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Explanatory Note

This report presents country of origin information (COI) on Pakistan up to 20th February 2015 on issues of relevance in refugee status determination for Pakistani nationals, not including the Pakistan-administered Kashmir region. COI specifically relevant for the assessment of religion-based claims and claims based on an individual's sexual orientation or gender identity has not been included.

The COI presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided. A list of sources and databases consulted is also provided, to enable users to conduct further research and to conduct source assessments. Research focused on events which have occurred since June 2013 (and post the publication of Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), [*Pakistan: COI Compilation*](#), June 2013) and most sources were accessed between February and April 2015. Annual reports covering events from 2014 published after 16 February 2015 by Amnesty International, Center for Research & Security Studies (CRSS), Freedom House, Human Rights Commission of Pakistan and the UK Foreign and Commonwealth Office have been included given that their reporting periods pre-date the cut-off point for research (accessed in June 2015). In certain noted sections of this report, COI has been included that was identified in the June 2013 ACCORD report, reproduced with permission from the authors.

This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing asylum applications and appeals. However, this document should not be submitted in full or in isolation as evidence to refugee decision making authorities. Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

Sources and databases consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. To find out more about an organisation, view the 'About Us' tab of a source's website.

Databases

[Child Rights International Network](#)
[European Country of Origin Information Network \(ECOI\)](#)
[Relief Web](#)
[UNHCR Refworld](#)

Sources

[Acid Survivors Foundation, Pakistan](#)
[Amnesty International](#) [Pakistan pages]
[Anti Trafficking Legal Project \(ATLeP\)](#)
[Article 19](#)
[Asia Society](#)
[Asian Human Rights Commission](#) [Pakistan pages]
[Asian Legal Resource Centre](#)
[Aurat Foundation](#)
[Brookings Institution Afghanistan Index](#) (includes selected data on Pakistan)
[Carnegie Endowment for International Peace](#)
[Center for Research & Security Studies \(CRSS\) – Pakistan Conflict Tracker](#)
[Child Soldiers International](#)
[CIA World Factbook](#) [Pakistan pages]
[Committee to Protect Journalists](#) [Pakistan pages]
[Council on Foreign Relations – Global Conflict Tracker](#)
[Dawn](#) [Karachi-based, largest-circulation English-language daily]
[The Economist Intelligence Unit](#) [Pakistan pages]
[Eldis](#)
[Election Commission of Pakistan](#)
[Express Tribune](#)
[Freedom House](#)
[Fund for Peace – Fragile States Index 2014](#)
[Hands off Cain](#) [Pakistan pages]
[Human Rights Commission of Pakistan](#)
[Human Rights Watch](#) [Pakistan pages]
[Institute for Economics & Peace – Global Peace Index 2014](#)
[Integrated Regional Information Networks \(IRIN\)](#) [Pakistan pages]
[Internal Displacement Monitoring Centre](#)
[International Committee of the Red Cross \(ICRC\)](#) [Pakistan pages]
[International Crisis Group](#) [Pakistan pages]
[International Federation for Human Rights](#) [Pakistan pages]
[International Labour Organisation \(ILO\)](#) [Country Office for Pakistan]
[International Organization for Migration](#)
[International Rehabilitation Council for Torture Victims](#)
[Institute for War and Peace Reporting](#) [Pakistan pages]
[Inter Press Service](#)
[The Jamestown Foundation](#) [Pakistan pages]

[Justice Project Pakistan](#)
[Medecins Sans Frontieres/Doctors Without Borders](#) [Pakistan pages]
[Minority Rights Group International](#)
[Movement for Solidarity & Peace](#)
[National Assembly of Pakistan](#)
[National Consortium for the Study of Terrorism and Responses to Terrorism \(START\) – Global Terrorism Database \(GTD\)](#)
[The Nation](#) [Lahore-based, English-language daily]
[The News](#) [English-language daily, published by Jang group]
[PAK Institute For Peace Studies \(PIPS\) - Internal security](#)
[Pakistan Red Crescent Society](#)
[Protection Cluster Pakistan](#)
[Open Society Foundations](#) [Asia pages]
[Oxfam](#)
[Radio Free Europe/Radio Liberty](#) [Pakistan pages]
[Reporters Without Borders](#) [Pakistan pages]
[Sahil](#)
[Save the Children](#) [Pakistan pages]
[Senate of Pakistan](#)
[Shirkat Gah Women's Resource Centre](#)
[Society for the Protection of the Rights of the Child](#)
[South Asia Terrorism Portal \(SATP\)](#)
[Transparency International](#)
[UK Foreign and Commonwealth Office](#) [Pakistan pages]
[United Nations Children’s Fund \(UNICEF\)](#) [Pakistan pages]
[United Nations Development Programme \(UNDP\)](#)
[United Nations High Commissioner for Refugees \(UNHCR\)](#)
[United Nations Human Settlements Programme \(UNHABITAT\)](#)
[United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#) [Pakistan pages]
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)
[United Nations Office on Drugs and Crime \(UNODC\)](#)
[United Nations Population Fund \(UNPFPA\)](#)
[United Nations Special Rapporteur on trafficking in persons, especially in women and children](#)
[United Nations Women](#) [Pakistan pages]
[United Nations World Food Programme \(WFP\)](#)
[Uppsala Universitet – UCDP Conflict Encyclopedia](#) [Pakistan pages]
[United States Department of Labor](#)
[United States Department of State](#)
[United States Institute of Peace](#)
[Walk Free Foundation > The 2014 Global Slavery Index](#)
[World Bank](#) [Pakistan pages]
[World Health Organisation](#) [Pakistan pages]

List of Acronyms

AACPR	Actions (in Aid of Civil Power) Regulations
AHRC	Asian Human Rights Commission
AHTC	Anti Human Trafficking Cell
ANP	Awami National Party
APC	All Parties Conference
AQ	Al-Qaeda
ART	Al-Rehmat Trust
BMDA	Baloch Musallah Difa Army
CCP	Code of Criminal Procedure
CIED	Commission of Inquiry on Enforced Disappearances
CIMP	Commission of Inquiry for Missing Persons
CNIC	Computerized National Identity Card
COI	Country of Origin Information
CPI	Consumer Price Index
CSO	Civil Society Organisation
DIG	Deputy Inspector General
ECL	Exit Control List
ECP	Election Commission of Pakistan
FATA	Federally Administered Tribal Areas
FC	Frontier Corps
FCR	Frontier Crimes Regulation
FDMA	Disaster Management Authority
FIA	Federal Investigation Agency
FIR	First Instance Report
FSC	Federal Shariat Court
GBV	Gender Based Violence
GDP	Gross Domestic Product
GHI	Global Hunger Index
HDI	Human Development Index
HQN	Haqqani Network
HRCP	Human Rights Commission of Pakistan
IB	Intelligence Bureau
ICCPR	International Covenant on Civil and Political Rights
ICT	Islamabad Capital Territory
IDP	Internally Displaced Person
IFES	International Foundation for Electoral Systems
ILO	International Labour Organisation
IMU	Islamic Movement of Uzbekistan
IPC	Integrated Food Security Phase Classification
IPS	Inter Press Service
IRA	Industrial Relations Act
IRO	Industrial Relations Ordinance
IS	Islamic State
ISI	Inter-Services Intelligence
JeM	Jaish-e Mohammed ('the army of Mohammed')
JSMM	Jeay Sindh Muttahida Mahaz
JSQM	Jeay Sindh Qaumi Mahaz
JuD	Jamat ud-Dawa
JUI-F	Jamiat Ilemma-e-Islam (Fazlur Rehman group)

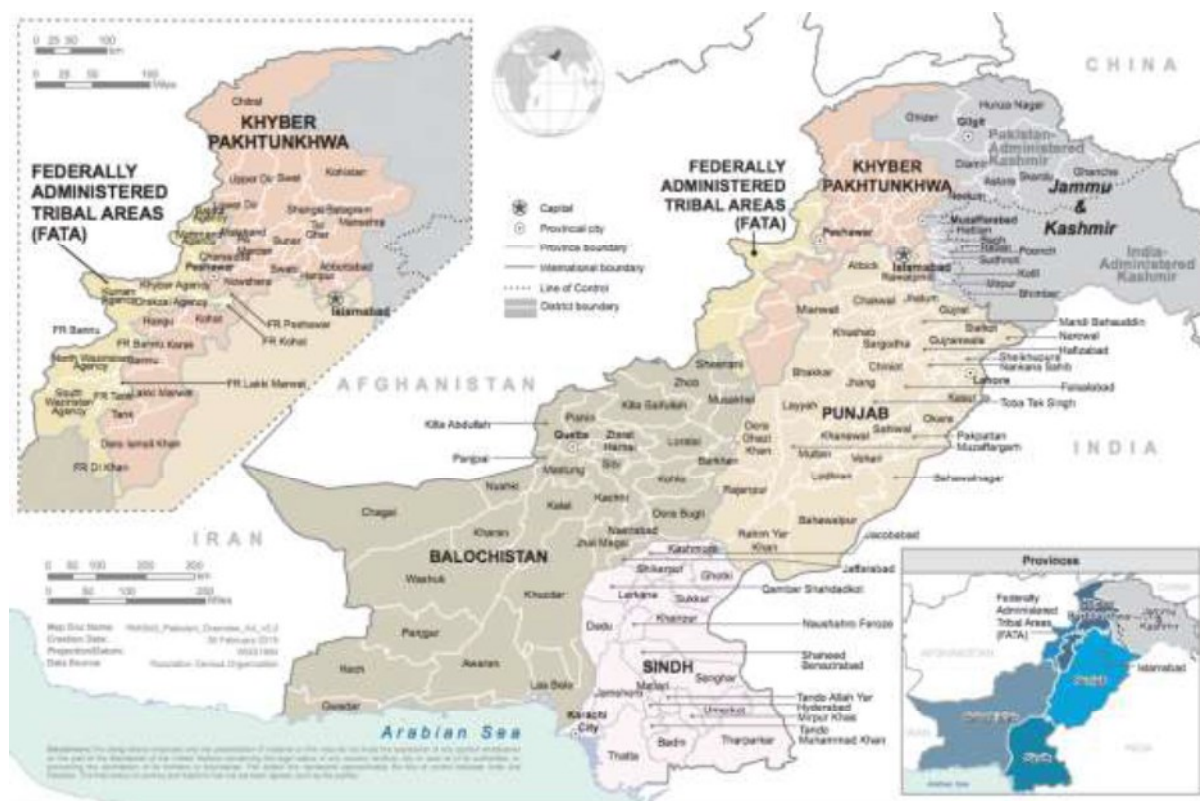
KP or KPK	Khyber Pakhtunkhwa
LEAs	Law Enforcement Authorities
LeJ	Lashkar-e-Jhangvi
LeT	Lashkar-e-Taiba
MDG	Millennium Development Goal
MLCs	Medico Legal Certificates
MMR	Maternal Mortality Ratio
MPI	Multidimensional Poverty Index
MQM	Muttahida Qaumi Movement
NA	National Assembly
NADRA	National Database Registration Authority
NAP	National Action Plan
NCJP	National Commission on Justice and Peace
NPP	National People's Party
PATA	Provincially Administered Tribal Areas
PEMRA	Pakistan Electronic Media Regulatory Authority
PIPS	PAK Institute for Peace Studies
PML-F	Pakistan Muslim League - Functional
PML-N	Pakistan Muslim League – Nawaz
PML-Q	Pakistan Muslim League – Quai-e-Azam
PPA	Protection of Pakistan Act
PPC	Pakistani Penal Code
PPO	Protection of Pakistan Ordinance
PPP	Pakistan People's Party
SATP	South Asia Terrorism Portal
SF	Security Forces
SSP	Sipah-e-Sahaba Pakistan
TTP	Tehrik-e Taliban Pakistan
UNDP	United Nations Development Programme
UNCAT	United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
UNODC	UN Office on Drugs and Crime
VAW	Violence Against Women

1. Background Information

1.1. Status of tribal areas

1.1.1. Map of Pakistan

The following map shows Pakistan's provinces and districts, including the Federally Administered Tribal Areas (FATA) [light yellow] and Provincially Administered Tribal Areas (PATA) [light pink]:¹



1.1.2. Status in law of the FATA and governance arrangements under the Pakistani Constitution

Article 246 (c) of the 1973 Constitution of Pakistan sets out that the Federally Administered Tribal Areas (FATA) include [emphasis added]:

- **Bajaur Agency**
- Tribal Areas adjoining **Bannu** district
- Tribal Areas adjoining **Dera Ismail Khan** district
- Tribal Areas adjoining **Kohat** district
- **Khyber Agency**
- **Kurram Agency**
- Tribal Areas adjoining **Lakki Marwat** district
- **Mohmand Agency**

¹ UN Office for the Coordination of Humanitarian Affairs, [Overview – Pakistan](#), 25 February 2015. For accuracy, this source was included despite being past the cut-off date for research for this report.

- **North Waziristan** Agency
- **Orakzai** Agency
- Tribal Areas adjoining **Peshawar** district
- **South Waziristan** Agency
- Tribal Areas adjoining **Tank** District.²

With regards to the administration of the FATA, Article 247 stipulates:

247 Administration of Tribal Areas.

(1) Subject to the Constitution, the executive authority of the Federation shall extend to the Federally Administered Tribal Areas, and the executive authority of a Province shall extend to the Provincially Administered Tribal Areas therein.

(2) The President may, from time to time, give such directions to the Governor of a Province relating to the whole or any part of a Tribal Area within the Province as he may deem necessary, and the Governor shall, in the exercise of his functions under this Article, comply with such directions.

(3) No Act of 663[Majlis-e-Shoora (Parliament)] 663 shall apply to any Federally Administered Tribal Area or to any part thereof, unless the President so directs, and no Act of 664[Majlis-e-Shoora (Parliament)] 664 or a Provincial Assembly shall apply to a Provincially Administered Tribal Area, or to any part thereof, unless the Governor of the Province in which the Tribal Area is situated, with the approval of the President, so directs; and in giving such a direction with respect to any law, the President or, as the case may be, the Governor, may direct that the law shall, in its application to a Tribal Area, or to a specified part thereof, have effect subject to such exceptions and modifications as may be specified in the direction. [...]

(5) Notwithstanding anything contained in the Constitution, the President may, with respect to any matter, make regulations for the peace and good Government of a Federally Administered Tribal Area or any part thereof.

(6) The President may, at any time, by Order, direct that the whole or any part of a Tribal Area shall cease to be Tribal Area, and such Order may contain such incidental and consequential provisions as appear to the President to be necessary and proper:

Provided that before making any Order under this clause, the President shall ascertain, in such manner as he considers appropriate, the views of the people of the Tribal Area concerned, as represented in tribal jirga.

(7) Neither the Supreme Court nor a High Court shall exercise any jurisdiction under the Constitution in relation to a Tribal Area, unless 666[Majlis-e-Shoora (Parliament)] 666 by law otherwise provides: Provided that nothing in this clause shall affect the jurisdiction which the Supreme Court or a High Court exercised in relation to a Tribal Area immediately before the commencing day.³

1.1.3. Status in law of the PATA and governance arrangements under the Pakistani Constitution

Article 246 (b) of the 1973 Constitution of Pakistan sets out that the Provincial Administered Tribal Areas (PATA) include [emphasis added]:

- Former State of **Amb**
- **Chitral** district
- **Dalbandis Tehsil** of **Chagai** district
- **Dir** district
- Tribal area in **Kohistan** district
- **Loralai** district (excluding **Duki Tehsil**)

² [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012, Chapter 3: Tribal Areas, 246 Tribal Areas

³ [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012, Chapter 3: Tribal Areas, 247 Administration of Tribal Areas

- **Malakand** Protected Areas
- Tribal Area adjoining **Mansehra** district
- **Marri** and **Bugti** tribal territories of **Sibi** district
- **Swat** district (including **Kalam**)
- **Zhob** district.⁴

With regards to the administration of the PATA, Article 247 stipulates:

247 Administration of Tribal Areas.

(1) Subject to the Constitution, the executive authority of the Federation shall extend to the Federally Administered Tribal Areas, and the executive authority of a Province shall extend to the Provincially Administered Tribal Areas therein.

(2) The President may, from time to time, give such directions to the Governor of a Province relating to the whole or any part of a Tribal Area within the Province as he may deem necessary, and the Governor shall, in the exercise of his functions under this Article, comply with such directions.

(3) No Act of 663[Majlis-e-Shoora (Parliament)] 663 shall apply to any Federally Administered Tribal Area or to any part thereof, unless the President so directs, and no Act of 664[Majlis-e-Shoora (Parliament)] 664 or a Provincial Assembly shall apply to a Provincially Administered Tribal Area, or to any part thereof, unless the Governor of the Province in which the Tribal Area is situated, with the approval of the President, so directs; and in giving such a direction with respect to any law, the President or, as the case may be, the Governor, may direct that the law shall, in its application to a Tribal Area, or to a specified part thereof, have effect subject to such exceptions and modifications as may be specified in the direction.

(4) Notwithstanding anything contained in the Constitution, the President may, with respect to any matter within the legislative competence of 665[Majlis-e-Shoora (Parliament)] 665, and the Governor of a Province, with the prior approval of the President, may, with respect to any matter within the legislative competence of the Provincial Assembly make regulations for the peace and good government of a Provincially Administered Tribal Area or any part thereof, situated in the Province [...]

(6) The President may, at any time, by Order, direct that the whole or any part of a Tribal Area shall cease to be Tribal Area, and such Order may contain such incidental and consequential provisions as appear to the President to be necessary and proper:

Provided that before making any Order under this clause, the President shall ascertain, in such manner as he considers appropriate, the views of the people of the Tribal Area concerned, as represented in tribal jirga.

(7) Neither the Supreme Court nor a High Court shall exercise any jurisdiction under the Constitution in relation to a Tribal Area, unless 666[Majlis-e-Shoora (Parliament)] 666 by law otherwise provides: Provided that nothing in this clause shall affect the jurisdiction which the Supreme Court or a High Court exercised in relation to a Tribal Area immediately before the commencing day.⁵

1.2. General overview of ethnic and linguistic groups⁶

The Central Intelligence Agency's (CIA) Factbook last updated in June 2014 lists the following ethnic groups on its page on Pakistan:

- Punjabi (44.68%)

⁴ [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012, Chapter 3: Tribal Areas, 246 Tribal Areas

⁵ [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012, Chapter 3: Tribal Areas, 247 Administration of Tribal Areas

⁶ Selected COI in this subsection reproduced with permission from ACCORD as cited in: Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 1.3 General overview of ethnic and linguistic groups

- Pashtun (Pathan) (15.42%)
- Sindhi (14.1%)
- Sariaki (8.38%)
- Muhajirs (7.57%)
- Balochi (3.57%) and
- Other (6.28%).⁷

The two maps below provide an overview of the distribution of ethnic groups in Pakistan:

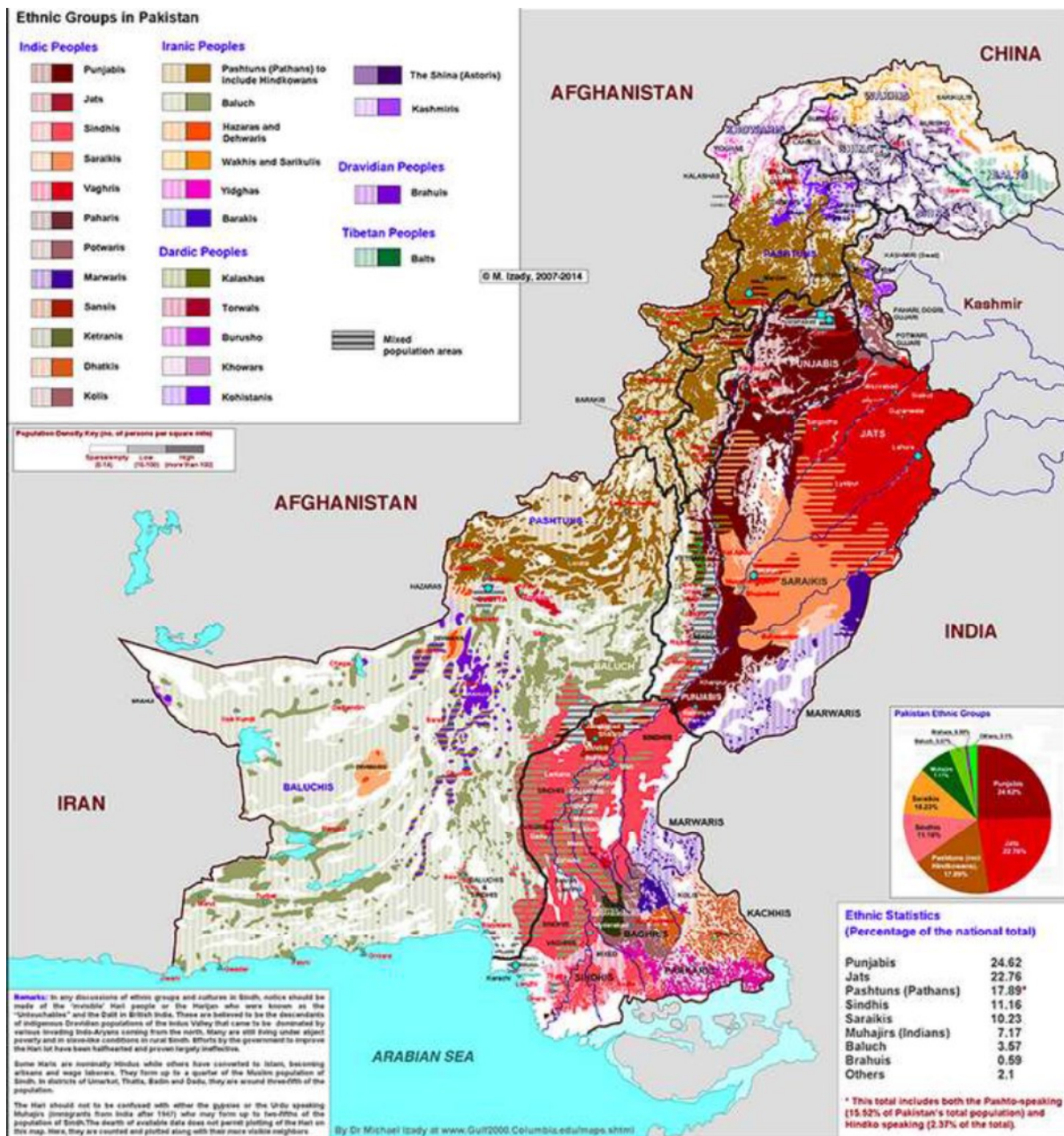


Source: Pakistan Crisis Guide

Source: Pakistan Crisis Guide as included in the article by the Council on Foreign Relations.⁸

⁷ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Ethnic groups*, Date accessed 17 March 2015

⁸ Council on Foreign Relations, [CFR Backgrounders: Pakistan's New Generation of Terrorists](#), Updated 18 November 2013 [Date of actual map unknown]



Source: Izady, Michael as included on the Gulf 2000 website.⁹

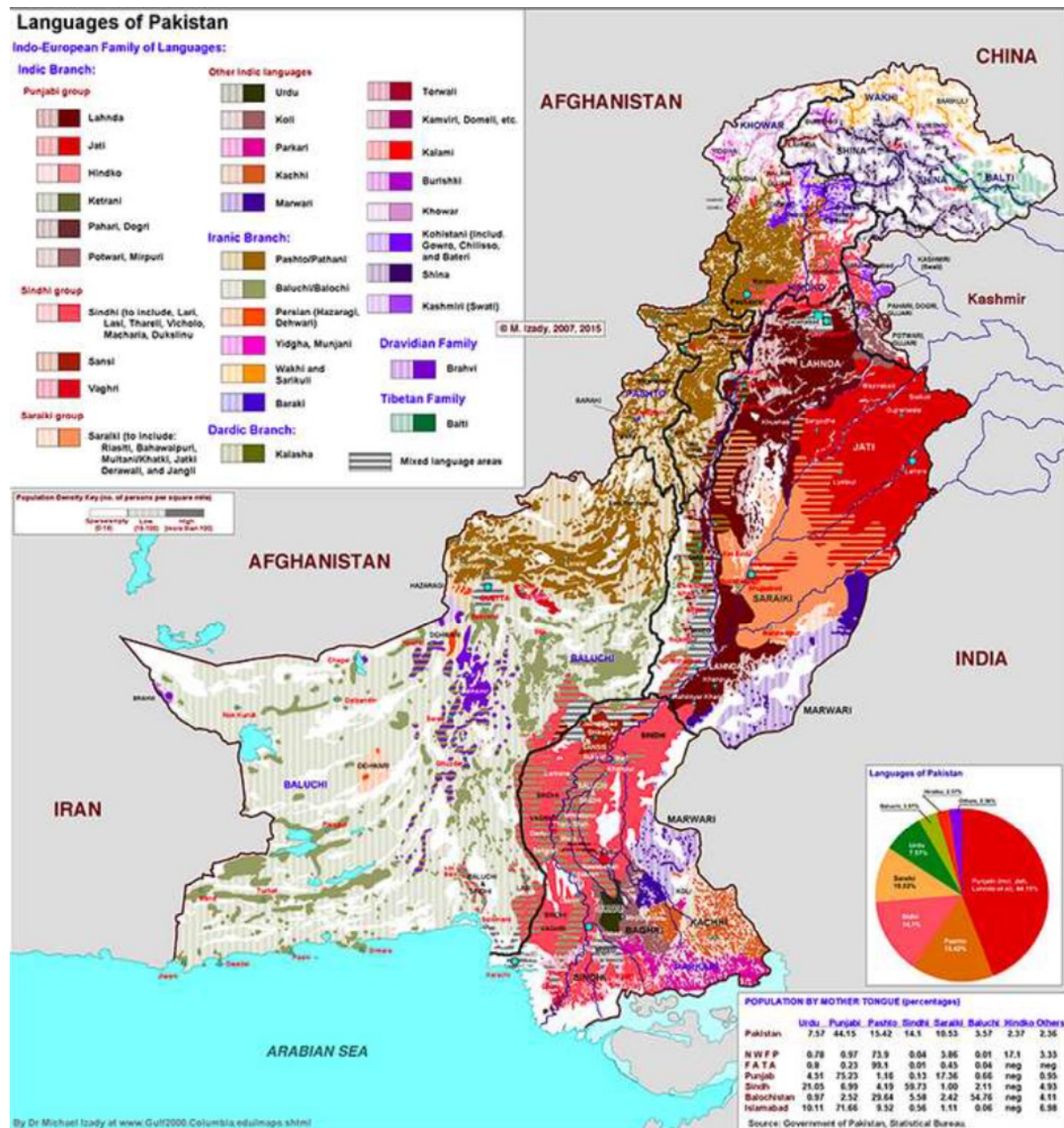
As for languages spoken in Pakistan, the CIA Factbook lists:

- Punjabi 48%
- Sindhi 12%
- Saraiki (a Punjabi variant) 10%
- Pashto (alternate name, Pashtu) 8%
- Urdu (official) 8%
- Balochi 3%
- Hindko 2%

⁹ Izady, Michael, [Ethnic Groups in Pakistan](#), 2013 (available at Gulf 2000 website). According to ACCORD, "Izady is a cartographer and writer on ethnic and cultural topics, particularly the Greater Middle East". See Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 1.3 General overview of ethnic and linguistic groups [Date of actual map unknown]

- Brahui 1%
- English (official; lingua franca of Pakistani elite and most government ministries), Burushaski, and other 8%.¹⁰

The following map provides an overview of the distribution of languages spoken in Pakistan:



Source: Izady, Michael as included on the Gulf 2000 website.¹¹

Consult the following website for detailed information on languages spoken in Pakistan:

¹⁰ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Languages*, Date accessed 17 March 2015

¹¹ Izady, Michael, [Languages of Pakistan](#), 2013 (available at Gulf 2000 website). According to ACCORD, "Izady is a cartographer and writer on ethnic and cultural topics, particularly the Greater Middle East". See Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 1.3 General overview of ethnic and linguistic groups Date of actual map unknown]

- Lewis, M. Paul, Gary F. Simons, and Charles D. Fennig (eds.). 2015. *Ethnologue: Languages of the World*, Eighteenth edition. Dallas, Texas: SIL International, *Pakistan*, <http://www.ethnologue.com/country/PK/languages>

1.3. Overview of the present government structures^{12 13}

1.3.1. Government structures and political system

See also [1.3.4.1 Corruption](#) and [B. Main Political Developments \(since June 2013\)](#)

The Election Commission of Pakistan reports that Pakistan is a “Federal Republic”, known as the “Islamic Republic of Pakistan” and comprised of the provinces of “Punjab, Sindh, Khyber Pakhtunkhwa and Balochistan, the Islamabad Capital Territory, i.e. the Federal Capital, the Federally Administered Tribal Areas (FATAs) and such states and territories as are or may be included in Pakistan whether by accession or otherwise”.¹⁴ The International Foundation for Electoral Systems (IFES) reported that “Each province has its own elected legislative body, Provincial Assembly, which sit in the provincial capitals: Lahore, Karachi, Peshawar and Quetta [...] The number of seats in each Provincial Assembly is based on the population of the respective province and enshrined in the Constitution. In addition to the general seats, there are reserved seats for women and non-Muslims”.¹⁵ On top of the Provincial Assembly, each province “has an elected Chief Minister and a Provincial Governor appointed by the President”.¹⁶

In its annual report covering 2013 the U.S. Department of State reported with regards to the FATA areas that:

Residents of the FATA are represented in the national parliament but do not have a voice in federal decision making over the tribal areas, an authority that belongs to the president. Tribal residents do not have the right to change their local government, because unelected civilian bureaucrats nominally ran the tribal agencies. The elected councils in the FATA, set up to provide local representation within the tribal areas, did not have an active role in governing the tribal areas. In 2011 President Zardari signed the Extension of the Political Parties Order 2002 to the Tribal Areas. Through this decree, the government allows political parties to operate freely in the FATA. Political observers credited this order with laying the foundation for a more mature political system in the tribal agencies.¹⁷

For a brief review on the political-legal status of Azad Jammu and Kashmir, including Gilgit-Baltistan, consult particularly pages 10 – 12 of the following background paper:

- PILdAT, [Background Paper: Pakistan-Azad Jammu & Kashmir, Politico-Legal Conflict](#), September 2011

¹² Selected COI in this subsection reproduced with permission from ACCORD as cited in:

Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, *1.4 Overview of the present government structures*

¹³ Some sources have been included in this sub-section which pre-date the June 2013 reporting period of this report as they provide useful background information on the government structure and main political parties

¹⁴ Election Commission of Pakistan, [Introduction](#), Undated, Date accessed 17 March 2015

¹⁵ International Foundation for Electoral Systems (IFES), [Pakistan Factsheet: Provincial Assemblies](#), 27 March 2013, *Introduction and Composition*

¹⁶ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *III. Country Profile-The Foundations for the National Integrity System*

¹⁷ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, *Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government*

The International Foundation for Electoral Systems (IFES) reported that “Majlis-e-Shura, the Parliament of Pakistan, consists of the President and two Houses, known respectively as the National Assembly and the Senate”.¹⁸ Transparency International further explains the roles of Parliament’s standing committees as follows:

Parliament has 45 standing committees (e.g. business advisory, law & justice, parliamentary affairs, privatization, and public accounts), 11 special committees, 1 select committee and 8 parliamentary committees (e.g. appointment of Election Commissioner (EC) and members of the Election Commission of Pakistan (ECP) and on judges’ appointment in the superior courts). These committees have powers to delve into all matters of the ministry. The committees also have powers to invite or summon before them any member or any other person having a special interest in relation to any matter under its consideration and may hear expert evidence and hold public hearings.¹⁹

Explaining the electoral system in Pakistan further, IFES reported in another factsheet:

Three different electoral systems are used in Pakistan. The electoral system for the National Assembly is based on single-member geographic constituencies in which members are elected by direct vote through a first-past-the-post system, also known as a simple majority. Reserved seats for women and non-Muslims are filled through an indirect proportional representation list system. Political parties file their lists of candidates for reserved seats with the Election Commission of Pakistan prior to the election. After the results for general seats are finalized, reserved women’s seats are distributed to parties relative to the number of general seats secured in each of the provinces. Non Muslim seats are allocated to political parties in proportion to the overall number of general seats secured. Members of the Senate are elected by an electoral college through a system of proportional representation by a single, transferrable vote. The Electoral College has members from the National Assembly and provincial assemblies. Members from the National Assembly elect Senators from the Islamabad Capital Territory and Federally Administered Tribal Areas. Electoral College members from the provincial assemblies elect Senators from the provinces.²⁰

With regards to the participation of women and religious minorities, the U.S. Department of State noted that in 2013

While no laws prevent women from voting, cultural and traditional barriers in tribal and rural areas impeded some women from voting. There are 60 seats in the National Assembly reserved for women. The reserved seats were apportioned on the basis of total votes secured by the candidates of each political party contesting elections. Of the 758 seats in provincial assemblies, 129 were reserved for women. One-third of the seats in local councils were reserved for women. Women participated actively as political party members, but in some cases, were not always successful in securing leadership positions within parties, with the exception of the women’s wing. There were women serving in the federal cabinet, including Minister of State for Information Technology and Telecommunications Anusha Rehman Khan and Minister of State for National Health Services, Regulations, and Coordination Saira Afzal Tarar.

In the August 22 by-election in Mianwali, Punjab, there were media reports that women faced problems voting. In addition the districts of Nowshera and Lakki Marwat withheld final polling results after tribal elders prevented women from voting there. On August 27, the Peshawar High Court ordered that elections take place in these two districts.

¹⁸ International Foundation for Electoral Systems (IFES), [Pakistan Factsheet: Senate of Pakistan](#), 25 March 2013, *Background*

¹⁹ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 1: Legislature, Structure and Organization*

²⁰ International Foundation for Electoral Systems (IFES), [Elections in Pakistan: May 11 General Elections, Frequently Asked Questions](#), 6 May 2013, *What is the electoral system in Pakistan*

The government required voters to indicate their religion when registering to vote. To register to vote, the government required Ahmadis to declare themselves as non-Muslims. Ahmadis consider themselves Muslims, and as a result the community was unable to vote.

The constitution reserves four seats in the Senate for religious minorities, one for each of the four provinces. These seats are filled through indirect elections held in the provincial assemblies. Ten national assembly seats are reserved for members of religious minorities. The seats are apportioned to parties based on the percentage of seats each won in the assembly. Under the law minorities held 23 reserved seats in the provincial assemblies: eight in Punjab, nine in Sindh, three in KP, and three in Balochistan.

Women and minorities are allowed to contest for unreserved seats.²¹

The Central Intelligence Agency's (CIA) Factbook reports that the current Chief of State is President Mamnoon Hussain (since 9 September 2013) and the Head of Government is Prime Minister Mohammad Nawaz Sharif (since 5 June 2013)²², as voted in the May 2013 general elections²³. The Economist Intelligence Unit reported that "The Pakistan Muslim League (Nawaz), or PML (N), secured the largest number of seats in the National Assembly election held in May 2013. The PML (N) leads a coalition government that includes the Jamiat Ulema-e-Islam (Fazl), or JUI (F), the Pakistan Muslim League (Functional), or PML (F), and the National People's Party (NPP)".²⁴

The CIA Factbook further notes that the President is elected by "secret ballot through an Electoral College comprising the members of the Senate, National Assembly, and provincial assemblies for a five-year term" of which the last elections were held on "9 September 2013 (next to be held in 2018)", whilst the Prime Minister is "selected by the National Assembly".²⁵ The same source further notes with regards to the legislative branch that it consists of a "bicameral parliament or Majlis-e-Shoora" which in turn consists of the Senate and the National Assembly.²⁶

❖ The President: Mamnoon Hussain [since 9 September 2013]

According to the BBC News 'Pakistan profile' page:

Mamnoon Hussain was elected to the largely ceremonial role of president by parliament in July 2013. He succeeded Asif Ali Zardari, who stepped down at the end of his five-year term as the first democratically-elected president to complete a full-term in Pakistan. He took over from military leader Pervez Musharraf, who resigned under threat of impeachment. Mr Hussain is a textile businessman and close ally of Prime Minister Nawaz Sharif.²⁷

Transparency International further explains the role of the Executive branch of the government as follows:

²¹ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, *Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government*

²² The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Government type and Executive branch*, Date accessed 17 March 2015

²³ The Economist Intelligence Unit, [Pakistan](#), Last updated 24 February 2015, Date accessed 18 March 2015, *National government*

²⁴ The Economist Intelligence Unit, [Pakistan](#), Last updated 24 February 2015, Date accessed 18 March 2015, *National government*

²⁵ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Executive branch*, Date accessed 17 March 2015

²⁶ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Legislative branch*, Date accessed 17 March 2015

²⁷ BBC News, [Pakistan profile: Leaders](#), last updated 20 January 2015, Date accessed 17 March 2015

The Executive is one of the three major components that constitute the state of Pakistan. The other two are the Legislature and the Judiciary. In the parliamentary system, prevalent in Pakistan, the Executive is part of the Legislature, as the Executive are elected from within the Legislators. It has been a controversial organ of the state in the history of Pakistan both with respect to law and practice. Four periods of military rule, three constitutions and 20 amendments to the latest Constitution, mostly with respect to the power and role of the Executive are an indication of this fact. The last period of Military rule ended in August 2008 when the President had to resign, fearing his impeachment. The offices of The President, Prime Minister and the cabinet have adequate human and technical resources [...]

The Executive branch of the government is explicitly defined in the Constitution of Pakistan. The executive authority of the Federation is exercised in the name of the President. The other members of the Executive are the Prime Minister, the Federal Ministers, Provincial Governors and Ministers and Advisors. The Prime Minister is the Chief Executive of the Federation. The President is the Head of the State. To be the President of Pakistan, a person must be a Muslim by religion and of at least 45 years of age. The President is elected for a five-year term by the members of Senate, National Assembly and members of the Provincial Assemblies. The President is eligible for re-election but may not hold the office for more than two consecutive terms. The Prime Minister is aided and advised by the Federal Cabinet and a council of ministers whose members are appointed by the President at the advice of the Prime Minister. The Federal Cabinet comprises of the ministers, ministers of state and advisers.²⁸

❖ The Prime Minister: Mohammad Nawaz Sharif [since 5 June 2013]

According to the BBC News 'Pakistan profile' page:

The Muslim League conservative party won parliamentary elections in May 2013, returning Nawaz Sharif to power for a third time. Mr Sharif, a wealthy industrialist from Punjab, first emerged in the 1980s as a protege of military ruler Zia ul-Haq, and went on to serve as elected prime minister in 1990-1993 and 1997-1999, alternating in office with the left-leaning Pakistan People's Party (PPP). Army chief Pervez Musharraf deposed him in a coup in 1999, and Mr Sharif spent the following eight years in Saudi exile. His victory in 2013 - again over the PPP - marked the first transition from one elected government to another in the country's history.²⁹

❖ The Senate

According to the CIA's Factbook the Senate contains 104 seats and its members are "indirectly elected by provincial assemblies and the territories' representatives in the National Assembly to service six-year terms; one half are elected every three years".³⁰ The International Foundation for Electoral Systems (IFES) reported that "The main purpose for the creation of the Senate of Pakistan was to give equal representation to all units of the federation. There is equal provincial membership in the Senate that balances the provincial inequality in the National Assembly where the number of seats is determined based on population size".³¹

The website of the Senate provides the following overview with regards to its composition:³²

²⁸ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 2: Executive, Summary and Structure and Organization*

²⁹ BBC News, [Pakistan profile: Leaders](#), last updated 20 January 2015, Date accessed 17 March 2015

³⁰ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Legislative branch*, Date accessed 17 March 2015

³¹ International Foundation for Electoral Systems (IFES), [Pakistan Factsheet: Senate of Pakistan](#), 25 March 2013, *Purpose and Role of the Senate*

³² Senate of Pakistan, [House & its Membership](#), Undated, Date accessed 18 March 2015. Note that at the time of finalizing this report the election results in FATA were not made public yet.

Provinces/Territories	General	Technocrats/Ulema	Women	Non-Muslims	Total
Sindh	14	4	4	1	23
Punjab	14	4	4	1	23
Balochistan	14	4	4	1	23
Khyber Pakhtunkhwa	14	4	4	1	23
Federal Capital	2	1	1	-	4
FATA	8	-	-	-	8
Total	66	17	17	4	104

The same website further informs that “A person seeking election to the Senate should not be less than thirty years of age and should be registered as a voter in an area or province from where he seeks election and should meet other qualifications prescribed under Article 62 of the Constitution”.³³

The last Senate elections were held on 5th March 2015, with FATA voting on the 20th March 2015³⁴ “due to the postponement of polling there over a dispute about technical details of the voting process”.³⁵ According to a Radio Free Europe/Radio Liberty news article Prime Minister Nawaz Sharif’s political party “has gained strength in Senate elections as the second largest party in the upper chamber of the National Assembly and now has just one seat less than the opposition”, whilst unofficial results showed that the opposition Pakistan People’s Party “retained the largest bloc in the Senate with 27 seats”.³⁶

The current Chairman of the Senate is Mian Raza Rabbani and the Deputy Chairman Molana Abdul Ghafoor Haideri (both since 12 March 2015).³⁷ The list of current members can be accessed [here](#)³⁸, according to their province of origin [here](#)³⁹, and according to their party affiliation [here](#)⁴⁰.

❖ The National Assembly

The CIA Factbook on Pakistan reports that the National Assembly holds “342 seats [of which] 272 members [are] elected by popular vote; 60 seats reserved for women; 10 seats reserved for non-Muslims” and its members service five-year terms”.⁴¹ The last National Assembly elections were held on 11 May 2013, with the next one scheduled for 2018.⁴²

³³ Senate of Pakistan, [House & its Membership](#), Undated, Date accessed 18 March 2015. See also Article 62 of the [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012, Chapter 2: Majlis-e-Shoora (Parliament), Provisions as to Members of [Parliament], 62. Qualifications for membership of Majlis-e-Shoora (Parliament)

³⁴ Election Commission of Pakistan, [Notification: Senate \(Election\) FATA-2015](#), 16 March 2015

³⁵ Radio Free Europe/Radio Liberty, [Sharif’s party gains Strength in Pakistani Senate Election](#), 7 March 2015

³⁶ Radio Free Europe/Radio Liberty, [Sharif’s party gains Strength in Pakistani Senate Election](#), 7 March 2015

³⁷ Senate of Pakistan, [Home](#), Undated, Date accessed 18 March 2015

³⁸ Senate of Pakistan, [Current Members](#), Undated, Date accessed 18 March 2015

³⁹ Senate of Pakistan, [Province Wise Sitting Senators List](#), Undated, Date accessed 18 March 2015

⁴⁰ Senate of Pakistan, [Party Wise Sitting Senators List](#), Undated, Date accessed 18 March 2015

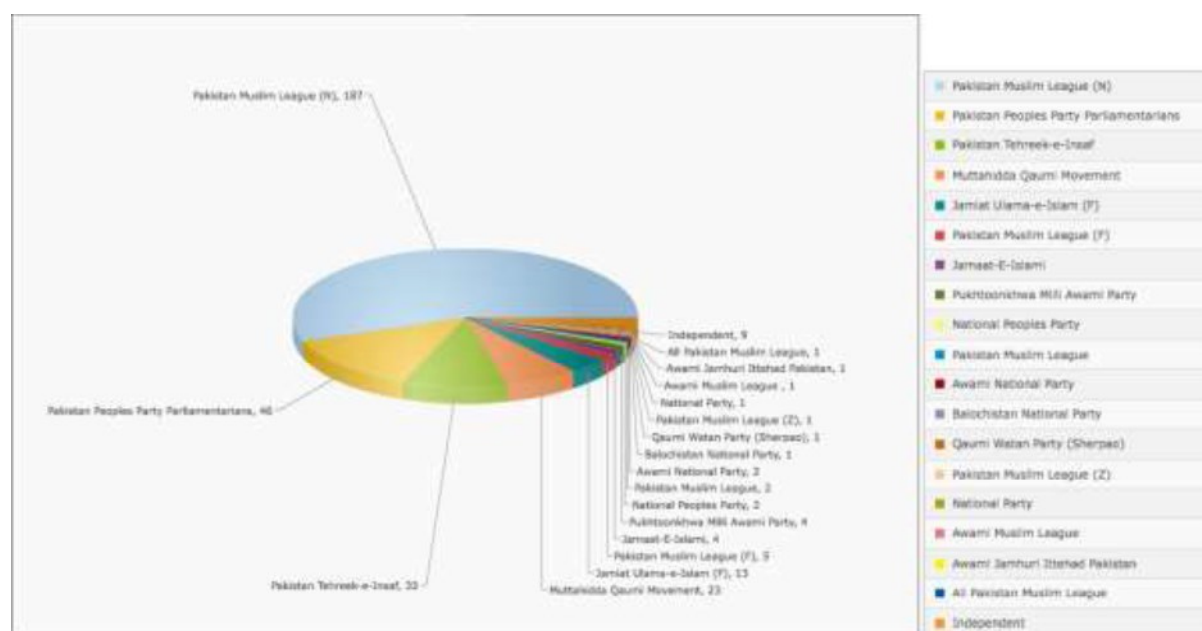
⁴¹ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Legislative branch*, Date accessed 17 March 2015

⁴² The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Legislative branch*, Date accessed 17 March 2015

The website of the National Assembly of Pakistan provides the following table outlining the current status of seats “This number can be different from original allocation of seats if some seats are vacant or oath is not taken”⁴³:

	Punjab	Sindh	Khyber Pakhtunkhwa	Balochistan	FATA	Federal Capital	Total
General	146	60	35	14	11	2	268
Women	34	14	8	3	0	0	59
Non-Muslims	-	-	-	-	-	-	10
Total	180	74	43	17	11	2	337

The Speaker of the National Assembly of Pakistan is Sardar Ayaz Sadiq, whilst his deputy is Murtaa Javed Abbasi [both since 3 June 2013].⁴⁴ A list of current members can be accessed [here](#).⁴⁵ A table by the Election Commission of Pakistan provides an overview of the party position and provincial origin of the current National Assembly members can be viewed [here](#).⁴⁶ The following graph provided by the National Assembly shows the distribution of its members by party affiliation⁴⁷:



A list of Federal Ministers can be viewed [here](#)⁴⁸ and a list of Ministers of State [here](#).⁴⁹

⁴³ National Assembly of Pakistan, [Composition](#), Undated, Date accessed 18 March 2015

⁴⁴ National Assembly of Pakistan, [Speaker/ Deputy Speaker](#), Undated, Dace accessed 18 March 2015

⁴⁵ National Assembly of Pakistan, [Members \(268\)](#), Undated, Date accessed 18 March 2015

⁴⁶ Election Commission of Pakistan, [Party Position \(National Assembly\)](#), Undated, Date accessed 18 March 2015

⁴⁷ National Assembly of Pakistan, [Party-Wise Graph](#), Undated, Date accessed 18 March 2015. Lists of individual National Assembly member's party affiliation can be accessed under the 'Members' tab on the website of the National Assembly of Pakistan: <http://www.na.gov.pk/>, Undated, Date accessed 18 March 2015

⁴⁸ National Assembly of Pakistan, [Federal Ministers](#), Undated, Date accessed 18 March 2015

⁴⁹ National Assembly of Pakistan, [Ministers of State](#), Undated, Date accessed 18 March 2015

1.3.2. Overview of main political parties

See also COI included further below in [1.3.4.1 Corruption](#) and [2.2.1. May 2013: General elections](#)

Freedom House noted in its annual report covering 2014 that “Pakistan has a thriving multiparty system, with numerous factions represented in Parliament and provincial governance. Nonetheless, parties continue to be characterized by a lack of internal democracy and transparency, with most funds generated through private, opaque means. Parties typically rely on charismatic leadership by individual personalities or political dynasties”.⁵⁰

The Economist Intelligence Unit reported that “The Pakistan Muslim League (Nawaz), or PML (N), secured the largest number of seats in the National Assembly election held in May 2013. The PML (N) leads a coalition government that includes the Jamiat Ulema-e-Islam (Fazl), or JUI (F), the Pakistan Muslim League (Functional), or PML (F), and the National People’s Party (NPP)”.⁵¹ Freedom House reported that “At the provincial level, the PML-N won in Punjab, the PPP formed a government in Sindh, and a coalition led by the National Party assumed power in Balochistan. In KPK, a PTI-led coalition took office”.⁵²

The Election Commission of Pakistan provides a list on its website of 270 political parties registered with the agency. This can be accessed [here](#).⁵³ Transparency International comments in its April 2014 ‘National Integrity System’ report that “Working under repressive conditions, political parties, have been exploited and divided into factions by the dictatorships to weaken them, giving rise to family or personality oriented leaderships, caste based groups, local, parochial, sectarian, and constituency based patterns of politics. Political Parties neither have been able to modernize their structures nor promote internal good governance systems resulting in dynastical, dictatorial and undemocratic structures”.⁵⁴ The same report further notes “Pakistan political system is highly elitist, with candidates and political leaders largely drawn from the feudal classes and, in recent years, the affluent business classes. The political party system is thus dictatorial and undemocratic. Most political parties are personality-driven, with virtually no alternative leadership. Elections for party posts are unopposed. Party funding is non-transparent. Party accounts are seldom audited”.⁵⁵

The following table sets out the seats gained by the top five political parties during the May 2013 general elections⁵⁶:

⁵⁰ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015, *Political Rights and Civil Liberties*, B. *Political Pluralism and participation*: 8/16 (-1)

⁵¹ The Economist Intelligence Unit, [Pakistan](#), Last updated 24 February 2015, Date accessed 18 March 2015, *National government*

⁵² Freedom House, [Freedom in the World 2014: Pakistan](#), 23 January 2014, *Political Rights and Civil Liberties*, A. *Electoral Process*: 7/12 (+1)

⁵³ Election Commission of Pakistan, [List of political parties enlisted with ECP](#), Undated, Date accessed 18 March 2015

⁵⁴ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, III. *Country Profile-The Foundations for the National Integrity System*, *Political-Institutional Foundation*

⁵⁵ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, III. *Country Profile-The Foundations for the National Integrity System*, *Pillar 10: Political Parties, Structure and Organization*

⁵⁶ See South Asia Terrorism Portal, [Elections 2013-Results](#), Undated, Date accessed 9 April 2015

Elections 2013 - Results

Contesting Parties	National Assembly	Sindh Assembly	Punjab Assembly	KPK Assembly	Balochistan Assembly
Summary	260/272	124/130	293/297	99/99	50/51
PML(N)	144	4	214	12	9
PPPP	31	65	6	3	0
PTI	28	3	20	35	0
MQM	18	37	0	0	0
JUI(F)	10	0	0	13	6
IND	7	5	41	13	8
PML-F	4	7	0	0	0
JI	3	0	1	7	0
PKMAP	3	0	0	0	10
NPP	2	2	0	0	0
PML(Q)	2	1	7	0	5
PML(Z)	1	0	2	0	0
QWP	1	0	0	7	0
ANP	1	0	0	4	1
AJIP	1	0	0	3	0
APML	1	0	0	1	0
AML	1	0	0	0	0
BNP	1	0	0	0	2
NP	1	0	0	0	7
Pakistan National Muslim League	0	0	1	0	0
BNAP	0	0	1	0	0
Pakistan Rah-e-Haq Party	0	0	0	1	0
JQM	0	0	0	0	1
MWM	0	0	0	0	1
SUP	0	0	0	0	0
STPP	0	0	0	0	0
Summary	260/272	124/130	293/297	99/99	50/51

The section below provides brief overviews of the main political parties, both in government and in opposition:

Coalition government led by the Pakistan Muslim League-Nawaz

- ❖ Pakistan Muslim League – Nawaz (PML-N)
 - Head of the PML-N: Current Prime Minister Nawaz Sharif⁵⁷

Al Jazeera reports that the PML-N is a “centre-right, fiscally and socially conservative party” that draws its strength from Punjab, “Pakistan’s most populous province”.⁵⁸ The same source further notes that “The Sharifs draw their wealth from running a number of industries - primarily steel mills - and much of their support comes from influential industrialists and agriculturalists in both rural and

⁵⁷ Prime Minister’s Office, Islamic Republic of Pakistan, [Prime Minister of Pakistan: Mian Muhammad Nawaz Sharif](#), Undated, Date accessed 19 March 2015

⁵⁸ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Pakistan Muslim League-Nawaz (PML-N)*

urban areas of Punjab. Like most other major political parties in Pakistan, it is heavily reliant on kinship and patronage networks for votes”.⁵⁹

- ❖ Jamiat Ulema-e-Islam (Fazlur Rehman group) (JUI-F)
 - Head of the JUI-F: Maulana Fazlur Rahman⁶⁰

According to a BBC report the JUI-F “is a right-wing religious party led by Maulana Fazlur Rahman that has ideological links to the Deobandi sect of Islam. Its key constituencies are in Khyber Pakhtunkhwa and Balochistan provinces. It strongly opposes US drone attacks inside Pakistan's tribal regions and what it calls the government's "pro-American policy””.⁶¹

- ❖ Pakistan Muslim League - Functional (PML – F)
 - Head of the PML-F: Pir Shaib Pagara⁶²

According to the website ‘Pakistan Elections 2012-2013’ set up as a joint venture of PakTribune.com and PakCyber.com. PakTribune, an internet news daily, to cover the elections since its inception in 1996, the PML-F “is one of the factions of the original Pakistan Muslim League, [the letter 'F' in the name means Functional]”.⁶³ According to reporting by the Business Recorder the PML-F “was formed in 1985 when the establishment decided to make Muhammad Khan Junejo the president of united PML, Pir Pagaro parted ways with the mother league and formed his own party”.⁶⁴

- ❖ National People’s Party (NPP)
 - Head of the NPP: Ghulam Murtaza Khan Jatoi⁶⁵

According to reporting by the Business Recorder the NPP “is a political party in Pakistan most active in the province of Sindh and southern parts of Punjab. It was founded in 1986 by Ghulam Mustafa Jatoi after falling out with Benazir Bhutto and leaving her Pakistan Peoples Party”.⁶⁶

Main opposition parties [listed in alphabetical order]

See also [6.3.2. Treatment of \(actual and perceived\) members and supporters of political opposition parties and political activists.](#)

- ❖ Awami National Party (ANP)
 - Head of the ANP: Asfandiyar Wali Khan⁶⁷

According to BBC reporting the ANP “is a left of centre, secular political movement which focuses on Pashtun nationalism and wants improved ties between Pakistan and Afghanistan, India and the US despite its opposition to US drone attacks in the country's tribal areas. The influx of the Pashtun population to Karachi over the past few years has made the ANP a significant force in the country's

⁵⁹ Al Jazeera, [Explainer: Pakistan's main political parties](#), 6 May 2013, *Pakistan Muslim League-Nawaz (PML-N)*

⁶⁰ BBC News, [Pakistan elections: Politicians and parties to watch](#), 12 May 2013, *Jamiat Ulema-e-Islam-Fazl*

⁶¹ BBC News, [Pakistan elections: Politicians and parties to watch](#), 12 May 2013, *Jamiat Ulema-e-Islam-Fazl*

⁶² Pakistan Elections 2012-2013, [Shujaat's days are numbered: Pagara](#), 13 September 2007, Date accessed 19 March 2015

⁶³ Pakistan Elections 2012-2013, [Party Detail – Pakistan Muslim League \(F\)](#), Undated, Date accessed 19 March 2015

⁶⁴ Business Recorder, Pakistan Elections 2013, [Pakistan Muslim League Functional](#), Undated, Date accessed 19 March 2015

⁶⁵ Business Recorder, Pakistan Elections 2013, [National Peoples Party](#), Undated, Date accessed 19 March 2015

⁶⁶ Business Recorder, Pakistan Elections 2013, [National Peoples Party](#), Undated, Date accessed 19 March 2015

⁶⁷ Al Jazeera, [Explainer: Pakistan's main political parties](#), 6 May 2013, *Awami National Party (ANP)*

financial capital, sometimes putting it into conflict with the MQM. With its secular standpoint and opposition to appeasing militants, the ANP has been continually targeted in militant attacks, particularly those staged by the Pakistani Taliban”.⁶⁸ Al Jazeera reports that the party’s strength mainly derives from the “Pashtun-majority areas of Khyber-Pashtunkwa (KPK) province”, but is also “active” in the “urban areas of Sindh province and elsewhere”.⁶⁹ According to the same source “The party was officially formed in 1986 as a conglomeration of several left-leaning parties, but had existed in some form as far back as 1965, when Khan Abdul Wali Khan split from the existing National Awami Party [...] At the national level, the ANP has traditionally stood with the PPP, the only other major secular party operating across the country”.⁷⁰

- ❖ Muttahida Qaumi Movement (MQM) [United National Movement]
 - Head of the MQM: Altaf Hussain⁷¹

According to BBC reporting the MQM “is a Sindh-based secular party whose membership mostly comprises the descendants of Urdu-speaking migrants to Pakistan at the time of the partition of British India in 1947. It mainly represents the interests of the urban lower and middle classes and the business community in the cities of Karachi and Hyderabad. The MQM is one of the few political forces in Pakistan whose leadership is not made up of the political elite — several MQM leaders belong to the middle and lower-middle classes”.⁷² Al Jazeera reports that the MQM was founded in 1984 and is a “secular, liberal but fiscally conservative party that draws its power base from the sprawling metropolis of Karachi, Pakistan’s largest city”.⁷³ The same source further notes that the MQM “serves as a vital key in any coalition government, with its control over Karachi, the country’s economic engine, and its significant chunk of National Assembly seats. It remains, however, dogged by accusations that it uses violence and fear to extract votes, and extorts business owners in Karachi”.⁷⁴ It further states that in Sindh the MQM has long been accused of “of exercising a violent brand of politics, in the province’s urban areas”.⁷⁵

- ❖ Pakistan Muslim League – Quaid-e-Azam (PML-Q)
 - Head of the PML-Q: Chaudhry Shujaat Hussain⁷⁶

Al Jazeera reports that the PML-Q was formed in 2002 and is a “centre-right party drawn primarily from defectors from the rival PML-N who chose to support General Pervez Musharraf in the aftermath of his coup against the democratically elected government. The party led the government under Musharraf, with members Chaudhry Shujaat Hussain, Zafarullah Khan Jamali and Shaukat Aziz all serving as prime ministers under Musharraf’s presidency”.⁷⁷ According to BBC reporting “The PML-Q and the PML-N resulted from a split in 2002 when President Musharraf was in power and Nawaz Sharif in exile. The PML-Q claims to trace its lineage to the All India Muslim League of which Muhammad Ali Jinnah - known as Quaid-e-Azam - was the president”.⁷⁸

⁶⁸ BBC News, [Pakistan elections: Politicians and parties to watch](#), 12 May 2013, *The Awami National Party*

⁶⁹ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Awami National Party (ANP)*

⁷⁰ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Awami National Party (ANP)*

⁷¹ Pakistan Elections 2012-2013, [Key Contenders](#), Undated, Date accessed 19 March 2015

⁷² BBC News, [Pakistan elections: Politicians and parties to watch](#), 12 May 2013, *The Muttahida Qaumi Movement*

⁷³ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Muttahida Qaumi Movement (MQM)*

⁷⁴ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Muttahida Qaumi Movement (MQM)*

⁷⁵ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Pakistan Tehreek-e-Insaf (PTI)*

⁷⁶ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Pakistan Muslim League-Quaid (PML-Q)*

⁷⁷ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Pakistan Muslim League-Quaid (PML-Q)*

⁷⁸ BBC News, [Pakistan elections: Politicians and parties to watch](#), 12 May 2013, *Pakistan Muslim League (Quaid-e-Azam)*

❖ Pakistan People's Party (PPP)

- Head of the PPP: Bilawal Bhutto Zardari (Chairman) and Asif Ali Zardari (co-Chairman)⁷⁹; (previous heads: Zulfikar Ali Bhutto and Benazir Bhutto – both killed “while carrying out political activities and [...] considered martyrs by the PPP faithful”)⁸⁰

Al Jazeera reports that the PPP was “founded in 1967 by Zulfikar Ali Bhutto, Benazir's father, the PPP positions itself as a secular, centre-left socialist party, with a strong emphasis on using public-sector expenditure as a way to address income and social disparities. The party has been voted into power four times since its inception (1977, 1988, 1993 and 2008), but this last term was the first time it completed its full five-year term in office - making it the first Pakistani civilian-led government to do so”.⁸¹ The Dawn further reported:

PPP is the largest political party of Pakistan. The party has been active in Pakistani politics since the separation of East Pakistan and later gained much popularity and support during the era of Zulfikar Ali Bhutto. The party won the 1971 elections on a socialist mandate of ‘Roti, Kapra, Makan’ (‘bread, clothes, shelter’).

