

Briefing Paper

Role of Human Rights Institutions

in the Promotion of
Good Governance

The Case of Khyber Pakhtunkhwa
Province

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Abbreviations

KP	Khyber Pakhtunkhwa
KPCSW	Khyber Pakhtunkhwa Commission on the Status of Women
KPCPWC	Khyber Pakhtunkhwa Child Protection and Welfare Commission
KPDGLHR	Khyber Pakhtunkhwa Directorate General of Law and Human Rights
KPR TIC	The Khyber Pakhtunkhwa Right to Information Commission
KPRTPSC	Khyber Pakhtunkhwa Rights to Public Services Commission
NCHR	National Commission for Human Rights
NHRIs	National Human Rights Institutions
NCSW	National Commission on the Status of Women
NCRC	National Commission on the Rights of the Child
UN	United Nations

1-Introduction

Good governance is the process whereby public institutions conduct public affairs, manage public resources and guarantee the realisation of human rights in a manner essentially free of abuse and corruption, and with due regard for the rule of law. The true test of ‘good’ governance is the degree to which it delivers on the promise of human rights: civil, cultural, economic, political and social rights¹.

National (and sub-national) Human Rights Institutions, generally called NHRIs, are independent organisations established by a state to promote and protect human rights within its jurisdiction. NHRIs act as a bridge between the government and civil society, ensuring that human rights norms and laws are effectively implemented at the national and sub-national levels.

Key functions of NHRIs include human rights monitoring, advising on policy and legislative measures, handling human rights violation complaints, and raising awareness through education and training. The effectiveness of NHRIs is guided by the Paris Principles, which emphasise their independence, pluralism, and accountability.²

Given that good governance relates to the political and institutional processes and outcomes that are necessary to achieve the goals of development. The true test of ‘good’ governance is the degree to which it delivers on the promise of human rights. According to the Human Rights Council, key attributes of good governance are transparency, responsibility, accountability, participation and responsiveness to the public needs.³

Whereas, the independent status, mandate, and functions of NHRIs empower them to play a crucial role in promoting accountability and transparency. Their role encourages public participation in policy discourse as well as fosters a culture of respect for the rule of law. These efforts form a cornerstone for good governance, reinforcing trust between the government and its citizens thereby to spearhead the process of sustainable democratic development.

2-Interplay between Human Rights and Good Governance⁴

Good governance and human rights are interdependent. For instance, human rights standards provide values and performance standards for governments and social actors to guide public policy design, delivery and oversight. Whereas, the implementation of human rights relies on following appropriate policies and systems, being capable and responsible for responding to the people’s rights and needs;

- **Democratic Consolidation:** Democratic institutions, if guided by human rights values, create avenues for public involvement in policymaking by encouraging civil society and local communities to formulate and express their positions on issues of public importance;
- **Improved Public Service Delivery:** Good governance reforms, aimed to improve public service delivery, primarily improve the capacity of state institutions to achieve respect for people’s rights such as the right to education, health and food. Furthermore, these reform initiatives may include mechanisms of accountability, transparency, cultural sensitivity and pathways for public participation;
- **Strengthened Rule of Law:** Reforms for good governance, influenced by human rights, strengthen the legislative frameworks and enable institutions such as courts and parliaments to implement legislation effectively.

1 <https://www.ohchr.org/en/good-governance>

2 <https://ganhri.org/paris-principles/>

3 <https://www.ohchr.org/en/good-governance/about-good-governance>

4 <https://www.ohchr.org/en/good-governance/about-good-governance>

- **Improved Fighting Corruption:** Good governance practices help combat corruption through improved accountability, transparency, and public participation, with measures like mechanisms for anti-corruption, policy oversight and enactment of information commissions.

3 - Mandate and Functions of Human Rights Institutions

National Human Rights Institutions (NHRIs) are part of the state apparatus and receive funding from the state. However, to comply with the Paris Principles, they must operate independently from the government.⁵ The Paris Principles are a set of international standards adopted by the UN General Assembly that outline the framework for National Human Rights Institutions (NHRIs).

