

LEGAL BASIS RIGHT OF HUMAN RIGHTS

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INTRODUCTION

Every nation of the world has adopted the universal declaration of human rights for the human respect and dignity. Hennery Steiner has described it as the spiritual parents of other human rights treaties.

After World WarII, declaration of human rights was adopted on 12th august, 1948. In the year 1976, International Human Rights bill was passed.

*On 11th August, 1948 Father of Nation Quaid -e-Azam, Muhammad Ali Jinnah said before constituent assembly, “**Thank God**” we are starting our days, **wherethere is no discrimination and distinction.***

What are Human Rights?

Human Rights is the art of science, for human being to ensure justice ,equality ,dignity for all citizen .Human rights refer tothose rights of men which are inaliabale and which are assigned to him by the virtue of being a human personality . These rights are universal and are based on the dignity of human beings.

Quran and Human Rights

*Quran is the divine book of Allah, revealed on Holy Prophet (P.B.U.H) through angle Gabriel, which clearly tells us, ‘**Do not kill a soul which Allah made sacred except through due process of Law**’’.Here guarantee of life is ensured to all humanity.*

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Islam and Human Rights

Holy Prophet, (P.B.U.H) introduced a character in Medina, which guarantees protection of religion, life and safeguard property. The conquest of Makkah, Holy prophet, (P.B.U.H) showed forbearance by forgiving every one and providing general amnesty. The last sermon of Holy prophet, (P.B.U.H) is the first and foremost declaration of the human rights to maintain 1400 years ago. Therefore, Khutba Hujjat- ul-Wida is the most important sermon in the history of Islam.

HUMAN RIGHTS AND CONSTITUTION OF PAKISTAN

Pakistan is committed to translate the human rights principles enshrined in its constitution into legislation with robust institutional mechanism. Government of Pakistan believes in the dignity of citizen in accordance with law.

The 1956, Islamic Constitution of Pakistan was flexible & advocated the basic rights of the individual.

In 1962, Constitution of Republic of Pakistan basic human rights for all citizen without any discrimination of cast, creed were guaranteed.

In 1973, Constitution of Islamic Republic of Pakistan Article 2 to 40 deals with the fundamental rights and principles of policies for human rights were discussed. The basic legal rights have been given that the entire citizens are equal in the eye of law. Therefore, human rights are part & parcel of the constitution. In this regard Human Rights Commission Act, 2012 was introduced. Pakistan Disability Act, 2014 is the best example for protection of rights of persons with disability.

The commitment of state to Human Rights observance in Pakistan vision 2015 to 2025 affirms. The implementation of article 38 of the constitution. 1973, constitution of Islamic Republic Pakistan also focus on the dignity to the core notion of Human Rights.

After 18th amendment in the constitution of Islamic Republic of Pakistan the role and responsibility of Federal Government and Provincial Government have been changed in the schedule of constitution.

PAKISTAN PENAL CODE AND HUMAN RIGHTS

Pakistan penal code also criminalizes acts of violence against children as per the criminal law amendment act 2015. This act was promulgated on the 24th march, 2016. This act like exposure to seduction of child, child pornography, cruelty to child, trafficking of Human Beings, sexual abuse, Government of Pakistan has prorogated various laws to protect the rights of women in this regard national policy for development and empowerment of women, 2002 was framed.

DECISION OF COURTS OF PAKISTAN AND HUMAN RIGHTS

Apex court of Pakistan, has in many cases interpreted the constitutional provisions relating to the fundamental rights severaltimes. In compliance the judgment the Government of Pakistan initiated the process of registration of transgender person as third gender in the national data base (NADRA).

KHYBER PAKHTUNKHWA AND HUMAN RIGHTS

For the promotion and protection of Human Rights Government of Khyber Pakhtunkhwa is committed to take all necessary measures , which are visible indication for improvement of Human Rights situation.

