

THE UPR PROJECT AT BCU



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About the UPR Project at BCU:

Birmingham City University's Centre for Human Rights was created in 2014 to promote human rights, ensure access to justice, and enhance the rule of law around the world. We seek to achieve this through world leading research, education, and consultancy. We submit expert reports to international human rights regions, provide advisory services to governments and nongovernmental organisations, and draft legal opinions and file legal briefs in domestic courts and in international human rights courts.

The Centre for Human Rights established the UPR Project in 2018 as part of our consultancy service. We engage with the Human Rights Council's review process in providing support to the UPR Pre-sessions, capacity building for UPR stakeholders and National Human Rights Institutions, and the filing of stakeholder reports in selected sessions. The UPR Project is designed to help meet the challenges facing the safeguarding of human rights around the world, and to help ensure that UPR recommendations are translated into domestic legal change in

member state parliaments. We fully support the UPR ethos of encouraging the sharing of best practice globally to protect everyone's human rights.

Our Partner:

For this submission the UPR Project at BCU partners with the Research Society of International Law (RSIL) based in Lahore and Islamabad, Pakistan. RSIL is the largest legal think-tank in Pakistan staffed by a dedicated team of highly qualified researchers. The Society's initiatives are geared towards enhancing policy formulation at the national level by improving the capacity of various stakeholders and conducting commissioned research as part of legal reform initiatives at both the Federal and Provincial levels. The Society also conducts independent research on international law issues of contemporary relevance to Pakistan. RSIL Contact: Zainab Mustafa. Email: zainabmustafa@rsilpak.org. Address: 212-L Block, Street 158, Phase 1, DHA Lahore.

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INTRODUCTION

1. Pakistan is party to seven of the nine core international human rights treaties.¹ This includes the International Covenant on Economic, Social and Cultural Rights (ICESCR). This Stakeholder Report recommends that Pakistan continues to enhance its ability to uphold its treaty obligations with particular reference to the ICESCR. It focuses upon two themes: **(1) national human rights institutions** and **(2) business and human rights**.
2. We make recommendations to the Government of Pakistan on these key issues, implementation of which would see Pakistan moving towards achieving SDG 8 and 16 which aim for the provision of decent work and economic growth; and inclusive institutions at all levels, respectively.
3. In this submission, we encourage Pakistan to commit to improving its human rights protection and promotion by engaging meaningfully with the fourth cycle of the UPR in 2023. This includes giving full and practical consideration to all recommendations made by Member States, effectively implementing the recommendations Pakistan accepts, and actively engaging with civil society throughout the process.

NATIONAL HUMAN RIGHTS INSTITUTIONS: THE NATIONAL COMMISSION FOR HUMAN RIGHTS OF PAKISTAN

A. Pakistan and International Law on National Human Rights Institutions

4. The National Commission for Human Rights (NCHR) of Pakistan was created by an Act of Parliament in 2012² and made functional in May 2015, three years after the adoption of its founding Act.³ The NCHR Act is supplemented by the National Commission for Human Rights (Complaint) Rules 2015, which detail the procedure for the evaluation and disposal of complaints made to the NCHR.⁴ Under the NCHR Act, the Commission is responsible for the promotion and protection of human rights as provided for in the Constitution of the Islamic Republic of Pakistan and international treaties to which Pakistan is a party.⁵ The NCHR is to be an independent and impartial body which shares its annual financial and performance reports with the Parliament which serves as its sole regulatory body.⁶

International Law concerning National Human Rights Institutions

5. National Human Rights Institutions (NHRIs) are ‘official independent legal institutions established by the State by law for the promotion and protection of human rights.’⁷ While the mandate, roles, and functions of an NHRI are determined by national law, the Paris Principles (Principles Relating to the Status of National Human Rights Institutions)

developed at a UN-sponsored meeting in 1991 and adopted by the UN General Assembly in 1993, set out the international minimum standards for the establishment and operation of NHRIs. The Paris Principles are not aspirational, rather they are obligatory for NHRIs if they are to be considered legitimate, credible, and effective in the promotion and protection of human rights.⁸

