



***Sindh Convention***  
***Organized by Sindh Human Rights Defenders Network***

***Hyderabad Press Club***  
***3<sup>rd</sup> December 2021***

## Sindh Convention

### Overview:

On 3<sup>rd</sup> December 2021, the human rights defenders (HRDs), academics, experts from CSOs, NGOs and lawyers came together in Hyderabad press club to examine the current security challenges faced by HRDs around the Sindh province, and to seek common strategies to support them and make protection mechanism. It is emphasized that these leadership roles have to be broadly and genuinely representative; efforts must also be made to take up the concerns of the most marginalized HRDs, women HRDs and HRDs working in rural or remote areas. The convention was attended by the HRDs, WHRDs, Journalists and Lawyers. These are the most vulnerable fractions in Pakistan these days as they are strong voices of civilian supremacy and the rule of constitution in the country. They are often harassed, intermediated, detained, enforcedly disappeared or even get killed. The state is trying to limit their voices by bring new monitory laws to curb their voices.

### Opening by Justice (R) Majida Rizvi, Chairperson Sindh Human Rights Commission

Chairperson Majida Rizvi gave an overview of SHRC and talked about the the core mandate of the Sindh Human Rights Commission is cited under Section (4) of the Sindh Protection of Human Rights Act 2011 which empowers it to inquire into cases of “violation of human rights or abetment thereof, and negligence in the prevention of such a violation by a public servant”. The inquiries are taken up suo-moto or on filing of complaints by the victims or their families. The Commission has powers to propose remedial measures including action to be taken against the persons found to be in violation or in negligence of ensuring human rights.

Twice the Sindh government attempted to outlaw forced conversions and marriages, including laying guidelines for the court process in the Protection of Minorities Bill, placing an age limit of 18 years upon conversions and enabling better due process. In 2016, the bill was unanimously passed by the Sindh Assembly, but religious parties objected to an age limit for



conversions, and threatened to besiege the assembly if the bill received approval of the governor, who then refused to sign the bill into law, she said.

The Sindh government has passed a Journalist protection bill, the bill enables the provincial government to take effective steps to ensure that every journalist and media practitioner's right to life, safety and security as provided under Article 9 of the Constitution are safeguarded. Sindh has very progressive laws when it comes to the protection of human rights but it lacks implementation, she added.

### **Session 1:**

#### **Context, Analysis, Human Rights Situation and Security of HRDs by Ali Palh (Coordinator SHRDN)**

To establish the setting of the Conference, Mr. Ali Palh gave a detailed definition and description of who is human rights defender and what a human rights defender does, how they protect human rights, what tools strategies they use for protection of human rights, what law protects them nationally and internationally. How these defenders/activists assist an state in promotion and protection of rights of citizens and what challenges they face during their work in remote, exclusive areas of any country.

Mr. Ali Palh emphasized the breadth of the definition of HRDs, covering far more than representatives of formal human rights organizations, and including a wide range of civil society activists and others. He stressed the importance of HRDs in promoting sustainable democracy and security, combating corruption and demanding accountability. HRDs not only defend such civil and political rights as the right to life, freedom from torture or the right to fair trials, but also economic and social rights, rights to an adequate standard of health and education, cultural rights, women's rights, as well as the specific needs of particularly vulnerable groups, such as children, rural women and transgender people.



Those who work for the environment or for land rights are also targeted which points to another common factor: economic globalization. HRDs need their own state to provide the democratic guarantees that will prevent the arbitrary exercise of power by corporations

Mr. Ali Palh stressed that attacks against HRDs can effectively be reduced through consistent monitoring, reporting and advocacy, through strengthening links with national institutions and in coordination with organized civil society action. HRD security in many countries suffers from a lack of sufficient international attention and very weak and fragile civil societies. NHRI has internal constraints on its capacity to respond – including limited mandates constrained by the political will of states, and a shortage of human and financial resources.



