acts of Parliament — the NCSW, the NCRC and the NCHR — remain independent of any ministry's influence, and that their budgetary allocations for implementation are explained.

Another important practical step included in the final Plan is on climate action, with three action points: carrying out a national study on climate impact on rights; conducting human rights impact assessments of all climate policies; and recognising climate as a cross-cutting rights concern. This is welcome, and needs to be seen in the context of the human displacements carried out as a consequence, and the rehabilitation of those displaced in the areas to which they have migrated. Rehabilitation work should come complete with ensuring access to basic health, education, justice and livelihood opportunities.

A necessary insertion has been made under Thematic Area 2, in which human rights-based policy guidelines on sexual and reproductive health care are being defined, with maternal mortality tracked as a human rights indicator. Reproductive health had no mention in the previous draft. It would be more appropriate if it were placed as a cross-sectional topic, especially in light of current legislation on child marriage.

Besides these new insertions, which were absent in the draft, there have been expansions within the existing action points that further clarify the working of existing legislative and reform work. Among the enforcement-of-law steps provided under Thematic Area 1, the ICT Domestic Violence Act, 2026 has been added to the list. Under policy enforcement within the same thematic area, the revision of the National Action Plan on Business and Human Rights has also been added. And under Thematic Area 2, on prison rules, the action points now include alignment with the Beijing Rules and the Bangkok Rules, which relate to juvenile and women prisoners. Alignment with the Beijing Rules on juvenile prisoners will hold significant value if the determination of the age of criminal responsibility of the child is also reviewed in light of treaty obligations, as discussed in detail in the earlier chapter on the protection of vulnerable communities.

After going through the final NAP-HR 2026, the core findings under this report still hold: there is a need to acknowledge and introduce steps on ensuring fundamental rights for the vulnerable communities mentioned in Chapter 7. Also, it will be helpful for academic growth and development

if the plan can include steps to ensure and improve academic freedom or the protection of schools from attack. The Plan also needs to take up the issue of children caught in conflict situations, who need more protection and security. Reporting further on the displaced communities, whether on account of forced evictions, Of natural climatic disaster, or due to conflict, will provide for better information for the state to fully take into considerations on what reforms and policies it needs to target. Also, concrete steps are needed ensuring fair trials, and in addressing the environment of fear that prevents one from claiming protection as discussed in Chapter 4 of this report. Besides the misuse of the laws, as pointed out multiple times before, the expansion of the PECA laws by criminalising criticism of the state is now shrinking the space for freedom of speech and expression, killing the essence of independent journalism, and resulting in the sentencing of journalists and human rights defenders who only spoke on how constitutional guarantees are violated. The National Action Plan for Human Rights, would be more meaningful if it shifts away from mere reporting on the agendas designated under the UN and GSP+ reporting mechanisms and move towards owning the problems and resolving challenges to bring an end to the violations against people who need assurances of the State's safeguards for them.



Annexure A — Summary of Recurring Human Rights Concerns Across International Review Mechanisms

The analysis draws upon recurring observations and recommendations contained in the Universal Periodic Review (UPR), concluding observations of the UN treaty bodies to which Pakistan reports, findings of relevant UN Special Procedures, the EU GSP+ Review of Pakistan (2023–2025), and, where applicable, situation-specific mechanisms such as the UN Monitoring and Reporting Mechanism on Children and Armed Conflict (MRM).

The “Recurrence Across Mechanisms” column reflects the frequency with which a particular issue has consistently appeared across multiple international review mechanisms over successive reporting cycles, rather than the number of individual recommendations received. The “Government Response” column summarises major legislative, policy and institutional measures adopted by Pakistan in response to those concerns. The “Overall Assessment” represents an analytical assessment based on whether the measures adopted have resulted in implementation, institutional reform or a sustained reduction in the recurrence of the concern across subsequent international reviews. The assessment has been generated by an AI tool based on specific prompts presented by this author, with each presented source personally read and verified. This is therefore intended as a qualitative indication of implementation trends rather than a quantitative scoring exercise, to avoid any ambiguity.

