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Implementation of International Human Rights Treaties in Pakistan: Legal and Institutional Challenges

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Abstract

The involvement of Pakistan in the international treaties of human rights, is a case of a multi-faceted engagement between the international treaties of human rights and the domestic constitution, politics and institutional realities in the country. In the last few decades, Pakistan ratified various fundamental international human rights documents, thus assuming accountability to respect, safeguard, and uphold the rights regarding civil freedoms, political participation, equality, fair trial, and social-economic rights. However, conversion of these commitments of the treaties into practical domestic action is still lopsided and frequently disputed. The article critically discusses how international human rights treaties have been implemented in Pakistan by reviewing the legal position of treaties within the national constitutional order, how the international standards are integrated in the domestic legislation and policy and through which institutional channels the execution of international standards is viewed and implemented. It claims that the problems of implementation in Pakistan are motivated by an ambiguity of doctrines in the context of the local justifiability of treaties, legislative inadequacies, and lack of institutional coordination and structural governance issues such as resource constriction, politicization, and fluctuated accountability. The paper also concludes that despite the reforms inspired by treaty even in places where treaty-inspired reforms are in place, enforcement gaps are found since there is lack of capacity in policing, prosecution, adjudication and administrative regulation, and lack of awareness among the people and lack of civic space. This kind of legal analysis and institutional evaluation going hand-in-hand proves that the mere act of ratifying a treaty cannot guarantee the actualization of rights unless these processes are backed by sensible incorporation plans, efficient oversight bodies and political determination. The paper finds that to enhance treaty enforcement in Pakistan, reforms are needed to make the domestic impact of treaty commitments, institutionalize coordinated action in compliance, and entrench international human rights principles in the drafting of law, judicial interpretation and administrative practice.

Keywords: International human rights treaties; Treaty implementation; Pakistan; Constitutional law; Incorporation; Monism and dualism; Judicial practice; National Human Rights institutions; Legislative harmonization; Enforcement gaps.



Introduction

The welcoming of international human rights treaties has taken the focus of Pakistan, both in terms of external diplomatic engagements and inner desires towards human rights-based governance. Since gaining independence, Pakistan has progressively ratified various international human rights documents such as treaties in civil and political rights, economic and social rights, women rights, children rights and provisions against discrimination and torture. These ratifications are considered as the formal recognition of international standards and commitment towards the harmonization of domestic legislations, policies, and institutions with the internationally recognized human rights norms. But the very presence of treaty commitments has not necessarily translated into a successful realization of rights at the ground thus revealing a long-standing disjuncture between the international obligation and the national practice.¹

One of the issues behind the difficulty in enforcing international human rights treaties in Pakistan lies in the ambiguity of the constitution and dogma as to whether international law should legally bind domestic law. The Constitution of Pakistan does not specifically state how the international treaties are to be incorporated and the degree to which they can be directly enforced by the courts. Consequently, domestic impact of treaty commitments is frequently reliant on judicial or congressional measure or even presidential choice. This indecisiveness has led to inconsistent practice, with some courts applying international human rights norms as interpretive resources and in some instances refusing to apply treaties as binding without implementing legislations. This variation makes treaty commitments less predictable and normative in domestic law.²

Another significant issue in the implementation of treaties is legislative harmonization. Although Pakistan has passed laws based on international human rights principles in various aspects like women rights, child rights and in work environments, the laws have in most cases been incomplete, unequal, or contradicted by other laws and traditional practices. Domestic legislation in most cases does not wholly capture the treaty requirements either because of political compromise, institutional pressure or because of issues of sovereignty and cultural consistency. Such selective integration restricts the transformative possibilities of international human rights law and supports a compliance model of formal ratification instead of substantive compliance.³

The institutional factors also make the implementation situation even more complex. The human rights commitments necessitate the concerted efforts of various institutions of a state, such as legislatures, courts, law enforcing agencies, regulatory authorities, and special human rights commissions. In Pakistan, institutional roles in the implementation of treaties are divided between federal and provincial levels especially after constitutional devolution. Institutions have weak coordination mechanisms, overlapping mandates and limited resources that limit their ability to oversee compliance, investigate breaches and offer remedies. The problem is even in those cases where

¹ Yasmeen, S. (2025). Human Rights in Pakistan: Obligations, Challenges, and Compliance with International Standards. *SADIQ Journal of Pakistan Studies*, 5(1).

² Zaheer, B., Saddique, A. A., Ulla, H. M. H., & Kashif, M. (2025). Violation of human rights in Pakistan, challenges and progress. *The Critical Review of Social Sciences Studies*, 3(1), 1864-1878.

³ Tariq, M. (2025). Human Rights Challenges in Pakistan: Global Norms and Local Realities. *International Journal of Sustainable Applied Sciences*, 3(7), 479-502.



