



# Human Right Observer

A news service for rights based work

[Optimizing the Institutional Protection for Human Rights]

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This dispatch is sent every two months by email to interested individuals and organizations. Please send us a request if you wish to receive it.

We welcome any feedback about the usefulness of the information provided here.

Your

## Human Rights Institutions:

Though mostly autonomous in character and design, human rights institutions (HRIs) are set up by the governments, with a statutory mandate to protect and promote human rights. HRIs work closely with the government bodies and are mainly resourced by the State.

While their specific mandate may vary, the broad role of HRIs is to proactively engage in protection and promotion of human rights, as well as to address discrimination in all its forms and manifestations.

The core functions of HRIs include receiving and handling complaints to redress the violations of rights through investigation and quasi judicial procedures in light of domestic and international human rights law, specifically to which the respective state is a party. Moreover, HRIs make assessment reports on particular issues or state of human rights in general, alongside or independently, the recommendations regarding law and policy reforms, according to respective areas of work.

Effective HRIs make an important link between government and civil society or society at large, insofar as, they help bridge the 'protection gap' between the rights of individuals and the responsibilities of the State.

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## HRIs in Pakistan:

The National Commission for Human Rights Pakistan (2015) and Punjab Information Commission (2014) have been set up after a long struggle by the civil society and government functionaries.

The first precursor National Commission on the Status of Women (2001), was followed by Provincial Commissions on the Status of Women in Khyber Pakhtunkhwa (2009), in Punjab (2014) and in Sindh (2015).

Moreover, the Sindh Provincial Human Rights Commission was established by the caretaker government of Sindh in 2013 and was consolidated by legislation by the Sindh Assembly in 2015.

There is a Federal Ombudsman Islamabad (1983) which has nine Regional Offices located at Karachi, Lahore, Peshawar, Quetta, Multan, Faisalabad, Sukkur, Hyderabad and D.I. Khan are also among the HRIs.

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## Mandate and Functions:

The National Commission for Human Rights (NCHR) has the inquiry and trials powers equivalent to the civil courts and can summon any individual, public or private department. Commission's functions include holding inquiry of human rights

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violations upon receiving a complaint or Suo Moto. The Commission can become party to courts' proceedings in order to protect and promote human rights. Moreover the Commission can visit jails or other places of detention. Furthermore the Commission has the function to create awareness on human rights, submit independent reports to parliament or international bodies on the situation of human rights in Pakistan and to develop a "national plan of action for the promotion and protection of human rights".

Since, October 2015 the Commission has received 40-50 complaints of the human rights violations, few are resolved and rest are under process. The Commission's website is under construction.

The National Commission on the Status of Women (NCSW) has a mandate to examine laws, policies and programs in order to see that these comply with the standards of equality of rights. Moreover, the commission can take notice of the violations of the women's rights and it can hold inquiry into the matter as well.

Commission's functions includes monitoring the mechanisms and institutional procedures for the redress of violations of women's rights and individual grievances, research and analysis on women and gender issues, moreover, to keep an active liaison with the NGOs, individual experts (on Women Rights) at the national, regional and international level.

The Punjab Commission on the Status of Women (PCSW) is a statutory, autonomous body established in February 2014 for the promotion of women's rights. This is welcome development after the devolution of women's development to the provinces under the 18th constitutional amendment. The Commission's mandate is to ensure that the laws, policies and programs of the government of the Punjab should promote gender equality in the province; with the objective of women empowerment and elimination of all forms of discrimination against women.

Besides, doing research, analysis and studies regarding women issues and maintaining liaison with the NGOs and expert individuals (on women rights) the Commission has the function to facilitate and monitor implementation of instruments and obligations affecting women and girls to which Pakistan is a party and; monitor mechanisms and institutional procedures for the redress of violations of women's rights and individual grievances. This includes inspecting jails, sub-jails, Darul Amans and Women's Centres or places of custody for women and girls.

Commission's toll-free helpline, which is available from Monday to Saturday between 8.00 am - 4.00 pm and an online complaint system, are its most significant features. So far, the Commission has received 238 complaints and 16,728 inquiries.

The Punjab Information Commission (PIC) was established under the Punjab Transparency and RTI Act, 2013. The Commission has the mandate to set the required mechanisms for RTI in Punjab, raise public awareness of the law, help public bodies comply with the law, train public information officers, monitor their performance, decide complaints and take action against those failing to comply.

Following are the Commission's functions: issue directives to the public bodies for preservation, management, publication, publicity and access to information, prescribe the procedure for accessing information from a public body, advise and provide support to the Government to make necessary laws and procedures for the implementation of the right to information, provide technical and other support to the public bodies for effective enforcement of the right to information, conduct

Please  
address  
your  
feedback  
to Ms.  
Naumana  
Suleman  
on:

Phone: +92-  
423-6661322

E-mail:  
[info@csipak.org](mailto:info@csipak.org)  
[csjpak@gmail.com](mailto:csjpak@gmail.com)

trainings of the public information officers (PIOs) and undertake mass awareness campaign to create awareness about the Act, Rules and Regulations.

On August 31<sup>st</sup> every year, the Commission is required to submit an annual report to the Government of the Punjab regarding the implementation of provisions of the Punjab Transparency and RTI Act 2013. The Government is required to present this report before the Provincial Assembly of the Punjab for discussion and review.

Since, its establishment the Commission has received 1270 complaints and has resolved almost 50% of them.

## Quick Links:

The following links would be helpful to acquire more information on the HRIs:

National Commission for Human Rights:

[http://www.na.gov.pk/uploads/documents/1342437418\\_845.pdf](http://www.na.gov.pk/uploads/documents/1342437418_845.pdf)

National Commission on the Status of Women:

<http://www.ncsw.gov.pk/index.php>

Punjab Commission on the Status of Women:

<http://pcsw.punjab.gov.pk/>

Punjab Information Commission:

<http://www.rti.punjab.gov.pk/>

<http://dunypakistan.com/49742/peter-jacob/#.VnplRDCqgkq>