Table A.1: Recurring human rights concerns across international review mechanisms

Human Rights Issue	Recurrence Across Mechanisms	Covered by	Government Response	Overall Assessment
Freedom of expression, media freedom and civic space	Very High	UPR, ICCPR, GSP+, Special Procedures, CAT	Legislative reforms have largely expanded regulatory powers rather than protections. Continued concerns over PECA, journalists and human rights defenders.	Largely unresolved
Enforced disappearances	Very High	ICCPR, CAT, UPR, WGEID, GSP+	Commission of Inquiry continues; comprehensive criminalisation and accountability remain incomplete.	Largely unresolved
Fair trial and military courts	Very High	ICCPR, CAT, UPR, Special Rapporteur on Counter-Terrorism, GSP+	Military courts periodically retained or revived despite repeated international concern.	Limited progress
Judicial independence and rule of law	High	ICCPR, UPR, GSP+	Constitutional and institutional reforms undertaken, but concerns regarding judicial independence persist.	Mixed
Torture and custodial violence	High	CAT, ICCPR, UPR, GSP+	Torture law enacted (2022), but implementation, investigations and prosecutions remain weak.	Partial progress
Religious freedom and minority rights	Very High	ICCPR, ICESCR, CRC, CERD, UPR, GSP+	Constitutional protections remain, but blasphemy laws, attacks on minorities and discrimination continue.	Limited progress
Women's rights and gender-based violence	High	CEDAW, UPR, GSP+	Significant legislative reforms adopted; implementation remains uneven across provinces.	Moderate progress
Child rights	Very High	CRC, UPR, ICESCR, GSP+	Reforms on child protection and juvenile justice adopted, but child labour, early marriage, education and violence	Partial progress

Human Rights Issue	Recurrence Across Mechanisms	Covered by	Government Response	Overall Assessment
			remain persistent concerns.	
Death penalty	High	ICCPR, CAT, UPR, GSP+	Some judicial narrowing of capital offences, but no moratorium reinstated.	Limited progress
Prison conditions	High	CAT, ICCPR, UPR	Limited reforms despite repeated recommendations regarding overcrowding, healthcare and detention conditions.	Minimal progress
Freedom of association and assembly	High	ICCPR, UPR, CAT, GSP+	Civil society organisations and protesters continue to face legal and administrative restrictions.	Limited progress
Human rights defenders	High	Special Procedures, CAT, ICCPR, GSP+	Reports of intimidation, criminal proceedings and reprisals continue.	Limited progress
Education and attacks on education	Moderate	CRC, ICESCR, UPR, Children and Armed Conflict	School safety measures introduced after APS, but broader protection of education and endorsement of the Safe Schools Declaration remain outstanding.	Partial progress
Labour rights	High	ILO Conventions, GSP+, UPR	Legal reforms adopted; bonded labour, child labour and freedom of association remain implementation challenges.	Moderate progress
Refugees and non-refoulement	Increasing (2023–2026)	CAT, Special Procedures, GSP+	Repatriation policies have attracted significant international concern regarding protection needs and non-refoulement.	Emerging concern

Annexure B — Timeline of Attacks on Schools (2014–2026)

The following is an illustrative timeline compiled from IFE research, drawing on UN Children and Armed Conflict reporting, GCPEA, the Armed Conflict Location & Event Data Project (ACLED), and the South Asia Terrorism Portal (SATP). Access to the data has been limited, and the entries have been compiled from scattered but authentic sources monitoring and documenting attacks on schools. The totals should be read as documented floors.

- 16 December 2014 — Peshawar, KP: militants attacked the Army Public School, killing more than 141 people, most of them schoolchildren. The scale of the attack prompted the 20-point National Action Plan against terrorism — none of whose points, notably, pertained to students or the protection of education.
- The year before APS (2013) — contextual figure: in the year preceding the APS attack, according to information reported to the United Nations and compiled by GCPEA, the Tehreek-e-Taliban Pakistan (TTP) and allied groups carried out at least 78 targeted attacks on schools, teachers, and schoolchildren, including 26 attacks on female educational institutions. Approximately half of the 2013 attacks occurred in Khyber Pakhtunkhwa, with attacks also occurring regularly in the former Federally Administered Tribal Areas (FATA), Balochistan, and Karachi. See GCPEA, *Education under Attack 2018*, Pakistan country profile (drawing on the UN Secretary-General’s report on Children and Armed Conflict, A/68/878–S/2014/339, 15 May 2014): <https://www.refworld.org/reference/annualreport/gcpea/2018/en/122333>
- 2015–2016 — nationwide spread: GCPEA documented that attacks in this period were not confined to KP and Balochistan. In 2016, incidents were distributed across Sindh, Punjab, and Azad Jammu and Kashmir in addition to KP, FATA, and Balochistan (for example, gunmen firing on a government girls’ secondary school in Tandlianwala, Punjab, in January 2016). Earlier, the deadliest attack on higher education — a Lashkar-e-Jhangvi bombing of a student bus at Sardar Bahadur Khan Women’s University in Quetta on 15 June 2013 — and the killing of Professor Syed Sibte Jafar Zaidi outside a Karachi college the same year confirm that Sindh and Balochistan’s urban campuses were also targeted.
- 2022–2023 — GCPEA reporting period: attacks on schools fell to a low of three (2022) and five (2023), while casualties in this period clustered in the separate students-and-personnel category; over 540 teachers were arrested and over 70 killed or injured, largely in protest-related crackdowns in Sindh, Punjab, and KP.
- 2024–2025 — sharp resurgence (GCPEA, *Education under Attack 2026*): Pakistan was classified as “heavily affected,” with at least 218 people harmed. Attacks on schools rose sharply to at least 44 (27 in 2024; 17 in 2025), most involving explosive weapons and concentrated in KP, with ten attacks in 2024 and six in 2025 specifically targeting girls’ schools; there were at least 13 attacks on students, teachers, and personnel (31 killed or injured, disproportionately female students), three cases of military use of schools (concentrated in Kohat, KP), and 11 attacks on higher education, including enforced disappearances of Baloch students from university hostels.
- 1 November 2024 — Mastung, Balochistan: a vehicle-borne IED detonated outside a girls’ school, killing five schoolgirls — a daytime attack causing direct child casualties.