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institutional structures are present and the application of these structures is usually compromised by politicization, bureaucratic stagnation, and lack of accountability.⁴

The judicial practice plays a strategic role in balancing international commitments and local enforcement. The Pakistani courts have at times used international human rights treaties as a source of expanding the constitutional rights and enhancing the protection against dignity, equality, and due process. Simultaneously, the application of international law by courts is mostly discretionary and haphazard, usually being dictated by the perceived accordance of the norms of the treaties with the national legal and cultural traditions. Such discrimination restrains the judicial system as an orderly channel of treaty application and puts heavy emphasis on the judicial philosophy of individual judges and not institutionalized doctrine.⁵

Effectiveness in the implementation of treaties is also influenced by the larger governance and political environment. Human rights responsibilities often come into conflict with sensitive fields like the security policy, religious control, gender norms, or political opposition, when any opposition to the reform can be significant. In these situations, the interpretations of treaty obligations can either be seen as aspirational or symbolic instead of operational especially where they are seen to be politically expensive to enforce. The lack of society-wide knowledge of treaty rights and access to civic space also contributes to decreasing the demand in the society to comply with the treaty, and puts the pressure on the institutions to internalize international standards.⁶

This paper will review how the international human rights treaties have been adopted in Pakistan by reviewing the legal doctrines that regulate incorporation, the legislative and institutional processes that have been put in place to enforce the treaty requirements, and the real world challenges that are sabotaging the process. It attempts to show that the distance between ratification and realization is structural rather than merely accidental and that it is determined by legal ambiguity and institutional fragmentation, as well as political limitations. The following sections will consider the current literature on the topic of treaty implementation and domestic incorporation, the methodological approach used in the current study, a more detailed analysis of the legal and institutional practices practiced in Pakistan, and finally, suggest the changes to improve the domestic performance of the international human rights commitments.

Literature Review

A lack of structural gap between the treaty ratification and the domestic implementation of rights is a consistent outcome of the academic literature on the issue of implementation of international human rights treaties in Pakistan. Early legal thought had treated the case of Pakistan ascending to the international human rights instruments as one that was simply a symbolic promise and international validity. It has been observed by scholars that it is in Pakistan that though it has formally adopted international norms of human rights by ratifying them, there is no clear way in the constitutional framework of Pakistan that these norms can be automatically applied within the country and implementation is solely a

⁴ Habib, R. I., Muhammad, A., Tanveer, M., & Aziz, M. A. (2024). The Application and Challenges of International Humanitarian Law in Pakistan: Legal Framework and Practical Implications. *Journal of International Law & Human Rights*, 3(1), 27-41.

⁵ Abdullah, F. (2025). Philosophical and Institutional Discrepancies in UN Treaty Regimes: The Case of Human Rights in Pakistan under EU Influence.

⁶ Abbas, F., & Qasim, G. (2025). NAVIGATING THE INTERSECTION OF INTERNATIONAL POLITICS AND HUMAN RIGHTS: A CRITICAL ANALYSIS OF PAKISTAN'S COMPLIANCE AND CHALLENGES. *Contemporary Journal of Social Science Review*, 3(2), 1220-1231.



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matter of political good will and judicial discretion. This ambivalence has formed the greater part of the later discussion of treaty compliance.⁷

An immense literature exists that is directly concerned with the constitutionality of treaties made between states of Pakistan, frequently placed in the context of the larger monism dualism debate. Akhtar N, contend that Pakistan is practically a dualist system with treaties not being directly binding without being made law. They point out that the fact that the Constitution is silent on incorporating treaties has enabled the courts to take a patchy approach to the issue, in some instances accepting the international law as a tool of interpretation and in other instances denying application to treaty terms. This uncertainty in the doctrine, postulates the scholars, undermines the normative power of the international human rights commitments and allows the selective adherence.⁸

The judicial involvement in international human rights treaties has received a wide debate in the Pakistani as well as the comparative literature. Martin Lau notes that high courts in Pakistan have sometimes referred to international human rights tools in order to broaden constitutional protection especially in cases where dignity, equality, and due process were related. In particular, conventions like the ICCPR and CEDAW have been used by the courts to augment the basic rights jurisprudence. Nevertheless, researchers such as Gondal and others (jurisprudential analysis) warn that this engagement is still discretionary but not systematic and commonly personal judicial ideology as opposed to an institutionalized doctrine of treaty application. Consequently, the international human rights law has an uneven impact on the domestic jurisprudence and does not have predictable legal impact.⁹ Another important theme of the literature is legislative harmonization. The scholars examining Pakistan adherence to treaties like CEDAW, CRC and CAT often report that the national laws based on the international requirements are usually incomplete and highly ineffective. In an article on gender and human rights in Pakistan, Khalid, h. (2025) claims that, although efforts to make reforms through treaties have brought significant statutory improvement, implementation is persistently compromised by patriarchal social organization, administrative opposition, and the absence of institutional capacity. On the same note, child rights scholars have pointed out that laws that are inspired by CRC have a weakness of being poorly implemented across provinces, especially following constitutional devolution.¹⁰

One of the main subjects of the literature in the area of treaty implementation is institutional analyses. According to Ul mustafha and the analysts of the International Crisis Group, the only way to ensure good implementation is to make multi-institutional response involving the legislatures, the courts, and law enforcement agencies as well as national human rights agencies. In Pakistan treaty compliance is shared at both federal and provincial levels thus resulting in duplication, gaps, and poor accountability. Research on the effectiveness of the National Commission on Human Rights (NCHR) has reported that despite the relevance of this institutions in terms of monitoring and advocacy, such

⁷ Abdullah, F. (2024). Conceptual and institutional asymmetries in human rights treaty implementation: European Union-Pakistan dynamics.

