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WOMEN RIGHTS IN PAKISTAN: ROLE OF INTERNATIONAL TREATIES

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ABSTRACT

Women rights refer to the fundamental entitlements and freedoms that women should have in society, ensuring their equal treatment and protection under the law. These rights encompass the right to life, liberty, and security, as well as freedom from discrimination, violence, and oppression. They also include the right to education, healthcare, economic opportunities, and political participation. Women rights in Pakistan have been a longstanding concern due to complex cultural and social factors, but international treaties have played a crucial role in advocating for change. Pakistan, like many other countries, has a role in upholding human rights through its domestic policies and international collaborations. While Pakistan has taken steps to address woman rights issues and has engaged with international treaties and organizations, challenges remain. Effective implementation and enforcement of human rights protections are essential for ensuring the well-being of all individuals in Pakistan. This research explores the women rights challenges through descriptive and extensive literature in Pakistan and international treaties agreed by Pakistan's state to empower and ensure the rights of Pakistani women.

BACKGROUND

The struggle for women's rights in Pakistan has been a long and complex journey, marked by both progress and challenges. Since the inception of

Pakistan, the founding father, Muhammad Ali Jinnah, promised equal rights for women in the new nation. The 1956 constitution recognized women's rights as fundamental rights. In the early years of Pakistan, several legal reforms were enacted to protect women's rights. For example, the Muslim Family Laws Ordinance of 1961 aimed to regulate matters of marriage, divorce, and family disputes according to Islamic principles while providing some safeguards for women.

The Pakistani women remained active part of various field including politics, Benazir Bhutto became the first female Prime Minister of Pakistan in 1988, and this was a significant milestone for women's political participation in the country. Despite legal reforms and women's participation in public life, women in Pakistan have faced numerous challenges, including gender-based violence, honor killings, limited access to education, and economic disparities. Pakistan is an Islamic country, and cultural norms often play a significant role in shaping women's roles and rights. Conservative interpretations of Islamic law have been used to justify restrictions on women's rights.

Over the years, various non-governmental organizations (NGOs) and women's rights groups have been working to raise awareness and advocate for women's rights in Pakistan. They have played a vital role in highlighting issues like gender-based violence and advocating for legal reforms. Pakistan has made some progress in recent years. The protection of women against violence act was passed in 2016 in Punjab province, which criminalizes various forms of violence against women. Other provinces have also introduced similar legislation. Pakistan is a signatory to international agreements and conventions related to women rights, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

This has put pressure on the government to align its policies and practices with international standards. Despite progress, many challenges persist. Issues like child marriage, forced marriages, and honor killings remain problematic. Additionally, the gender gap in education and the workforce is still significant. Public awareness about women's rights has been growing, and there is a gradual shift in societal attitudes.

Significance of human rights and international treaties in Pakistan

Human rights and international treaties hold significant importance in Pakistan for several reasons,

Protection of Individual Rights

Human rights and women rights are essential for safeguarding the fundamental freedoms and dignity of every individual. International treaties provide a framework to ensure that these rights are respected, protected, and fulfilled by the state, thereby enhancing the well-being and quality of life of the country's citizens.

Meanwhile, human rights and international treaties contribute to the rule of law in Pakistan. They set clear standards and guidelines for the behavior of government institutions, law enforcement agencies, and the judiciary. This helps ensure that laws and policies are consistent with democratic principles and human rights norms.

Additionally, International treaties create mechanisms for accountability. They allow citizens, activists, and NGO's in Pakistan to hold the government accountable when it fails to protect and promote human rights. This accountability contributes to transparency and good governance. Human rights principles emphasize social justice and equality. In a country with diverse ethnic, religious, and social groups, international treaties help ensure that marginalized communities and individuals are not subjected to discrimination and prejudice, thereby promoting a more inclusive and equitable society.

Thus, Human rights treaties provide protections for vulnerable groups, including women, children, religious minorities, and refugees. These protections help ensure that the rights and well-being of these groups are not compromised. In summary, human rights and international treaties are significant in Pakistan as they provide a framework for protecting individual freedoms, upholding the rule of law, promoting accountability, fostering social justice and equality, and contributing to peace, development, and a positive international image. These principles are essential for the well-being and progress of the country and its people.