- 21 May 2025 — Khuzdar, Balochistan: an IED struck a school bus carrying children to a military-run school, killing eight (six students and two staff) and injuring dozens.
- 7 October 2025 — Bannu, KP: two government schoolteachers were abducted from a government high school.
- 11 December 2025 — Mir Ali, North Waziristan, KP: a government primary school in Khushali, Ayaz Kot, was blown up overnight, leaving over 600 enrolled students without their only functioning primary school in the area.
- 25 December 2025 — Tank, KP: a drone strike on a madrassah injured nine children aged eight to fifteen.
- February–May 2026 — South/North Waziristan, Bannu, Tank (KP): a recurring monthly pattern of school bombings, including a boys' middle school destroyed in Birmal (24 February 2026), a suspected drone/quadcopter strike destroying roughly 80 per cent of a high school in Shewa days before reopening (27 February 2026), and the simultaneous destruction of a government school and a Basic Health Unit in Tank (25 May 2026).
- 2 July 2026 — Bannu, KP: security forces foiled an attempt to blow up a government girls' school; explosives planted at the school had already partially damaged the building before defusal, alongside a foiled attempt to destroy a nearby bridge.

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Annexure C — Incidents of Vigilante and Mob Violence (Last Five Years)

Table C.1: Documented incidents of vigilante and mob violence, 2020–2024

Year	Notable documented incidents ¹⁰⁰	Primary source
2020	July 2020: Tahir Naseem, a US citizen on trial for blasphemy, shot dead inside a high-security Peshawar courtroom. August 2020: at least 42 blasphemy cases registered in a single month, most against Shia individuals.	Dawn; HRCP, <i>State of Human Rights in 2020</i>
2021	3 December 2021 — Sialkot, Punjab: Sri Lankan factory manager Priyantha Kumara tortured, lynched and burned by a TLP-linked mob (six later sentenced to death). November 2021 — Charsadda, KP: a mob stormed and burned Mandani police station to seize a blasphemy suspect.	Dawn; HRCP, <i>State of Human Rights in 2021</i>
2022	12 February 2022 — Khanewal, Punjab: a mentally unstable man, Mushtaq Ahmed, stoned to death by roughly 300 villagers over an alleged Quran burning. March 2022 — Dera Ismail Khan: a teacher killed by colleagues over an imagined blasphemy accusation.	Dawn; HRCP, <i>State of Human Rights in 2022</i>
2023	11 February 2023 — Nankana Sahib, Punjab: Muhammad Waris dragged from police custody and lynched. 16 August 2023 — Jaranwala, Punjab: a mob of more than 1,200 attacked the Christian quarter, damaging over 80 homes and churches over a blasphemy accusation.	Dawn; HRCP, <i>State of Human Rights in 2023</i>
2024	At least 24 deaths attributed to vigilante mobs (HRCP). 20 June 2024 — Madyan, Swat, KP: a tourist lynched and burned inside a police station (8 injured). May 2024 — Sargodha, Punjab: a Christian man (Nazir Masih) mob-attacked, died 8 days later. 12 September 2024 — Quetta, Balochistan: a police officer shot a blasphemy suspect dead inside a station.	HRCP, <i>State of Human Rights in 2024</i> ; Dawn

Key citations: HRCP, *State of Human Rights in 2024* (<https://hrcp-web.org/hrcpweb/rising-militancy-and-democratic-backsliding-mark-2024/>); Dawn, “Swat police station torched, man lynched for ‘blasphemy,’” 21 June 2024 (<https://www.dawn.com/news/1840942>); Dawn, “Quetta police official kills man accused of blasphemy while in custody,” 12 September 2024 (<https://www.dawn.com/news/1858556>); Dawn, “HRCP report shows alarming rise in violence against minorities” (*Streets of Fear*), August 2025 (<https://www.dawn.com/news/1931919>).