As per the Paris Principles, the National Human Rights Institutions (NHRIs) should have a broad mandate grounded in universal human rights standards, ensuring their activities are comprehensive and aligned with global norms. They must operate autonomously, free from government control, to maintain objectivity and impartiality in their work. Legal provisions should guarantee their independence, securing their ability to function without external influence. Adequate resources must be provided to support their effective functioning, enabling them to fulfil their roles efficiently. Additionally, the composition of NHRIs should reflect pluralism and social diversity, ensuring a range of perspectives and inclusive representation in their operations.⁶

Currently, the following national and sub-national human rights institutions are mandated to operate in Khyber Pakhtunkhwa. Yet, a critical analysis is needed to assess which of these institutions meet the criteria outlined by the Paris Principles;

1. National Commission for Human Rights (NCHR);
2. National Commission on the Status of Women (NCSW);
3. National Commission on the Rights of the Child (NCRC);
4. Khyber Pakhtunkhwa Directorate General of Law and Human Rights (KPDGLHR);
5. Khyber Pakhtunkhwa Commission on the Status of Women (NCSW);
6. Khyber Pakhtunkhwa Child Protection and Welfare Commission (KPCPWC);

The roles and responsibilities of the above-mentioned human rights institutions are briefly discussed below;

3.1- National Commission for Human Rights (NCHR)⁷

The National Commission for Human Rights (NCHR) Pakistan, established under the 2012 Act, plays a vital role in upholding and advancing human rights, also contributing to good governance. As per the law, key functions of the Commission include conducting suo-moto and petition-based investigations into human rights violations, intervening in court cases, and inspecting prisons to verify the legality of detentions and ensure inmates' rights.

The law also empowers the NCHR to review legislation, recommend legal reforms, identify barriers to human rights, including terrorism, and suggest solutions. It monitors international treaty compliance and advises on their effective implementation. Additionally, it promotes human rights research and public awareness through various media outlets and maintains complaint databases. The Commission produces independent reports for the government and contributes to international submissions. These activities highlight the NCHR's essential role in safeguarding human rights and supporting governance in Pakistan.

5 https://www.humanrights.dk/files/media/migrated/a4_guarantors_.pdf

6 https://www.humanrights.dk/files/media/migrated/a4_guarantors_.pdf

7 <https://nchr.gov.pk/wp-content/uploads/pdf/nchr-act.pdf>

3.2- National Commission on the Status of Women (NCSW) ⁸

The National Commission on the Status of Women (NCSW) has a broad mandate focused on promoting gender equality and women's empowerment. Its key functions include reviewing and assessing federal policies and laws related to women's rights, recommending legislative reforms, and supporting research and data management to inform national strategies. The NCSW fosters collaboration with non-governmental organisations and relevant international bodies to promote gender equality efforts and can mobilise funding from various sources to support its initiatives.

The NCSW advises the government on international treaties affecting women and oversees the implementation of related obligations. It has the power to collect information from federal entities, inspect detention facilities with permission, and act as a Civil Court for inquiries into women's rights violations. The Commission also engages in advocacy, lobbying, and building networks to support women's rights and works in coordination with provincial women's rights institutions to maintain a unified approach to advancing women's status nationwide.

3.3 - National Commission on the Rights of the Child (NCRC) ⁹

The NCRC's functions related to child rights encompass various activities to ensure their protection and welfare. It is mandated to review and recommend legislation and policies, collaborate with provincial child rights commissions, and evaluate current child rights laws for effective implementation. The Commission reports to federal and provincial governments on these efforts and investigates rights violations, urging relevant authorities to redress these violations.

The Commission identifies and addresses barriers to child rights, such as violence and exploitation, and promotes research, maintaining a database for strategic policy-making. Raising public awareness and fostering dialogue on child rights are key outreach efforts. The Commission is also mandated to review international treaties and advise the government on their adoption. It has the authority to request information from relevant authorities in child rights violation cases, acting with the powers of a civil court. Additionally, it undertakes any tasks assigned by the government to further child rights protection.

3.4 - Khyber Pakhtunkhwa Directorate General of Law and Human Rights ¹⁰

Established under The Khyber Pakhtunkhwa Promotion, Protection and Enforcement of Human Rights Act, 2014. Under government oversight, the Directorate is responsible for promoting and protecting human rights within the province. Its functions include regular reviews of the human rights landscape and proactive or petition-based inquiries into violations or negligence by officials. It can demand information, recommend government actions against violators, and support legal proceedings involving human rights issues.

