

# AN INSTITUTIONAL ANALYSIS OF NCSW'S ROLE IN IMPLEMENTING INTERNATIONAL WOMEN'S RIGHTS INSTRUMENTS IN PAKISTAN

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DOI: <https://doi.org/10.5281/zenodo.20697506>

Received  
07 April 2026

Accepted  
19 May 2026

Published  
13 June 2026

## ABSTRACT

*This paper examines the National Commission on the Status of Women (NCSW) as Pakistan's primary institutional mechanism for implementing international women's rights instruments, particularly the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Declaration. Through an institutional analysis framework, the paper evaluates the NCSW's legal mandate, its alignment with international standards such as the Paris Principles, its effectiveness in influencing domestic legal reform, and the persistent structural deficiencies that undermine its functionality. The analysis reveals that while the NCSW possesses a robust statutory mandate on paper, chronic leadership vacancies, inadequate enforcement powers, resource constraints, and Pakistan's dualist legal framework create a significant gap between formal commitments and substantive outcomes. The paper identifies specific gaps in monitoring mechanisms, data infrastructure, and provincial coordination, concluding with actionable recommendations for institutional reform.*

**Keywords:** NCSW, CEDAW, women's rights, Pakistan, institutional analysis, Paris Principles, gender equality.

## 1. INTRODUCTION

Pakistan ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1996, thereby committing to eliminate discrimination against women and incorporate gender equality into all domains of public and private life. As a dualist state, however, Pakistan requires domestic legislation to render international treaty obligations enforceable. This legal architecture places extraordinary responsibility on national institutions charged with translating international commitments into tangible policy outcomes.

The National Commission on the Status of Women (NCSW), established in 2000 through a presidential ordinance and later granted statutory status under the NCSW Act 2012, represents Pakistan's flagship institutional mechanism for women's rights. Its mandate explicitly includes

facilitating government implementation of international instruments and obligations. Yet despite this formal mandate, persistent questions remain about the Commission's effectiveness, independence, and capacity to fulfill its role as what some have termed the "unguarded guard" of women's rights.

This paper provides a systematic institutional analysis of the NCSW, addressing three central questions: First, how does the NCSW's legal framework align with international standards for national human rights institutions? Second, what legal effects has the NCSW achieved in translating international instruments into domestic legal reform? Third, what institutional deficiencies and broader national challenges explain the gap between the NCSW's mandate and its outcomes? The analysis proceeds in six parts. Section two establishes the theoretical framework for

evaluating national human rights institutions. Section three examines the NCSW's legal architecture and mandate. Section four assesses alignment with international standards. Section five analyses legal effects and identifies institutional deficiencies. Section six presents a comprehensive analysis of systemic challenges facing Pakistan in implementing international women's rights instruments. Section seven concludes with recommendations.

## 2. Theoretical Framework: Evaluating National Human Rights Institutions

National Human Rights Institutions (NHRIs) serve as the bridge between international human rights standards and domestic implementation. The Paris Principles, adopted by the UN General Assembly in 1993, establish minimum standards for NHRIs, including independence from government control, adequate resources, pluralistic membership, investigative powers, and consultative status with government.

CEDAW's General Recommendation No. 6 specifically encourages states to establish national machineries for women's rights, while the Beijing Platform for Action (1995) commits signatories to create or strengthen national commissions on women. These instruments contemplate institutions with specific capabilities: policy review and recommendation functions, complaint mechanisms, monitoring and reporting capacities, and consultative roles in treaty reporting.

**For analytical purposes, this paper adopts a framework evaluating NHRIs across five dimensions:**

- (1) legal autonomy and independence.
- (2) mandate comprehensiveness.
- (3) operational capacity and resources.
- (4) enforcement powers.
- (5) accountability mechanisms.

Deficiencies in any dimension compromise institutional effectiveness, but systemic failures across multiple dimensions suggest structural rather merely contingent problems.

## 3. The NCSW's Legal Mandate and Institutional Architecture

### 3.1 Establishment and Legal Status:

The NCSW was initially established in 2000 through a presidential ordinance as part of Pakistan's commitment to the Beijing Declaration and Platform for Action. The NCSW Act of 2012 significantly expanded the Commission's mandate and granted it financial and administrative autonomy as a statutory body. This autonomy distinguishes the NCSW from ordinary government departments, theoretically insulating it from executive interference.