¹⁰⁰ Pertinent to mention that the data sources are from HRCP reports or those reported by Dawn news.

Annexure D — Academics Under Threat in Pakistan (2013–2025)

This annexure reproduces IFE’s “Academics Under Threat in Pakistan” dataset, referenced in Chapter 5. It documents Pakistani academics — professors, lecturers, and college and university teaching staff — who, between 2013 and 2025, were killed or wounded in religiously or sectarian-motivated attacks, formally indicted under blasphemy or PECA-related laws, or coerced into public apologies through community and clerical intimidation.



Category 1 — Religiously Motivated Target Killings of Academics (Sectarian or Blasphemy-Related)

Table D.1: Religiously motivated target killings of academics

#	Name	Institution	Date	Location / Province	Motive / Circumstances	Perpetrator(s)
1	Prof. Syed Sibte Jafar Zaidi	Govt. Degree Science College, Liaquatabad	18 Mar 2013	Karachi, Sindh	Sectarian (Shia); shot near the college by motorcycle gunmen	Lashkar-e-Jhangvi (2 members later arrested)
2	Prof. Syed Azfar Rizvi	Assoc. for Advancement of Urdu / Dhaka Coaching Centres	31 May 2013	Karachi, Sindh	Motive not conclusively established in available reporting	Not known
3	Prof. Abdul Razzaq (Zehri)	Khuzdar Degree College / founder, National Science Academy	11 Jul 2013	Khuzdar, Balochistan	Contested attribution: advocate of co-education and girls' education; sources vary between religious-conservative backlash and Baloch nationalist/state-linked violence	Unclaimed; disputed framings
4	Prof. Syed Shabbir Hussain Shah	Univ. of Gujrat (Director, Student Services)	19 Nov 2013	Islamabad (en route to Gujrat), Punjab	Sectarian (Shia); a note at the scene read "retaliation for Rawalpindi"	Lashkar-e-Jhangvi (claimed)
5	Prof. Syed Nazeer Hussain Umrani	Hashmat Ali College	7 Jan 2014	Rawalpindi, Punjab	Shia minority (per case record)	Not known
6	Dr. Jawed Iqbal Kazi	Karachi Dental & Medical College; Dean of Medicine, Univ. of Karachi	17 Feb 2014	Karachi, Sindh	Motive unconfirmed; amid a wider wave of targeted professor killings in Karachi	Unidentified gunmen

#	Name	Institution	Date	Location / Province	Motive / Circumstances	Perpetrator(s)
7	Prof. Muhammad Shakil Auj	Dean, Islamic Studies, Univ. of Karachi	18 Sep 2014	Karachi, Sindh	Blasphemy accusation over a 2012 US speech expressing reformist views; had filed an FIR over death threats before his murder	Unidentified gunmen; AQIS later claimed (unverified by conviction)
8	Dr. Deborah Lobo	Assoc. Professor & Vice-Principal, Jinnah Medical & Dental College	16 Apr 2015	Karachi, Sindh	Targeted as a US citizen by ISIS-inspired militants; she survived	Saad Aziz (charged in connection with the attack)
9	Prof. Waheed-ur-Rehman (pen name Yasir Rizvi)	Dept. of Mass Communication, Univ. of Karachi	29 Apr 2015	Karachi, Sindh	Close associate assisting the Auj murder investigation	Unidentified gunmen; AQIS claimed both killings
10	Prof. Amanullah Achakzai	Principal, University Law College, Quetta	8 Jun 2016	Quetta, Balochistan	No responsibility claimed; no suspect identified	Not known
11	Prof. Khalid Hameed	Head, English Dept., Govt. Sadiq Egerton College	20 Mar 2019	Bahawalpur, Punjab	Accused of “anti-Islam” conduct for organising a co-ed college event	Student Khateeb Hussain (arrested); reportedly directed via messaging app by a TLP-linked lawyer
12	Safoora Bibi (teacher, 21)	Jamia Islamia Falahul Binaat (religious girls’ seminary)	29 Mar 2022	Dera Ismail Khan, KP	Accused of blasphemy based on a relative’s dream	A colleague and two student-nieces (arrested; 2 sentenced to death, 1 minor to life, March 2024)

#	Name	Institution	Date	Location / Province	Motive / Circumstances	Perpetrator(s)
13	Abdul Rauf (teacher, 22)	Private language centre / Turbat University student	5 Aug 2023	Turbat, Balochistan	Accused by students of blasphemy during a lecture; killed en route to a clerical jirga to resolve the matter	Unknown masked gunmen; no arrests reported