6. The Paris Principles contain a mix of specific and broad provisions relating to the competence and responsibilities of NHRIs; the composition of NHRIs and guarantees of independence and pluralism; the methods of operation of NHRIs; and additional principles concerning the status of commissions with quasi-jurisdictional competence. To be effective, a NHRI must have: a clearly defined and broad-based mandate based on universal human rights standards; autonomy from the government; independence guaranteed by legislation or the constitution; pluralism in membership; adequate resources; and adequate powers of investigation.⁹
7. Full compliance with the Paris Principles provides an NHRI with international recognition and enables the institution to independently participate in the work of the UN Human Rights Council, its subsidiary bodies, and some General Assembly bodies and mechanisms.¹⁰ An NHRI must apply to be accredited by the Global Alliance of National Human Rights Institutions' Sub-Committee on Accreditation (GANHRI-SCA) to attain participation rights. The NCHR of Pakistan has not yet applied to the (GANHRI-SCA) and therefore is not entitled to the participation rights that other 'A status' NHRIs are entitled to.¹¹ According to an interview conducted with the NCHR Secretary in May 2019, however, the application process was underway,¹² though in 2022 it has not yet been completed. Currently, Pakistan is the only South Asian country that has a functioning NHRI but has not applied for GANHRI-SCA accreditation.¹³

B. Implementation of Recommendations from Cycle Three in 2017

8. Pakistan received 289 recommendations during the Third Cycle review of which 167 were supported, 113 were noted, and 4 were rejected on the grounds that they were politically motivated.¹⁴ A total of 11 recommendations related to NHRIs were made and Pakistan 'supported' them all.¹⁵ The following section analyses the extent to which the Government of Pakistan has implemented these 11 recommendations.
9. **Nepal** (para 152.48), **Morocco** (para 152.47), **Kuwait** (para 152.46), **Bhutan** (para 152.51), **South Africa** (para 152.52), **Saudi Arabia** (para 152.55), and **Indonesia** (152.54) all recommended that Pakistan continue strengthening the efficacy of the National Human Rights Institutions. **Portugal** (para 152.49), **Palestine** (para 152.45), and **Guatemala** (para 152.53) recommended that Pakistan ensure that the National Commission for Human Rights is in line with international human rights standards, specifically, the Paris Principles. These have been **partially implemented**.

10. The NCHR remained non-operational for a period of over 2 years. This was due to non-appointment of new commissioners after the first set of commissioners completed their four-year tenure in May 2019.¹⁶ An error in the Federal Government's public notice inviting suggestions for suitable persons for appointment to the NCHR in 2019 led to significant delays in the appointment process (as provided for in s4(1) NCHR Act). By March 2021, the Islamabad High Court (IHC) directed the government to fill all vacant posts in the NCHR by publishing fresh public notices in accordance with the provisions mentioned in the NCHR Act.¹⁷
11. The new Chairperson, Rabiya Javeri Agha, and a new set of members were appointed in November 2021¹⁸ and the NCHR held its official launch in December 2021.¹⁹ The delayed appointment has meant that the Commission was unable to take actions during a period where human rights were significantly under threat in Pakistan due to the COVID-19 pandemic,²⁰ and rising inequalities including unemployment.²¹ As a result, the Commission has much ground to cover in its tenure. According to the Chairperson, the Commission will prioritise addressing more than 1734 pending complaints, reviewing human rights legislation, drafting human rights policy briefs, and beginning work on independent reports and research papers.²²

Recommendations concerning the Mandate and Functions of the National Commission for Human Rights

12. **South Africa** (para 152.52), **Guatemala** (para 152.53) and **Palestine** (para 152.45) recommended that Pakistan enhance the mandate, role, and responsibilities of the NCHR. These have **not been implemented**. The NCHR Act extends to and provides the NCHR jurisdiction over the whole of Pakistan except Chapter V (Human Rights Courts) under the Act whose jurisdiction only extends to the Islamabad Capital Territory.²³ The 11 functions of the Commission are laid out in Chapter III of the Act and form the mandate of the Commission.²⁴
13. These functions include:
- suo motu powers to file petitions on behalf of victims;
 - intervening in pending cases of human rights violations;
 - visiting places of detention;
 - reviewing existing legislation;
 - reviewing factors that inhibit the enjoyment of human rights;
 - studying international human rights treaties and making recommendations for effective implementation;
 - undertaking research on human rights and maintaining a database of complaints;
 - spreading human rights literacy;
 - directing investigation and inquiry in respect of violations of human rights, submitting reports to the Government;