The Commission's composition includes a Chairperson and thirteen independent members, with representation from each province, Azad Jammu and Kashmir, Gilgit Baltistan, Islamabad Capital Territory, and religious minority communities. Five ex-officio members represent relevant government ministries: Law, Finance, Foreign Affairs, Interior, and Human Rights.

### 3.2 Statutory Functions:

Under the NCSW Act 2012, the Commission's core functions include:

- Examining and reviewing laws, policies, and programs affecting women's status and rights
- Monitoring implementation of laws for women's protection and empowerment
- Facilitating government implementation of international instruments and obligations
- Conducting inquiries into violations of women's rights (sua sponte or upon complaint)
- Making recommendations to government for legal and policy reforms

Critically, the Act empowers the Commission to review all policies, laws, rules, and regulations affecting gender equality in accordance with the Constitution and Pakistan's international commitments.

### 3.3 The National Commission for International Law and Commitments (NCILC) Paradox:

An important structural complication emerged in 2016 with the passage of the National Commission for International Law and Commitments Act, which established a separate commission for coordinating international treaty

implementation. The NCILC's functions include serving as a consultation forum on international conventions, assisting government in preparing compliance reports for the UN, monitoring ratification progress, and coordinating between Parliament and government ministries on treaty matters.

This institutional bifurcation creates jurisdictional ambiguity: both the NCSW and NCILC claim mandates relating to international women's rights instruments, yet neither possesses clearly designated primacy. The NCILC Act's statement of objects acknowledges that "implementation of international instruments is still a daunting challenge" in Pakistan's dualist system, yet the solution it proposes another commission risks duplication rather than resolution.

#### **4. Alignment with International Standards: A Critical Assessment:**

##### **4.1 Compliance with Paris Principles:**

###### **Independence:**

The NCSW exhibits mixed compliance with Paris Principles independence requirements. The Commission enjoys formal financial and administrative autonomy under the 2012 Act. However, the appointment process for the Chairperson—requiring consultation between the Prime Minister and Leader of the Opposition followed by parliamentary committee confirmation—has proven vulnerable to political gridlock. The appointment mechanism fails to guarantee adequate civil society participation in selection, contrary to Paris Principles' pluralism requirements.

###### **Leadership Stability:**

The Commission's independence is severely compromised by chronic leadership vacancies. Over its 25-year history, the Chairperson's office has remained vacant for cumulatively more than five and a half years. Individual vacancy periods include nine months in 2005, three months in 2009, nine months in 2012, ten months in 2016, twenty-one months between 2019 and 2021, and most recently fifteen months since July 2024. Each vacancy period effectively paralyzes the Commission's functioning, as the Acting

Chairperson appointed from among Commission members lacks the full authority and political weight of a formally appointed Chair.

The NCSW (Amendment) Act 2018 attempted to address this by requiring appointment within thirty days of a vacancy, but this provision has been routinely ignored without consequence. The absence of enforcement mechanisms for this timeline renders it aspirational rather than binding.

###### **Pluralism:**

The NCSW's composition includes representatives from all provinces, minority communities, and ex-officio government members. Civil society representation, while present, depends heavily on the appointing authorities' discretion. The absence of transparent, merit-based selection criteria undermines the pluralism objective.

###### **Adequate Resources:**

Public information on NCSW's budget and staffing remains limited. However, the Commission's reliance on provincial commissions for district-level presence suggests resource constraints that prevent independent operational capacity at subnational levels.

##### **4.2 Alignment with CEDAW Expectations:**

CEDAW's General Recommendation No. 6 envisions national machineries positioned "at the highest level of government" with "adequate resources and authority" to coordinate policy across all sectors. The NCSW's structural location accountable to the Ministry of Human Rights rather than directly to Parliament or the Prime Minister's Office places it below the optimal hierarchical position for cross-sectoral coordination.

The Committee on the Elimination of Discrimination against Women's concluding observations on Pakistan's periodic reports have consistently noted concerns about the NCSW's effectiveness, though Pakistan's seventh report has been overdue since 2024, preventing current treaty body assessment.

## 5. Legal Effects and Institutional Deficiencies:

### 5.1 Legal Effects Achieved:

Despite structural constraints, the NCSW has achieved measurable legal effects across several domains.

#### Legislative Reform Advocacy:

The Commission has played a significant role in advocating for pro-women legislation, including the Anti-Rape (Investigation and Trial) Act 2021, the Protection against Harassment of Women at Workplace Act 2010, and the Transgender Persons (Protection and Rights) Act 2018. While causal attribution is complex, the NCSW's consistent advocacy and technical assistance to parliamentarians contributed to these legislative outcomes.