Category 2 — Academics Formally Indicted Under Blasphemy or PECA-Related Laws

Table D.2: Academics formally indicted under blasphemy or PECA-related laws

#	Name	Institution	Charge / Circumstances	Key Dates	Current Status
1	Junaid Hafeez	Bahauddin Zakariya Univ., Multan (Lecturer, English)	Accused of derogatory social-media remarks about the Prophet Muhammad, based on a leaflet circulated by a student-wing affiliate	Arrested Mar 2013; sentenced to death Dec 2019	In custody / appeal; internationally raised (HRW campaign, 2025)
2	Anwaar Ahmed	Islamabad Model College (Head, Urdu Dept.)	Convicted under PPC 295-A and ATA s. 7(g) for a lecture criticising popular depictions of Paradise, recorded by a student and shared online	Arrested 19 Mar 2017; convicted 8 Jan 2021	Sentenced to 10 years' imprisonment (+5 concurrent) and a Rs 100,000 fine
3	Dr. Sajid Soomro	Shah Abdul Latif Univ., Khairpur	Arrested on blasphemy and sedition charges over religion-critical writings / social commentary	Arrested 10 Jun 2020	Released on bail; charges reported as pending as of monitoring update

Category 3 — Academics Forced to Publicly Apologise Under Community/Clerical Intimidation (No Formal Charge)

Table D.3: Academics coerced into public apologies

#	Name	Institution	Circumstances	Date
1	Sher Ali	Govt. Postgraduate Degree College, Bannu (Asst. Professor, Biology)	Coerced by local clerics into signing a stamp-paper apology renouncing evolutionary theory and declaring women intellectually inferior, after a women's-rights seminar he organised drew clerical backlash. Survived a magnetic-bomb attack on his car in May 2022 in a separate, unresolved incident.	20–22 Oct 2023
2	Dr. Arfana Mallah	Univ. of Sindh, Jamshoro (Professor, Chemistry)	Issued a written and video apology after a clerical / social-media campaign (including calls for her arrest and death) followed a Facebook post calling Pakistan's blasphemy law "a black law," made in solidarity with colleague Sajid Soomro after his arrest.	27 Jun 2020

References for Annexure D

- [1] Scholars at Risk, “2013-03-18 Government Degree Science College.”
- [2] The Express Tribune, “Professor gunned down in Karachi” (18 March 2013) — Rizvi case; independent re-verification recommended.
- [3] Dawn, “Professor shot in Khuzdar...”; The Balochistan Point, “Professor Razaq’s Murder”; The Diplomat, interview with Dr Mahrang Baloch.
- [4] Scholars at Risk, “2013-11-19 University of Gujrat.”
- [5] Original case record (Umrani); independent re-verification recommended.
- [6] Scholars at Risk, “2014-02-17 University of Karachi.”
- [7] The Express Tribune, “KU Islamic Studies dean shot dead”; GCPEA, “The Mysterious Murder of a Pakistani Professor.”
- [8] Dawn / GCPEA, on the Lobo shooting.
- [9] Dawn, “KU professor shot dead in Karachi.”
- [10] Original case record (Achakzai); independent re-verification recommended.
- [11] Dawn, “Bahawalpur student stabs professor to death over ‘anti-Islam’ remarks”; and reporting on the TLP-lawyer link.
- [12] RFE/RL, “Female Pakistani Schoolteacher the Latest Victim of Blasphemy Vigilantes”; Al Jazeera, “Two Pakistani women get death sentence for ‘blasphemy’ murder of teacher.”
- [13] Dawn, “Teacher killed on blasphemy allegation in Turbat.”
- [14] Wikipedia, “Junaid Hafeez”; RFE/RL, “Pakistani Professor Sentenced to Death in Blasphemy Case.”
- [15] Dawn, “Islamabad ATC sentences 3 to death...”; USCIRF FoRB Victims Database, “Anwaar Ahmad”; Jubilee Campaign; VoicePK.
- [16] Scholars at Risk, “2020-06-10 University of Sindh”; Dawn; The Express Tribune (Soomro case).
- [17] Dawn, “Bannu clerics force zoology teacher to denounce Darwin’s theory”; The Express Tribune; MEMRI (Sher Ali case).
- [18] UCA News, “Pakistan professor apologizes for calling blasphemy ‘a black law’”; Scholars at Risk; OMCT.

Annexure E — Difference between ILO Convention No. 107 and ILO Convention No. 169

The difference between ILO Convention No. 107 and ILO Convention No. 169 represents a fundamental shift in international law from assimilation to self-determination, participation and rights.