LITERATURE REVIEW

The women rights movement in Pakistan has evolved through a complex and multifaceted history, shaped by the country's cultural, religious, and political dynamics. Since Pakistan's independence in 1947, women have played significant roles in various aspects of public life, including politics, education, and activism (Jahangir, A., 2000). While legal reforms in the early years aimed to protect women's rights, deeply ingrained societal norms and conservative interpretations of Islamic law have posed considerable challenges. Over the years, women's rights organizations and activists have raised awareness and lobbied for legislative changes, resulting in notable progress, but persistent issues like gender-based violence, honor killings, and gender disparities in education and the workforce continue to be pressing concerns. The movement is marked by a resilient and ongoing struggle for gender equality and the assertion of women's rights in all spheres of Pakistani society (Tomar, S. (2001). The women rights movement in Pakistan has been marked by a resilient and determined effort to challenge deeply ingrained gender disparities and discrimination. Dating back to the country's independence in 1947, Pakistani women have actively engaged in advocating for their rights, despite cultural and religious constraints. Civil society and organizations have played a crucial role in raising awareness about issues such as gender-based violence, access to education, and economic empowerment. Notable milestones include the election of Benazir Bhutto as Pakistan's first female Prime Minister in 1988 and legal reforms aimed at addressing gender-based violence. However, the movement continues to confront significant challenges, including honor killings

and child marriages, making the struggle for gender equality an ongoing and evolving journey in Pakistan Bhattacharya, S. (2014).

The movement related human rights in Pakistan has been instrumental in advocating for the promotion and protection of fundamental rights and freedoms. In a country grappling with numerous challenges, including political instability, terrorism, and social disparities, human rights activists and organizations have consistently worked to address issues such as abuse, and discrimination (Pamment, C. (2019). The movement has drawn attention to violations of human rights in various regions, particularly in conflict-ridden areas like Baluchistan and the tribal regions (Kirmani, N. (2000)). While progress has been made through legal reforms and international commitments, Pakistan's human rights movement remains critical in advocating for a just and equitable society and holding government institutions accountable for upholding the principles of human rights as enshrined in international agreements and Pakistan's constitution (Weaver, K. M. (2006)).

Human rights laws in Pakistan are enshrined in the country's constitution, with several key provisions aimed at safeguarding individual liberties and promoting equality. The Constitution of Pakistan, particularly after amendments, ensures the protection and liberty and justice for women (Jahangir, A. (2000)). Pakistan is also a guarantor in many international treaties whose ensure the rights of women. However, challenges persist in terms of implementation and enforcement, with issues like extrajudicial killings and freedom of the press often the subject of debate and advocacy within the country's legal and human rights community (Critelli, F. M. (2010).

Human rights in Pakistan are significantly influenced by the country's commitment to various international treaties and conventions. These international treaties establish a framework for the protection of fundamental human rights within Pakistan, obligating the government to align its domestic laws and practices with international standards. While these commitments serve as important benchmarks for human rights protection, challenges often arise in terms of their implementation, with issues such as forced disappearances, freedom of expression, and gender-based violence remaining areas of concern. Civil society organizations and human rights advocates in Pakistan frequently reference these international treaties in their efforts to hold the government accountable for upholding human rights principles (Merry, 2003).

Pakistan faces several significant challenges in upholding human rights, including issues such as extrajudicial killings, enforced disappearances, and limitations on freedom of expression, which hinder the realization of basic civil liberties. Discrimination against religious minorities and women persists, while access to education and healthcare remains unequal, especially in marginalized communities (Rashid, A., & Wattoo, M. A. (2020). Gender-based violence, including honor killings and domestic abuse, continues to be a pressing concern. Additionally, the influence of traditional and conservative interpretations of Islamic law in some regions poses challenges to the implementation of human rights standards, often leading to infringements on individual freedoms and the right to religious belief. Balancing the country's security concerns with the

protection of human rights, as well as overcoming institutional challenges in the justice system and law enforcement, remain crucial issues in the promotion of human rights in Pakistan (Noor, S. (2016).

Pakistan presents several opportunities for the advancement of human rights and the implementation of international treaties. The country's robust civil society, vibrant youth engagement, and an independent judiciary provide a platform for advocacy and redress of human rights issues. International cooperation and diplomatic engagement offer opportunities for dialogue and collaboration on human rights concerns. Legislative reforms aimed at aligning domestic laws with international treaties offer the potential for strengthening human rights protections. A growing awareness of gender equality and women's rights, as well as community-based initiatives, can contribute to positive change at the grassroots level. Finally, the media's role in raising awareness of human rights violations can drive public pressure for reform, furthering the promotion and protection of human rights in Pakistan (Iqbal, K. (2009).