- developing a national action plan for the protection and promotion of human rights;
 - and other functions necessary for the promotion of human rights.²⁵
14. Section 13 of the Act confers powers on the Commission to aid in the fulfilment of their inquiry duties. This includes all powers of a civil court when trying a suit under the Code of Civil Procedure (CCP)²⁶ especially in relation to the summoning of witnesses, discovery and production of documents, receiving evidence of affidavits, and requisitioning any public record.
15. While the mandate of the NCHR is broad and strong, its powers are limited when it comes to the armed forces and intelligence agencies. If the Commission receives a complaint alleging a human rights violation by members of the armed forces, it is only entitled to seek a report from and make recommendations to the Federal Government.²⁷ The Commission has no power to ensure the implementation of their recommendations as the Federal Government oversees implementation.²⁸ These sections of the Act are likely to be inconsistent with the Paris Principles, and the General Observations of the GANHRI-SCA which specifically call for NHRI's mandates to include investigation of security forces.²⁹

Recommendations concerning the independence and administrative and financial matters of the National Commission for Human Rights

16. **Indonesia** (para 152.54), **Canada** (para 152.50), **South Africa** (para 152.52), and **Guatemala** (para 152.53) recommended that Pakistan ensure the provision of adequate human and financial resources to the NCHR to ensure that they may carry out its activities effectively. These have **not been implemented**.
17. While the NCHR Act stipulates that the NCHR must be financially independent from the government, in practice, achieving this financial independence has been a struggle as the finances of the NCHR are significantly constrained and are often delayed due to bureaucratic hurdles.³⁰ However, the Commission is aware of the in-house improvements necessary to make the NCHR fully operational, including addressing the challenges of limited human resources, the development of finance rules, and the management of their severely shrunken budget.³¹
18. The NCHR Act provides for the establishment of a fund known as the National Commission for Human Rights Fund which vests in the Commission and can be utilised by the Commission to fulfil expenses related to their functions under the Act.³² Though, in 2017, the Government of Pakistan approved a supplementary grant worth Rs. 100 million for the establishment of the NCHR Fund,³³ the Fund was still not established by 2019.³⁴ To ensure financial freedom of the Commission, the Government is required to allocate a specific amount of money for the Commission in each financial year so that the Commission need not take prior approval from the Government before spending allocated

money for approved purposes.³⁵ During the tenure of the previous set of commissioners, however, all expenditure needed to be authorised by the Ministry of Human Rights and the Ministry of Finance, and Accountant-General of Pakistan undermining the financial independence of the Commission.³⁶

19. Financial independence is vital for the effective functioning of the NCHR and is being addressed by the Commission. During consultations with civil society organisations (CSOs), the Chairperson of the Commission shared that efforts to ensure financial independence of the NCHR and its provincial counterparts have been initiated.³⁷

C. Further Points for Pakistan to Consider

Accountability and Publication of Findings and Reports

20. The NCHR is required to submit an annual report to the Parliament on the state of human rights in Pakistan under Section 28 of the NCHR Act.³⁸ However, only two annual reports of the NCHR are available on its website. The Annual Report 2015-2016³⁹ and the Annual Report 2017⁴⁰ are important vehicles for accountability as they set out the Commission's strategic plan and priority areas and provide an overview of the Commission's efforts and achievements in promoting human rights during that financial year. Going forward, it is imperative that the NCHR continue to produce and publish their annual reports to maintain transparency and carry out their section 28 requirements.
21. The NCHR is also empowered to prepare special reports on any matter within their mandate and has written on several issues including enforced disappearances,⁴¹ bonded labour⁴² and the status of women in rural areas.⁴³ This is an important aspect of the NCHR's duty to undertake and promote research in the field of human rights⁴⁴ and the NCHR must promote research on pressing topics including blasphemy laws, forced marriages and conversions of religious minorities, and transgender rights.