## **Session 2:**

### **Human Rights Defenders, Challenges, Issues and Way Forward**

Ali Palh (Coordinator SHRDN) Facilitator

#### **Speakers:**

1. Adv Bhagwan Dass Bheel, (Advocate High Court & Vice President HCBA)
2. Ali Akbar Rahimoo ( CEO AWARE)
3. Sattar Zangejo ( Advocate High Court HRD Sukkur Region)
4. Imdad Chandio ( HRCP Hyderabad)

HRDs are often working on behalf of communities that not only suffer human rights abuses but also have acute humanitarian and development needs. SHRDN could assist HRDs in engaging with development and humanitarian actors so that ultimately they can work together to address human rights concerns, Ali Palh said.

HRDs living far from city capitals may find themselves disadvantaged in their knowledge and use of protective measures. Networks like SHRDN can be vital in these situations. Such networks can provide sustainable assistance by encouraging HRDs to take on leadership roles, and creating response mechanisms for HRDs in isolated areas who would not otherwise have access to mechanisms for protection. SHRDN is publishing a pocket guide for the HRDs and conducted more than 3 training session with the HRDs working in the various districts of Sindh including the rural areas, Ali Palh added.

Imdad Chandio of Human Rights Commission of Pakistan, described the wide range of dangers they are facing. These dangers include grave human rights violations such as threats, killings,

disappearances, and torture, as well as arbitrary detentions. They also described other current risks in detail, including: restrictive legislation controlling NGO registration (Sindh charity act and EAD certification) attacks on Journalist, lawyers and criminalization of HRDs, particularly through the use of anti-terrorist or anti-extremist legislation

The panelist described the difficulties faced by environmental activists and land activists when confronting powerful economic actors such as Engro and Bahria Town. They gave evidence of corporations conspire serious charges on the HRDs.

There are many effective human rights mechanisms, and many good practices to protect HRDs, acknowledged during discussions. However, the panelist agreed that with many perpetrators still getting away with grave human rights violations against HRDs, Journalists and lawyer including murder and torture. They highlighted that the judicial impunity for the perpetrators must ends.

SHRD will focus on raising greater awareness among human rights activists of issues concerning HRDs and HRD protection, which would entail the creation of a systematic “tool kit”. And, adopting a local action plan addressing the needs of HRDs in the specific context in which they operate and monitoring its subsequent implementation.

Advocate Bhagwas Das Bheel also stressed the importance of long-term commitment to HRDs and situations, because when things are bad, you cannot always see your long-term impact, but protecting HRDs can, in the long-term, contribute to systemic change and peaceful transitions, he said. He also highlighted the ban on the sindhi cultural activities in the various educational institution in Sindh which is amounts a gross violation of cultural rights

How does an HRD in a critical situation know to whom to turn for support? The general need for better dissemination of information on all the available international mechanisms (including more than the Guidelines) to HRDs was emphasized by Sattar Zangejo,





### Session 3:

#### Challenges to Defenders Works on Minority Rights

Chaired by M. Parkash (Advocate High Court)

Facilitate by Krishan Sharma HRD from Tharparkar

#### Speakers

1. Pushpa Kumari (Member SHRC)
2. Imtiaz Boota, (Member SHRC & Expert on Rights To Information )
3. Radha Bheel ( Minority Rights Activist Mirpurkhas Region)
4. Shazadi Rai ( Transgender Rights Activist)

**Qauid E Azam M Ali Jinnah** had envisioned Pakistan as a tolerant and egalitarian society. He exhorted the Pakistani leaders to rise above religion, caste and creed in granting equal rights, privileges and obligations to all Pakistanis. Pakistan's difficulties could have been eased if democratic and constitutional politics had been allowed to flourish, says Krishan Sharma.