PPP took control of the country after the 1971 war. After the first parliamentary term, PPP secured a victory in the 1977 elections to rule for another five years. Opposition parties claimed that the election was heavily rigged by the PPP. Tensions mounted and despite an agreement reached between the opposition and PPP, martial law was imposed in the country by Gen. Zia ul Haq.

Bhutto was hanged in 1977 after a controversial trial, in which he was found guilty of murdering a political opponent. His daughter Benazir Bhutto was elected twice as the prime minister but her government was dismissed both times on corruption charges.

Initially PPP was a socialist nationalist party as Zulfikar Ali Bhutto wanted closer ties with China and more attention paid to the lower classes. Benazir Bhutto on the other hand adopted conservative privatisation policies in order to secure funding from the United States and the World Bank.

Although twice elected prime minister, Benazir Bhutto was criticised for corruption and extra judicial killings. Bhutto was sworn in as prime minister for the first time in 1988, but was removed from the office 20 months later on grounds of alleged corruption by president Ghulam Ishaq Khan. In 1993 she was re-elected but was again removed in 1996 on similar charges, this time by President Farooq Leghari.

In 2002, PPP Parliamentarians was formed as an electoral extension of the Pakistan People's Party (PPP) for the purpose of complying with electoral rules governing Pakistani parties.⁸²

The same source notes with regards to the political stance of PPP:

The party was formed to accomplish few goals which remained the highlights of PPP's manifesto. Faith in Islam, democracy, eradication of feudal system and peasantry and empowerment of general people are the salient features of PPP's political stance.⁸³

❖ Pakistan Tehreek-e-Insaf (PTI) [Movement for Justice]

- Head of the PTI: Imran Khan⁸⁴

Al Jazeera reports that the PTI was “formed in 1996, after [Imran] Khan retired following a remarkably successful career as an international cricketer. The party's aim was primarily to wipe out

⁷⁹ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, *Government, Political parties and leaders*, Date accessed 17 March 2015

⁸⁰ Al Jazeera, [Explainer: Pakistan's main political parties](#), 6 May 2013, *Pakistan People's Party (PPP)*

⁸¹ Al Jazeera, [Explainer: Pakistan's main political parties](#), 6 May 2013, *Pakistan People's Party (PPP)*

⁸² Dawn, [Pakistan People's Party](#), 17 January 2012

⁸³ Dawn, [Pakistan People's Party](#), 17 January 2012

⁸⁴ Al Jazeera, [Explainer: Pakistan's main political parties](#), 6 May 2013, *Pakistan Tehreek-e-Insaf (PTI)*

corruption and tackle ineffective governance in a country where both have crippled attempts at government service delivery. The PTI was largely politically irrelevant for the first decade or so of its existence, but shot to prominence in 2012 when it held massive political rallies in Lahore, Karachi and elsewhere”.⁸⁵ The same source further notes that “The party’s policy on homegrown militancy advocates an approach based on dialogue with those elements wishing to lay down their arms and a disengagement from the country’s current alliance with the United States, citing the partnership as one of the key causes of militancy against the Pakistani state”.⁸⁶ On 22nd August 2014 Radio Free Europe/Radio Liberty reported that lawmakers from Imran Khan’s Tehreek-e-Insaf party had resigned from parliament after “the legislature rejected his [Imran Khan’s] calls for Sharif’s resignation as unconstitutional”.⁸⁷

Political landscape of Pakistan since June 2013

Freedom House described the political landscape during 2013 as follows:

Pakistan has a thriving multiparty system. Notwithstanding election-related violence, parties actively campaigned across the country in 2013. Many rallies and processions came under attack, but the campaigning continued. The elections were also highly competitive. An average of 17 candidates contested each NA seat. These were the first elections in which parties could field candidates in the FATA. Party organization in the region was previously forbidden, meaning independents were elected based largely on tribal loyalty.

The success of the PTI, which had boycotted the last elections, demonstrated that the political system is open to the rise of new parties. Nonetheless, parties continue to be characterized by lack of internal democracy and transparency. Most party funds are generated through private, opaque means. Parties usually rely on charismatic leadership by individual personalities or political dynasties. Tribal and community loyalties play a powerful role in determining voters’ choices.

Political participation is severely undermined by intimidation from nonstate actors, such as the TTP and associated Islamist militant groups. Baloch insurgents also carried out attacks, killing 14 people and injuring 78. The militant violence affected campaigning especially in KPK, Balochistan, the FATA, and Karachi, the capital of Sindh.

Clashes between political parties are also endemic. During the 2013 elections, according to PIPS, 97 such incidents took place, in which 128 leaders and workers of different political parties were killed. Karachi alone suffered 70 violent incidents of this kind.

Women remain underrepresented in all spheres of the electoral process. Only 44 percent of registered voters in the 2013 electoral rolls were women. According to the European Union observer mission, that translates into nearly 11 million unregistered women. Though the number of women candidates was nearly double the figure from 2008, it still was an abysmal 2.9 percent of the candidates for general seats. The ECP lacked female representation, and less than 2 percent of its staff members were women. Women were stopped from voting by local leaders in many constituencies in the FATA, KPK, and Punjab. Some polling stations for women reported zero turnout. The participation of non-Muslims in the political system continues to be minimal. Few ran for the general seats in 2013, and only one was elected. Political parties nominate members to the seats reserved for non-Muslim minorities, leaving non-Muslim voters with little say in selecting the parliamentarians who supposedly represent them.

Ahmadis, members of a heterodox Muslim sect, continue to face political discrimination and are registered on a separate voter roll. Ahmadi representatives boycotted the 2013 elections.⁸⁸

⁸⁵ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Pakistan Tehreek-e-Insaf (PTI)*

⁸⁶ Al Jazeera, [Explainer: Pakistan’s main political parties](#), 6 May 2013, *Pakistan Tehreek-e-Insaf (PTI)*

⁸⁷ Radio Free Europe/Radio Liberty news, [Imran Khan’s Party Resigns From Parliament In Protest](#), 22 August 2014

⁸⁸ Freedom House, [Freedom in the World 2014: Pakistan](#), 23 January 2014, *Political Rights and Civil Liberties, A Electoral Process: 7/12 (+1)*

Transparency International reported that “in the recent elections held in 2013, political parties along with the state authorities and civil society expressed strong commitment to the democratic process. Overall the elections 2013 indicated a political maturity. First time in the history of Pakistan, a Shiite Political Party of Pakistan, has contested the Elections 2013. The political leaders have accepted the results with minimal allegations of rigging, mismanagement and fraud. Most of all, despite threats and violence by the terrorist organizations, there was general participation by the public. In a study, done in 2013 the question “How freely are parties able to form and recruit members, engage with the public and campaign for office?” received the highest score of 81%”.⁸⁹

Radio Free Europe/Radio Liberty reported in January 2015 that the governor of Punjab province, Mohammad Sarwar, resigned “saying the country’s political system has failed ordinary people [...] the system is serving only the elite class and the common man is deprived of justice, rights, and prosperity”.⁹⁰

1.3.3. The judicial system, including the use of tribal justice mechanisms and the application of Islamic law

See also [1.3.4.1 Corruption](#), [2.4 Anti-terrorism operations](#) and [5. Rule of Law/Administration of Justice](#)

❖ Pakistan’s formal judicial system

For more detailed information on the judicial system of Pakistan, as written by the then Registrar of the Supreme Court of Pakistan, consult:

- The Supreme Court of Pakistan, [The Judicial System of Pakistan](#), Revised 15th February 2011

The Central Intelligence Agency’s (CIA) Factbook states that Pakistan’s legal system is a “common law system with Islamic law influence” and that the following courts operate in Pakistan: Supreme Court of Pakistan, High Courts, Federal Shariat Court, provincial and district civil and criminal courts, and specialised courts for issues such as taxation, banking, customs etc.⁹¹ Transparency International describes in its ‘National Integrity System’ the structure and organization of the ‘Judiciary’ as follows:

Judiciary in Pakistan consists of hierarchy of courts. The Superior Judiciary consists of the Supreme Court, Federal Shari ‘at Court and High Courts while the subordinate Judiciary is at the district level with Civil and Criminal Courts created by Acts of Federal/Provincial Parliaments working under the supervision and control of the respective High Courts. The Constitution also has established administrative courts and tribunals to cover matters related to public servants protection, claims from tortuous acts of government and acquisition, administrative and disposal of any property.

The Supreme Court, with its original, appellate and advisory jurisdiction, lies at the apex of the judicial hierarchy and is considered the Court of ultimate appeal. It has exclusive jurisdictions to issue declaratory judgments in disputes between and among Federal/ Provincial governments and its

⁸⁹ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, III. Country Profile-The Foundations for the National Integrity System, Pillar 10: Political Parties, 10.1.4 Independence (Practice)

⁹⁰ Radio Free Europe/Radio Liberty news, [Pakistani Provincial Governor Resigns, Criticizes Political System](#), 29 January 2015

⁹¹ The Central Intelligence Agency (CIA), [The World Factbook: Pakistan](#), last updated 20 June 2014, Government, Legal system and Judicial branch, Date accessed 17 March 2015

decisions are binding on all other courts and authorities. Being the Highest Court of the land, it is also the guardian and defender of the Constitution.

The High Courts established at provincial level have appellate admiralty and original jurisdiction, for Sind high court the limit prescribed for admissibility is PKR 5 million and above. The High Courts are also empowered to issue writ jurisdiction if there is a violation of fundamental rights. [...]

The ordinary criminal laws viz., the Pakistan Penal Code (PPC) and the Criminal Procedure Code (Cr.PC) were amended consequently and punishments for offences like murder, theft, and adultery were substituted with penalties as provided by the Islamic laws.⁹²

Freedom House similarly describes Pakistan's judicial system as follows:

Pakistan's judiciary consists of a Supreme Court, Provincial High Courts, and other lower courts that exercise civil and criminal jurisdiction. After the 18th and 19th constitutional amendments were adopted in 2010, a judicial commission and a parliamentary committee were established to oversee judicial appointments and reduce the chances of political interference [...]

While the main court system operates on the basis of common law, parallel legal systems employ Sharia (Islamic law) and tribal law. A separate Federal Shariat Court is empowered to determine whether a provision of law goes against Islamic injunctions [...]

The FATA are governed by the president and federal administration under the Frontier Crimes Regulation (FCR), outside the jurisdiction of the Pakistan Supreme Court and Parliament. The FCR authorizes tribal leaders to administer justice according to Sharia and tribal custom, and despite amendments made to the regulation in 2011, it retains provisions that allow collective punishment of tribes for transgressions by individual members. The existence of different legal systems results in unequal treatment. Moreover, many communities resort to informal, traditional forms of justice due to the inefficiency of the formal courts, leading to arbitrary and unjust decisions.⁹³

In its annual report covering 2013 the U.S. Department of State reported that Azad Kashmir and Gilgit-Baltistan had their own separate judicial system.⁹⁴

In July 2014 the new Chief Justice, Nasirul Mulk, the Supreme Court's most senior judge was sworn in.⁹⁵ According to the same source Radio Free Europe/Radio Liberty, "Pakistan's judiciary became politically active after former chief justice Iftikhar Muhammad Chaudhry, dismissed by then-military ruler Pervez Musharraf in 2007, was restored to office in 2009 following a country-wide protest by lawyers. Chaudhry took up several cases against the government and disqualified then-Prime Minister Yousaf Raza Gilani on contempt-of-court charges. After Chaudhry's retirement in 2013, his successor Jillani heard cases of public interest and individual complaints as a priority".⁹⁶

Transparency International provides the following overview of the legislature process in Pakistan:

Being one of the main three branches of the Government, the Legislature in Pakistan has a key role in presenting, deliberating and passing laws for the country and also to oversee the performance of the Executive. Pakistan's Constitution comprehensively covers composition, duration, meetings and provisions of legal framework of the parliament. It sets out general, legislative and financial procedures of the parliament. It also provides specific distribution of the legislative powers to the parliament and the provincial assemblies. A bill may be originated in either house, but it needs to be passed by both the houses and also requires presidential assent to become a law. The President may

⁹² Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, Pillar 3: Judiciary, Structure and Organization

⁹³ Freedom House, [Freedom in the World 2014: Pakistan](#), 23 January 2014, Political Rights and Civil Liberties, *Rule of Law*: 4/16

⁹⁴ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, Section 1, e. Denial of Fair Public Trial

⁹⁵ Radio Free Europe/Radio Liberty, [Pakistan's New Chief Justice Sworn In](#), 6 July 2014

⁹⁶ Radio Free Europe/Radio Liberty, [Pakistan's New Chief Justice Sworn In](#), 6 July 2014

promulgate an ordinance in certain circumstances to be later on ratified or repealed by the two houses. There are adequate legal provisions in place that provide the legislature of Pakistan with financial, human and infrastructural resources to ensure that the legislature effectively carries out its duties, but still some significant resource gaps regarding office, staff, equipment, travel, salary, budget exist that lead to a certain degree of ineffectiveness in carrying out its duties.⁹⁷

As to trial procedures, the U.S. Department of State reported in its annual report covering 2013

The civil, criminal, and family court systems provide for public trial, presumption of innocence, cross-examination, and appeal. There are no trials by jury. Although defendants have the right to be present and consult with an attorney, courts appoint attorneys for indigents only in capital cases. Defendants bear the cost of legal representation in lower courts, but a lawyer may be provided at public expense in appellate courts. Defendants may confront or question prosecution witnesses and present their own witnesses and evidence. Defendants and attorneys have legal access to government-held evidence.⁹⁸

❖ Federal Shariat Court (FSD)

Transparency International describes in its 'National Integrity System' the structure and organization of the Federal Shariat Courts (FSC) as follows:

There also exists the Federal Shari'at Court of Pakistan (FSC), established in 1980, with the jurisdiction to scrutinize laws that are against Islamic values. It has an original and a sue motto jurisdiction to declare repugnant any provision of law if found against the injunctions of Islam and in case of its repugnancy the Government is required to amend the law and bring it in conformity with the injunctions of Islam. The FSC also has jurisdiction to examine any decisions of any criminal court relating to the application of Islamic (Hoodooed) penalties. The Hoodoo laws were promulgated in 1978 as part of the Islamization process undertaken by then military President allegedly "to legitimize his dictatorial rule".⁹⁹

The U.S. Department of State report on religious freedom covering 2013 noted with regards to the FSC:

The Federal Shariat Court (FSC) and the sharia bench of the Supreme Court serve as appellate courts for certain convictions in criminal courts, including those for rape, extramarital sex, alcohol use, and gambling. The FSC exercises "revisional jurisdiction" in those cases (the power to review, of its own accord, cases in lower courts), a power which applies to such cases whether they involve Muslims or non-Muslims. Non-Muslims are allowed to consult the FSC in other matters that affect them or violate their rights if they so choose.¹⁰⁰

❖ Pakistan's informal justice system incl. Jirga

See also [5.2. Access to fair trial.](#)

⁹⁷ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 1: Legislature, Summary*

⁹⁸ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, Section 1, e. *Denial of Fair Public Trial, Trial Procedures*

⁹⁹ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, Pillar 3: *Judiciary, Structure and Organization*

¹⁰⁰ U.S. Department of State, [International Religious Freedom Report for 2013: Pakistan](#), 28 May 2014, Section II. *Status of Government Respect for Religious Freedom, Legal/Policy Framework*

For more specific information on the Jirga, particularly those operating in FATA, consult

- Community Appraisal & Motivation Programme (CAMP), [Understanding Jirga: Legality and Legitimacy in Pakistan's Federally Administered Tribal Areas](#), 2011

With regards to the informal justice systems, the U.S. Department of State reported in its annual report covering 2013

Informal justice systems lacking the legal protections of institutionalized justice systems continued, especially in rural areas, and often resulted in human rights abuses. Feudal landlords and other community leaders in Sindh and Punjab, and tribal leaders in Pashtun and Baloch areas, held local council meetings (known as panchayats or jirgas), at times in defiance of the established legal system. Such councils settled feuds and imposed tribal penalties on perceived wrongdoers, including fines, imprisonment, or at times the death penalty. Women often were sentenced to violent punishments or death for “honor”-related crimes. In Pashtun areas, primarily located in FATA, such councils were held under the outlines of the FCR. Assistant political agents, supported by tribal elders of their choosing, are legally responsible for justice in FATA and conduct hearings according to their interpretation of Islamic law and tribal custom. Under the pashtunwali code of conduct, a man, his family, and his tribe are obligated to take revenge for wrongs, real or perceived, to redeem their honor. Frequently disputes arose over women and land. They often resulted in violence.¹⁰¹

With regards to cases under the Hudood Ordinance, the U.S. Department of State reports covering 2013 stated

Hudood Ordinance - a law enacted in 1979 by military leader Muhammad Zia-ul-Haq to implement a strict interpretation of Islamic law by enforcing punishments for extramarital sex, false accusation of extramarital sex, theft, and drinking of alcohol – were typically appealed first to the Federal Shariat Court (FSC). The Supreme Court ruled that, in cases in which a provincial high court decides in error to hear an appeal in a Hudood case, the shariat courts lack authority to review the provincial high court’s decision. The Supreme Court may bypass the Shariat Appellate Bench and assume jurisdiction in such appellate cases. The shariat courts may overturn legislation judge inconsistent with Islamic tenets, but such cases may be appealed to the Shariat Appellate Bench of the Supreme Court and ultimately may be heard by the full bench of the Supreme Court.¹⁰²

1.3.4. Characteristics of the government and state institutions

1.3.4.1. Corruption

See also [5. Rule of Law/Administration of Justice](#)

Freedom House described corruption during 2013 as being “rampant”¹⁰³ and stated:

Corruption, lack of accountability, and lack of transparency are pervasive problems at all levels of government, politics, and the military. Pakistan was ranked 127 of 177 countries assessed in Transparency International’s 2013 Corruption Perceptions Index. The National Accountability Bureau has made little progress in tackling official graft, due largely to inadequate political will and institutional capacity. High-profile corruption cases against former president Asif Ali Zardari, reopened

¹⁰¹ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, Section 1, e. Denial of Fair Public Trial

¹⁰² U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, Section 1, e. Denial of Fair Public Trial, Trial Procedures

¹⁰³ Freedom House, [Freedom in the World 2014: Pakistan](#), 23 January 2014, Civil Liberties, F. Rule of Law: 4/16

by the Supreme Court in 2012, are still under way. Procedural delays are a hallmark of such investigations.¹⁰⁴

Similarly, the U.S. Department of State reported in its annual report covering 2013:

The law provides for criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices. Corruption was pervasive in politics and government, and various politicians and public office holders faced allegations of corruption, including bribery, extortion, cronyism, nepotism, patronage, graft, and embezzlement. [...]

Corruption within the lower levels of police was common. A 2010 survey by Transparency International noted the major cause of corruption was lack of accountability, followed by low salaries. Some police charged fees to register genuine complaints and accepted bribes for registering false complaints. Bribes to avoid charges were commonplace. Critics charged that appointments of station house officers were politicized.

Anecdotal reports persisted about corruption in the judicial system, including reports of small-scale facilitation payments requested by court staff. Lower-court judges lacked independence, and superior court judges sometimes pressured them on how to decide a case. Lower courts remained corrupt, inefficient, and subject to pressure from prominent wealthy, religious, and political figures. Government involvement in judicial appointments increased the government's control over the court system..¹⁰⁵

In July 2013 Transparency International published the following two graphs depicting the 'perceptions of corruption, by institution' and the 'bribes paid, by institution':¹⁰⁶

¹⁰⁴ Freedom House, [Freedom in the World 2014: Pakistan](#), 23 January 2014, *Political Rights and Civil Liberties*, *C Functioning of Government* 5/12

¹⁰⁵ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, *Section 4. Corruption and Lack of Transparency in Government*

¹⁰⁶ Transparency International, [Global Corruption Barometer 2013](#), 9 July 2013

Pakistan

34% Of people have paid a bribe to at least one of eight services listed in the past 12 months

Figure 3: Perceptions of corruption, by institution

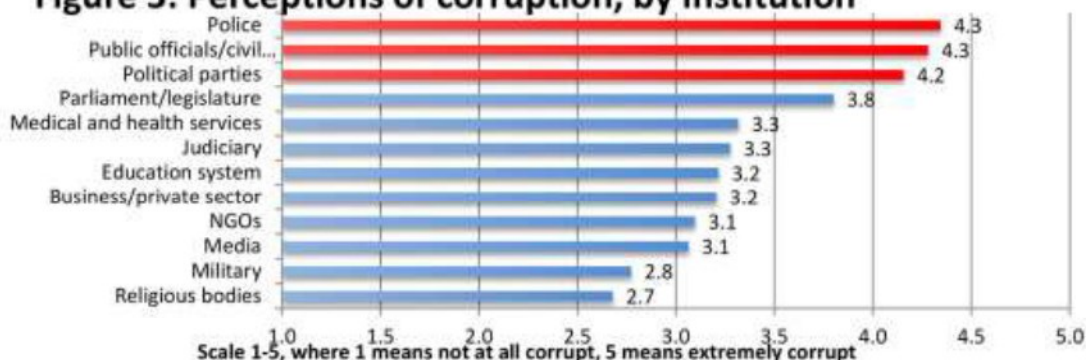
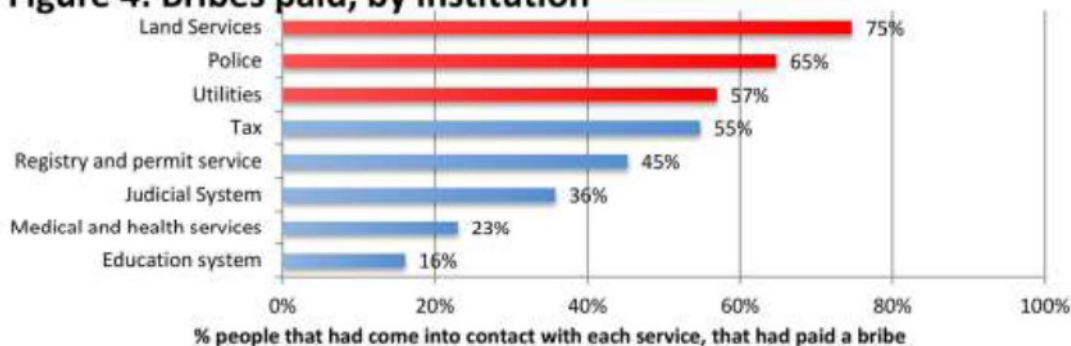


Figure 4: Bribes paid, by institution



A report by the International Commission of Jurists published in December 2013 reported that under the former Chief Justice Iftikhar Muhammad Chaudhry's tenure as Chief Justice of Pakistan "the Supreme Court has been able to improve awareness of human rights violations and has strengthened the right of victims to achieve remedy and reparations. The Court has tried to provide some accountability for corruption and human rights violations by the civilian government and taken a firm stance against unconstitutional usurpation of power by the military. In doing so, the Court has brought Pakistan closer to fulfilling some of its obligations under international human rights law".¹⁰⁷

Freedom House continued to note in its annual report covering 2014 that "Corruption, lack of accountability, and lack of transparency are pervasive problems at all levels of government, in politics, and in the military. The National Accountability Bureau has made little progress in tackling official graft, due largely to inadequate political will and institutional capacity".¹⁰⁸

In April 2014 Transparency International published its 'National Integrity System' report on Pakistan examining public and private sectors of Pakistan in terms of accountability and governance which found that:

The specialized watchdog agencies such as the Supreme Audit Institution, the Electoral Management Body and the Ombudsman have emerged as relatively stronger pillars as compared to other pillars,

¹⁰⁷ International Commission of Jurists, [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, *Introduction and Summary*

¹⁰⁸ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015, *Political Rights and Civil Liberties*, C. Functioning of Government: 5/12

specifically in terms of capacity, however, they are not performing their anti-corruption role effectively, as would be expected of them. On the other hand, the situation is all the more critical for the non-state pillars, in particular for Political Parties and the Civil Society which have significant deficiencies in their systems of checks and balances.

Most of the pillars are significantly stronger in terms of capacity than role but it seems that, even those institutions which have sufficient resources and independence do not have anti-corruption efforts on their agenda. This suggests that the fight against corruption is not being prioritized in Pakistan and is not receiving enough attention from those with the power to do something about it. There is a glaring discrepancy between law and practice across the board. Thus, while the legal framework could be described as relatively [sic] strong, the law is not being effectively implemented. The Legislature's inability to oversee the Executive, Judiciary's lack of resources, weak Law Enforcement Agencies and an eroded Public Sector in Pakistan, indicate a need for a monitoring mechanism on priority basis. The Media and the Civil Society could have played a pivotal role as external watch-dogs in bringing corruption to light, but both are among the weaker institutions in the integrity system, resulting in an un-checked abuse of entrusted power.¹⁰⁹

As to the different 'pillars' making up Pakistan's National Integrity System, the report provided the following summary findings [original emphasis]:

The **legislature** is a strong pillar in the National Integrity System, particularly in terms of its laws and capacity. Sufficiently independent under the Constitution, the Legislature in Pakistan is empowered to make Acts/laws but is not free in practice as its independence has over the decades been compromised mostly by military intrusions, lack of consistency in democratic process and the coalition of diverse political parties required to form a government. Consequently, the laws passed by the Parliament are not implemented by the Executive in letter and spirit. Moreover, lack of research culture and appropriate training has resulted in a divide between the public and the legislators, who have failed to better understand their role and their legislative or constituency issues.

The **Executive** branch on the other hand, has scored very low on governance and there are neither laws nor practice as far as accountability and integrity are concerned. It does not seem to be putting efforts into public sector management and as such its role is quite weak. Its independence too has historically been curtailed by undue interference from within, as well as externally, through four periods of military rule, three constitutions and 20 amendments to the latest Constitution, mostly with respect to the power and role of the Executive.

The **Judiciary's** shortcomings can be ascribed to low resource provisions and lack of funding. Accountability and integrity too are low in practice, particularly that of the subordinate judiciary. There has been improvement in the judicial process since the Judicial Law Reforms 2009, and there are a wide variety of cases where relief has been granted to the litigants against arbitrary orders of the executive. But the huge backlog of cases, lack of financial and human resources and corruption, particularly in the lower judiciary have made access to justice neither easy nor speedy for the citizens.

Poor governance, rampant corruption and weak implementation of laws are the main stumbling blocks in the growth of Pakistan's **Public Sector**. Public procurement laws are very effective but the problem lies with their implementation. Independence granted to a public servant by law is largely curtailed on account of interference from ministers and advisors to government. There is lack of integrity among civil servants and numerous cases of corruption and conflict of interest go unchecked due to lack of a well-placed monitoring mechanism. To top it all, absence of whistle blower protection laws/mechanisms, and fear of harassment, retaliation or recrimination, discourage honest officers from reporting corruption. There seems to be no government effort for public sector management and hence no public administration reform in sight. This naturally leads to an inefficient and a corrupt public sector, incapable of public service. Moreover, its' role, in educating the public and creating awareness regarding anti-corruption activities is almost non-existent.

¹⁰⁹ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, II. Executive Summary

The weak status of **Law Enforcement Agencies** in the National Integrity System is quite alarming. A number of existing gaps in financial, human and infrastructural resources in addition to insufficiency of latest intelligence technology have led to a certain degree of ineffectiveness in carrying out their duties. Most of the law enforcement agencies have low credibility and do not enjoy public respect. The right to information laws are not strong and in absence of witness protection system in place, the public does not dare question the public functionaries. The major causes of law enforcement failures can be assigned to ineffective accountability mechanisms and above all lack of integrity and political will to improve conditions. Present Integrity and disciplinary mechanisms are quite sound if implemented in their true spirit, but it seems that the issue of integrity has never been taken up seriously, signifying severe lack of political will. Hence, for its true implementation a proper accountability and prosecution mechanism has to be developed.

Another top scoring institution is the **Electoral Management Body** which has shown significant improvement in its processes. This includes issuance of voting lists and polling stations and access to relevant information for voters via mobile phone services. Accountability of its members and transparency with respect to procedures adopted by EMB for conducting elections are also well structured. But serious issues have come to light with respect to ECP's role in monitoring and regulating campaign finances.

Ombudsman has come up as a relatively strong pillar in the National Integrity System. The resources available to Ombudsman are sufficient and there is significant independence in their decision making and transparency in their procedures. However, the Ombudsman on its own cannot take action against the public functionaries, but rather can only refer the matter to the appropriate authority after investigation. Moreover, the Ombudsman deals with individual complaints rather than rooting out causes of systemic corruption and has mostly failed in promoting good practices.

Supreme Audit Institution is another comparatively strong pillar and appears to have substantial independence, though its funding is sanctioned by the Ministry of Finance. Its role in financial management has improved over the time. Overall laws on transparency and independence are very clear, but it is still weak in accountability and integrity. Being adequately equipped with resources, the SAI has still failed to make any significant contribution towards reduction of corruption in the Public Sector. Public departments usually ignore SAI's findings as it is poor in enforcing its decisions.

The National Accountability Bureau (NAB) and provincial ACAs technically are quite strong **Anti-Corruption Agencies** (ACAs). Both have been in existence for long and their respective laws are very well framed. Despite a strong legal framework, ACAs are weak in governance, mainly due to lack of external control, as well as absence of citizen oversight committees. Deficiency in professional training of the employees for investigations has also emerged as an area that needs to be worked upon.

Political Parties are quite weak, mainly due to governance and integrity issues. The major political parties of Pakistan are dynastical in nature, and lack of modern governance structures has robbed party workers of their right to develop themselves into leaders. Although ECP has issued guidelines and placed limits with sanctions for non-compliance on political parties regarding campaign finances, without an oversight body in the system, non-compliance goes unchecked. Legitimacy of political parties among the population is very weak as none of the parties has ever come up with an effective strategy for issues such as growing poverty, inflation, unemployment and corruption have been appeased and exploited by political parties through 'hollow pledges'. Moreover, Political Parties have never been observed to be involved, in any anti corruption effort whatsoever, solo or in collaboration with any other state or non-state institutions.

Media in Pakistan is vibrant and diverse, as well as largely independent and immune to external interferences. It has a good level of resources and the integrity in reporting is strong but financial integrity is questionable. Media's laws are effective but there is no national Right to Information law (on the lines of law that is being developed in Khyber Pakhtunkhwa). Despite its strong presence, it has not been able to devise a specific anticorruption agenda. It is mainly involved in day to day

reporting and is inclined towards sensationalism. It is often active and successful in exposing corruption, but does not necessarily run specific programs educating the public against corruption.

Civil Society is the weakest and most underperforming pillar in the National Integrity System. There is a lack of proper laws and codes of conduct for monitoring of their activities and resources. The role of CSOs is very minor in holding government accountable for its actions. They still do not possess the status nor are seen as a watchdog entity. Some CSOs perform as watchdogs but officially have no role in advising governments and can only put forth recommendations and proposals for improvement in governance, transparency and accountability. A few CSOs take up monitoring through research route to highlight need for reforms, but most of these researches go un-noticed and fail to make an impact in public domain and their utility remains conned to the academic realm.

Business scores relatively low in the National Integrity System. There are sufficient laws for conducting transparent business in the country, but still corruption is the most problematic factor for business sector in Pakistan. Instead of fighting corruption, Business Sector has given in to the executive's undue discretionary powers, and anti-corruption does not seem to be on its priority list. Rarely does the Business sector.¹¹⁰

In October 2014 the Austrian Federal Office for Immigration and Asylum published country analysis report on Pakistan, an article contained within which stated "The Global Competitiveness Index ranks Pakistan 123rd out of 144 countries for irregular payments and bribes. It also ranks Pakistan 116th for wastefulness of government spending. Corruption is widespread and thought to cost the country more than Rs500 billion annually. According to the World Bank, corruption deters investors and is believed to be a severe limitation for 57% of businesses. It is considered by the World Economic Forum Report 2013-14 as the most problematic factor for doing business in Pakistan (16.7%), followed by policy instability (11.8%), access to financing (11.6%) and access to adequate infrastructure (11.2%)".¹¹¹

The latest Transparency International 'Corruption Perceptions Index 2014', published in December 2014, places Pakistan at 126th place out of 174 countries/territories surveyed.¹¹²

1.3.4.2. Professionalism of civil service

Transparency International provides the following overview with regards to the public sector:

Pakistan, on independence, inherited a weak economy, inexperienced politicians but a professional civil Service which, with its steel framework filled the void created by the lack of experienced politicians. The civilian bureaucracy being institutionally autonomous and constitutionally protected, played a major in Pakistan's policymaking after independence, but eroded gradually over the period of six decades, mainly on account of extreme politicization, periods of military rule, corruption and incompetent appointments. Though, the terms and conditions including that of appointments/recruitments, seniority and promotions, postings and transfers, conduct and discipline, dismissals and terminations along with right of petition, representation and appeals in case of any grievance are governed by relevant Federal and Provincial Laws. However, in practice, the political and military factions on pretext of reforms to bring it under political control and oversight, opened up the gates for political interference and exploitation. Laws for accountability, transparency and

¹¹⁰ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, II. Executive Summary

¹¹¹ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), regiones et res publicae - Country Analysis Reports, [Pakistan - Challenges](#), October 2014, *Pakistan's economic challenges*, Gareth Price p.25

¹¹² Transparency International, [Corruption Perceptions Index 2014: Results](#), 3 December 2014

integrity of civil officers are in place but are not very effective, and public officials are perceived to be the most corrupt. The abundant misuse of discretionary powers goes unchecked and absence of monitoring mechanism along with lack of whistle blower protection laws, discourage reporting of corrupt practices.¹¹³

With regards to the independence of the public sector, Transparency International noted that “Pakistan’s Public Sector has eroded in the last six decades due to politicization, periods of military rule, corruption and incompetent appointments [...] Promotions, transfers, postings and subsequent reinstatement, with the change of governments, have become arbitrary and very common, leading civil servants to file petitions”.¹¹⁴ As to transparency of the public sector, the following was noted: “The present FOI [Freedom of Information] Ordinance is comparatively a weak law of limited scope, wherein, a lot of information and many public bodies are exempted. Many public sector institutions still have very poor record keeping systems and the mechanism is ineffective. There is lack of awareness amongst the populace and the procedure is complicated. Absence of any penalty for denying a request or ignoring it, long waiting time for responses, and possibility of being fined discourage citizens from pursuing for information”.¹¹⁵ With regards to accountability, “weak standard management systems and procedures, the failure to regularly upgrade rules, inadequate training, meritless appointments, poor values, unchecked discretionary powers, and lack of follow up on complaints, break the chain of accountability. Corruption is rampant in all sectors, be it health, education, taxation, law enforcement or power sector etc., however, ‘sometimes’ it is taken notice of, and the public sector organizations do initiate cases against their own officers. But the number and the level of alleged corruption is not proportionate to the actual amount of prevalent corruption”.¹¹⁶ The same report noted on the “integrity rules” for public officials and integrity mechanisms in general:

Integrity rules for the public officials, including cabinet division and other Executive departments are laid down, but there is not much information about the implementation of integrity rules in practice. Also, despite large amounts of budget and funding, the public sector is not properly governed by the Executive because of political interference, lack of transparency and unjust employment opportunities. Appropriate mechanisms are not in place to effectively supervise public sector staff [...] Codes of conduct have been laid down by almost all Public Sector institutions, but they are violated often and are ineffective in ensuring ethical behaviour. Civil servants accept gifts and hospitality, but never disclose it. There have been instances, where they have used their official position to gain personal benefits [...] Public officials in Pakistan are perceived as the most corrupt by 86% of the respondents in a recent survey [2013]. The laws are comprehensive, but the lack of compliance and oversight mechanism are ineffective.¹¹⁷

¹¹³ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 4: Public Sector, Summary*

¹¹⁴ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 4: Public Sector, 4.1.3 Independence (Practice)*

¹¹⁵ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 4: Public Sector, 4.2.2 Transparency (Practice)*

¹¹⁶ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 4: Public Sector, 4.2.4 Accountability (Practice)*

¹¹⁷ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, VI. *The National Integrity System, Pillar 1: Legislature, Summary and Pillar 4: Public Sector, 4.2.6 Integrity Mechanism (Practice)*

1.3.5. Role of the military in governance

The UK Overseas Development Institute reports that “Since independence in 1947, Pakistan has experienced 30 years of military rule (1958 to 1971, 1977 to 1988 and 1999 to 2008); even when not in government the military has constantly sought to centralise and consolidate political power, and the military (notably military intelligence, the Inter-Services Intelligence (ISI)) exerts significant overt and covert control over the civilian authorities in both domestic and foreign affairs”.¹¹⁸ For background information on the three military *coup d’etats*, see:

- ❖ International Commission of Jurists (ICJ), [*Authority without accountability: The search for justice in Pakistan*](#), 5 December 2013, *Political Background* p.30 ff.

The December 2013 International Commission of Jurists report notes that “a notable achievement of the Supreme Court is its attempts to limit the military’s direct political influence”.¹¹⁹ It further notes than in 2009:

Almost immediately after its reinstatement, the Supreme Court delivered a judgment in a 184(3) petition, sending a powerful and clear message against military rule

[M]ilitary rule, direct or indirect, is to be shunned once and for all. Let it be clear that it was wrongly justified in the past and it ought not to be justified in [the] future on any ground, principle, doctrine or theory whatsoever...Unless such an approach is firmly entrenched into the body politic and the jurisprudence of this country, military takeovers previously in the name of martial law, and later in the garb of proclamation of emergency will continue to recur as heretofore, there will be nothing stopping ...

The Supreme Court continued to reaffirm this position in later judgments as well as public speeches. In January 2012, the Chief Justice declared publicly that the Supreme Court had closed the door to martial law. And in October 2012, the Supreme Court passed a judgment in the Asghar Khan case, marking the first time in Pakistan’s history that a civilian court held high-level military officials accountable for their actions.¹²⁰

In its ‘Freedom in the World’ report covering events in 2013 Freedom House reports that:

The role of the military in determining government policy also seems to have waned. General Kayani, who stepped down in November, was the longest-serving army chief in Pakistan’s history to have never overturned a civilian government. By selecting a relative outsider to replace him, the new prime minister asserted his independence from the military command. In addition, Khawaja Muhammad Asif, once a fierce critic of the army, was appointed as defense minister. The new government’s decision to put former military ruler Pervez Musharraf on trial for treason, despite strong sentiment in the army against the move, signaled an attempt to further affirm civilian control.

Notwithstanding these important changes, the military retains considerable autonomy and influence in matters of national security, foreign policy, and some elements of economic policy. The army remains the most powerful institution in the country.

Corruption, lack of accountability, and lack of transparency are pervasive problems at all levels of government, politics, and the military.¹²¹

However Human Rights Watch’s annual report covering 2013 noted that “While the military did not hinder the electoral process, it remained unaccountable for human rights violations and exercised

¹¹⁸ Overseas Development Institute (ODI), [*The search for common ground: civil–military relations in Pakistan*](#), March 2014, 2.1 *Historical context*

¹¹⁹ International Commission of Jurists (ICJ), [*Authority without accountability: The search for justice in Pakistan*](#), 5 December 2013, (ii) *Supreme Court restricts military rule* p.38

¹²⁰ International Commission of Jurists (ICJ), [*Authority without accountability: The search for justice in Pakistan*](#), 5 December 2013, (ii) *Supreme Court restricts military rule* p.38

¹²¹ Freedom House, [*Freedom in the World 2014 - Pakistan*](#), 23 January 2014

disproportionate political influence, especially on matters of national security and counter-terrorism. [...] The Supreme Court was active in raising enforced disappearances and government abuses in Balochistan in 2013, yet did not hold any high-level military officials accountable, demonstrating the limits of judicial independence in a state in which the military is the most powerful actor”.¹²² The 2013 U.S. Department of State report notes that “The military and intelligence services nominally reported to civilian authorities but at times operated without effective civilian oversight, although the new government took steps to improve coordination with the military”.¹²³

Moreover Human Rights Watch’s annual report for 2014 reporting on the anti-government protests in Islamabad that called for prime minister Nawaz Sharif’s ouster, notes that “violence by both protesters and the security forces [...] resulted in at least three deaths and hundreds of injuries. The government responded to the protests by imposing a state of emergency in Islamabad and suspending fundamental rights such as the right to petition the courts to enforce constitutional guarantees. During the height of the crisis, the military intervened at the government’s request, allowing it to dangerously reinsert itself into democratic political decision-making”.¹²⁴

In a September 2014 report the Congressional Research Service notes with regards to the role of the army in putting down the August 2014 unrest that:

For most of Pakistan’s history as an independent nation, the military—dominated by the army— has been the public’s most trusted and admired institution. Analysts are divided on the role of the army in this latest bout of serious political unrest in Islamabad. Circumstantial evidence suggests some links between Khan, Qadri, and Pakistan’s military establishment, and numerous analysts identify a more-or-less coordinated effort between the military and the unfolding of the latest crisis. Observers doubt, however, that the army would seek to take direct control of the government, not least as it is embroiled in offensive operations against Islamist militants in western tribal areas. Yet some pundits contend that the army might welcome (or be engineering) a “soft coup” in which popular support for the civilian government is reduced such that the army can take full control of foreign and security policies. One report suggests that Prime Minister Sharif was told through intermediaries that he would have to “share space” with the military, but that the generals were not engineering a coup. As of early September, the army has not taken any overt role in addressing the public protests.¹²⁵

In its ‘Freedom in the World’ report covering events in 2014 Freedom House considered that “Although Pakistan has an elected civilian government, the military retains considerable autonomy and influence in matters of national security, foreign policy, and some elements of economic policy. Prime Minister Sharif sought to assert control over such issues in 2013 and early 2014, but the military reportedly used the crisis caused by antigovernment protests in the summer of 2014 to put pressure on the government and reestablish primacy in its traditional policy domains”.¹²⁶ Amnesty International’s annual report covering 2014 states that “Hearings in the treason trial of former military ruler General Pervez Musharraf continued to be delayed, creating tensions between the democratically elected government of Prime Minister Nawaz Sharif and the powerful military”.¹²⁷

¹²² Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

¹²³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014

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¹²⁴ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹²⁵ Congressional Research Service, [Pakistan Political Unrest: In Brief](#), 3 September 2014 *Regional Security and Stability* p.9

¹²⁶ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹²⁷ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Enforced disappearances*

Hands Off Cain reports that on 6 January 2015 “Pakistan’s Parliament passed a constitutional amendment that allows a parallel system of military courts to try Islamist militants, significantly enlarging the army’s power during a period of political unrest in the civilian government”.¹²⁸ Similarly the Asian Legal Resource Centre notes that “The established constitutional principal dictates that military tribunals remain subordinate to the civilian appellate courts and not vice versa; the right to appeal should vest with the civilian judges. The establishment of military courts has taken away the fundamental rights guaranteed in the Constitution, which are non-derogable under any circumstances”.¹²⁹ Also see [5.6. Constitutional amendment: Use of anti-terrorism legislation in ordinary criminal cases/military courts to try civilians](#).

1.4. Overview of current socio-economic issues

According to the most recently available International Labour Organisation (ILO) Pakistan profile ‘Measuring Decent Work in Pakistan’ which covers 2002-2013, “Pakistan is the sixth most populous nation in the world with a population of 184.35 million in 2013. Over recent years, Pakistan has faced a range of economic and political challenges, including persistent inflation, unreliable supply of energy, low levels of investment and conflict. [...] Social indicators have improved but remain below those of countries at similar levels of income, with large gender disparities”.¹³⁰

The 2014 CIA World Factbook provides the following summary of Pakistan’s economy:

Decades of internal political disputes and low levels of foreign investment have led to slow growth and underdevelopment in Pakistan. Agriculture accounts for more than one-fifth of output and two-fifths of employment. Textiles account for most of Pakistan's export earnings, and Pakistan's failure to expand a viable export base for other manufactures has left the country vulnerable to shifts in world demand. Official unemployment was 6.6% in 2013, but this fails to capture the true picture, because much of the economy is informal and underemployment remains high. Over the past few years, low growth and high inflation, led by a spurt in food prices, have increased the amount of poverty. As a result of political and economic instability, the Pakistani rupee has depreciated more than 40% since 2007. The government agreed to an International Monetary Fund Standby Arrangement in November 2008 in response to a balance of payments crisis. Although the economy has stabilized since the crisis, it has failed to recover. Foreign investment has not returned, due to investor concerns related to governance, energy, security, and a slow-down in the global economy. Remittances from overseas workers, averaging about \$1 billion a month since March 2011, remain a bright spot for Pakistan. However, after a small current account surplus in fiscal year 2011 (July 2010/June 2011), Pakistan's current account turned to deficit in the following two years, spurred by higher prices for imported oil and lower prices for exported cotton. Pakistan remains stuck in a low-income, low-growth trap, with growth averaging about 3.5% per year from 2008 to 2013. Pakistan must address long standing issues related to government revenues and energy production in order to spur the amount of economic growth that will be necessary to employ its growing and rapidly urbanizing population, more than half of which is under 22. Other long term challenges include expanding investment in education and healthcare, adapting to the effects of climate change and natural disasters, and reducing dependence on foreign donors.¹³¹

The 2014 report of the Society for the Protection of the Rights of the Child reports that “According to a World Bank report of 2013, 60% of the population in Pakistan lives under the poverty line due to a

¹²⁸ Hands Off Cain, [Pakistan](#), regularly updated [accessed 23 March 2015]

¹²⁹ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 20 February 2015

¹³⁰ ILO, [Measuring Decent Work in Pakistan \(covers 2002-2013\)](#), undated [accessed 13 February 2015]

¹³¹ CIA World Factbook, [Pakistan](#), last updated 30 June 2014, *Economy*

myriad of socio-economic factors such as unemployment, inflation, political instability and lack of security to name a few”.¹³² The UN Development Programme (UNDP) explains that its Human Development Index [HDI] “is a summary measure for assessing long-term progress in three basic dimensions of human development: a long and healthy life, access to knowledge and a decent standard of living”.¹³³ It reports that “Pakistan’s HDI value for 2013 is 0.537— which is in the low human development category—positioning the country at 146 out of 187 countries and territories. Between 1980 and 2013, Pakistan’s HDI value increased from 0.356 to 0.537, an increase of 50.7 percent or an average annual increase of about 1.25 percent”.¹³⁴

The UNDP further notes that its Multidimensional Poverty Index (MPI) “identifies multiple deprivations in the same households in education, health and living standards”.¹³⁵ According to MPI data for 2012/2013, “In Pakistan 45.6 percent of the population are multidimensionally poor while an additional 14.9 percent are near multidimensional poverty”.¹³⁶ It further reports that 26.46 % are living in “severe multidimensional poverty”, with 21.04 % living below \$1.25 a day and 57 % of working poor living below \$2 a day.¹³⁷

UNOCHA’s humanitarian bulletin for December 2014-January 2015 notes that “In 2014, Pakistan faced several humanitarian challenges: internal displacements, floods and drought-like situations in some areas. These challenges continue to pose difficulties for a large number of communities. [...] In 2014, security operations forced over 1 million people to leave their homes, mainly in North Waziristan Agency (NWA) and Khyber Agency in the Federally Administered Tribal Areas (FATA). [...] Monsoon floods in September in Pakistan-administered Kashmir, southern Punjab and Sindh affected 3.5 million people. [...] Severe malnutrition issues continue to challenge people, with an estimated 58.1 per cent of households across Pakistan are food insecure”.¹³⁸

1.4.1. Rising food prices and food security

The UNOCHA Humanitarian Bulletin on Pakistan covering December 2014 to January 2015 reports that “Severe malnutrition issues continue to challenge people, with an estimated 58.1 per cent of households across Pakistan are food insecure. In Tharparkar and adjoining areas in Sindh, an estimated 2 million people remain food insecure in chronic drought or drought-like situation in effect since 2012”.¹³⁹ The World Health Organisation reports that Pakistan has a value of 19.1 on the Global Hunger Index.¹⁴⁰ It further explains that:

The global hunger index captures three dimensions of hunger: insufficient availability of food, shortfalls in the nutritional status of children and child mortality, which is to a large extent

¹³² Society for the Protection of the Rights of the Child, *The State of Pakistan’s Children*, 2014, Health chapter

¹³³ UNDP, *Human Development Report 2014, Pakistan: Explanatory note on the 2014 Human Development Report composite indices*, 2014

¹³⁴ UNDP, *Human Development Report 2014, Pakistan: Explanatory note on the 2014 Human Development Report composite indices*, 2014

¹³⁵ UNDP, *Human Development Report 2014, Pakistan: Explanatory note on the 2014 Human Development Report composite indices*, 2014

¹³⁶ UNDP, *Human Development Report 2014, Pakistan: Explanatory note on the 2014 Human Development Report composite indices*, 2014

¹³⁷ UNDP, *Pakistan Human Development Indicators 2014*, 2014, Education

¹³⁸ UNOCHA, *Humanitarian Bulletin Pakistan Issue 32, December 2014 – January 2015*, 14 February 2015

¹³⁹ UNOCHA, *Humanitarian Bulletin Pakistan Issue 32*, December 2014 – January 2015

¹⁴⁰ World Health Organisation, *Nutrition Landscape Information System (NLIS) Country Profile: Pakistan*, undated, Meta-indicators

attributable to undernutrition. Accordingly, the index includes three equally weighted indicators: the proportion of people who are food energy-deficient, as estimated by FAO, the prevalence of underweight in children under the age of 5 as compiled by WHO and mortality rate of children under 5 as reported by UNICEF. In order to identify countries that are notably better or worse off with regard to hunger and undernutrition than would be expected from their gross national income per capita, a regression analysis is made of the global hunger index on gross national income per capita. Countries are ranked on a 100-point scale, with 0 and 100 being the best and worst possible scores, respectively.

[...] GHI Severity Scale

GHI = 30.0 Extremely Alarming

20.0-29.9 Alarming

10.0-19.9 Serious

5.0-9.9 Moderate

= 4.9 Low.¹⁴¹

The December 2014 World Food Programme (WFP) Food Security Bulletin for Pakistan¹⁴² reports that “household food insecurity in Pakistan remains a significant concern with estimates suggesting that more than half of the population have inadequate caloric consumption, consuming less than 2,100 Kcal per person per day. On a positive note, food prices have shown some decline recently; prices of wheat and wheat flour in November 2014 were lower by 4 and 5 percent respectively, compared to a year ago. This has also contributed to some positive improvement in purchasing capacity, particularly for the poorer segments of the population”.¹⁴³ It further notes on the issue of food security that:

Pakistan’s economy has yet to achieve healthy growth, which continues to affect the overall employment situation and create limitations to achieving food security due to poor economic access for a significant section of the society. About 1.8 million people were affected by the September 2014 floods, particularly in Punjab, which did a significant amount of damage to standing rice crops, and negatively impacted the food security situation in the affected areas. In addition, those populations displaced from various agencies of FATA continue to remain vulnerable. In addition to more than a million displaced over the last few years, there has been significant displacement from North Waziristan since June 2014, with more than half a million IDPs from NWA registered as of December 2014, according to the official FDMA record. As per the IPC analysis conducted in March-May 2014, a total of 12 districts and agencies were found to be in phase 4 (emergency level) and 35 districts were in phase 3 (highly food insecure), while other districts were in phase 1 (generally food secure) or phase 2 (moderately food insecure).¹⁴⁴

The Food Security Bulletin for Pakistan goes on to describe food security by district.¹⁴⁵ The World Food Programme explains that the Integrated Food Security Phase Classification (IPC) conducted in March-May 2014 indicated some improvement in the food security situation compared to the results from the previous IPC analysis conducted in March 2013 and “One reason for this is that this round of analysis was conducted during the steadier, postharvest period of the main staple crop, wheat, while during the previous analysis, the impact of the 2012 floods was still seen in a number of districts”.¹⁴⁶

¹⁴¹ World Health Organisation, [Nutrition Landscape Information System \(NLIS\) Country Profile: Pakistan](#), undated, *Meta-indicators*

¹⁴² At the time of publication, this is the most recently available Food Security Bulletin

¹⁴³ WFP, [Pakistan Food Security Bulletin, Issue 2](#), December 2014

¹⁴⁴ WFP, [Pakistan Food Security Bulletin, Issue 2](#), December 2014

¹⁴⁵ WFP, [Pakistan Food Security Bulletin, Issue 2](#), December 2014

¹⁴⁶ WFP, [Pakistan Food Security Bulletin, Issue 2](#), December 2014

With regards to markets and food prices, the World Food Programme's December 2014 Food Security Bulletin for Pakistan reports that "After the continuous rise in prices seen over the past few years, staple prices in Pakistan were stable in 2014. A marginal increase was observed at the beginning of the year up until March. Thereafter prices declined for a few months, coinciding with the harvest season, and then showed greater stability with only a nominal increase in the third quarter".¹⁴⁷ It also notes that "The average general inflation during January-November 2014, based on the consumer price index (CPI), increased at the same proportion (7.5 percent) on a year-on-year basis compared to the same period last year".¹⁴⁸ The World Food Programme's Pakistan Market Price Bulletin for January 2015 noted that "General inflation based on Consumer Price Index (CPI), increased by 4.3% on a year-on-year basis in December 2014, compared to a 4.0% increase in the previous month, and 9.2% in December 2013".¹⁴⁹ The Bulletin provides retail prices of various food commodities in major cities as of December 2014.¹⁵⁰

1.4.2. Petrol crisis and electricity shortages

The 2013 Human Rights Watch annual report noted that Pakistan "faces acute economic problems, exemplified in 2013 by growing electricity shortages and rising food and fuel prices, which hit the country's poor disproportionately".¹⁵¹ The Human Rights Commission of Pakistan annual report covering 2013 summarises that:

2013 was a year of protests provoked mainly by power-rationing blackouts which were routine. People suffered from a shortage of electricity amid soaring consumer demand and low generation. The unprecedented level of wintertime cutoffs of cooking gas was a double blow to poor communities. In a contentious decision, the government ordered a sharp hike in CNG [compressed natural gas] prices. Nearly half of the country's 3,400 gas stations closed down in protest, apprehensive that the prices no longer remained competitive. The closure led the people using CNG in their vehicles to scramble desperately to find the fuel.

The planned and unplanned electricity inflection nationwide of 12 to 20 hours, and natural gas load-shedding, hurt business, aggravated unemployment and sparked angry protests in several cities including Islamabad, the capital, Lahore, Peshawar, Multan, Faisalabad and Gujranwala with some protesters rallying outside government power offices.¹⁵²

Freedom House reports that "Pakistan as a whole faced electricity shortfalls throughout 2013 and early 2014, resulting in outages lasting several hours across the country, lasting as long as 20 hours a day in rural areas".¹⁵³ According to the 2014 annual report from the Human Rights Commission of Pakistan, "With 60% electricity load shedding, i.e. 15 hours in 24 hours, and a shortfall of nearly 6000 MW, people bore the brunt of the summer without electricity in 45 degree Celsius temperatures. Officials at various energy departments continued to claim that the electricity shortfall did not exceed 2,300 MW. With the country producing only 49% of the energy requirements, natural gas also fell short of the demand. Due to increasing shortfalls and hiring of private firms to provide expensive electricity, the price of electricity had to be increased every year to meet the rising costs. In August, people said they received highly inflated power bills which led many to protest in the

¹⁴⁷ WFP, [Pakistan Food Security Bulletin, Issue 2](#), December 2014

¹⁴⁸ WFP, [Pakistan Food Security Bulletin, Issue 2](#), December 2014

¹⁴⁹ WFP, [Pakistan Market Price Bulletin](#), January 2015

¹⁵⁰ WFP, [Pakistan Market Price Bulletin](#), January 2015

¹⁵¹ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

¹⁵² Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of Assembly, Power and fuel protests* p.129

¹⁵³ Freedom House, [Freedom on the Net: Pakistan](#), 4 December 2014

streets. In September, the local businesses of Islamabad protested against inflated bills by the Islamabad Electric Supply Company (IESCO). Similar protests were held in Faisalabad, Lahore, Gujranwala and other cities".¹⁵⁴

In January 2015 Alhasan Systems¹⁵⁵ reported that in Islamabad, "Urban areas are facing eight hours of power cuts and rural areas are witnessing ten hours of load shedding, as electricity shortfall has reached 4500 megawatts".¹⁵⁶ The Hindustan Times reported in January 2015 that chronic power cuts are leading to Pakistanis having to go without electricity for 12 hours a day or more.¹⁵⁷

In January 2015 the Hindustan Times further reported that "Pakistan's severe petrol crisis has brought parts of the nation to a standstill and largely affected Punjab, the country's most populous province, and the national capital Islamabad, with pumps going dry and long queues of motorists waiting for hours to get a few litres of fuel. The crisis spread to the country's financial hub Karachi on Monday [19 January 2015], triggering panic buying of petrol. There were also reports from different parts of the country of hoarding of petrol and black market sale of fuel at exorbitant rates".¹⁵⁸ The same article identifies five reasons why Pakistan is facing a petrol crisis:

1. Most reports blamed the crisis on state-run fuel importer Pakistan State Oil (PSO), which was refused further credit earlier this month to pay for imports beyond its existing credit of about \$2 billion. PSO also failed to collect dues from private power generation companies for supply of furnace oil. The power companies, in turn, were unable to pay because of a circular debt as they too are owed large amounts by state-run power distribution companies.
2. Petroleum minister Abbasi blamed the crisis on an unexpected surge in demand and the unplanned closure of a refinery but his stance has been rubbished by economists.
3. Experts have also argued that the government has failed to build up adequate oil stocks as it has been seeking to keep expenditure on oil imports in line with spending limits under a loan programme with the IMF.
4. Pakistan was left with oil stocks for less than three days and imports of oil had totally dried up after PSO defaulted on its payments and said it would need at least Rs. 100 billion and eight weeks to retrieve the situation, leading newspaper Dawn reported. The daily quoted PSO officials as saying no oil consignments had arrived at any port in Pakistan since the past two weeks. During a normal fortnight, six to eight ships, each carrying 65,000 tonnes of oil, come to the country.
5. PSO had exhausted all its overdraft facilities and its letters of credit lines had been choked as its total dues were more than Rs. 215 billion, a PSO official told Dawn. PSO is owed Rs. 190 billion by the power sector and Rs 12.5 billion by state-run Pakistan International Airlines. "The entire problem is the result of a financial liquidity crisis in the state-owned oil company PSO. The government is trying to pin the blame on other factors but mounting evidence indicates that the crisis is financial in nature. High level accountability is necessary," Khurram Husain, a leading commentator on financial issues, told HT [Hindustan Times].¹⁵⁹

The BBC reported on 22 January 2015 that Prime Minister Nawaz Sharif had pulled out of the World Economic Forum (WEF) meeting in Switzerland to tackle nationwide fuel shortages.¹⁶⁰ Foreign Policy

¹⁵⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and Order, Police abuse and reform, Punjab*, p.73

¹⁵⁵ [Alhasan Systems](#) "was registered with the Board of Technical Education Khyber Pakhtunkhwa in 1990 as the pioneering Information Technology [IT] and Geographic Information Systems [GIS] capacity building institute in the historic city of Peshawar, Pakistan In 2010, ALHASAN SYSTEMS was registered with the Security & Exchange Commission of Pakistan under Section 32 of the Companies Ordinance 1984 (XL VII of 1984) as a Private Limited company with an expanded vision and mission".