The Directorate has also been authorised to formulate policies, coordinate with government departments, and align provincial legislation with international human rights treaties. It can gather information from government bodies, assess legal safeguards, and propose necessary legislative reforms. It has a role in addressing challenges, including terrorism, that hinder human rights and represent the province at international forums.

Additionally, it can foster public awareness through educational programs, research, and maintaining data on human rights cases. The Directorate has also been mandated to develop action plans and

⁸ <https://ncsw.gov.pk/Detail/NjM3OWE4YTgtMjkxZC00YTkyLThmYjEtMGU2YzE1ODI5MDhl>

⁹ https://www.na.gov.pk/uploads/documents/1505367550_380.pdf

¹⁰ https://kpcode.kp.gov.pk/uploads/2014_3_THE_KHYBER_PAKHTUNKHWA_PROMOTION,_PROTECTION_AND_ENFORCEMENT_OF_HUMAN_RIGHTS_ACT_2014.pdf

incorporate human rights education into school curriculum while offering related training. However, it cannot handle matters that are under judicial review, relate to foreign relations, or involve national defence.

3.5 - Khyber Pakhtunkhwa Commission on the Status of Women (KPCSW) ¹¹

The Khyber Pakhtunkhwa (KP) Commission on the Status of Women is responsible for assessing government measures related to women's development and gender equality and making recommendations for improvement in this regard. It is mandated to review provincial laws affecting women's rights and can propose changes to eliminate discrimination. The Commission is also empowered to monitor procedures for addressing women's rights violations, grievances, and social care services. It has the authority to ensure gender concerns are considered in policies across departments.

In collaboration with the government, the Commission can establish District Committees with a female majority to review local policies and ensure gender equality at the district levels. It oversees the implementation of guidelines, approves budgets, and delegates powers for efficient operation. The Commission also sets procedures for hiring, employment conditions, and organisational changes. It may create sub-committees to handle specific issues and perform any additional functions assigned by the government.

3.6 - Khyber Pakhtunkhwa Child Protection and Welfare Commission ¹²

The KP Child Protection and Welfare Commission oversees child rights at provincial and local levels, acting as a central coordinator for child protection programs and policies. It collaborates with the National Commission on the Rights of Children (NCRC), reviews laws impacting children, and proposes new legislation aligned with national and international standards.

The Commission monitors and addresses violations of child welfare laws, handling cases related to child labour, abuse, exploitation, and violence. It manages Child Protection Units and Institutions, ensuring essential services like food, shelter, education, and training for at-risk children. The Commission also bans corporal punishment and mobilizes financial resources for child protection initiatives.

Additional responsibilities of the Commission include improving birth registration processes, safeguarding children in care facilities, and preparing rapid-response plans for emergencies. It can collaborate with private organisations for funding and management of protection services, revise the age of criminal responsibility, and develop data systems for policy-making. The Commission is also empowered to carry out ancillary tasks and make administrative changes as needed.

Apart from the above-mentioned human rights-specific institutions, several state structures contribute to the protection of people's rights, especially, **The Khyber Pakhtunkhwa Right to Information Commission**.¹³ The Commission has the primary role of handling and deciding on complaints related to information requests. Beyond this, it is tasked with setting rules and standards for record management by public bodies, designating additional categories for proactive information disclosure, and adopting fee schedules for information provision. It approves or denies extensions to the confidentiality period for information and creates user-friendly handbooks in Urdu and English to guide the public on their rights and how to request information. Additionally, the Commission refers potential criminal offences to the relevant authorities, compiles annual reports detailing its activities

¹¹ https://kpcode.kp.gov.pk/uploads/2014_3_THE_KHYBER_PAKHTUNKHWA_PROMOTION,_PROTECTION_AND_ENFORCEMENT_OF_HUMAN_RIGHTS_ACT_2014.pdf

¹² <https://kpcpwc.gov.pk/KPCPW%20Act%20Updated%20June%202022.pdf>

¹³ <https://www.kprti.gov.pk/about/?functions-powers>

and public body compliance, and conducts audits, submitting results to the Provincial Assembly and the Department of Finance.¹⁴