The Objectives Resolution became the Preamble of the Constitution. The occupants of the two highest offices in the country – the President and Prime Minister – were required to be Muslim. This was a reiteration of Pakistan being a Muslim-led state with minorities having no chance of assuming leading roles. However, this was not specified for similar offices for the provinces (governor and the chief minister). The Constitution defined Pakistan as an Islamic state although insufficient attention was given to this area, given the Jinnahist ideal of the separation of religion and politics, says M Parkash

Article 33 makes the state responsible for safeguarding the legitimate rights and interests of minorities, including their representation in the national and provincial civil services, although the procedures are not clear. Article 36 further promises the protection of minorities, whereas Article 40 highlights the need to strengthen the relationship with the Muslim world and the

promotion of international peace. But, the highest office of the land being constitutionally closed to minorities suggests a second-class citizenship for them. Such a measure, as originally stipulated in the Objectives Resolution, further institutionalized their inequality.

Pushpa Kumari who is also a member of Sindh Human Rights Commission, discussed the plight of young hindu girls who were converted to Islam in a very young age. She also appreciated the steps of Sindh government been taken to provide the safety and protection to the minorities. She also highlighted the cases of Religious Minorities been taken by the SHRC.

Physical attacks, social stigmatization, psychological insecurity, forced conversions and continued institutional degradation characterize the position of religious minorities in Pakistan. Says Boota Imtiaz.

Measures should be undertaken to ensure that minorities can participate in economic and public life without discrimination, including monitoring of recruitment practices and punitive measures against those found to be discriminating against minority applicants, panelists concluded.



#### **Session 4:**

#### **Challenges to Women HRD**

Chaired By Nuzhat Shireen (Chairperson Sindh Commission on Status of Women)

Facilitate by Zulifqar Shah

**Speakers:**

1. Dr Aisha Dharejo ( WHRD Sukkur Region)
2. Marvi Awan( Women Protection Cell & Trainer on Prevention of Harrasment)
3. Naghma Iqtidar (WHRD Karachi Region)

Women as a political minority in Pakistan also face more cultural barriers and restrictions that hinder their ability to step into the political arena, whether to exercise their fundamental right to vote and/or represent their countrymen and women. These factors work to hinder the political empowerment of women. In addition to this, generally in our country, politics is based on financial resources along with power and political networks, says Marvi Awan

Dr Aisha Dharejo said that the institutional framework to implement the existing laws that aims to protect human rights and especially the gender and religious minorities is lacking. The Sindh has many progressive laws but the province lacks governance. WHRDs are subject to systematic violence and discrimination due to their identities and unyielding struggles for rights, equality and justice. Says Naghma Iqtidar, WHRD. She discussed the plight of families of the victims of enforced disappearances, the women family members of missing persons are more expose to the economic and social exploitation. They become the only breadwinner of their families while pursuing the cases of their loved ones in the court.

Despite all this we continue in our struggle for survival. We choose to defend our communities and our people. She call out the state call out those States that are introducing laws to shrink our rights to freedom of expression, association, assembly, which are essential tools in our work as defenders.





#### Session: 4

### Role of Legal Fraternity in Protection of HRDs

#### Speakers:

1. Adv. Saima Agha,
2. Adv. Tabassum Rani,
3. Adv. Roshan Azeem
4. Adv. Ali Palh

There are numerous points for action emanating from this declaration, particularly in relation to the role of faith in our contemporary societies, which are becoming increasingly multi-cultural and multi-religious. This important session embraces a rights based approach. These are enshrined in the United Nations human rights treaties and the related “soft law” that includes all international declarations related to various aspects of the human rights. Our human rights reading of the declaration on Human Fraternity leads us to elucidate ten features that are worth contemplation. Before pointing out these ten features, it may be helpful to refer five overarching characteristics of this pioneering initiative, i.e. critical thinking, moral courage, participatory approach, universal vocation, as well as raising question marks whose answers require other stakeholders to get involved. Says Ali Palh.

Advocate Saima Agha discuss the role of independent judiciary for the remedy of

human rights violations in the country as well as women participation in the courts.