⁸ Akhtar, N. (2022). Rights Denied: Human Rights Challenges in Pakistan's Legal Landscape. *Journal of Regional Studies Review*, 1(1), 36-43.

⁹ Gondal, A. Q., Ahmad, M., Begum, U., Khan, M. S. H., Haider, M. I., & Husnain, M. (2023). Women's Rights Protection: Analysis Of Implementation Of Cedaw And Beijing Declaration In Pakistan. *Russian Law Journal*, 11(5), 795-807.

¹⁰ Khalid, H. (2025). Family Rights in Pakistan: Intersecting International Obligations and Plural National Legal Frameworks. *Indus Journal of Social Sciences*, 3(2), 320-340.



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institutions continue to be limited by scarce resources, limited mandates and political consideration.¹¹

The literature also covers widely the role of international monitoring and reporting mechanisms. The application of these agreements by treaty bodies of the UN such as the Human Rights Committee and the Committee on the elimination of discrimination against women, has consistently indicated deficits in the implementation in Pakistan, especially in areas of enforcement, availability of justice and protection of the vulnerable populations. Researchers state that periodical reporting has made more human rights issues visible, but post-observation is poor. According to Philip Alston and other international human rights theorists, it is observed that in most states such as Pakistan, reporting requirements are likely to remain merely a procedural formality unless they are backed by domestic implementation policies and ownership of the institution.¹²

Comparative scholars also offers more contextualization to the experience of Pakistan because it shows that the struggles of implementation are widespread in the post-colonial and developing countries but not unavoidable. A research conducted by Brian Simmons and Beth Simmons on treaty compliance indicates that the domestic court, mobilizing civil society, and effective national institutions play a significant role in promoting effectiveness in treaty implementation. Based on these lessons, Pakistani scholars suggest that more explicit incorporation doctrines, regular judicial application of treaties, and authoritative monitoring institutions would achieve remarkable success in enhancing the compliance rates in Pakistan.¹³

Overall, the literature leads to the conclusion that the problems of Pakistan in terms of adhering to international conventions on human rights are structural, but not accidental. Constitutional ambiguity, selective use of judicial involvement, selective incorporation by legislation, and poor co-ordination of institutional efforts limit the implementation of treaties in Pakistan. Though the factors of normative compatibility with international standards are important to the degree of ratification, treaty compliance is contingent upon the domestic clarity of the law, institutional ability, and political perseverance. This literature is the analytical basis of the methodology that follows the following section that analyzes the implementation of treaties in Pakistan based on a systematic analysis of legal and institutional practices and enforcement mechanisms.

Methodology

The research design of this study is a doctrinal research methodology, with the support of an institutional and normative analysis, to study the application of international human rights treaties in Pakistan. The approach to the methodology is based on the realization that the implementation of treaties is not the plain law exercise, but is multi-dimensional and incorporates constitutional interpretation, legislation, institutional coordination, and enforcement practice. To this end, the paper will not only scrutinize the implementation based on the understanding of the formal ratification or a legislative enactment but the

¹¹ ul Mustafa, Atta; Munir, Muhammad. (2024). Pakistan's National Commission for Human Rights' Engagement with the United Nation's Human Rights Monitoring Mechanisms: Law, Practice, Challenges and Way Forward. *Pakistan JL Analysis & Wisdom*, 3, 210.

¹² Khoso, A., & Kousar, U. (2022). The Founding Law of Pakistan's National Commission on the Rights of the Child: Legal Challenges, Bureaucratic Barriers, and Vague Opportunities. In *The Roles of Independent Children's Rights Institutions in Advancing Human Rights of Children* (Vol. 28, pp. 131-150). Emerald Publishing Limited.

¹³ Ali, S. S., & Rehman, J. (2003). Freedom of Religious versus Equality in International Human Rights Law: Conflicting Norms or Hierarchical Human Rights (A Case Study of Pakistan). *Mennesker og Rettigheter*, 21, 404.



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manner in which the international obligations are internalized, operationalized and enforced within the legal and governance structure in Pakistan.