¹⁵⁶ Alhasan Systems, [Crisis Response Bulletin, January 26, 2015 - Volume: 1, Issue: 2](#), 26 January 2015

¹⁵⁷ Hindustan Times, [Pakistan reels under petrol shortage: 5 reasons behind the crisis](#), 21 January 2015

¹⁵⁸ Hindustan Times, [Pakistan reels under petrol shortage: 5 reasons behind the crisis](#), 21 January 2015

¹⁵⁹ Hindustan Times, [Pakistan reels under petrol shortage: 5 reasons behind the crisis](#), 21 January 2015

¹⁶⁰ BBC, [Pakistan's Sharif pulls out of Davos amid fuel crisis](#), 22 January 2015

reports in January 2015 that “the latest Pakistani energy crisis, an acute shortage of motor fuel, is sparking nationwide protests and undermining support for the fragile government, itself elected in large part to tackle the country’s endemic shortages of fuel, power, and gas”.¹⁶¹ It further explains that:

The fuel crisis appears to be at heart a financial crisis: Energy companies and government ministries don’t have enough cash to buy the energy they need, or pay for what they’ve used. Power companies that sell electricity and gas rarely collect all their outstanding bills from customers — even from the government — which means they can’t pay their own debts at other energy companies, ministries, foreign suppliers, and so forth.

That so-called “circular debt” has long been a feature of Pakistan’s energy sector. It is especially acute in the electricity market, where cash-strapped generators simply don’t have the funds to buy the fuel they need to keep power plants operational, which leads to blackouts and power rationing, which breeds plenty of public anger. [...]

The economic impacts of spotty power supplies are serious. The International Monetary Fund has said that the energy sector is the biggest drag on the economy, and figures output losses cost the country about 2 percent of GDP annually, or almost \$5 billion. Some Pakistani analysts say it could be twice as large — or more than what was lost due to the ongoing rampage of terror groups like the Pakistani Taliban. Power outages are hammering Pakistani textile makers, the country’s largest manufacturing sector, leading to lost orders and lost jobs.¹⁶²

1.4.3. Unemployment

According to the most recently available labour market figures from the International Labour Organisation (ILO):

- Labour participation rate (2012): 54.2%
82.9% male, 24.4% female
- Employment to population ratio (2012): 51.5%
79.6 % male, 22.2% female
- Unemployment rate (2012): 5.1%
4.0% male, 8.9% female [...]
Youth unemployment rate 10.5%.¹⁶³

This compares to an unemployment rate of 6.6 % (2013 est.) as reported in the CIA World Factbook.¹⁶⁴ The UNDP puts the youth unemployment rate (% of ages 15-24) at 7.7 %.¹⁶⁵ The 2014 Human Rights Commission of Pakistan report notes that “The last Labour Force Survey 2012-2013 had noted a labour force of 59.74 million workers. Of them, 56.01 million were employed, indicating a shortfall of 3.73 million jobs and an unemployment rate of 6.2 per cent. Unemployment among 15-29 years was higher at 9.2 per cent. Labour force participation rate was 32.9 per cent with a wide disparity between men (49.3%) and women (15.6%) participation rates. A significant proportion, 69.48 %, of the employed labour force in Pakistan, worked for 40 to 56 or more hours a week, indicating lower productivity per hour as well as low level of wages. The bulk, 59.9%, of the labour force fell under the category of ‘vulnerable employment’ that include own account workers and contributing family workers”.¹⁶⁶

¹⁶¹ Foreign Policy, [Pakistan’s Energy Crunch Fuels Little But Outrage](#), 23 January 2015

¹⁶² Foreign Policy, [Pakistan’s Energy Crunch Fuels Little But Outrage](#), 23 January 2015

¹⁶³ ILO, [The ILO in Pakistan- Key Facts and Figures](#), 18 July 2014

¹⁶⁴ CIA World Factbook, [Pakistan](#), last updated 30 June 2014, *Economy*

¹⁶⁵ UNDP, [Pakistan Human Development Indicators 2014](#), 2014, *Education*

¹⁶⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Labour, the Labour market* p.242

The International Labour Organisation reports in July 2014 that “Pakistan has made significant progress in raising people’s income and promoting people’s standard of living in the first decade of the 21st century. Labour productivity has increased steadily, poverty rate has declined consistently, and adult literacy has increased by 10 percentage points over this period. However, the Pakistani Government still faces huge challenges in further reducing poverty, creating more employment in non-agrarian sectors and bringing equal job opportunities for women and the youth”.¹⁶⁷

According to the most recently available ILO country profile ‘Measuring Decent Work in Pakistan’ which covers 2002-2013, “The unemployment rate fell persistently between 2002–08, bottoming out at 5 per cent in 2007–08, but rose subsequently to 6 percent in 2013. The unemployment rate of females, residents of urban areas and KPK province were higher. Youth unemployment fell significantly from a high of 13.4 per cent in 2002 to bottom out at 7.5 per cent in 2007, but started afterwards reaching 10.5 per cent in 2013. The average real monthly earnings of paid employees increased from Rs. 3,387 in 2002 to Rs. 4,037 in 2011, but the earnings of women employees were only 64 per cent of those of men in 2012–13”.¹⁶⁸ It further notes that “The share of informal sector employment in non-agricultural employment has increased persistently from 63.8 percent in 2002 to 73.3 percent in 2013, reducing further the already narrow coverage of social security programs and minimum wage laws. [...] Employment is concentrated in the agricultural and services sectors, accounting for 43.3 percent and 42.2 percent of total employment in 2013, respectively; with the agriculture sector providing employment to three-fourths of all women and half of Balochistan’s workforce”.¹⁶⁹ With further regards to women’s employment rate it reports that “Women’s share in employment rose from 22.3 percent in 2002 to 38.7 percent in 2013, but the majority of them are engaged in the low productivity agricultural sector and as unpaid family workers, earning less than their male counterparts”.¹⁷⁰ For further information, see [6.4.3. Economic situation of women](#).

2. Main Political Developments (since June 2013)

2.1. Current political landscape

The following sources provide an overview of the political landscape in 2013 (since June), 2014 and early 2015. Specific major political developments since June 2013 are addressed further below under respective sub-headings.

❖ 2013 [from June 2013]

BBC News provided the following timeline of political developments:

June - Parliament approves Nawaz Sharif as prime minister after his Muslim League-N wins parliamentary elections in May. Taliban conduct systematic campaign of attacks and intimidation, but fail to deter largest turnout of voters since 1970.

July - Mamnoon Hussain elected president by parliament [...]

November - Lt Gen Raheel Sharif takes over as head of the army on the retirement of General Ashfaq Pervez Kayani.¹⁷¹

¹⁶⁷ ILO, [The ILO in Pakistan- Key Facts and Figures](#), 18 July 2014

¹⁶⁸ ILO, [Measuring Decent Work in Pakistan \(covers 2002-2013\)](#), undated [accessed 13 February 2015]

¹⁶⁹ ILO, [Measuring Decent Work in Pakistan \(covers 2002-2013\)](#), undated [accessed 13 February 2015]

¹⁷⁰ ILO, [Measuring Decent Work in Pakistan \(covers 2002-2013\)](#), undated [accessed 13 February 2015]

¹⁷¹ BBC News, [Pakistan profile – Timeline](#), 13 February 2015

The U.S. Congressional Research Service reported in September 2014 that since the government of Prime Minister Sharif took office in May 2013:

it has made modest progress on this front, the country's serious energy crisis remains unresolved, exacerbating public disenchantment. Still, a recent Pew Research Center survey of Pakistanis found that public support for Sharif has been enduring in recent years—his approval rating of 64% is virtually unchanged since the election—and, perhaps more significantly, Pakistanis appear to be notably less pessimistic about the future: Since last year, the number saying the economy has improved more than doubled to 37%, and satisfaction with the direction of the country more than tripled to 25% [...]

The PML-N itself comes under criticism for perceived fecklessness. Beyond an annual budget, Parliament has failed to pass a single new law under Sharif. Important posts—including that of foreign minister—remain unfilled, and regulatory agencies have no chiefs.¹⁷² Moreover, the party suffers from ongoing criticism that it is too centered around one family (Nawaz is Prime Minister and party leader, and his brother, Shahbaz, is the chief minister of Punjab), and that Sharif himself maintains an autocratic and detached ruling style. Many observers feel that Sharif has neglected to reform Pakistan's sclerotic governance system as his supporters apparently expected. One prominent analyst offers that Sharif's rule has continued to be "dynastic" (as in his previous terms), with a "kitchen cabinet" of unofficial advisors and a lack of responsiveness to public sentiment.

Perhaps most significantly, relations between the Sharif government and the powerful Pakistani Army—already fraught due to the Army's 1999 coup that ousted Sharif—began to deteriorate further in 2014, when Sharif allowed the launch of a legal effort to prosecute former President and Army Chief Pervez Musharraf for treason.¹⁷²

The U.S. Department of State noted in its annual human rights report that during 2013:

There was significant consolidation of the country's democratic institutions during the year. On May 11, the Pakistan Muslim League Nawaz (PML-N) party won a majority of seats in parliamentary elections, and Nawaz Sharif became prime minister for the third time. The election marked the first time since independence in 1947 that one elected government completed its term and peacefully transferred power to another. Independent observers and some political parties, however, raised concerns about election irregularities. On September 8, President Asif Ali Zardari completed his five-year term and stepped down from office. His successor, President Mamnoon Hussain of the PML-N, took office the next day. Orderly transitions in both the military and the judiciary, in the positions of army chief of staff and Supreme Court chief justice, further solidified the democratic transition [...]. The military and intelligence services nominally reported to civilian authorities but at times operated without effective civilian oversight, although the new government took steps to improve coordination with the military. Police generally reported to civilian authority, although there were instances in which police forces acted independently. Security forces sometimes committed abuses.¹⁷³

Freedom House reported in its annual report covering 2013 that aside from the May 2013 general elections:

During the year, three other vital state institutions experienced orderly leadership changes. A new president, Mamnoon Hussain, was elected on July 30 and assumed office on September 9, marking the first time an elected president completed his full term and was replaced by another. General Raheel Sharif succeeded two-term army chief General Ashfaq Pervez Kayani on November 29. Tassaduq Hussain Jilani became Pakistan's chief justice, replacing Iftikhar Muhammad Chaudhry on December 12.

Despite a visible strengthening of democratic processes, the country continued to suffer from multiple problems. In the month preceding the general elections, independent observers reported between 130 and 150 incidents of political violence resulting in more than 180 deaths. This

¹⁷² U.S. Congressional Research Service, [Pakistan Political Unrest: In Brief](#), 3 September 2014, *A Troubled Civilian Government*

¹⁷³ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014

intimidation, aimed at various parties and their supporters, skewed the playing field and affected turnout and participation in some areas. Broader violence involving terrorist, insurgent, and sectarian groups killed more than 3,000 people in 2013, with civilians accounting for most of the fatalities.¹⁷⁴

The same source further noted with regards to the general functioning of the government:

The role of the military in determining government policy also seems to have waned. General Kayani, who stepped down in November, was the longest-serving army chief in Pakistan's history to have never overturned a civilian government. By selecting a relative outsider to replace him, the new prime minister asserted his independence from the military command. In addition, Khawaja Muhammad Asif, once a fierce critic of the army, was appointed as defense minister. The new government's decision to put former military ruler Pervez Musharraf on trial for treason, despite strong sentiment in the army against the move, signaled an attempt to further affirm civilian control. Notwithstanding these important changes, the military retains considerable autonomy and influence in matters of national security, foreign policy, and some elements of economic policy. The army remains the most powerful institution in the country.¹⁷⁵

❖ 2014

BBC News provided the following timeline of Pakistan political developments:

February - Former president Pervez Musharraf goes on trial on treason charges.
March - Government and Taliban representatives meet in North Waziristan for peace talks, with a cease-fire top of the agenda [...]
August - Prime Minister Nawaz Sharif orders a judicial inquiry into allegations of fraud during the 2013 elections which brought him to power. Protesters led by opposition politician Imran Khan and anti-government cleric Tahirul Qadri stage rallies demanding Mr Sharif's resignation.
September - Arrests of opposition activists amid days of violent anti-government protests on the streets of Islamabad. Government and opposition figures hold talks but fail to resolve differences.
Army carries out further air strikes in the restive North Waziristan region.
October [...] Supporters of leading anti-government cleric Tahirul Qadri end a two-month sit-in in Islamabad after failing to force PM Nawaz Sharif to resign.¹⁷⁶

Human Rights Watch reported in its annual human rights report that 2014 was a "tumultuous year" for Pakistan: "Political instability reached a crisis point in August and September, as prolonged and violent opposition protests threatened to undermine gains achieved by the country's first civilian transfer of power following the May 2013 election of Nawaz Sharif as prime minister".¹⁷⁷

2.2. Overview of major political developments since June 2013, including:

2.2.1. May 2013: General elections

See also [1.3.1 Government structures and political system](#) and [1.3.2 Overview of main political parties](#)

With regards to the outcome of the May 2013 general elections, Freedom House reported that:

¹⁷⁴ Freedom House, [Freedom in the World 2014: Pakistan](#), 23 January 2014

¹⁷⁵ Freedom House, [Freedom in the World 2014: Pakistan](#), 23 January 2014, *Political Rights and Civil Liberties, C. Functioning of Government: 5/12*

¹⁷⁶ BBC News, [Pakistan profile – Timeline](#), 13 February 2015

¹⁷⁷ Human Rights Watch, [World Report 2015: Pakistan](#), 30 January 2015

The PML-N took 126 of the directly elected seats in the NA, followed by the PPP with 31 and Pakistan Tehreek-e-Insaf (PTI) with 28. Various smaller parties took less than 20 directly elected seats each. The PML-N formed a governing majority with the help of allied independents, and Nawaz Sharif became prime minister.

At the provincial level, the PML-N won in Punjab, the PPP formed a government in Sindh, and a coalition led by the National Party assumed power in Balochistan. In KPK, a PTI-led coalition took office. Lawmakers chose Mamnoon Hussain as president in July.¹⁷⁸

The U.S. Congressional Research Service noted that:

Pakistan's most recent national election, in May 2013, ousted the incumbent, Pakistan People's Party (PPP)-led coalition government headed by then-President Asif Zardari. The democratic exercise was seen by close observers as having been relatively free and fair, although accusations of vote-rigging were widespread. Those charges against the victorious party were a key motivator of the street protests that erupted in August 2014. The election winner, Nawaz Sharif—a two time former prime minister from a prominent Punjabi industrialist family—had returned to Pakistan from exile in 2007, eight years after General Musharraf unseated him in a bloodless 1999 coup. Sharif's Pakistan Muslim League-Nawaz (PML-N) party had won approximately 33% of the popular vote and 166 of the Assembly's 343 seats. Subsequent late-joiners provided an outright majority. Of the 320 Assembly members present to vote in the new prime minister in early June, more than three-quarters supported Sharif. Many observers in the United States, Pakistan, and elsewhere saw the peaceful transfer of power—the first in Pakistan's history from one elected government to another—as a historic milestone in Pakistan's struggle to establish sustainable representative government.¹⁷⁹

The International Crisis Group reported that “Despite terror threats, judicial interference and a disempowered ECP [Election Commission of Pakistan], the 2013 polls were a major political milestone. The 55 per cent turnout reflected support for parliamentary democracy, and the result was the first ever transition from one democratically-elected government to another. But the manner in which the elections were held also underscored the need for further reform”.¹⁸⁰

However, violence also marred the run up to the elections and on election day, as Samina Ahmed, Project Director for South Asia and Senior Asia Advisor of the International Crisis Group, reported in her article published in the Austrian Federal Ministry of the Interior's report in October 2014:

The May 2013 election was also the bloodiest in Pakistan's history as Tehreek-e-Taliban Pakistan (TTP-Taliban Movement of Pakistan) leader Hakimullah Mehsud called on his commanders to attack the “agents” of “an infidel system”. Around 170 people were killed and 700 wounded in more than 150 terror attacks of the Taliban and other groups in the run up to the elections and on election day. This violence was mainly aimed at the ruling PPP and the Awami National Party (ANP), a secular Pashtun party, that had headed the Khyber Pakhtunkhwa (KKP) government in coalition with the PPP. Both parties were denounced by the Pakistani Taliban and their Punjabi jihadi allies for their stance against terrorism and extremism. Sharif's Pakistan Muslim League-Nawaz (PML-N) and Imran Khan's Pakistan Tehreek-e-Insaf (PTI), which now heads the KPK government in alliance with the Islamist Jamaat-i-Islami (JI), were mainly spared by the extremists since they were seen as soft on militancy.¹⁸¹

¹⁷⁸ Freedom House, *Freedom in the World 2015 - Pakistan*, 5 May 2015, *Political Rights and Civil Liberties*, A. Electoral Process: 7/12

¹⁷⁹ U.S. Congressional Research Service, [Pakistan Political Unrest: In Brief](#), 3 September 2014, *Background*

¹⁸⁰ International Crisis Group, [Parliament's Role in Pakistan's Democratic Transition](#), 18 September 2013, III. *The Thirteenth National Assembly (2008-2013)*, B. *The 2013 Elections: Missed Opportunities*

¹⁸¹ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), *regiones et res publicae - Country Analysis Reports*, [Pakistan - Challenges](#), October 2014, *Countering violent extremism in Pakistan's tribal belt*

Shortfalls or what the International Crisis Group described as “Missed Opportunities” of the May 2013 general elections were reported to be, amongst others:

- Overhauling a dysfunctional electoral system
- Failing to repeal Zia’s morality clauses in Articles 62 and 63 of the constitution which allowed issues such as unpaid taxes and utility bills and adherence to Islam to disqualify candidates and which were applied “selective[ly] and inconsistent”
- Invoking an “outdated bachelor (undergraduate) degree electoral requirement that Musharraf had imposed in 202 to disenfranchise large segments of his political opposition”
- Applying “unreasonable Musharraf-era restrictions on campaign financing, a very low 1.5 million-rupee (about \$15,000) ceiling, and a ban on wall chalking (political graffiti)”
- Persistence of the judiciary’s interference in the electoral process.¹⁸²

The International Crisis Group argued that “As in past elections, the morality restrictions also worked, during the nomination process, to the advantage of sectarian and other extremist religious actors. While scores of candidates from moderate parties were disqualified, 40 members of the banned Sunni extremist group, Lashkar-e-Jhangvi (LeJ) and its parent organisation, Sipah-e-Sahaba Pakistan (SSP), including SSP leader Maulana Ahmad Ludhianvi, were declared eligible. All were on the Fourth Schedule of the 1997 Anti-Terrorism Act, a terrorist watch list. Fifteen others belonging to various religious parties and on that list similarly qualified. This was particularly disturbing given the terror attacks and threats that constrained the electoral activities of moderate parties”.¹⁸³

The U.S. Department of State noted with regards to election irregularities:

In general election observers considered the May elections a success, despite terrorist violence and some procedural problems [...]

While most observers agreed the elections marked a democratic milestone, as the first time since independence in 1947 one elected government peacefully completed its five-year term and transferred power to another civilian government, some independent observers and political parties raised concerns about some election irregularities. In the August 22 by-elections for 42 contested national and provincial seats, voter turnout, including women’s participation, was much lower. NGOs and researchers attributed this to a lower level of interest than in the May 11 general elections. In one district (Dera Ismail Khan), polling was ultimately postponed for security reasons, so only 41 seats were contested.

IFES [The International Foundation for Electoral Systems] noted formal adjudication of challenges of disputed election results was weak and that the high courts did not meet statutorily prescribed deadlines for adjudication in the majority of cases.¹⁸⁴

The UK Foreign & Commonwealth Office highlighted the high number of rejected votes:

The May 2013 elections were widely reported as Pakistan’s freest and fairest. However, in November 2014, an Election Commission of Pakistan (ECP) report revealed that over 1.5 million votes had been rejected in these elections, the highest number of votes ever rejected during any election in the country’s history. In 150 constituencies out of 266, 5,000-10,000 votes were rejected.¹⁸⁵

¹⁸² International Crisis Group, [Parliament’s Role in Pakistan’s Democratic Transition](#), 18 September 2013, III. *The Thirteenth National Assembly (2008-2013)*, B. *The 2013 Elections: Missed Opportunities*

¹⁸³ International Crisis Group, [Parliament’s Role in Pakistan’s Democratic Transition](#), 18 September 2013, III. *The Thirteenth National Assembly (2008-2013)*, B. *The 2013 Elections: Missed Opportunities*

¹⁸⁴ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, *Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government*

¹⁸⁵ UK Foreign & Commonwealth Office, [Human Rights and Democracy Report 2014: Pakistan – Country of Concern](#), 12 March 2015, *Elections*

In September 2014 the Election Commission of Pakistan (ECP) published its post-polls report, compiled by a post-elections review committee comprising of officials from the ECP, the UN Development Programme and the International Foundation for Electoral Systems, and “highlighted ‘several challenges’ it faced in conducting free and fair” elections.¹⁸⁶ The ECP’s report considered that “Despite the historic success of the 2013 General Elections, the polls were not without significant challenges, foremost of which were the prevalent security challenges in many parts of the country, and an electoral management system that struggled to exert effective control to the lowest level”.¹⁸⁷

For a detailed description of the shortcomings and ensuing recommendations as highlighted in the ECP report, consult:

- Election Commission of Pakistan, [Post-Election Review Report: General Elections 2013 Draft](#), 9 December 2013, *Executive Summary*. Note that the publication date mentioned on the report is not the public release date, which was only in September 2014. Annexure-I also contains extracts from the election observation reports from the following bodies:
 - Commonwealth Observer Mission
 - European Union Election Observation Mission
 - Free & Fair Election Network (FAFEN)
 - National Democratic Institute/The Asian Network for Free Elections
 - National Commission on the Status of Women
 - The Asia Foundation’s Supporting Transparency, Accountability and Electoral Processes in Pakistan (STAEP)
 - Pakistan Institute of Legislative Development and Transparency (PILDAT)

Following the August/September 2014 opposition protests led by Imran Khan, leader of the Pakistan Tehreek-e-Insaf (PTI) party, and Tahir-ul-Qadri, influential cleric and leader of the Pakistan Awami Tehreek (PAT) party, the U.S. Congressional Research Service reported that “All political parties [...] appear to agree that substantial electoral reforms are required and that the Election Commission of Pakistan requires an overhaul”.¹⁸⁸

2.2.2. August-December 2014: Opposition protests organised by Pakistan Tekreek-e-Insaf (PTI) and Pakistan Awami Tehreek (PAT)

See also [4.2.5.1. Extrajudicial killings](#) and [6.3.3.3. Protesters](#).

The United States Institute of Peace provided the following background information to the start of the protests:

Walk into Islamabad’s city center and you will find charged crowds of as many as 70,000 people demanding Prime Minister Nawaz Sharif’s resignation from office. These protestors are part of two different sit-ins. One is led by Muhammad Tahir-ul-Qadri, a Canadian lawyer turned cleric who has a religious cult following, but no political stake in the Pakistani system, whose total overhaul he has called for. The other protest is far more consequential in that it is driven by Imran Khan, whose Pakistan Tehreek-e-Insaf party won the second-largest number of votes in Pakistan’s 2013 elections and who heads one of the country’s provincial governments. His justification for thrusting Pakistan

¹⁸⁶ The Express Tribune, [Post-elections report: ECP admits shortcomings in 2013 polls](#), 23 September 2014

¹⁸⁷ Election Commission of Pakistan, [Post-Election Review Report: General Elections 2013 Draft](#), 9 December 2013, *Executive Summary*. Note that the publication date mentioned on the report is not the public release date, which was only in September 2014.

¹⁸⁸ U.S. Congressional Research Service, [Pakistan Political Unrest: In Brief](#), 3 September 2014, *Overview*

into crisis is that those elections were rigged and thus the government is illegitimate. But Khan has also rallied his supporters against the government by attacking its inability to resolve key governance challenges such as energy shortfalls, economic disparity, and domestic security. He has also talked about getting rid of the current political system in which he sees no future for the average Pakistani. Like Qadri, Khan's proposals for remedying this remain inchoate; many of his supporters in the urban upper middle class have in fact been disproportionate beneficiaries of the system even as they bemoan its failings. Despite the internal contradictions, Khan's message of a need for profound change for the country, an echo of his core theme in last year's election campaign, continues to resonate.¹⁸⁹

Human Rights Watch summarised the opposition protests and the authorities' response during August/September 2014 as follows:

The protests in Islamabad—led by opposition politicians Imran Khan and Dr. Tahir-ul-Qadri, who demanded Sharif's resignation and the formation of a new government—prompted violence by both protesters and the security forces that resulted in at least three deaths and hundreds of injuries. The government responded to the protests by imposing a state of emergency in Islamabad and suspending fundamental rights such as the right to petition the courts to enforce constitutional guarantees. During the height of the crisis, the military intervened at the government's request, allowing it to dangerously reinsert itself into democratic political decision-making.¹⁹⁰

Amnesty International similarly reported in its annual report covering 2014 that:

Following their claims of rigging in the 2013 general elections, and disaffection with independent inquiries into these claims, demonstrators led by the opposition politician Imran Khan and the religious cleric Tahir ul Qadri held protests across the country calling on the government of Nawaz Sharif to step down and for fresh elections. After the killing of 12 political activists by police in Lahore's Model Town neighbourhood on 17 June, the protests became increasingly confrontational, peaking in August and September. Demonstrators briefly stormed the National Assembly and threatened to occupy the Prime Minister's official residence, creating a crisis that risked forcing the collapse of the government, until the military publicly backed the Prime Minister.¹⁹¹

The 2014 Human Rights Commission of Pakistan report notes that "Over the course of roughly five months of the PTI and PAT protests, the police set new records of arbitrarily detaining individuals over flimsy charges".¹⁹² With regards to the killing of the political activists, Human Rights Watch reported in its annual human rights report that "In June [2014], one of the most egregious incidents of excessive use of force against political protesters occurred in Model Town, a Lahore suburb. Police fired without warning on supporters of the Pakistan Awami Tehreek (PAT), an opposition political party, whose workers had tried to stop police demolition of security barriers erected in front of PAT headquarters. Authorities confirmed the deaths of at least eight PAT members. Another 80 PAT members were injured".¹⁹³ Also see [6.3.2. Treatment of \(actual and perceived\) members and supporters of political opposition parties and political activists](#) and [6.3.3.3. Protestors](#).

The UK Foreign & Commonwealth Office found, as stated in its 2014 annual human rights report, that "The resultant media coverage [of the protests] increased the level of debate, and awareness

¹⁸⁹ United States Institute of Peace, [Street Challenges to Pakistan's Democracy](#), 29 August 2014

¹⁹⁰ Human Rights Watch, [World Report 2015: Pakistan](#), 30 January 2015

¹⁹¹ Amnesty International, [Amnesty International Report 2014/15: The State of the World's Human Rights](#), 25 February 2015, *Pakistan, Background*

¹⁹² Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of assembly, Curbs p.163*

¹⁹³ Human Rights Watch, [World Report 2015: Pakistan](#), 30 January 2015, *Counterterrorism and Law Enforcement Abuses*

amongst ordinary Pakistanis on issues of elections reform, corruption, rights, VIP culture, and dynastic politics. This tested the commitment of the government, law enforcement agencies and army to democracy and the right to peaceful protest. Despite some criticism of the police response to an escalation in protests, the authorities showed considerable restraint during the protests”.¹⁹⁴

On 22nd August 2014 Radio Free Europe/Radio Liberty reported that lawmakers from Imran Khan’s Tehreek-e-Insaf party had resigned from parliament after “the legislature rejected his [Imran Khan’s] calls for Sharif’s resignation as unconstitutional”.¹⁹⁵ According to the U.S. Congressional Research Service Pakistan’s Prime Minister Sharif has regarded the demand for his resignation to be “inconsistent with the Pakistani Constitution, and the consensus view in Islamabad appears to support parliamentary processes”.¹⁹⁶

The South Asia Terrorism Portal noted that “The crisis was brought to an end after the December 16, 2014, terrorist attack on APS Peshawar [Army Public School Peshawar], when Imran Khan called off the protest (Qadri had earlier ended protests on October 22, 2014, claiming that the campaign had served its purpose of ‘awakening the nation’).”¹⁹⁷

For a more detailed overview of the protests, see Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Anti-government protests*, p. 185 ff

2.2.3. Former Prime Minister Raja Pervaiz Ashraf¹⁹⁸

The U.S. Department of State annual human rights report covering events in 2013 provided the following background with regards to former Prime Minister Raja Pervaiz Ashraf’s review petition:

The 2007 National Reconciliation Ordinance (NRO), promulgated under former president Musharraf, provided an amnesty mechanism for public officials who were accused of corruption, embezzlement, money laundering, murder, and terrorism between January 1, 1986, and October 12, 1999. In 2009 the Supreme Court declared the NRO null and void and reopened all 8,000 cases against those who received amnesty, including the president, ministers, and parliamentarians. In 2010 the Zardari government filed a review petition challenging the Supreme Court’s 2009 decision and requesting its review. In 2011 the Supreme Court dismissed the government’s review petition, upholding its earlier decision finding the NRO null and void. In November 2012 the government complied with an NRO-related directive instructing it to send a letter to the Swiss authorities seeking mutual legal assistance over alleged illicit funds that had been expatriated from Pakistan. Subsequently, the Supreme Court dismissed its review petition of Prime Minister Raja Pervaiz Ashraf.¹⁹⁹

In June 2014 The Express Tribune reported that an accountability court had indicted former prime minister Raja Pervaiz Ashraf and ex-finance minister Shaukat Tareen for their “alleged involvement in the Rental Power Projects (RPPs) scam [...] Ex-PM Ashraf, who served as the minister for water

¹⁹⁴ UK Foreign & Commonwealth Office, [Human Rights and Democracy Report 2014: Pakistan – Country of Concern](#), 12 March 2015, *Freedom from Expression and Assembly*

¹⁹⁵ Radio Free Europe/Radio Liberty news, [Imran Khan’s Party Resigns From Parliament In Protest](#), 22 August 2014

¹⁹⁶ U.S. Congressional Research Service, [Pakistan Political Unrest: In Brief](#), 3 September 2014, *Summary*

¹⁹⁷ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

¹⁹⁸ Note that he is also referred to in sources as “Raja Pervaiz Ashraf” or “Raja Pervazi Ashraf”.

¹⁹⁹ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, *Section 4. Corruption and Lack of Transparency in Government*

and power in the Yousaf Raza Gilani-led Pakistan Peoples Party government, is accused of receiving kickbacks in the RPP deals finalised during his tenure as minister. The former premier is charged with concealing facts in the RPPs case while receiving approval for the contracts and making post-bid changes, causing financial losses amounting to \$60 million to the national exchequer. In 2012, the Supreme Court pulled the plug on RPP projects and ordered action against Ashraf and others accused after reports of alleged corruption and nepotism surfaced in leading newspapers across the country”.²⁰⁰

In October 2014 Dawn reported that the National Accountability Bureau (NAB) “decided to file a corruption reference against former prime minister Raja Pervez Ashraf for the appointment of his son-in-law Azim-ul-Haq to the World Bank in violation of rules and regulations and misusing his authority as PM”.²⁰¹ Amongst the sources consulted no update could be found regarding the outcome of this file.

In an article published in February 2015 The Express Tribune referred to the former Prime Minister Raja Pervaiz Ashraf as the “secretary general of PPP’s [Pakistan Peoples’ Party] parliamentary board”.²⁰²

2.3. Status of the Commission of Inquiry on Enforced Disappearances (CIED) [also known as the Commission of Inquiry for Missing Persons (CIMP)]

See also [4.2.5.2. Enforced disappearances.](#)

The Commission of Inquiry on Enforced Disappearances (CIED) was formed in 2010 by the Pakistani Supreme Court which was initially headed by “an ex-judge of the Supreme Court, Kamal Mansur Alam” and included also “Justice (Rtd) Nasira Iqbal and Justice (Rtd) Fazl-ur-Rehman as its members”.²⁰³ In a report published in December 2013 the International Commission of Jurists noted that the Commission of Inquiry for Missing Persons (CIMP) only has one other member, apart from the chairman, namely “Muhammad Sharif Virk, former Inspector General of Police” and that the CIMP’s mandate expired in December 2010 and in March 2011 “the Interior Ministry formed a new Commission [...] to continue the work of the CIMP. The 2011 Commission was initially established for six months, but its mandate was extended for another three years”.²⁰⁴ The Express Tribune reported that in September 2013 the federal government appointed “Justice (retired) Javed Iqbal as its chairman”.²⁰⁵ In October 2014 Dawn reported that “Dr Ghaus Muhammad took charge as a member of the Commission of Inquiry on Enforced Disappearances (CIED) on Oct 13 which is actually headed by retired Justice Javed Iqbal to address the cases of missing persons mainly from Sindh and Balochistan”.²⁰⁶ According to reporting by The Express Tribune in November 2014 a third member hearing cases of missing persons is “former IG Muhammad Sharif Virk”.²⁰⁷

²⁰⁰ The Express Tribune, [Kickbacks allegation: Former PM Ashraf, Tareen indicted in RPPs case](#), 4 June 2014

²⁰¹ Dawn.com, [NAB files corruption reference against former PM Raja Pervez Ashraf](#), 28 October 2014

²⁰² The Express Tribune, [Senate elections: PPP unveils candidates](#), 10 February 2015

²⁰³ The Express Tribune, [Judicial commission for missing persons formed](#), 4 May 2010

²⁰⁴ International Commission of Jurists, [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (ii) *The Supreme Court exercises its 184(3) jurisdiction to take up the matter of ‘missing persons’ and (2) Ineffectual commissions of inquiry on enforced disappearances*

²⁰⁵ The Express Tribune, [Enforced disappearances: 1,265 cases still pending, says report](#), 1 January 2015

²⁰⁶ Dawn, [Three missing persons were found dead & two are in camps, commission learns](#), 4 November 2014

²⁰⁷ The Express Tribune, [Enforced disappearances: Commission disposes off 61 cases in October](#), 11 November 2014

The report by the International Commission of Jurists further reports that the CIED's powers include "the power to summon alleged perpetrators, including State officials. If the Commission finds that law enforcement officials have been involved in a case of enforced disappearance, it may also register a criminal case against the individuals involved under Article 365 of the Criminal Code".²⁰⁸ According to the same report "Whether the work of the Commission of Inquiry on Enforced Disappearances has, in fact, been consistent with international standards requiring prompt, independent, impartial and effective investigations, remains questionable. The Commission has been heavily criticized for its lack of impartiality. Voice for Baloch Missing Persons (VBMP), an organization comprised of family members of so-called missing persons from Balochistan, has criticized the Commission for protecting the security agencies allegedly responsible for carrying out the enforced disappearances and has refused to appear before the Commission. In an interview with the ICJ, Amina Janjua, Chairperson of Defence for Human Rights, also expressed frustration at the Supreme Court's referral of cases of enforced disappearance (including the Balochistan cases) to the Commission. According to Ms Janjua, the Commission is powerless as security agencies continue to defy its orders on a regular basis and its members are not sympathetic to the cause of families of the disappeared".²⁰⁹ The report further highlighted that:

Despite the flaws in the Commission of Inquiry, the Supreme Court has continued to refer cases of enforced disappearances to the Commission. On 18 May 2013, the Supreme Court of Pakistan disposed of the 'missing persons' petition brought by the Human Rights Commission of Pakistan in March 2007 related to enforced disappearances in Balochistan. The half-page short order delivered by the Court suggested that the petitioners should pursue their case before the 2011 Commission. The HRCP subsequently filed for a review of the order, claiming that the Supreme Court had not adequately addressed the grievances set out in the original petition. As of 1 October 2013, the Supreme Court had not responded to the HRCP review petition.²¹⁰

In its annual report covering 2013 the U.S. Department of State reported that "On December 12 [2013], Minister of State for Interior Baleeghur Rehman informed the Senate that the number of missing persons cases in the Commission of Inquiry of Enforced Disappearances stood at 813, while the number of cases in the Supreme Court was 304. According to Rehman, the number of missing persons cases in Lahore High Court was 14, in Sindh High Court 174, in Peshawar High Court 101, in Balochistan High Court 22, and in FATA 40 [...] On September 12, the newspaper Dawn reported [...] that 66 Baloch missing persons cases were pending before the Supreme Court, with another 64 cases pending before the Commission of Inquiry on Enforced Disappearances".²¹¹

According to the annual report covering 2014 published by Human Rights Watch "Despite rulings from the Pakistan Supreme Court in 2013 demanding justice for victims of enforced disappearances, as well as recommendations from the UN Working Group on Enforced or Involuntary Disappearances in 2012, Pakistan's government has failed to meet its obligations under the constitution and international law prohibiting enforced disappearances".²¹² Similarly, Amnesty International reported in its annual report that "Despite clear rulings by the Supreme Court to the government in 2013 demanding the recovery of victims of enforced disappearances, the authorities did little to meet its obligations under international law and the Constitution to prevent these

²⁰⁸ International Commission of Jurists, [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (2) *Ineffectual commissions of inquiry on enforced disappearances*

²⁰⁹ International Commission of Jurists, [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (2) *Ineffectual commissions of inquiry on enforced disappearances*

²¹⁰ International Commission of Jurists, [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (2) *Ineffectual commissions of inquiry on enforced disappearances*

²¹¹ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, Section 1., b. Disappearance

²¹² Human Rights Watch, [World Report 2015: Pakistan](#), 30 January 2015, Balochistan

violations. The practices of state security forces, including actions within the scope of laws such as the Protection of Pakistan Act, resulted in men and boys being subjected to enforced disappearance across Pakistan and particularly in the provinces of Balochistan, Khyber Pakhtunkhwa and Sindh. Several victims were later found dead, bearing what appeared to be bullet wounds and torture marks. The government did not implement Supreme Court orders calling for security forces responsible for enforced disappearances to be brought to justice”.²¹³

The Express Tribune reported in an article published in February 2015 that “Some 982 missing persons have been located in the last four years while 1,273 cases of enforced disappearance are still pending with the Commission of Inquiry on Enforced Disappearances (CIED). According to a report submitted by the commission before the Supreme Court last week, 409 of those traced belong to Khyber-Pakhtunkhwa (K-P), 254 to Punjab, 199 to Sindh, 50 to Balochistan and 30 to Federally Administered Tribal Areas (Fata) [...] The report reveals that 1,273 cases of enforced disappearance are still pending. These include 632 cases from K-P, 198 from Punjab, 186 from Sindh, 122 from Balochistan, 43 from Fata and 11 from Azad Jammu Kashmir, 30 from Islamabad Capital Territory (ICT). The report says 2,275 cases of missing persons were instituted when the commission started its work in March, 2011. However, it disposed of 1,140 cases in the last four years”.²¹⁴ Yet, according to reporting by The Express Tribune the “Defence of Human Rights (DHR) has claimed that number of missing persons is 5,149. The organisation, which is working on the enforced disappearance in the country, has also stated that 252 cases of missing persons surfaced in 2014. Regarding the contradiction over the numbers of missing persons, DHR Chairperson Amina Masood Janjua contended that the organisation has collected data from all sources including all superior courts. “Therefore, our number is higher than the commission””.²¹⁵

With regards to criticism about the workings of the CIED, the Chairperson of the Defence of Human Rights (DHR), Amina Masood Janjua, reportedly told The Express Tribune that “CIED has been ineffective in tracing missing persons for last three years and added that the authorities concerned do not follow its orders to arrange meeting of prisoners with their relatives in internment centres. Amina expressed concern over the fact that the Supreme Court has not taken up missing persons case for the last several months [...] She also criticised the federal government for not taking interest in the recovery of missing person”.²¹⁶ She further noted that “Pakistan’s former attorney general Munir A Malik had given top priority to the issue of missing persons during his tenure and formed a ‘missing persons cell’ in the AGP [Auditor General of Pakistan] – headed by former AG Tariq Khokhar. “However, the missing persons’ cell in the AGP office has been closed down by incumbent AG Salman Aslam Butt,” she lamented, adding that a task force, formed by the former AG to sort out the issue, was closed down after his resignation”.²¹⁷ Also see [5.8.2. Internment camps for suspected militants](#).

2.4. Anti-terrorism operations

See also [4.2.1. Effectiveness of law enforcement in the face of terror attacks](#).

²¹³ Amnesty International, [Amnesty International Report 2014/15: The State of the World’s Human Rights](#), 25 February 2015, *Pakistan, Enforced Disappearances*

²¹⁴ The Express Tribune, [Enforced disappearances: Up to 982 missing persons traced in the past four years](#), 23 February 2015

²¹⁵ The Express Tribune, [Enforced disappearances: 1,265 cases still pending, says report](#), 1 January 2015

²¹⁶ The Express Tribune, [Enforced disappearances: 1,265 cases still pending, says report](#), 1 January 2015

²¹⁷ The Express Tribune, [Enforced disappearances: Up to 982 missing persons traced in the past four years](#), 23 February 2015

The U.S. Department of State reported in its annual report on terrorism that during 2013 Pakistan “continued to confront terrorist groups, including al-Qa’ida (AQ), Tehrik-e Taliban Pakistan (TTP), the Punjabi Taliban, and Lashkar I Jhangvi (LJ), all of whom mounted attacks against police, military and security forces, or engaged in sectarian violence and criminal activities against all sectors of society. Pakistan did not confront Lashkare-Tayyiba, however, who continued to operate, rally, and fundraise in Pakistan with its front organizations [...] Pakistani military forces conducted significant counterterrorism operations in the tribal areas, and civilian and other forces conducted operations in Sindh, Balochistan, KP, and Punjab. Some AQ- affiliated terrorist groups were disrupted in Punjab, and some TTP leaders were killed during security operations. Security forces intercepted large stockpiles of weapons and explosives and discovered bomb-making facilities and sophisticated telecommunication networks. Pakistan continued to arrest terrorists and initiate prosecutions throughout 2013”.²¹⁸ According to the same report Pakistan’s response to terrorism during 2013 was that:

Pakistan enacted additional amendments to the Antiterrorism Act of 1997, and promulgated several new laws to empower the national government to address terrorism with enhanced law enforcement and prosecutorial powers. Pakistan’s government is in the process of implementing four significant laws passed in 2013: the National Counterterrorism Authority Act, the Fair Trial Act, amendments to the Antiterrorism Act of 1997, and the Protection of Pakistan Ordinance of 2013 (PPO). The Pakistan government continued to make use of the reinforced counterterrorism legislation; however, the judiciary moved slowly in processing terrorism and other criminal cases in general.

Pakistan took steps in 2013 to address challenges in interagency cooperation and coordination. In 2013, Pakistan engaged in structural reforms on counterterrorism, designed to centralize coordination and information sharing. The National Counterterrorism Authority (NACTA) was empowered by new legislation in April, but was not fully activated in 2013. NACTA is envisioned as facilitating increased coordination and collection of counterterrorism intelligence among security agencies and provincial police, and providing a vehicle for national policy and strategy formulation for all aspects of counterterrorism. The Intelligence Bureau (IB) has nationwide jurisdiction as a civilian agency, and is fully empowered under the PPO to coordinate with provincial and territorial counterterrorism units.²¹⁹

❖ Antiterrorism courts

See also [5.6. Constitutional amendment: Use of anti-terrorism legislation in ordinary criminal cases/military courts to try civilians](#) and [5.7. Due process](#).

The U.S. Department of State reported in its annual report covering 2013 about the establishment of Antiterrorism courts:

The Antiterrorism Act allows the government to use special streamlined courts to try persons charged with violent crimes, terrorist activities, acts or speech designed to foment religious hatred, and crimes against the state. After arrest, suspects must be brought before the antiterrorism courts within seven working days, but the courts are free to extend the period.²²⁰

The U.S. Department of State in its annual terrorism report covering 2013 noted that “Intimidation by terrorists against witnesses, police, victims, prosecutors, defense lawyers, and judges contribute

²¹⁸ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²¹⁹ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²²⁰ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2014, Section 1, e. Denial of Fair Public Trial, Trial Procedures

both to the slow progress of cases in Antiterrorism Courts and a high acquittal rate. Prosecutors often lacked resources needed to conduct successfully prosecutions in the trial phase. Jurisdictional divisions among and between military and civilian security agencies continued to hamper effective investigation and prosecution of terrorism cases”.²²¹

See also [2.3.2. The National Action Plan \(also known as the National Plan of Action\) \(December 2014\)](#)

❖ The Protection of Pakistan Ordinance of 2013 (PPO) and the 2014 Protection of Pakistan Act (PPA)

In 2013 Pakistan promulgated new legislation that “supports the investigation and prosecution of terrorism offences under the Protection of Pakistan Ordinance (PPO).²²² According to the U.S. Department of State’s 2013 annual report on terrorism “These laws are designed to provide the necessary legal tools to detect, disrupt, and dismantle terrorist activities and organizations to intelligence agencies, law enforcement agencies, and prosecutors. The PPO augments the Antiterrorism Act of 1997 (as amended) and creates a federally-empowered infrastructure with special federal courts, prosecutors, police stations, and investigation teams for the enforcement of 20 specially delineated categories of offenses”.²²³ The Asian Human Rights Commission further noted that the PPO “hands even greater powers to law enforcement authorities (LEA). Now LEA can enter and search any premises without warrant and confiscate any property without permission from any lawful authority”.²²⁴ The same report noted that “The government has been authorised to create a parallel judiciary through these ordinances. Anti-Terrorist Courts and special prosecutors for terrorist crimes are already in operation. However, through the October 20 ‘Pakistan Protection Ordinance’, the government will make “special courts and special prosecutors” to protect the country. By issuing these ordinances, the government has made the courts under the constitution as redundant”.²²⁵

In July 2014 the Protection of Pakistan Act (PPA) was passed, replacing the PPO, which according to Human Rights Watch is an “overly broad counterterrorism legislation that violates international human rights standards and creates a legal pretext for abuses by the security forces without accountability. The PPA violates the right to fair trial by shifting the onus of proof on the accused in certain circumstances, and granting powers of arbitrary arrest and preventive detention to the security forces”.²²⁶ Human Rights Watch further criticised the PPA for facilitating “enforced disappearances by retrospectively legitimizing detention at undisclosed locations and providing immunity to all state agents acting in ‘good faith.’ These steps perpetuate a troubling culture of impunity in Pakistan, casting grave doubts on the government’s seriousness about ensuring justice and protecting human rights”.²²⁷ The UK Foreign & Commonwealth Office stated that the PPA contains provisions “permitting 90 day’s detention of suspects at undisclosed locations, and allowing

²²¹ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²²² U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²²³ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²²⁴ Asian Human Rights Commission, [New draconian laws provide legal cover to disappearances, extrajudicial killings, torture, & unfair trial \[sic\]](#), 23 October 2013

²²⁵ Asian Human Rights Commission, [New draconian laws provide legal cover to disappearances, extrajudicial killings, torture, & unfair trial \[sic\]](#), 23 October 2013

²²⁶ Human Rights Watch, [World Report 2015: Pakistan](#), 30 January 2015

²²⁷ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared: Government Fails to Provide Facts, Justice, and Reparations to Victims](#), 29 August 2014

law enforcers to use force to prevent an offence”.²²⁸ According to the same source “Under the act, suspects may be held for questioning for 60 days instead of the current limit of 15”.²²⁹

The 2014 report from the Human Rights Commission of Pakistan notes with that, “Since its promulgation on July 9th, 2014, the Protection of Pakistan Act, 2014 (“PPA”) has attracted much criticism”.²³⁰ It further notes that “The primary question being raised by its critics is whether as a law that claims to provide for “protection against waging of war or insurrection against Pakistan, prevention of acts threatening the security of Pakistan and for speedy trial of offences”, does PPA strike the right balance between fundamental rights of individual citizens guaranteed by the Constitution while conferring on the state the requisite authority to fight terror. The military has argued that the criminal justice paradigm might not be adequate to fight the transnational threat posed by non-state terror groups and must be replaced or supplemented by war paradigm affording limited rights to terrorists”.²³¹

2.4.1. All Parties Conference (APC) (December 2014)

On 17th December 2014, Prime Minister Nawaz Sharif convened an All Parties Conference (APC) in Peshawar in the aftermath of the Peshawar terrorist attack on the army school where he addressed “lawmakers and declared that the conference had decided to draft an action plan against terrorists and act upon it immediately. Prime Minister Sharif also announced that there will be no discrimination between “good” and “bad” Taliban and that terrorism will be tackled in the entire country until the last terrorist is eliminated”.²³² According to the Inter Press Service a resolution was unanimously adopted by participants which said that “with Pakistan facing increasing terrorism, it cannot afford to show any mercy to those involved in acts of militancy and killing of innocent people” and that therefore the moratorium on the death penalty would be lifted.²³³ Between 24th December 2014 and 16 February 2015, according to the Asian Legal Resource Centre, 24 persons believed to be terrorists have been executed by hanging. According to the Minister of Interior Affairs, a list of over 500 more persons has been prepared and they too will be hanged this year”.²³⁴ The South Asia Terrorism Portal noted that “at least 24 prisoners have been executed, including at least two with no connection to terrorism”.²³⁵ See [5.5. Revival of the use of the death penalty](#).

❖ Previous All Parties Conferences (APCs) focusing on terrorism related issues

February 2014

²²⁸ UK Foreign & Commonwealth Office, [Pakistan: Country of concern, latest updated 30 June 2014](#), updated 21 January 2015

²²⁹ UK Foreign & Commonwealth Office, [Pakistan: Country of concern, latest updated 30 September 2014](#), updated 21 January 2015

²³⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Administration of justice, Protection of Pakistan Act, 2014*, p.39

²³¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Administration of justice, Protection of Pakistan Act, 2014*, p.40

²³² Critical Threats, [Pakistan Security Brief – December 17, 2014](#), 17 December 2014

²³³ Inter Press Service, [Reinstatement of Pakistan’s Death Penalty a Cynical Reaction, Says Amnesty](#), 21 December 2014

²³⁴ UN General Assembly, [Written statement submitted by the Asian Legal Resource Centre, a non governmental organization in general consultative status](#), 20 February 2015

²³⁵ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

According to the author Samina Ahmed, Project Director for South Asia and Senior Asia Advisor of the International Crisis Group, reporting in an article published in the Austrian Federal Ministry of the Interior's report in October 2014:

Soon after taking over power in May 2013, following the promises of his election campaign, Sharif called for a dialogue with the tribal militants, saying: "The bullet is not the solution". However, he also emphasized: "I want an end to terrorism whether it is through dialogue and reconciliation or through full use of force". Yet, even as militant attacks on security forces and civilians continued to take a rising toll in FATA and KPK, the government opted for unconditional negotiations with the TTP. Preliminary talks began after an All Parties Conference (APC) endorsed the policy in February 2014. In the first detailed statement on the PML-N's counter-terrorism and extremism policy, Interior Minister Chaudhry Nisar Ali Khan said that the government would not shy away from "all out war" but emphasized that it would prefer to negotiate with the militants.²³⁶

September 2013

Agence France-Presse reported that in September 2013 an APC was held, attended by representatives from the main coalition and opposition parties, asking for the government to initiate dialogue with the Taliban.²³⁷ A declaration was issued as part of the APC "requesting dialogue with the Taliban".²³⁸ Following the APC, several Taliban prisoners have been released by the Pakistani government.²³⁹

2.4.2. The National Action Plan (also known as the National Plan of Action) (December 2014)

See also [5.6. Constitutional amendment: Use of anti-terrorism legislation in ordinary criminal cases/military courts to try civilians.](#)

The National Action Plan was initiated on 24th December 2014 following the Pakistani Taliban attack on a school in Peshawar on 16th December 2014, which killed 142 children and nine staff, according to reporting by Radio Free Europe/Radio Liberty.²⁴⁰ According to reporting by The Express Tribune the 20-point National Action Plan envisages the "establishment of special courts for speedy trial of terror suspects [for the duration of two years] and a crackdown on jihadi and sectarian outfits".²⁴¹ The news article further noted that the National Action Plan elaborates that the execution of convicted terrorist will continue following the lifting of a six-year moratorium on the death penalty in terrorism-related cases.²⁴² The same source further noted the agreed points of the National Action Plan:

²³⁶ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), *regiones et res publicae - Country Analysis Reports, Pakistan - Challenges*, October 2014, *Countering violent extremism in Pakistan's tribal belt*

²³⁷ Agence France-Presse, [Pakistan Taliban set conditions for peace talks as seven die](#), 15 September 2013

²³⁸ Radio Free Europe/Radio Liberty, [Pakistan Taliban In Goodwill prisoner Release](#), 11 September 2013. The actual Resolution can be accessed here: Dawn, [Resolution of the All Parties Conference on Sept 9, 2013](#), 9 September 2013

²³⁹ Radio Free Europe/Radio Liberty, [Pakistan Confirms Release of Top Afghan Taliban Commander](#), 12 September 2013

²⁴⁰ Radio Free Europe/Radio Liberty, [Pakistani Parliament Approves Military Courts For Terror Suspects](#), 6 January 2015 and Radio Free Europe/Radio Liberty, [Pakistani Military Courts To Start Terrorism Trials](#), 8 February 2015

²⁴¹ The Express Tribune, [Fight against terrorism: Defining moment](#), 25 December 2014

²⁴² The Express Tribune, [Fight against terrorism: Defining moment](#), 25 December 2014

An amendment will be made in the Pakistan Army Act 1952 for the establishment of these courts. The number of military courts will be according to the number of terrorists in a province. These will try all terrorists – whether they carry out attacks on military installations or civilians.

The prime minister said that a 5,000-strong dedicated counter-terrorism force would be established and deployed across the country [...]

Sources told The Express Tribune that Jihadi organisations fighting in Indian-held Kashmir or elsewhere would be disarmed and a crackdown would be launched against them immediately. Leaders of these groups would be tried in the special courts. Their offices would be sealed and their charity works and programmes would be stopped, they added.

Similarly, the National Plan of Action envisages registration and regulation of all Madaris. [...]