#### Dowry Law Reform Initiative:

In August 2025, the NCSW conducted a national consultation on reforming the Dowry and Bridal Gifts (Restriction) Act of 1976, explicitly calling for amendments to address "symbolic justice" and ineffective implementation. The Commission's framing of the issue explicitly invoked international human rights standards, demonstrating its role as a translator between international norms and domestic legal reform.

#### Data Infrastructure Development:

The NCSW has established a National Gender Data Portal and is collaborating with Mishaal Pakistan to develop a comprehensive National Gender Gap Report featuring standardized data collection. This initiative addresses a critical gap identified by the World Economic Forum, Pakistan ranked 145th out of 146 countries for women's economic participation in the 2024 report, and subsequently fell to 148th out of 148 in 2025 though the Commission has contested the methodology of these rankings.

#### Monitoring and Inquiry Functions:

The Commission has conducted inquiries into women's rights violations, established early warning systems for low female voter turnout in collaboration with the Election Commission of Pakistan, and served as secretariat for the Inter-

Provincial Ministerial Group on Women's Empowerment.

### 5.2 Institutional Deficiencies:

#### Persistent Leadership Vacancies:

The most glaring deficiency is the chronic absence of permanent leadership. The fifteen-month vacancy as of October 2025 exemplifies how political gridlock systematically produces institutional paralysis.

#### Limited Enforcement Powers:

The NCSW's powers are primarily recommendatory. It can review laws, conduct inquiries, and make recommendations, but it cannot compel government action, enforce compliance with its recommendations, or sanction non-compliant actors.

#### Provincial Coordination Gaps:

While provincial Commissions on the Status of Women exist in Punjab, Sindh, Khyber Pakhtunkhwa, and Balochistan, coordination mechanisms remain weak. The absence of standardized reporting, shared data systems, and joint planning processes fragments the national women's rights architecture.

#### CEDAW Reporting Deficits:

Pakistan's seventh CEDAW report has been overdue since 2024. The NCSW's role in treaty reporting requires clarification and strengthening.

#### Data and Monitoring Gaps:

Despite progress on the National Gender Data Portal, significant gaps remain in sex-disaggregated data, particularly at district levels.

## 6. Systemic Challenges for Pakistan in Implementing International Women's Rights Instruments:

Beyond the NCSW-specific deficiencies, Pakistan faces a constellation of deeper structural, legal, socio-cultural, and political challenges that impede implementation of CEDAW and other international women's rights instruments. These challenges operate at multiple levels and must be understood to design effective remedies.

## 6.1 Legal Framework Challenges:

### Dualist Legal System:

Pakistan follows the common law dualist tradition, meaning international treaties ratified by the state do not automatically become part of domestic law. Each provision of CEDAW requires specific legislative enactment to be enforceable in Pakistani courts. This creates an extraordinarily high implementation burden: of CEDAW's 30 articles, only a fraction have been fully domesticated through specific legislation. The Constitution's Article 270-A preserves pre-existing laws, many of which contain discriminatory provisions, creating a conflict between international commitments and domestic legal continuity.

### Parallel Legal Systems:

The coexistence of formal statutory law, Islamic law (Sharia), and customary law (riwaj) creates jurisdictional confusion and allows forum shopping. The Council of Islamic Ideology (CII) has constitutional authority to review laws for repugnancy to Islam and has historically opposed key CEDAW provisions, particularly regarding inheritance, marriage age, and women's mobility. The CII's 2019 declaration that CEDAW provisions contradicting Islamic injunctions are "not acceptable" represents an ongoing constitutional obstacle.

### Reservations to CEDAW:

Upon ratification, Pakistan entered reservations to CEDAW Articles 2(f), 5, 13, 16(1)(c), (d), (f), (g) and (h), and 29(1). These reservations cover provisions relating to customary practices affecting women's status, equal inheritance rights, choice of residence, and marital property rights—precisely the domains where gender discrimination is most entrenched in Pakistani society. The reservations remain in force, effectively nullifying Pakistan's obligation on core CEDAW provisions.

### Inconsistent Provincial Legislation:

Following the 18th Constitutional Amendment (2010), devolution transferred many subjects including women's development, social welfare, and local government to provincial jurisdiction.

Consequently, provinces have enacted divergent laws on domestic violence, inheritance, and family matters. Punjab's Protection of Women Against Violence Act 2016 differs significantly from Sindh's Domestic Violence (Prevention and Protection) Act 2013, creating a fragmented legal landscape that complicates uniform implementation of CEDAW.