The initial aspect of the research methodology is the doctrinal legal analysis that pays attention to the constitutional and legal position of international human rights treaties in Pakistan. This entails the review of pertinent constitutional documents, judicial principles and case law to determine the manner in which international treaty obligations are construed and enforced by the courts in the course of adjudicating domestic cases. Special focus is given on judicial reasoning with regards to incorporation, application of international law as interpretive tool, and the circumstances in which the treaty norms can be determined as binding. This discussion enables the research to find out the existence of doctrinal diminishments and to determine whether the constitutional interpretation eases or binds the home effect of the international human rights law.

The second methodology element looks at legislative inclusion and harmonization. This dimension of the paper examines the selected domestic laws that have been adopted in the reaction to the treaty obligations of Pakistan, considering its extent, unity and enforceability. Instead of giving a comprehensive inventory of legislations, the analysis measures the effectiveness of implementing laws to meet the standards of the treaty, the existence of gaps or inconsistency, and the impact of devolution on the consistency of implementation across provinces. This element is imperative to comprehending how treaty commitments are made enforceable into the home country standards and legislative design failure to achieve proper performance.

A third part of the methodology is the one that is concerned with institutional analysis. This is done by evaluating the functions and ability of major institutions in the implementation of the treaty e.g. federal and provincial ministries, law enforcement agencies, courts, and national and provincial human rights commissions. The paper explores the coordination systems, reporting systems, monitoring systems, and enforcement system to establish the structural weaknesses and accountability omissions. Basing on the strategy applied throughout this set of papers, institutional effectiveness is considered as one of the main determinants of implementation, where even the best set of laws cannot work effectively without well-developed and synchronized institutions.

The methodology takes into account structured analytical tools in order to increase analytical clarity. An implementation chain of the implementation of the treaty between treaty ratification and fulfilment of the rights is mapped in a conceptual framework showing the points of the legal and institutional failure. Moreover, comparative tables can be used subsequently during the analysis to help summarize the ratification status, reporting record and implementation mechanisms of Pakistan vis-a-vis the key human rights treaties. These instruments help to conduct a methodical evaluation of the implementation gaps without transforming the complex legal dynamics into the formal indicators of compliance.

An international and comparative law approach is also incorporated in the methodology. The implementation practices in Pakistan are evaluated against the standards based on the international human rights law, including those that are stated by the treaty bodies and comparative experience of other jurisdictions that have a similar constitutional system. It is a comparative aspect applied normatively and not prescriptively which offers reference points of assessing adequacy without necessarily reflecting contextual variations. It assists in determining what reforms can be implemented institutionally and within the legal framework of the constitutional order of Pakistan.

Lastly, the assessment model that will be used in this research determines effective implementation in a substantive, and not formal meaning. To examine the implementation,



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it evaluates the presence or absence of the impact of treaty obligations on the domestic law, influence over judicial interpretation, institutional practice, and meaningful remedies to the right holders. This method acknowledges that compliance cannot be determined only based on ratification or reporting but should be assessed based on real influence on the rights protection. The results obtained by the use of this methodology as the foundation of the next section, which examines the legal and institutional practices in Pakistan with respect to treaty implementation and determines the key issues that hamper compliance.

Research Findings

The findings of the research show that the practice of international human rights treaties in Pakistan is typified by the existence of a long lasting gap between the formal and practical commitments due to the legal ambiguity, institutional fragmentation, and the constraint in its governance. Among the most important ones, it can be stated that the ratification of the treaty in Pakistan does not necessarily imply its domestic enforceability. Even though Pakistan is a signatory to the majority of the main international human rights treaties, they do not gain direct legal force until enshrined in law or directly referred to by the courts. This institutional constraint undermines the normative power of treaty commitments and makes its implementation selective and unequal across sectors and jurisdictions.¹⁴

One of the main results deals with the notion of unpredictable domestic legal status of international human rights treaties. The courts in Pakistan had failed to form a unified doctrine on the justiciability of the provisions of treaties. In other instances, the superior courts have used the international treaties as interpretative aid that will broaden the rights of the constitution especially in situations where the domestic legislation is either silent or unclear. In other situations, courts have refused to use treaty obligations based on the reason that they are not legislatively incorporated. Such inconsistency has created unpredictability and restricted the ability of the international human rights law to act as a predictable source of right protection. Consequently, the norms of the treaties affect domestic jurisprudence as ad hoc rules as opposed to enforceable rules.¹⁵

Another critical weakness comes out in legislative incorporation of treaty commitments. The results show that although Pakistan has passed a number of laws based on international human right treaties, it tends to be partial and fragmented. National laws often contain a selective element of the treaty commitments but contain no enforcement mechanism, remedies, or institutional protection. In other cases, the adoption of laws is superimposed on the older laws or traditional ways of doing things which are not consistent with the standards of treaties and cause legal incoherence. The constitutional devolution has also made harmonization of legislation more difficult since the provinces have differing capacity and political goodwill to make and enforce treaty-driven legislations, creating an imbalanced protection of rights in the country.¹⁶

The issue of institutional capacity constraints has a great impact on the implementation of the treaties. The compliance responsibilities are widely distributed and are usually not properly coordinated or accountable between various federal and provincial bodies. The

¹⁴ Ahmad, I., Sultan, S., Iqbal, S., & Faisal, M. (2024). The Incorporation of Human Rights Concerns into Investment Treaty Arbitration through the Application of Public International Law. *Indus Journal of Social Sciences*, 2(2), 243-252.