Sources said that the action against terrorists in Balochistan and Karachi, and militancy in Punjab dominated the debate during the meeting. Under the National Plan of Action, the Karachi operation would be taken to its logical conclusion, while there would be zero tolerance for militancy in Punjab. In Balochistan, the provincial government would be empowered to start political reconciliation with complete ownership by all stakeholders.²⁴³

The same source also provided the following summary points of the National Action Plan:

- 1- Execution of convicted terrorists will continue
- 2- Establishment of special trial courts for two years for speedy trial of terror suspects
- 3- A commitment to ensure that no armed militias are allowed to function in the country
- 4- Strengthening and activation of NACTA
- 5- Countering hate speech and extremist material
- 6- Choking financing for terrorists and terrorist organisations
- 7- Ensuring against re-emergence of proscribed organisations
- 8- Establishing and deploying a dedicated counter-terrorism force
- 9- Taking effective steps against religious persecution
- 10- Registration and regulation of madrassas
- 11- Ban on glorification of terrorism and terrorist organisations through print and electronic media
- 12- Administrative and development reforms in Fata with immediate focus on return of IDPs
- 13- Dismantling communication networks of terrorist organisations
- 14- Tangible measures against abuse of internet and social media for terrorism
- 15- Zero tolerance for militancy in Punjab
- 16- Taking the ongoing operation in Karachi to its logical conclusion
- 17- Empowering Balochistan government for political reconciliation with complete ownership by all stakeholders
- 18- Dealing firmly with sectarian terrorists
- 19- Formulation of a comprehensive policy to deal with the issue of Afghan refugees, beginning with registration of all unregistered illegal refugees
- 20- Revamping and reforming the criminal justice system, to strengthen counter-terrorism departments including granting of powers to the provincial CIDs to intercept terrorist communications.²⁴⁴

Speaking to the United States Institute of Peace's South Asia Director, Pakistan's Interior Minister Chaudhry Nisar Ali Khan stated "The government's policies, culminating in the new National Action Plan, mark the first time that civilian and military authorities in Pakistan have forged a joint strategy against extremism".²⁴⁵

In January 2015 Pakistan's parliament approved a constitutional amendment, the 21st amendment, "enabling military courts to try civilians suspected of terrorism" in order to "speed up the trials of

²⁴³ The Express Tribune, [Fight against terrorism: Defining moment](#), 25 December 2014

²⁴⁴ The Express Tribune, [Fight against terrorism: Defining moment](#), 25 December 2014

²⁴⁵ United States Institute of Peace, [Pakistan's Interior Minister Outlines New Anti-Terror Plan](#), 20 February 2015

alleged terrorists and protect the process from the intimidation of judges and witnesses”.²⁴⁶ The Dawn reported that this amendment means that:

- Individuals illegally crossing national boundaries can now be tried by military courts
- Federal government can transfer any case, pending in any trial court, to military courts
- Those convicted by military courts will have no right of appeal before civilian courts
- New legislation gives a judicial mandate to an executive functionary.²⁴⁷

As for new offences, which now fall under the jurisdiction of military courts, the Dawn lists them as follows:

those claiming or known to belong to any terrorist group or organisation using the name of religion or a sect; those who raise arms or wage war against Pakistan, or attack the Armed Forces of Pakistan or law enforcement agencies; kidnapping for ransom; possession or storing of explosives, firearms, suicide jackets; using or designing vehicles for terrorists acts; providing or receiving funding from any foreign or local sources for ; “overawing” the state or any section of public or sect or religious minority and creating terror or insecurity in Pakistan or outside [...]

crimes against religious, ethnic and political groups or minorities; use of arson, firebombs, suicide bombs, and other materials that can injure or kill people or destroy property; bomb or arson attacks on public premises, government premises, sites of worship, historical places; killing kidnapping, extortion or attack on members of parliament, judiciary, executive, media; the killing, kidnapping of army and law enforcement officers and employees, of foreign nationals, of health personnel and of aid workers; attacks on communication lines, grid stations, energy facilities (such as dams and distribution systems), airports, educational institutions, police stations and mass transport system.²⁴⁸

The Dawn reported that initially nine military courts had been established for a period of two years:

- three in Punjab;
- three in Khyber Pakhtunkhwa
- two in Sindh
- one in Balochistan.²⁴⁹
-

By mid-January 2015 the Pakistani government had decided to extend the scope of the military courts to Gilgit-Baltistan, Azad Jammu and Kashmir.²⁵⁰ By mid-February 2015 this was extended to include the Federally Administered Tribal Areas (FATA), but numbers of courts still had to be confirmed and were dependent on the number of cases.²⁵¹

On 25th February 2015 the Pakistani government extended the scope of the military courts to include “jurisdiction to crimes committed before their establishment [...] Now, crimes committed before the approval of the 21st Constitutional Amendment by parliament [on January 6 2015] could be tried in the military courts”.²⁵²

²⁴⁶ Radio Free Europe/Radio Liberty, [Pakistani Parliament Approves Military Courts For Terror Suspects](#), 6 January 2015

²⁴⁷ Dawn, [The new martial powers](#), 8 January 2015

²⁴⁸ Dawn, [The new martial powers](#), 8 January 2015

²⁴⁹ Dawn, [Military courts extended to Fata](#), 12 February 2015

²⁵⁰ Dawn, [Govt extends scope of military courts to Gilgit-Baltistan, AJK](#), 13 January 2015

²⁵¹ Dawn, [Military courts extended to Fata](#), 12 February 2015

²⁵² The Express Tribune, [Scope of military courts enhanced](#), 25 February 2015. This article was included despite having been published post-reporting period to provide the most up to date information on recent developments regarding the military courts.

Also in February, The Express Tribune reported that the Pakistan Bar Council and the Supreme Court Bar Association are challenging the newly-formed military courts in the Supreme Court “claiming that the 21st Constitutional Amendment was passed by parliament under army’s pressure”.²⁵³

In February 2015 Radio Free Europe/Radio Liberty reported that Pakistani military courts “are ready to start trying some of the 10,000 suspects arrested since the start of a major counterterrorism operation. Pakistani military spokesman General Asim Bajwa said on February 8 that the first 12 cases would be heard by the military courts “next week.” [...] Pakistan media have reported in recent days that more than 10,600 people have been detained on various charges related to terrorism since December 24, 2014, when the National Action Plan was initiated”.²⁵⁴ By 14th February 2015 the Express Tribune reported that “At least 16,344 operations have been conducted and 12,462 arrests made under the National Action Plan (NAP) against terrorism”.²⁵⁵

On 1st January 2015 the Securities and Exchange Commission of Pakistan (SECP) issued Circular No. 02/2015 stating that “pursuant to the National Action Plan on Counterterrorism, it will submit all not-for-profit companies registered under Section 42 of the Companies Ordinance (about 600 organizations in total) to a license re-validation/renewal process to ensure they are not engaged in terrorist financing [...] According to news sources, the process would include the SECP’s review or audit of previous submissions by Section 42 companies, including annual statements of accounts, audit reports, and statements of work. The SECP also has the power to order special audits and on-site inspection of accounts of Section 42 companies. Licenses of Section 42 companies are valid for a period of five years, and according to news sources, most registered Section 42 companies have not complied with the five-year- renewal requirement or annual reporting requirements”.²⁵⁶

Dawn reported at the end of January 2015 that “In keeping with the government’s National Action Plan to counter terrorism and extremism, the Special Branch has been asked to conduct search operations in areas populated by Afghan refugees and those displaced from the Federally Administered Tribal Areas (Fata) to verify the immigration status of all Afghans and tribesmen who reside in each district of North Punjab”.²⁵⁷ In February 2015 IRIN news reported that the National Action Plan also announced to “expel illegal migrants – even if they are being forced back to war-torn Afghanistan. Afghanistan’s ambassador in Pakistan Janan Mosazai told IRIN he was deeply concerned. “We are getting reports of harassment and forced expulsion of Afghan refugees in different parts of the country,” he said, stressing he was working with the Pakistani government to calm the situation”.²⁵⁸

3. Security Situation/Developments (since June 2013)

3.1. Overview of the current security situation

The International Crisis Group provided the following overview of the security situation in urban areas in its report published in January 2014: “Endemic violence in Pakistan’s urban centres signifies the challenges confronting the federal and provincial governments in restoring law and order and

²⁵³ The Express Tribune, [Formed under duress: Military courts challenged in SC](#), 10 February 2015

²⁵⁴ Radio Free Europe/Radio Liberty, [Pakistani Military Courts To Start Terrorism Trials](#), 8 February 2015

²⁵⁵ The Express Tribune, [12,462 arrested under National Action Plan: report](#), 14 February 2015

²⁵⁶ The International Center for Not-for-Profit-Law, [NGO Law Monitor: Pakistan](#), Last updated: 9 February 2015, Date accessed 07/04/2015.

²⁵⁷ Dawn, [All Afghans, tribesmen in North Punjab to be registered](#), 27 January 2015

²⁵⁸ IRIN, [Peshawar killings provoke crackdown on Afghans](#), 5 February 2015

consolidating the state's writ. The starkest example is Karachi, which experienced its deadliest year on record in 2013, with 2,700 casualties, mostly in targeted attacks, and possibly 40 per cent of businesses fleeing the city to avoid growing extortion rackets. However, all provincial capitals as well as the national capital suffer from similar problems and threats [...] The provincial capitals of Peshawar, Quetta, Karachi and Lahore are bases of operations and financing for a range of extremist groups and criminal gangs that exploit poor governance and failing public infrastructure to establish recruitment and patronage networks. As urban populations grow, the competition over resources, including land and water, has become increasingly violent.”²⁵⁹ The same report further noted with special regards to Khyber Pakhtunkhwa, Balochistan and Sindh's respective capitals Peshawar, Quetta, and Karachi that:

Khyber Pakhtunkhwa (KPK)'s capital, Peshawar, and Balochistan's capital, Quetta, are hostage to broader regional security trends. The conflict in Afghanistan and crossborder ties between Pakistan and Afghan militants have undermined stability in KPK and the Federally Administered Tribal Areas (FATA). Military-dictated counterinsurgency policies, swinging between indiscriminate force and appeasement deals with tribal militants have failed to restore the peace, and instead further empowered violent extremists.

Police in Peshawar, which has borne the brunt of militant violence and where violence is at an all-time high, lack political support and resources and appear increasingly incapable of meeting the challenge. Indeed, while militants and criminals frequently target that city, the force is powerless to act when they then seek haven in bordering FATA agencies, because its jurisdiction, according to the Frontier Crimes Regulation (FCR) 1901, does not extend to these areas. Balochistan's location, bordering on southern Afghanistan, the Afghan Taliban's homeland, and longstanding Pakistani policies of backing Afghan Islamist proxies are partly responsible for the growth of militancy and extremism that now threatens Quetta. Aided by a countrywide network, Sunni extremists have killed hundreds of Shias there, while their criminal allies have helped to fill jihadi coffers, and their own, through kidnappings for ransom. Civilian law enforcement agencies cannot counter this rising tide of sectarian violence and criminality, since they are marginalised by the military and its paramilitary arms. Continuing to dictate and implement security policy, the military remains focused on brutally suppressing a province-wide Baloch insurgency, fuelled by the denial of political and economic autonomy. The end result is more Baloch alienation and more jihadi attacks undermining peace in the provincial capital.

In Karachi, Pakistan's largest city, which generates around 70 per cent of national GDP, much of the violence is driven by the state's failure to meet the demands of a fast growing population and to enforce the law. Over the past decade, the competition over resources and turf has become increasingly violent. Criminals and militant groups attempt to lure youth by providing scarce services, work and a purpose in life. Demographic changes fuel ethno-political tensions and rivalries, accentuated by the main political parties: the mostly Sindhi Pakistan Peoples Party (PPP), the Muttahida Qaumi Movement (MQM) representing mohajirs and the predominately Pashtun Awami National Party (ANP) forging links with criminal gangs. Like Quetta and Peshawar, Karachi is a major target of violent sectarian groups such as the Lashkar-e-Jhangvi (LeJ), which has its home base in Punjab. Since the LeJ and other major jihadi groups such as the Lashkar-e-Tayyaba/Jamaat-ud-Dawa (LeT/JD) and the Jaish-e-Mohammed conduct operations within and outside the country from bases in Punjab, the provincial government and police are central to any comprehensive counter-terrorism effort. It is imperative that both be reformed if the threat is to be addressed effectively.²⁶⁰

For more information on the “nature and directions of violence” in Pakistan's provincial capitals: Peshawar (KP), Quetta (Balochistan), Karachi (Sindh) and Lahore (Punjab), consult:

- International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014

The US Institute of Peace reported in February 2014 that “Over the past decade, Pakistan has experienced a significant rise in violence in terms of frequency, scope, and magnitude. The origins and intensity of violence vary regionally and involve both long-standing conflict actors and new

²⁵⁹ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *Executive Summary*

²⁶⁰ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *Executive Summary*

groups. Violence is most concentrated along the Afghan border in the Federally Administered Tribal Areas (FATA) and the province of Khyber Pakhtunkhwa (KP). Other regions of Pakistan lying along the border with Afghanistan, including Balochistan and Gilgit-Baltistan, have also experienced a significant escalation in violence. This escalation is in part a result of the nexus between sectarian militants and terrorist outfits".²⁶¹ The same source further noted that:

Across Pakistan, the various types of organized political and extremist violence include but are not limited to terrorism, secessionist insurgency, interfaith and intrafaith extremist violence, sectarian strife, and ethnic turf wars. The strategic nexus and close coordination among various groups perpetuating the violence often make it difficult to draw a distinction between the typology of violence and the motivations guiding the groups' behavior. The government's response to the intense and chronic nature of these incidents has over the years ranged from apathy to reliance on short term security measures, including heavy-handed military operations to counter terrorism; alleged extrajudicial killings and enforced disappearances involving the police and intelligence agencies; and external military intervention, primarily in the form of a U.S. Predator drone campaign under way since 2004, with the state's tacit consent. Efforts to meaningfully address underlying socioeconomic and political conditions contributing to the fragile environment have been negligible.²⁶²

The same report also concluded that "During the past decade, violence has become endemic across many parts of Pakistan. The country's own experience suggests that if the existing conditions persist, the country could face escalation of violence levels, widespread lawlessness, and potential fragmentation".²⁶³

The Carnegie Endowment for International Peace report published in April 2014 summarises the security situation in Pakistan as follows:

Pakistan is not the victim of a single conflict, but rather a series of localised conflicts of different natures, which, due to the nature of the actors and the policy of the state, are unlikely ever to coalesce into a single threat. Moreover, violence is hugely variable across the country, and even within provinces.

As such, despite the deaths of over 50 000 people in the past decade through political violence, much of it with religious dimensions, such violence does not pose a threat to the Pakistani state. Neither political violence nor its religious dimension is a new phenomenon. They were intrinsic to Pakistan's creation and independence. All four provinces and the Northern Territories have suffered, but in recent years the hardest hit have been Balochistan and Khyber Pakhtunkhwa, as well as the semi-autonomous Federally Administered Tribal Areas (FATA).²⁶⁴

The 2014 *Global Peace Index* ranked Pakistan at 154 place out of 162 countries – 9th worst place in the world²⁶⁵, whilst the Fund for Peace's *Fragile States Index 2014* placed Pakistan in the "Top Ten [...] not because of the worsening of its own score, but the improvement of others around it. Located in one of the most volatile regions of the world, Pakistan has immense internal and external pressures".²⁶⁶

²⁶¹ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Summary*

²⁶² US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Introduction*

²⁶³ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014

²⁶⁴ Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014

²⁶⁵ Institute for Economics & Peace, [Global Peace Index 2014](#), 18 June 2014, *A snapshot of the global state of peace*

²⁶⁶ Fund for Peace, [The Fragile States Index 2014](#), 10 July 2014, *Pakistan: Individual Indicator Trends, 2006-2014*

The following report by the US Institute of Peace, published in February 2014 provides additional background information and conflict trend analysis on specific regions, which is of interest from a historical/background perspective:

- US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014
 - Federally Administered Tribal Areas, pages 8-11
 - Khyber Pakhunkhwa, pages 11-13
 - Sindh, pages 13-14
 - Balochistan, pages 14-17
 - Punjab, pages 17-18
 - Gilgit-Baltistan, pages 18-19

The National Consortium for the Study of Terrorism and Responses to Terrorism (START)'s Global Terrorism Database (GTD) provides data over time and up until end of 2013 on:

- Attack Type
- Target Type
- Weapon Type
- Perpetrator
- Casualties
- Fatalities
- Injuries

The database can be searched using the 'Advanced Search' options found on its website

- National Consortium for the Study of Terrorism and Responses to Terrorism, [Advanced Search](#), Undated, Date accessed 16 April 2015

The South Asia Terrorism Portal provides up-to-date analysis, data sheets, timelines and information on terrorist groups on:

- Balochistan
- FATAS
- Punjab
- KP
- Sindh

The Pakistan country-specific webpage can be found here:

- South Asia Terrorism Portal, [Pakistan](#), Undated, Date accessed 17 April 2015

The following sub-sections provide an overview of the security situation post June 2013, 2014 and early 2015. Violence and human rights violations committed by armed groups will be addressed at [3.3 Overview of human rights abuses by non-state armed groups](#) onwards.

3.1.1. Post June 2013

❖ Overview

BBC News, the U.S. Department of State and the South Asia Terrorism Portal each provide timelines for Pakistan regarding major violent incidents, which have been combined here:

- June: [...] "Taliban conduct systematic campaign of attacks and intimidation, but fail to deter largest turnout of voters since 1970 [...]"²⁶⁷

²⁶⁷ BBC News, [Pakistan profile – Timeline](#), 13 February 2015

- 15 June: "25 people died in a sectarian-related coordinated attack on a women's college in Quetta along with the medical complex where victims were subsequently taken for treatment. The attack was notable for its use of a female suicide bomber, the first such occurrence in Balochistan. Later the same day, terrorists attacked and torched the historical landmark Ziarat residence 75 miles east of Quetta".²⁶⁸
- 23 June: "Terrorists wearing paramilitary uniforms attacked a mountaineering base camp on Nanga Parbat in Gilgit-Baltistan and killed 10 foreign climbers, including one U.S. citizen. Three security officials sent to investigate the murders were also killed by terrorists".²⁶⁹
- 10 July: "On July 10, a terrorist suicide bomber attacked the convoy of the chief of the presidential security detail in Karachi, killing the chief of security for President Zardari and two others".²⁷⁰
- 24 July: "Suicide bombers and armed militants attacked the regional office of the ISI in a high security zone in Sukkur. Three ISI officials, and 10 Sindh police and Rangers personnel were killed, and 50 other people were injured during the ensuing battle".²⁷¹
- 29 July: "Terrorists stormed the Central Prison at Dera Ismail Khan in KP, forcing the release of imprisoned high-value terrorists. Twenty-four people died during the attack".²⁷²
- August: "the BLA [Balochistan Liberation Army] took responsibility for the killing of 13 people after the two buses they were travelling in were stopped by fighters in Mach area, about 50km (31 miles) south-east of the provincial capital, Quetta".²⁷³
- 8 August: "38 persons, including 21 Police officials, were killed, and another 40 were injured in a suicide blast at a funeral at the Police Lines in Quetta".²⁷⁴
- September: "More than 80 people are killed in a double suicide bombing at a church in Peshawar. It is the deadliest attack so far against Christians in Pakistan. Taliban-linked Islamists claim responsibility".²⁷⁵
- 29 September: "42 people were killed and over 100 injured after a car bomb blast in the crowded Kissa Khawani Bazaar in Peshawar".²⁷⁶
- 16 October: "The newly appointed Khyber Pakhtunkhwa law minister and 10 others died after a suicide attacker exploded a bomb at the minister's residence in Dera Ismail Khan".²⁷⁷

According to the U.S. Department of State annual terrorism report covering 2013:

Pakistan continued to confront terrorist groups, including al-Qa'ida (AQ), Tehrik-e Taliban Pakistan (TTP), the Punjabi Taliban, and Lashkar I Jhangvi (LJ), all of whom mounted attacks against police, military and security forces, or engaged in sectarian violence and criminal activities against all sectors of society. Pakistan did not confront Lashkare-Tayyiba, however, who continued to operate, rally, and fundraise in Pakistan with its front organizations. In 2013, terrorists used remote-controlled improvised explosive devices (IEDs) in bicycles, motorcycles, parked cars, rickshaws, donkey carts, and

²⁶⁸ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁶⁹ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁷⁰ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁷¹ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁷² U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁷³ Inter Press Service, [Pakistan's "other" Insurgents Face IS](#), 24 December 2014

²⁷⁴ South Asia Terrorism Portal, [Pakistan Assessment 2014](#), Undated, Date accessed 9 April 2015

²⁷⁵ BBC News, [Pakistan profile – Timeline](#), 13 February 2015. Note that the U.S. Department of State report noted that "119 persons were killed with over 145 others injured". See U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁷⁶ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁷⁷ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

alongside roads, used vehicle-borne IEDs, suicide bombers (including females), targeted assassinations, rocket-propelled grenades, and other armed combat tactics in attacks on mosques, churches, markets, journalists, aid workers, government institutions and officials. AQ and HQN [Haqqani Network] continued to plot against U.S. interests in the region, including U.S. diplomatic facilities. TTP [Tehrik-e Taliban Pakistan] posed a threat to both U.S. and Pakistani interests, and carried out numerous attacks against Pakistani armed forces, Pakistani civilians, and government institutions [...]

Karachi continued to suffer from political and ethnic violence inflicted by different groups, including militant organizations, fundamentalist religious groups, and the militant wings of political parties. Some militant groups worked to assert control over political parties and criminal gangs operating in the city and surrounding areas of southern Sindh. The security situation in Karachi was a priority concern for Pakistan's president, prime minister, parliament, Supreme Court, and the military and law enforcement agencies.²⁷⁸

Human Rights Watch summarised that 2013 was “another violent year” for Pakistan as the general elections in May 2013 were “marred by a bombing and targeted killing campaign by the Taliban and their affiliates to sabotage the elections” and “Islamist militant groups continued to target and kill hundreds of Shia Muslims—particularly from the Hazara community—with impunity. In September, the Christian community experienced the deadliest attack on its members in Pakistan's history when 81 were killed in a bombing on a church in Peshawar. There has been a breakdown of law enforcement in the face of politically motivated attacks particularly throughout the province of Balochistan and targeted killings in Karachi”.²⁷⁹

❖ 2013 casualty figures & number of terrorist attacks

The U.S. Department of State reported in its 2013 annual report that as of mid-December 2013 “over 1,025 civilians and more than 475 security forces personnel had been killed in terrorist-related incidents in Pakistan during the year”.²⁸⁰

The PAK Institute for Peace Studies (PIPS) noted in its ‘2013 Pakistan Security Report’²⁸¹, as reported by The Express Tribune, that “Since 2010, the number of overall incidents of violence saw a downwards trend for the two subsequent years. This trend could not persist in 2013 and took a slight upward curve, mainly, during the campaigning phase of the general elections and sustained until the year's end”.²⁸² The same source noted that compared to 2012 “the number of reported terrorist attacks in Pakistan posted a nine per cent increase while the number of people killed and injured in these attacks increased by 19 per cent and 42 per cent, respectively”.²⁸³ It further reported that “According to the report, militant, nationalist insurgent and violent sectarian groups carried out a total of 1,717 terrorist attacks across Pakistan in 2013, claiming the lives of 2,451 people and causing injuries to another 5,438 [...] The number of suicide attacks across the country rose by 39 per cent, with 46 suicide attacks in 2013 compared to 33 in the previous year. As many as 18 (39 per cent) out of the total suicide attacks in 2013 were recorded in Khyber-Pakhtunkhwa (K-P), 12 in FATA, nine in Balochistan, five in Sindh and one each in Rawalpindi and Azad Kashmir”.²⁸⁴

²⁷⁸ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁷⁹ Human Rights Watch, [World Report 2014: Pakistan](#), 13 January 2014

²⁸⁰ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

²⁸¹ The ‘Pakistan Security Report’ by the PAK Institute for Peace Studies can only be accessed through paid subscription.

²⁸² The Express Tribune, [Vicious year: Terrorism surged in 2013, says report](#), 6 January 2014

²⁸³ The Express Tribune, [Vicious year: Terrorism surged in 2013, says report](#), 6 January 2014

²⁸⁴ The Express Tribune, [Vicious year: Terrorism surged in 2013, says report](#), 6 January 2014

The South Asia Terrorism Portal has recorded the following data with regards to casualties in 2013:

- 43 suicide attacks resulting in 751 fatalities
- 574 incidents of explosion resulting in 1,624 fatalities
- 355 number of major incidents (each involving three or more fatalities) resulting in 3,268 deaths.²⁸⁵

In contrast, the US Institute of Peace reported the following figures with regards to 2013 citing the Pakistan Institute for Peace Studies: “Militant insurgents and violent sectarian groups carried out a total of 1,717 attacks across Pakistan in 2013 [...] The attacks “claimed the lives of 2,451 people and caused injuries to another 5,438”²⁸⁶.

The South Asia Terrorism Portal compiled a number of data sheets which can be accessed through their website, including:

- [Fatalities in Terrorist Violence in Pakistan 2003-2015](#), up to 5th April 2015, listing the number of civilians, security force personnel and terrorist/insurgents have been killed per year;
- [Fatalities in Pakistan Region Wise: 2011-2015](#), up to 29th March 2015, listing the number of civilians, security forces and militants killed per region per year;
- [Major incidents of Terrorism-related violence in Pakistan-2013](#), listing date, short description of incident, as well as number of civilians, security forces and militants killed;
- [Fidayeen \(Suicide Squad\) Attacks in Pakistan](#), which lists year, incidents, as well as number of those killed and injured;
- [Bomb Blasts in Pakistan, 2013](#), listing date, place, as well as number of those killed and injured;
- [Terrorist attacks on Railway in Pakistan](#), listing date, province, number of incidents, as well as number of those killed and injured per year;
- [Pakistan Timeline-2013](#), listing major events in Pakistan during that year.

❖ Location of armed conflict

The South Asia Terrorism Portal provided the following information with regards to location of violence in 2013: “FATA with 1,716 fatalities, was the worst-affected, followed by Sindh (1,668), Balochistan (960), KP (936), Punjab (81), and Gilgit-Baltistan (18)”²⁸⁷.

The Center for Research & Security Studies provided the following tabular overview:²⁸⁸

Province	2013
Sindh	2086
FATA	1457
KP	1031
Baluchistan	950
Punjab	120
Islamabad	20
Gilgit Baltistan	20
AJK	3
Total	5687

²⁸⁵ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

²⁸⁶ United States Institute of Peace, [Pakistan's Lack of Consensus, Capacity Undercut Efforts against Militants](#), 2 May 2014

²⁸⁷ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

²⁸⁸ Center for Research & Security Studies, [Annual Security Report January - December 2014](#), March 2015, Table 02: Comparative Regional Analysis of Fatalities in Pakistan – Year 2013 vs. 2014

The following sections address the security situation in the four provinces of Pakistan (Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh) and the Federally Administered Tribal Areas (FATA). The security situation in Gilgit-Baltistan and Azad Kashmir is beyond the scope of this report and no specific information was found amongst the sources consulted on the security situation in the Islamabad Capital Territory (ICT).

3.1.1.1. Balochistan (2013)

Human Rights Watch reported that in 2013:

The human rights crisis in the mineral-rich province [Balochistan] continues unabated. As in previous years, 2013 saw enforced disappearances and killings of suspected Baloch militants and opposition activists by the military, intelligence agencies, and the paramilitary Frontier Corps. Baloch nationalists and other militant groups stepped up attacks on non-Baloch civilians. The government of Nawaz Sharif attempted to achieve reconciliation in the province after the election of Baloch nationalist leader Malik Baloch as chief minister. However, the military continued to resist government reconciliation efforts and attempts to locate ethnic Baloch who had been subject to “disappearances.” Successive Pakistani governments have appeared powerless to rein in abuses by the military and both sectarian and nationalist militant groups. As a result, many members of the Hazara community and non-Baloch ethnic minorities under attack by militants fled the province or country, while Baloch nationalists have continued to allege serious abuses by the military.²⁸⁹

The US Institute of Peace reported that during 2013 “the scale, scope, and magnitude of violence in Balochistan, the largest province in Pakistan in terms of territory, remain unprecedented and unabated. Sectarian and terrorist activities targeting the Shia Hazara community have compounded the effects of a high-intensity conflict between a secessionist insurgency and the military that has been under way in the province since 2006. Balochistan also provides safe haven to the Quetta Shura, a key Afghan Taliban group headed by Mullah Omar”.²⁹⁰ The same report further noted “Insurgency and counterinsurgency operations, sectarian strife, and the presence of local and transnational terrorist outfits in the province have contributed to an increasingly complex and deteriorating security landscape. An examination of Balochistan’s security environment preceding the wave of escalating social and political unrest in the province during the past decade reveals that the security landscape has changed radically in the province. High-intensity conflict between security forces and nationalist groups has contributed to an internal displacement crisis in the province, with at least 140,000 persons affected; these include members of the Bugti tribe, Punjabi settlers, and Shias”.²⁹¹

The South Asia Terrorism Portal provided the following overview regarding casualty figures and location of violence for Balochistan:

- 960 fatalities, including 718 civilians, 137 SF [security forces] personnel and 105 militants in 2013;
- 9 suicide attacks resulting in 233 deaths and 407 injuries;
- 138 bomb blasts resulting in 440 deaths;
- 63 major incidents of killing (each involving three or more fatalities) resulting in 433 fatalities in 2013.²⁹²

²⁸⁹ Human Rights Watch, [World Report 2014: Pakistan](#), 13 January 2014

²⁹⁰ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Summary*

²⁹¹ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Domestic Conflict Trends by Region, Balochistan*

²⁹² South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

The same source further noted “Given the state of Governance, acts of violence were, crucially, not restricted to a few areas, but occurred in practically each one of the 29 Districts of the Province, including the capital, Quetta. Quetta bore the brunt of terrorism through the year [2013], with 190 terrorism-related incidents, including six suicide attacks. Out of the 138 bomb blasts recorded in Balochistan through 2013, 51 were reported from Quetta alone”.²⁹³

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Balochistan, 2003-2014](#), which lists the date, place, a short description of incidents, as well as the number of people killed and injured by year;
- [Bomb Blasts in Balochistan, 2013](#), which lists the date, place, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Quetta – 2013](#), which lists the date, short description of incidents, as well as the number of people killed and injured;
- [Sectarian Violence in Balochistan](#), which lists the date, place, a short description of incidents, as well as the number of people killed and injured by year;
- [Balochistan Timeline – 2013](#), which lists the date and short description of violent incidents.

For more specific information on Balochistan, consult the fact-finding mission report by the Human Rights Commission of Pakistan, published in October 2013 following its mission in June of the same year:

- o Human Rights Commission of Pakistan, [HRCP launches Balochistan fact-finding mission’s report](#), 14, October 2013 [provides key findings and recommendations from the report]
- o Human Rights Commission of Pakistan, [Balochistan: Giving the people a chance, Report of an HRCP fact-finding mission, June 22-25, 2013](#), 14 October 2013

3.1.1.2. FATA (2013)

The US Institute of Peace reported that:

The FATA region, Pakistan’s semiautonomous tribal frontier along the Afghan border, is the most volatile conflict zone in Pakistan. A safe haven for local and transnational terrorist outfits and a hotbed of terrorist activity in the post-9/11 landscape, FATA is often dubbed the most dangerous place on earth. The South Asia Terrorism Portal (SATP) suggests that FATA is currently the most violent region in South Asia. While FATA has been the most violent region for well over two decades, the incidence of violence in recent years has been unprecedented, both on a per capita basis and in absolute numbers.²³ Statistics on current levels of violence (recorded between 2009 and 2013) reveal approximately 16,578 casualties involving civilians, security forces, and militants as a consequence of sectarian strife, terrorist-related activity, Pakistan military operations, and the U.S. Predator drone campaign [...]

The severity of violence is significant given the region’s small population of approximately 3.2 million, around 2.2 percent of Pakistan’s total.²⁹⁴

The South Asia Terrorism Portal detailed the following statistics with regards to number and types of major incidents in 2013:

In comparison to 434 incidents of killing in 2012, 2013 recorded 229 such incidents. Major incidents in 2013 stood at 133, as compared to 261 in 2012; the resulting fatalities in major incidents stood at 1,534 in 2013, as against 2,516 in 2012. In the worst attack during 2013, at least 60 persons were

²⁹³ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

²⁹⁴ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Domestic Conflict Trends by Region, Federally Administered Tribal Areas*

killed and 180 were injured in coordinated twin suicide attacks at Parachinar in the Kurram Agency, on July 26, 2013.

2013 also recorded 385 killed and 626 injured in 122 bomb blasts; as against 441 killed and 777 injured in 297 bomb blasts in 2012. The number of suicide attacks in FATA also dipped marginally, from 10 incidents in 2012 to nine in 2013; the resultant fatalities, however, rose from 151 in 2012 to 164 in 2013, and the numbers injured, from 212 to 256.²⁹⁵

The South Asia Terrorism Portal also compiled a number of data sheets, including:

- [Suicide Attacks in FATA](#), which include date, place, short description of incidents, as well as number of people killed and injured;
- [Bomb Blasts in FATA, 2013](#), which include date, place, short description of incidents, as well as number of people killed and injured;
- [FATA Timeline – 2013](#), which lists the date and short description of violent incidents.

3.1.1.3. Khyber Pakhtunkhwa (2013)

The US Institute of Peace reported that:

Conditions in KP province, which borders and surrounds the FATA region, have deteriorated significantly in recent years. Between 1988 and 2005, KP was generally very stable, remarkably maintaining the lowest levels of violence in the country with 0.9 casualties recorded per year per one hundred thousand people compared with 3.3 casualties per year per one hundred thousand people in the rest of the country. Recent evidence suggests that its landscape has become extremely volatile since 2005, and it now ranks as the second most violent region after FATA.²⁹⁶

According to data compiled by the South Asia Terrorism Portal, “KP has recorded a continuous decline in fatalities, year on year, since 2010, with the exception of 2013. Fatalities through 2014 stood at 617, including 406 civilians, 108 SF [security forces] personnel and 103 terrorists; as compared to 936, including 603 civilians, 172 SF personnel and 161 terrorists in 2013”.²⁹⁷

With regards to the number, types and location of major violent incidents in 2013, the South Asia Terrorism Portal reported that:

- 65 major incidents of violence (each involving three or more fatalities) resulting in 694 deaths in 2013;
- 21 suicide attacks in 2013, in which 350 persons were killed and another 635 were injured;
- 189 blasts resulting in 598 fatalities in 2013;
- Violence was recorded in 25 of KP’s Districts in 2013.²⁹⁸

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Khyber Pakhtunkhwa](#), which lists the date, place, a short description of incidents, as well as the number of people killed and injured by year;
- [Suicide Attacks in Peshawar](#), which lists date, place, as well as the number of people killed and injured by year;
- [Bomb blasts in the Khyber Pakhtunkhwa-2013](#), which lists date, place, as well as the number of people killed and injured;
- [Bomb blasts in Peshawar](#), up to 22nd March 2015, which lists date, place, as well as the number of people killed and injured by year;

²⁹⁵ South Asia Terrorism Portal, [FATA Assessment – 2014](#), Undated, Date accessed 9 April 2015

²⁹⁶ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Domestic Conflict Trends by Region, Khyber Pakhtunkhwa*

²⁹⁷ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

²⁹⁸ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

- [Terrorism-related Incidents in Peshawar-2013](#), which lists date, short description of incidents, as well as the number of people killed and injured.

3.1.1.4. Punjab (2013)

The US Institute of Peace reported in early 2014 that “For the past decade, Punjab has experienced the least violence of any province in Pakistan. However, the province is increasingly a breeding ground for terrorist and militant recruits engaged in violence in other regions”.²⁹⁹

The South Asia Terrorism Portal reported that according to their compilation of data:

In 2013, a total of 81 persons, including 64 civilians, seven SF personnel and 10 terrorists were killed in total 20 separate terrorism related incidents of killing, as compared to 104 persons killed in 19 such incidents in 2012, registering a decline of 22.11 percent in fatalities [...]

The decline registered in overall fatalities is mainly due to the SFs' reluctance to counter the terrorists' threat. Indeed, as compared to 2012, the year 2013 witnessed a decline of 75.86 and 37.5 per cent in fatalities among SFs and terrorists, respectively. Perhaps emboldened by the evident operational paralysis among the state's security agencies, terrorists killed a slightly higher number of civilians in 2013, as against the previous year.

Other parameters of violence have varied widely. Out of 20 incidents of killing in 2013, seven were major incidents (involving three or more killings) resulting in 40 deaths, as compared to five major incidents in 2012 that accounted for 76 deaths. While the Province recorded only one suicide attack in 2013, same as in 2012, the resultant fatalities stood at five and 11 respectively. At least five bomb blasts occurred in 2013, which claimed 14 lives and left 73 injured. In 2012, the number of bomb blasts stood at 10 with 51 fatalities. Incidents of sectarian violence, however, increased considerably from four in 2012 to 13 in 2013. The resultant fatalities, though, remained almost the same: 42 in 2013 as against 43 in 2012.³⁰⁰

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Pakistan: Punjab: Conflict Map \(2005-2013\)](#), showing where armed groups have been active in that province;
- [Fatalities in Punjab: 2009-2015](#), up to 26th January 2015;
- [Suicide Attacks in Punjab](#), which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Bomb blasts in Punjab-2013](#), which lists date, place, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Islamabad-2013](#), which lists date, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Lahore-2013](#), which lists date, a short description of incidents, as well as the number of people killed and injured;
- [Punjab Timeline-2013](#), listing major events in Punjab.

3.1.1.5. Sindh (2013)

The International Crisis Group reported that Karachi “experienced its deadliest year on record in 2013, with 2,700 casualties, mostly in targeted attacks, and possibly 40 per cent of businesses fleeing the city to avoid growing extortion rackets”.³⁰¹

²⁹⁹ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Summary*

³⁰⁰ South Asia Terrorism Portal, [Punjab Assessment 2014](#), Undated, Date accessed 9 April 2015

³⁰¹ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *Executive Summary*

The US Institute of Peace similarly reported that “In Sindh, most of the violence is concentrated in Karachi, which witnessed a tenfold increase in violence between 2006 and 2013. The security landscape there has become increasingly complex over the years with the addition of many types of actors, including sectarian militant groups, terrorist outfits, political parties, and criminal gangs”.³⁰² The same source further noted that for Karachi “the years 2012 and 2013 have demonstrated significant escalation of violence with attacks of various nature involving civilians, criminal gangs, security forces, terrorists, and militants. The year 2013 has seen the worst violence levels in the history of Karachi with 2,700 people killed”.³⁰³

The South Asia Terrorism Portal reported that “Sindh recorded [...] 1,668 such fatalities, including 1,285 civilians, 156 SF personnel and 227 terrorists in 2013. There were 1,215 incidents of killing in 2014, and 728 such incidents in 2013. There were [...] 56 [major] such incidents and 282 resultant fatalities in 2013 [...] There were 122 such incidents [bomb blasts] and 193 resultant fatalities in 2013”.³⁰⁴ According to the same source “Karachi was the worst hit among all 23 Districts of the Province. Of the total of 1,668 killings in Sindh, 1,638 (98.2 per cent) took place in Karachi alone. Of 1,285 civilians killed in the Province in 2013, 1,270 civilian killings (98.83 per cent) occurred in Karachi alone, followed by six in Hyderabad District, three in Kashmore District, two each in Khairpur and Shikarpur Districts, and one each in Jacobabad and Sukkur Districts”.³⁰⁵

According to the South Asia Terrorism Portal “A Report by Foreign Policy in September 2013 termed Karachi “the most dangerous megacity” in the world. The Report cited a murder rate of 12.3 per 100,000 residents, “some 25 per cent higher than any other major city””.³⁰⁶

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Karachi](#), which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Suicide Attacks in Sindh since 2002](#), which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Bomb Blasts in Sindh, 2013](#), which lists date, place, as well as the number of people killed and injured;
- [Bomb Blasts in Karachi, 1987-2015](#), up to 29th March 2015, which lists the number of blasts, people killed and injured;
- [Terrorism-related incidents in Karachi-2013](#), which lists date, a short description of incidents, as well as the number of people killed and injured;
- [Sindh Timeline-2013](#), listing major events of the year in Sindh.

The following sections address the security situation in the four provinces of Pakistan (Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh) and the Federally Administered Tribal Areas (FATA). The security situation in Gilgit-Baltistan and Azad Kashmir is beyond the scope of this report and no specific information was found amongst the sources consulted on the Islamabad Capital Territory (ICT).

3.1.2. 2014

❖ Overview

³⁰² US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Summary*

³⁰³ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Domestic Conflict Trends by Region, Sindh*

³⁰⁴ South Asia Terrorism Portal, [Sindh Assessment-2015](#), Undated, Date accessed 8 April 2015

³⁰⁵ South Asia Terrorism Portal, [Sindh Assessment-2014](#), Undated, Date accessed 9 April 2015

³⁰⁶ South Asia Terrorism Portal, [Sindh Assessment-2014](#), Undated, Date accessed 9 April 2015

BBC News and the South Asia Terrorism Portal each provide timelines for Pakistan regarding major violent incidents, which have been combined here:

- 13 February: "At least 13 Policemen were killed and 58 persons were injured in a suicide blast targeting a bus carrying 50 Police officers near the gate of the Razzakabad Police Training Centre in the Shah Latif Town of Karachi, the provincial capital of Sindh, on February 13, 2014. Tehreek-e-Taliban Pakistan (TTP) 'spokesman' Shahidullah Shahid claiming responsibility for the attack, declaring, "We carried out the attack against the Police because they are killing our people".³⁰⁷
- 8 June: "A deadly assault on Karachi's international airport leaves dozens dead. Uzbek militants fighting with the Pakistani Taliban say they carried out the attack. Peace talks with the Taliban collapse and the army launches a major offensive on Islamist hideouts in north-west Pakistan [North Waziristan]".³⁰⁸
- 9 June: "heavily-armed gunmen from the Sunni Islamist militant group Jaish-ul-Islam attacked a group of Pakistani Shia pilgrims in the town of Taftan in Balochistan province. The attackers – including suicide bombers – raked the pilgrims with machine gun fire and tossed hand grenades. At least 30 died, including at least nine women and a child. After a prolonged firefight, Pakistani security forces killed the attackers".³⁰⁹
- 2 November: "at least 60 people, including children and women, were killed and more than 150 persons were injured, when a suicide bomber detonated his explosives vest in the parking area some 500 meters from the Wagah Border, on the outskirts of provincial capital Lahore, where a daily ceremony is witnessed by large crowds on both the Pakistani and Indian side".³¹⁰
- 16 December: "Taliban kills nearly 150 people - mostly children - in an attack on a school in Peshawar. Government responds to the massacre by lifting a moratorium on the death penalty and launching round-up of terror suspects, although critics complain major terror organisers are left alone".³¹¹

The South Asia Terrorism Portal compiled a number of data sheets which can be accessed through their website, including:

- [Fatalities in Terrorist Violence in Pakistan 2003-2015](#), up to 5th April 2015, listing the number of civilians, security force personnel and terrorist/insurgents have been killed per year;
- [Fatalities in Pakistan Region Wise: 2011-2015](#), up to 29th March 2015, listing the number of civilians, security forces and militants killed per region per year;
- [Major incidents of Terrorism-related violence in Pakistan-2014](#), listing date, short description of incident, as well as number of civilians, security forces and militants killed;
- [Fidayeen \(Suicide Squad\) Attacks in Pakistan](#), which lists year, incidents, as well as number of those killed and injured;
- [Bomb Blasts in Pakistan, 2014](#), listing date, place, as well as number of those killed and injured;
- [Terrorist attacks on Railway in Pakistan](#), listing date, province, number of incidents, as well as number of those killed and injured per year;
- [Pakistan Timeline-2014](#), listing major events in Pakistan during that year.

❖ 2014 casualty figures & number of terrorist attacks

The PAK Institute for Peace Studies (PIPS) noted in its '2014 Pakistan Security Report' that the critical areas of Pakistan were:

- Punjab with 8% rise of terrorist attacks and 41 terrorist attacks
- Khyber Pakhtunkhwa with 26% decrease in fatalities and 525 fatalities in terrorist attacks

³⁰⁷ South Asia Terrorism Portal, [Sindh Assessment-2014](#), Undated, Date accessed 9 April 2015

³⁰⁸ BBC News, [Pakistan profile – Timeline](#), 13 February 2015

³⁰⁹ Human Rights Watch, [Pakistan: Withdraw Repressive Counterterrorism Law](#), 3 July 2014

³¹⁰ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³¹¹ BBC News, [Pakistan profile – Timeline](#), 13 February 2015

- Balochistan with 32% decrease in terrorist attacks and 332 terrorist attacks.³¹²

The same source also noted that there was a:

- 43% decrease in suicide attacks in Pakistan
- 32% decrease in terrorist attacks in Pakistan
- 31% decrease in fatalities in terrorist attacks³¹³

The report also provided the following overview with regards to casualty figures and terrorist attacks [please note that the italicised sub-headings have been included as per the original report]:

Number of terrorist attacks

A total of 1,206 terrorist attacks were carried out by militant, nationalist/insurgent and violent sectarian groups in Pakistan in the year 2014

Casualty figures

At least 1,723 people lost their lives while another 3,143 were left injured. This is a decrease of 30 percent from 2013, while the overall number of people killed and injured in terrorist attacks in 2014 also decreased by 30 and 42 percent, respectively.³¹⁴

The South Asia Terrorism Portal has recorded the following data with regards to casualties in 2014:

- 25 suicide attacks resulting in 336 fatalities
- 388 incidents of explosion resulting in 846 fatalities
- 402 number of major incidents (each involving three or more fatalities) resulting in 4,173 fatalities.³¹⁵

The Center for Research & Security Studies compiled the following table with regards to casualties in 2014:³¹⁶

Casualties from Violence in Pakistan			
Month	Killed	Injured	Total Casualties
Jan	544	446	990
Feb	570	361	931
Mar	387	348	735
Apr	507	427	934
May	514	192	706
Jun	958	419	1377
Jul	690	175	865
Aug	542	201	743
Sep	651	210	861
Oct	589	295	884
Nov	829	421	1250
Dec	869	451	1320
Total	7650	3946	11596

³¹² PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015 [Please note that in order to access the full report payment needs to be made to PIPS]

³¹³ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015 [Please note that in order to access the full report payment needs to be made to PIPS]

³¹⁴ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015 [Please note that in order to access the full report payment needs to be made to PIPS]

³¹⁵ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³¹⁶ Center for Research & Security Studies, [Annual Security Report January - December 2014](#), March 2015, *Table 01: Casualties of Violence in Pakistan - 2014*

The same report summarised the figures as follows:

Compared to 5,687 deaths in 2013, a total of 7,650 people died in 2014 as a direct result of violence, which is an average increase of about 35%. The sudden spike from June 2014 onwards is clearly attributable to the start of Operation Zarb-e-Azb. Deaths from violence accelerated towards the end of the year, pulling significantly ahead of the same-month figures from 2013. The last three months in 2014 were especially bloody, with an alarming 258% increase from the same period in 2013.³¹⁷

❖ Location of armed conflict

The PAK Institute for Peace Studies (PIPS) noted in its '2014 Pakistan Security Report' the following targets, types, perpetrators and location of terrorist attacks [please note that the italic sub-headings have been included as per the original report]:

Location of terrorist attacks

The highest number of terrorist attacks for any one region of Pakistan in 2014 was reported from Balochistan, where 341 attacks killed 375 people and wounded 926 others. However, in terms of terrorism-related casualties, Khyber Pakhtunkhwa (KP) was the most affected province, where 542 people lost their lives and 829 others were injured in 325 reported terrorist attacks. As many as 234 reported attacks from the Federally Administered Tribal Areas (FATA) claimed 293 lives and left another 389 people injured. Karachi alone witnessed 217 terrorist attacks, while there were 31 attacks in interior Sindh, 41 in Punjab, 14 in the federal capital Islamabad, and three in Gilgit-Baltistan.³¹⁸

Amnesty International reported in its annual report covering 2014 that:

Parts of FATA in northwestern Pakistan continued to be affected by internal armed conflict, facing regular attacks by the Taliban and other armed groups, the Pakistan armed forces, and US drone aircraft that claimed hundreds of lives.³¹⁹

The South Asia Terrorism Portal has recorded the following data with regards to location of violence in 2014: "FATA retained the distinction of being the most violent region, with the highest fatalities in 2014 (2,863), followed by Sindh (1,180), Balochistan (653), KP (617), Punjab (180), and Gilgit-Baltistan (3) [...] While fatalities increased in FATA and Punjab in 2014, Balochistan, KP, Sindh and Gilgit-Baltistan witnessed some relief, as compared to the preceding year. SATP data indicates a dramatic rise in fatalities in Punjab, reversing a declining trend in the Province since 2010".³²⁰

The Center for Research & Security Studies reported that:

The most significant increase in violence was observed in the Federally Administered Tribal Areas (FATA), where fatalities more than doubled from 1,457 in 2013 to 3,400 in 2014 [...]

A big reason for this marked increase is the military-led Operation Zarb-e-Azb in the North Waziristan Agency of the FATA region. The second largest increase was in Punjab, where death from violence rose from 120 in 2013 to 307 in 2014, a drastic increase of 156% [...]

³¹⁷ Center for Research & Security Studies, [Annual Security Report January - December 2014](#), March 2015, *Casualties of Violence in the Country - 2014*

³¹⁸ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015 [Please note that in order to access the full report payment needs to be made to PIPS]

³¹⁹ Amnesty International, [Amnesty International Report 2014/15: The State of the World's Human Rights](#), 25 February 2015, *Pakistan, Abuses by armed groups*

³²⁰ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

This increased figure, in part, may be attributed to the November 2, 2014 bombing of the Wagah border closing ceremony, which left 60 dead. Khyber Pukhtunkhwa (KP) saw a decrease in violence-related deaths, with 941 deaths in 2014, as compared to the 1,031 deaths in 2013 [...]. Gilgit Baltistan (GB) saw the largest percentage decrease in violence-related casualties, at 3 in 2014, from 20 in 2013.³²¹

The same source provided the following tabular overview:³²²

Province	2013	2014	% Change
Sindh	2086	2193	5.13
FATA	1457	3400	133.36
KP	1031	941	-8.73
Baluchistan	950	752	-20.84
Punjab	120	307	155.83
Islamabad	20	48	14-.00
Gilgit Baltistan	20	3	-85.00
AJK	3	6	100.00
Total	5687	7650	34.52

3.1.2.1. Balochistan (2014)

Human Rights Watch reported that in 2014 “The human rights situation in Balochistan remained abysmal. Despite the May 2013 election of a civilian government, the military has retained all key decision-making functions in the southwestern province and blocked efforts by civil society organizations and media to cover ongoing violence there. Enforced disappearances linked to the security forces continued with impunity”.³²³

According to data compiled by the South Asia Terrorism Portal based on open media sources:

at least 153 bullet-riddled bodies were recovered in Balochistan through 2014, as against 39 such recoveries in 2013. 124 of the bodies found in 2014 were recovered from the Baloch separatist areas of South Balochistan, and 29 from Pashtun-dominated North Balochistan.

The staggering rise in recoveries of such bodies in 2014 was primarily accounted for by the discovery of three mass graves in the Totak area of Khuzdar District. Between January 25, 2014, and April 2, 2014, a total of 103 bodies were recovered from these graves. The bodies were too decomposed for identification. The local people claimed that 169 bodies were found in these graves.

The recovery of these mass graves in Khuzdar has now further confirmed what SAIR has been highlighting over years, that there is a relentless campaign by the state’s covert agencies to target Baloch nationalists and their sympathisers in campaigns of ‘disappearances’, and a ‘kill and dump’ policy, both directly and through sectarian/extremist proxies in Balochistan, particularly in the south regions of the Province.³²⁴

The South Asia Terrorism Portal provided the following overview regarding casualty figures and location of violence for Balochistan:

³²¹ Center for Research & Security Studies, [Annual Security Report January - December 2014](#), March 2015, *Casualties of Violence in the Country - 2014*

³²² Center for Research & Security Studies, [Annual Security Report January - December 2014](#), March 2015, *Table 02: Comparative Regional Analysis of Fatalities in Pakistan – Year 2013 vs. 2014*

³²³ Human Rights Watch, [World Report 2015](#), 30 January 2015, *Balochistan*

³²⁴ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

the province recorded 607 fatalities, including 301 civilians, 223 militants and 83 SF personnel in 2014, in comparison to 960 such fatalities, including 718 civilians, 137 SF personnel and 105 militants in 2013. Similarly, the number and lethality of suicide attacks in the Province has also decreased considerably, with four such incidents resulting in 12 fatalities and 64 injuries in 2014; as against nine such attacks resulting in 233 deaths and 407 injuries in 2013. The Province also witnessed a decrease in bomb blasts and resultant fatality, from 138 incidents and 440 deaths in 2013, to 84 incidents and 132 deaths in 2014. Further, as against 63 major incidents of killing (each involving three or more fatalities) resulting in 433 fatalities in 2013, year 2014 recorded 56 such incidents resulting 415 fatalities. The provincial capital Quetta recorded a considerable decrease in terrorism related incidents, from 190 in 2013 to 100 in 2014. There were nine attacks on North Atlantic Treaty Organization (NATO) convoys through 2014, with three killed and six injured, as against 18 such attacks in 2013, with six killed and seven injured. Attacks on gas pipelines, however, increased from 10 in 2013 to 17 in 2014.³²⁵

With regards to possible perpetrators, the South Asia Terrorism Portal noted that “In 2014, the Province recorded at least 301 civilian fatalities of which 26 civilian killings (All in North) were claimed by Baloch separatist formations. Islamist and sectarian extremist groups claimed responsibility for the killing of another 37 civilians (31 civilians in the North, mostly in and around Quetta; and six in south). The remaining 238 civilian killings remain 'unattributed’”.³²⁶ The same source further reported “South Balochistan has long been affected by the Baloch nationalist insurgency, while the North came under the influence of Islamist terrorist formations, including TTP and LeJ. While ethnic Baloch people were targeted by the state machinery, persons from minority communities were persecuted by state-sponsored extremist groups”.³²⁷

Another major issue affecting Balochistan is the practice of enforced disappearances. The South Asia Terrorism Portal stated that “The 'disappearances' issue has come to dominate the political discourse in Balochistan. However, while the search for missing persons continues, their cases have been complicated by gross discrepancies in the record [...] The Voice for Baloch Missing Persons (VFBMP), an advocacy group, insists that more than 19,000 Baloch political activists and sympathisers have been subjected to enforced disappearances over the last 13 years”.³²⁸

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Balochistan, 2003-2014](#), which lists the date, place, a short description of incidents, as well as the number of people killed and injured by year;
- [Bomb Blasts in Balochistan, 2014](#), which lists the date, place, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Quetta – 2014](#), which lists the date, short description of incidents, as well as the number of people killed and injured;
- [Sectarian Violence in Balochistan](#), which lists the date, place, a short description of incidents, as well as the number of people killed and injured by year;
- [Balochistan Timeline – 2014](#), which lists the date and short description of violent incidents.

3.1.2.2. FATA (2014)

Amnesty International reported in its annual report covering 2014 that:

³²⁵ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

³²⁶ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

³²⁷ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

³²⁸ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

Parts of FATA in northwestern Pakistan continued to be affected by internal armed conflict, facing regular attacks by the Taliban and other armed groups, the Pakistan armed forces, and US drone aircraft that claimed hundreds of lives. In June the Pakistan Army launched a major military operation in North Waziristan tribal agency, and carried out sporadic operations in Khyber tribal agency and other parts of FATA.³²⁹

Human Rights Watch reported similarly that following the June 2014 attack by militants at Kinnah International Airport in Karachi, the Pakistani military “launched an offensive in North Waziristan involving more than 30,000 troops. Severe military restrictions on independent media access to the conflict zone made it difficult to assess civilian casualty figures. The conflict has displaced an estimated one million people in squalid displacement camps”.³³⁰

The South Asia Terrorism Portal provided the following overview of fatalities in FATA during 2014:

- A total of 2863 fatalities of which
 - o 159 civilians
 - o 194 Security Forces³³¹

The same source noted with regards to the number and types of major violent incidents:

The number of major incidents (each involving three or more fatalities) in the Province in 2014 increased by 48.87 per cent in comparison to the previous year, principally due to the counter-insurgency operations. The Province accounted for 198 major incidents of violence resulting in 2,709 deaths in 2014, as against 133 such incidents, accounting for 1,534 fatalities in 2013. However, other parameters of violence, such as suicide attacks, explosions and sectarian attacks remained low throughout 2014. As against nine suicide attacks in 2013, in which 164 persons were killed and another 256 were injured, 2014 registered only three such attacks, resulting in 17 deaths and 17 persons injured. Similarly, there was a considerable decrease in incidents of explosion. In comparison to 122 blasts resulting in 385 fatalities in 2013, 2014 recorded 101 blasts resulting in 179 fatalities. Sectarian violence in the region also registered a steep decline. While both the year 2013 and 2014 had recorded only one such incident, the 2014 incident registered two fatalities and 28 injuries, while 62 were killed and 180 injured in the 2013 incident.³³²

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in FATA](#), which include date, place, short description of incidents, as well as number of people killed and injured;
- [Bomb Blasts in FATA, 2014](#), which include date, place, short description of incidents, as well as number of people killed and injured;
- [FATA Timeline – 2014](#), which lists the date and short description of violent incidents.

3.1.2.3. Khyber Pakhtunkhwa (2014)

According to data compiled by the South Asia Terrorism Portal, “KP has recorded a continuous decline in fatalities, year on year, since 2010, with the exception of 2013. Fatalities through 2014 stood at 617, including 406 civilians, 108 SF personnel and 103 terrorists; as compared to 936, including 603 civilians, 172 SF personnel and 161 terrorists in 2013”.³³³

³²⁹ Amnesty International, [Amnesty International Report 2014/15: The State of the World’s Human Rights](#), 25 February 2015, *Pakistan, Internal armed conflict*

³³⁰ Human Rights Watch, [World Report 2015: Pakistan](#), 29 January 2015, *Fighting in Waziristan*

³³¹ South Asia Terrorism Portal, [FATA Assessment – 2015](#), Undated, Date accessed 9 April 2015

³³² South Asia Terrorism Portal, [FATA Assessment – 2015](#), Undated, Date accessed 9 April 2015

³³³ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

With regards to the number, types and location of major violent incidents, the South Asia Terrorism Portal reported that:

suicide attacks and explosions also remained low through 2014. The Province accounted for 49 major incidents of violence (each involving three or more fatalities) resulting in 436 deaths in 2014, as against 65 such incidents, accounting for 694 fatalities in 2013. As against 21 suicide attacks in 2013, in which 350 persons were killed and another 635 were injured, 2014 registered nine attacks resulting in 196 deaths and 260 persons injured. Similarly, there was a considerable decrease in incidents of explosion. In comparison to 189 blasts resulting in 598 fatalities in 2013, 2014 recorded 109 blasts resulting in 354 fatalities. Though the number of incidents of sectarian attack in 2014 was the same, at nine, as in 2013, the resultant fatalities decreased from 51 in 2013 to 18 in 2014. The number of such incidents and resultant fatalities stood at 10 and 58 respectively in 2012; one incident and 11 fatalities in 2011; and 12 incidents and 139 fatalities in 2010.

Violence was recorded in 22 of KP's 25 Districts in 2014, an improvement over 2013, when violence was reported from all 25 Districts. As in 2013, Peshawar, the provincial capital, remained the worst affected District through 2014, recording 169 terrorism-related incidents, in which 348 people were killed and another 482 were injured.³³⁴

The South Asia Terrorism Portal further provided the following analysis regarding violent incidents in Khyber Pakhtunkhwa:

While these numbers alone suggest an improvement in this lawless region of Pakistan, a range of compounding factors indicate that stability and state control remain as elusive as they were in earlier years. Indeed, as against 210 incidents of killing in 2013, there were 358 such incidents in 2014. More worryingly, 2014 witnessed the Peshawar carnage, one of the worst and most "barbaric act of terror" in Pakistan. This single attack demonstrated that though the fatalities in the Province had declined due to various reasons, the terrorists retained the motivation and wherewithal to execute devastating attacks and, indeed, that they were willing to cross over into levels of viciousness that they had not employed before.³³⁵

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Khyber Pakhtunkhwa](#), which lists the date, place, a short description of incidents, as well as the number of people killed and injured by year;
- [Suicide Attacks in Peshawar](#), which lists date, place, as well as the number of people killed and injured by year;
- [Bomb blasts in the Khyber Pakhtunkhwa-2014](#), which lists date, place, as well as the number of people killed and injured;
- [Bomb blasts in Peshawar](#), up to 22nd March 2015, which lists date, place, as well as the number of people killed and injured by year;
- [Terrorism-related Incidents in Peshawar-2014](#), which lists date, short description of incidents, as well as the number of people killed and injured.