The greatest value of human life is best represented in the recognition of fundamental rights, and in fully enabling people to enjoy and exercise these rights to the extent that preserves their humanity and respects their civility. The independence of the judiciary of any State striving to protect human rights, is the only guarantee of fairness in the State, and is the main building block of justice. The independence of the judiciary is the key factor that allows the members of the judiciary to be outspoken. Further, the effectiveness of judiciary is an important indicator of the advancement and civilization of a Nation.

The panelist also discussed the challenges to Pakistani judiciary including the harassment and intermediation of judges and lawyers. Advocate Roshan Azeem and Tabssum Rani expressed their concerns on the shrinking spaces of bar councils and judicial activism in Pakistan. They discussed the case of Justice Qazi Faiz Isa who was intermediated over the political charges which is like the question on the independence of judiciary. One of the vital ways to keep human rights safe is by preserving the prevailing role of the judiciary

The international, regional, and local organizations ought to be recognized for their powerful contribution toward the advancement of human rights and the promotion of democracy. Consequently, human rights organizations are an important source for the advancement of the communities. Therefore, the judiciary should exist to keep those organizations active and influential. If the judiciary does not undertake its duties to support human rights activities, the human rights organizations may become an easy target for unfair restrictions made by the government. We must not shut our eyes to the fact that the Pakistan, to a variable degree, is still below the required level of cooperation with the civil community organizations which safeguard human rights. For human rights in this region to be translated into a practical reality, there must be an increase in cooperation with organizations that support those rights. Says Advocate Ali Palh while expressing his views on the judiciary and human rights



### **Recommendation/Demands:**

1. Domestication and implementation of UN Declaration on human rights defenders adopted by consensus by the General Assembly in 1998
2. Human Rights Pass a law for protection of human rights defenders in Sindh and Pakistan & recognize the role of HRDs in Pakistan and ensure they are included in decision and policy making in the country.
3. Implement EU Guidelines on Human Rights Defenders as well as Guidelines on Protection of HRDs passed by National Commission on Human Rights Pakistan.
2. Trace, release & inform the whereabouts of all the existing cases of enforced disappearance in Pakistan and accountability of actors both state non state actors involved in it and compensation to detainees and their families. Those citizens are captive and disappeared should be released and produce in the court of law if there is any charge against them.
3. Ratify & sign the United Nation International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED) and to recognize the competence of the UN Committee on Enforced Disappearances.
5. The HRD convention unanimously rejected 'Pakistan Media Development Authority' the draconian law to limit the voices of Journalists, SHRDN and hrds demand amendments in it to prevent its misuse against hrds, media and journalists.
6. The HRD convention demands the government to provide safety to the human rights lawyers, journalists, social media activists, women hrds, and hrds works on rights of citizens of different faith and orientation.

7. The convention demands the government carry out an impartial investigation of the murders journalist Aziz Memon, Ajay Lalwani and women rights activists Roshan Rajpar who was working on women rights in Northern areas of Sindh.
8. Federal and Provincial Governments must ensure Corporations respect human rights, human rights defenders and conduct their business according to UN Business and Human Rights Guidelines.

Federal and Provincial Governments should ensure implementation of Article 36 of the Constitution of Pakistan states Protection of minorities and their due representation in the Federal and Provincial services.

Federal and provincial Government will make ensure quota of two percent (3%) of differentables and Transgenders should be done on merit in all public and private departments of the society

All HRDs raise voice for the protection of Karoonjhar Hill Tharparkar and demand sfrom both Federal and Sindh Government to prevent cutting of the mountain and declare it a protected site.

Kohnoor Marble Industries Karachi and Frontier Works Organisation – FWO to stop cutting of mountain and remove machinery.