¹⁵ Sato, S. (2025). The Contemporary Human Rights Situation in Pakistan: Challenges, Violations, and Prospects for Reform. *Authorea Preprints*.

¹⁶ Ahmad, I., Waheed, A., & Khan, M. D. (2025). Advancing Human Rights Through Parliamentary Mechanisms: A Five-Year Institutional Review Of The Senate Of Pakistan (2020-2025). *Annual Methodological Archive Research Review*, 3(5), 390-398.



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ministries involved in the reporting of treaties may not have control over the implementing agencies and the enforcement and administrative agencies often have minimal knowledge of the international requirements. Much of the monitoring and advocacy is being performed by national and provincial human rights institutions, though because of limited resources, weak enforcement powers, and political interference, their role is limited. These organizational flaws have a role to play in implementation gaps despite the presence of legal frameworks.¹⁷

Table 1: Selected International Human Rights Treaties and Implementation Challenges in Pakistan

Treaty	Ratification Status	Key Implementation Challenges
ICCPR	Ratified	Limited justifiability, weak enforcement
ICESCR	Ratified	Resource constraints, policy prioritization
CEDAW	Ratified	Partial legislative incorporation, social resistance
CRC	Ratified	Fragmented provincial enforcement
CAT	Ratified	Gaps in criminalization and accountability

The other significant observation is associated with the lack of enforcement. Even in the cases when domestic legislation is based on treaty norms, the implementation is still ineffective because of the structural imperfections of policing, prosecution, and adjudication. The delays in cases, inadequate human resources to prosecute offenders, and procedural obstacles compromise the right of people to justice. There is also the issue of political considerations in the precarious areas like security, religion and gender equality which further undermines adherence to the regulations. These areas of enforcement failure depict that the failure to implement law is not merely common to law-making but cuts through the whole chain of justice.¹⁸

The international surveillance and reporting systems have not been effective in the domestic application. Although the activities of the treaty bodies are routinely covered by Pakistan in the form of reporting processes, the follow-up process on the concluding observations and recommendations is not regular. The international recommendations are frequently implemented through ad hoc efforts and not institutionalized systems. This observation indicates that outside supervision cannot be used to spur changes without local ownership and responsibility.¹⁹

In general, the findings of the research provide evidence that the problems encountered by Pakistan in trying to implement international human rights treaties are all systemic and interconnected. Problems of legal ambiguity concerning treaty status, inadequate legislative internalization, institutional fragmentation and weak enforcement are all those factors that hamper the domestic effectiveness of international commitments. It is based on these findings that the following discussion proceeds to explore how these structural challenges are combined with political, constitutional and governing processes to influence

¹⁷ Sajid, Z., & Asim, M. A. (2024). Evaluating the Fundamentals of Human Rights in South Asia: A Comparative Analysis with a Focus on Pakistan. *Insights of Pakistan, Iran and the Caucasus Studies*, 3(3), 1-11.

¹⁸ Shahnawaz, M., Naseem, I., Aamir, A., Haq, I. U., Khan, M. B., & Zaman, K. (2025). Assessing the political and institutional determinants of international organizational effectiveness: diplomatic mediation, peacebuilding, and human rights advocacy in the context of Pakistan. *Asian Review of Political Economy*, 4(1), 19.

¹⁹ Khalid, H. (2025). Family Rights in Pakistan: Intersecting International Obligations and Plural National Legal Frameworks. *Indus Journal of Social Sciences*, 3(2), 320-340.



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the results of the treaty implementation in Pakistan.

Discussion

The results of this paper serve to highlight the fact that the failure to implement international human rights treaties in Pakistan lies deep in systemic and structural aspects of the legal and governance framework and not in not committing on paper. Through the discussion, it comes out that ratifying of treaties has been perceived as a symbolic and diplomatic gesture, and domestic realization has been viewed as discretionary and contingent. This practice is indicative of a larger trend, where international human rights commitments are recognized at the policy discourse level, but are not well internalized at the constitutional interpretation, law design and institutional practice levels. This has led to treaties acting at the periphery of domestic law and not as sources of rights and obligations.²⁰

One of the key questions that arise as a result of the discussion is the lack of a definite incorporation doctrine. The constitutional silence of Pakistan on the domesticity of the international treaties has allowed an uncoordinated and disjointed view of the implementation. Frequently, international human rights treaties have been used in support of constitutional values by the courts in cases where the law of the country is unclear or in flux. Nevertheless, such interaction is selective and based on judicial discretion as opposed to being based on a principled doctrine that recognizes ratified treaties as authoritative sources of law. Such ambiguity undermines predictability with the law and permits state institutions to evade the law on the basis of non-existence of adopting law.²¹