3.1.2.4. Punjab (2014)

The South Asia Terrorism Portal reported that according to their compilation of data:

Overall fatalities in 2014 increased by a whopping 122.22 per cent, as compared to the preceding year. According to partial data compiled by the South Asia Terrorism Portal (STAP), Punjab recorded a total of 180 fatalities, including 132 civilians, 20 Security Force (SF) personnel and 28 terrorists in 2014, as against 81 such fatalities, including 64 civilians, seven SF personnel and 10 terrorists in 2013.

³³⁴ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

³³⁵ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

Other parameters of violence have also registered a staggering increase. As against 20 incidents of killing in 2013, the number of such incidents rose to 43 in 2014, of which eight were major incidents (each involving three or more fatalities) resulting in 129 deaths, as compared to seven major incidents (out of 20 incidents of killing) in 2013 which resulted in 40 deaths.

The Province recorded four suicide attacks in 2014, as against a single incident in 2013; the resultant fatalities stood at 83 and five respectively. At least 16 explosions were recorded in 2014, which claimed 111 lives and left more than 352 injured. In 2013, the number of bomb blasts stood at five with 14 fatalities.

An increase in incidents of sectarian violence was also recorded, from 13 in 2013 to 19 in 2014, though resultant fatalities at 23 remained lower in 2014, as against 42 in 2013.

2014, consequently, recorded an overall escalation in violence in the Province which has, for years, served as an ideological sanctuary and a recruitment ground for various terrorist formations in Pakistan. Indeed, on January 1, 2015, Awami National Party (ANP) Central General Secretary Mian Iftikhar Hussain declared Punjab a “training centre for terrorists and their masterminds” and demanded that the Government initiate decisive action against the terrorist leadership and infrastructure in the Punjab. He stressed, further, that “terrorism could not be eliminated from the country until an operation began against terrorist organisations in Punjab”. Pressing for action against terrorists, Hussain remarked that “there should be no distinction between good Taliban and bad Taliban and state institutions should take an across-the-board action against terrorists”.³³⁶

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Fatalities in Punjab: 2009-2015](#), up to 26th January 2015;
- [Suicide Attacks in Punjab](#), which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Bomb blasts in Punjab-2014](#), which lists date, place, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Islamabad-2014](#), which lists date, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Lahore-2014](#), which lists date, a short description of incidents, as well as the number of people killed and injured’;
- [Punjab Timeline-2014](#), listing major events in Punjab.

3.1.2.5. Sindh (2014)

The South Asia Terrorism Portal reported that “Sindh recorded 1,180 fatalities, including 734 civilians, 128 SF personnel and 318 terrorists in 2014 [...] There were 1,215 incidents of killing in 2014 [...] There were 76 major incidents (each involving three or more fatalities) in 2014, resulting in 375 fatalities [...] Incidents of bomb blasts and resultant fatalities in 2014 stood at 72 and 61, respectively [...] Meanwhile, as in previous years, Karachi remained the worst affected among Sindh's 23 Districts. Of the total of 1,180 fatalities in Sindh through 2014, at least 1,135 fatalities (96.18 per cent) were registered in Karachi alone, followed by 13 in Hyderabad District, 12 in Kashmore, six in Jacobabad, five in Khairpur, four in Sukkur, two each in Jamshoro and Ghotki, and one in Mirpurkhas”.³³⁷

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Karachi](#), which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Suicide Attacks in Sindh since 2002](#), which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Bomb Blasts in Sindh, 2014](#), which lists date, place, as well as the number of people killed and injured;

³³⁶ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³³⁷ South Asia Terrorism Portal, [Sindh Assessment-2015](#), Undated, Date accessed 8 April 2015

- [Bomb Blasts in Karachi, 1987-2015](#), up to 29th March 2015, which lists the number of blasts, people killed and injured;
- [Terrorism-related incidents in Karachi-2014](#), which lists date, a short description of incidents, as well as the number of people killed and injured;
- [Sindh Timeline-2014](#), listing major events of the year in that province.

The following sections address the security situation in the four provinces of Pakistan (Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh) and the Federally Administered Tribal Areas (FATA). The security situation in Gilgit-Baltistan and Azad Kashmir is beyond the scope of this report and no specific information was found amongst the sources consulted on the Islamabad Capital Territory (ICT).

3.1.3. 2015 (until 20th February 2015)

❖ Overview

BBC News and the South Asia Terrorism Portal each provide timelines for Pakistan regarding major violent incidents, which have been combined here:

- January-February: "Taliban attack Shia mosques in Sindh and Peshawar in two incidents, killing nearly 80 people and injuring dozens more"³³⁸.
- 9th January: [...] "Eight persons were killed and another 25 were wounded in a bomb blast inside the Aun Muhammad Rizvi Imambargah in the Chittian Hattian locality of Rawalpindi city in Punjab. The blast occurred when prayers were in progress at the Imambargah [Shia place of commemoration]"³³⁹. According to the same source, "Ehsanullah Ehsan, 'spokesperson' for TTP's Jama'at-ul-Ahrar (JuA) faction, claimed responsibility for the attack and vowed "to continue such attacks".³⁴⁰
- 30th January: [...] "At least 61 Shias were killed and more than 50 were injured in a bomb attack on Karbala-e-Moalla Imambargah in the Lakhidar area of Shikarpur District in Sindh [...] Ahmed Marwat of Jundullah, declared, "We claim responsibility for attack on Shias in Shikarpur very happily. Our target was the Shia community... They are our enemies""³⁴¹.
- 13th February: [...] "At least 22 Shias were killed and another 50 were injured when a three member suicide squad attacked an Imambargah in the Phase-5 locality of the Hayatabad area in Peshawar, the provincial capital of Khyber Pakhtunkhwa (KP). As the entrance of the Imambargah is heavily guarded, the terrorists, dressed in Police uniforms, entered the Imambargah from another side of the mosque, cutting through barbed wire [...] Claiming responsibility for the attack, TTP 'spokesperson' Muhammad Khorasani declared, "It is the revenge of Dr. Usman who was hanged for attack on the Army's headquarters." Mohammed Aqeel aka Dr. Usman was among the two convicted terrorists who were hanged at the Faisalabad District Jail in the night of December 19, 2014"³⁴².
- 18th February: [...] "At least four Shias were killed and another six were injured in a suicide attack during evening prayers at a mosque inside Qasr-e-Sakina Imambargah (Shia place of worship) located on Kurri Road in the New Shakrial area of Rawalpindi District in Punjab [...] Fahad Marwat, a 'spokesman' of Jundullah, a splinter group of Tehreek-e-Taliban Pakistan (TTP), claiming responsibility for the attack, declared that the blast was in a reaction to the ongoing operation Zarb-e-Azb [Sword of the Prophet] in the North Waziristan Agency of Federally Administered Tribal Areas (FATA)"³⁴³.

On 8th March 2015 IntelCentre's Country Threat Index (CTI), which examines the volume of terrorist and rebel alerts, messaging traffic, videos, photos, incidents and the number killed and injured in a

³³⁸ BBC News, [Pakistan profile – Timeline](#), 13 February 2015

³³⁹ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³⁴⁰ South Asia Terrorism Portal, [Punjab Assessment-2015](#), Undated, Date accessed 9 April 2015

³⁴¹ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³⁴² South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³⁴³ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

country over the past 30 days and runs it through an algorithm to assign the country its CTI, found that Pakistan ranked 8/10 as most dangerous country.³⁴⁴

The South Asia Terrorism Portal compiled a number of data sheets which can be accessed through their website, including:

- [Fatalities in Terrorist Violence in Pakistan 2003-2015](#), up to 5th April 2015, listing the number of civilians, security force personnel and terrorist/insurgents have been killed per year;
- [Fatalities in Pakistan Region Wise: 2011-2015](#), up to 29th March 2015, listing the number of civilians, security forces and militants killed per region per year;
- [Major incidents of Terrorism-related violence in Pakistan-2015](#), listing date, short description of incident, as well as number of civilians, security forces and militants killed;
- [Fidayeen \(Suicide Squad\) Attacks in Pakistan](#), which lists year, incidents, as well as number of those killed and injured;
- [Bomb Blasts in Pakistan, 2015](#), up to 29th March 2015, listing date, place, as well as number of those killed and injured;
- [Terrorist attacks on Railway in Pakistan](#), listing date, province, number of incidents, as well as number of those killed and injured per year;
- [Pakistan Timeline-2015](#), listing major events in Pakistan during that year.

❖ 2015 casualty figures & number of terrorist attacks

The South Asia Terrorism Portal has recorded up to 22nd February 2015 the following data with regards to casualties: “fatalities have already touched at least 697 (data till February 22), including 226 civilians, 59 SF [security forces] personnel and 412 terrorists”.³⁴⁵

3.1.3.1. Balochistan (2015)

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Bomb Blasts in Balochistan, 2015](#), up to 15th March 2015, which lists the date, place, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Quetta – 2015](#), up to 29th March 2015, which lists the date, short description of incidents, as well as the number of people killed and injured;
- [Balochistan Timeline – 2015](#), which lists the date and short description of violent incidents.

3.1.3.2. FATA (2015)

According to data compiled by the South Asia Terrorism Portal up until 15th March 2015, “At least 411 persons, including 356 terrorists, 35 civilians, and 20 SF personnel, have already been killed in FATA”.³⁴⁶

³⁴⁴ IntelCentre, [Top 10 Most Dangerous Countries Country Threat Index \(CTI\) Based on Terrorist & Rebel Activity Over Past 30 Days as of 8 Mar. 2015](#), 8 March 2015. The latest CTI was included despite being published post-reporting period as the previous IntelCentre CTIs are no longer to be found on its website.

³⁴⁵ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³⁴⁶ South Asia Terrorism Portal, [FATA Assessment – 2015](#), Undated, Date accessed 9 April 2015. The latest assessment of the South Asia Terrorism Portal includes data up to 15th March 2015, which is the most up to date data available despite being post-reporting period.

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Bomb Blasts in FATA, 2015](#), up to 22nd March 2015, which include date, place, short description of incidents, as well as number of people killed and injured;
- [FATA Timeline – 2015](#), which lists the date and short description of violent incidents.

3.1.3.3. Khyber Pakhtunkhwa (2015)

According to data compiled by the South Asia Terrorism Portal up until 15th March 2015, “At least 55 persons, including 36 civilians, 15 terrorists and four SF personnel, have already been killed in KP in terrorism-related violence”³⁴⁷.

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Khyber Pakhtunkhwa](#), up to 22nd March 2015, which lists the date, place, a short description of incidents, as well as the number of people killed and injured by year;
- [Suicide Attacks in Peshawar](#), up to 22nd March 2015, which lists date, place, as well as the number of people killed and injured by year;
- [Bomb blasts in the Khyber Pakhtunkhwa-2015](#), up to 29th March 2015, which lists date, place, as well as the number of people killed and injured;
- [Bomb blasts in Peshawar](#), up to 22nd March 2015, which lists date, place, as well as the number of people killed and injured by year;
- [Terrorism-related Incidents in Peshawar-2015](#), up to 29th March 2015, which lists date, short description of incidents as well as the number of people killed and injured.

3.1.3.4. Punjab (2015)

The South Asia Terrorism Portal reported that “In the first 26-days of 2015, the Punjab Province has recorded 13 terrorism-related fatalities”³⁴⁸.

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Fatalities in Punjab: 2009-2015](#), up to 26th January 2015;
- [Suicide Attacks in Punjab](#), up to 15th March 2015, which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Bomb blasts in Punjab-2015](#), up to 22nd March 2015, which lists date, place, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Islamabad-2015](#), up to 22nd March 2015, which lists date, as well as the number of people killed and injured;
- [Terrorism-related Incidents in Lahore-2015](#), up to 22nd March 2015, which lists date, a short description of incidents, as well as the number of people killed and injured’;
- [Punjab Timeline-2015](#), listing major events in Punjab.

3.1.3.5. Sindh (2015)

³⁴⁷ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015. The latest assessment of the South Asia Terrorism Portal includes data up to 15th March 2015, which is the most up to date data available despite being post-reporting period.

³⁴⁸ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015.

The South Asia Terrorism Portal (SATP) reported that according to data compiled “Sindh has already recorded 133 fatalities in 2015, including 99 civilians, nine Security Force (SF) personnel and 25 terrorists in 2015 (data up to January 31, 2015) and remains the second worst terrorism-affected region across Pakistan in terms of such fatalities [...] According to SATP data, this has been the trend since 2011, with Sindh ranking second worst across Pakistan in terms of overall fatalities (after FATA), while recording the highest number of civilian fatalities in terrorist violence. Terrorist attacks, sectarian and political violence, and gang wars are the three patterns of violence that dominate Sindh”.³⁴⁹

The South Asia Terrorism Portal compiled a number of data sheets, including:

- [Suicide Attacks in Sindh since 2002](#), which lists date, place, a short description of incidents, as well as the number of people killed and injured per year;
- [Bomb Blasts in Sindh, 2015](#), up to 29th March 2015, which lists date, place, as well as the number of people killed and injured;
- [Bomb Blasts in Karachi, 1987-2015](#), up to 29th March 2015, which lists the number of blasts, people killed and injured;
- [Terrorism-related incidents in Karachi-2015](#), which lists date, a short description of incidents, as well as the number of people killed and injured;
- [Sindh Timeline-2015](#), listing major events of the year in Sindh.

3.2. Overview of the main armed groups operating in Pakistan

❖ Main armed groups

According to the Council on Foreign Relations, “The numerous terrorist groups operating in Pakistan have tended to fall into one of the five categories laid out by Ashley J. Tellis, a senior associate at Carnegie Endowment for International Peace, in a January 2008 Congressional testimony:

- Sectarian: Religiously motivated groups such as the Sunni Sipah-e-Sahaba and Lashkar-e-Jhangvi and the Shia Tehrik-e-Jafria that are engaged in violence within Pakistan
- Anti-Indian: Groups focused on the Kashmir dispute that operate with the alleged support of the Pakistani military and the intelligence agency Inter-Services Intelligence (ISI), such as Lashkar-e-Taiba, Jaish-e-Muhammad, and Harakat ul-Mujahadeen
- Afghan Taliban: The original Taliban movement and especially its Kandahari leadership centered around Mullah Mohammad Omar, believed to be based in Quetta
- Al-Qaeda and its affiliates: The global jihadist organization founded by Osama bin Laden and led by Ayman al-Zawahiri
- The Pakistani Taliban: A coalition of extremist groups in the Federally Administered Tribal Areas (FATA), led by Mullah Fazlullah

Other militant groups fall outside of Tellis' framework, including secessionist groups such as the Balochistan Liberation Army in southwest Pakistan.³⁵⁰

The Carnegie Endowment for International Peace report published in April 2014 identifies four main categories of non-state actors operating in Pakistan:

- Jihadi networks that do not question the Islamic character of the Pakistani state, and focus mainly on India and Afghanistan
- Organisations with a revolutionary mission within Pakistan

³⁴⁹ South Asia Terrorism Portal, [Sindh Assessment-2015](#), Undated, Date accessed 8 April 2015

³⁵⁰ Council on Foreign Relations, [CFR Backgrounders: Pakistan's New Generation of Terrorists](#), 18 November 2013

- Sectarian groups
- Separatist organisations from Balochistan³⁵¹

However, the report also notes that “The only organisations loyal to the state belong to the first category. Categories also tend to be increasingly blurred [...] Moreover, initial distinctions between sectarian and jihadi groups, but also between jihadi groups and revolutionary organisations, although not always clearly defined in the past, are now becoming even more tenuous”.³⁵²

The U.S. Department of State’s 2013 annual terrorism report mentioned the following terrorist groups as operating in Pakistan:

- al-Qa’ida (AQ),
- Tehrik-e Taliban Pakistan (TTP),
- the Punjabi Taliban,
- Lashkar I Jhangvi (LJ)³⁵³

The PAK Institute for Peace Studies (PIPS) noted in its ‘2013 Pakistan Security Report’, as reported by The Express Tribune, that “the Tehreek-e-Taliban Pakistan (TTP) remained the major actor of instability in the country in 2013 through its alliance with numerous militant groups”.³⁵⁴ The PAK Institute for Peace Studies (PIPS) noted in its ‘2014 Pakistan Security Report’ the following main perpetrators of terrorist attacks:

About 61 percent (731) of all 1,206 terrorist attacks were carried out by the Pakistani Taliban, mainly the Tehreek-e-Taliban Pakistan (TTP) and affiliated outfits or other groups with similar objectives such as Jamaatul Ahrar, Lashkar-e-Islam and Jundullah. At least 1,212 people were killed and another injured 2,088 in these attacks alone. Baloch and Sindhi nationalist insurgents carried out 334 attacks that claimed the lives of 258 people and injured 758. Meanwhile, 141 terrorist attacks were of a sectarian nature, largely perpetrated by banned Sunni and Shia sectarian groups. These claimed 253 lives and injured 297 others.³⁵⁵

Samina Ahmed, Project Director for South Asia and Senior Asia Advisor of the International Crisis Group, reported in her article published in the Austrian Federal Ministry of the Interior’s report in October 2014 about the “jihadi nexus” stating:

There are relationships between the LeT, now renamed Jamaat-ud-Dawa (JD), the JeM and scores of other jihadi groups that operate within and from Pakistani territory. Local Sunni radical organizations such as the Lashkare-Jhangvi (LeJ), that once restricted their violent attacks to their sectarian adversaries, now, according to reports, provide recruits and funds to anti India oriented jihadis, including the LeT/JD and JeM. These anti-India jihadis, as reports say, work alongside the Afghan Taliban, including al-Qaeda linked groups such as the Haqqani network. While the LeT/JD and JeM aim at Pakistan’ rival India and therefore find sympathizer, their fellow travelers, particularly many of the groups that constitute the TTP, have turned their guns inwards Pakistan. Pakistani tribal militants, sectarian and regional jihadis also provided safe havens and recruits to the Afghan insurgents and have empowered the Afghan insurgents, particularly the Haqqani network. Pakistan’s security is also challenged since the Afghan insurgents, returning the favor, have provided shelter and support to

³⁵¹ Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014, *Key Players and Groups*

³⁵² Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014, *Key Players and Groups*

³⁵³ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

³⁵⁴ The Express Tribune, [Vicious year: Terrorism surged in 2013, says report](#), 6 January 2014

³⁵⁵ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015 [Please note that in order to access the full report payment needs to be made to PIPS]

some of the most dangerous of Pakistani extremist groups, including militant factions headed by TTP leader Mullah Fazlullah.³⁵⁶

With regards to connections between the Pakistani state and armed groups, according to analysis provided by the South Asia Terrorism Portal:

Little can be expected from the Federal Government as well, given the steps that were taken in the aftermath of the Peshawar attack. Islamabad has chosen to intensify selective operations against domestically oriented terrorist formations, even as it continues to support a range of terrorist groups operating against Afghanistan and India, or who support 'global jihad'. Unfortunately, these distinctions are far from sustainable, as most state sponsored groups in Pakistan maintain some contact with the anti-state formations and, crucially, share a common ideology with these. Eventually, as long as any such groups are allowed to flourish – and, indeed, are supported by state institutions – at least some of them will break away from their masters in the establishment and target state institutions. Incipient evidence of the entry of the even more radical Islamist State (IS) ideology and networks in the region can only constitute an even greater danger for Pakistan.³⁵⁷

The US Institute of Peace published in September 2013 provides a brief historical overview on the emergence of militant armed groups and their sectarian affiliation:

- US Institute of Peace, [Domestic barriers to dismantling the militant infrastructure in Pakistan](#), 9 September 2013, *Riding the Tiger*, pages 6-17

The South Asia Terrorism Portal provides the following list of “terrorist” and “extremist groups” operating in Pakistan [Note that no explanation is provided by the original source as to the terminology of these two categories]³⁵⁸:

Terrorist Groups

Domestic Organisations

1. Tehreek-e-Taliban Pakistan (TTP)
2. Lashkar-e-Omar (LeO)
3. Sipah-e-Sahaba Pakistan (SSP)
4. Tehreek-e-Jaferia Pakistan (TJP)
5. Tehreek-e-Nafaz-e-Shariat-e-Mohammadi(TNSM)
6. Lashkar-e-Jhangvi (LeJ)
7. Sipah-e-Muhammad Pakistan (SMP)
8. Jamaat-ul-Fuqra
9. Nadeem Commando

Trans-national Organisations

1. Hizb-ul-Mujahideen (HM)
2. Harkat-ul-Ansar (HuA, presently known as Harkat-ul-Mujahideen)
3. Lashkar-e-Toiba (LeT)
4. Jaish-e-Mohammad E-Mujahideen (JeM) Tanzeem
5. Harkat-ul-Mujahideen(HuM,

Extremist Groups

1. Al-Rashid Trust
2. Al-Akhtar Trust
3. Rabita Trust
4. Ummah Tamir-e-Nau

³⁵⁶ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), regiones et res publicae - Country Analysis Reports, [Pakistan - Challenges](#), October 2014, *Countering violent extremism in Pakistan's tribal belt, The jihadi nexus*

³⁵⁷ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

³⁵⁸ South Asia Terrorism Portal, [Terrorist and Extremist Groups of Pakistan](#), Undated, Date accessed 9 April 2015

10. Popular Front for Armed Resistance	previously known as Harkat-ul-Ansar)	
11. Muslim United Army	6. Al Badr	
12. Harkat-ul-Mujahideen Al-alam(HuMA)	7. Jamait-ul-Mujahideen(JuM)	
	8. Lashkar-e-Jabbar (LeJ)	
	9. Harkat-ul-Jehad-al-Islami(HUJI)	
	10. Muttahida Jihad Council(MJC)	
	11. Al Barq	
	12. Tehrik-ul-Mujahideen	
	13. Al Jihad	
	14. Jammu & Kashmir National Liberation Army	
	15. People's League	
	16. Muslim Janbaz Force	
	17. Kashmir Jihad Force	
	18. Al Jihad Force (combines Muslim Janbaz Force and Kashmir Jihad Force)	
	19. Al Umar Mujahideen	
	20. Mahaz-e-Azadi	
	21. Islami Jamaat-e-Tulba	
	22. Jammu & Kashmir Students Liberation Front	
	23. Ikhwan-ul-Mujahideen	
	24. Islamic Students League	
	25. Tehrik-e-Hurriyat-e-Kashmir	
	26. Tehrik-e-Nifaz-e-Fiqar Jafaria	
	27. Al Mustafa Liberation Fighters	
	28. Tehrik-e-Jehad-e-Islami	
	29. Muslim Mujahideen	
	30. Al Mujahid Force	
	31. Tehrik-e-Jehad	
	32. Islami Inquilabi Mahaz	

By clicking on the name of a group in the original source the reader will be directed to a group-specific website which includes information on the formation, objectives/ideology, leaders, areas of operation and strength, proscription, as well as major incidents and statements involving each group from 2011-2015:

- South Asia Terrorism Portal, [Terrorist and Extremist Groups of Pakistan](#), Undated, Date accessed 9 April 2015

The 2014 Human Rights Commission of Pakistan report notes that “The total number of banned outfits operating in Pakistan remained a contentious issue as the figure varied from one report to

the next. According to the National Internal Security Policy, a security document published by the government, about 60 banned organisations were operating in Pakistan. In later reports, however, the minister of interior stated that more than 95 banned groups were active in Punjab alone. Despite repeated announcements of bans, at least some openly militant and extremist organisations continued to operate with impunity”.³⁵⁹

Dawn news reports that in February 2015 Interior Minister Chaudhry Nisar Ali Khan directed the Secretary Interior Shahid Khan to coordinate with the Ministry of Foreign Affairs to reconcile the ‘national list’ of proscribed organisations with the blacklist of the United Nations.³⁶⁰ As of February 2015 the total number of proscribed outfits in Pakistan had reached 72 and includes 12 banned organisations.³⁶¹ According to an official of the Interior Ministry, “the minister also directed the Interior Ministry and National Counter Terrorism Authority (Nacta) to fine-tune the procedure of proscription to ensure that such organisations do not reemerge with new names and nomenclatures”.³⁶²

The Carnegie Endowment for International Peace similarly provides brief summaries on what it considers to be the key players and groups:

- Jihadi Networks: Hizbul Mujahideen, Lashkar-e-Toiba, Jaish-e-Mohammad
- Revolutionary Organisations: Tehreek Nifaz-e-Shariat Mohammadi, Tehrik-e-Taliban Pakistan
- Sectarian Groups: Sipah-e-Sahaba Pakistan, Lashkar-e-Jhangvi, Sipah-e-Mohammadi Pakistan, Tehrik-e-Jafria Pakistan
- Baloch Separatist Organisations: Baloch Liberation Army, Baloch Republican Party, Baloch Student Organisation

The summaries can be found here:

- Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014

Stanford University’s ‘Mapping Militant Organizations’ project includes profile summaries for the following armed groups operating in Pakistan:

- Al Akhtar Trust
- Al Qaeda
- Al Rashid Trust
- Asian Tigers
- Balochistan Liberation Army
- Haqqani Network
- Harkat-ul-Jihadi al-Islami
- Harkat-ul-Mujahedeen
- Islami-Jamiat-Taliba
- Jaish-e-Mohammad
- Lashkar-e-Islam
- Lashkar-e-Jhangvi
- Lashkar-e-Taiba
- Lashkar-e-Zil
- Nazir Group
- Sipah-e-Sahaba Pakistan
- Tehreek Nifaz-e-Shariat Mohammadi
- Tehreek-e-Taliban Pakistan
- The Taliban
- Ummah Tamir-e-Nau

³⁵⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of association, Banned organisations* p.179

³⁶⁰ Dawn, [Pakistan’s banned organisations list to match UN blacklist](#), 11 February 2015

³⁶¹ Dawn, [Pakistan’s banned organisations list to match UN blacklist](#), 11 February 2015

³⁶² Dawn, [Pakistan’s banned organisations list to match UN blacklist](#), 11 February 2015

- Zain Group

The summaries can be accessed here:

- o Stanford University, [Mapping Militant Organizations](#), Undated, Date accessed 16 April 2015

The New York Times published a map in June 2014 indicating the so-called 'hot spots' in northwestern Pakistan and naming the militant groups fighting the Pakistani government. The map can be accessed here:

- o The New York Times, [Pakistan's Hot Spots at a Glance](#), 21 June 2014

The Center for Research & Security Studies provided the following tabular overview for 2014 on the fatalities claimed by 'Banned Militant Organizations':³⁶³

Fatalities claimed by Banned Militant Organizations	
Claimants	2014
TTP	266
AQ-J/TTP-JA/TTP-Mehsud	60
TTP-anti talk (suspected)	34
TTP-Ahrarul Hind	32
Lashkar-e-Islami	8
Lashkar-e-Jhangvi (Lej)	22
Other Militants	27
TTP-Mohmand Agency	26
TTP-Swati	21
TTP-JA	15
TTP-Denial	13
TTP-Ansarul Mujahideen	9
Jandullah	7
TTP-Lashkar-e-Jarrar	6
TTP-Gul Bahadur	5
Al-Qaeda	3
ASWJ- Suspected	3
Afghan Militants	7
Jaishul Islam	2
Jundullah/LeJ	2
Zamani Group	2
Total	570

For information on humanitarian wings of some of the banned organisations, see section 3.3. *Overview of human rights abuses by non-state armed groups*, [3.1. Occupying humanitarian space and forced recruitment](#).

❖ Main methods used

According to the U.S. Department of State's 2013 annual terrorism report terrorist groups used:

remote-controlled improvised explosive devices (IEDs) in bicycles, motorcycles, parked cars, rickshaws, donkey carts, and alongside roads, used vehicle-borne IEDs, suicide bombers (including females), targeted assassinations, rocket-propelled grenades, and other armed combat tactics in attacks on mosques, churches, markets, journalists, aid workers, government institutions and officials. AQ and HQN continued to plot against U.S. interests in the region, including U.S. diplomatic facilities.

³⁶³ Center for Research & Security Studies, [Annual Security Report January - December 2014](#), March 2015, Table 06: Fatalities Claimed by Banned Militant Organizations - 2014

TTP posed a threat to both U.S. and Pakistani interests, and carried out numerous attacks against Pakistani armed forces, Pakistani civilians, and government institutions.³⁶⁴

The PAK Institute for Peace Studies (PIPS) noted in its '2014 Pakistan Security Report' the following types of terrorist attacks:

Apart from 26 suicide blasts, terrorists employed improvised explosive devices (IEDs) of different types in 516 attacks—about 43 percent of all attacks. Also, a considerable number of reported terrorist attacks in 2014—501, or 41 percent— were incidents of targeted killings or shootings. Other tactics used by terrorists in 2014 included grenade blasts (79), rocket attacks (52), sabotage (18), mortar fire (12), and beheadings (2).³⁶⁵

❖ Main targets

Freedom House noted in its annual report covering 2014 that:

The TTP and other radical Sunni groups with varying agendas continue to attack foreign, government, and religious minority targets, as well as aid workers and human rights advocates, killing hundreds of civilians each year.

Balochi activists continue to seek enhanced political autonomy or outright independence, as well as more local control over Balochistan's natural resources. Meanwhile, armed Balochi militants carry out attacks on infrastructure, security forces, and non-Balochi teachers and educational institutions. The army's counterinsurgency operations in the province have led to increasing human rights violations and the displacement of civilians.

Ethnic violence in the city of Karachi is exacerbated by political rivalry between the traditionally dominant Muttahida Quami Movement, founded to represent refugees from India who came to Pakistan after 1947; the Awami National Party, representing ethnic Pashtun migrants; and the PPP, which is allied with Balochi gangs. The criminal gangs that carry out much of the violence regularly extort money from businesses in Karachi, Pakistan's economic hub.³⁶⁶

The PAK Institute for Peace Studies (PIPS) noted in its '2014 Pakistan Security Report' the following targets of terrorist attacks:

As many as 436 of the total reported terrorist attacks (about 36 percent) exclusively targeted personnel, convoys and check-posts of the security forces and law enforcement agencies. Civilians were the apparent targets of 217 attacks (18 percent). A total of 157 attacks (13 percent) had sectarian targets, mainly members of the Shia and Sunni communities, and worship places including imambargahs and mosques, and shrines. Another 66 terrorist attacks targeted progovernment tribesmen and members of tribal peace committees and lashkars, 56 attacks were aimed at political leaders and workers, while 40 targeted educational institutions, mainly schools. Other targets hit by terrorists during the year previous year included state installations including gas pipelines, power pylons, and railways trains/tracks (a total of 121 attacks), polio health workers (24 attacks), NATO supply vehicles (22 attacks), government officials (11 attacks), journalists and media (11 attacks), and minority communities (8 attacks). Officials of the political administration in FATA, tribal elders, non-Baloch settlers/workers in Balochistan, members of NGOs and civil society, private property, alleged

³⁶⁴ U.S. Department of State, [Chapter 2. Country Reports: South and Central Asia Overview: Pakistan](#), 30 April 2014

³⁶⁵ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015 [Please note that in order to access the full report payment needs to be made to PIPS]

³⁶⁶ Freedom House, *Freedom in the World 2015 - Pakistan*, 5 May 2015, *Political Rights and Civil Liberties*, F. Rule of law: 4/16

spies, and foreign interests/diplomats, etc. were also targeted by terrorists in different parts of country during this year.³⁶⁷

The Center for Research & Security Studies provided the following tabular overview for 2014:³⁶⁸

Victims of Violence - 2014			
Victims of Violence	Fatalities	Injuries	Total Casualties
Militants	3456	328	3784
Civilians	2426	2420	4846
Security Officials	742	731	1473
Criminals	595	61	656
Politicians	172	34	206
Religious Party	102	38	140
Religious Persons	52	26	78
Govt Officials	34	43	77
Religious Place	19	129	148
Insurgents	13	0	13
Private Property	14	68	82
Media	13	8	21
Others	12	6	18
Total	7650	3892	11542

❖ Main location of armed groups

The following information has been divided by Province to provide a very brief overview of where the main armed groups are operating:

Balochistan

For information on the ethnic Baloch armed groups operating in Balochistan see the COI included further below under [3.2.1 Ethnic Baloch armed groups](#).

The Carnegie Endowment for International Peace reported on the following groups operating in Balochistan, apart from the ethnic Baloch armed groups:

Amid the state of anarchy in the province and led by the madrassa network, radicalisation is on the rise. The Afghan and Pakistani Talibans and al-Qaeda have a strong presence in the region, while sectarian groups have stepped up their activities. Pushed out of Punjab to Balochistan by the Pakistani security agencies and benefitting from a large, sympathetic madrassa network, the LeJ, Sipah-e-Sahaba, Imamia Student Organisation, and Sipah-e-Mohammed have all established a presence in the province as well.

Unlike the Pashtun-populated areas, the territories inhabited by ethnic Balochs were, until recently, largely secular. Today, the LeJ is now recruiting among the Baloch population and some of its most

³⁶⁷ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015 [Please note that in order to access the full report payment needs to be made to PIPS]

³⁶⁸ Center for Research & Security Studies, [Annual Security Report January - December 2014](#), March 2015, *Table 04: Victims of Violence-Related Deaths in Pakistan – 2014*. For a detailed breakdown of the victims of violence in Pakistan in 2014 consult pages 13-17 of the same report.

prominent leaders in the province are said to be Baloch. The result is a shift from religious activism to militancy and the exponential rise of sectarian violence.³⁶⁹

FATA

The 'Living Under Drones'³⁷⁰ organisation reported on its website that "The armed non-state groups reportedly operating in the region include Al Qaeda, the Quetta Shura, the Haqqani Network, the Tehrik-i-Taliban, Pakistan (TTP), and Tehrik-i-Nifaz-i-Shariat-i-Muhammadi (TNSM). Some of these groups have been involved in attacks against Pakistani civilians and government targets, while others have engaged in battles with US and Afghan forces across the border in Afghanistan".³⁷¹

Khyber Pakhtunkhwa

The Center for Strategic and International Studies reported in December 2011 that "in KPK in recent years, a whole range of pro-Taliban movements and organizations has been challenging the established formal and informal systems of governance through propaganda, militancy, and outright subversion activities".³⁷²

Punjab

According to the South Asia Terrorism Portal (SATP) "Pakistan has, unfailingly, proved to be a country where hard core sectarian and India-oriented Punjabi jihadists find widespread public and official support. According to the SATP database, there has been a considerable and increasing presence of at least 57 extremist and terrorist groups in Punjab alone. At least 28 of these outfits exist in Lahore. The situation is, in fact, even more alarming and, on January 14, 2015, Federal Minister of Interior Chaudhry Nisar Ali Khan, during a briefing on the status of the implementation of the National Action Plan (NAP) to counter terrorism and extremism, disclosed that the number of proscribed organisations actively engaged in terrorism and extremism in the Province had reached 95".³⁷³

The same sources noted that:

Punjab is experiencing a tsunami of extremist forces. Significantly, apart from the principal TTP organization, separate local wings of the outfit, such as the TTP-Tariq Karwan Group in Mianwali District in the North of Punjab and the Fidayeen-e-Islami wing of TTP in Lahore District in the East, thrive, and have the potential to multiply further, swelling the radical Islamist wave in the Province. The ideological heads of these extremist formations move around openly with impunity and ease across the Province, including Provincial Capital Lahore and Federal Capital Islamabad.³⁷⁴

³⁶⁹ Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014, *Key Players and Groups: Baloch Separatist Organisations*

³⁷⁰ The 'Living Under Drones' website is maintained by the U.S. Stanford International Human Rights & Conflict Resolution Clinic which seeks to address "a range of situations of rights abuses and violent conflict around the world". More information on the Clinic can be found at: Living Under Drones, [About the Clinics](#), Undated, Last accessed 12 June 2015

³⁷¹ Living Under Drones, [Background and context](#), Undated, Date accessed 21 April 2015, *Conflict, Armed Non-State Groups, and Military Forces in Northwest Pakistan*

³⁷² Center for Strategic and International Studies, [Governance and Militancy in Pakistan's Khyber Pakhtunkhwa Province](#), December 2011. This report is included despite being post-reporting period as it provides a good summary of armed groups operating in Khyber Pakhtunkhwa.

³⁷³ South Asia Terrorism Portal, [Punjab Assessment-2015](#), Undated, Date accessed 9 April 2015

³⁷⁴ South Asia Terrorism Portal, [Punjab Assessment 2014](#), Undated, Date accessed 9 April 2015

Sindh

The South Asia Terrorism Portal reported that in Sindh “The worsening situation in Karachi has been exacerbated by the presence of a wide range of sectarian-terrorist outfits operating in the city. These prominently include TTP, Lashkar-e-Jhangvi (LeJ), Sipah-e-Sahaba-Pakistan (SSP), Jundullah, Jaish-e-Mohammad (JeM), Sunni Tehreek (ST) and Sipah-e-Muhammad Pakistan (SMP), among many others. Unsurprisingly, barring two fatalities in Hyderabad District and one in Mirpurkhas, all 83 killings in 52 sectarian attacks in Sindh Province occurred in Karachi alone”.³⁷⁵

3.2.1. Ethnic Baloch armed groups

The US Institute of Peace notes with regards to militant separatist groups operating in Balochistan:

The Balochistan Liberation Army (BLA) is the most prominent militant separatist group in the province. It is headed by Harbyar Marri, who currently resides in London and is highly influential in Quetta, Bolan, Kech, Khuzdar, and Kohlu districts in Balochistan. The BLA is also allegedly active in Karachi and bordering parts of South Punjab, where it is believed to be involved in criminal activities such as abduction, extortion, and armed robbery.

Another influential militant organization is the Baloch Republican Army, led by Brahamdagh Bugti, whose membership is mostly drawn from the Bugti tribe. In 2012 alone, the group carried out 121 terrorist attacks in Dera Bugti, Naseerabad, Dera Murad Jamali, Barkhan, and Loralai districts. Lashkar-e-Balochistan, led by Javed Mengal, is an emerging insurgent group concentrated in the Khuzdar, Panjgur, Gwadar, and Turbat areas of Balochistan. The organization has expanded its terrorist operations in Punjab and Karachi. It is suspected to have been involved in terrorist attacks on the Chinese consulate in Karachi in July 2012 and a blast at the Lahore Railway Station in August 2012. The Balochistan Liberation Front (BLF), another active insurgent group, is led by Dr. Allah Nazar Baloch. It operates across Balochistan but is primarily focused in the southern coastal Makran belt. The United Baloch Army, led by Mureed Baloch, is a splinter group of the BLF, which is known for attacking settlers from Punjab and Pakhtun areas. On June 15, 2013, the official residency—and historic landmark— of Pakistan’s founding father, Muhammad Ali Jinnah, was attacked, torched, and razed to the ground; the BLA claimed responsibility.

Besides these organizations, many other actors—such as the TTP, Tehreek-e-Taliban Balochistan, and progovernment groups such as the Baloch Musallah Difa’a Tanzeem, led by Shaḥq Mengal—have played a role in the fractured security landscape of the province.³⁷⁶

The Carnegie Endowment for International Peace added the following organisation as operating in Balochistan:

Baloch Student Organisation

[...] the Baloch Student Organisation (BSO) is of particular importance, having had some unifying impact [sic] on the Baloch nationalist movement. Created in 1960, the BSO recruits its members from among educated Baloch youths. It has trained and produced many nationalist leaders and as such, is a particular target for repression by the intelligence agencies. It is composed of several factions that support most Baloch nationalist parties, including the BLA. This has never, however, prevented the BSO from acting independently. Today, the BSO-Azad faction, a hardline movement aligned with the BLA, seems to be the dominant wing of the organisation.³⁷⁷

³⁷⁵ South Asia Terrorism Portal, [Sindh Assessment-2015](#), Undated, Date accessed 8 April 2015

³⁷⁶ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Balochistan, Insurgency*

³⁷⁷ Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014, *Key Players and Groups: Baloch Separatist Organisations*

Speaking to the Inter Press Service in December 2014, Baloch Khan, commander of the Balochistan Liberation Army (BLA) reportedly stated that “Today we speak of seven Baloch armed movements fighting for freedom but all share a common goal: independence for Balochistan”.³⁷⁸

Amnesty International reported in its annual report covering 2014 that “Ethnic Baloch armed groups calling for a separate state of Balochistan were implicated in the killing and abduction of security forces and others on the basis of their ethnic or political affiliations, and carried out attacks on infrastructure”.³⁷⁹

The Inter Press Service reported in December 2014 that “senior Baloch rebel commanders say that Islamabad is training Islamic State (IS) fighters in Pakistan’s southern province of Balochistan [...]”.³⁸⁰ Baloch Khan, commander of the BLA reportedly told the Inter Press Service in December 2014 that “Today Pakistan is funnelling all sorts of fundamentalist groups, many of them linked to the Taliban, into Balochistan, to quell the Baloch liberation movement”.³⁸¹

3.2.2. Lashkar-e Jhangvi (LeJ)

See also [3.2.3. Pakistani Taliban – Tehrik-r- Taliban Pakistan \(TTP\)](#) and [3.2.5.5. Al-Qa’ida](#)

The South Asia Terrorism Portal provided the following background information on LeJ:

Formation

Lashkar-e-Jhangvi (LeJ), a Sunni-Deobandi terrorist outfit was formed in 1996 by a break away group of radical sectarian extremists of the Sipah-e-Sahaba Pakistan (SSP), a Sunni extremist outfit, which accused the parent organisation of deviating from the ideals of its slain co- founder, Maulana Haq Nawaz Jhangvi. It is from Maulana Jhangvi that the LeJ derives its name. It was formed under the leadership of Akram Lahori and Riaz Basra. The LeJ is one of the two sectarian terrorist outfits proscribed on August 14, 2001, by President Pervez Musharraf.

Ideology and Objectives

The LeJ aims to transform Pakistan into a Sunni state, primarily through violent means. The Lashkar-e-Jhangvi is part of the broader Deoband movement

Leadership and Command Structure

Muhammad Ajmal alias Akram Lahori is reportedly the present Saalar-i-Aala (‘Commander-in-Chief’) of the LeJ. Lahori was originally with the Sipah-e-Sahaba Pakistan (SSP), which he had joined in 1990. Subsequently, in 1996, he along with Malik Ishaque and Riaz Basra founded the LeJ and launched terrorist activities in Punjab. He has also reportedly established a training camp in Sarobi, Afghanistan after securing support from the erstwhile Taliban regime there.

Lahori succeeded Riaz Basra, who was killed in Mailsi, Multan on May 14, 2002. Lahori is himself in police custody following his arrest in Orangi Town, Karachi, on June 17, 2002 based on information provided by Shabbir Ahmed—an LeJ cadre who arrested by Karachi police in Gulzar-i-Hijri on the same day. [...] It is, however, not clear if Lahori has passed on the mantle to any one else, or continues to head the outfit while being in detention.

[...]

The entire leadership of the Lashkar-e-Jhangvi consists of Jihadis who fought against Soviet forces in Afghanistan. A majority of its cadres are drawn from the numerous Sunni madrassas (seminaries) in Pakistan.

³⁷⁸ Inter Press Service, [Pakistan’s “other” Insurgents Face IS](#), 24 December 2014

³⁷⁹ Amnesty International, [Amnesty International Report 2014/15: The State of the World’s Human Rights](#), 25 February 2015, *Pakistan, Abuses by armed groups*

³⁸⁰ Inter Press Service, [Pakistan’s “other” Insurgents Face IS](#), 24 December 2014

³⁸¹ Inter Press Service, [Pakistan’s “other” Insurgents Face IS](#), 24 December 2014

Media reports indicate that the LeJ is an amalgam of loosely co-ordinated sub-units in various parts of Pakistan, particularly in the districts of Punjab with autonomous chiefs for each sub-unit. [...]

The LeJ is organized into small cells of approximately five to eight cadres each, who operate independently of the others. Individual LeJ cadres are reportedly unaware of the number of cells in existence similar to their own or the structure of operations. After carrying out an attack LeJ cadres often disperse and then reassemble at the various training camps to plan future operations. [...]

Pakistani reports indicate that the active cadre strength of the LeJ is approximately 300. Most of these cadres are either under arrest in Pakistan or were based in the various training camps in Afghanistan, from where they regularly came to Pakistan to carry out terrorist activities. Media reports have also added that the outfit is never short of cadres, in spite of the large-scale arrests or the deaths of cadres in encounters. [...]

Two of the LeJ's most important training centres are located in Muridke (Sheikhupura) and Kabirwal, in Khanewal district. It also has a training camp in Afghanistan located near the Sarobi Dam, Kabul. The present status of the camp is not known. [...]

Linkages

Although SSP chief Maulana Azam Tariq has repeatedly dissociated himself publicly from the terrorist activities of the LeJ, security agencies and media reports indicate that the two outfits are closely linked to each other. [...]

Both the SSP and LeJ maintain that they are not organisationally linked. But, few analysts of the sectarian conflict in Pakistan believe this to be true. Their cadres come from the same madrassas as also a similar social milieu. The SSP leadership has never criticised the Lashkar-e-Jhangvi because the two organisations share the same sectarian belief system and worldview. They also have a similar charter of demands, which includes turning Pakistan into a Sunni state. Both the outfits have consistently resorted to violence and killings to press their demands, though the SSP has also been attempting to adopt a political path.

The SSP and LeJ have very close links with the Taliban militia. They assisted the Taliban in every way they can both in Afghanistan and within Pakistan. They have fought alongside the Taliban militia in Afghanistan against the Northern Alliance. Besides, all three groups are closely linked in their fight against the Shias, be it in Afghanistan or in Pakistan. LeJ and SSP cadres reportedly played an active part in the massacres of Shias by the erstwhile Taliban regime in Afghanistan.[...]

Besides, Basra Zakiullah and present chief Lahori, too, figured on the list of most wanted persons. Official sources hold that LeJ terrorists frequently cross over into Pakistan from Afghanistan using unfrequented routes, commit bank robberies and sectarian-related killings.

Being part of the broader Deoband movement, the LeJ secured considerable assistance from other Deobandi outfits. It also has an effectual working relationship with other Deobandi political and terrorist outfits at a personal level, if not at the organisational level. In Afghanistan, they reportedly trained along with the Taliban and other Deobandi terrorists from Pakistan at the same training camps.

The LeJ is also reported to have links with the Harkat-ul-Mujahideen (HuM), Pakistan-based terrorist outfit active in India's Jammu and Kashmir. [...]

The LeJ also maintains links with another Pakistan-based terrorist outfit, the Jaish-e-Mohammed (JeM). [...]

Reports hold that the LeJ has been securing financial assistance from Saudi Arabia[...]

Activities and Incidents

The LeJ's chief area of operation is within Pakistan, where it has admitted responsibility for numerous massacres of Shias and targeted killings of Shia religious and community leaders. [...]

The LeJ has also carried out numerous attacks against Iranian interests and Iranian nationals in Pakistan. The outfit uses terror tactics with the aim of forcing the Pakistani State into accepting its narrow interpretations of Sunni sectarian doctrines as official doctrines. The victims of its terror tactics have been leaders and workers of rival Shia outfits, bureaucrats, policemen, and worshippers of the 'other' sect. The Lashkar-e-Jhangvi is widely considered to be the most secretive sectarian terrorist outfit in Pakistan. It has never exposed itself to the Pakistani public or media. The only means of exposure is through the fax messages and press releases it sends to newspaper offices claiming responsibility for an act of terrorism. [...]

According to senior investigators, the Al Qaeda network is suspected to have worked with LeJ cadres to plan both the car-bomb attacks. Intelligence sources have indicated that certain LeJ terrorists

arrested in Karachi in June 2002 have been allegedly working with the Al Qaeda to strike at targets in Pakistan.³⁸²

The US Institute of Peace similarly notes with regards to the LeJ that it is the “military affiliate wing of the Sipah-e-Sahaba Pakistan (SSP), established in the 1980s and renamed in 2002 to Ahle Sunnat wal-Jamaat Pakistan (ASWJP) after it was banned by the government”.³⁸³

Martina Schrott, Pakistan analyst at the Country of Origin Information Unit of the Austrian Federal Office for Immigration and Asylum in Vienna, provided the following background information about LeJ in her article published in the Austrian Federal Ministry of the Interior’s report in October 2014:

The LeJ views Shia Muslims as heretics and their killing as religiously justified. Reports indicate that it is funded by private Arab donors for the purpose of serving as an anti-Shia and anti-Iran militant group. It has been banned in 2001. [...]

Different factions of the group operate mainly in Karachi and Quetta.

LeJ has gained a reputation as the most violent Sunni extremist organisation in Pakistan. It operates as a collection of loosely coordinated sub-units headed by semi-autonomous chiefs. Members have operated in small cells - usually ranging from five to eight persons - that disperse after completing their missions in an attempt to avoid detection from Pakistani authorities.³⁸⁴

The International Crisis Group reported in January 2014:

Like Quetta and Peshawar, Karachi is a major target of violent sectarian groups such as the Lashkar-e-Jhangvi (LeJ), which has its home base in Punjab. Since the LeJ and other major jihadi groups such as the Lashkar-e-Tayyaba/Jamaat-ud-Dawa (LeT/JD) and the Jaish-e-Mohammed conduct operations within and outside the country from bases in Punjab, the provincial government and police are central to any comprehensive counter-terrorism effort. It is imperative that both be reformed if the threat is to be addressed effectively.³⁸⁵

The same report further noted that “Sectarian extremists such as the Lashkar-e-Jhangvi (LeJ) operate in all four cities, threatening religious and sectarian minorities, state institutions and citizens”.³⁸⁶ With regards to location of violence, the South Asia Terrorism Portal noted that North Balochistan “came under the influence of Islamist terrorist formations, including TTP and LeJ”.³⁸⁷ The Carnegie Endowment for International Peace also reports that LeJ has “conducted operations in Kashmir and Afghanistan”.³⁸⁸

According to the US Institute of Peace reporting in February 2014, the LeJ “has claimed responsibility for multiple sectarian attacks in Karachi and Balochistan and is believed to maintain links with al-Qaeda and the Pakistani Taliban. The LeJ have organized suicide bombings and attacked Western targets in Karachi and participated in insurgencies in Afghanistan and Kashmir”.³⁸⁹ The same source further noted that “the LeJ and SSP [Sipah-e-Sahaba Pakistan] Deobandi Sunni sectarian groups claim most of the attacks against the Hazara Shias; these militant organizations often mobilize their

³⁸² South Asia Terrorism Portal, [Lashkar-e-Jhangvi](#), Undated, Date accessed 15 April 2015

³⁸³ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Sindh, Sectarian Violence*

³⁸⁴ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), *regiones et res publicae - Country Analysis Reports*, [Pakistan - Challenges](#), October 2014, *Muslim sects and sectarian violence in Pakistan*

³⁸⁵ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *Executive Summary*

³⁸⁶ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, I. *Introduction*

³⁸⁷ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

³⁸⁸ Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014, *Key Players and Groups and Key Players and Groups: Sectarian Groups, Sipah-e-Sahaba Pakistan and Lashkar-e-Jhangvi*

³⁸⁹ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Sindh, Sectarian Violence*

manpower based in Punjab, Sindh, and KP against targets in Balochistan”.³⁹⁰ The International Crisis Group similarly reported that in Quetta, Balochistan, “Hazaras are prominent in the trading community and provincial bureaucracy, including the police. Their sect, ethnicity and distinct physical appearance make them particularly vulnerable to attacks from Sunni extremist groups such as the Lashkar-e-Jhangvi” and that LeJ Are also responsible for “the majority of attacks on Balochistan’s Shias”.³⁹¹

Human Rights Watch reported in July 2014 that “Sunni militant groups such as Lashkar-e Jhangvi, an Al-Qaeda affiliate, have conducted numerous attacks targeting civilians. Although ostensibly banned, Lashkar-e Jhangvi operates with virtual impunity across Pakistan, as law enforcement officials either turn a blind eye or appear helpless to prevent attacks”.³⁹² Human Rights Watch reported further that in 2014 that LeJ “continued attacks on Shia Hazaras in Balochistan. The government failed to successfully prosecute and imprison suspects, in part due to sympathy for the group within the security forces”.³⁹³

Amnesty International similarly reported in its annual report covering 2014 that “The anti-Shi’a armed group Lashkar-e-Jhangvi claimed responsibility for a series of assassinations and other attacks on the Shi’a Muslim population, particularly in the province of Balochistan and the cities of Karachi and Lahore. Rival armed groups frequently clashed, resulting in scores of fatalities”.³⁹⁴

The South Asia Terrorism Portal reported that:

On December 22, 2014, the dreaded terrorist Malik Muhammad Ishaq, the leader of the anti-Shia sectarian outfit Lashkar-e-Jhangvi (LeJ), was released after three years in jail on grounds of "lack of evidence". Officials of the Punjab Home Department, however, did not seek extension in his detention. Significantly, the United States (US) on February 6, 2014, had designated Ishaq in its list of the most wanted 'Specially Designated Global Terrorists'. Indeed, despite an apparent ban on the organisation within Pakistan since August 2001, LeJ continues to operate with a great measure of freedom and exerts significant influence in Punjab.”.³⁹⁵

3.2.3. Pakistani Taliban – Tehrik-e Taliban Pakistan (TTP)

See also [3.2.2. Lashkar-e Jhangvi](#), [3.2.5.1. Haqqani Network](#) and [3.2.5.5. Al-Qa’ida](#)

Formed in 2007 the TTP is an “umbrella militant alliance” reports the BBC News.³⁹⁶ The Carnegie Empowerment for International Peace finds that it is the “deadliest among Pakistani militant outfits, now operating from the Afghan side of the border, pushed there by the Pakistani army”, with the TTP becoming “the face of the insurgency”.³⁹⁷

³⁹⁰ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Balochistan, Sectarian Conflict*

³⁹¹ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *III. Quetta: A Dangerous Junction, C. Sectarian Violence*

³⁹² Human Rights Watch, [Pakistan: Withdraw Repressive Counterterrorism Law](#), 3 July 2014

³⁹³ Human Rights Watch, [World Report 2015](#), 30 January 2015, *Sectarian Violence*

³⁹⁴ Amnesty International, [Amnesty International Report 2014/15: The State of the World’s Human Rights](#), 25 February 2015, *Pakistan, Abuses by armed groups*

³⁹⁵ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

³⁹⁶ BBC News, [Pakistan’s bewildering array of militants](#), 25 October 2014

³⁹⁷ Carnegie Endowment for International Peace, [Situation Report: Pakistan](#), 9 April 2014, *Key Players and Groups: Revolutionary Organisations, Tehrik-e-Taliban Pakistan*

The South Asia Terrorism Portal provides the following background information on the TTP [emphasis added]:

Formation

Tehreek-e-Taliban Pakistan (TTP), famously known as Pakistani Taliban, is the deadliest among all indigenous militant outfits. The inceptions leading to the formation of TTP went back to the days of NATO operations in Afghanistan after 9/11. [...]

In December 2007 the existence of the TTP was officially announced under the leadership of Baitullah Mehsud. 13 groups united under the leadership of Baitullah Mehsud to form the TTP in an undisclosed place in South Waziristan Agency of Federally Administered Tribal Areas (FATA). [...]

Objectives/Ideology

Enforce Sharia'h, unite against NATO forces in Afghanistan and perform "defensive jihad" against the Pakistan Army.

React strongly if military operations are not stopped in Swat District of Khyber Pakhtunkhwa (KP) and North Waziristan Agency of FATA.

Demand the abolishment of all military checkpoints in the FATA area.

Demand the release of Lal Masjid Imam Abdul Aziz.

Though in the initial years of its formation, TTP refused peace deals with the Government of Pakistan, it enters peace-talk with Nawaz Sharif-led Government had initiated a dialogue with TTP through a panel of representatives, since January 29, 2014. The Government was represented in these talks by the Prime Minister's Advisor on National Affairs Irfan Siddiqui, Major (Retd.) Mohammed Amir (a former ISI official), senior journalist Rahimullah Yousafzai, and former Ambassador to Afghanistan Rustam Shah Mohmand (who was nominated by the Khyber Pakhtunkhwa Government). The TTP team was led by Maulana Samiul Haq (former chief cleric of the Lal Masjid in Islamabad), Maulana Abdul Aziz, Professor Mohammad Ibrahim of the Jamaat-i-Islami (JI), and Mufti Kifayatullah, a former lawmaker of the Jamiat Ulema-i-Islam-Fazl (JUI-F) from Mansehra.

Leaders

Current

Maulana Fazlullah, "The Radio Mullah" or "Mullah Radio" – New *Amir* (Chief) of TTP and head of Swat Taliban

Sheikh Khalid Haqqani - Deputy Chief and Amir of central / supreme shura.

Shakeel Ahmed Haqqani (*alias* Qari Shakeel) - Head of the TTP's political shura.

Shahryar Mehsud (*alias* Shahbaz) - Commander of North Waziristan TTP.

Khan Said (*alias* Sajna Mehsud / Khalid Sajna) - Commander of South Waziristan TTP.

Abdul Wali (*alias* Omar Khalid / Umer Khalifa) – Mohmand Agency.

Asmatullah Muawiya - Leader of TTP's Punjab faction and Janood-e-Hafsa.

Mufti Hassan Swati - New chief of TTP's Peshawar chapter.

Mangal Bagh Afridi - Head of Lashkar-e-Islam (LI) (based in Khyber Agency) - Key ally of TTP.

Adnan Rasheed - Chief of Ansar Al-Aseer (TTP's unit tasked to free militant prisoners).

Hafiz Dolat Khan (*alias* Hafiz Ahmed) - TTP Amir of Kurram Agency.

Muhammad Arif (*alias* Kaka) - TTP Chief of Darra Adam Khel, Kohat, and Hangu.

Hafiz Saeed Khan – TTP Amir in Orakzai Agency.

Maulana Gul Zaman - TTP Amir in Khyber Agency.

Maulana Abu Bakr - Amir of TTP in Bajaur Agency.

Shah Jehan - Amir of TTP in Swabi.

Qazi Hammad - 'Chief justice' of TTP.

Former

Baitullah Mehsud - Founder leader of TTP - deceased August 2009.

Hakimullah Mehsud – Chief of TTP - deceased November 1, 2013.

Asmatullah Shaheen Bhattani - Former head of the central / supreme shura - deceased February 24 2014.

Waliur Rehman Mehsud – Deputy Chief of TTP and Commander of South Waziristan Agency – deceased May 29, 2013.

Abdullah Bahar Mehsud - Deputy Chief of TTP and adviser to Hakimullah Mehsud - deceased November 1, 2013.

Wali Muhammad Mehsud (alias Toofan) – In charge of fidayeen (suicide) squad and former head of TTP in Wana – deceased January 21, 2014.

Tariq Afridi (*alias* Gidar) - TTP Commander in Khyber, Peshawar, Kohat, and Hangu. - Deceased August 29, 2012.

Maulvi Saifuddin - TTP commander in FR Bannu - deceased November 19, 2013.

Mullah Dadullah - TTP commander in Bajaur Agency - Deceased August 24, 2012.

Maulvi Abbas Wazir - TTP Commander in Wana, South Waziristan - deceased December 21, 2012.

Qari Hussain Mehsud - Lieutenant to Baitullah Mehsud - deceased October 7, 2010.