## 6.2 Socio-Cultural Challenges:

### Patriarchal Norms and Structures:

Deeply entrenched patriarchal ideologies across all provinces, though varying in intensity, systematically subordinate women's agency. Practices including child marriage, forced marriage, watta satta (exchange marriage), swara (marriage as dispute resolution), honor killings, and purdah (seclusion) remain prevalent despite formal legal prohibitions. These practices are not merely residual tradition but actively reproduced through kinship structures, tribal jirgas (councils), and local power hierarchies.

### Low Educational Attainment:

Pakistan has one of the world's largest out-of-school female populations. According to UNESCO, approximately 12 million girls are not enrolled in primary or secondary education. Female literacy stands at approximately 49% compared to 70% for males, with rural Balochistan reporting female literacy below 20%. Low educational attainment directly correlates with limited awareness of legal rights, reduced economic participation, and restricted ability to access justice mechanisms.

### Restricted Mobility and Economic Participation:

Pakistan ranks among the lowest globally for female labor force participation—estimated between 20-25%, with agricultural and informal sectors predominating. The World Bank estimates that Pakistan loses approximately \$30 billion annually—about 10% of GDP—due to gender gaps in labor force participation. Mobility restrictions, lack of safe transportation, sexual harassment in public spaces and workplaces, and limited childcare facilities systematically exclude women from economic life.

### **Underreporting of Violence:**

The “honor” paradigm normalizes violence against women within families and communities. A 2021 study found that only 3-5% of gender-based violence cases are formally reported to police due to fear of reprisal, family pressure, lack of trust in law enforcement, and the absence of confidential reporting mechanisms. This dark figure of unreported violence fundamentally undermines evidence-based policy and the deterrent effect of legal prohibitions.

### **6.3 Institutional and Governance Challenges:**

#### **Police Capacity and Misconduct:**

Pakistani police forces lack systematic gender training, victim-sensitive investigation protocols, and adequate female police representation (less than 2% nationally). Police stations rarely have separate female reporting rooms or female officers on duty 24/7. Reports of police demanding bribes for FIR registration, pressuring victims toward compromise, and actively discouraging formal complaints are widespread. The absence of independent police oversight compounds these problems.

#### **Judicial System Inefficiencies:**

Women’s rights cases face extraordinary delays in Pakistan’s overburdened courts. Family courts responsible for marriage, divorce, inheritance, and child custody matters have case backlogs exceeding three years in major cities. Gender bias among judicial officers remains largely unaddressed, with documented instances of judges expressing “understanding” for honor killing perpetrators or questioning victims’ morality. The lower judiciary’s lack of access to CEDAW training means international standards rarely inform judicial reasoning.

#### **Prosecution Deficiencies:**

Dedicated gender-based violence prosecution units exist only in limited jurisdictions. Prosecutors routinely lack training on evidence collection in sexual assault cases, victim protection during trial, and the application of recent progressive legislation. The conviction rate for

rape cases remains below 5% nationally, far below the international average.

#### **Witness Protection Absence:**

Pakistan has no comprehensive witness protection law. Women who report domestic violence, sexual assault, or honor crimes face extreme risk of retaliation from perpetrators and their families. The absence of safe housing, relocation mechanisms, and identity protection deters reporting and enables re-victimization.

#### **Service Delivery Gaps:**

Despite legal mandates for crisis centers, shelters, legal aid, and medical-forensic services, implementation remains grossly inadequate. A 2023 audit found that fewer than 50 operational shelters exist nationwide for a population of 120 million women. Medical facilities lack trained sexual assault forensic examiners and standardized rape kits. Legal aid programs are underfunded, inaccessible in rural areas, and rarely staffed by gender-specialist lawyers.

### **6.4 Political and Economic Challenges:**

#### **Insufficient Political Will:**

Women’s rights are inconsistently prioritized across governments. While some administrations have advanced progressive legislation, others have yielded to religious conservative pressure to restrict women’s rights or defund gender machinery. The recurring NCSW leadership vacancies directly reflect this political ambivalence an institution prioritized in international commitments but deprioritized in domestic political calculations.

#### **Limited Domestic Financing:**

Pakistan allocates less than 0.5% of its national budget to gender equality programs, far below international commitments (Beijing Platform for Action recommended 5-10% by 2000). The NCSW’s annual budget remains confidential but is widely understood to be inadequate for even basic operational functions. Provincial gender machineries are similarly underfunded. International donor funding (EU, UN Women, World Bank) fills some gaps but introduces

sustainability concerns and donor-driven prioritization.