Another important challenge is legislative harmonization. As noted in the discussion, legislation that is inspired by treaties in Pakistan is highly in most cases reactive and externally motivated, and most of the time these laws are presented as a reaction to the international reporting requirements and not as a result of a wide-ranging domestic reform agenda. These laws can be an indication of language used in treaties but without effective enforcement measures or institutional support. Further, the constitutional devolution has led to unequal application in the various provinces worsening on inequality in right protection. The obligatory measures of the treaty are applied unequally without coordinated legislative strategies and standards of minimum nation, which contradicts the principle of equal protection.²²

There is also institutional fragmentation which makes the implementation a bigger challenge. It is discussed that the strong compliance with treaty needs to be long-term and involve the coordination of the activities of the ministries, law enforcement agencies, courts, and control bodies. Responsibilities in Pakistan, however, are spread out and are poorly defined resulting in accountability and follow-through gaps. The human rights institutions are symbolically important but have no power and means to force acceptance or redress an infringement. This weakness of the institution diminishes treaties as aspirations mechanisms, but not as effective structures to govern the activities of the

²⁰ Afzal, M., & Mushtaq, S. A. (2024). The Concept of Ratification of Treaties and Protocols in Public International Law and Their Non-Binding Effects on Developing Countries' Sovereignty: A Case Study of Pakistan. *Annals of Human and Social Sciences*, 5(3), 546-559.

²¹ Shah, N. A. (2022). The application of human rights treaties in dualist Muslim states: The practice of Pakistan. *Human Rights Quarterly*, 44(2), 257-285.

²² Hussain, A., Saeed, M. A., & Mushtaq, S. A. (2021). Application of Human Rights Laws in Pakistan: A Study with Reference to International Bill of Human Rights. *Journal of Business and Social Review in Emerging Economies*, 7(4), 963-976.



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states.²³

Political environment is a key determinant of the implementation of a treaty. The human right requirements are often in conflict with issues that are sensitive like national security, religious control, gender laws, and political opposition. Such regions tend to be very resistant to change and treaty commitments can be sacrificed to expediency or the majoritarian imperative. The discussion proposes that the international human rights treaties cannot have a substantive domestic effect unless there is a long-term political commitment and involvement of the masses, even when when the treaties are formally ratified.²⁴

In the context of international law, a discussion is brought out pointing to the shortcomings of external monitoring mechanisms when the ownership of the same is not internal. Even though treaty bodies give significant direction and supervision, their proposals are not binding and rely on local institutions to be realized. The case of Pakistan points out that it is not only the pressure of international forces able to break the challenges of structural governance. The necessary treaty norms should be internalized by constitutional doctrine, legislative clarity, and institutional accountability, to be well implemented.²⁵

Overall, the discussion ends with the conclusion that the problems of implementation in Pakistan are indicative of a larger conflict between the sovereign-based governance and rights-based constitutionalism. It is necessary to fill this gap by going beyond formal adherence to a paradigm where international human rights treaties are viewed as part of the domestic legal order. This preconditions specific suggestions to reinforce the legal incorporation, institutional coordination, and enforcement of treaty obligations in Pakistan.

Recommendations

The strategy to reinforce the application of international human rights treaties in Pakistan is the multi-layered approach that should be strengthened on a legal doctrine, legislative practice, and institutional capacity all. Among the most relevant ones is the need to explain the constitutional position of the internationally accepted treaties. This could be done by having the judiciary develop a consistent incorporation doctrine or the constitutional or legislative clarification, that the ratified human rights treaties can have an interpretative or binding effect in the domestic law. This would make the law more predictable and would strengthen the power of the international obligations in the domestic legal framework.

The harmonization at legislative level should be done in a coordinated manner and systematic. The parliament and provincial assemblies ought to scrutinise the current laws against their conformity to the treaty obligations of Pakistan and to legislate comprehensive implementing laws where there are gaps. They should ensure that the rights protection is uniform across the provinces by setting minimum national standards in certain areas like women rights, children protection, and the right to a fair trial. The legislative change must focus on enforceability aiming at specific remedies and accountability measures instead of the symbolic congruence with the treaty wording.

Institutional capacity and coordination should also be enhanced so as to convert legal pledges to action. There should be a centralized coordination mechanism in

²³ Huma, A. (2024). Challenges and Issues Hindering Internal Peace in Pakistan. *Journal of Asian Development Studies*, 13(4), 930-940.

²⁴ Ali, M. S., Khan, M. A., & Qureshi, A. N. (2025). The Right to Education under International Human Rights Law: A Critical Analysis of Pakistan's Compliance and Challenges. *Journal for Current Sign*, 3(4), 1604-1614.

²⁵ Khan, M. I. (2022). The treatment of women within Pakistani domestic legal system: A relativist challenge to the universalist concept of human rights, the potential of European Union's mandate of external relations and actions for addressing the challenge.