Qari Zainuddin Mehsud - Leader of South Waziristan Agency (Tank) - deceased June 23, 2009.

Maulvi Muhammad Iftikhar- One the six senior most TTP and former Red Mosque leader - deceased October 14, 2011.

Spokesmen

Current:

Shahidullah Shahid (*alias* Sheikh Maqbool) - TTP central Spokesman

Mohammad Raees Khan Mehsud (*alias* Azam Tariq / Asimullah Asim) - South Waziristan Agency Chapter

Mohammad Afridi - Darra Adam Khel & Khyber Agency Chapter

Sirajuddin Ahmed - Swat Chapter.

Abu Baseer - Spokesman of TTP's Ansarul Mujahideen faction.

Ahmed Marwat - Spokesman of TTP Jundallah.

Abdul Rashid Lashkari - LI Spokesman for Khyber Agency.

Former:

Azam Tariq

Ehsanullah Ehsan aka Ahsanullah Ahsan (*alias* Sajjad Mohmand)

Muhammad Suleman - Spokesperson for TTP (Wana Region).

Maulvi Omar - close aide of Baitullah Mehsud - arrested August 18, 2009.

Muslim Khan - arrested September 11, 2009.

Area of operation and Strength

The group contains membership from all of FATA's seven tribal agencies as well as several districts of the KP. Estimates place the total number of operatives between 30,000 and 35,000. Headquartered in the South Waziristan Agency of FATA, TTP has spread its networks into all of Pakistan's four provinces, establishing various 'Chapters' and groups led by local 'commanders' with common organisational goals. The TTP has also made its presence felt in neighbouring Afghanistan in recent times.

There is an overlap of membership between TTP and other sectarian terrorist outfits that operate across the country, each pursuing its own internal and external agendas. On November 23, 2008, the then TTP spokesman, Mullah Omer, had said, "The Taliban are present in Karachi and have links with the LeJ, Sipah-e-Sahaba Pakistan (SSP) and other banned religious organisations." Apart from these sectarian groups, there are others with which the TTP has established linkages, primarily including Lashkar-e-Toiba (LeT) Jaish-e-Muhammad (JeM), HuM and Harkat-ul-Jihad-e-Islami (HuJI). Media reports on January 5, 2011, indicated that five terrorist groups had joined the TTP and were working under its umbrella TTP. With common aims and enemies, LeJ, SSP, JeM, HuM and Harkat-ul-Ansar (HuA) had 'merged' with TTP. TTP spokesman Azam Tariq declared, "We have not forced anyone to join TTP, and the leaders and activists of the banned religious organisations have united themselves under the umbrella of the TTP on their own choice."

Proscription

The US Department of State had put the TTP on its list of Foreign Terrorist Organisations on September 1, 2010. On January 18, 2011, Britain moved to ban the TTP, making it illegal to belong to or raise funds for the organisation in Britain. Subsequently, on July 5, 2011, Canada designated the TTP as a terrorist organisation. Vic Toews, Canada's Minister of Public Safety, noted that putting TTP on the terrorism blacklist was "an essential part of our efforts to combat terrorism and keep our communities safe." On July 29, 2011, the United Nations Security Council (UNSC) put the TTP on its international anti-terrorism sanctions list in a move highlighting the growing threat from the outfit. The outfit was banned in Pakistan on August 25, 2008.³⁹⁸

³⁹⁸ South Asia Terrorism Portal, [Tehreek-e-Taliban Pakistan \(TTP\)](#), Undated, Date accessed 15 April 2015

The Research Directorate of the Immigration and Refugee Board of Canada similarly compiled the following information on the TTP from sources published between 2011 and June 2014:

1. Overview

Sources describe Tehrik-i-Taliban Pakistan (TTP) [also known as Tehrik-e Taliban, Pakistani Taliban, Pakistan Taliban, Tehreek-e-Taliban, Tehrik-e-Taliban and Tehrik-e Taliban Pakistan] as "an alliance of militant groups" (US 2014); "a coalition" of militant and extremist groups (The Guardian 9 June 2014a; CFR 18 Nov. 2013); and "an umbrella organization" uniting militant groups (The New York Times 2 Nov. 2013; TRAC n.d.). According to sources, TTP was formed when various militias coalesced in 2007 (US 2014; CFR 18 Nov. 2013; The New York Times 2 Nov. 2013).

Sources indicate that TTP has close links to Al-Qaeda (US 2014; CNN 17 Oct. 2012), as well as to the Afghanistan Taliban (ibid.). The BBC similarly reports that the organization has "roots in the Afghan Taliban" (BBC 9 June 2014). According to the US Department of State's Country Reports on Terrorism 2012,

TTP draws ideological guidance from AQ [Al-Qaeda], while AQ relies on TTP for safe haven in the Pashtun areas along the Afghan-Pakistani border. This arrangement gives TTP access to both AQ's global terrorist network and the operational experience of its members. (US 30 May 2013)

The same source states that "TTP is believed to raise most of its funds through kidnapping for ransom and operations that target Afghanistan-bound military transport trucks for robbery" (ibid.).

2. Areas of Operations and Structure

According to sources, TTP is based in the tribal areas along the border between Pakistan and Afghanistan (The Guardian 9 June 2014a; The New York Times 2 Nov. 2013; US 30 May 2013). The Council on Foreign Relations (CFR), an independent nonpartisan membership organization, think tank, and publisher (CFR n.d.), reports that membership in the group is "predominantly Pashtun" (CFR 18 Nov. 2013). Sources indicate that members of the group originate from all seven tribal agencies in the Federally Administered Tribal Areas (FATA), as well as many districts of the northwest province of Khyber Pakhtunkhwa (ibid.; SATP [2014]). The New York Times specifies that TTP's headquarters is in North and South Waziristan (The New York Times 2 Nov. 2013). However, sources note that TTP has also expanded into other areas of the country (SATP [2014]; CNN 17 Oct. 2012). According to CNN, "they maintain loose factions spread out as far as Punjab province" (ibid.).

Sources indicate that TTP was initially formed by approximately 13 groups (SATP [2014]; CFR 18 Nov. 2013). The New York Times reports that as of November 2013, TTP was composed of up to 30 "loosely uniting" groups (2 Nov. 2013). The Country Reports on Terrorism 2012 states that TTP is composed of "several thousand" militants (US 30 May 2013). However, the CFR emphasizes the difficulty of assessing the size of TTP, quoting a researcher at the Combating Terrorism Center, "an independent research institution based at the US Military Academy" as saying: "there are not reliable estimates of how large the TTP is, largely due to challenges associated with even defining the borders of the group and the loose-knit nature of how it is organized along either subtribal or subregional lines" (CFR 18 Nov. 2013).

TTP was formally founded by Baitullah Mehsud [also written Mahsud] (The New York Times 2 Nov. 2013; US 30 May 2013). Baitullah Mehsud was reportedly killed in 2009 (US 2014; CFR 18 Nov. 2013; CNN 17 Oct. 2012) in an American drone attack (ibid.; CFR 18 Nov. 2013). Since 2009, the group was led by Hakimullah Mehsud [cousin of Baitullah Mehsud] (US 30 May 2013; BBC 2 Nov. 2013). Sources report that Hakimullah Mehsud was killed in an American drone attack in November 2013 (ibid.; The Guardian June 2014b). In November 2013, Mullah Fazlullah was chosen as Hakimullah Mehsud's successor (The News International 29 May 2014; CFR 18 Nov. 2013). However, the CFR notes that analysts have questioned whether TTP's cohesion could be maintained under Fazlullah, as he is the first TTP leader from outside the Mehsud tribe (ibid.).

The Guardian describes TTP as "fractious" and "fracture-prone" (The Guardian 9 June 2014a). CNN explains that "[a]s a result of its beginnings, Tehrik-i-Taliban are not a unified fighting force," adding that the militant groups which comprise TTP "control different regions within the tribal area and often have different agendas and political objectives. The factions don't always speak with one voice" (CNN 17 Oct. 2012).

Sources report that in May 2014, TTP experienced a significant schism (BBC 9 June 2014; The Telegraph 28 May 2014; The Guardian 9 June 2014a). The Guardian describes the split as the "biggest schism yet" (ibid.). According to the Guardian, one cause of the division was "faltering peace talks between the movement and the Pakistan government" (ibid.).

3. Objectives

Sources indicate that TTP targets the Pakistani state (ibid.; CFR 18 Nov. 2013; CNN 17 Oct. 2012). Sources also report that TTP targets the Pakistani state particularly through its military (ibid.; US 2014). According to the US National Counterterrorism Center, TTP "leaders hope to impose a strict interpretation of Qur'anic instruction throughout Pakistan" (US 2014). Sources report that TTP seeks to enforce sharia law (CFR 18 Nov. 2013; CNN 17 Oct. 2012). According to CNN, TTP is also partially driven by anti-American sentiment and attacks foreign interests in and outside of Pakistan due to the country's alliance with other countries (CNN 17 Oct. 2012). In particular, TTP fights against foreign troops in Afghanistan (CFR 18 Nov. 2013; US 2014).

4. Militant Activities and Targets

Sources indicate that TTP attacks both security forces and civilians (AI 2013; CFR 18 Nov. 2013; CNN 17 Oct. 2012). According to the New York Times, "thousands of people" have been killed by TTP in recent years, mostly through suicide bombings (The New York Times 1 Nov. 2013). The BBC similarly states that "collectively they [TTP] are responsible for the deaths of thousands of Pakistanis" (BBC 9 June 2014). Amnesty International (AI) states that TTP carries out "indiscriminate attacks using improvised explosive devices and suicide bombs" (AI 2013). CNN states that TTP has "killed civilians for political and religious reasons" (CNN 17 Oct. 2012). AI adds that TTP's targets include "members of religious minorities, aid workers, activists and journalists" (AI 2013) [...]

According to AI, TTP "announced a ban on health workers in the tribal areas until the USA ceased its programme of 'targeted killing' there" (AI 2013). Health workers have also been targeted by TTP: for example, nine medical personnel administering polio vaccinations were killed in Peshawar, Nowshera and Charsadda in the northwest and in Karachi in December 2013 (ibid.). AI also reports that a "ICRC [International Committee of the Red Cross] nurse was killed in April [2013]" (ibid.) [...].³⁹⁹

According to the Council on Foreign Relations background information on the TTP:

In December 2007, about thirteen disparate militant groups coalesced under the umbrella of Tehrik-i-Taliban Pakistan (TTP), also known as the Pakistani Taliban, led by Baitullah Mehsud of South Waziristan [...] After a U.S. drone strike killed Baitullah in August 2009, his cousin and deputy Hakimullah Mehsud assumed leadership of the TTP. Hakimullah was reportedly prepared to take part in imminent peace talks with Islamabad when he was killed in a U.S. drone strike along with a top deputy in November 2013 [...]

A shura council chose hard-liner Mullah Fazlullah as Hakimullah's successor shortly after his death. Fazlullah, who gained infamy for ordering the assassination attempt on Pakistani schoolgirl and activist Malala Yousafzai, rejected talks with the government. Analysts question whether Fazlullah can maintain TTP cohesion as the first emir from outside the Mehsud tribe.⁴⁰⁰

Radio Free Europe/Radio Liberty reported that "Fazlullah earned the nickname "Radio Mullah" for his rousing radio speeches in the Swat Valley when the TTP controlled the mountainous region of northwestern Pakistan from 2007 to 2009. He is considered a fiery orator and the most hard-line figure among the top commanders of the Pakistani Taliban movement [...] Fazlullah built his movement with the support of women who donated cash and jewellery in response to his radio sermons broadcast from his mosque in Swat's Imam Dehri village. But once Fazlullah established control, women suffered greatly. He discouraged them from going outside, promoted forced marriages, and attempted to shut girls' schools".⁴⁰¹

According to the South Asia Terrorism Portal, "the TTP, the most lethal terrorist formation within Pakistan, is now led by Maulana Fazlullah who belongs to the Swat District of KP, the region which,

³⁹⁹ Immigration and Refugee Board of Canada, [Pakistan: Tehrik-i-Taliban Pakistan \(TTP\), including structure, objectives, areas of operations, militant activities and targets; state response \(2011-June 2014\) \[PAK104907.E\]](#), 03 July 2014

⁴⁰⁰ Council on Foreign Relations, [CFR Backgrounders: Pakistan's New Generation of Terrorists](#), 18 November 2013, *The Pakistani Taliban*

⁴⁰¹ Radio Free Europe/Radio Liberty, ["Radio Mullah" – The Pakistani Taliban's New Leader](#), 7 November 2013

prior to the 2007-2009 operations, was believed to be the 'heartland' of domestic terrorism. His 'deputy' Khalid Haqqani is from Swabi District in KP. This is for the first time that the outfit is headed by leaders from KP; earlier TTP leaders – Baitullah and Hakimullah – belonged to the adjoining Federally Administered Tribal Areas (FATA) region".⁴⁰²

With regards to membership, location and aim, the Council on Foreign Relations reported:

The predominantly Pashtun group draws membership from all of FATA's seven agencies as well as several settled districts of Khyber Pakhtunkhwa in the northwest. The TTP has declared jihad against the Pakistani state, seeks to control territory, enforces sharia, and fights NATO forces in Afghanistan [...] It's difficult to assess the size of the Pakistani Taliban. "There are not reliable estimates of how large the TTP is, largely due to challenges associated with even defining the borders of the group and the loose-knit nature of how it is organized along either subtribal or subregional lines," CTC's Rassler says.⁴⁰³

In May 2014 Radio Free Europe/Radio Liberty reported that "A leading faction of the Pakistani Taliban says it has split from the umbrella militant group. The faction is led by Khalid Mehsud, also known as Said Sajna [...] based in the South Waziristan tribal region near the Afghan border [...] the faction had differences with the TTP leadership, which he [TTP spokesman] alleged had become involved in extortion, kidnapping for ransom, and other such crimes. The faction also reportedly had disagreements with the TTP over the issue of peace talks with the government".⁴⁰⁴

BBC News reported in October 2014 about the sacking of TTP's spokesman Shahidullah Shahid "for supporting Islamic State", who was "the third TTP spokesman to part company with the leadership in recent months. Before him, Azam Tariq left with the Mehsud faction of Khan Said Sajna that quit the TTP in May. Another predecessor, Ehsanullah Ehsan, became the chief spokesman for a group of Mohmand tribesmen that goes by the name Jamaat-e-Ahrar".⁴⁰⁵

Mona Kanwal Sheikh, Senior Researcher at the Danish Institute for International Studies, reported in her article published in the Austrian Federal Ministry of the Interior's report in October 2014 about TTPs area of influence:

It is important to note that today, the Pakistani Taliban is not restricted to the Tribal Areas, nor do they represent Pashtun interests only. Part of the movement is known as the 'Punjabi Taliban' and consist of (former or present) members of Sipah-e Sahaba Pakistan (a movement that has also been active within the parliamentary system in Pakistan), or they are supporters of Fazlur Rehman from Jamaate Ulamae Islam (one of the largest and oldest Islamist political parties in the country). Some of them used to support, and vote for, the alliance of religious parties, Muttahida Majlise Amal, which was voted into power in the province that was earlier known as the North West Frontier Province in 2002.⁴⁰⁶

The US Institute of Peace reported in February 2014 that "Increasingly Punjab province is also being watched as a supply line of money and new recruits for locally focused terrorist groups. TTP have been actively recruiting in the province directly and through their alliances with various militant organizations. According to Pakistani intelligence reports, they are known to be openly raising funds in the province. While a 2010 report published by the Brookings Institution suggests that there are

⁴⁰² South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2014](#), Undated, Date accessed 9 April 2015

⁴⁰³ Council on Foreign Relations, [CFR Backgrounders: Pakistan's New Generation of Terrorists](#), 18 November 2013, *The Pakistani Taliban*

⁴⁰⁴ Radio Free Europe/Radio Liberty, [Leading Pakistani Taliban Faction Breaks Away](#), 28 May 2014

⁴⁰⁵ BBC News, [Pakistan's bewildering array of militants](#), 25 October 2014

⁴⁰⁶ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), regiones et res publicae - Country Analysis Reports, [Pakistan - Challenges](#), October 2014, *Has the Pakistani Taliban come to stay?, Negotiating with terrorists?*

approximately two thousand Punjabi militant group members affiliated with the TTP, more recent accounts suggest that the number is probably much higher and growing”.⁴⁰⁷

With regards to location of violence, the South Asia Terrorism Portal noted that North Balochistan “came under the influence of Islamist terrorist formations, including TTP and LeJ”.⁴⁰⁸ Similarly, the International Crisis Group reported that “TTP factions are active in Pashtun areas in and around Quetta”, in Balochistan.⁴⁰⁹ The same report further noted TTP’s presence in Sindh: “Pakistani Taliban groups are attempting to consolidate their hold over Karachi’s Pashtun-majority areas through force, killing local ANP leaders and activists, extorting and intimidating residents and businesses and establishing their own courts to mediate disputes”.⁴¹⁰

With regards to links to other armed groups, the Council on Foreign Relations reported that:

The Haqqani Network, whose operations straddle the porous Afghan-Pakistani border known as the Durand Line, has proven a valuable ally to the Pakistani Taliban in some of these pursuits. The Haqqanis have not only fought alongside the TTP and Afghan Taliban in Afghanistan, but have also served as influential mediators between the TTP and Islamabad. Pakistan has long been a supporter and beneficiary of the Haqqanis, according to CTC. The network has helped Islamabad manage militant groups in FATA, and provided leverage against India in the struggle over Kashmir. Pakistan sees the Pashtun group, which has been among the most lethal to NATO forces in Afghanistan, as a potential source of leverage after the scheduled withdrawal of coalition troops at the end of 2014.⁴¹¹

The International Crisis Group reported that “The FATA-based TTP groups targeting Peshawar are closely affiliated with al-Qaeda”.⁴¹²

The US Institute of Peace notes that “According to the Islamabad-based FATA Research Center, the TTP originally formed as an umbrella organization of 40 militant groups, but today it includes as many as 130 minor and major militant groups”.⁴¹³

According to the BBC News, earlier in 2014 “Pakistan’s interior minister Chaudhry Nisar told parliament the main TTP movement included more than 35 groups. Later, a security policy document listed around 60 groups that successive Pakistani governments had proscribed since the late 1990s. But there are dozens of others - all vying for limelight and funds. Most of them have local interests. They are natives of the areas under their control, and tend to organise into regional groups to form territorial entities. They are often named after their top commander or their area of operation, such as the Mullah Nazir group, or the Mohmand Taliban. Others have broader ideological aims”.⁴¹⁴

⁴⁰⁷ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Punjab, Militant and Terrorist Organizations and Operations*

⁴⁰⁸ South Asia Terrorism Portal, [Balochistan Assessment 2015](#), Undated, Date accessed 9 April 2015

⁴⁰⁹ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, III. *Quetta: A Dangerous Junction, D. The Taliban in Quetta*

⁴¹⁰ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, IV. *Karachi: Violence in Pakistan’s Mega-City, D. Religious Extremism*

⁴¹¹ Council on Foreign Relations, [CFR Backgrounders: Pakistan’s New Generation of Terrorists](#), 18 November 2013, *The Pakistani Taliban*

⁴¹² International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, II. *Peshawar: The Militant Gateway, C. The Taliban and Peshawar*

⁴¹³ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Rise of Militancy and Terrorist Networks*

⁴¹⁴ BBC News, [Pakistan’s bewildering array of militants](#), 25 October 2014

Al Jazeera reported that “On Nov. 7 [2014], the TTP announced in a statement that it would be “formally joining hands” with LeI and would be sending fighters to aid the group in Khyber Agency”.⁴¹⁵ The South Asia Terrorism Portal similarly noted that “various splinter groups of the Tehreek-e-Taliban Pakistan (TTP) are merging to counter the ongoing military operations in NWA and Khyber Agency. According to a statement issued by Jamaat-ul-Ahrar (JuA) ‘spokesman’ Ehsanullah Ehsan on March 12, 2015, the reorganized TTP would consist of members of his group, Lashkar-e-Islam (LI) and the remaining TTP elements. The head of the new set-up is yet to be named. Ehsan congratulated the “Mujahideen of Pakistan” on the unification of the various militant groups and disclosed that the decision was taken at a meeting attended by Mullah Fazlullah, Omar Khalid Khurasani and Mangal Bagh. Ehsan added that an organising committee had been formed to constitute a central supreme Shura (Council) and an organising body”.⁴¹⁶

The Council on Foreign Relations noted that the targets of the TTP include “security forces and civilians alike; among its most audacious attacks have been bombings of Islamabad’s Marriott Hotel in September 2008, which killed at least sixty people, and Peshawar’s Pearl Continental Hotel in June 2009, in which seventeen were killed. TTP expressed transnational ambitions when it claimed responsibility for a failed bombing in New York’s Times Square in May 2010.”⁴¹⁷

According to the US Institute of Peace reporting in September 2013 “the TTP launched a withering series of attacks against the Awami National Party (ANP), Pakistan People’s Party (PPP), and Muttahida Quami Movement (MQM) in the run-up to the elections, singling them out for their “secular doctrine” and because they were “responsible” for the incursions into FATA. Anti-state militants have launched a spate of attacks throughout Pakistan since the elections”.⁴¹⁸

Violence also marred the run up to the elections and on election day, as Samina Ahmed, Project Director for South Asia and Senior Asia Advisor of the International Crisis Group, reported in her article published in the Austrian Federal Ministry of the Interior’s report in October 2014:

The May 2013 election was also the bloodiest in Pakistan’s history as Tehreek-e-Taliban Pakistan (TTP-Taliban Movement of Pakistan) leader Hakimullah Mehsud called on his commanders to attack the “agents” of “an infidel system”. Around 170 people were killed and 700 wounded in more than 150 terror attacks of the Taliban and other groups in the run up to the elections and on election day.⁴¹⁹

Amnesty International reported in its annual report covering 2014 that:

On 16 December, several men claimed by the Pakistani Taliban as its members attacked the Army Public School in the northwestern city of Peshawar, where 149 people were killed, 132 of them children, and dozens injured in shootings and suicide bombings. The Pakistani Taliban said the attack was in response to recent Pakistan Army operations in nearby North Waziristan in which hundreds of Taliban fighters had been killed.

Various factions of the Pakistani Taliban continued to carry out attacks, including against activists and journalists for promoting education and other rights, or for criticizing them. Ahrar ul Hind, a breakaway group from the Pakistani Taliban, claimed responsibility for the 3 March gun and suicide bomb attack on a court house in Islamabad that left 11 dead and several others injured, reportedly in response to the Pakistani Taliban’s decision to enter peace talks with the government. Jamat ul Ahrar,

⁴¹⁵ Al Jazeera, [Pakistan struggles to cope with growing internal refugee crisis](#), 1 December 2014

⁴¹⁶ South Asia Terrorism Portal, [FATA Assessment – 2015](#), Undated, Date accessed 9 April 2015

⁴¹⁷ Council on Foreign Relations, [CFR Backgrounders: Pakistan’s New Generation of Terrorists](#), 18 November 2013, *The Pakistani Taliban*

⁴¹⁸ US Institute of Peace, [Domestic barriers to dismantling the militant infrastructure in Pakistan](#), 9 September 2013, *No End in Sight*

⁴¹⁹ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), regiones et res publicae - Country Analysis Reports, [Pakistan - Challenges](#), October 2014, *Countering violent extremism in Pakistan’s tribal belt*

another breakaway group from the Pakistani Taliban, claimed responsibility for the 2 November suicide bomb attack following the daily flag lowering parade at the Wagah Border Post between Pakistan and India, which left 61 dead and more than 100 injured.⁴²⁰

The same report also noted that health workers especially those involved in the polio vaccination campaigns were targeted: “Health workers involved in polio and other vaccination campaigns were killed in various parts of the country. Killings were particularly prevalent in parts of the northwest and the city of Karachi, areas with an active presence of Taliban and aligned groups which oppose vaccinations”.⁴²¹

Human Rights Watch reported that following the June 2014 attack by militants at Jinnah International Airport in Karachi that killed more than 18 people, and the subsequent launch of the military offensive in North Waziristan, the Punjabi faction of the Treek-I Taliban Pakistan (TTP) announced in September 2014 that it would “surrender and renounce terrorist attacks inside Pakistan. However, the TTP has said it will focus future violent attacks on military and government targets in Afghanistan”.⁴²²

The Council on Foreign Relations reported in an undated report that:

Pakistan faces significant threats to its internal security from the Tehrik-e-Taliban Pakistan (TTP) and other militant groups. After Prime Minister Nawaz Sharif’s efforts to negotiate a peace agreement with the TTP unraveled, the government launched an offensive against militant strongholds in North Waziristan in June 2014. Before the operation began, U.S. drone strikes against militants in North Waziristan resumed after a nearly six-month-long hiatus. While Pakistan claims to have killed more than 1,400 militants, the operations have spurred an internal refugee crisis from North Waziristan and Khyber, and peripheral TTP elements have reportedly formed violent splinter organizations.⁴²³

3.2.4. Criminal gangs

See also [3.3.6. Abductions and kidnappings.](#)

The Human Rights Commission of Pakistan annual report covering 2013 reported that “A combination of criminal and terrorist activity, acts of terrorism, turf wars of criminal gangs with political patronage, sectarian violence and issues of capacity and keenness of law enforcement personnel to protect the people exposed the right to life and to property of the populace to grave threats in the year 2013 [...] In many parts of the country, crime and lawlessness grew to such an extent that the people preferred to remain indoors after dusk. In FATA and in parts of Balochistan, travelling even during daylight hours was risky”.⁴²⁴ The same source further noted that “For a variety of reasons, many crimes are often not reported to the police. These include incidents of kidnapping for ransom, sexual violence and extortion demands”, but further stated that cases registered with the police would give some indication of the “crime landscape”:

⁴²⁰ Amnesty International, [Amnesty International Report 2014/15: The State of the World’s Human Rights](#), 25 February 2015, *Pakistan, Abuses by armed groups*

⁴²¹ Amnesty International, [Amnesty International Report 2014/15: The State of the World’s Human Rights](#), 25 February 2015, *Pakistan, Abuses by armed groups*

⁴²² Human Rights Watch, [World Report 2015](#), 30 January 2015, *Fighting in Waziristan*

⁴²³ Council on Foreign Relations, [Rising Security Threats in Pakistan](#), Undated, Date accessed 16 April 2015

⁴²⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order*

- Punjab: “the police registered 390,932 cases for various offences. These included 6,095 murders, 6,874 attempted murders, 132 cases of kidnapping for ransom, 2,576 cases of rape, 2,768 of dacoity [an act of violent robbery⁴²⁵], 20,677 of vehicle theft and 6,441 of vehicle snatching [...]”;
- Sindh: “at least 4,074 murders were recorded, including 153 targetted [sic] killings and 146 people killed during dacoities/armed robbery. Highway robberies alone numbered 136 and there were 36 bank robberies [...]”;
- Khyber Pakhtunkhwa: “police registered 3,240 murder cases during the year, including 45 cases of the so-called honour killings. As many as 3,152 attempted murders, 127 incidents of rape and three of gang-rape were also reported to the police. As many as 91 cases of kidnapping for ransom were reported, while 630 vehicles were stolen and 247 snatched”;
- Balochistan: “645 murder cases and 480 attempted murder cases were registered [...] 248 cases of abduction and 56 of abduction for ransom were recorded [...]”.⁴²⁶

The Human Rights Commission of Pakistan noted with regards to Karachi that “In August [2013], reports emerged of around 600 Hindu and Christian families residing in Old Slaughterhouse Colony, a locality in Lyari area of Karachi, were being forced to leave their houses because of violence and harassment amid turf wars of criminal gangs. Some of the affected families had returned in December but the lawless and risk of violence remained high”.⁴²⁷

The U.S. Department of State reported in its annual report covering 2013 that in Karachi “Political parties and their affiliated gangs vied for political and economic control of these new populations [Sindhi, Baloch, and Pashtun migrants] by independently assessing their “allegiances.” The parties engaged in a turf war over “bhatta” (extortion) collection privileges and “ownership” over katchi abadis (illegal/makeshift settlements). The flashpoints of violence in Karachi were Lyari, Orangi, Katti Pahari, Qasba Colony, Pak Colony, and Shah Faisal Colony”.⁴²⁸

The International Crisis Group reported in January 2014 with specific reference to Karachi in Sindh Province:

Collusion between the authorities and criminals has allegedly created mafias of every stripe, whose control of scarce and lucrative resources, from land to timber to water, yields enormous profits [...]

Karachi’s black economy amounts to 830 million rupees (over \$8 million) daily. With the bulk generated by the land mafia, police corruption, illegal gambling and the water mafia (discussed below), it sustains organised crime and militancy in Karachi and beyond. Extortion and kidnapping for ransom are rampant, further undermining the formal economy, as businesses move capital to safer venues in the country and abroad. A businessman, currently holding a senior Sindh government position, estimated that around 40 per cent of Karachi-based businesses had moved capital out. Since 2000, extortion rackets, once identified with the MQM, have multiplied, becoming more competitive, demanding and violent. [...]

As lawlessness has increased, criminal networks dominate the extortion racket. The reported numbers of kidnappings for ransom continue to increase – 112 in 2010, 113 in 2011, 134 in 2012 and 166 in 2013, but many go unreported. According to the Sindh police, many victims end up in KPK and FATA, passed on by criminal gangs to militant outfits or kidnapped by militant networks operating in Karachi. A retired police official still involved in the security sector maintained that 70 per cent of extortion incidents could be attributed to criminal gangs; 20 per cent to militant groups; and 10 per cent to criminals with links to political parties. A 2013 Supreme Court inquiry found that some

⁴²⁵ See Oxford Dictionaries, [dacoity](#), Undated, Date accessed 21 April 2015

⁴²⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *The state of law and order*

⁴²⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Displacement in Karachi*

⁴²⁸ U.S. Department of State, [Country Reports on Human Rights Practices for 2013](#), 27 February 2014, *Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts*

kidnapping rings also had strong links with security officials in the police and paramilitary Rangers, as well as private guards in banks. [...]

Karachi's mafias allegedly derive their strength from collusion with personnel in all branches of government – from the police to the civil administration, from the military to the political parties. Such collusion reportedly enables criminal mafias, militant groups and politically-backed gangs to operate with impunity.⁴²⁹

Similarly, the US Institute of Peace notes with regards to Karachi in February 2014 that:

Much of the ethnic violence in Karachi in recent years has involved turf wars between rival gangs backed by political parties, including the Muttahida Qaumi Movement (MQM), a political party founded to represent the interests of the Muhajir community, and the ANP, a Pashtun nationalist party. More recently, Baloch gangs allegedly associated with the Pakistan People's Party have also been involved in clashes with the MQM. Additionally, Jamaat-e-Islami, a prominent religious political party, is seen as having some responsibility for the ethnic and political violence. The political turf battles in Karachi have resulted in target killings, kidnappings for ransom, and extortions; they are exacerbated further by a large presence of underworld gangs, some of which are allegedly supported by political parties, and those operating as independent criminals. Kidnappings and killings are so common that people are afraid to leave their homes and send their children to schools. Afghan and Pakistani Taliban groups are also consolidating in Karachi, engaging in criminal activity, recruiting and fundraising, and, in the case of the TTP, organizing attacks on security personnel and political or sectarian rivals.⁴³⁰

BBC News reported in October 2013 about Balochistan and the abduction of at least 26 highly qualified doctors and professors, most of whom were returned after paying "huge amounts of ransom money" reportedly stated Dr Aftab Kakar, a spokesperson for the Balochistan branch of the Pakistan Medical Association". The same article further noted that "Criminal and militant groups allied to the Taliban and al-Qaeda have kidnapped and killed scores of people" in Balochistan where "These groups have seemingly operated with impunity while thousands of Pakistani troops have been busy fighting a long running separatist Baloch insurgency".⁴³¹

In August 2014 the Inter Press Service reported that "With a rise in sectarian killings, extortion, drug peddling, kidnappings and land grabbing, Pakistan's sprawling port city of Karachi, home to some 20 million people, has become a hotbed of crime. Fearing that they may soon bear the brunt of this lawlessness, the city's elite – often the target of kidnapping for ransom – has begun hiring personal bodyguards and moving through the streets in armoured or bombproof vehicles. The result, experts say, is an increasingly dangerous city, where trigger-happy thugs operate with impunity, while an understaffed police force struggles to keep tabs on rampant crime".⁴³² The same source further noted with regards to the profiles of these criminal gangs: "Profiles of alleged criminals provided by the police portray a disturbing picture of the politicisation of crime in Karachi. Former police chief Shahid Hayat Khan told IPS that criminality and politics go hand in hand here. "They are complementing each other. Different political parties use criminals to [do their bidding]. There are a few who belong to different political parties, but most are from criminal gangs who have gotten into

⁴²⁹ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, IV. Karachi: Violence in Pakistan's Mega-City, B. Governance and Criminality

⁴³⁰ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Rise of Militancy and Terrorist Networks*

⁴³¹ BBC, [Pakistani doctors angered by failure to halt abductions](#), 29 October 2013

⁴³² Inter Press Service, [Karachi Residents Trapped Between Armed Assassins and Private Bodyguards](#), 20 August 2014

extortion, or the narco-business. “Then there are a few who are from religious militant groups. And sometimes militant groups are inter-linked with the narco-business,” Khan added”.⁴³³

With regards to Lahore, Punjab’s capital, the International Crisis Group reported in January 2014 that “Lahore has about an eighth of Punjab’s estimated 80 million population but accounts for 25 per cent of the province’s reported crimes. As elsewhere, lucrative crime such as kidnapping for ransom and armed robbery are blamed on Pashtuns migrants and Afghan refugees. As elsewhere, too, there is a close nexus between criminal networks and local, regional and transnational jihadis”.⁴³⁴

3.2.5. Foreign militants in Pakistan

The International Crisis Group reported in October 2014 that “Afghan insurgents have found safe havens in Pakistan. The command and control of the three main militant groups – Mullah Omar’s Shura (council), Gulbuddin Hekmatyar’s Hizb-e Islami and the al-Qaeda linked Haqqani network – are based in and operate from Pakistan”.⁴³⁵ BBC News reported that Quetta Shura “the main decision-making body of the Afghan Taliban” is based in the Pakistani city of Quetta.⁴³⁶ The US Institute of Peace similarly reported in February 2014 that “Balochistan also provides safe haven to the Quetta Shura, a key Afghan Taliban group headed by Mullah Omar”.⁴³⁷

The South Asia Terrorism Portal reported that Punjab:

is also home to various foreign terrorists, including the Afghan Taliban and Uzbek terrorists. Talibanisation is, consequently, no longer a local affair, and manifests a dual strategy of both importing foreign radicals into the Province and exporting radical Islamism. Significantly, on December 15, 2012, suicide bombers of the TTP in collusion with foreign terrorists of Dagestani and Uzbek origin, attacked the Pakistan Air Force (PAF) base inside the Bacha Khan International Airport of Peshawar, the provincial capital of Khyber Pakhtunkhwa. On December 18, 2012, the then Federal Minister of Education Sheikh Waqas Akram disclosed in the National Assembly, that banned terrorist outfits in Punjab had contacts with Uzbek terrorists, who charged USD 40,000 for carrying out terrorist attacks within Pakistan.⁴³⁸

Dawn stated in December 2013 that in North Waziristan “no-one seems to be in control” with many militant groups operating in the area including 43 local militant groups, including the Haqqani network, “Dattakhel-based Hafiz Gul Bahadar has the highest number of groups affiliated with him — 15, followed by 10 independent groups. There are six TTP-affiliated groups. The Punjabi Taliban have four groups. In addition, there are 12 foreign militant groups, including Al Qaeda. With a combined strength of roughly 11,000 fighting men, the Pakistani and foreign militant groups represent a formidable challenge, officials acknowledge”.⁴³⁹

⁴³³ Inter Press Service, [Karachi Residents Trapped Between Armed Assassins and Private Bodyguards](#), 20 August 2014

⁴³⁴ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, V. Lahore: *The Sectarian Heartland*, A. Criminality and Extremism

⁴³⁵ International Crisis Group, [Resetting Pakistan’s Relations with Afghanistan](#), 28 October 2014, *Executive Summary*

⁴³⁶ BBC News, [Why Pakistan fears foreign pullout from Afghanistan](#), 22 November 2013

⁴³⁷ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Summary*

⁴³⁸ South Asia Terrorism Portal, [Punjab Assessment 2014](#), Undated, Date accessed 9 April 2015

⁴³⁹ Dawn, [North Waziristan appears close to full-blown conflict](#), 26 December 2013

3.2.5.1. Haqqani Network

See also [3.2.3. Pakistani Taliban – Tehrik-e Taliban Pakistan \(TTP\)](#).

The U.S. Department of State provided the following overview on the Haqqani Network in its 2013 Country Reports on Terrorism:

HAQQANI NETWORK

aka HQN

Description: Designated as a Foreign Terrorist Organization on September 19, 2012, the Haqqani Network (HQN) was formed in the late 1970s, around the time of the Soviet Union's invasion of Afghanistan. Jalaluddin Haqqani, HQN's founder, established a relationship with Usama bin Laden in the mid-1980s, and joined the Taliban in 1995. After the fall of the Taliban in Afghanistan in 2001, Jalaluddin retreated to Pakistan where, under the leadership of Jalaluddin's son, Sirajuddin Haqqani, the group began participating in the insurgency and became known as the Haqqani Network.

Activities: [...] Despite HQN's violent attacks, the group suffered numerous setbacks in 2013 with the death of multiple senior leaders, including financier Nasiruddin Haqqani, and commanders Sangeen Zadran and Ahmed Jan.

Strength: HQN is believed to have several hundred core members, but it is estimated that the organization is also able to draw upon a pool of upwards of 10,000 fighters with varying degrees of affiliation. HQN cooperates closely with the larger Afghan Taliban and also draws strength through cooperation with other terrorist organizations operating in Afghanistan, including al-Qa'ida, Tehrik-e Taliban Pakistan, the Islamic Movement of Uzbekistan, Lashkar I Jhangvi, and Jaish-e Mohammad.

Location/Area of Operation: HQN is active along the Afghanistan-Pakistan border and across much of southeastern Afghanistan, particularly in Loya Paktia. The group's leadership maintains a power base in Miram Shah, North Waziristan, Pakistan.

Funding and External Aid: In addition to the support it receives through its connections to other terrorist organizations, HQN receives much of its funds from donors in Pakistan and the Gulf, as well as through criminal activities such as kidnapping, extortion, smuggling, and other licit and illicit business ventures.⁴⁴⁰

According to the Council on Foreign Relations:

The Haqqani Network, a semiautonomous faction of the Taliban and a U.S.-designated Foreign Terrorist Organization, is emblematic of the complex interrelations among militant groups in both Pakistan and Afghanistan. A 2011 report from the Combating Terrorism Center (CTC), an independent research institution based at the U.S. Military Academy at West Point, characterizes the group as a "nexus player" with ties to Pakistan's ISI, al-Qaeda, and Uzbek militants, among others. "For the past three decades, the Haqqani Network has functioned as an enabler for other groups and as the fountainhead (manba) of local, regional, and global militancy," write Don Ressler and Vahid Brown in the report. The group's leading financier and emissary, Nasiruddin Haqqani, was killed near Islamabad in November 2013 under uncertain circumstances; three other senior leaders were killed in U.S. drone strikes in the two years prior. Sirajuddin Haqqani, Nasiruddin's elder brother, leads the group.⁴⁴¹

The South Asia Terrorism Portal noted that "Islamabad continues its policy of supporting select terrorist formations [...] despite several reports and claims of a ban on the 'charitable organization' Jama'at-ud-Dawa (JuD) and the Haqqani Network in the aftermath of the Peshawar APS attack, it was subsequently confirmed that these outfits remained 'legal'".⁴⁴² Similarly, the International Crisis

⁴⁴⁰ U.S. Department of State, [Country Reports on Terrorism 2013](#), 30 April 2014, Chapter 6. *Foreign Terrorist Organizations, Haqqani Network*

⁴⁴¹ Council on Foreign Relations, [CFR Backgrounders: Pakistan's New Generation of Terrorists](#), 18 November 2013

⁴⁴² South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

Group reported in October 2014 that “despite the Pakistani military claiming that it would not allow any militant groups, local or foreign, to operate in the tribal borderlands:

the Haqqani network, and its Pakistani Taliban allies who have peace deals with the military, are yet to be targeted. Some Afghan and Pakistani militants have reportedly relocated to Afghanistan, others to neighbouring FATA agencies, KPK proper and as far south as Sindh’s capital Karachi. Many in FATA believe that the Afghan militants and Pakistani Taliban groups that maintain peace deals with the military were warned well in advance of the operation. While acknowledging that some militants had fled North Waziristan, Pakistani military and government officials have claimed that the operations would not discriminate between militant factions, including the Haqqanis. Yet, a senior military official, referring to the Haqqanis, also said: “Of course, there are favourites. Every intelligence agency in the world works with bad guys”.⁴⁴³

Yet, in November 2014 the Institute of Peace and Conflict Studies reported that “The Pakistani military’s Operation Zarb-e-Azab has been declared successful in flushing out militants from the troubled North Waziristan agency, as well as in making the space uninhabitable for elements such as the Haqqani Network, which even the US military grudgingly acknowledged”.⁴⁴⁴

In February 2015 Radio Free Europe/Radio Liberty noted that the tribal areas of Pakistan “have been used for years as hideouts for Islamist militants - including Al-Qaeda, Pakistani and Afghan Taliban, and the Haqqani network as well as foreign fighters from Uzbekistan, Tajikistan, and Chechnya”.⁴⁴⁵

3.2.5.2. Islamic State (IS)

The South Asia Terrorism Portal noted that “The threat of terrorism in Pakistan has been augmented further, as reports of the Islamic State’s (IS) outreach into the country gathered force. In June 2014, IS released a ‘world domination map’, including Pakistan within its projected ‘Khorasan’ region. IS now has a native Pakistani national - Hafiz Saeed Khan⁴⁴⁶, a former ‘commander’ of the Tehreek-e-Taliban Pakistan (TTP) - as its Ameer (chief) for ‘Khorasan’. Khan replaced Afghan national Abdul Rahim Muslim Dost as the Ameer of the Khorasan Chapter. Significantly, General John Campbell, the commander of The Resolute Support Mission, the new mission of US and NATO Forces in Afghanistan, warned on January 18, 2015, that IS was recruiting in Afghanistan and Pakistan: “We are seeing reports of some recruiting. There have been some night letter drops, there have been reports of people trying to recruit both in Afghanistan and Pakistan, quite frankly”.⁴⁴⁷ The same source further stated that “the Government of the neighbouring province, Balochistan, in a ‘secret information report’ dated October 31, 2014, conveyed to the Federal Government and law enforcement agencies a warning of increased footprints of IS. The report disclosed that IS had claimed to have recruited 10,000 to 12,000 followers from the Hangu District of KP and Kurram Agency of the Federally Administered Tribal Areas (FATA)”.⁴⁴⁸

⁴⁴³ International Crisis Group, [Resetting Pakistan’s Relations with Afghanistan](#), 28 October 2014, II. Policy Imperatives and Internal Implications, B. Interventionist Ambitions and Domestic Implications

⁴⁴⁴ Institute of Peace and Conflict Studies, [Burying the Past: A New Beginning for Pakistan and Afghanistan](#), 18 November 2014

⁴⁴⁵ Radio Free Europe/Radio Liberty, [Pakistan Military Says Five Militants, One Soldier Killed In Clash](#), 20 February 2015

⁴⁴⁶ See also Radio Free Europe/Radio Liberty, [Islamic State Names Leader In Pakistan, Afghanistan](#), 28 January 2015

⁴⁴⁷ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

⁴⁴⁸ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

The Inter Press Service reporting in December 2014 after interviewing Baloch Khan, commander of the Balochistan Liberation Army (BLA), noted that “senior Baloch rebel commanders say that Islamabad is training Islamic State (IS) fighters in Pakistan’s southern province of Balochistan”, reportedly to “quell the Baloch liberation movement”.⁴⁴⁹

In September 2014 a Pakistani Taliban splinter group Tehreek-e-Taliban Pakistan Jamaat Ahrar (TTP-JA) “broke away from Pakistan’s mainstream Taliban movement [...] after announcing its support for Islamic State militants”.⁴⁵⁰ In January 2015 Radio Free Europe/Radio Liberty reported that “A new video released online shows a group of Pakistani and Afghan militants beheading a Pakistani soldier after pledging allegiance to the Islamic State jihadist group. A militant identified by the SITE intelligence group as former Pakistani Taliban spokesman Shahidullah Shahid is then seen addressing the crowd to announce pledges of allegiance to IS from leaders of various groups in Afghanistan and Pakistan. At the end of the 16-minute video a man identified as a Pakistani soldier is seen being beheaded with a machete”.⁴⁵¹

3.2.5.3. Uzbek Militants

See also [3.2.3. Pakistani Taliban – Tehrik-r Taliban Pakistan \(TTP\)](#) and [3.2.5.5. Al-Qa’ida](#).

The U.S. Department of State provided the following overview on the Islamic Movement of Uzbekistan (IMU) in its 2013 Country Reports on Terrorism:

ISLAMIC MOVEMENT OF UZBEKISTAN

aka IMU

Description: Designated as a Foreign Terrorist Organization on September 25, 2000, the Islamic Movement of Uzbekistan’s (IMU) goal is to overthrow the Uzbek government and establish an Islamic state. For most of the past decade, however, the group recruited members from other Central Asian states and Europe and has focused on fighting in Afghanistan and Pakistan. The IMU has a relationship with al-Qa’ida, the Taliban, and Tehrik-e Taliban Pakistan. In April 2012, IMU leader Abu Usman Adil died and Usman Ghazi was named the group’s new leader. IMU’s leadership cadre remains based in Pakistan’s Taliban-controlled North Waziristan and operates primarily along the Afghanistan-Pakistan border and in northern Afghanistan. [...]

Strength: 200-300 members

Location/Area of Operation: IMU militants are located in South Asia, Central Asia, and Iran.

Funding and External Aid: The IMU receives support from a large Uzbek diaspora, terrorist organizations, and donors from Europe, Central and South Asia, and the Middle East.⁴⁵²

According to The Central Asia-Caucasus Analyst, “The largest Central Asian militant group operating Pakistan and Afghanistan is the Islamic Movement of Uzbekistan (IMU)”.⁴⁵³ Radio Free Europe/Radio Liberty report that the IMU, “an Al-Qaeda affiliate – has had a presence in Pakistan’s tribal belt since the U.S.-led invasion of Afghanistan in 2001”.⁴⁵⁴ According to The Jamestown Foundation, IMU’s

⁴⁴⁹ Inter Press Service, [Pakistan’s “Other” Insurgents Face IS](#), 24 December 2014

⁴⁵⁰ Radio Free Europe/Radio Liberty, [Taliban Splinter Group Says It’s Targeting Pakistan, India](#), 5 November 2014

⁴⁵¹ Radio Free Europe/Radio Liberty, [Former Pakistani Taliban Militants Join IS, Behead Soldier](#), 11 January 2015

⁴⁵² U.S. Department of State, [Country Reports on Terrorism 2013](#), 30 April 2014, Chapter 6. Foreign Terrorist Organizations, Islamic Movement of Uzbekistan

⁴⁵³ The Central Asia-Caucasus Analyst, [Central Asian Militants Target Xinjiang, South Asia and Syria Before the Homefront](#), 3 September 2014

⁴⁵⁴ Radio Free Europe/Radio Liberty, [Pakistan Says No Timeline For North Waziristan Operation](#), 7 July 2014

leadership “is based in Pakistan’s tribal areas, where it coordinated attacks with the Pakistani Taliban” but still considers Central Asia as its “main target”.⁴⁵⁵ In October 2014 Dawn reported that a top leader of the IMU announced its backing for the Islamic State.⁴⁵⁶

In July 2013 Dawn reported that the Pakistani Crime Investigation Agency “have captured six members of the Islami [sic] Movement of Uzbekistan group, affiliated with Al-Qaeda, allegedly involved in kidnapping of US national Dr Warren Weinstein, Shahbaz Taseer, Shia leader Irfan Naqvi and Akbari Market trader Sheikh Shahid [...] He said the suspects confessed to committing such high-profile kidnappings and murdering Irfan Naqvi”.⁴⁵⁷ Radio Free Europe/Radio Liberty reported in June 2014 that “the Islamic Movement of Uzbekistan (IMU) has claimed responsibility for this week’s deadly assault on the Karachi airport in Pakistan”, which reportedly was “carried out as revenge for the latest full-scale bombardments and night attacks with fighter jets by Pakistan’s apostate army” an IMU statement read, whilst the Pakistani Taliban (TTP) “said that the attack had been a joint operation of the TTP and the IMU”.⁴⁵⁸ The Combatting Terrorism Centre reported in July 2014 that Uzbek militants “have been implicated in a string of similar attacks in Pakistan, most notably on Mehran Naval Base in May 2011, Minhas Airbase at Kamra in August 2012 and Peshawar Airbase in December 2012” with no clear pattern that IMU was actually involved or any official claim by them for their responsibility in any of these three attacks.⁴⁵⁹

The Combatting Terrorism Centre noted in July 2014 that in existing literature regarding IMU “There is general agreement that the IMU keeps supporting Pakistani militant groups because they are dependent on the sanctuaries provided to them by the TTP and because “they are foreigners and have no choice””, whilst a few studies suggest that “IMU’s original aims and goals have been diluted and the organization has been dispersed, due to heavy targeting of the IMU’s leadership since 2009”.⁴⁶⁰ The same source further notes with regards to IMU’s potential:

There are so far few indications that IMU officials have been involved in masterminding attacks on Pakistani soil. Their role seems limited to recruiting and training suicide squads, while local commanders from the TTP, former Kashmiri networks, or occasionally al-Qa`ida select targets and timing for attacks. This does not mean that the IMU should be dismissed as a serious threat in the future. The IMU has demonstrated its capability to carry out deadly and relatively sophisticated attacks compared with many other groups operating in the same theater. The IMU’s primary weakness in Pakistan is not its lack of capability, but its lack of coherent leadership and dependence on local networks to operate.⁴⁶¹

Radio Free Europe/Radio Liberty noted in June 2014 that IMU is active both in Afghanistan and Pakistan.⁴⁶² In February 2015 Radio Free Europe/Radio Liberty noted that the tribal areas of Pakistan “have been used for years as hideouts for Islamist militants - including Al-Qaeda, Pakistani and Afghan Taliban, and the Haqqani network as well as foreign fighters from Uzbekistan, Tajikistan, and

⁴⁵⁵ The Jamestown Foundation, [Central Asian Leaders Wary of Post-2014 IMU Threat](#), 12 July 2013, Eurasia Daily Monitor, Volume: 10, Issue: 128

⁴⁵⁶ Dawn, [Uzbek militants declare support for Islamic State](#), 6 October 2014

⁴⁵⁷ Dawn, [Uzbek group involved in kidnappings busted](#), 30 July 2014

⁴⁵⁸ Radio Free Europe/Radio Liberty, [IMU Claims Responsibility For Deadly Karachi Attack](#), 11 June 2014

⁴⁵⁹ Combating Terrorism Centre, [The Islamic Movement of Uzbekistan’s Role in Attacks in Pakistan](#), 30 July 2014

⁴⁶⁰ Combating Terrorism Centre, [The Islamic Movement of Uzbekistan’s Role in Attacks in Pakistan](#), 30 July 2014

⁴⁶¹ Combating Terrorism Centre, [The Islamic Movement of Uzbekistan’s Role in Attacks in Pakistan](#), 30 July 2014

⁴⁶² Radio Free Europe/Radio Liberty, [IMU Claims Responsibility For Deadly Karachi Attack](#), 11 June 2014

Chechnya”.⁴⁶³ The Combating Terrorism Centre further notes that “The IMU has a small footprint outside of its traditional sanctuary in the Federally Administered Tribal Areas (FATA), and it is dependent on local networks to operate in places such as Sindh and Punjab”.⁴⁶⁴

For further background information on the IMU consult:

- Dawn, [Who are the IMU?](#), 22 June 2014

3.2.5.4. Tajik Militants

See also [3.2.5.3. Uzbek Militants](#).

In early February 2015 Radio Free Europe/Radio Liberty reported that “Pakistan's Inter-Services Intelligence (ISI) agency has handed over an alleged leader of a banned Islamic group to Tajikistan [...] ISI had transferred one of the leaders of Jamaat Ansarullah, Tajik national Kamariddin Ahrorov, to Tajik authorities”.⁴⁶⁵ According to the same source, “Jamaat Ansarullah is a militant group considered to be Tajikistan's branch of the Islamic Movement of Uzbekistan (IMU)”.⁴⁶⁶

In February 2015 Radio Free Europe/Radio Liberty noted that the tribal areas of Pakistan “have been used for years as hideouts for Islamist militants - including Al-Qaeda, Pakistani and Afghan Taliban, and the Haqqani network as well as foreign fighters from Uzbekistan, Tajikistan, and Chechnya”.⁴⁶⁷

3.2.5.5. Al-Qa’ida (AQ)

See also [3.2.2. Lashkar-e Jhangvi](#) and [3.2.3. Pakistani Taliban – Tehrik-r Taliban Pakistan \(TTP\)](#).

The U.S. Department of State provided the following overview on Al-Qa’ida in its 2013 Country Reports on Terrorism:

AL-QA’IDA

aka al-Qa’eda; Qa’idat al-Jihad (The Base for Jihad); formerly Qa’idat Ansar Allah (The Base of the Supporters of God); the Islamic Army; Islamic Salvation Foundation; The Base; The Group for the Preservation of the Holy Sites; The Islamic Army for the Liberation of the Holy Places; the World Islamic Front for Jihad Against Jews and Crusaders; the Usama Bin Laden Network; the Usama Bin Laden Organization; al-Jihad; the Jihad Group; Egyptian al-Jihad; Egyptian Islamic Jihad; New Jihad
Description: Designated as a Foreign Terrorist Organization on October 8, 1999, al-Qa’ida (AQ) was established by Usama bin Laden in 1988. The group helped finance, recruit, transport, and train Sunni Islamist extremists for the Afghan resistance. AQ’s strategic objectives are to remove Western influence and presence from the Muslim world, topple “apostate” governments of Muslim countries, and establish a pan-Islamic caliphate governed by its own interpretation of Sharia law that ultimately would be at the center of a new international order. These goals remain essentially unchanged since

⁴⁶³ Radio Free Europe/Radio Liberty, [Pakistan Military Says Five Militants, One Soldier Killed In Clash](#), 20 February 2015

⁴⁶⁴ Combating Terrorism Centre, [The Islamic Movement of Uzbekistan’s Role in Attacks in Pakistan](#), 30 July 2014

⁴⁶⁵ Radio Free Europe/Radio Liberty, [Pakistan Hands Over Alleged Tajik Extremist To Dushanbe](#), 4 February 2015

⁴⁶⁶ Radio Free Europe/Radio Liberty, [Pakistan Hands Over Alleged Tajik Extremist To Dushanbe](#), 4 February 2015

⁴⁶⁷ Radio Free Europe/Radio Liberty, [Pakistan Military Says Five Militants, One Soldier Killed In Clash](#), 20 February 2015

the group's 1996 public declaration of war against the United States. [...] Many AQ leaders have been killed in recent years, including bin Laden and then second-in-command Atiyah Abd al-Rahman, in May and August 2011, respectively. Al-Rahman's replacement, Abu Yahya al-Libi, was killed in June 2012. Leader Ayman al-Zawahiri remains at-large. [...]

Strength: In South Asia, AQ's core has been seriously degraded. The death or arrest of dozens of mid- and senior-level AQ operatives – including bin Laden in May 2011 – have disrupted communication, financial, facilitation nodes, and a number of terrorist plots. However, AQ serves as a focal point of “inspiration” for a worldwide network of affiliated groups – al-Qa’ida in the Arabian Peninsula (AQAP), al-Qa’ida in Iraq (AQI), al-Qa’ida in the Islamic Maghreb (AQIM), al-Shabaab – and other violent Sunni Islamist extremist groups, including the Islamic Movement of Uzbekistan, the Islamic Jihad Union, Lashkar i Jhangvi, Harakat ul-Mujahadin, and Jemaah Islamiya. Tehrik-e Taliban Pakistan and the Haqqani Network also have ties to AQ. Additionally, supporters and associates worldwide who are “inspired” by the group's ideology may be operating without direction from AQ central leadership, and it is impossible to estimate their numbers.

Location/Area of Operation: AQ was based in Afghanistan until Coalition Forces removed the Afghan Taliban from power in late 2001. Since then, the group's core leadership is believed to reside largely in Pakistan's Federally Administered Tribal Areas. AQ affiliates – AQI, AQAP, AQIM, and al-Shabaab – operate in Iraq and Syria, Yemen, the Trans-Sahara, and Somalia, respectively.

Funding and External Aid: AQ primarily depends on donations from like-minded supporters, as well as from individuals who believe that their money is supporting a humanitarian cause. Some funds are diverted from Islamic charitable organizations.⁴⁶⁸

The Jamestown Foundation reported in October 2014 that “Pakistan remains pivotal for al-Qaeda as it is home to Al-Qaeda Core or Central. Veteran al-Qaeda leaders still maintain residences in tribal areas of Pakistan. Al-Qaeda maintains close relations with principal Pakistani Islamist militant groups such as: Harkat-ul Jihad-e-Islami (HuJI), Harkat-ul Mujahideen (HuM), Lashkar-e-Jhangvi (LeJ), Jaysh-e-Muhammad (JeM), Tehrik-e-Taliban Pakistan (TTP) and, to some extent, Lashkar-e-Taiba (LeT)”.⁴⁶⁹ The report further noted that Al-Qaeda:

- [...] maintains a strong presence in settled areas of Pakistan and in the tribal areas between Pakistan and Afghanistan and it has long-standing ties with Pakistani Islamist terrorist groups. These contacts predate al-Qaeda's establishment in Pakistan in 1988 by Osama bin Laden. The leadership, over a period of time, has cultivated contacts based upon personal interactions, sometimes intermarrying with tribal women, establishing strong tribal ties. Al-Zawahiri himself is believed to be married to a woman from the tribal areas [...]
- has been providing financial support to Pakistani Taliban and Punjab-based Islamist networks since its arrival in Taliban-ruled Afghanistan [...]
- has trained and indoctrinated jihadists are part of many Islamist groups currently operating in Pakistan [...]⁴⁷⁰

The US Institute of Peace noted that AQ are “prominent” in Balochistan.⁴⁷¹ In February 2015 Radio Free Europe/Radio Liberty noted that the tribal areas of Pakistan “have been used for years as hideouts for Islamist militants - including Al-Qaeda, Pakistani and Afghan Taliban, and the Haqqani network as well as foreign fighters from Uzbekistan, Tajikistan, and Chechnya”.⁴⁷²

⁴⁶⁸ U.S. Department of State, [Country Reports on Terrorism 2013](#), 30 April 2014, Chapter 6. *Foreign Terrorist Organizations, Al-Qa’ida*

⁴⁶⁹ The Jamestown Foundation, [Al-Qaeda's Future in Pakistan Amid the Rise of Islamic State](#), 24 October 2014, Volume: 12, Issue: 20

⁴⁷⁰ The Jamestown Foundation, [Al-Qaeda's Future in Pakistan Amid the Rise of Islamic State](#), 24 October 2014, Volume: 12, Issue: 20

⁴⁷¹ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Balochistan, Sectarian Conflict*

⁴⁷² Radio Free Europe/Radio Liberty, [Pakistan Military Says Five Militants, One Soldier Killed In Clash](#), 20 February 2015

The Jamestown Foundation reported in December 2014 about the establishment of a new al-Qaeda branch, al-Qaeda in the Indian Subcontinent, which is “likely to involve reinvigorating al-Qaeda’s operational capabilities in Pakistan and Afghanistan, also with slightly more focus on operations in India. As part of this, al-Qaeda’s elite unit, Lashkar-e-Zil (Shadow Army, LeZ), is likely to play a key role”.⁴⁷³

Background information on Lashkar-e-Zil can be found here:

- The Jamestown Foundation, [Lashkar-e-Zil: Al-Qaeda’s ‘Shock and Awe’ Force](#), 5 December 2014, Terrorism Monitor Volume: 12, Issue: 23

3.3. Overview of human rights abuses by non-state armed groups

See also [3.1 Overview of the current security situation](#) and [3.2. Overview of the main armed groups operating in Pakistan](#)

3.3.1. Occupying humanitarian space and forced recruitment

See also [4.2.3. Forced recruitment by government forces](#) and [6.4.4.2. Recruitment of children for military means](#).