D. Recommendations

We recommend the government of Pakistan to:

- i. Ensure the NCHR is in line with the Paris Principles by providing it with independence to work free of political interference.
- ii. Extend the NCHR's mandate and strengthen the powers of the Commission to ensure it can investigate all allegations of human rights violations committed by State entities.
- iii. Guarantee the financial freedom of the Commission by ensuring that the NCHR Fund is operational and sufficient funds are allocated each financial year to the NCHR for it to carry out its duty.
- iv. Ensure the NCHR is fully staffed with the requisite human resources to carry out their function.

- v. Ensure that there is no delay in the nomination and appointment of the NCHR chairperson and members after the conclusion of the current tenure in 2025.
- vi. Ensure development of rules and SOPs for the purposes of investigation to guarantee long term sustainability of the NCHR.

We recommend the National Commission for Human Rights to:

- i. Regularly submit annual reports to the Parliament and subsequently publish the reports on the NCHR website.
- ii. Continue to produce special reports on important topics in the field of human rights, including blasphemy laws, forced marriage and conversion of religious minorities, and gender-based violence.

BUSINESS AND HUMAN RIGHTS

A. Pakistan and International Law on Business and Human Rights

22. Pakistan became the first country in South Asia to have a National Action Plan⁴⁵ aimed at preventing human rights violations resulting from business activity when it published its inaugural National Action Plan on Business and Human Rights (NAP) (2021-2026) in September 2021.⁴⁶ Pakistan's National Action Plan on Business and Human Rights aims to serve as an 'evolving policy strategy developed...to protect against adverse human rights impacts by business enterprises in conformity with the UN Guiding Principles on Business and Human Rights [UNGPs].'⁴⁷
23. Pakistan comprehensively followed the five phases of developing a NAP as provided by the UN Working Group on Business and Human Rights.⁴⁸ To initiate the NAP process, the Joint Secretary of the Ministry of Human Rights (MoHR) announced a formal commitment to engage in the NAP process at the Annual Forum on Business and Human Rights in Geneva in November 2019 and later reiterated this commitment at the Asia Pacific Forum in June 2020.⁴⁹
24. During the Assessment and Consultation phase, the MoHR, in collaboration with the UNDP and the Research Society of International Law (RSIL), conducted a National Baseline Assessment (NBA)⁵⁰ utilising the Danish Institute for Human Rights' (DIHR) International Corporate Accountability Roundtable (ICAR) Framework. The NBA involved a desk review of over 163 laws and 127 judicial cases, a quantitative survey of close to 150 companies, and multi-stakeholder consultations and focus groups.
25. The NBA uncovered several major issues in the field of business and human rights, including corruption in public procurement contracts, gender-based discrimination in the workplace and a lack of a human rights due diligence mechanism in Pakistan. 122 recommendations proposed for the State and 21 recommendations proposed for businesses

were distilled from the NBA and utilised in the drafting stage of the process.⁵¹ The drafting stage involved additional multi-stakeholder consultations and public feedback from civil society, academia and international development organisations.⁵²

26. The implementation process of the NAP is underway now and qualitative and quantitative indicators will be used to monitor and evaluate the outcomes of the NAP in the provided timeframe. A NAP Secretariat (inter-ministerial body) is constituted under the NAP and given the responsibility for overseeing the implementation process of the NAP. Finally, the NAP will be updated after a mid-term review where progress made on the implementation of the NAP is discussed and adjustments are proposed.⁵³ By the end of the five-year implementation period, another evaluation will take place where recommendations for the development of the subsequent NAP is discussed.⁵⁴
27. Pakistan's NAP proposes 69 actions at the Federal and Provincial levels concerning financial transparency, corruption and human rights standards in public procurement contracts; anti-discrimination, equal opportunity, and inclusion; human rights due diligence; labour standards and the informal economy; child labour; forced or bonded labour; occupational health and safety; and access to remedies.⁵⁵