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implementation, reporting and follow-up of treaties, which must have clear mandate and accountability. With increased resources, independence and power of enforcement, national and provincial human rights institutions should be enabled to monitor compliance and deal with violations of human rights effectively. Public awareness and capacity on international human rights standards should be incorporated in training programs of the officials, law enforcers and judges in order to create institutional awareness and capacity. The involvement of courts in the international human rights law must be promoted and streamlined. The ratified treaties must always serve as interpretative aids to constitutional rights and statutory provisions like in situations where domestic law is unclear or developing. It would encourage uniformity and discourage legal discretion by developing judicial principles or precedent with respect to the application of international law. Greater availability of foreign jurisprudence and human rights experience would also contribute to informed adjudication.

Sustainable implementation also requires public involvement and awareness. The civil society organisations, academia, and the media are very important in enforcing compliance and reform advocacy as well as training the right holders. The enlargement of civic space and safeguarding of freedom of expression would enhance demand of the society on the execution of the treaties and enhance political accountability. Without a societal involvement the treaty commitments would stand a chance of being elite, and out of touch with the realities of life.

Conclusion

The paper has reviewed the application of international human rights treaties in Pakistan in terms of a holistic approach to the legal doctrine, legislative practice and institutional capacity. The paper illustrates that the ratification of international human rights instruments, although substantially done by Pakistan, has not been properly reflected in its application, which is limited by structural limitations. The uncertainties in the constitution concerning the integration of treaties, the partial harmonization of the legislation, the lack of institutional responsibility, and ineffective enforcement are all factors that contribute to the failure to achieve the rights on treaties.

This analysis shows that regardless of the symbolic significance of treaty ratification, it is not enough to have a system of effective rights protection without coherent domestic integration. When the international human rights treaties are internalized in the constitutional interpretation in the form of enforceable legislation, and backed by competent and responsible institutions, the treaties are likely to have real impact. The experience of Pakistan shows that the failure of the implementation is not a foregone conclusion, but it is caused by specific legal and governance decisions.

The paper also goes further to highlight that treaty implementation is critical to the scope of meeting international duties, as well as enhancing constitutionalism and democratic authority. The international human rights norms support essential constitutional principles of dignity, equality, and rule of law and their internalization can support the protection of rights of every citizen. Through legal ambiguity, institutionalization, and commitment to politics and the populace, Pakistan can proceed to a model of implementing treaties that enhance the loophole between international commitment and domestic realization.

To sum up, the process of enacting the international human rights treaties in Pakistan is still a process and needs to be sustained through reform and institutionalization. Through a concerted legislative effort, through a carefully legalized interpretation, and through an enabled system of checks and balances, Pakistan can have a chance of restructuring international commitments of human rights as aspirational promises, as workable



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guarantees that will actually benefit the lives of the people of Pakistan.

References

- Abbas, F., & Qasim, G. (2025). NAVIGATING THE INTERSECTION OF INTERNATIONAL POLITICS AND HUMAN RIGHTS: A CRITICAL ANALYSIS OF PAKISTAN'S COMPLIANCE AND CHALLENGES. *Contemporary Journal of Social Science Review*, 3(2), 1220-1231.
- Abdullah, F. (2024). Conceptual and institutional asymmetries in human rights treaty implementation: European Union-Pakistan dynamics.
- Abdullah, F. (2025). Philosophical and Institutional Discrepancies in UN Treaty Regimes: The Case of Human Rights in Pakistan under EU Influence.
- Afzal, M., & Mushtaq, S. A. (2024). The Concept of Ratification of Treaties and Protocols in Public International Law and Their Non-Binding Effects on Developing Countries' Sovereignty: A Case Study of Pakistan. *Annals of Human and Social Sciences*, 5(3), 546-559.
- Ahmad, I., Sultan, S., Iqbal, S., & Faisal, M. (2024). The Incorporation of Human Rights Concerns into Investment Treaty Arbitration through the Application of Public International Law. *Indus Journal of Social Sciences*, 2(2), 243-252.
- Ahmad, I., Waheed, A., & Khan, M. D. (2025). Advancing Human Rights Through Parliamentary Mechanisms: A Five-Year Institutional Review Of The Senate Of Pakistan (2020-2025). *Annual Methodological Archive Research Review*, 3(5), 390-398.
- Ahmad, S., Rabbi, F., & Riaz, A. (2022). Implementation and Incorporation of International Treaties into Domestic Law of Pakistan: A Case Study of International Space Law Treaties. *Global Legal Studies Review*, 67-73.
- Akhtar, N. (2022). Rights Denied: Human Rights Challenges in Pakistan's Legal Landscape. *Journal of Regional Studies Review*, 1(1), 36-43.
- Ali, M. S., Khan, M. A., & Qureshi, A. N. (2025). The Right to Education under International Human Rights Law: A Critical Analysis of Pakistan's Compliance and Challenges. *Journal for Current Sign*, 3(4), 1604-1614.
- Ali, S. S., & Rehman, J. (2003). Freedom of Religious versus Equality in International Human Rights Law: Conflicting Norms or Hierarchical Human Rights (A Case Study of Pakistan). *Mennesker og Rettigheter*, 21, 404.
- Baig, K., Tanveer, M., Rehman, A., & Shahid, M. (2024). Unpacking International Commitments: Assessing the Implementation of ICCPR, ICESCR, and the Convention Against Torture in Pakistan's Legal Framework. *Pakistan Journal of Criminal Justice*, 4(1), 01-14.
- Gondal, A. Q., Ahmad, M., Begum, U., Khan, M. S. H., Haider, M. I., & Husnain, M. (2023). Women's Rights Protection: Analysis Of Implementation Of Cedaw And Beijing Declaration In Pakistan. *Russian Law Journal*, 11(5), 795-807.
- Habib, R. I., Muhammad, A., Tanveer, M., & Aziz, M. A. (2024). The Application and Challenges of International Humanitarian Law in Pakistan: Legal Framework and Practical Implications. *Journal of International Law & Human Rights*, 3(1), 27-41.
- Huma, A. (2024). Challenges and Issues Hindering Internal Peace in Pakistan. *Journal of Asian Development Studies*, 13(4), 930-940.
- Hussain, A., Saeed, M. A., & Mushtaq, S. A. (2021). Application of Human Rights Laws in Pakistan: A Study with Reference to International Bill of Human Rights. *Journal of Business and Social Review in Emerging Economies*, 7(4), 963-976.
- Iqbal, K. (2009). *The right to development in international law: the case of Pakistan*.