Government of Khyber Pakhtunkhwa has enacted comprehensives laws for the protection of Childs, rights in the province and Khyber Pakhtunkhwa Child's protection welfare Act, 2010 was passed. Apart from this the following bills werepassed by Khyber Pakhtunkhwa assembly.

- . Khyber Pakhtunkhwa borstal institution Act, 2012*
- . Khyber Pakhtunkhwa prohibition of employment of children Act, 2015*
- . Khyber Pakhtunkhwa harassment of women at work place Act, 2010*
- . Khyber Pakhtunkhwa enforcement of women ownership rights Act, 2012*
- . Khyber Pakhtunkhwa protection of communal properties of minorities Act, 2014*
- . Khyber Pakhtunkhwa domestic violence bill, 2012*
- . Khyber Pakhtunkhwa elimination of custom GHAGordinance, 2012*
- . Khyber Pakhtunkhwa provincial watch committee on sexual harassment Act, 2012*

. Khyber Pakhtunkhwa promotion and protection of, Human Rights Act, 2014

Khyber Pakhtunkhwa and directorate of human rights

In 2014, Khyber Pakhtunkhwa Act was adopted, with power and functions to suggest laws and policies and bringing them in conformity with human rights. Although there are profound challenges on the ground, however, there are numerous opportunities and potential capabilities to improve the human rights situation in province.

Convention and Pakistan

There are 27 International conventions GSP Plus is hinged on 7 conventions related to Human Rights. Various conventions were ratified by Pakistan. These include the land mark UN convention on the Rights of Child (CRC).

As Pakistan is signatory to ILO convention on concerning vocational rehabilitation and employment (disable person) which recognize issue and problems and rights of disable person.

List of 27 conventions is as under:

- 1. International convention on civil and political rights*
- 2. International convention economical social and cultural rights*
- 3. International convention the elimination of all forms of racial discrimination*
- 4. Convention on the elimination of all forms of discrimination against women*
- 5. Convention against torture and other cruel, inhuman or degrading treatment or punishment*
- 6. Convention on the rights of the child*
- 7. Convention on the prevention and punishment of the crime of genocide*
- 8. Minimum age for admission to employment*

9. *Prohibition and immediate action for the elimination of the worst form of child Labor (N182)*
10. *Abolition of forced labor convention (N105)*
11. *Forced compulsory labor convention (N29)*
12. *Equal remuneration of men and women workers for work of equal value convention*
13. *Discrimination in respect of employment and occupation convention*
14. *Freedom of association and protection of the right to organize convention*
15. *Application of the principal of the rights to organize and to bargain collectively convention*
16. *International convention on the suppression and punishment of the crime of apartheid*
17. *Monetral protocol on substances that deplete tye ozone layer*
18. *Basal convention on the control of Tran boundary movements of hazardous wastes and their disposal*
19. *Stockholm convention on persistent organic pollutants*
20. *Convention on international trade in endangered species*
21. *Convention on biological diversity*
22. *Cartagena protocol on bio safety*
23. *Kyoto protocol, to the UN framework convention on climate change*
24. *UN single convention on narcotics drugs*
25. *UN convention on psychotropic substances*
26. *UN convention against illicit traffic narcotics drugs and psychotropic substances*
27. *Mexico UN convention against corruption*

In the above mentioned list of convention seven conventions are related to human rights, which are as under

- 1. Convention on the prevention and punishment of the crime of genocide*
- 2. International convent on the elimination of all forms of racial discrimination*
- 3. Convention on the rights of the child*
- 4. Convention on the elimination of all forms of discrimination against women*
- 5. International convent on civil and political rights*
- 6. International convent on economical social and cultural rights*
- 7. Convention against torture and other cruel, inhuman or degrading treatment or punishment*

***FOR CREATION OF PLEASANT AND HEALTHY ATMOSPHERE
WE HAVE TO PROMOTE AND PROTECT HUMAN RIGHTS***