Human rights and international treaties hold profound significance in Pakistan as they provide a crucial framework for ensuring the protection of fundamental freedoms, the rule of law, and accountability in a diverse and complex society. They promote social justice, equality, and access to justice, particularly for marginalized groups. Respect for human rights enhances Pakistan's international reputation and contributes to peace, stability, and economic development. Moreover, adherence to human rights principles is integral to upholding the dignity and well-being of every individual, contributing to a more inclusive and equitable society, and reinforcing the country's commitment to global norms and diplomatic relations (Anjum, G., Chilton, A., & Usman, Z. (2021).

METHODOLOGY

The article is based in secondary data review and presentation of findings. Data was consulted and presented through available secondary sources in a cross sectional time. Descriptive study was conductive to analyze findings in view of contemporary world. Study material consisting on books, journals, press release and audio-visual aids.

Role of international treaties in Pakistan

Pakistan is a guarantor to many global agreements as well as conventions those guarantees women empowerment. These international agreements obligate Pakistan to take measures to protect and promote women rights within its territory. Some of the key international treaties and agreements related to women's rights in Pakistan include:

CEDAW

Pakistan ratified CEDAW in 1996. CEDAW is often referred to as the worldwide bill of privileges for women and obligates countries to take actions to overcome women realted issues and challenges like abuse, discrimination, health and education.

Beijing Declaration

Pakistan was a signatory to the declaration at the 4th International Conference on Women in 1995. This platform set forth a comprehensive agenda for the empowerment of women and the advancement of gender equality.

CRC

While not specific to women's rights, the CRC contains provisions regarding the rights of girls, ensuring their protection from discrimination, exploitation, and violence. Pakistan is a signatory to the CRC.

The Sustainable Development Goals (SDGs)

While not a treaty in itself, the United Nations' SDGs include specific goals and targets related to girls and women in Pakistan, like other United Nations member states, has committed to working towards these goals.

ILO Conventions

Pakistan is a member of the (ILO) and has ratified several ILO conventions that are relevant to women's rights, including conventions related to equal pay, maternity protection, and the elimination of child labor.

Pakistan's ratification of these international treaties and agreements implies a commitment to align its domestic laws and policies with the principles and provisions outlined in these documents. However, it's essential to note that there can be challenges in translating international commitments into effective domestic laws and practices, and the enforcement of women's rights in Pakistan is an ongoing process that requires sustained efforts by the government, civil society, and international organizations.

History of Women Rights in Pakistan

The history of women rights is a complex and evolving story that spans centuries and continues to unfold today. In some ancient civilizations, women had certain rights and roles, such as property ownership in ancient Egypt, and participation in religious and political life in ancient Greece.

The situation of women rights in Pakistan is marked by a complex and evolving landscape. While there have been significant legal and constitutional reforms aimed at safeguarding women rights, including those related to education, employment, and protection against harassment, challenges persist. Violence and discrimination that often perpetuate gender disparities continue to hinder progress. Furthermore, rural and marginalized communities face greater barriers in the pursuit of gender equality. Empowerment and advocacy efforts are ongoing, with various NGOs and civil society organizations working to improve the status of women and challenge discriminatory practices. The government has also initiated programs to promote gender equality, but the journey toward achieving full women's rights and equality remains a work in progress.

The history of women rights is marked by both significant achievements and ongoing struggles. While there has been considerable progress in advancing women rights, there is still work to be done to ensure full gender equality and the protection of women's rights worldwide. Efforts to combat gender discrimination, promote representation, and create inclusive policies continue to be essential components of the ongoing struggle for women rights.

In Pakistan, women rights are protected under various articles of the Constitution of Pakistan. Some of the key constitutional articles that guarantee women's rights include:

Article 25: This article of the Constitution ensures equal citizens' rights to all, regardless of their gender. It prohibits discrimination on the basis of sex.

Article 34: This article empowers the state to make special provisions for the protection of women and children.

Article 35: It pertains to the economic and social development of women and overcome discriminatory practices.

Article 37(e): This article provides justice and employment for women.

Article 38(a): It addresses the promotion of economic and social status, the state is target to ensure in every step without discrimination.

Article 39: This article focuses on the protection of family, particularly for the benefit of women and children.

Article 197: It empowers the federal ombudsman to take action on complaints of denial of rights to women and other citizens.

In addition to these constitutional articles, Pakistan has also passed various legislation and policies aimed at protecting and promoting women's rights. It's important to note that while these constitutional and legal provisions exist, the practical enforcement and realization of women's rights can vary and continue to be areas of focus for advocacy and reform in Pakistan.