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Routledge.

- Khalid, H. (2025). Family Rights in Pakistan: Intersecting International Obligations and Plural National Legal Frameworks. *Indus Journal of Social Sciences*, 3(2), 320-340.
- Khalid, H. (2025). Family Rights in Pakistan: Intersecting International Obligations and Plural National Legal Frameworks. *Indus Journal of Social Sciences*, 3(2), 320-340.
- Khan, M. I. (2022). The treatment of women within Pakistani domestic legal system: A relativist challenge to the universalist concept of human rights, the potential of European Union's mandate of external relations and actions for addressing the challenge.
- Khan, M. S., & Bhatti, S. H. (2024). Influence Of International Human Rights Organizations On Pakistan's Death Penalty Policies: Balancing Sovereignty And Global Norms. *Contemporary Journal of Social Science Review*, 2(04), 2194-2205.
- Khoso, A., & Kousar, U. (2022). The Founding Law of Pakistan's National Commission on the Rights of the Child: Legal Challenges, Bureaucratic Barriers, and Vague Opportunities. In *The Roles of Independent Children's Rights Institutions in Advancing Human Rights of Children* (Vol. 28, pp. 131-150). Emerald Publishing Limited.
- Sajid, Z., & Asim, M. A. (2024). Evaluating the Fundamentals of Human Rights in South Asia: A Comparative Analysis with a Focus on Pakistan. *Insights of Pakistan, Iran and the Caucasus Studies*, 3(3), 1-11.
- Sato, S. (2025). The Contemporary Human Rights Situation in Pakistan: Challenges, Violations, and Prospects for Reform. Authorea Preprints.
- Shah, N. A. (2022). The application of human rights treaties in dualist Muslim states: The practice of Pakistan. *Human Rights Quarterly*, 44(2), 257-285.
- Shahnawaz, M., Naseem, I., Aamir, A., Haq, I. U., Khan, M. B., & Zaman, K. (2025). Assessing the political and institutional determinants of international organizational effectiveness: diplomatic mediation, peacebuilding, and human rights advocacy in the context of Pakistan. *Asian Review of Political Economy*, 4(1), 19.
- Silvander, J., & Ghouri, A. (2025). Rights and Duties of Individuals in International Law and the Challenge of Domestic Application in Pakistan. In *Pakistan and International Law* (pp. 98-131). Routledge.
- Tariq, M. (2025). Human Rights Challenges in Pakistan: Global Norms and Local Realities. *International Journal of Sustainable Applied Sciences*, 3(7), 479-502.
- Tazeem, M. (2015). *Universal Human Rights of Women in Local Context: Challenges of Implementing the United Nation Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in Pakistan*. McGill University (Canada).
- ul Mustafa, Atta; Munir, Muhammad. (2024). Pakistan's National Commission for Human Rights' Engagement with the United Nation's Human Rights Monitoring Mechanisms: Law, Practice, Challenges and Way Forward. *Pakistan JL Analysis & Wisdom*, 3, 210.
- Yasmeen, S. (2025). Human Rights in Pakistan: Obligations, Challenges, and Compliance with International Standards. *SADIQ Journal of Pakistan Studies*, 5(1).
- Zaheer, B., Saddique, A. A., Ulla, H. M. H., & Kashif, M. (2025). Violation of human rights in Pakistan, challenges and progress. *The Critical Review of Social Sciences Studies*, 3(1), 1864-1878.