International Law Concerning Business and Human Rights and the Adoption of National Action Plans

28. The United Nations Guiding Principles on Business and Human Rights (UNGPs) which were unanimously endorsed by the UN Human Rights Council in 2012 provide a global standard for the protection of human rights within the context of business activity.⁵⁶ The UNGPs on Business and Human Rights do not create new international obligations on the State but instead they substantiate the obligations that have already been ratified.⁵⁷ The United Nations Working Group on Business and Human Rights (UNWG) which is mandated by the Human Rights Council to promote the effective and comprehensive implementation of the UNGPs has published Guidance on National Action Plans on Business and Human Rights which is instructive in providing guidance on procedural and content aspects of NAPs.
29. The UNGPs are based on three pillars. Pillar one (Protect) clarifies the legal duties of States to protect individuals from adverse corporate related human rights impacts. Pillar two (Respect) identifies the responsibility of business enterprises to respect human rights and delineates a due diligence process through which companies should give effect to their responsibility. Pillar three (Remedy) stresses and specifies the need to ensure better access to remedy for victims as a joint responsibility of States and business enterprises.⁵⁸

B. Implementation of Recommendations from Cycle Three in 2017

30. As Pakistan's NAP on Business and Human Rights was initiated after UPR Cycle Three, Pakistan did not receive any specific recommendations relating to it. However, a total of 8 recommendations were made to Pakistan in Cycle Three that related to the National Action Plan for Human Rights published in February 2016.⁵⁹ Pakistan 'supported' all 8 recommendations.⁶⁰ This Stakeholder Report will consider the procedural recommendations made for the NAP on Human Rights to the extent that they may be applied to the NAP on Business and Human Rights.

Recommendations concerning the Implementation of the National Action Plan

31. **Libya** (para 152.41), **Sudan** (para 152.58), **Sri Lanka** (para 152.59), **UAE** (para 152.65), **Cuba** (para 152.39), **Venezuela** (para 152.61), **Bhutan** (para 152.62), and **Indonesia** (para 152.64) broadly recommended that Pakistan continue to take steps to implement the national action plan. These have been **implemented**.

32. When compared to the NAPs of other Asian countries, especially Thailand's NAP (which is recognised internationally as a successful national action plan), Pakistan's NAP is on par with, if not better, than others. The concern then is whether Pakistan will be able to effectively implement the plan. This is especially necessary for the principles under Pillar three (on the access to remedy for victims), which are meaningless without proper implementation.

33. Implementation, however, is not overlooked in Pakistan's NAP. The NAP itself provides for the creation of a NAP Secretariat within the MoHR, which is responsible for coordinating efforts relating to the implementation of the NAP.⁶¹ It also provides for the notification of an inter-ministerial and inter-departmental NAP Steering Committee, composed of major Federal and Provincial entities, that will be responsible for implementation of actions proposed in the NAP.⁶² The Ministry of Human Rights has also announced a collaboration with the United Nations Development Fund on the development of a timeframe for implementation and guidelines and checklists on implementation for the NAP Secretariat.⁶³

C. Further Points for Pakistan to Consider

Coherence between the National Action Plan, Other Government Policies, and Pakistan's International Commitments

34. The National Action Plan on Business and Human Rights represents the broad theme that human rights and economic growth through business activity are not mutually exclusive. Thus, the NAP will align with Pakistan's international commitments, relevant domestic frameworks, reporting mechanisms under treaty body systems, Universal Periodic Review and the Committee of Experts on the Application of Conventions and Recommendations.⁶⁴ The NAP is also identified to complement Pakistan's National Action Plan on Human Rights 2016⁶⁵ which focuses on the implementation of key human rights priorities and

international instruments and proposes interventions for the protection of human rights in Pakistan.⁶⁶

35. Even though the National Action Plan on Human Rights concerns more broad human rights considerations than those covered in the protect, respect, and remedy framework of the NAP, there is still overlap, especially in the areas of anti-discrimination, child labour, bonded labour, and occupational health and safety.⁶⁷ This creates problems in implementation where the NAPs may provide differing instructions to federal and provincial entities. The MoHR should review both NAPs to identify any overlap and publish guidelines on which NAP will apply in each case. Or they may want to consolidate certain provisions repeated in both NAPs into a single document.