FINDINGS AND RECOMMENDATIONS

Pakistan faces several challenges in the implementation of human rights and international treaties within the country: One of the most significant challenges is the gap between Pakistan's international commitments and their domestic implementation. While Pakistan is a signatory to numerous human rights treaties, translating these obligations into practical legal and policy frameworks often lags. Pakistan has faced persistent concerns over enforced disappearances, with individuals being abducted or detained without due process. This practice violates international treaties and remains a significant human rights challenge. Limitations on freedom of expression, including restrictions on the media and journalists, remain problematic, despite international treaties that guarantee the right to freedom of speech and press freedom. Gender-based violence, including honor killings, domestic abuse, and violence against women, remains a significant issue. Despite commitments to gender equality under international treaties, enforcement remains a challenge. The issue of child labor and child rights violations is a concern.

Despite being a signatory to the Convention on the Rights of the Child, child labor remains prevalent in various sectors. Concerns about the violation of religious freedom are prominent, with religious minorities facing

discrimination. International treaties protect freedom of religion and belief, but this right is not consistently upheld in Pakistan. The state's focus on countering terrorism and security concerns has sometimes led to human rights abuses. Balancing security with human rights protection remains a challenge.

The justice system in Pakistan faces issues related to delays, corruption, and access to justice. These challenges affect the realization of several rights guaranteed by international treaties. Access to education, healthcare, and economic opportunities remains unequal, affecting socioeconomic rights despite international agreements in this regard. In many cases, domestic laws are not aligned with international treaties. Even when legal reforms are initiated, they can be slow to progress and unevenly enforced,

Pakistan also presents several opportunities for advancing human rights and upholding international treaties: Pakistan has a relatively robust legal framework for human rights, including its constitution, which enshrines various fundamental rights. This provides a foundation for the promotion and protection of human rights. Pakistan has a vibrant civil society and human rights community. Various non-governmental organizations, advocacy groups, and individuals actively work to address human rights issues and hold the government accountable. Pakistan's judiciary, particularly the Supreme Court, has shown a willingness to take up cases related to human rights abuses. Judicial activism can provide a platform for addressing human rights concerns.

Pakistan's engagement with the international community presents opportunities for dialogue and cooperation on human rights issues. International actors can work with Pakistan to promote human rights and adherence to international treaties. The media in Pakistan plays a critical role in highlighting human rights abuses and raising public awareness. This awareness can lead to increased pressure on the government to address these issues.

The youth in Pakistan are increasingly engaged in social and political issues, including human rights. Their activism and involvement can drive positive change and reforms. Pakistan has made efforts to reform and update its laws to align more closely with international human rights standards. These legislative reforms offer opportunities for strengthening human rights protections.

There are ongoing initiatives to promote gender equality and women's rights in Pakistan. These efforts can lead to progress in addressing gender-based violence and discrimination. Expanding access to education in Pakistan is essential for raising awareness of human rights and encouraging a culture of respect for individual rights and freedoms.

Grassroots and community-based initiatives can play a pivotal role in advancing human rights. Engaging communities in promoting and protecting human rights can lead to positive change at the local level.

CONCLUSION

In conclusion, the struggle for women's rights in Pakistan is ongoing, with progress being made in some areas while many challenges remain. It is a

complex issue deeply intertwined with cultural, religious, and societal factors, and addressing it requires a multifaceted approach involving legal reforms, public awareness, and changes in cultural attitudes.

Human rights and international treaties play a pivotal role in Pakistan's journey toward creating a just, equitable, and inclusive society. They serve as a blueprint for protecting fundamental freedoms, upholding the rule of law, and fostering accountability, which is vital in a diverse and challenging socio-political landscape. The significance of human rights and international treaties is not limited to the domestic sphere; it extends to Pakistan's international standing, contributing to peaceful relations and development. Nonetheless, significant challenges persist, demanding continuous efforts by civil society, the judiciary, the government, and international partners to ensure the effective implementation of human rights and treaty obligations. The ongoing commitment to upholding these principles is essential for Pakistan's progress and the protection of the rights and dignity of its citizens.

Despite the challenges, there are active civil society organizations, human rights advocates, and legal professionals in Pakistan working tirelessly to promote human rights and hold the government accountable for its international treaty commitments. Additionally, the judiciary plays a critical role in interpreting and enforcing human rights laws and treaties in Pakistan. The ongoing efforts to address these challenges are essential for the advancement of human rights within the country.

By leveraging the opportunities, Pakistan can further its commitment to human rights and the implementation of international treaties. Collaborative efforts between the government, civil society, and international partners are crucial in addressing the challenges and working toward a society that upholds human rights and the principles of international treaties.

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