10. State must implement the law against custodial torture and end the practice of extra judicial killings and hold officials of police, Rangers and other enforcement agencies to law. Sensitize them to human rights and provide justice to all affected individuals and their families.
11. Sindh Government must withdraw its objections on the case of Ghulam Ali Laghari vs the State decided by the Sindh High Court Hyderabad in favor of peasants, tenants, haris, their census, health insurance, housing and other human rights.
11. Sindh Government must ensure access of growers to both drinking and agriculture water particularly grower of tail.
11. Sindh Government must ensure safe clean drinking water is provided to all citizens without discrimination.

Both Federal and Provincial ombudsperson should ensure all existing laws prevent harassment be implemented and survivors easy access should be made possible to these mechanisms.

Killing women in the names of honor should be prevented eliminated and perpetrators

should be penalized as per law and all decisions of the Courts should be implemented in letter and spirit.

Independence of judiciary should be ensured and access of common people to justice should be ensured. Honorable Courts are requested to expedite the disposal of pending cases and substantial justice be provided to the people

Bars of lawyers should provide free legalaid service to poor people to get justice. Bars should also extend support to HRDs are protected and they work without fear in theirareas and should not be implicated in false cases.

Women should be included into all tiers of judiciary including the Supreme Court and Shariat Court of Pakistan.

11. Pakistan as state should ensure that all laws, policy and practice comply with its obligations under the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of the Child. It should take immediate steps to ratify and implement all of the remaining major human rights instruments, in particular the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights.
12. Pakistan as a state should ensure support to all resolution passed by UN in support to HRDs in UN General Assembly.
13. Federal Government must appoint the Chair and members of National Commission on Human Rights (NCHR) and provide full financial support for its independent work in the country.
14. Sindh and all other Governments of other provinces of Pakistan should ensure formation, function of national commissions and human rights institutions according to paris principles.
15. Diplomats extend full support to HRDs in Pakistan and Sindh province and pay visits to them in remote, excluded areas where they are working on human rights issues.
16. Sindh Public Safety Commission should work independently and ensure district public safety commissions are formed and made functional without further delay.
17. Sign and ratify the United Nation International Convention for the Protection of all Persons from Enforced Disappearance (ICPPED), and to recognize the competence of the UN Committee on Enforced Disappearances.
18. Sign and ratify the United Nation on International Criminal Court (ICC)/the Rome Statute and become party to it and provide all support to the ICC for ending immunity and impunity.



19. Pakistan Government must take active efforts for elimination of corruption from all its departments and ensure Sustainable Development Goals are achieved by its deadline.
20. President of Pakistan, Governor of Sindh must ensure Article 29 of the Constitution of Pakistan which the president of Pakistan and the Governor of the Province in relation to the affairs of his Province; shall present a report on the observance and implementation of the Principles of Policy before parliament.

**Sindh Human Rights Defenders Network (SHRDN) thanks to all forums, press club, media for coverage and LegalAid Society (LAS) for its legal awareness stall. Thanks to all young students of law colleges for their volunteer support.**

***Ali Palh advocate, Coordinator Sindh Human Rights Defenders***









جهرآباد/جهرآباد  
بل و مگهو ماري رمي آهي. ان خلاف د  
پوښو زهرت موصف سته ځيرون راځيښت  
پټ رطبه طرفان جهرآباد پرس حلق و  
پيښتن طوقاڼو ډير صحنه کي حلقه  
پرس ورس راځيښت طغيښتني هي پيښيرون  
اټار مامعه رضوي ښو د سته ځيرون  
طغيښتن سته د کسلي طعن هي نيمه لا  
عن اډا طغيښتني آهي جيطه سته مي  
هغه و طهر طري رضوي آهي هن ښو د  
پرس حلقه مائلان و مگهو ماري رمي  
تد لسان کي پېچي هي ضرورت آهي اخر  
ښو د پړيس کان پېچر ښود د پايښ  
کشتيښتي ايدني هن ښو د سته ځيرون  
طغيښتن طرفان نندي همراځي صحت  
روغفلار هي طهر طهر ډير رمي اټارين  
شاهين روغفلارن آهن هن ښو د سته  
تد و شادي هي عمر گوټ و گوټ 18  
طهره قانون و 10 ورځين هي عمر موراد  
د طغيښتن ان ورځين راځيښتني هي  
زهرت ښير پيو د طغيښتن حيرن هن  
نن بابت ښودو قانوني و حيرن خلاف  
د د هي رځني هي روغفلار هي ربرج  
هي آهي هن ښو د کسلي طعن خاص  
نن هي حلق لا طهر طهره طغيښتن  
لا طغيښتن ستنين لېون سته دد آهي  
د ډاډر مورگيم تدلي طغيښت کان ډيډني  
پرس کي سته طغيښتن آسي رمي آهي  
طهر طري حيرن هي طغيښت کي ډاډتني هي  
سټاندا حيرن ان لا لسان کي کسلي طعن  
ښو حيرت اټارن کي ډاډتني منصرطه و  
طهره پوښو سته ځيرون راځيښت ډيډنري