D. Recommendations

We recommend the government of Pakistan to:

- i. Aid the Ministry of Human Rights in the implementation of the National Action Plan on Business and Human Rights.
- ii. Pass legislation to institutionalise the principles contained in the NAP.
- iii. Request a review of the human rights landscape to identify potential overlaps in the National Action Plan on Human Rights, the National Action Plan on Business and Human Rights and the national policy framework on human rights and prevent the duplication of efforts.

¹ See <https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx>. Pakistan is yet to ratify the Convention for the Protection of All Persons from Enforced Disappearance; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

² National Commission for Human Rights Act 2012, Act No. XVI of 2012, The Gazette of Pakistan, 5 June 2012, [Hereinafter the NHCR Act], <https://nchr.gov.pk/wp-content/uploads/2018/06/en1_NCHR-ACT-2012.pdf>.

³ UN OHCHR, 'Human Rights Committee discusses the initial report of Pakistan,' 12 July 2017, <www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21868&LangID=E>.

⁴ National Commission for Human Rights (Complaints) Rules 2015, S.R.O. (1)/2015, The Gazette of Pakistan. November 2015, [Hereinafter the NCHR Rules], <https://nchr.gov.pk/wp-content/uploads/2018/06/en1_NCHR-Rules.pdf>.

⁵ Preamble, NCHR Act.

⁶ NCHR Act.

⁷ Principles relating to the Status of National Institutions; Commission on Human Rights resolution 1992/54 and General Assembly resolution 48/134.

⁸ GANHRI, A Manual on National Human Rights Institutions, October 2020, <https://ganhri.org/wp-content/uploads/2020/07/Manual_on_NHRIs_Oct_2018.pdf>.

⁹ Principles relating to the Status of National Institutions; Commission on Human Rights resolution 1992/54 and General Assembly resolution 48/134.

¹⁰ GANHRI, Accreditation, <<https://ganhri.org/accreditation/>>.

¹¹ UNOCHR & GANHRI, Chart of the Status of National Institutions Accredited by the Global Alliance of National Human Rights Institutions, 28 December 2021, <https://ganhri.org/wp-content/uploads/2022/02/StatusAccreditationChartNHRIs_28.12.21.pdf>.

¹² ANNI, 2019 Report, available at: <www.forum-asia.org/uploads/wp/2019/10/3.0-Online-ANNI-Report-2019.pdf>.

¹³ Bhutan does not have a NHRI; Afghanistan, India, Nepal and Sri Lanka have 'A' status NHRIs; Bangladesh and Maldives have 'B' status NHRIs; UNOCHR & GANHRI, Chart of the Status of National Institutions Accredited by the Global Alliance of National Human Rights Institutions, 28 December 2021, <https://ganhri.org/wp-content/uploads/2022/02/StatusAccreditationChartNHRIs_28.12.21.pdf>.

¹⁴ UNHRC, 'Report of the Working Group on the Universal Periodic Review -Pakistan' (29 December 2017) UN Doc A/HRC/37/13; UNHRC 'Report of the Working Group on the Universal Periodic Review -Pakistan - Addendum' (16 February 2018) UN Doc A/HRC/37/13/Add.1.

¹⁵ UNHRC, 'Report of the Working Group on the Universal Periodic Review -Pakistan' (29 December 2017) UN Doc A/HRC/37/13; UNHRC 'Report of the Working Group on the Universal Periodic Review -Pakistan - Addendum' (16 February 2018) UN Doc A/HRC/37/13/Add.1.

¹⁶ Islamabad HC directs Pak govt to revitalise human rights commission after activists accuse PM of sabotaging it,' Ani, 9 April 2021, <www.aninews.in/news/world/asia/islamabad-hc-directs-pak-govt-to-revitalise-human-rights-commission-after-activists-accuse-pm-of-sabotaging-it20210409184421/>.