#### **Economic Crisis Context:**

Pakistan's ongoing economic instability characterized by high inflation, currency devaluation, sovereign debt distress, and IMF conditionalities has reduced fiscal space for non-security expenditures. Social sector budgets, including women's programs, face disproportionate cuts during fiscal consolidation. The 2023-24 federal budget reduced allocations for the Ministry of Human Rights by 40% in real terms.

#### **Security Situation:**

Militant insurgencies, particularly in Khyber Pakhtunkhwa and Balochistan, have devastated infrastructure, displaced populations, and diverted state resources toward security rather than development. Women in conflict-affected areas face compounded vulnerabilities: loss of livelihoods, breakdown of protection mechanisms, internal displacement, and gender-based violence by multiple actors.

### **6.5 Treaty Compliance and International Engagement Challenges:**

#### **Reporting Fatigue and Delays:**

Pakistan has consistently submitted CEDAW reports late or not at all. As of 2026, the seventh periodic report (due 2024) remains unsubmitted. This pattern reflects insufficient inter-ministerial coordination, lack of dedicated reporting staff, and the fragmented NCILC-NCSW relationship. Delayed reporting means international accountability mechanisms rarely engage with Pakistan's current challenges.

#### **Limited Civil Society Participation:**

CEDAW reporting requires meaningful civil society consultation, including independent shadow reports. Pakistan's government has limited civil society input to pro-forma consultations with pre-approved organizations. Many independent women's rights organizations report exclusion from formal reporting processes, forcing reliance

on parallel CEDAW shadow reports that receive less state attention.

#### **Implementation of Concluding Observations:**

CEDAW's Concluding Observations following Pakistan's periodic reviews contain specific, actionable recommendations. However, there is no systematic mechanism for tracking implementation, reporting to Parliament, or allocating responsibility for individual recommendations. The 2020 Concluding Observations' recommendations remain largely unimplemented.

### **7. Gaps Analysis:**

The preceding analysis reveals seven critical gaps between international standards, legal mandate, and institutional reality:

#### **Accountability Gap:**

The NCSW Act contains no enforcement mechanism for the thirty-day Chairperson appointment timeline. Non-compliance produces no legal consequences.

#### **Primacy Gap:**

The relationship between NCSW and NCILC remains undefined. Neither commission has clearly designated authority over CEDAW implementation and reporting.

#### **Reporting Gap:**

The NCILC is designated to assist with UN reporting yet lacks gender expertise. The NCSW possesses expertise but lacks formal reporting authority. This coordination burden has likely contributed to reporting delays.

#### **Enforcement Gap:**

The NCSW can recommend but cannot require government action. This gap between recommendation and enforcement means effectiveness depends entirely on executive responsiveness.

#### **Resource Gap:**

District-level presence remains dependent on provincial commissions, limiting the NCSW's

ability to monitor implementation locally or receive complaints from rural women.

**Data Gap:**

CEDAW indicators, disaggregated by province, district, and demographic category, remain incomplete, undermining evidence-based advocacy.

**Implementation Gap:**

Even where progressive legislation exists the Anti-Rape Act 2021, harassment law, domestic violence acts systematic implementation fails due to police, judicial, and service delivery deficiencies.

**8. Recommendations:**

**8.1 Institutional and Legal Reforms for NCSW:**

Amend the Appointment Process: Establish an independent, bipartisan selection committee including civil society representation. Enforce the thirty-day appointment timeline through automatic activation of a neutral selection mechanism upon vacancy—such as senior judiciary appointment of an interim Chair with full powers until permanent appointment is made.

**Clarify NCILC-NCSW Relations:**

Amend both the NCSW Act 2012 and NCILC Act 2016 to clearly designate the NCSW as the lead institution for CEDAW implementation and reporting, with the NCILC providing technical legal support. Alternatively, merge the commissions.

**Strengthen Enforcement Powers:**

Empower the Commission to issue binding recommendations, with government required to respond in writing within sixty days and Parliament empowered to review compliance.

**Create Parliamentary Oversight:**

Establish a standing parliamentary committee specifically for oversight of the NCSW and international women's rights implementation.

**8.2 Legal System Reforms:**

**Withdraw Reservations to CEDAW:**

The government should initiate a national consultative process toward withdrawing

reservations to CEDAW Articles 2(f), 5, 13, and 16, with appropriate interpretive declarations where necessary.