Table E.1: ILO Convention No. 107 and ILO Convention No. 169 compared

ILO Convention No. 107 (1957) (<i>Pakistan is a Party</i>)	ILO Convention No. 169 (1989) (<i>Pakistan is not a Party</i>)
Based on an assimilation and integration approach, viewing integration into the national community as the long-term objective.	Replaces assimilation with a rights-based approach that respects Indigenous peoples' distinct identities, cultures and institutions.
Does not recognise self-identification as the defining criterion.	Article 1(2) recognises self-identification as the fundamental criterion for determining who is Indigenous or tribal.
Governments determine policies largely for Indigenous populations.	Requires Indigenous peoples to participate in decision-making affecting them.
No general obligation to consult Indigenous peoples before legislative or administrative measures affecting them.	Article 6 requires prior consultation, in good faith, through representative institutions, whenever legislative or administrative measures may directly affect them.
No explicit recognition that Indigenous peoples determine their own development priorities.	Article 7 recognises their right to decide priorities for development and participate in the planning, implementation and evaluation of programmes affecting them.
Land protections are comparatively limited.	Much stronger protection of traditional lands, territories and natural resources, including consultation before relocation and fair compensation where relocation occurs.
Education is mainly directed towards facilitating integration into national society.	Education must respect Indigenous languages, cultures, histories and educational priorities, with the participation of Indigenous peoples themselves.
Does not recognise Indigenous institutions as equal partners in governance.	Recognises Indigenous institutions, customs and representative bodies and requires governments to strengthen their participation.

Annexure F — Treaty Obligations and Relevant Clauses for Indigenous and Tribal Communities' Safeguards



Table F.1: Treaty obligations and relevant clauses for indigenous and tribal communities' safeguards

Treaty / Instrument	Pakistan Status	Relevant Articles	Protection Relevant to Indigenous / Nomadic Communities	Relevance to Pakistan
International Covenant on Civil and Political Rights (ICCPR), 1966	Acceded (2010)	Arts. 2, 17, 18, 19, 26, 27	Equality before the law; protection against discrimination; freedom of religion; freedom of expression; protection of minority cultures, languages and religions. Article 27 specifically protects the cultural rights of ethnic, religious and linguistic minorities.	Applicable to tribal, nomadic and minority communities maintaining distinct cultures and traditions.
International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966	Ratified (2008)	Arts. 2, 6, 11, 12, 13, 15	Non-discrimination; right to work; adequate standard of living; health; education; participation in cultural life.	Relevant to access to education, livelihoods, healthcare and preservation of traditional ways of life.
Convention on the Rights of the Child (CRC), 1989	Ratified (1990)	Arts. 2, 28, 29, 30	Non-discrimination; right to education; culturally appropriate education; protection of minority and Indigenous children's language, religion and culture.	Particularly relevant to nomadic and pastoral children facing barriers to education.
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979	Ratified (1996)	Arts. 2, 10, 14	Equality in education and public life; protection of rural women; access to services and participation in development.	Relevant to women belonging to nomadic, tribal and pastoral communities.
Convention on the Elimination of All Forms of Racial Discrimination (ICERD), 1965	Ratified (1966)	Arts. 1, 2, 5, 7	Elimination of racial and ethnic discrimination; equal enjoyment of civil, political, economic, social and cultural rights; education promoting tolerance. CERD's General Recommendations also address Indigenous peoples.	Relevant where ethnic or tribal communities experience discrimination or exclusion.

Treaty / Instrument	Pakistan Status	Relevant Articles	Protection Relevant to Indigenous / Nomadic Communities	Relevance to Pakistan
ILO Convention No. 107 concerning Indigenous and Tribal Populations (1957)	Ratified (1960)	Arts. 2–5, 11–14, 21–27	Protection of Indigenous and tribal populations; land rights; education; vocational training; health; labour protection; gradual integration into national life.	Binding on Pakistan, although based on an older integration model rather than a rights-based framework.
UN Convention to Combat Desertification (UNCCD), 1994	Ratified (1997)	Arts. 5, 10, 19	Participation of local communities; sustainable land management; traditional knowledge.	Relevant to pastoral and nomadic communities dependent on rangelands.
Convention on Biological Diversity (CBD), 1992	Ratified (1994)	Arts. 8(j), 10(c)	Respect for traditional knowledge, practices and customary use of biological resources.	Relevant to Indigenous and pastoral communities possessing traditional ecological knowledge.
UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007 (<i>not legally binding</i>)	Pakistan supported adoption	Arts. 3, 5, 8, 18, 19, 26, 31, 33	Self-identification; participation; consultation; cultural rights; land and resource rights; preservation of traditional knowledge and institutions.	Represents authoritative international standards, although not legally binding.
ILO Convention No. 169 concerning Indigenous and Tribal Peoples (1989)	Not ratified	Arts. 1, 6, 7, 13–19, 27–31	Self-identification; consultation; participation; land and resource rights; culturally appropriate education; Indigenous control over development priorities.	Not binding upon Pakistan, but represents the contemporary international standard replacing Convention No. 107.