¹⁷ Shah Meer Balock, Hannah Ellis-Petersen, 'Pakistani government accused of 'sabotaging' rights watchdog', *Guardian*, 30 March 2021, <www.theguardian.com/world/2021/mar/30/pakistani-government-accused-of-sabotaging-rights-watchdog>.

¹⁸ 'Rabiya Javeri Agha new chief of human rights body', *DAWN*, 19 November 2021, <www.dawn.com/news/1658920>.

¹⁹ Myra Imran, 'NCHR launch event held', *The News*, 19 December 2021, <www.thenews.com.pk/print/917995-nchr-launch-event-held>.

²⁰ 'Coronavirus being used by Pakistan as a cover for increased human rights abuses', *ANI*, 18 May 2020, <www.aninews.in/news/world/asia/coronavirus-being-used-by-pakistan-as-cover-for-increased-human-rights-abuses20200518232308/>.

²¹ Afshan Subohi, 'A job-killing pandemic', *Dawn*, 7 December 2020, <www.dawn.com/news/1594444>.

²² Myra Imran, 'NCHR launch event held', *The News*, 19 December 2021, <www.thenews.com.pk/print/917995-nchr-launch-event-held>.

²³ S1(2), NCHR Act.

²⁴ Chapter III, NCHR Act.

²⁵ *ibid*.

²⁶ Code of Civil Procedure, 1908 (Act V of 1908).

²⁷ S14, NCHR Act.

²⁸ *ibid*.

²⁹ Section 1.2, General Observations of the SCA, 2013, <www.nhri.ohchr.org/EN/AboutUs/Governance/Documents/ICC_SCA_General_Observations.pdf>.

³⁰ ANNI, 2020 Report, available at <www.forum-asia.org/uploads/wp/2021/12/ANNI-Report_Pages.pdf>.

³¹ Myra Imran, 'National Commission on Human Rights holds first board meeting', NCHR Press Release, 30 December 2021, <www.nchr.gov.pk/press_release/national-commission-on-human-rights-holds-first-board-meeting/>.

³² S23, NCHR Act.

³³ UNHRC, 'National Report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Pakistan' (4 September 2017) UN Doc A/HRC/WG.6/28/PAK/1.

³⁴ NCHR Audit Report, January 2019, available at: <<https://nchr.gov.pk/wp-content/uploads/2019/12/18-19.pdf>>.

³⁵ S27, NCHR Act.

³⁶ NCHR, Annual Report: 2015-2016, <<https://nchr.gov.pk/wp-content/uploads/2019/01/Annual-Report-2015-16.pdf>>.

³⁷ Myra Imran, 'National Commission on Human Rights holds first board meeting', NCHR Press Release, 30 December 2021, <www.nchr.gov.pk/press_release/national-commission-on-human-rights-holds-first-board-meeting/>.

³⁸ S28, NCHR Act.

³⁹ National Commission of Human Rights, 'Annual Report 2015-2016' (National Commission of Human Rights 2016).

⁴⁰ National Commission of Human Rights, 'Annual Report 2017' (National Commission of Human Rights 2017).

⁴¹ National Commission of Human Rights, 'The Unending Saga of Enforced Disappearances' (National Commission of Human rights 2019), <<https://nchr.gov.pk/wp-content/uploads/2019/02/Enforced-Disappearances.pdf>>.

⁴² National Commission of Human Rights, 'Towards Abolishing Labour in Pakistan' (2019).

⁴³ National Commission of Human Rights, 'Report on Challenges Faced by Rural Women in Pakistan' (National Commission of Human Rights 2019).

⁴⁴ S9(g), NCHR Act.

⁴⁵ National Actions Plans are policy documents through which States articulate priorities and actions that they intend to adopt to support the implementation of international and domestic obligations with respect to specific policy areas.