**Harmonize Provincial Legislation:**

The Council of Common Interests should develop model laws on domestic violence, inheritance, and family matters that provinces may adopt to reduce legal fragmentation.

**Establish Gender Courts:**

Create specialized fast-track gender courts at district level with specially trained judges, prosecutors, support staff, and victim protection facilities.

**Enact Witness Protection Law:**

Pass comprehensive witness protection legislation with specific provisions for gender-based violence victims.

**8.3 Operational Improvements:**

**Establish Permanent Secretariat:**

An independent secretariat, insulated from political interference through fixed terms and removal only for cause, should support the NCSW.

**Develop Provincial Memoranda of Understanding:**

Formal MOUs with each provincial Commission should establish standardized data sharing, joint complaint handling, coordinated advocacy, and regular joint meetings.

**Prioritize the Seventh CEDAW Report:**

Submit the overdue seventh periodic report within six months, with full civil society consultation.

**Mandate Gender Budgeting:**

Require all federal and provincial ministries to produce annual gender budget statements and allocate a minimum percentage (5%) of development budgets to gender-specific programs.

#### 8.4 International Engagement:

##### Seek Paris Principles Accreditation:

Formally seek “A status” accreditation for the NCSW from the Global Alliance of National Human Rights Institutions.

##### Request CEDAW Technical Assistance:

Request CEDAW technical assistance for strengthening the NCSW’s monitoring and reporting capacities.

##### Engage UN Joint Programming:

Accelerate participation in UN Sustainable Development Cooperation Framework gender outcomes.

#### 8.5 Civil Society Engagement:

##### Formalize Consultation Mechanisms:

Require regular, structured consultation with civil society organizations, with documented responses to their recommendations.

##### Establish District Advisory Committees:

Establish district-level advisory committees including local women’s organizations, legal aid providers, and health and education officials.

##### Support Independent Shadow Reporting:

Allocate resources for civil society organizations to prepare independent CEDAW shadow reports.

#### 8.6 Addressing Socio-Cultural Barriers:

##### National Awareness Campaign:

Launch sustained, multi-year campaigns using mass media, social media, and community outreach to shift norms around girls’ education, women’s economic participation, and the illegitimacy of honor violence.

##### Community Engagement Programs:

Fund community-based programs engaging religious leaders, tribal elders, and men and boys as allies for gender equality.

##### School Curriculum Reform:

Integrate gender equality, legal rights awareness, and prevention of gender-based violence into national and provincial school curricula.

#### 9. Conclusion:

The National Commission on the Status of Women occupies a paradoxical position in Pakistan’s human rights architecture. It possesses a legally sophisticated mandate, formal autonomy, and demonstrated capacity to influence legislative reform. Yet chronic leadership vacancies, limited enforcement powers, jurisdictional ambiguity with the NCILC, and the structural constraints of Pakistan’s dualist legal framework systematically undermine its effectiveness.

The Commission’s recent initiatives, dowry law reform consultations, data infrastructure development, and sustained advocacy on multiple fronts demonstrate what the institution can achieve when properly led and supported. The recurring leadership vacancies, however, suggest that political actors do not treat the NCSW as genuinely essential to governance. An institution whose leadership remains vacant for more than five of its twenty-five years, including fifteen consecutive months in 2024-2025, cannot fulfill the mandate that international instruments and domestic law assign to it.

More fundamentally, implementing international women’s rights instruments in Pakistan requires confronting challenges far beyond any single commission. The dualist legal system, parallel legal regimes with constitutional religious review, entrenched patriarchal norms, police and judicial deficiencies, inadequate financing, and political ambivalence collectively form a systemic barrier that no institution can overcome alone.

The recommendations above aim to close the gaps between mandate and reality. None requires radical restructuring of Pakistan’s legal system. Each addresses specific, identified deficiencies: the appointment process, enforcement powers, jurisdictional clarity, data infrastructure, provincial coordination, police and judicial capacity, witness protection, and budget allocation. These are achievable reforms that would substantially improve the NCSW’s capacity and Pakistan’s overall implementation architecture.

Without such reforms, the NCSW will remain as it has been for much of its history an “unguarded guard,” possessing formal responsibility without

effective power, mandated to protect rights without the institutional capacity to do so. And Pakistan will remain a state that has ratified CEDAW but not implemented it—not for lack of legal framework, but for lack of institutional and political will to make that framework function for the women it is meant to serve.

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