The Commission is empowered with all necessary legal rights to fulfil its duties, including property management and legal standing. It can conduct inquiries related to complaints or the proper enforcement of the Act, wielding the powers of a Civil Court under the Code of Civil Procedure (CPC), 1908. This includes summoning witnesses, compelling evidence, demanding document production, inspecting public premises, and examining information.¹⁵

When ruling on complaints, the Commission can order public bodies to disclose information or take corrective measures to uphold the Act. It can impose fines on officials obstructing the process, and require public bodies to address systematic issues, such as appointing Public Information Officers, training staff, enhancing record management, or publishing reports and information proactively.

Additionally, **the Khyber Pakhtunkhwa Rights to Public Services Commission** has also been established which is primarily envisioned to act around the people's right to time-bound provision of public services.

The Commission is vested with powers equivalent to those of a civil court under the Code of Civil Procedure, 1908, enabling it to summon and enforce the attendance of individuals and examine them under oath. It can compel the discovery and production of evidence, accept affidavits as evidence, requisition public records, and issue commissions to examine witnesses. Additionally, the Commission has the authority to review its own decisions, directions, and orders. It may also exercise any other powers prescribed by rules.

4 – The Role of Human Rights Institutions in Promoting Good Governance

As explained above, the National (and sub-national) Human Rights Institutions (NHRIs) carry out various tasks, such as investigating human rights violations, conducting public inquiries, advising on policy, ensuring human rights are upheld in prisons and custodial settings, and supporting governments. They also focus on human rights education, fostering coordination with other NHRIs and NGOs, and publishing annual reports. The Paris Principles outline the responsibilities of NHRIs, while Cardenas categorizes their functions into regulative (ensuring adherence to international standards) and constitutive (transforming state or societal roles). However, it is much more important to recognise that the role and functions of human rights institutions are to promote human rights as part of the institutionalisation of good governance.¹⁶

The good governance concept is broad and significantly influenced by the principles of human rights, development and democratisation. It refers to how civil and political societies are structured during the process of economic, social, and political development. Hence, NHRIs should have a greater role in developing good governance policies of a state. Therefore, the NHRIs' perceived role in good governance is 'the responsible use of public authority to manage public affairs'.¹⁷

Generally in Pakistan as well as in Khyber Pakhtunkhwa, NHRIs perform the following key functions, which makes them crucial elements of the good governance and institutional accountability framework;

4.1 Monitoring and Reporting

NHRIs engage in systematic analysis of the national or subnational human rights situation. This means they continuously observe and assess how well a country or specific regions within it are

¹⁴ <https://www.kprti.gov.pk/about/?functions-powers>

¹⁵ <https://www.kprti.gov.pk/about/?functions-powers>

¹⁶ https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?params=/context/auilr/article/1164/&path_info=19_2_2.pdf

¹⁷ https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?params=/context/auilr/article/1164/&path_info=19_2_2.pdf

upholding human rights standards. By doing so, they identify issues related to violations, gaps in legal frameworks, or failures in the implementation of human rights laws.

Their analysis culminates in the preparation of reports that document their findings, which often include evidence, case studies, and data illustrating the state of human rights. In addition to presenting the current situation, these reports typically contain recommendations aimed at addressing problems and suggesting improvements to policies, laws, and practices. The significance of these activities is that such reports can be leveraged to promote good governance by;

- **Holding authorities accountable:** By making findings public, NHRIs can apply pressure on governments and institutions to take action to improve the human rights situation;
- **Informing policy changes:** Governments can use the NHRIs' recommendations as a basis for reforming policies, laws, or practices that may be inadequate or detrimental to human rights;
- **Raising public awareness:** NHRIs' reports can educate the public and civil society about current human rights conditions, encouraging advocacy and participation in governance processes.

In essence, through monitoring and reporting, NHRIs contribute to transparency, accountability, and the overall strengthening of the rule of law, which are key components of good governance.