⁴⁶ Asim Jaffry, 'Opinion: Pakistan's National Action Plan on Business & Human Rights: A story of how governments, companies and nonprofits can create social change', *Fair Finance International*, (14 December 2021), <<https://fairfinanceguide.org/ff-international/news/2021/opinion-pakistan-s-national-action-plan-on-business-human-rights-a-story-of-how-governments-companies-and-nonprofits-can-create-social-change/#:~:text=On%2028th%20September%202021,violations%20resulting%20from%20business%20activity>>.

⁴⁷ UNWG, 'Guidance on National Action Plans on Business and Human Rights', (November 2016), <www.ohchr.org/sites/default/files/Documents/Issues/Business/UNWG_NAPGuidance.pdf>.

⁴⁸ *ibid.*

⁴⁹ National Action Plans on Business and Human Rights, Pakistan, <<https://globalnaps.org/country/pakistan/>>.

⁵⁰ A National Baseline Assessment (NBA) is a pre-requisite to a formal NAP on Business and Human Rights. It determines the current level of implementation of UNGPs, highlights legal and policy gaps and salient human rights issues important for the NAP.

⁵¹ RSIL, MoHR, UNDP, Pakistan's National Baseline Assessment on Business and Human Rights Report.

⁵² Ministry of Human Rights, Business and Human Rights Webpage. <<https://bhr.com.pk>>.

⁵³ Ministry of Human Rights, Government of Pakistan, First Five Year National Action Plan on Business and Human Rights (2021-2026), <https://globalnaps.org/wp-content/uploads/2018/04/pakistan-1st-national-action-plan-on-business-and-human-rights_september-2021.pdf>.

⁵⁴ *ibid.*

⁵⁵ *ibid* 8.

⁵⁶ OHCHR, United Nations Guiding Principles on Business and Human Rights, <www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf>.

⁵⁷ Ministry of Human Rights, Government of Pakistan, First Five Year National Action Plan on Business and Human Rights (2021-2026), <https://globalnaps.org/wp-content/uploads/2018/04/pakistan-1st-national-action-plan-on-business-and-human-rights_september-2021.pdf>.

⁵⁸ OHCHR, United Nations Guiding Principles on Business and Human Rights, <www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf>.

⁵⁹ Ministry of Human Rights, Government of Pakistan, National Action Plan for Human Rights (February 2016), <www.mohr.gov.pk/SiteImage/Misc/files/APBL.pdf>.

⁶⁰ UNHRC, 'Report of the Working Group on the Universal Periodic Review -Pakistan' (29 December 2017) UN Doc A/HRC/37/13; UNHRC 'Report of the Working Group on the Universal Periodic Review -Pakistan - Addendum' (16 February 2018) UN Doc A/HRC/37/13/Add.1.

⁶¹ Ministry of Human Rights, Government of Pakistan, First Five Year National Action Plan on Business and Human Rights (2021-2026), p.7, <https://globalnaps.org/wp-content/uploads/2018/04/pakistan-1st-national-action-plan-on-business-and-human-rights_september-2021.pdf>.

⁶² *ibid.*

⁶³ Myra Imran, 'Mazari launched NAP on business and human rights', *The News* (17 December 2021), <www.thenews.com.pk/print/917400-mazari-launches-nap-on-business-and-human-rights>.

⁶⁴ Ministry of Human Rights, Government of Pakistan, First Five Year National Action Plan on Business and Human Rights (2021-2026), <https://globalnaps.org/wp-content/uploads/2018/04/pakistan-1st-national-action-plan-on-business-and-human-rights_september-2021.pdf>.

⁶⁵ MoHR, National Action Plan on Human Rights 2016, <www.mohr.gov.pk/SiteImage/Misc/files/APBL.pdf>.

⁶⁶ Ministry of Human Rights, Government of Pakistan, First Five Year National Action Plan on Business and Human Rights (2021-2026), p.9, <https://globalnaps.org/wp-content/uploads/2018/04/pakistan-1st-national-action-plan-on-business-and-human-rights_september-2021.pdf>.

⁶⁷ See *ibid*; MoHR, National Action Plan on Human Rights 2016, <www.mohr.gov.pk/SiteImage/Misc/files/APBL.pdf>.