In December 2013 Voice of America noted that the UN Development Program’s Marc Andre Franceh reportedly stated that “In northwest Pakistan, recruitment by extremist movements is on the rise, fed by social exclusion, weak rule of law, and a battle between the tribal way of life and the state’s attempt to exert control”.⁴⁷⁴

Reporting in January 2014 the International Crisis Group noted that “The provincial capitals of Peshawar, Quetta, Karachi and Lahore are bases of operations and financing for a range of extremist groups and criminal gangs that exploit poor governance and failing public infrastructure to establish recruitment and patronage networks”.⁴⁷⁵ It further noted that in Karachi “The civil administration’s failure to prevent encroachment of public and private land has major ramifications for law and order. Slums and katchi abadis have multiplied exponentially and become permanent. [...] Crowded and irregular settlements are difficult to oversee and provide sanctuaries for petty criminals and organised criminal gangs, with the latter often becoming patrons to residents, particularly unemployed youth [...] This urban landscape provides fertile recruiting grounds for criminal gangs as well as extremist groups”.⁴⁷⁶ The same source noted that extremist groups in Peshawar “have even grabbed graveyard land to use for recruiting people in need”.⁴⁷⁷ Moreover, the report found that “Poor pay and working conditions can make police vulnerable to recruitment by gangs and extremist groups”.⁴⁷⁸

⁴⁷³ The Jamestown Foundation, [Lashkar-e-Zil: Al-Qaeda’s ‘Shock and Awe’ Force](#), 5 December 2014, Terrorism Monitor Volume: 12, Issue: 23

⁴⁷⁴ Voice of America, [Pakistan Youth Work to Solve Country’s Conflicts](#), 9 December 2013

⁴⁷⁵ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *Executive Summary*

⁴⁷⁶ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, IV. Karachi: Violence in Pakistan’s Mega-City, B. Governance and Criminality

⁴⁷⁷ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, II. Peshawar: The Militant Gateway, C. The Taliban and Peshawar

⁴⁷⁸ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, VI. Urban Policing

Similarly, Samina Ahmed, Project Director for South Asia and Senior Asia Advisor of the International Crisis Group, concluded in her article published in the Austrian Federal Ministry of the Interior's report in October 2014 that the energy crisis and the widespread poverty in Pakistan is "seen as one reason of youth being prone to recruitment for militancy".⁴⁷⁹

Dawn reported in July 2014 about an IDP camp run by Falah-e-Insaniyat Foundation (FIF) in Bannu, Khyber Pakhtunkhwa province, which used to be called Jamaatud Dawa (JuD), accused of orchestrating the 2008 Mumbai attacks and "recently identified by the United States as a front for one of the world's largest terrorist groups. It was accused of carrying out an attack on an Indian consulate in Afghanistan in May. But in Pakistan, the group once also known as the Lashkar-e-Taiba continues to enjoy state patronage".⁴⁸⁰ Interviewed by Dawn, Nizam Dawar, who hails from North Waziristan and heads the Tribal Development Network which operated in the tribal belt reportedly stated that "These extremists are penetrating the vulnerable IDP population to brainwash and recruit them for their purposes".⁴⁸¹

The Inter Press Service reports in August 2014 that Al-Rehmat Trust (ART), a charity group widely considered a front for the designated terrorist organisation Kashmir-based Jaish-e Mohammed ('the army of Mohammed' or JeM) was distributing food rations and medical supplies to residents of camps for the displaced in Khyber Pakhtunkhwa province, displaced from the summer 2014 military offensive in the North Waziristan Agency of the Federally Administered Tribal Areas (FATA).⁴⁸²

The source adds that according to political analyst Dr. Khadim Hussain, chairman of the Baacha Khan Trust Education Foundation, "Besides JeM's charity wing ART, the Jamat ud-Dawa (JuD), a missionary-style front group for the feared Lashkar-e-Taiba ('army of the good' or LeT) has also been active in relief efforts, rushing to the aid of those displaced by natural or man-made disasters, and winning the hearts of many who see the government's emergency response as inadequate".⁴⁸³ According to the Inter Press Service, "JuD, which stands accused of orchestrating the 2013 attack on the Indian consulate in Jalalabad, western Afghanistan, is also extremely active in the aftermath of disasters, despite being branded a terrorist operation by the United Nations Security Council in 2008".⁴⁸⁴ According to a July 2014 Dawn article, the Jamaatud Dawa (JuD), which changed its name to Falah-e-Insaniyat Foundation (FIF) after it was accused of orchestrating the 2008 Mumbai attacks, "has over 200 volunteers distributing aid across Bannu, with 25 ambulances on standby. Sarfaraz says they have given out more than 112,000 food packets, and provided medical treatment to over 10,000 patients".⁴⁸⁵

The Inter Press Service further reports that "The Falah-e-Insaniyat Foundation (FIF), also believed to be a front group for the LeT, has been providing medicines and foodstuffs to thousands of families who don't know where their next meal will come from. "We were the first to reach Bannu and start relief work because we couldn't bear to see our Muslim bretherin in crisis," Muhammad Shafiq, a volunteer with ART, tells IPS".⁴⁸⁶ According to Muhammad Shoaib, an analyst at the University of Peshawar, "Due to heavy international pressure, both groups have been keeping a relatively low

⁴⁷⁹ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), *regiones et res publicae - Country Analysis Reports, Pakistan - Challenges*, October 2014, *Countering violent extremism in Pakistan's tribal belt*

⁴⁸⁰ Dawn, [Footprints: Extremist bodies run IDP relief efforts](#), 4 July 2014

⁴⁸¹ Dawn, [Footprints: Extremist bodies run IDP relief efforts](#), 4 July 2014

⁴⁸² Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

⁴⁸³ Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

⁴⁸⁴ Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

⁴⁸⁵ Dawn, [Footprints: Extremist bodies run IDP relief efforts](#), 4 July 2014

⁴⁸⁶ Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

profile, but the massive humanitarian crisis caused by the government's efforts to wipe out the Taliban from their mountainous stronghold on the Afghan border has brought JeM and LeT back into the limelight".⁴⁸⁷

The Inter Press Service further notes that Akram Khan, a police inspector in Bannu "home to the majority of the IDPs" is concerned that "the sprawling camps, filled to beyond their capacity with desperate, vulnerable and traumatised civilians, provides a perfect recruiting ground for terrorists dressed as aid workers".⁴⁸⁸ He reportedly told the Inter Press Service that "We have been keeping a strict eye on the relief camps organised by some jihadist outfits [...] We want to make sure they are not used for the recruitment of civilians for terrorist activities".⁴⁸⁹ The same source further reported that "though the displaced are grateful for the assistance, experts and officials are determined to stamp out what they see as militant groups infiltrating vulnerable populations and recruiting foot soldiers from their midst. Hussain, of the Baacha Khan Trust Education Foundation, does not mince his words when describing the systematic recruitment operation: "As we have witnessed during disasters like the earthquake in 2005, the military operation in Swat in 2009 and the floods in 2010, these groups use charity work to win the hearts and minds of Pakistani people by creating 'soft corners' of moral and economic assistance"". ⁴⁹⁰ Samina Ahmed, Project Director for South Asia and Senior Asia Advisor of the International Crisis Group in Islamabad similarly stated in her article published in a collection by the Austrian Federal Ministry of the Interior in October 2014 that:

Pakistan has already paid a high price for not tackling the nexus of terror in the country as a whole, which could extract, if left untouched, an even higher price in the future. In the recent military operation, charitable wings of formally banned but renamed Jihadi organizations such as the Lashkar-e-Tayyaba (LeT) and the Jaish-e-Mohammad (JeM) which target the main regional adversary, India, are freely providing assistance to North Waziristan's IDPs. While representatives of local and international humanitarian organizations have criticized military-imposed curbs on their activities and access to the IDPs, the charity wings of hardline Islamist groups and parties, such as the Jamaat-i-Islami's Al-Khidmat foundation or LeT's Falah-e-Insaniyat foundation, have been able to gain access to the IDPs. Displaced by the military operation, deprived of livelihoods, and alienated by the state, some IDPs could be tempted to join the ranks of the jihadis.⁴⁹¹

In December 2014 Jamat'ud'Dawa reported that the "Falah-e-Insaniyat Foundation Faisalabad has dispatched a winter relief caravan consisting of a thousand warm quilts costing ten lakh rupees for Waziristan refugees/IDPs. Addressing media personnel, head of FIF Faisalabad, Dr. Zafar Iqbal Cheema elaborated on FIF relief activities regarding Waziristan IDPs in Bannu. Moreover, he stated that since the inception of winter, there has been a dire need for warm clothes and quilts. He expressed the commitment of FIF to continue to serve the IDPs in every way possible, up until conditions normalize".⁴⁹² Also in December 2014 Falah-e-Insaniyat Foundation "sent a relief caravan consisting of sweaters and mattresses from Karachi to Tharparkar. There were 13,000 sweaters and mattresses, in addition to ration packs and water for 200 families".⁴⁹³

⁴⁸⁷ Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

⁴⁸⁸ Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

⁴⁸⁹ Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

⁴⁹⁰ Inter Press Service, [In Pakistan, Militants Wear Aid Workers' Clothing](#), 1 August 2014

⁴⁹¹ Samina Ahmed for the BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), regiones et res publicae - Country Analysis Reports, [Pakistan - Challenges](#), October 2014, *Countering violent extremism in Pakistan's tribal belt, The jihadi nexus* p.54

⁴⁹² Jamat'ud'Dawa, [FIF dispatches winter relief caravan consisting of a thousand warm quilts for Waziristan IDPs](#), 25 December 2014

⁴⁹³ Jamat'ud'Dawa, [13,000 sweaters and mattresses, in addition to ration packs and water for 200 families delivered to Tharparkar](#), 25 December 2014

3.3.2. Forced displacement

See additional COI under [4.2.5.4 Forced displacement](#) [by armed forces] and [6.5.4. Internal displacement \(IDPs\)](#).

Research suggests that forced displacement seems to mainly occur in the context of ongoing military operations between the Pakistani military and armed groups.

The Human Rights Commission of Pakistan reported that during 2013, with special mention of FATA, “The Federally Administered Tribal Areas bordering Afghanistan bore the direct brunt of an exceedingly merciless onslaught by a band of extremist militants. Forced displacement, drone strikes and abduction and killing of citizens by a combination of common criminal and militant elements were the other defining features of the region in 2013”.⁴⁹⁴

The U.S. Department of State annual human rights report covering 2013 noted that “As a result of militant activity and military operations in KP and the FATA, large population displacements occurred. Although an estimated 1.9 million conflict-affected persons returned home during the past two years, there were still more than one million internally displaced persons (IDPs) living with host communities, in rented accommodations, or in camps at the beginning of the year”.⁴⁹⁵

Human Rights Watch reported similarly that following the June 2014 attack by militants at Kinnah International Airport in Karachi, the Pakistani military “launched an offensive in North Waziristan involving more than 30,000 troops. Severe military restrictions on independent media access to the conflict zone made it difficult to assess civilian casualty figures. The conflict has displaced an estimated one million people in squalid displacement camps”.⁴⁹⁶

The South Asia Terrorism Portal noted that “An estimated 150,000 families displaced by the military operations in the NWA [North Waziristan Agency] and Khyber Agency are still languishing in make shift camps at Bannu. More than 10 months have passed since the military operation began and Pakistan has failed to provide adequate assistance to the affected internally displaced persons (IDPs).

Environmental disasters causing forced displacement coupled with insurgent attacks on aid convoys were also reported. The Human Rights Commission of Pakistan reported that during 2013 “In September, a strong earthquake rocked Awaran and Kech districts of Balochistan. The insurgents attacked relief convoys and accused the security forces of using the natural calamity to consolidate their presence in the district. The affected people living in remote areas where relief was slow to arrive had to move to nearby districts where some of their basic needs could be met”.⁴⁹⁷

3.3.3. Land Confiscations

Very limited information was located amongst the sources cited on land confiscations by armed groups operating in Pakistan. Note that the Austrian Centre for Country of Origin and Asylum

⁴⁹⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, FATA*

⁴⁹⁵ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2015, *Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts*

⁴⁹⁶ Human Rights Watch, [World Report 2015: Pakistan](#), 29 January 2015, *Fighting in Waziristan*

⁴⁹⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Forced displacement in Balochistan and Karachi*

Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 3.1.4. *Human rights abuses by non-state armed groups, land confiscations* included a few sources which documented that militants engaged in land grabbing, especially in Karachi.

The Human Rights Commission of Pakistan reported that during 2013 land grabbing took place by land mafia in the villages on the outskirts of Karachi.⁴⁹⁸ Similarly, the Inter Press Service reported that “with a rise in sectarian killings, extortion, drug peddling, kidnappings and land grabbing, Pakistan’s sprawling port city of Karachi, home to some 20 million people, has become a hotbed of crime”.⁴⁹⁹ Minority Rights Group International reported that land grabbing occurred in the context against Christians in rural areas though not specifying the actual perpetrators⁵⁰⁰.

3.3.4. Arbitrary taxation and extortion

According to Khadim Hussain, chairman of the Bacha Khan Trust Education Foundation (BKTEF), an organisation that promotes peace, democracy and human rights and interviewed by the Inter Press Service, “militants employ “various tactics” to maintain their position of power, including “kidnapping for ransom, extortions, and killings””.⁵⁰¹ The U.S. Department of State reported in its annual terrorism report covering 2013 that the militant groups Lashkar-e Jhangvi and the Haqqani Network were funding their activities through criminal means, including extortion and protection money.⁵⁰² The German Federal Office for Migration and Refugees reported in April 2014 that the militant group Lashkar-e Islam is “known to carry out kidnappings and extortion rackets in the tribal regions”.⁵⁰³ Radio Free Europe/Radio Liberty reported in May 2014 that “A leading faction of the Pakistani Taliban says it has split from the umbrella militant group [...] In a statement, he [a spokesman] said the faction had differences with the TTP leadership, which he alleged had become involved in extortion, kidnapping for ransom, and other such crimes”.⁵⁰⁴ Also reporting in May 2014 Agence France-Presse stated that “a blast outside a restaurant in the garrison city of Rawalpindi, which neighbours Islamabad, wounded at least 16 people [...] No group has claimed responsibility for the Rawalpindi attack, but police officials said the restaurant owner had received extortion demands from the Pakistani Taliban”.⁵⁰⁵

Although the specific treatment of religious minorities is beyond the scope of this report, it should be noted that Agence France-Presse reported that according to Tahir Hussain Khan, president of the Baluchistan chapter of the independent Human Rights Commission of Pakistan “Around 10,000 Hindus have migrated from several areas of Baluchistan after incidents of extortion, kidnapping for ransom and killings”.⁵⁰⁶ Martina Schrott, Pakistan analyst at the Country of Origin Information Unit of the Austrian Federal Office for Immigration and Asylum in Vienna, stated in her article published

⁴⁹⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Attacks on NGO workers and civil society activists*

⁴⁹⁹ Inter Press Service, [Karachi Residents Trapped Between Armed Assassins and Private Bodyguards](#), 20 August 2014

⁵⁰⁰ Minority Rights Group International, [Searching for Security: The Rising Marginalization of Religious Communities in Pakistan](#), 9 December 2014, *Overview of religious communities, Christians*

⁵⁰¹ Inter Press Service, [Choosing Between Death and Death in Pakistan](#), 6 November 2014

⁵⁰² U.S. Department of State, *Country Reports on Terrorism 2013: Chapter 6. Foreign Terrorist Organizations*, 30 April 2014, *Lashkar-e Jhangvi and Haqqani Network*

⁵⁰³ Federal Office for Migration and Refugees (Germany), [Briefing Notes vom 28.04.2014](#), 28 April 2014, *Pakistan, Attacks by the army in the north-west*

⁵⁰⁴ Radio Free Europe/Radio Liberty, [Leading Pakistani Taliban Faction Breaks Away](#), 28 May 2014

⁵⁰⁵ Agence France-Presse, [Two blasts wound 23 in Pakistan](#), 16 May 2014

⁵⁰⁶ Agence France-Presse, [Pakistan rights body reports exodus from restive province](#), 15 October 2014

in the Austrian Federal Ministry of the Interior's report in October 2014 that "Sikh residents of areas of FATA - mainly those who run businesses - have faced abductions for ransom, methods of extortion, intimidation and attacks by extremist militants".⁵⁰⁷

The Inter Press Service reported that "with a rise in sectarian killings, extortion, drug peddling, kidnappings and land grabbing, Pakistan's sprawling port city of Karachi, home to some 20 million people, has become a hotbed of crime".⁵⁰⁸ Similarly, the U.S. Department of State's annual human rights report covering 2013 reported that "Political parties and their affiliated gangs [...] engaged in a turf war over "bhatta" (extortion) collection privileges and "ownership" over katchi abadis (illegal/makeshift settlements). The flashpoints of violence in Karachi were Lyari, Orangi, Katti Pahari, Qasba Colony, Pak Colony, and Shah Faisal Colony".⁵⁰⁹

The 2014 Human Rights Commission of Pakistan report notes that "Extortion and violence and threats of violence associated with that crime not only remained commonplace in Karachi, but were also reported more frequently from other parts of the country. In Karachi alone, the police registered more than 1,330 extortion complaints during the year under review, compared to 891 complaints the previous year, according to official figures. Extortion cases were reported from almost all major cities, including Lahore and Faisalabad in Punjab and Peshawar in the Khyber Pakhtunkhwa province. At least 17 people were injured in an explosion in a shop located in Pakistan Chowk area of Lahore, the capital of the Punjab province, in April. While the police said they were investigating the matter, the shop's owner said he had been receiving threats for not paying extortion money. He stated that unidentified armed men had also fired on his shop two months earlier".⁵¹⁰

3.3.5. Attacks on education

Also see 6.4.4.4. [Access to education](#)

According to the 2013 Human Rights Commission of Pakistan report "A major challenge to education in Pakistan was violence and attacks by various armed groups in different parts of the country. While the threat of violence for the last few years had been restricted largely to Balochistan and northwestern Pakistan, 2013 saw armed groups impede access to education in other parts of the country, specifically Karachi".⁵¹¹ The U.S. Department of State annual human rights report covering 2013 noted that "During the year militants bombed government buildings and attacked and killed female teachers [...] TTP particularly targeted girls' schools to demonstrate its opposition to girls' education; however, TTP also destroyed boys' schools".⁵¹² The Inter Press Service reports that "In their war against western, secular education, which the group has denounced as "un-Islamic", the Pakistan Taliban have destroyed over 838 schools between 2009 and 2012, claimed responsibility for

⁵⁰⁷ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), regiones et res publicae - Country Analysis Reports, [Pakistan - Challenges](#), October 2014, *Muslim sects and sectarian violence in Pakistan*

⁵⁰⁸ Inter Press Service, [Karachi Residents Trapped Between Armed Assassins and Private Bodyguards](#), 20 August 2014

⁵⁰⁹ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2015, Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts

⁵¹⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and order, Extortion* p.62

⁵¹¹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Education, Violence and the pursuit of education*, p.231

⁵¹² U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2015, Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts

the near-fatal shooting of teenaged education advocate Malala Yousafzai and issued numerous edicts against the right of women and girls to receive proper schooling”.⁵¹³

The Global Coalition to Protect Education from Attack reports with regards to attacks on education in 2013 that:

Students from kindergarten, schools and colleges, teachers of both sexes and education institutions across the country were attacked in Pakistan in 2013. There were continuing attacks on schools, including bombings, grenade attacks and shootings.

Female education and schooling in the north-west and tribal areas bordering Afghanistan continued to be targeted prominently. For instance, in January, militants shot dead five female teachers and two health workers returning by bus from their community project near Swabi, in Khyber Pakhtunkhwa province. In November, militants abducted 11 teachers from Hira Public School in the Khyber tribal agency after they helped in a polio vaccination campaign for schoolchildren.

There were also attacks on schools in the south-west, in Karachi, where the Taliban has increased its influence, and in Balochistan. One primary school in western Karachi was attacked with guns, killing the head teacher and wounding three adults and six children attending a prize-giving ceremony in March. Another head teacher, who ran a private school, was shot dead in Karachi in May. At least two schools designated to be used as polling stations in 11 May elections in Balochistan were bombed. In higher education, clashes continued between rival armed student political groups and there were direct attacks on the institutions themselves, including the detonation of one kilogramme of explosives packed with ball bearings in the conference hall of the University of Peshawar’s Institute of Islamic and Arabic Studies on 3 January, which injured five students.⁵¹⁴

Also reporting on 2013 specific on the FATA region, the South Asia Terrorism Portal noted that 12 attacks on education institutions were registered with no casualties reported, but found that “the continuous process of targeting educational institutions in a deteriorating security environment has had a crippling impact on education in the region. The Minister for States and Frontier Regions (SAFRON), Lieutenant General (Retd.) Abdul Qadir Baloch informed the Upper House of the National Assembly on December 6, 2013, “Over 947 educational institutions were completely closed due to [the] worsening law and order situation while 82 schools have been damaged in FATA.” He also disclosed that over 1,029 educational institutions were 'non-functional' in FATA”.⁵¹⁵

The report of the report of the Secretary-General on ‘Children and armed conflict’ covering 2013 notes that:

Targeted attacks on schools, teachers and schoolchildren have continued, mainly carried out by the Tehrik-i-Taliban and aligned local groups, with 78 attacks reported to the United Nations. The highest number of attacks on schools occurred in Khyber Pakhtunkhwa Province (51), followed by the Federally Administered Tribal Areas (19). In one incident, on 30 March, a school principal was killed and eight students, between 5 and 10 years of age, were injured when two men on a motorcycle hurled hand grenades and opened fire in a primary school in Karachi.

Twenty-six attacks targeted female educational institutions. In January 2013, armed elements reportedly killed five female teachers and two health workers returning by bus from a community project in Khyber Pakhtunkhwa Province. On 26 March, a female teacher was executed in the presence of her 13-year-old son on her way to school by two unidentified armed elements in Khyber Agency, Federally Administered Tribal Areas. On 5 September, a bomb blast outside the Government Girls’ Primary School in Bannu district, Khyber Pakhtunkhwa Province, allegedly carried out by the local Taliban, injured 13 female students below the age of 10.

Several schools, in particular girls’ schools, also received threats by armed groups resulting in closures. For example, on 15 April, a Taliban faction led by Hafiz Gul Bahadur threatened boys and

⁵¹³ Inter Press Service, [Fighting Extremism with Schools, Not Guns](#), 21 January 2015

⁵¹⁴ Global Coalition to Protect Education from Attack, [Education Under Attack 2014](#), 2014, Pakistan

⁵¹⁵ South Asia Terrorism Portal, [FATA Assessment – 2014](#), Undated, Date accessed 17 April 2015

girls if they violated his ban on five schools in Miranshah, North Waziristan. The United Nations also received reports that Pakistan security forces were using Government school buildings in Khyber Pakhtunkhwa Province and Federally Administered Tribal Areas to launch operations against armed groups.⁵¹⁶

The 2014 Human Rights Commission of Pakistan report notes that “In May, in Panjgur, Turbat and Gwadar districts of Balochistan, extremist militant groups threatened the private co-education schools to shut down. Parents were also warned not to send their daughters to school and threatened with consequences if they did not heed the warning. The teachers were told not to pursue their profession and a school van was burnt in Panjgur. After this attack, schools remained closed in the district for several months. The closure prompted nationalist groups in Balochistan to stage protest demonstrations to mount pressure on the government to re-open the schools”.⁵¹⁷

The same source further notes that:

Since 2013, HRCP has been monitoring more closely 48 districts which it considers critical because of human rights excesses and violations by organised actors there. In many of these districts spread across six regions repeated threats and attacks on schools were reported in 2014. Out of the 28 attacks, mainly bombings, targeting educational institutions reported from these districts in 2014, as many as 12 occurred in FATA and 10 in Khyber Pakhtunkhwa. Four attacks were reported from the selected districts in Balochistan and two from Gilgit-Baltistan. The targeted educational institutions included 14 boys’ schools, 11 girls’ schools and three co-education institutions. Most of the bombings of school buildings took place at night. The majority of the perpetrators remained unidentified and only in a few cases did they claim responsibility for the attacks. Some of the schools had also received threats from militants prior to the attacks. The militants had mainly threatened the schools for offering co-education, continuing to teach girl students, teaching in English, and promoting ‘western’ syllabus.

2014: Attacks on educational institutions in monitored districts in six regions

Gilgit - Baltistan	Balochistan	Interior Sindh	South Punjab	Khyber Pakhtunkhwa	FATA	Total
2	4	0	0	10	12	28

Schools targeted in the monitored districts in 2014

Boys’ schools	Girls’ schools	Co-education schools
14	11	3

2014: Casualties in attacks on educational institutions in monitored districts

Females killed	Females injured	Males killed	Males injured	Total
3	6	153	121	283 ⁵¹⁸

Human Rights Watch reports that “In September [2014], the government announced that police had arrested the attackers of 17-year-old Malala Yousafzai, a student and outspoken advocate for

⁵¹⁶ UN, [Children and armed conflict. Report of the Secretary-General](#), 15 May 2014 paragraph 190

⁵¹⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, Law and order, Educational institutions p.67

⁵¹⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, Law and order, Educational institutions p.67

children's right to education, who was shot in an attack claimed by Tehreek-e-Taliban Pakistan on October 9, 2012. She subsequently recovered from her serious injuries and, in October, became the youngest person to ever receive the Nobel Peace Prize".⁵¹⁹ The International Crisis Group reported in June 2014 that:

Any schools, but particularly girls' schools, are considered soft targets to further the militants' ultra-orthodox agenda [...]

The fact that Malala's assailants could attack her in broad daylight in Mingora, Swat's capital, spoke volumes about insecurity close to four years after the military operation ended and the risks children, particularly girls, and teachers continue to face in KPK and FATA. With Fazlullah, now the TTP leader, reportedly operating out of bordering Afghan territory, the militants have escalated attacks, including on schools in KPK and FATA, such as the 5 February [2014] bomb outside a girls' school in the former's Bannu district in which eleven people were injured, most children. The TTP and other jihadi groups have threatened teachers and pupils attending coeducational or girls' schools, prompting parents to keep children home, teachers to request transfers and many schools to close for a few weeks to years".⁵²⁰

The Jamestown Foundation reports that 'The dramatic December 16 [2014] attack on the Army Public School in Peshawar by the Fazlullah faction of Tehrik-e-Taliban Pakistan (TTP-F) brought renewed global attention to the TTP, a grouping of more than 40 separate terrorist and militant organizations. The attack was carried out by six TTP-F militants who breached the security parameter of the school in the morning of December 16 and then immediately began to shoot indiscriminately. The military and security forces responded by storming the compound, killing all the attackers and fully retaking the school by the end of the day (Newsweek Pakistan, December 16, 2014). The attack killed 145 people (including 132 students, mostly in the 9th grade) in total (Dawn [Karachi], December 18, 2014)".⁵²¹ The Society for the Protection of the Rights of the Child reports that "A Taliban spokesman said the attack had been in retaliation for the continuing military operation against the group in North Waziristan tribal region. The Army Public School was targeted because it caters to the sons and daughters of serving army personnel, although some civilian pupils also attend".⁵²²

The BBC reports on 5 February 2015 that "A bomb has exploded outside a college in the Pakistan city of Peshawar, the latest in a spate of similar incidents. The explosion, at about midnight local time, blew a gate off its hinges at the college in the wealthy Hayatabad neighbourhood, but nobody was hurt. Two Pakistani schools have suffered attacks in the past three days, just weeks after Taliban gunmen killed 150 at a Peshawar school. Officials blamed criminal gangs rather than militants for the latest bombs".⁵²³

3.3.6. Abductions and kidnappings

See also [3.2.4. Criminal gangs](#) and [4.2.5.2. Enforced disappearances](#) [human rights violations by armed forces] as well as [3.3.7.2 Polio vaccination workers and their police escorts](#) and [3.3.7.3. Journalists](#).

⁵¹⁹ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁵²⁰ International Crisis Group, [Education Reform in Pakistan](#), 23 June 2014, V. *Militancy, Counter-Insurgency and Education*

⁵²¹ Jamestown Foundation, [The Pakistani Taliban after the Peshawar School Attack; Terrorism Monitor Volume: 13 Issue: 1](#), 9 January 2015

⁵²² Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Child rights chapter*

⁵²³ BBC, [Peshawar blast: Bomb explodes at Pakistan college](#), 5 February 2015

The U.S. Department of State annual human rights report covering 2013 noted that “During the year there were reports of civilians kidnapped or taken hostage by militant groups in the FATA, KP, Punjab, and Balochistan”.⁵²⁴ Similarly, the Human Rights Commission of Pakistan reported in its annual report covering 2013 that “hundreds of cases of kidnapping for ransom were reported” but also acknowledged that “for a variety of reasons, many crimes are often not reported to the police. These include incidents of kidnapping for ransom, sexual violence and extortion demands”.⁵²⁵

The Inter Press Service reported in December 2013 that “Doctors in the Pakistani frontier provinces of Khyber Pakhtunkhwa and Balochistan are running scared after nearly 45 consultants were kidnapped for ransom this year [...] Police suspect that most of the gangs carrying out the abductions operate under the Tehreek Taliban Pakistan. The Taliban raise a lot of money from kidnappings, say police”.⁵²⁶ In February 2014 Agence France-Presse reported that 23 kidnapped soldiers by the Taliban had been executed after seizing them four years ago.⁵²⁷ Radio Free Europe/Radio Liberty reported in August 2014 that “Pakistani security officials say a prominent academic [and vice chancellor of Peshawar University] held hostage for four years by the Pakistan Taliban has been rescued” in North Waziristan tribal district.⁵²⁸ In December 2014 Radio Free Europe/Radio Liberty reported that “Pakistani security forces have rescued a provincial lawmaker [a member of the governing assembly of Punjab province] who was abducted and held captive for six months” by an armed group.⁵²⁹

The US Institute of Peace notes with regards to abductions in Karachi in Sindh Province that:

The political turf battles in Karachi have resulted in target killings, kidnappings for ransom, and extortions; they are exacerbated further by a large presence of underworld gangs, some of which are allegedly supported by political parties, and those operating as independent criminals. Kidnappings and killings are so common that people are afraid to leave their homes and send their children to schools.⁵³⁰

In June 2014 Dawn reported that “Militants are said to use the city [Karachi] as a hiding place and a source of funds obtained through bank heists, extortion and kidnapping for ransom”.⁵³¹ Dawn further reported in January 2015 that according to a report prepared and published by the Human Rights Commission of Pakistan “70 people were abducted and killed” and “78 children killed [...] 8 of them were kidnapped and murdered” in Karachi during 2014.⁵³²

Radio Free Europe/Radio Liberty reported in December 2013 that “kidnapping for ransom are common in Balochistan” with most kidnapping victims being doctors and businessmen.⁵³³ The Human Rights Commission of Pakistan similarly reported with regards to Balochistan that during

⁵²⁴ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2015, Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts

⁵²⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Highlights, Law and order and Law and Order, The state of law and order*

⁵²⁶ Inter Press Service, [Doctor Abductions Leave Patients Helpless](#), 16 December 2013

⁵²⁷ Agence France-Presse, [Pakistan peace talks in crisis after killing of kidnapped soldiers](#), 17 February 2014

⁵²⁸ Radio Free Europe/Radio Liberty, [Prominent Academic Released In Pakistan](#), 29 August 2014

⁵²⁹ Radio Free Europe/Radio Liberty, [Kidnapped Pakistani Lawmaker Freed In Tribal Region Near Afghanistan](#), 8 December 2014

⁵³⁰ US Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2014, *Rise of Militancy and Terrorist Networks*

⁵³¹ Dawn, [Karachi violence claims three lives](#), 8 June 2014

⁵³² Dawn, [78 children among 2,909 people killed in Karachi in 2014: HRCP](#), 7 January 2015

⁵³³ Radio Free Europe/Radio Liberty, [Politicians In Pakistan Province Unite To Protest Kidnappings](#), 28 December 2013

2013 “The change in the law and order situation that the people of Balochistan had hoped for ahead of the elections did not materialise in the conflict-ravaged province in the first few months of the provincial government’s rule. The actors of violence were banned sectarian groups and separatist insurgent outfits but also included the security agencies. The actual number of citizens becoming victims of enforced disappearance in the province might well be higher, but families of 18 missing persons contacted HRCP and shared details of their cases with the Commission. Many others refused to share details because they feared that their missing relatives would be killed. These cases coupled with the discovery of dead bodies of 116 individuals, many of whom were believed to have been abducted by agents of the state, did not inspire confidence of a positive change any time soon”⁵³⁴.

3.3.7. Politically motivated attacks on individuals

See also COI included under [3.1 Overview of the current security situation](#) and [3.2. Overview of the main armed groups operating in Pakistan](#).

The U.S. Department of State reported in its annual terrorism report covering 2013 that:

terrorist groups targeted the Pakistani government and military, engaged in sectarian violence, and perpetrated attacks against civilians. Terrorists organized armed assaults on police stations, judicial centers, border check posts, military convoys, and polio vaccination teams. Terrorists plotted against and attacked judges, prosecutors, police officers, defense lawyers, anti-TTP peace committee members, intelligence officers, and elected officials. In the months leading up to the May national elections, terrorists attacked and killed political party workers and candidates, bombed political rallies, and, after the elections, killed newly elected and appointed officials. Terrorists mounted an armed attack on a Pakistan military and Inter-Services Intelligence (ISI) office in Sukkur, and days later stormed a major prison, releasing several dozen imprisoned high-profile terrorists.

In separate incidents, terrorists assassinated a high-ranking Army general in the tribal areas, the Karachi Chief of Police, and the president’s chief of security. Terrorists targeted Shia and other religious minorities in all areas of Pakistan, especially in Sindh, Khyber Pakhtunkhwa (KP), and Balochistan. Terrorists killed an international team of mountain climbers, including one U.S. citizen, on Pakistan’s famed Nanga Parbat Mountain.

As of mid-December, over 1,025 civilians and more than 475 security forces personnel had been killed in terrorist-related incidents in Pakistan during the year.⁵³⁵

The same source further noted that “More than 22 percent of all attacks primarily targeted private citizens and property, more than 17 percent primarily targeted the police, and more than 11 percent primarily targeted general (non-diplomatic) government entities. However, these three types of targets accounted for a smaller proportion of attacks in Pakistan (51.1%) than they did globally (61.7%). Instead, terrorist attacks in Pakistan were almost twice as likely to target educational institutions (6.4%) and more than three times as likely to target violent political parties (4.4%), organizations that have at times engaged in both electoral politics and terrorist violence”⁵³⁶.

The U.S. Department of State annual human rights report covering 2013 noted that “Militants and terrorist groups, including the TTP, a militant umbrella group, targeted civilians, journalists, schools,

⁵³⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Balochistan*

⁵³⁵ U.S. Department of State, [Country Reports on Terrorism 2013: Chapter 2. Country Reports: South and Central Asia Overview](#), 30 April 2014, *Pakistan*

⁵³⁶ U.S. Department of State, [Country Reports on Terrorism 2013: National Consortium for the Study of Terrorism and Responses to Terrorism: Annex of Statistical Information](#), 30 April 2014, *Country Profiles: Pakistan*

community leaders, security forces, and law enforcement agents, killing hundreds and injuring thousands with bombs, suicide attacks, and other forms of violence. Militant and terrorist groups often attacked religious minorities”.⁵³⁷ Similarly, the UK Foreign & Commonwealth annual human rights report covering 2013 noted that “state security forces, supporters of political parties, sectarian groups, and wider communities are the most frequent targets” as well as “Human rights activists, the media, minorities and NGO health workers”.⁵³⁸

The Human Rights Commission of Pakistan reported that during 2013 “A combination of criminal and terrorist activity, acts of terrorism, turf wars of criminal gangs with political patronage, sectarian violence and issues of capacity and keenness of law enforcement personnel to protect the people exposed the right to life and to property of the populace to grave threats in the year 2013”.⁵³⁹ As to Karachi, the Human Rights Commission of Pakistan reported that “Large parts of the city remained ethnically divided and ethnic and sectarian violence was rife. Doctors, lawyers and other professionals were targeted because of their sectarian identity”.⁵⁴⁰

Violence also marred the run up to the elections and on election day, as Samina Ahmed, Project Director for South Asia and Senior Asia Advisor of the International Crisis Group, reported in her article published in the Austrian Federal Ministry of the Interior’s report in October 2014:

The May 2013 election was also the bloodiest in Pakistan’s history as Tehreek-e-Taliban Pakistan (TTP- Taliban Movement of Pakistan) leader Hakimullah Mehsud called on his commanders to attack the “agents” of “an infidel system”. Around 170 people were killed and 700 wounded in more than 150 terror attacks of the Taliban and other groups in the run up to the elections and on election day. This violence was mainly aimed at the ruling PPP and the Awami National Party (ANP), a secular Pashtun party, that had headed the Khyber Pakhtunkhwa (KKP) government in coalition with the PPP. Both parties were denounced by the Pakistani Taliban and their Punjabi jihadi allies for their stance against terrorism and extremism. Sharif’s Pakistan Muslim League-Nawaz (PML-N) and Imran Khan’s Pakistan Tehreek-e-Insaf (PTI), which now heads the KPK government in alliance with the Islamist Jamaat-i-Islami (JI), were mainly spared by the extremists since they were seen as soft on militancy.⁵⁴¹

Similarly, the Human Rights Commission of Pakistan reported that 2013:

was an election year and pre-poll targetting of political parties and their candidates added to the customary political violence. The Taliban threatened and carried out attacks against Muttahida Qaumi Movement, Awami National Party and Pakistan Peoples’ Party. The militants asked the people to stay away from these parties’ rallies and gatherings. Election campaigns of all three parties were hampered as they were increasingly occupied with their safety. They alleged that the wave of attacks against them was part of a plot to bring rightwing parties to power. Election candidates were injured and killed and election rallies and offices targeted in bombings and suicide attacks claimed by the Taliban. Political rivalries also resulted in clashes leading up to the elections [...] On May 10 2013, HRCP expressed alarm over the rising levels of violence ahead of the elections, including the targetting and assassination of candidates and political workers, attacks on rallies and campaign offices and abduction of former prime minister Yousaf Raza Gillani’s son from Multan, and demanded a much improved performance from the security apparatus on polling day to make the elections

⁵³⁷ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2015, Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts

⁵³⁸ UK Foreign & Commonwealth Office, [Human Rights and Democracy Report 2013: Pakistan – Country of Concern](#), 10 April 2014, Last updated 21 January 2015, *Conflict and protection of civilians*

⁵³⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order*

⁵⁴⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Karachi*

⁵⁴¹ BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit), *regiones et res publicae - Country Analysis Reports, Pakistan - Challenges*, October 2014, *Countering violent extremism in Pakistan’s tribal belt*

secure. According to the Pakistan Security Report 2013 by Pak Institute for Peace studies, 422 incidents of violence against political leaders and workers took place during the year, claiming the lives of 527 people and leaving around 1,100 people injured.⁵⁴²

The PAK Institute for Peace Studies (PIPS) noted in its '2014 Pakistan Security Report' provided the following overview with regards to targets of terrorist attacks throughout 2014:

Targets of terrorist attacks

As many as 436 of the total reported terrorist attacks (about 36 percent) exclusively targeted personnel, convoys and check-posts of the security forces and law enforcement agencies. Civilians were the apparent targets of 217 attacks (18 percent). A total of 157 attacks (13 percent) had sectarian targets, mainly members of the Shia and Sunni communities, and worship places including imambargahs and mosques, and shrines. Another 66 terrorist attacks targeted progovernment tribesmen and members of tribal peace committees and lashkars, 56 attacks were aimed at political leaders and workers, while 40 targeted educational institutions, mainly schools. Other targets hit by terrorists during the year previous year included state installations including gas pipelines, power pylons, and railways trains/tracks (a total of 121 attacks), polio health workers (24 attacks), NATO supply vehicles (22 attacks), government officials (11 attacks), journalists and media (11 attacks), and minority communities (8 attacks). Officials of the political administration in FATA, tribal elders, non-Baloch settlers/workers in Balochistan, members of NGOs and civil society, private property, alleged spies, and foreign interests/diplomats, etc. were also targeted by terrorists in different parts of country during this year.⁵⁴³

The Open Society Foundation reported in November 2014 that "the ongoing failure to enforce rule of law and the lack of effective governance in FATA has enabled militant groups to engage in widespread human rights abuses, including indiscriminate terrorist attacks, extrajudicial executions, and intimidation of health and education workers. Militant groups also use U.S. drone strikes to justify the formation of death squads to identify alleged spies who are often summarily executed. Targeted killings and assassinations continue to be conducted against government officials, government aligned tribal elders, journalists, human rights activists, aid and health workers, and other persons throughout FATA and KP accused of opposing the agendas of militant groups. There is no public record of the number of civilians killed in such incidents".⁵⁴⁴

The South Asia Terrorism Portal reported that in Sindh during 2014 "Targeted political killings have also been a rising trend in the provincial capital. Activists of the Pakistan People's Party (PPP), the Muttahida Qaumi Movement (MQM) and the Awami National Party (ANP) have been the principal targets, with a total of 391 activists of these parties, including 221 of MQM, 106 of ANP, and 64 of PPP, killed since 2011. 46 of these, including 30 MQM, and eight each of ANP and PPP, were killed in 2014 alone. Moreover, political parties have also drawn the ire of TTP and its splinter groups. On November 21, 2014, at least 23 people, including three MQM Members of Provincial Assembly (MPA) were injured in a blast at a MQM membership camp in Orangi Town, Karachi. TTP-Jama'at-ul-Ahrar (TTP-JuA) 'spokesman' Ehsanullah Ehsan while claiming responsibility for the attack on his Twitter account, declared that the attack on MQM was part of the drive against ANP, MQM, PPP and Pakistan Muslim League-Nawaz (PML-N), and warned, further, that such attacks on these parties would continue. In another such attack, on November 23, 2014, the District West President of the ANP, Dr. Ziauddin (50), was shot dead while travelling back to his home from the mosque after offering Isha (evening) prayers in Frontier Morr of Orangi Town. TTP-Hakeemullah Mehsud group

⁵⁴² Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Political violence*

⁵⁴³ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015, 2. Overview [Please note that in order to access the full report payment needs to be made to PIPS]

⁵⁴⁴ Open Society Foundations, [After the Dead Are Counted: U.S. and Pakistani Responsibilities to Victims of Drone Strikes](#), November 2014, *Human Rights Denied and Impunity for Abuse* p.14

'commander' Gilaman Mehsud claimed responsibility for Ziauddin's assassination, and warned, "Since ANP is a secular party, which is aiding the law enforcers in arresting TTP operatives in Karachi, they are attacking its leadership and will continue to do so in future." Ziauddin had earlier been threatened and attacked by TTP. On September 28, 2013, he had escaped a bomb attack outside his residence in Frontier Morr. The attack was the result of non-compliance to an extortion demand of PKR 1 million by TTP. The TTP had, moreover, demanded that he quit ANP, and had warned him of dire consequences if he did not comply".⁵⁴⁵

3.3.7.1. Police and security forces

The U.S. Department of State annual human rights report covering 2013 noted that "Security personnel remained a target of militant attacks throughout the year" with the South Asia Terrorism Portal noting that "5462 security force personnel were victims of terrorist violence since 2003".⁵⁴⁶

The U.S. Department of State reported in its annual terrorism report covering 2013 that "terrorist groups targeted the Pakistani government and military [...] Terrorists organized armed assaults on police stations [...] border check posts, military convoys [...] Terrorists plotted against and attacked [...] police officers, [...] intelligence officers [...] As of mid-December, over 1,025 civilians and more than 475 security forces personnel had been killed in terrorist-related incidents in Pakistan during the year."⁵⁴⁷ The same source further noted that "more than 17 percent" of all attacks "primarily targeted the police".⁵⁴⁸ Similarly, the UK Foreign & Commonwealth annual human rights report covering 2013 noted that "state security forces, supporters of political parties, sectarian groups, and wider communities are the most frequent targets".⁵⁴⁹

The PAK Institute for Peace Studies (PIPS) noted in its '2014 Pakistan Security Report' that throughout 2014 "As many as 436 of the total reported terrorist attacks (about 36 percent) exclusively targeted personnel, convoys and check-posts of the security forces and law enforcement agencies".⁵⁵⁰

The U.S. Institute of Peace reported in its August 2014 report that "Pakistani police have found themselves on the front lines, and a growing number have given their lives to protect others in the struggle against terrorist and criminal groups [...] Shackled by this legacy, Pakistan's provincial police organizations are ill prepared to play their current role in the battle to control the country's spiralling levels of violence. Inadequate physical structures leave police officers vulnerable to attack. Police stations have neither blast resistant walls nor barriers to intercept car bombs. A significant percentage of police personnel are assigned in small groups to roadside check points, where they stand in the open and search vehicles with no protection. Police travel to duty stations on foot or in thin-skinned vans and open trucks that are easy targets for roadside explosives and drive-by attacks.

⁵⁴⁵ South Asia Terrorism Portal, [Sindh Assessment-2015](#), Undated, Date accessed 8 April 2015

⁵⁴⁶ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2015, Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts

⁵⁴⁷ U.S. Department of State, [Country Reports on Terrorism 2013: Chapter 2. Country Reports: South and Central Asia Overview](#), 30 April 2014, Pakistan

⁵⁴⁸ U.S. Department of State, [Country Reports on Terrorism 2013: National Consortium for the Study of Terrorism and Responses to Terrorism: Annex of Statistical Information](#), 30 April 2014, Country Profiles: Pakistan

⁵⁴⁹ UK Foreign & Commonwealth Office, [Human Rights and Democracy Report 2013: Pakistan – Country of Concern](#), 10 April 2014, Last updated 21 January 2015, Conflict and protection of civilians

⁵⁵⁰ PAK Institute for Peace Studies (PIPS), [2014 Pakistan Security Report](#), 5 January 2015, 2. Overview [Please note that in order to access the full report payment needs to be made to PIPS]

Police stations have a limited collection of old, mismatched, and poorly maintained automatic weapons and side arms. Ammunition is inadequate to defend against a sustained attack. Helmets and body armor are in short supply”.⁵⁵¹

According to data compiled by the South Asia Terrorism Portal in relation to police violence in Khyber Pakhtunkhwa (KP):

According to SATP, at least 664 Policemen have been killed in KP since 2006. KP Police Chief Nasir Khan Durrani on December 10, 2014, observed, "More than 1,100 KP Police officers and men have sacrificed their lives in this war against terror [during the last one decade]. It is, therefore, impelling that the preparedness and capacity of Police Department is enhanced to enable it in dealing with the challenges of terrorism in a more professional and effective manner".

Through 2014, 66 Policemen were killed in 48 incidents, in addition to 91 Policemen killed in 89 incidents in 2013. In the worst attack on Policemen in 2014, a suicide bomber in the Sarband area of Peshawar blew himself up, killing 11 Policemen and injuring another 45. In the latest of series of such attacks, on February 3, 2015, unidentified terrorists shot dead five Customs officials patrolling overnight in the Kohat District, KP. A day earlier, two Policemen, including an Additional Station House Officer (SHO), were killed in an explosion near the Lorry Adda area of Mansehra District. The explosion took place when a convoy of vehicles escorted by a Police van set off for Gilgit Baltistan.⁵⁵²

In relation to Karachi, the US Institute of Peace reported in August 2014 about targeted police violence:

During the first six months of 2014, eighty-seven Karachi police officers were killed in the line of duty, and 166 in all of 2013. Their deaths made Karachi a microcosm of the problems the entire country faces. At least three thousand people died from terrorist violence in Pakistan in 2013.⁵⁵³

❖ Non-exhaustive, illustrative examples of attacks on police and security forces in the last three months (1 December 2014 – 20 February 2015):

On 21st January 2015, Dawn reported that “A suicide bomber blew himself up near a police picket” just outside Taxila in Punjab province.⁵⁵⁴

On 3rd February 2015, “At least two Pakistani security-force members were killed when their vehicle struck a roadside bomb in a restive northwestern region. Officials said the bomb exploded on February 3 in the Warmagai village in the Kurram Tribal Agency” reported Radio Free Europe/Radio Liberty.⁵⁵⁵

On 16th February 2015, Dawn reported that “at least 15 suspected militants were killed early on Sunday as security forces repulsed a militant attack carried out in Kurram tribal region from across the border in Afghanistan. Official sources say that the militants attacked the Shabuk security checkpoint in Kurram Agency injuring one soldier. The security forces responded to the attack with retaliatory firing killing at least 15 attackers while the others fled back to Afghanistan”.⁵⁵⁶

⁵⁵¹ United States Institute of Peace, [A Counterterrorism Role for Pakistan's Police Stations](#), 18 August 2014, *Summary and Historic Role*

⁵⁵² South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2015](#), Undated, Date accessed 9 April 2015

⁵⁵³ United States Institute of Peace, [A Counterterrorism Role for Pakistan's Police Stations](#), 18 August 2014, *Summary*

⁵⁵⁴ Dawn, [Three injured in suicide blast near Wah picket](#), 21 January 2015

⁵⁵⁵ Radio Free Europe/Radio Liberty, [Bombing In Northwest Pakistan Kills Two Soldiers](#), 3 February 2015

⁵⁵⁶ Dawn, [15 militants killed in Kurram checkpoint attack](#), 15 February 2015

On 17th February 2015, Radio Free Europe reported that “a suicide bomber has killed at least five people [and injured 23] near a police complex” in Lahore with a Taliban splinter group, Jamaat ul-Ahrar, claiming responsibility for the attack “in response to the recent executions of its members by the Pakistani government.”⁵⁵⁷

3.3.7.2. Polio vaccination workers and their police escorts

See also [6.3.3.2. Humanitarian aid workers.](#)

The U.S. Department of State annual human rights report covering 2013 noted that “During the year militants [...] attacked and killed [...] polio vaccination workers [...] More than 20 persons who were responsible for administering the government’s polio vaccination campaign were killed in different cities”.⁵⁵⁸

Similarly, the Human Rights Commission of Pakistan reported that during 2013 “Polio workers and their armed escorts were the largest group at the receiving end of violence. Eight of the fatalities and 17 of the injured were policemen escorting polio vaccinators. Eleven workers were attacked in Karachi, 18 in Khyber Agency, 14 in Peshawar and 11 in Swabi. Of the 21 people abducted, nine were released, on average after five weeks in captivity. The women were freed immediately [...] According to media monitoring by HRCF, 20 polio vaccinators and nine policemen protecting them were killed in attacks on vaccination teams across the country in 2013. Most of the attacks occurred in FATA, Khyber Pakhtunkhwa and Karachi”.⁵⁵⁹

Voice of America reported in October 2013 that the Taliban issued a ban on vaccinations resulting in attacks on health workers from “Peshawar in the north to Karachi in the south” which have “killed dozens of health workers and their police escorts”.⁵⁶⁰ According to the same source “Taliban militants say immunizations are part of a Western anti-Muslim plot”.⁵⁶¹

Amnesty International reported in its annual report covering 2014 that “Health workers involved in polio and other vaccination campaigns were killed in various parts of the country. Killings were particularly prevalent in parts of the northwest and the city of Karachi, areas with an active presence of Taliban and aligned groups which oppose vaccinations”.⁵⁶²

Freedom House noted in its annual report covering 2014 that “A polio vaccination drive undertaken by international entities like the World Health Organization (WHO) and the UN Children's Fund (UNICEF) has been denounced by the TTP as a Western plot to sterilize Muslims. Radical Islamists have killed more than 60 polio workers since mid-2012”.⁵⁶³

⁵⁵⁷ Radio Free Europe/Radio Liberty, [Bombing Kills Five At Pakistan Police Complex](#), 17 February 2015

⁵⁵⁸ U.S. Department of State, [Country Reports on Human Rights Practices for 2013: Pakistan](#), 27 February 2015, Section 1., g. Use of Excessive Force and Other Abuses in Internal Conflicts

⁵⁵⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, Law and order, Human rights defenders

⁵⁶⁰ Voice of America, Ideology, [Violence Prevent Polio Eradication in Pakistan](#), 23 October 2013

⁵⁶¹ Voice of America, Ideology, [Violence Prevent Polio Eradication in Pakistan](#), 23 October 2013

⁵⁶² Amnesty International, [Amnesty International Report 2014/15: The State of the World's Human Rights](#), 25 February 2015, Pakistan, Abuses by armed groups

⁵⁶³ Freedom House, *Freedom in the World 2015 - Pakistan*, 5 May 2015, Political Rights and Civil Liberties, E. Association and Organizational Rights: 7/12 (+1)

According to data compiled by the South Asia Terrorism Portal, in Khyber Pakhtunkhwa (KP) “Polio teams remained under attack in the Province, especially in Peshawar District, though heavy Police security was provided to the volunteers. 20 such attacks resulting in 19 deaths (11 SF personnel and eight polio workers) were reported during 2013, as compared to four such attacks accounting for seven deaths (all polio worker) in 2012. On October 5, 2013, the KP Government decided to engage the Army to protect polio workers in five union councils of Peshawar. The terrorists responded by killing seven persons, including four Policemen, and injuring another eight in an attack targeting a function called to distribute anti-polio material among the anti polio teams in the Suleman Khel area of the Union Council of Bazidkhel in the Badhabar area of Peshawar, on October 7, 2013”.⁵⁶⁴

According to the 2014 Human Rights Commission of Pakistan report, “As many as 45 polio vaccinators and their facilitators were killed in 2014. While most attacks occurred in FATA, KP and in the port city of Karachi, vaccinators were also targeted in Balochistan and Punjab during the year under review. The deadliest attack of the year took place on March 1 when 11 members of a polio vaccination team died in a roadside bombing in Khyber Agency, in FATA”.⁵⁶⁵

In September 2014 Radio Free Europe/Radio Liberty reported that “According to AFP news agency, about 58 people have been killed in militant attacks on polio vaccination teams in Pakistan since late 2012”.⁵⁶⁶ Similar figures were reported on by USAID who in January 2015 stated “Insecurity has resulted in the death of more than 60 polio workers or their police escorts since 2012, media report. Of 71 threats or attacks recorded by OCHA between January and November [2014], 59 were related to polio campaigns”.⁵⁶⁷

- ❖ Non-exhaustive, illustrative examples of attacks on polio workers in the past six months (September 2014 – February 2015):

In September 2014 “Gunmen have killed a member of the tribal police guarding a polio vaccination team in Pakistan's northwest in the latest attack on health workers trying to combat the disease. Officials said the attack took place [...] in Damadola area of Bajaur, a tribal area on the border with Afghanistan where polio is a serious problem. Nobody has claimed responsibility for the assault, but the Pakistani Taliban have attacked polio workers in the past, claiming the vaccination program is a cover for espionage”.⁵⁶⁸

Radio Free Europe/Radio Liberty reported in early October 2014 that “A roadside bomb exploded in northwest Pakistan [...] killing an off-duty polio vaccinator and his cousin and wounding another polio worker. The blast occurred in the Ali Nagar village of the Mohammad tribal region near the border with Afghanistan, an area where Taliban militants are active. No group immediately claimed responsibility for the attack”.⁵⁶⁹

Late October 2014 Radio Free Europe/Radio Liberty reported that “Three people have been injured when a remote-controlled bomb targeted a polio team in northwestern Pakistan. Officials said the blast occurred in Dabara area of Bajaur tribal district [...] The injured included two members of Levies

⁵⁶⁴ South Asia Terrorism Portal, [Khyber Pakhtunkhwa Assessment – 2014](#), Undated, Date accessed 9 April 2015

⁵⁶⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and order, Aid workers p.68*

⁵⁶⁶ Radio Free Europe/Radio Liberty, [One Dead In Attack On Pakistan Polio Team](#), 10 September 2014

⁵⁶⁷ US Agency for International Development, [Pakistan – Complex Emergency; Fact sheet #1, Fiscal Year \(FY\) 2015](#), 22 January 2015

⁵⁶⁸ Radio Free Europe/Radio Liberty, [One Dead In Attack On Pakistan Polio Team](#), 10 September 2014

⁵⁶⁹ Radio Free Europe/Radio Liberty, [Bomb Kills Pakistani Polio Vaccinator in Tribal Region](#), 8 October 2014

paramilitary force and a driver. The Taliban claimed responsibility for the attack, which came a day after the militants renewed threats against polio immunization teams”.⁵⁷⁰

In November 2014 “A Pakistani police spokesman says gunmen have killed three women working on a polio vaccination campaign, along with their driver [...] on the outskirts of Quetta”.⁵⁷¹

BBC reported in December 2014 that “Gunmen in Pakistan have shot dead a polio vaccination worker in the north-eastern city of Faisalabad [...] On Monday Taliban insurgents said they had killed two policemen assigned to protect a polio immunisation team in the town of Buner near the Swat Valley in the north-west”.⁵⁷²

In December 2014, “four members of a vaccination team—including a health worker, a driver, and two security personnel—were abducted by the Taliban in Balochistan. Their dead bodies were later found”.⁵⁷³

In January 2015 BBC reported that “A policeman escorting polio vaccinators has been injured after gunmen shot him in the Pakistani city of Karachi. The attack took place in the lawless Orangi area. Vaccination efforts have been suspended in the city. Media reports said the attackers, who were on a motorcycle, fled when police returned fire”.⁵⁷⁴

Dawn reported that at the end of January 2015 gunmen shot dead a policeman deputised for the security of volunteers administering polio drops to children in Nazimabad.⁵⁷⁵

Agence France-Presse reported also in early February that “Gunmen [...] killed a policeman guarding a polio vaccination team in Pakistan's southwest, police said, the latest blow to efforts to wipe out the crippling virus [...] The two attackers on a motorbike shot the policeman in the Pashtunabad area on the outskirts of Quetta”.⁵⁷⁶

Early February Dawn reported that “two members of a polio team were injured when a group of six men armed with hatchets and clubs attacked it in Bahadurpur village near Thull town in Jacobabad district”.⁵⁷⁷

Radio Free Europe/Radio Liberty reported in February 2015 that “Four members of a polio vaccination team have been found shot dead after being kidnapped in southwestern Pakistan. Police said the bodies of a health worker, his driver, and two security guards were found in Baluchistan Province [...] reports said they were abducted by Taliban militants”.⁵⁷⁸

The same source reported further that earlier in the month “gunmen killed the driver of a van carrying two polio workers in the northwestern Khyber tribal region”.⁵⁷⁹

3.3.7.3. Journalists

See COI included under [6.3.4. Treatment of journalists and other media professionals.](#)

⁵⁷⁰ Radio Free Europe/Radio Liberty, [Three Wounded In Attack On Polio Team In Pakistan](#), 22 October 2014

⁵⁷¹ Radio Free Europe/Radio Liberty, [Militants Kill Polio Vaccination Workers In Pakistan](#), 26 November 2014

⁵⁷² BBC, [Pakistan gunmen kill polio worker in Faisalabad](#), 9 December 2014

⁵⁷³ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and order, Aid workers* p.68

⁵⁷⁴ BBC, [Pakistan gunmen wound polio guard in Karachi](#), 19 January 2015

⁵⁷⁵ Dawn, [Policeman escorting polio team shot dead in Nazimabad](#), 27 January 2015

⁵⁷⁶ Agence France-Presse, [Policeman guarding polio team shot dead in Pakistan](#), 4 February 2015

⁵⁷⁷ Dawn, [Two polio workers injured in attack](#), 5 February 2015

⁵⁷⁸ Radio Free Europe/Radio Liberty, [Kidnapped Polio Workers Found Dead In Pakistan](#), 18 February 2015

⁵⁷⁹ Radio Free Europe/Radio Liberty, [Kidnapped Polio Workers Found Dead In Pakistan](#), 18 February 2015

4. Security Forces

4.1. General information on security forces

4.1.1. Armed forces

The CIA World Factbook explains that the Pakistan military branches comprise the: “Pakistan Army (includes National Guard), Pakistan Navy (includes Marines and Maritime Security Agency), Pakistan Air Force (Pakistan Fiza'ya)”.⁵⁸⁰ It reports that the most recently available figures in relation to potential military manpower are [emphasis added]:

Manpower available for military service:

males age 16-49: 48,453,305

females age 16-49: 44,898,096 (2010 est.)