4.2 Advising the Government

National Human Rights Institutions (NHRIs) play an essential role in advising the government on matters related to human rights policy design and delivery. This advisory function of the NHRIs involves;

- **Guidance on policy design:** NHRIs leverage their expertise to help governments develop or revise policies and laws to align with international human rights standards. This ensures that new or existing legislation supports and protects human rights effectively.
- **Recommendations for policy delivery:** Beyond shaping policy content, NHRIs also provide advice on how to implement these policies in practice. This may include strategies for better resource allocation, training programs for public officials, or mechanisms for public participation.

The NHRIs' advisory role inherently supports improved governance because it helps embed human rights considerations into the framework of government actions. By doing so, NHRIs contribute to

1. Informed policymaking for having expert insights.
2. Enhanced accountability employing continuous dialogue and feedback.
3. Public trust and confidence in case the government takes NHRIs recommendations seriously.

Thus, in spirit, by advising the government, NHRIs contribute to the formulation and implementation of policies that uphold human rights, which enhances overall governance and aligns national practices with democratic and humanitarian principles.

4.3 Facilitating Access to Justice

NHRIs play a crucial role in facilitating access to justice by handling and addressing human rights violation complaints. This gives people, particularly those who may not have the means or knowledge

to navigate more formal legal systems, a way to seek redress and justice.

Furthermore, by examining patterns and trends in complaints, NHRIs can identify underlying systemic issues that hinder effective human rights protection. These could include gaps in laws, procedural shortcomings, or institutional failures that prevent fair and equitable access to justice.

The information gathered from handling these complaints can also be used to recommend policy or legislative reforms to address the root causes of these issues. This may result in;

- **Improved legal frameworks:** Addressing identified barriers ensures laws and policies are better aligned with human rights standards and are more effective in protecting citizens;
- **Enhanced accountability and transparency:** By resolving complaints and pushing for policy changes, NHRIs help foster accountability among institutions and strengthen the public's trust in justice systems.

Moreover, the complaint-handling process contributes to good governance by ensuring fair treatment and reinforcement of the rule of law, systemic improvements based on real-world evidence to promote effective governance practices, and citizen empowerment through improved human rights protection.

In summary, by facilitating access to justice and addressing complaints, NHRIs play an integral role in identifying and mitigating systemic issues in human rights protection, which leads to improved policies and legislative frameworks that support good governance.

4.4 Fostering Dialogue and Participation

National Human Rights Institutions (NHRIs) play a significant role in fostering dialogue and participation by acting as intermediaries between governments and the rights holders, ensuring that a wide range of voices are included in the decision-making process and that human rights considerations are integrated into governance.

- **Bridging the gap** between governments and civil society is a key function of NHRIs. They create and facilitate channels through which individuals, communities and civil society can engage with government bodies. It helps ensure that voices from various segments of society are heard, contributing to more inclusive policy and decision-making.
- **Promoting inclusive dialogue** is another important aspect of their work. NHRIs organise and participate in public forums, consultations, and workshops that foster open discussions about human rights issues and governance practices. These platforms allow diverse groups to share their perspectives, raising awareness and encouraging collaborative solutions to common challenges.

Hence, the facilitation of dialogue supports good governance in multiple ways. It helps build trust and transparency by creating environments where citizens and civil society can openly communicate with government representatives. This openness enhances public trust in institutions and promotes transparent governance practices.

Additionally, strengthening accountability becomes possible as governments engaged in NHRI-facilitated dialogue become more aware of their responsibilities and are more inclined to address public concerns and improve public policy and practice.

Thereby, by acting as a bridge between governments and rights holders, NHRIs create opportunities for participatory governance. This approach enhances decision-making, ensures that diverse

perspectives are considered, and promotes overall good governance through cooperation and mutual understanding.

Conclusively, human rights institutions can help build good governance by promoting its key principles: participation, accountability, and transparency. They allow the public to be involved by enabling complaints that lead to investigations of human rights abuses or administrative failures.¹⁸

These institutions can improve accountability by creating clear lines of responsibility between the public, the institution, and the government, which must comply with investigations, face legal and ethical scrutiny, and respond to recommendations or corrective actions, as recommended by a human rights institution.¹⁹

Human rights institutions can also promote transparency by objectively reviewing and publicly reporting on government actions. Additionally, they promote fairness by suggesting changes in laws and policies and fighting corruption, aiming to prevent human rights violations and ensure fair public treatment by the government.²⁰