Annexure G — Children Accused of Blasphemy, Including Under PECA

No federal or provincial authority publishes data on children charged under Pakistan’s blasphemy provisions. What the record contains instead is a sequence of documented cases — each originating in Punjab, most involving religious minorities, and every one marked by contested age determination and years of pre-trial detention. Read together, they establish that the Juvenile Justice System Act 2018 engages, when it engages at all, only at sentencing — never at the arrest, remand or bail stages where the harm is done.

Haider Ali (Punjab, 2020–2025). A Muslim boy arrested in September 2020, aged thirteen, on a false accusation of blasphemy. He spent three years in prison, and was acquitted only on 7 April 2025 — more than four years after arrest. His confirmed minority did not secure his release, because the charge was blasphemy. He is plausibly the same child identified anonymously in the Legal Awareness Watch prison survey of 2020–21 as “held without a fair trial.”¹⁰¹

Shahzad Masih (Punjab, arrested 2017, sentenced 2022). A Christian boy, sixteen at arrest, charged under s 295-C PPC. After five years of hearings conducted under open sectarian intimidation — the complainant’s group had publicly threatened to kill him if the court did not — a trial court sentenced him to death in November 2022, ordering the courthouse evacuated before pronouncing the verdict. A capital sentence passed on a person who was a minor at the time of the alleged offence stands in direct violation of s 16 JJSA 2018, Article 37 CRC and the ICCPR, and rests entirely on the state’s failure of age determination.¹⁰²

The eight-year-old of Rahim Yar Khan (Punjab, 2021). A Hindu child — believed to be the youngest person ever to face blasphemy charges in Pakistan — booked under s 295-A PPC on a cleric’s complaint and jailed for a week. He was two years below even the statutory minimum age of criminal responsibility, rendering the prosecution void ab initio under s 82 PPC; the machinery processed him regardless. After his release on bail, a mob attacked the local Ganesh temple and nearly eighty Hindu families fled their homes.¹⁰³

Akash Karamat (Sargodha, 2023). A Christian student, seventeen at arrest, charged under s 295-C alongside a 35-year-old co-accused on the basis of three FIRs registered on suspicion alone; he was not

¹⁰¹ Christian Solidarity International, “Pakistan: Teenage Blasphemy Victim Haider Ali Acquitted” (29 April 2025); Legal Awareness Watch Pakistan, *Tracing of Children/Juveniles Those Facing the Death Penalty, and Life Imprisonment*, Vols. I–II (2020–2021), as reported in Sarhad Ali, “Unearthing the Facts about Children Facing the Most Severe Penalties in Pakistan” (Penal Reform International, 24 November 2021). The identification of the LAW-surveyed child with Haider Ali is inferential (province, year and circumstance coincide) and has not been independently confirmed.

¹⁰² American Center for Law and Justice / Organization for Legal Aid, trial reporting, *The State v. Shahzad Masih* (Additional Sessions Court, November 2022). The investigating Superintendent of Police testified that his investigation had not found the accused guilty.

¹⁰³ Amnesty International, “Pakistan: Drop Ludicrous Blasphemy Charges Against Eight-Year-Old Boy” (17 August 2021); Rimal Farrukh, VICE World News (August 2021).

named in the original complaint. The court took four months of hearings to confirm his juvenile status, and he remained imprisoned beyond a year amid delayed appeals — arrested in the wake of the Jaranwala anti-Christian violence.¹⁰⁴

The PECA prosecutions (Gujrat, sentenced March 2024). The clearest documented conviction of a minor in a blasphemy case coupled with the Prevention of Electronic Crimes Act 2016. On an FIA cybercrime complaint concerning WhatsApp messages, a court sentenced the 22-year-old principal accused to death and his seventeen-year-old co-accused to life imprisonment — the death penalty being barred for minors. The JJSA’s protection operated only as sentence-substitution: the life imprisonment of a child for a WhatsApp forward itself violates the Beijing Rules’ requirement that deprivation of liberty be a measure of last resort for the shortest appropriate period.¹⁰⁵

The FIA-driven wave of PECA-blasphemy prosecutions has industrialised this intake. Investigative reporting on the entrapment network operating since 2022 indicates that roughly 70 per cent of the hundreds imprisoned under ss 295-A/B/C read with s 11 PECA are young — yet no authority counts how many are under eighteen. The presence of further minors in that cohort is near-certain, and unrecorded.¹⁰⁶

The pattern is not new. Salamat Masih was sentenced to death in 1995, aged eleven or twelve, for allegedly writing on a mosque wall — an illiterate child, acquitted on appeal; Rimsha Masih, a fourteen-year-old Christian girl with a learning disability, was charged in 2012 on evidence her accuser was found to have planted.¹⁰⁷ Three decades separate those cases from the PECA convictions of 2024. The state’s treatment of children accused of blasphemy has not improved; it has digitised.