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# سندھ میں پولیس اہلکاروں کو جعلی مقبولیت دیں مارا رہی ہے جلد رضوی کی

ناظم جو کیس میں سمیت تمام کیسز کو سندھ کمیشن دیکھ رہا اور خواتین پر تشدد کی روک تھام پر دیر سرج کر رہا ہے، مزہمت شیریں کمیشن نے چھوٹی عمر کی کئی جبری شادیاں رکوائیں، سندھ ہومز رائٹس ڈیفنڈر نیٹ ورک کے سیمینار سے مقررین کا خطاب

حیدرآباد (اسٹاف رپورٹر) سندھ ہومز رائٹس کمیشن کی چیئر پرسن جنس (ر) ماجدہ رضوی نے کہا ہے کہ سندھ میں پولیس جعلی مقبولیت میں لوگوں کو مار رہی ہے ہاؤس کرنے والا کوئی نہیں ہاؤس کی اشد ضرورت ہے سندھ ہومز رائٹس کمیشن نے چھوٹی عمر کی کئی جبری شادیاں رکوائیں ہیں، سندھ میریج ایکٹ میں شادی کی عمر کم از کم 18 سال ہے لیکن کچھ قوانین میں 16 سال کی عمر بھی موجود ہے وہ حیدرآباد پولیس کلب میں سندھ ہومز رائٹس ڈیفنڈر نیٹ ورک کی جانب سے ناظم جو کیس، عبد العزیز، یمن، عرفان مہر ایڈووکیٹ اور روشن محبوب کے قتل کی خلاف ورزیوں پر پولیس کلب میں منعقدہ سیمینار سے خطاب کر رہی ہیں اس موقع پر سندھ کمیشن آف ہومز رائٹس کی چیئر پرسن مزہمت شیریں نے کہا کہ کمیشن خواتین کے حقوق کے حوالے سے ہونے والی قانون سازی اور خواتین کی خلاف ورزیوں کے واقعات کی روک تھام پر دیر سرج کر رہا ہے ناظم جو کیس میں سمیت تمام کیسز کو سندھ کمیشن دیکھ رہا ہے

ہے ہم خاص طور پر خواتین کے کیسوں کو اولیت کی بنیاد پر دیکھتے ہیں ان کے حقوق کیلئے جدوجہد کرنا پڑی ہے خواتین رہنماؤں کو مزید متحرک اور مضبوط کرنا ہوگا سندھ ہومز رائٹس ڈیفنڈرز کے کوآرڈینیٹر علی بلوہ وکیٹ، ایڈج آفیسر فی سندھ کے رہنما پروفسر امداد چانڈیو، ساجی رہنما سید ذوالفقار علی شاہ نے بھی اس موقع پر خطاب کیا سیمینار میں ڈاکٹر عارف باریجو، نیشا کماری، یونا امتیاز، صدائے آغا، مینیش کمار اور دیگر بھی موجود تھے۔