5- Challenges faced by the Human Rights Institutions

Human Rights Institutions, especially in developing countries like Pakistan, often face significant challenges that hinder their effectiveness and impact. Some of the main challenges include;

5.1 - Limited Financial and Human Resources

One of Pakistan's most pervasive challenges for human rights institutions is the lack of adequate financial resources. For example, the annual budget allocated to the National Commission for Human Rights (NCHR) for 2022-23 was insufficient for fulfilling its mandate.²¹

Nevertheless, insufficient budgets restrict the institution's ability to conduct investigations, carry out awareness programs, and effectively reach out to and engage with communities. Limited human resources can also mean that NHRIs struggle to maintain the necessary expertise and capacity to handle complex human rights issues.

5.2 - Lack of Independence

Human rights institutions often face a significant lack of independence that compromises their independence. For example, Khyber Pakhtunkhwa's Directorate General of Law and Human Rights operates under the administrative control of the provincial department of Law, Parliamentary Affairs and Human Rights. Similarly, KP's Child Protection and Welfare Commission and the KP Commission on the Status of Women operates under the administrative control of the Social Welfare and Women Empowerment Department.

Generally, administrative control gives governments an avenue to control or influence the activities of human rights institutions, undermining their autonomy. This can lead to a lack of trust from the public and reduce the credibility of these institutions. Ensuring true independence is crucial for NHRIs to function effectively and hold authorities accountable without bias.

5.3 - Legal and Institutional Barriers

18 <https://journals.law.harvard.edu/hrj/wp-content/uploads/sites/83/2020/06/13HHRJ1-Reif.pdf>

19 <https://journals.law.harvard.edu/hrj/wp-content/uploads/sites/83/2020/06/13HHRJ1-Reif.pdf>

20 <https://journals.law.harvard.edu/hrj/wp-content/uploads/sites/83/2020/06/13HHRJ1-Reif.pdf>

21 <https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2022-LWC01-Federal-budget-allocations-to-the-NCHR.pdf>

In developing countries like Pakistan, human rights institutions may operate under restrictive legal frameworks that limit their powers or jurisdiction. These constraints can make it difficult for them to carry out their mandates fully. For example, The NCHR does not have the power to enforce decisions related to the findings of its investigations, such as redress for victims of human rights violations, or action against guilty persons.²²

Additionally, overlapping roles with other governmental or non-governmental agencies can lead to confusion, inefficiencies, and conflicts that weaken their overall impact. For instance, a careful review suggests that the roles and responsibilities of federal and provincial human rights institutions vis-à-vis relevant ministries and departments are overlapping.

5.4 - Cultural and Social Challenges

In countries like Pakistan and a diverse region like Khyber Pakhtunkhwa, cultural attitudes and social norms can pose significant obstacles to human rights institutions, especially when addressing sensitive issues such as women's rights, minority protections, or actions around rights of marginalised groups such as transgender persons. Resistance from traditional leaders, community members, or even within the government can hinder efforts to advance human rights and promote inclusive dialogue on sensitive issues.

5.5 - Lack of Public Awareness and Engagement

In many developing countries, including Pakistan, there is a limited understanding of the role and importance of human rights institutions among the general public. This lack of awareness can result in the underutilisation of human rights institutions. Therefore, enhancing public awareness is crucial for building support and fostering a culture of human rights and good governance.

5.6 - Capacity and Training Limitations

The professional development and training of staff within human rights institutions are often insufficient. Limited training opportunities can affect the institution's ability to remain up-to-date with international human rights standards, legal practices, and effective advocacy techniques. This can compromise their effectiveness in addressing human rights violations and advising policymakers.

5.7 - Security Risks and Threats

Keeping in view the security risks in Khyber Pakhtunkhwa, human rights work can pose personal risks to the institution's staff and associated activists. Threats, intimidation, or violence against institutional representatives can undermine their work and deter them from taking up or addressing critical or politically sensitive human rights issues.

5.8 - Weak Implementation of Recommendations

Even when human rights institutions produce thorough reports and make strong recommendations, implementation by governments can be weak or inconsistent. This can be due to a lack of political will, bureaucratic inefficiencies, or competing priorities within the state. The failure to act on these institution's recommendations limits their effectiveness in bringing about real change.