What the NAP-HR 2026 must provide. A statutory presumption of minority pending age determination, with mandatory bail in blasphemy cases involving claimed juveniles; the exclusion of s 295-C from the JJSA’s “heinous offence” adult-trial carve-out under s 6; and mandatory FIA reporting on the age profile of all PECA-blasphemy accused — because a state that cannot count the children it imprisons for blasphemy cannot claim to protect them.¹⁰⁸

¹⁰⁴ Dissent Today, “Minor Christian Boy Jailed for Blasphemy in Sargodha Despite Juvenile Status” (10 January 2025).

¹⁰⁵ Human Rights Watch, “Pakistan’s Blasphemy Law Targets Youth on Social Media” (12 March 2024); Thomson Reuters Foundation / Context, “Pakistan’s WhatsApp Death Sentence Case Spotlights Blasphemy Law” (18 March 2024).

¹⁰⁶ Fact Focus, “Pakistan Prosecutes Over 400 Bright Youth on Blasphemy Charges” (February 2025) (documenting prosecutions under ss. 295-A/B/C PPC read with s. 11 PECA 2016; approximately 70 per cent of the accused in their twenties or younger; no official disaggregation by age below 18 exists).

¹⁰⁷ Amnesty International, *Pakistan: The Death Penalty*, AI Index ASA 33/07/95 (March 1995) (Salamat Masih); reporting on *The State v. Rimsha Masih* (Islamabad, 2012), in which the complainant cleric was found to have fabricated evidence.

¹⁰⁸ Juvenile Justice System Act 2018, ss. 6, 16; UN Committee on the Rights of the Child, General Comment No. 24, UN Doc. CRC/C/GC/24 (2019); UN Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), GA Res. 40/33 (1985), rr. 13, 17, 19.

Annexure H — Legal Status of the Transgender Persons (Protection of Rights) Act, 2018

Pakistan’s legal recognition of transgender persons has developed through a combination of judicial decisions and legislative reforms. In *Dr. Muhammad Aslam Khaki v. Senior Superintendent of Police, Rawalpindi* (2009–2012), the Supreme Court recognised the Khawaja Sira community as entitled to the fundamental rights guaranteed under the Constitution and directed federal and provincial authorities to ensure equal access to identity documents, inheritance, education, employment and social welfare. These directions laid the foundation for the enactment of the Transgender Persons (Protection of Rights) Act, 2018.

The Transgender Persons (Protection of Rights) Act, 2018 guarantees the right of every transgender person to be recognised according to their self-perceived gender identity and prohibits discrimination in education, employment, healthcare, public services, housing, voting, inheritance and access to public office. The Act also provides for the issuance of national identity documents consistent with an individual’s self-perceived gender identity and obliges public authorities to take measures for the protection and inclusion of transgender persons.

On 19 May 2023, the Federal Shariat Court (FSC) declared Sections 2(f), 3 and 7, together with certain related provisions of the Act, repugnant to the Injunctions of Islam, principally those recognising self-perceived gender identity without additional legal criteria. Appeals against the judgment were filed before the Shariat Appellate Bench of the Supreme Court in July 2023. Under Pakistan’s constitutional framework, the filing of these appeals suspended the operation of the Federal Shariat Court’s judgment pending final adjudication. Consequently, the impugned provisions of the 2018 Act continue to remain legally operative until the appeals are decided.

Following interim directions issued during the appellate proceedings, the National Database and Registration Authority (NADRA) resumed processing identity cards reflecting the “X” gender marker, pending the final outcome of the appeals. However, the appeals remain undecided. The legal position has also been accompanied by proposals to amend the 2018 Act through the Khunsa Persons (Protection of Rights) Bill, 2023, which would replace the existing self-identification model with alternative criteria. As of the date of this Review, neither the appeals nor the proposed legislative amendments have reached final determination.

Accordingly, the Transgender Persons (Protection of Rights) Act, 2018 remains in force, but several of its principal provisions remain subject to pending constitutional and Shariat adjudication. The resulting legal uncertainty has affected consistent implementation of the Act across institutions and underscores the need for measurable implementation commitments within the National Action Plan for Human Rights 2026.