6 – Recommendations

Based on the challenges outlined for Human Rights Institutions in the document, the following are targeted recommendations;

²² https://democracyreporting.s3.eu-central-1.amazonaws.com/images/3246dri-pk-bp54_pakistan_national_commission_for_human_rights_EN.pdf

6.1. To Increase Financial and Human Resources

- The federal and provincial governments should make sustained budget allocations for human rights institutions. Resource allocations should be made efficiently by prioritising key areas of NHRI interventions such as investigations, outreach programmes, research, etc.
- If legally permissible, human rights institutions should develop comprehensive funding proposals and cultivate partnerships with relevant non-governmental organisations (NGOs) and international partners for supplemental funding and technical assistance.

6.2. To Ensure Institutional Independence

- Both federal and provincial governments should introduce legislative amendments that guarantee human rights institutions' administrative and operational independence.
- Human rights institutions should engage with lawmakers and civil society to build support for legislative reforms to ensure institutional autonomy and sufficient allocation of resources

6.3. To Clarify Mandate and Roles

- The Federal and provincial governments should review and revise existing laws to grant institutions enforcement powers for their findings and streamline overlapping mandates with other agencies.
- The human rights institutions may create a joint platform and create policy dialogue involving federal and provincial human rights bodies to delineate roles clearly and harmonise institutional efforts for improved human rights protection and to achieve good governance.

6.4. To Address Cultural and Social Barriers

- Human rights institutions, alongside relevant government bodies, may develop and initiate community-based education programs to foster dialogue on human rights issues, focusing on cultural sensitivity and inclusivity. It may also include partnering with community leaders and using media campaigns to promote awareness and support for progressive cultural shifts.

6.5. To Promote Public Engagement and Awareness

- Human rights institutions should organise public education campaigns to improve public understanding about the purpose and functions of human rights institutions. NHRIs may utilise social media, public forums, and workshops to engage with various community groups and encourage grassroots participation.

6.6. To Strengthen Institutional Capacities

- The human rights institutions should invest in comprehensive capacity development programs for staff focusing on international human rights standards, domestic human rights policies and systems, case handling, research and advocacy strategies. Furthermore, NHRIs should collaborate with universities and global human rights institutions and organisations to offer training sessions and certifications.

6.7. To Mitigate Security Risks

- The human rights institutions, keeping in view the local realities, should develop risk assessment protocols and ensure adequate security measures for staff members, especially those working on sensitive cases. It may also entail working with local law enforcement agencies and international human rights bodies to create secure channels of public engagement.

6.8. To Improve Institutional Accountability

- Human rights institutions may establish mechanisms to monitor the enactment of human rights recommendations. The strategic directions in this regard could be the formulation of follow-up structures and the involvement of media and NGOs in tracking the implementation process to apply pressure on the government and to promote institutional transparency and accountability.

These recommendations are aimed at building more resilient, autonomous, and effective human rights institutions.

7 – Conclusion

The role of human rights institutions is crucial for promoting good governance, ensuring accountability, and fostering public trust in governance systems. In Khyber Pakhtunkhwa, the presence and work of national and sub-national institutions such as the NCHR, NCSW, NCRC, the KP Directorate General of Law and Human Rights, the KP Commission on the Status of Women and the KP Child Protection and Welfare Commission highlight the multidimensional approach required to safeguard human rights.

These structures contribute through monitoring, reporting, policy advising, facilitating justice, and fostering public participation, all vital for a transparent and democratic society.

However, challenges such as limited resources, lack of independence, legal constraints, and social obstacles hinder their effectiveness. To address these, it is essential to ensure that these institutions are adequately funded, made independent, and empowered with broad mandates. Capacity development, public awareness campaigns, and collaborative efforts with civil society can further strengthen their role.

Furthermore, the government must implement recommendations made by these structures to ensure accountability and continuous improvement in human rights practices and to achieve good governance.

Strengthening these institutions will contribute to sustainable democratic development and reinforce the principles of good governance, marked by transparency, participation, and the rule of law.



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AND PUBLIC ACCOUNTABILITY



Center for Governance
and Public Accountability