Manpower fit for military service:

males age 16-49: 37,945,440

females age 16-49: 37,381,549 (2010 est.)

Manpower reaching militarily significant age annually:

male: 2,237,723

female: 2,104,906 (2010 est.)

Military expenditures:

3.04% of GDP (2012)

country comparison to the world: 20

3.13% of GDP (2011)

3.04% of GDP (2010).⁵⁸¹

The World Bank puts the total number of armed personnel in Pakistan as of 2012 at 947,800 defined as “active duty military personnel, including paramilitary forces if the training, organization, equipment, and control suggest they may be used to support or replace regular military forces”.⁵⁸² The UK Overseas Development Institute details in a March 2014 report that “The armed forces consist of the Army (550,000), Navy (22,000) and Air Force (70,000), totalling 642,000 military personnel in active service. Paramilitary forces number 304,000, and there is a reserve force complement of 500,000”.⁵⁸³

In November 2013, Pakistan appointed Lieutenant General Raheel Sharif as its army chief, replacing General Ashfaq Parvez Kayani, who stepped down after six years in charge.⁵⁸⁴ Lieutenant General Rashid Mahmood was named the new chairman of the Joint Chiefs of Staff Committee, the body that oversees the army, navy, and air force.⁵⁸⁵ Radio Free Europe/Radio Liberty further reports that “Sharif most recently served as the head of the army's training and evaluation wing, overseeing the training of Pakistan's 600,000-strong army. His prior appointments include commandant of the prestigious Pakistan Military Academy”.⁵⁸⁶

⁵⁸⁰ CIA World Factbook, [Pakistan](#), last updated 30 June 2014, *Military*

⁵⁸¹ CIA World Factbook, [Pakistan](#), last updated 30 June 2014, *Military*

⁵⁸² World Bank, [Armed forces personnel, total](#), undated [accessed 18 March 2015], *Zimbabwe*

⁵⁸³ Overseas Development Institute (ODI), [The search for common ground: civil–military relations in Pakistan](#), March 2014, 2.2 *The role of the military in Pakistani society*

⁵⁸⁴ Radio Free Europe/Radio Liberty, [New Pakistani army chief chosen](#), 27 November 2013

⁵⁸⁵ Radio Free Europe/Radio Liberty, [New Pakistani army chief chosen](#), 27 November 2013

⁵⁸⁶ Radio Free Europe/Radio Liberty, [New Pakistani army chief chosen](#), 27 November 2013

The UK Overseas Development Institute notes with regards to the structure of the army that:

The Army is structured using the traditional British two-tier hierarchy of officers and enlisted ranks, a legacy of colonial rule. Officer ranks follow British military naming conventions, the lowest being Second Lieutenant and the highest Field Marshal. In addition, there are three ranks of Junior Commissioned Officer: Naib Subedar, Subedar and Subedar-Major. Non-Commissioned Officer (NCO) ranks range from Solider at the lowest echelon to Battalion Havildar Major at the highest. Officers are predominantly drawn from Pakistan's middle classes; indeed, employment as an officer is the predominant profession of the middle and, increasingly, lower-middle classes. Selection is highly competitive, but once recruited members of the military and their families enjoy extensive support, including medical care at well-equipped facilities and a patronage network.⁵⁸⁷

For ranks and insignia of the Pakistan army see:

- ❖ International Encyclopedia of Uniform Insignia Around the World, [Rank Insignia- Army Land Forces: Pakistan](#), last updated 10 March 2013 [accessed 18 March 2015]

The 2013 U.S. Department of State report notes that “the armed forces are responsible for external security. During the year there were times when the government assigned domestic security responsibilities to the armed forces”.⁵⁸⁸

Also see [1.3.5. Role of the military in governance](#).

4.1.2. Paramilitary forces

The 2013 U.S. Department of State report notes that the Rangers are a paramilitary organization under the authority of the Ministry of Interior, with branches in Sindh and Punjab”.⁵⁸⁹ It further notes that:

In lieu of police, multiple law enforcement entities operated in FATA. These entities included: 1) the Paramilitary Frontier Scouts, which report to the Ministry of Interior in peacetime and the army in times of conflict; 2) the Frontier Constabulary, which patrols the area between FATA and KP and operates in FATA and reports to the political agent; 3) khassadars (hereditary tribal police), which help the political agent maintain order; and 4) lashkars (tribal militias), which are convened by tribal leaders to deal with temporary law and order disturbances.⁵⁹⁰

The UNDP explains that “The Frontier Corps (“FC”), a paramilitary organization deployed along Pakistan’s border with Afghanistan in the Khyber Pakhtoonkhwa province and Balochistan and along Pakistan’s border with Iran in the province of Balochistan, are primarily responsible for guarding the

⁵⁸⁷ Overseas Development Institute (ODI), [The search for common ground: civil–military relations in Pakistan](#), March 2014, 2.1 Historical context

⁵⁸⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. Role of the Police and Security Apparatus

⁵⁸⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. Role of the Police and Security Apparatus

⁵⁹⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. Role of the Police and Security Apparatus

border areas, however they also undertake counter drug-trafficking operations”.⁵⁹¹ According to a January 2014 International Crisis Group report “Most Baloch view the military’s overwhelming presence, including in Quetta, which has a large base and several paramilitary-controlled security checkpoints, as more of threat than protection. Since Musharraf entrenched the role of the Frontier Corps (FC) in policing the province, that paramilitary force has become the public face of the military’s control over Balochistan. Heavily deployed in Baloch areas, the majority of its personnel are Pashtuns, many from KPK, with little understanding of or sympathy for Baloch grievances”.⁵⁹²

The same source further notes that “On 4 September 2013, the federal cabinet decided on a series of measures to enforce law and order in Karachi. A targeted operation, led by the paramilitary Rangers but ostensibly under Sindh government supervision, would target a range of violent groups, including those linked to political parties, sectarian organisations and criminal gangs”.⁵⁹³ Further reporting on the operations of paramilitaries it notes that “The Rangers’ role also undermines the provincial government’s primary responsibility for law enforcement. The paramilitary force regularly flouts the provincial government’s orders. Although there are 11,000 Rangers in Karachi, very few support Sindh police operations. A senior police official said, “in our operations when we ask for their support, we get 3,000 of them. What are the other 8,000 doing?””.⁵⁹⁴

4.1.3. Intelligence services

The International Crisis Group explains that the Intelligence Bureau (IB) is the main civilian intelligence agency and the Inter-Services Intelligence (ISI) directorate is the military’s main intelligence agency.⁵⁹⁵

In June 2013 senior police officer Aftab Sultan was appointed the head of Pakistan's Intelligence Bureau.⁵⁹⁶ According to an undated report from GlobalSecurity.org “The Intelligence Bureau monitors politicians, political activists, suspected terrorists, and suspected foreign intelligence agents. The IB keeps tabs on political operatives from countries it considers hostile to Pakistan's interests, and it is responsible for harassing domestic opposition parties. Credible reports indicate that the authorities commonly resort to wiretapping and occasionally intercept and open mail”.⁵⁹⁷

Freedom House reports that “Five senior military commanders retired in October [2014], including Zaheer-ul-Islam, head of the powerful Directorate for Inter-Services Intelligence (ISI), who had reportedly been among several officers pushing for the prime minister's ouster during the summer political crisis. The country's top military commander, General Raheel Sharif, had resisted such calls, according to media accounts”.⁵⁹⁸ In September 2014 Rizwan Akhtar was appointed head of

⁵⁹¹ UN Development Programme, [Scan of Law and Policies Affecting Human Rights, Discrimination and Access to HIV and Health Services by Key Populations in Pakistan](#), 15 December 2014 2.4 Institutional Framework for Narcotics Control p.122

⁵⁹² International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 E. The Military’s Role p.21

⁵⁹³ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 E. Islamabad’s Response p.32

⁵⁹⁴ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 E. Islamabad’s Response p.32

⁵⁹⁵ International Crisis Group, [Parliament’s Role in Pakistan’s Democratic Transition](#), 18 September 2013, Appendix B: Glossary p.39

⁵⁹⁶ NDTV, [Pakistan appoints Aftab Sultan as new Intelligence Bureau chief](#), 6 June 2013

⁵⁹⁷ Global Security, [Pakistan Intelligence: Intelligence Bureau](#), undated [accessed 18 March 2015]

⁵⁹⁸ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

Pakistan's ISI.⁵⁹⁹ The Guardian newspaper reports that "Akhtar is reported to be a close ally of Raheel Sharif, the army chief appointed last year, who in turn is said to have a warm relationship with the prime minister".⁶⁰⁰ According to the Guardian, "The director general of the ISI is widely regarded as being among the most powerful people in Pakistan, a fragile nuclear-armed state struggling to deal with the challenge of radical Islamism. The organisation has been accused of backing militants in proxy wars against neighbouring India and Afghanistan, as well as meddling in Pakistan's domestic politics".⁶⁰¹

According to a further undated report from GlobalSecurity.org, "The ISI is tasked with collection of foreign and domestic intelligence; co-ordination of intelligence functions of the three military services; surveillance over its cadre, foreigners, the media, politically active segments of Pakistani society, diplomats of other countries accredited to Pakistan and Pakistani diplomats serving outside the country; the interception and monitoring of communications; and the conduct of covert offensive operations".⁶⁰² It further notes with regards to the ISI that [original emphasis]:

Staffed by hundreds of civilian and military officers, and thousands of other workers, the agency's headquarters is located in Islamabad. The ISI reportedly has a total of about 10,000 officers and staff members, a number which does not include informants and assets. It is reportedly organized into between six and eight divisions:

Joint Intelligence X (JIX) serves as the secretariat which co-ordinates and provides administrative support to the other ISI wings and field organisations. It also prepares intelligence estimates and threat assessments.

The **Joint Intelligence Bureau (JIB)**, responsible for political intelligence, was the most powerful component of the organisation during the late 1980s. The JIB consists of three subsections, with one subsection devoted to operations against India.

The **Joint Counter Intelligence Bureau (JCIB)** is responsible for field surveillance of Pakistani diplomats stationed abroad, as well as for conducting intelligence operations in the Middle East, South Asia, China, Afghanistan and the Muslim republics of the former Soviet Union.

Joint Intelligence / North (JIN) is responsible for Jammu and Kashmir operations, including infiltration, exfiltration, propaganda and other clandestine operations.

Joint Intelligence Miscellaneous (JIM) conducts espionage in foreign countries, including offensive intelligence operations.

The **Joint Signal Intelligence Bureau (JSIB)**, which includes Deputy Directors for Wireless, Monitoring and Photos, operates a chain of signals intelligence collection stations along the border with India, and provide communication support to militants operating in Kashmir.

Joint Intelligence Technical.⁶⁰³

The 2013 U.S. Department of State report notes that "Several domestic intelligence services monitored politicians, political activists, suspected terrorists, and the media. These services included the Inter-Services Intelligence agency, the police Special Branch, and Military Intelligence. There were credible reports that authorities routinely used wiretaps, monitored mobile telephone calls, intercepted electronic correspondence, and opened mail without the court approval".⁶⁰⁴

⁵⁹⁹ Guardian, [Pakistan appoints Rizwan Akhtar to head intelligence agency](#), 22 September 2014

⁶⁰⁰ Guardian, [Pakistan appoints Rizwan Akhtar to head intelligence agency](#), 22 September 2014

⁶⁰¹ Guardian, [Pakistan appoints Rizwan Akhtar to head intelligence agency](#), 22 September 2014

⁶⁰² Global Security, [Pakistan Intelligence: Directorate for Inter-Services Intelligence \[ISI\]](#), undated [accessed 18 March 2015]

⁶⁰³ Global Security, [Pakistan Intelligence: Directorate for Inter-Services Intelligence \[ISI\]](#), undated [accessed 18 March 2015]

⁶⁰⁴ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. f. *Arbitrary Interference with Privacy, Family, Home, or Correspondence*

The International Crisis Group further notes in a September 2013 report that:

Civilian and military intelligence agencies operate in a legal vacuum; neither the Intelligence Bureau (IB) nor ISI have a legal framework, making oversight and accountability nearly impossible. The Senate and National Assembly defence committees for ISI, and law, justice and human rights committees for the IB, should hold both public and in-camera hearings, with expert witnesses and relevant ministers. They should then draft legislation defining the legal parameters and civilian chains of command over the intelligence agencies. The military's intelligence agencies, including ISI and Military Intelligence (MI), should be confined to countering external threats. Fair Trial Bill provisions that give ISI surveillance powers in domestic terrorism and other criminal cases should be repealed.⁶⁰⁵

Freedom House reports in its Freedom on the Net report covering May 2013 that "Government surveillance is a concern for activists, bloggers, and media representatives, as well as ordinary internet users. Pakistani authorities, particularly intelligence agencies, appear to have been expanding their monitoring activities in recent years, while provincial officials have been exerting pressure on the central government to grant local police forces greater surveillance powers and location tracking abilities, ostensibly to curb terrorism and violent crimes".⁶⁰⁶

Reporters Sans Frontières reported in December 2014 that "For the past several months, links between PTI [Pakistan Tehreek-e-Insaf, the opposition party led by former cricket champion Imran Khan] and the spy service have been a matter of increasing concern for the ruling party. In addition, some journalists fear a political-military alliance that would make their work conditions, and independent political coverage, even more difficult and dangerous. The PTI leader recently has been trying to add to the military's power by giving it a seat on the commission in charge of investigating the alleged election fraud of 2013. This growing alliance with an organization that Reporters Without Borders categorized as a "press freedom predator," amounts to additional pressure on media professionals seen as becoming too interested for their own good in PTI or ISI, or who take a critical tone towards these organizations".⁶⁰⁷

The United States Institute of Peace cites Interior Minister Chaudhry Nisar Ali Khan as stating in February 2015 that "Pakistan critically needs better coordination among the disparate organs—federal and provincial, civilian and military—that conduct security work, he said. "Pakistanis were jolted by this revelation that we have ... 33 intelligence agencies working in Pakistan".⁶⁰⁸

4.1.4. Police

The 2013 U.S. Department of State report notes that "Police have primary domestic security responsibilities for most of the country and by law, control of local police falls under the Ministry of Interior".⁶⁰⁹ According to an April 2014 Transparency International report the "FIA [Federal Investigation Agency] and Police are leading law enforcement agencies. FIA is a federally controlled agency, whereas policing has always been the task of provincial governments for better maintenance of law and order at local level. The four provincial police forces and the capital police

⁶⁰⁵ International Crisis Group, [Parliament's Role in Pakistan's Democratic Transition](#), 18 September 2013, 4. *Law and order p.30*

⁶⁰⁶ Freedom House, [Freedom on the Net 2014-Pakistan](#), 4 December 2014

⁶⁰⁷ Reporters Sans Frontières, [Pakistan - Geo TV, target of Pakistan spy agency](#), 24 December 2014

⁶⁰⁸ United States Institute of Peace, [Pakistan's Interior Minister Outlines New Anti-Terror Plan](#), 20 February 2015

⁶⁰⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. *Role of the Police and Security Apparatus*

(Islamabad), though independent of each other, share similar characteristics and structures across Pakistan. They have similar selection procedures and functions and have the same applicable substantive and procedural laws”.⁶¹⁰

In an August 2014 report the United States Institute of Peace reports that “Pakistan’s four provinces are home to 1,479 police stations and 410,000 police. The police station retains its role as the symbol of government authority and its position as the basic institutional policing unit responsible for public order, law enforcement, and police services”.⁶¹¹ The April 2014 Transparency International report notes that the “Total strength of law enforcement agencies is approximately 575,000 inclusive of personnel of all federal, provincial paramilitary and intelligence forces. With a population of around 180 million, for every 304 people there is one police official. The ratio apparently seems in line with the UN policing standards in peace time which requires 1:400 of police population ratio. However, excluding all paramilitary, intelligence and administrative personnel, the ground reality turns out to be altogether different, and Police/Population ratio for Karachi in 2008 was 1:571 and in 2011 it was 1:625 for Pakistan and 1:529 for Punjab”.⁶¹²

According to a January 2014 International Crisis Group report, “Karachi has one policeman for 600 citizens, Balochistan one for 450; the international mean is one to around 260”.⁶¹³ The Inter Press Service reports in August 2014 that “A recent study carried out by the Sindh Province police indicates that the available strength of the police force in Karachi is just 26,847, of which 8,541 are deployed to protect individuals and sensitive installations like the port, airport and oil terminal, among others. Some 3,102 policemen are assigned to investigation. Only 14,433 policemen, working on back-to-back shifts of 12 hours each, are responsible for maintaining law and order, and protecting the lives and properties of ordinary Karachi residents. That works out to just one policeman per 1,524 people in a city that clocked 40,848 crimes (with 2,700 people killed) in 2013, making it one of the most dangerous places in the world”.⁶¹⁴

The 2014 report from the Human Rights Commission of Pakistan similarly notes with regards to Sindh province that, “a CPLC [Citizen-Police Liaison Committee] report showed that out of 113 police stations in Karachi 17 did not have toilets. There were no police vehicles in four police stations, while in eight stations the police did not even have an official motorcycle. The furniture in more than 50 police stations was damaged to the point that it could not be used. The police lacked investigation skills and training and basic on-job security equipment including bulletproof jackets and helmets. Lower salary was also said to be an obstacle to the honest discharge of duty against the terrorists and criminal mafias in the province”.⁶¹⁵

The United States Institute of Peace further explains in an August 2014 report that police stations are staffed by a police force normally recruited at two levels of service:

At the senior ranks, the British police officers have been replaced by the national Police Service of Pakistan (PSP), an elite cadre recruited—along with other senior government employees—through a

⁶¹⁰ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Executive summary* p.13

⁶¹¹ United States Institute of Peace, [A Counterterrorism Role for Pakistan’s Police Stations](#), 18 August 2014, *Historic role*

⁶¹² Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 5: Law Enforcement, Structure and Organisation*

⁶¹³ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, VI. *Urban Policing* p.40

⁶¹⁴ Inter Press Service, [Karachi Residents Trapped Between Armed Assassins and Private Bodyguards](#), 20 August 2014

⁶¹⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and Order, Police abuse and reform, Sindh*, p.74

merit-based civil service examination. Appointments to the PSP are prestigious and sought after. PSP officers undergo common introductory training with their fellow civil servants followed by a course at the National Police Academy in Islamabad. In the enlisted ranks, assistant sub-inspectors are recruited in all provinces by provincial public service commissions, and constables by local police leadership boards. Direct hiring of constables creates opportunities for political patronage and corruption. Constables must have completed high school (ten years), but the quality of education is low, and constables may have difficulty reading and writing reports. Training for the lower ranks is largely a matter of drilling and other means of instilling discipline. Constables have limited opportunities for either promotion or transfer to more attractive locations. On duty fourteen hours a day, they are often outdoors manning roadblocks and guarding facilities. They live at the police station, often going months without a day off. Low pay and lack of opportunity for advancement create conditions for petty corruption and recruitment by political parties, criminal elements, and extremist groups.⁶¹⁶

Also see [4.2.2. Effectiveness of the police, particularly investigation and prosecution of terrorism cases](#).

For information on women's police stations and women police officers, see [6.4.2.6. State response to violence against women](#).

4.2. Overview of issues surrounding security forces

4.2.1. Effectiveness of law enforcement in the face of terror attacks

❖ State response to militancy

Also see [2.4. Anti-terrorism operations](#).

The U.S. Department of State Pakistan report on Terrorism covering 2013 states that "Pakistan military forces conducted significant counterterrorism operations in the tribal areas, and civilian and other forces conducted operations in Sindh, Balochistan, KP, and Punjab".⁶¹⁷ The Overseas Development Institute explains in a March 2014 report that:

The Army's counter-insurgency operations against Taliban militants began in the Federally Administered Tribal Areas (FATA) in 2001, and continue today at various points along the Afghan–Pakistan border (the Durand Line). Pakistan's counter-insurgency strategy has been described as 'engage, destroy, and negotiate', the inverse of the 'clear, hold, build' strategies of the International Security Assistance Force (ISAF)/NATO military forces in Afghanistan (Zaidi, 2010). Local populations are evacuated before overwhelming force and heavy firepower is used to attack militants head-on; this is followed by the negotiation of a ceasefire. Collateral damage, mass internal displacement and the destruction of infrastructure have been the result. A lack of reconciliation and reconstruction initiatives following these offensives has exacerbated the conflict and generated increasingly negative opinions of military activities among local populations.⁶¹⁸

With regards to Pakistan's military operations a February 2015 report from the United States Institute of Peace notes that "During 2011 and 2012, the Pakistan military carried out 144 and 107

⁶¹⁶ United States Institute of Peace, [A Counterterrorism Role for Pakistan's Police Stations](#), 18 August 2014, *Colonial past*

⁶¹⁷ US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

⁶¹⁸ Overseas Development Institute (ODI), [The search for common ground: civil–military relations in Pakistan](#), March 2014, 2.1 *Historical context*

operational attacks respectively against militants in various agencies of FATA. Despite these efforts, terrorist activity in FATA in particular and in Pakistan in general has not abated significantly”.⁶¹⁹

Human Rights Watch reports that “Following a June 8 [2014] attack by militants at Jinnah International Airport in Karachi that killed more than 18 people, the military on June 30 launched an offensive in North Waziristan involving more than 30,000 troops. Severe military restrictions on independent media access to the conflict zone made it difficult to assess civilian casualty figures. The conflict has displaced an estimated one million people in squalid displacement camps”.⁶²⁰ Also see [4.2. Overview of issues surrounding security forces](#) and [4.2.5.4. Forced displacement](#).

Al Jazeera reporting in December 2014 notes that “The army — already engaged in a separate military operation, dubbed Zarb-e-Azb, in North Waziristan against the Tehreek-e-Taliban Pakistan (TTP) and its allies, including Al-Qaeda affiliates — expanded the scope of its operations to include the Khyber tribal area in early October and claims to have killed more than 154 people in air and ground operations there. The primary target in Khyber appears to be Lashkar-e-Islam (LeI), a TTP-affiliated group led by Mangal Bagh that has held influence — often outright control — over Khyber’s Tirah Valley since 2007”.⁶²¹ The source adds that “The army claims to have killed more than 1,400 people — all designated terrorists — since June 15, when Zarb-e-Azb was launched. At least 95 soldiers have also been killed in these operations, according to the military’s press wing. Al Jazeera cannot independently verify those figures because access to the conflict area is tightly controlled by the military”.⁶²²

According to Pakistan's military, it has killed more than 1,200 militants since it started an offensive in the tribal area of North Waziristan between spring 2014 and January 2015.⁶²³ Radio Free Europe/Radio Liberty further reports in January 2015 that “The Pakistani military and pro-government paramilitary forces have increased attacks on militant positions in the tribal areas following last month's massacre at a school in Peshawar when militants killed some 150 people, nearly all of them schoolchildren”.⁶²⁴

The U.S. Department of State Pakistan report on Terrorism covering 2013 explains that Pakistan promulgated new legislation in 2013 that supports counter- terrorism:

Pakistan enacted additional amendments to the Antiterrorism Act of 1997, and promulgated several new laws to empower the national government to address terrorism with enhanced law enforcement and prosecutorial powers. Pakistan’s government is in the process of implementing four significant laws passed in 2013: the National Counterterrorism Authority Act, the Fair Trial Act, amendments to the Antiterrorism Act of 1997, and the Protection of Pakistan Ordinance of 2013 (PPO). The Pakistan government continued to make use of the reinforced counterterrorism legislation; however, the judiciary moved slowly in processing terrorism and other criminal cases in general.

Pakistan took steps in 2013 to address challenges in interagency cooperation and coordination. In 2013, Pakistan engaged in structural reforms on counterterrorism, designed to centralize coordination and information sharing. The National Counterterrorism Authority (NACTA) was empowered by new legislation in April, but was not fully activated in 2013. NACTA is envisioned as facilitating increased coordination and collection of counterterrorism intelligence among security agencies and provincial police, and providing a vehicle for national policy and strategy formulation for

⁶¹⁹ United States Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2015, *Pakistan Military Operations* p.10

⁶²⁰ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁶²¹ Al Jazeera, [Pakistan struggles to cope with growing internal refugee crisis](#), 1 December 2014

⁶²² Al Jazeera, [Pakistan struggles to cope with growing internal refugee crisis](#), 1 December 2014

⁶²³ Radio Free Europe/Radio Liberty, [Pakistani Army Says 31 Militants Killed In Air Strikes](#), 04 January 2015

⁶²⁴ Radio Free Europe/Radio Liberty, [Pakistani Army Says 31 Militants Killed In Air Strikes](#), 04 January 2015

all aspects of counterterrorism. The Intelligence Bureau (IB) has nationwide jurisdiction as a civilian agency, and is fully empowered under the PPO to coordinate with provincial and territorial counterterrorism units. [...]

Pakistan promulgated new legislation in 2013 that supports the investigation and prosecution of terrorism offenses. The new enhanced tools provided by the Fair Trial Act of 2012 and the NACTA law are in the process of being implemented by the government. These laws are designed to provide the necessary legal tools to detect, disrupt, and dismantle terrorist activities and organizations to intelligence agencies, law enforcement agencies, and prosecutors. The PPO augments the Antiterrorism Act of 1997 (as amended) and creates a federally-empowered infrastructure with special federal courts, prosecutors, police stations, and investigation teams for the enforcement of 20 specially delineated categories of offenses. Pakistan's 2013 amendments to the Antiterrorism Act of 1997 increase protections for witnesses, victims, and judges in terrorism cases, provide for admissibility of electronic evidence in court, and set guidelines for detention and judicial review.⁶²⁵

The UK Foreign and Commonwealth Office annual report covering 2013 reports that "The promulgation of the Protection of Pakistan Ordinance (PPO) in October 2013 was of particular concern. The PPO empowers police and security agencies to arrest anybody on the basis of "credible" information that he/she is involved in anti-state activities, terrorism and treason. Several of its provisions contravene international human rights standards, for example by allowing security forces to conceal the location of detained persons, and their handing over to security forces without legal oversight".⁶²⁶

The UK Foreign and Commonwealth Office annual report covering 2014 notes that "The Protection of Pakistan Citizens Act was approved by parliament in July [2014] after opposition amendments to provide a number of human rights safeguards, including greater judicial oversight and a time-limited period of application. Under the act, suspects may be held for questioning for 90 days instead of the current limit of 15. The UK, along with EU partners, regularly raised concerns on the provisions of the PPO and the act as inconsistent with international human rights standards".⁶²⁷ Human Rights Watch reporting on the provision notes that "This vague and overbroad counterterrorism law gives a green light for abusing suspects in detention, which is already far too common in Pakistan".⁶²⁸ It describes in detail the most worrying provisions as including: the vague definition of terrorist acts; the expansion of powers of arrest without warrant from the police to members of the armed forces or "civil armed forces"; shifting the "burden of proof" from government prosecutors to criminal suspects; providing effective immunity for abuses by security forces and judicial officials acting under the law and empowering the government to determine the place of custody, inquiry, investigation, and trial.⁶²⁹

The 2014 UK Foreign and Commonwealth Office report further notes that "On 24 December, in response to the attack on the Army Public School in Peshawar, Prime Minister Sharif announced a 20-point National Action Plan to tackle terrorism. The plan included the establishment of military courts to fast-track the most serious terrorist cases. There are concerns that these courts, not subject to civilian oversight, could undermine international fair trial standards".⁶³⁰ Agence France Press further notes that "The plan also includes cutting financial aid to terrorists and preventing

⁶²⁵ US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

⁶²⁶ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern - Pakistan](#), 10 April 2014

⁶²⁷ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁶²⁸ Human Rights Watch, [Withdraw Repressive Counterterrorism Law](#), 3 July 2014

⁶²⁹ Human Rights Watch, [Withdraw Repressive Counterterrorism Law](#), 3 July 2014

⁶³⁰ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

banned organisations from operating with new names. He also announced the formation of special anti-terrorism force and regularisation of religious seminaries known as madrassas. The ambitious "plan of action" included a wide range of measures including constitutional amendments, banning space for terrorists in electronic and print media, destroying their communication systems, and the repatriation of Afghan refugees".⁶³¹

Also see [2.4.2. The National Action Plan \(also known as the National Plan of Action\) \(December 2014\)](#) and [5.6 Constitutional amendment: Use of anti-terrorism legislation in ordinary criminal cases/military courts to try civilians](#).

❖ Effectiveness of state response to militancy

The U.S. Department of State Pakistan report on Terrorism covering 2013 reports that "Some AQ-affiliated terrorist groups were disrupted in Punjab, and some TTP [Tehrik-e Taliban Pakistan] leaders were killed during security operations. Security forces intercepted large stockpiles of weapons and explosives and discovered bomb-making facilities and sophisticated telecommunication networks. Pakistan continued to arrest terrorists and initiate prosecutions throughout 2013".⁶³² On the issue of Countering the Financing of Terrorism (CFT), the same report noted that "Lack of capacity, resource constraints, and effective CFT training for all participants in the criminal justice system are deterrents to an effective government response".⁶³³

The Human Rights Watch annual report covering 2013 noted that "The deep-rooted security crisis in the country was underscored by the inability or unwillingness of military and civilian institutions to end attacks on the population by militant groups. [...] Sunni militant groups such as the ostensibly banned Lashkar-e Jhangvi (LEJ), an Al-Qaeda affiliate, operate with virtual impunity across Pakistan, as law enforcement officials either turn a blind eye or appear helpless to prevent attacks".⁶³⁴ It further noted that "There has been a breakdown of law enforcement in the face of politically motivated attacks particularly throughout the province of Balochistan and targeted killings in Karachi".⁶³⁵ A September 2013 report from the United States Institute of Peace noted a number of obstacles Pakistan faced in countering militancy "One is the Pakistan security establishment's penchant for supporting militant groups it believes might have strategic uses while ignoring those it believes have no strategic value. But there are other obstacles, including lack of funding, bureaucratic barriers, and public opinion".⁶³⁶ The Council of Foreign Relations similarly reported in November 2013 that "Pakistani security forces have at times struggled to muster the capacity and will to confront domestic militants, even though the army and police are increasingly targeted by militant groups".⁶³⁷

In a September 2014 report the Congressional Research Service notes that "With regard to counterterrorism and domestic counterinsurgency, Washington has for years been confounded by and disappointed with the Pakistan Army's apparent willingness to distinguish between Islamist militant groups, and to spare from meaningful pressure those that are deemed useful as proxies

⁶³¹ Agence France Press, [Pakistan announces anti-terrorism action plan after school attack](#), 24 December 2014

⁶³² US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

⁶³³ US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

⁶³⁴ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁶³⁵ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁶³⁶ United States Institute of Peace, [Domestic Barriers to Dismantling the Militant Infrastructure in Pakistan](#), 9 September 2013

⁶³⁷ Council on Foreign Relations (CFR), [CFR Backgrounder: Pakistan's New Generation of Terrorists](#), 18 November 2013, *Counterterrorism Challenges*

with which to counter Indian or Afghan influence”.⁶³⁸ In a collection of articles published by the Austrian Federal Ministry of the Interior in October 2014, it is reported by Christian Wagner, Head of the Research Division Asia at the German Institute for International and Security Affairs, that “The strength of the army is indirectly fostered by the lack of capacities of the civilian security forces to handle the different forms of militancy and terrorism. Therefore, the army and the paramilitary units will continue to play a decisive role in managing internal conflicts”.⁶³⁹

Although the treatment of religious minorities is beyond the scope of this report, it should be noted that the same source reports with regards to societal violence that “If threats occur, the police often does not follow up and in case of such incidents a poor performance on part of the police is visible – they more often rather stand on the side-lines than intervene. For the NCJP [National Commission on Justice and Peace] the situation appears as if these acts of violence of an enraged crowd of people can break out, since usually in such cases the offenders are not penalized and consequently the deterrent effect is missing. [...] While only a small number of persons are involved in violent attacks, the mentioned laws, teachings of religious intolerance, limited police protection of minorities and falling short of prosecuting and arresting the perpetrators create a permissive environment for such attacks that leads to accelerating vigilantism and mob violence”.⁶⁴⁰

In a January 2014 report on urban policing, the International Crisis Group reports that “Endemic violence in Pakistan’s urban centres signifies the challenges confronting the federal and provincial governments in restoring law and order and consolidating the state’s writ. [...] Islamabad and the four provincial governments need to develop a coherent policy framework, rooted in providing good governance and strengthening civilian law enforcement, to tackle criminality and the jihadi threat. Until then, criminal gangs and jihadi networks will continue to wreak havoc in the country’s big cities and put its stability and still fragile democratic transition at risk”.⁶⁴¹ It further notes that “the provincial capitals of Peshawar, Quetta, Karachi and Lahore are bases of operations and financing for a range of extremist groups and criminal gangs. [...] The forces in all four provincial capitals are hampered by lack of professional and operational autonomy, inadequate personnel and resources and poor working conditions”.⁶⁴²

On the issue of the security forces’ response to these groups in urban areas the report considers that:

Khyber Pakhtunkhwa (KPK)’s capital, Peshawar, and Balochistan’s capital, Quetta, are hostage to broader regional security trends. The conflict in Afghanistan and crossborder ties between Pakistan and Afghan militants have undermined stability in KPK and the Federally Administered Tribal Areas (FATA). Military-dictated counterinsurgency policies, swinging between indiscriminate force and appeasement deals with tribal militants have failed to restore the peace, and instead further empowered violent extremists. Police in Peshawar, which has borne the brunt of militant violence and where violence is at an all-time high, lack political support and resources and appear increasingly incapable of meeting the challenge. Indeed, while militants and criminals frequently target that city, the force is powerless to act when they then seek haven in bordering FATA agencies, because its jurisdiction, according to the Frontier Crimes Regulation (FCR) 1901, does not extend to these areas. Balochistan’s location, bordering on southern Afghanistan, the Afghan Taliban’s homeland, and

⁶³⁸ Congressional Research Service, [Pakistan Political Unrest: In Brief](#), 3 September 2014 *Regional Security and Stability* p.9

⁶³⁹ Austria: Federal Ministry of the Interior, [Pakistan: Challenges & Perspectives](#), October 2014, *Pakistan: an introduction*, Christian Wagner p.14

⁶⁴⁰ Austria: Federal Ministry of the Interior, [Pakistan: Challenges & Perspectives](#), October 2014, *Religious minorities*, Martina Schrott

⁶⁴¹ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 *Executive Summary* p. i

⁶⁴² International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 *Executive Summary* p. ii

longstanding Pakistani policies of backing Afghan Islamist proxies are partly responsible for the growth of militancy and extremism that now threatens Quetta. Aided by a countrywide network, Sunni extremists have killed hundreds of Shias there, while their criminal allies have helped to fill jihadi coffers, and their own, through kidnappings for ransom. Civilian law enforcement agencies cannot counter this rising tide of sectarian violence and criminality, since they are marginalised by the military and its paramilitary arms. Continuing to dictate and implement security policy, the military remains focused on brutally suppressing a province-wide Baloch insurgency, fuelled by the denial of political and economic autonomy end result is more Baloch alienation and more jihadi attack undermining peace in the provincial capital.

In Karachi, Pakistan's largest city, which generates around 70 per cent of national GDP, much of the violence is driven by the state's failure to meet the demands of a fast growing population and to enforce the law. Over the past decade, the competition over resources and turf has become increasingly violent. Criminals and militant groups attempt to lure youth by providing scarce services, work and a purpose in life. Demographic changes fuel ethno-political tensions and rivalries, accentuated by the main political parties: the mostly Sindhi Pakistan Peoples Party (PPP), the Muttahida Qaumi Movement (MQM) representing mohajirs and the predominately Pashtun Awami National Party (ANP) forging links with criminal gangs.⁶⁴³

The Fund for Peace's 2014 Fragile States Index puts Pakistan as the fourth equal worst country with South Sudan in terms of 'security apparatus' with a score of 9.9, explaining that "the security apparatus should have a monopoly on the use of legitimate force. The social contract is weakened where this is affected by competing groups".⁶⁴⁴ Pakistan is behind three countries considered equal worst in terms of 'security apparatus'; Afghanistan, Iraq and Syria with a score of 10.⁶⁴⁵

According to a May 2014 report from the United States Institute of Peace, "Efforts in Pakistan to address the internal threat from insurgents are repeatedly undermined by the absence of a national consensus on who the enemy is and a lack of capacity to implement solutions even where agreement exists".⁶⁴⁶ Human Rights Watch reports in a June 2014 report on killings of Shia Hazaras in Balochistan that "Balochistan's civilian law enforcement authorities expressed to Human Rights Watch what they said was their helplessness and inability to deal with the issue of extremist attacks and sectarian militancy".⁶⁴⁷ Akbar Durrani, Balochistan's home secretary, told Human Rights Watch:

It is wrong to assume that the government and its law enforcement agencies have done nothing to counter sectarianism in this city and province. They have suffered tremendously in this ideological war. There have been several attacks on both the police and levies in which many personnel have lost their lives. It is also not true that we have not apprehended anyone involved in sectarian attacks. We have arrested many but we have been unable to prosecute due to lack of evidence. We cannot proceed simply on the basis of suspicion. We need evidence, and sadly this is very hard to obtain.⁶⁴⁸

The same source adds that "Similarly, Capital City Police Officer (CCPO) Mir Zu bair Mehmood, the head of the police department in Quetta, conceded to Human Rights Watch that the police had not had "any significant successes in combatting extremist violence and attacks by the LeJ [Lashkar-e-

⁶⁴³ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 *Executive Summary* p. i

⁶⁴⁴ Fund for Peace, [Fragile States Index 2014](#), 2014, *Political and Military Indicators* p.28

⁶⁴⁵ Fund for Peace, [Fragile States Index 2014](#), 2014, *Political and Military Indicators* p.28

⁶⁴⁶ United States Institute of Peace, [Pakistan's Lack of Consensus, Capacity Undercut Efforts against Militants](#), 2 May 2014

⁶⁴⁷ Human Rights Watch, ["We are the Walking Dead": Killings of Shia Hazaras in Balochistan, Pakistan](#), 30 June 2014, *Civilian Law Enforcement and the Lashkar-e-Jhangvi* p.47

⁶⁴⁸ Human Rights Watch, ["We are the Walking Dead": Killings of Shia Hazaras in Balochistan, Pakistan](#), 30 June 2014, *Civilian Law Enforcement and the Lashkar-e-Jhangvi* p.47

Jhangvi]”.⁶⁴⁹ He explained that factors that had made the police ineffective included the force being targeted itself by the LeJ. He denied that the police were indifferent to attacks by the LeJ or complicit in such attacks:

In the last six months, 30 people from my force have been killed. While this has not demoralized us, it has made my men acutely aware of their vulnerability. Police work is also hampered due to lack of resources. At this time, the only thing we have is human resource. We do not have the requisite weapons, equipment, or forensic facilities to successfully combat this increase in extremist violence. I agree our successes have been inadequate. I cannot speak for others, but it is not true, at least of the police, that when an incident occurs, we look the other way. So many of my men have been targeted and killed. Mehmood said that the LeJ considered certain areas in Balochistan to be effective “safe havens” in which to carry out attacks.⁶⁵⁰

Human Rights Watch further notes that “Recent revelations have linked the police with Lashkar-e-Jhangvi”.⁶⁵¹ The Council of Foreign Relations similarly reported in November 2013 that “Pakistani authorities have long had ties to domestic militant groups that help advance the country's core foreign policy interests, namely in connection with Afghanistan and India. Since Islamabad joined Washington as an ally in the post-9/11 “war on terror,” analysts have accused Pakistan's security and intelligence services of playing a “double game,” tolerating if not outright aiding militant groups killing NATO troops in Afghanistan. Pakistan denies these charges”.⁶⁵²

In an August 2014 report, the United States Institute of Peace considers that “Pakistan’s provincial police organizations are ill prepared to play their current role in the battle to control the country’s spiraling levels of violence”.⁶⁵³ It further notes:

Inadequate physical structures leave police officers vulnerable to attack. Police stations have neither blast resistant walls nor barriers to intercept car bombs. A significant percentage of police personnel are assigned in small groups to roadside check points, where they stand in the open and search vehicles with no protection. Police travel to duty stations on foot or in thin-skinned vans and open trucks that are easy targets for roadside explosives and drive-by attacks. Police stations have a limited collection of old, mismatched, and poorly maintained automatic weapons and side arms. Ammunition is inadequate to defend against a sustained attack. Helmets and body armor are in short supply. More important than shortfalls in facilities and equipment is that police stations remain focused on their traditional roles of controlling crime and maintaining order and have not accepted countering terrorism as part of their mission. In part, this is due to the prevailing view at the police station level that counterterrorism is the responsibility of specialized antiterrorist units. It is also due to the overwhelming increase in the demand for police services as a result of rapid urbanization and a related spike in burglaries and street crime.⁶⁵⁴

In a November 2014 report the Open Society Foundation comments that “The civilian and military leaders in the Pakistani government continue to lack a coherent strategy for countering terrorism and militancy in FATA or a plan for providing FATA residents with full, equal rights. Instead, the

⁶⁴⁹ Human Rights Watch, [“We are the Walking Dead”: Killings of Shia Hazaras in Balochistan, Pakistan](#), 30 June 2014, *Civilian Law Enforcement and the Lashkar-e-Jhangvi* p.48

⁶⁵⁰ Human Rights Watch, [“We are the Walking Dead”: Killings of Shia Hazaras in Balochistan, Pakistan](#), 30 June 2014, *Civilian Law Enforcement and the Lashkar-e-Jhangvi* p.48

⁶⁵¹ Human Rights Watch, [“We are the Walking Dead”: Killings of Shia Hazaras in Balochistan, Pakistan](#), 30 June 2014, *Civilian Law Enforcement and the Lashkar-e-Jhangvi* p.49

⁶⁵² Council on Foreign Relations (CFR), [CFR Backgrounder: Pakistan's New Generation of Terrorists](#), 18 November 2013, *Introduction*

⁶⁵³ United States Institute of Peace, [A Counterterrorism Role for Pakistan's Police Stations](#), 18 August 2014, *Historic role*

⁶⁵⁴ United States Institute of Peace, [A Counterterrorism Role for Pakistan's Police Stations](#), 18 August 2014, *Historic role*

Pakistani government has relied on a mix of military operations and political accommodation of militant groups, as well as development, stabilization and “counter-radicalization” programs, none of which has addressed the fundamental lack of rights for the people of FATA, or promised to bring a lasting end to militancy and terrorism”.⁶⁵⁵

Furthermore, a February 2015 report from the United States Institute of Peace notes with regards to the various types of organized political and extremist violence in Pakistan that:

The government’s response to the intense and chronic nature of these incidents has over the years ranged from apathy to reliance on short-term security measures, including heavy-handed military operations to counter terrorism; alleged extrajudicial killings and enforced disappearances involving the police and intelligence agencies; and external military intervention, primarily in the form of a U.S. Predator drone campaign under way since 2004, with the state’s tacit consent. Efforts to meaningfully address underlying socioeconomic and political conditions contributing to the fragile environment have been negligible.⁶⁵⁶

The same source further concludes that “the state’s unwillingness or inability to adequately provide public goods and services and justice and security, coupled with poor socioeconomic development, have extensively undermined its legitimacy, most evident in the zones of violence identified in this report. Pervasive insecurity; ungoverned spaces; parallel legal systems; the erosion of the social contract; the acute perception of relative deprivation; and ethnic, religious, and sectarian fragmentation are among some of the factors challenging the state’s writ, thereby sowing the seeds of political and extremist violence and perpetuating protracted conflict. The state’s own security-centered posturing continues to spur confrontations with various groups across the country, exacerbating the perception of alienation and victimization in many regions affected by violence”.⁶⁵⁷

Also see [4.2.5. Human rights violations by the security forces.](#)

4.2.2. Effectiveness of the police, particularly investigation and prosecution of terrorism cases

The U.S. Department of State Pakistan report on Terrorism covering 2013 considers that “Intimidation by terrorists against witnesses, police, victims, prosecutors, defense lawyers, and judges contribute both to the slow progress of cases in Antiterrorism Courts and a high acquittal rate. Prosecutors often lacked resources needed to conduct successfully prosecutions in the trial phase. Jurisdictional divisions among and between military and civilian security agencies continued to hamper effective investigation and prosecution of terrorism cases”.⁶⁵⁸ IRIN reports in December 2013 that “Pakistan’s civilian institutions have had a hard time investigating and prosecuting terrorism suspects on their own. The police lack training and resources to process forensic evidence or protect witnesses in even the most serious crimes. Between 2005 and 2011, only 18 percent of cases registered in the country’s special anti-terrorism courts resulted in a conviction”.⁶⁵⁹

The 2013 Human Rights Commission of Pakistan report notes that “Even as the government looked for ever stringent laws to deter terrorists and bring them to justice, the perennial question on the

⁶⁵⁵ Open Society Foundations, [After the Dead Are Counted: U.S. and Pakistani Responsibilities to Victims of Drone Strikes](#), November 2014, *Human Rights Denied and Impunity for Abuse* p.15

⁶⁵⁶ United States Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2015, *Introduction*

⁶⁵⁷ United States Institute of Peace, [Mapping Conflict Trends in Pakistan](#), 7 February 2015, *Conclusion* p.20

⁶⁵⁸ US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

⁶⁵⁹ IRIN, [Analysis Pakistan’s judges and military clash over rule of law](#), 9 December 2013

ability of those tasked with investigation and prosecution remained unanswered. Torture in police custody, most often to extract confessions, was a frequent complaint”.⁶⁶⁰ It adds that “In many parts of the country, crime and lawlessness grew to such an extent that the people preferred to remain indoors after dusk. In FATA and in parts of Balochistan, travelling even during daylight hours was risky. Threats to citizens also came in various forms of extrajudicial killings at the hands of security and law enforcement personnel who were supposed to protect the people”.⁶⁶¹

REDRESS notes in a July 2013 report on the issue of police corruption that:

Section 154 of the CCP [Code of Criminal Procedure] requires the police to register a First Information Report [FIR] after a crime has been committed or reported. However, the system is prone to abuse and inefficiency. The police will often register an FIR without substantial evidence— leading to the abuse of arrestees— or demand a bribe from complainants in order to register an FIR. According to data taken from the Annual Reports of the Lahore High Court, the non-registration of an FIR made up the overwhelming majority of complaints regarding police inefficiency since 2003.⁶⁶²

The U.S. Department of State report covering 2013 states that “Corruption within the lower levels of police was common. A 2010 survey by Transparency International noted the major cause of corruption was lack of accountability, followed by low salaries. Some police charged fees to register genuine complaints and accepted bribes for registering false complaints. Bribes to avoid charges were commonplace. Critics charged that appointments of station house officers were politicized”.⁶⁶³ REDRESS similarly reports in a July 2013 report that “Corruption is rife in the public institutions of Pakistan, especially the police and the judiciary, which contributes to a lack of impartiality and restricts the effective investigation of crime. Inadequate financial incentives have resulted in the police looking for alternative forms of income, by taking bribes to either drop cases or file false charges”.⁶⁶⁴ With regards to police corruption an April 2014 Transparency International report considers that:

Public image, credibility and integrity of the law enforcement agencies in Pakistan have suffered a lot of damage on account of corruption, cronyism, nepotism, and political exploitation. Police has been ranked the most corrupt institution in the country for four consecutive years in surveys conducted by Transparency International Pakistan from 2002 to 2010. In Transparency International Global Corruption Barometer 2013, the surveyed households ranked police as the most corrupt institution and approximately three out of five respondents reported to have paid a bribe. Low salaries, lack of accountability and discretionary power have been identified as three main factors responsible for corruption in this sector.⁶⁶⁵

According to the Asian Human Rights Commission annual report covering 2013 on the issue of Pakistan’s criminal justice system:

Law-enforcement agencies are not equipped to gather forensics and other evidence, while intimidation and political intervention make guilty verdicts a rarity. As a result of this ineffective

⁶⁶⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order* p.44

⁶⁶¹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order* p.44

⁶⁶² REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. *Safeguards and complaint mechanisms, Complaint procedure and independent oversight* p.100

⁶⁶³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 Section 4. Corruption and Lack of Transparency in Government

⁶⁶⁴ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, *Complaint procedure and independent oversight* p.101

⁶⁶⁵ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 5: Law Enforcement Agencies, 5.2.6 Integrity Mechanisms (practice)* p.114

criminal justice system's failure to end the culture of impunity, Pakistanis remain at the mercy of those state and non-state actors who resort to violence as a means to secure power.⁶⁶⁶

With regards to police effectiveness in general a January 2014 International Crisis Group report notes that "Constables are on duty for fourteen hours, with limited access to facilities, even toilets. Their benefits, including health care and rewards for good performance or dangerous assignments are far from adequate. Poor pay and working conditions can make police vulnerable to recruitment by gangs and extremist groups".⁶⁶⁷ It further notes:

Jihadi groups have infiltrated the force at some levels, due less to ideology than bribery or intimidation. Visiting Quetta in July 2013, Prime Minister Sharif warned of "black sheep" in the police department. In May 2013, DIG [deputy inspector general] Operations, Balochistan, Fayyaz Sumbal said a constable and an assistant sub-inspector were in close contact with LeJ leadership. Two months later, he and some 30 other police were killed in a suicide attack while attending a colleague's funeral in Quetta.⁶⁶⁸

According to an April 2014 Transparency International report "Pakistan's police force has been described as 'ill-equipped, poorly trained and chronically corrupt'. Pakistan has been victimized by terrorism badly and the failure of law enforcement agencies is resulting in instability, corruption and violence in the country. But 'Pakistan's law enforcement is by no means too flawed to fix' and political will plus pro-reform attitude of the law enforcement agencies is required for improvement".⁶⁶⁹ It further comments that "Despite efforts, Pakistan's law enforcement agencies face a number of gaps in existing financial, human and infrastructural resources. Such insufficient resources, poor infrastructure, lack of weapons, intelligence technology, skilled personnel and training lead to certain degree of ineffectiveness in carrying out duties. Salaries are low, thus qualified and committed staff are not attracted to serve in the law enforcement. [...] Another major flaw in Pakistan's law enforcement is the lack of modern forensic investigation techniques and facilities".⁶⁷⁰ Moreover it reports that "Complaints against law enforcement agencies in Pakistan are usually based on their rude behaviour, refusal to file first information reports (FIR) and illegal detentions mainly for extorting money. Public usually refrains from going to the police in case of minor theft or injury for fear of extortion. In practice, some policing authorities file FIRs to intimidate detainees without supporting evidence or they do not file them when adequate evidence is available unless the complainant pays a bribe".⁶⁷¹ The same source summarises the situation of Pakistan's law enforcement agencies thus:

The weak status of Law Enforcement Agencies in the National Integrity System is quite alarming. A number of existing gaps in financial, human and infrastructural resources in addition to insufficiency of latest intelligence technology have led to a certain degree of ineffectiveness in carrying out their duties. Most of the law enforcement agencies have low credibility and do not enjoy public respect. The right to information laws are not strong and in absence of witness protection system in place, the public does not dare question the public functionaries. The major causes of law enforcement failures can be assigned to ineffective accountability mechanisms and above all lack of integrity and political will to improve conditions. Present Integrity and disciplinary mechanisms are quite sound if

⁶⁶⁶ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, Introduction p.1

⁶⁶⁷ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, VI. Urban Policing p.41

⁶⁶⁸ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, VI. Urban Policing p.41

⁶⁶⁹ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, Executive summary p.13

⁶⁷⁰ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, , Pillar 5: Law Enforcement Agencies, 5.1.1 Resources (Practice) p.103

⁶⁷¹ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, , Pillar 5: Law Enforcement Agencies, 5.2.4 Accountability (practice) p.111

implemented in their true spirit, but it seems that the issue of integrity has never been taken up seriously, signifying severe lack of political will. Hence, for its true implementation a proper accountability and prosecution mechanism has to be developed.⁶⁷²

The 2014 Human Rights Commission of Pakistan report notes that “Ineffective enforcement of laws, poor policing, impunity for criminals, frequent acts of terrorism and faith-based violence and a glut of weapons including small arms were the main factors that contributed to the poor law and order situation in Pakistan in 2014. The challenges were starker for some citizens, mainly on account of their faith, or ethnicity. Not only was the police, the premier law enforcement agency, ill-equipped to face the challenge in terms of resources and training, it was also criticised for inefficiency, corruption and politicisation. There were some police stations in the country that lacked the resources to even maintain their premises or fuel their vehicles. Private security companies thrived, though many of them too lacked training and the wherewithal to counter crime”.⁶⁷³

The same source further considers that “Even amid a failure to adequately ensure the safety of judges, witnesses, investigators, prosecutors and lawyers, the government put the blame on the judiciary for either acquitting those tried for terrorist offences or for taking a long time to convict them. [...] Though certain measures and laws were introduced to counter terrorism, no real progress was made to reform and restructure the police or to introduce the required changes in the investigation and prosecution systems. The law and order continued to plummet as a result”.⁶⁷⁴

The August 2014 United States Institute of Peace report considers that “police stations and personnel are ill prepared and poorly equipped to meet the challenges of the country’s complex, urbanized, and increasingly violent society. [...] Working conditions for police are generally substandard. Many police stations lack electricity, water, and humane detention facilities. Inadequate facilities both have a negative impact on citizen perceptions of the police and lower police morale”.⁶⁷⁵ The same source describes *thana* (police station) culture in Pakistan:

[is] a term used in Pakistan to describe a policing mindset that accepts such common abuses as demanding bribes for performing police services, illegal detention, and the use of force to obtain confessions. Police constables affect a military manner and answer to military-style discipline. Rank-and-file police officers have a reputation for being crude, abusive, and high-handed in their treatment of citizens. The police are generally feared but not respected. For the average citizen, seeking police assistance is considered potentially dangerous and often a last resort. Instead, *thana* culture serves the interests of the political elite, the wealthy, and those who can demand special treatment. Political interference with the police often results in transfers and the demand for bribes for promotions and attractive assignments. Politicians use the police to intimidate their opponents and to perform services, most importantly providing personal protection. In high-threat areas, a majority of the police may be deployed at any time on private security details for political officials, their families, and chief supporters.⁶⁷⁶

For further information on the authorities’ involvement in bribery, see [1.3.4.1. Corruption](#).

⁶⁷² Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 5: Law Enforcement Agencies, Summary* p.101

⁶⁷³ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and Order* p.58

⁶⁷⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and Order* p.58

⁶⁷⁵ United States Institute of Peace, [A Counterterrorism Role for Pakistan’s Police Stations](#), 18 August 2014, *Summary and Historic role*

⁶⁷⁶ United States Institute of Peace, [A Counterterrorism Role for Pakistan’s Police Stations](#), 18 August 2014, *Colonial past*

For information on police investigations of women's cases, see [6.4.2.6. State response to violence against women](#).

4.2.3. Forced recruitment by government forces

According to the 2013 U.S. Department of Labor report on Child Labor for Pakistan there is no conscription and no standing military.⁶⁷⁷ The CIA World Factbook notes that military service is "16-23 years of age for voluntary military service; soldiers cannot be deployed for combat until age 18; the Pakistani Air Force and Pakistani Navy have inducted their first female pilots and sailors; the Pakistan Air Force recruits aviation technicians at age 15; service obligation (Navy) 10-18 years; retirement required after 18-30 years service or age 40-52 (2012)".⁶⁷⁸

The UK Overseas Development Institute reports in March 2014 with regards to recruitment to the military in general:

Selection is highly competitive, but once recruited members of the military and their families enjoy extensive support, including medical care at well-equipped facilities and a patronage network. According to Lieven (2011), the military forms a separate 'giant kinship group' that 'sees itself as a breed apart, and devotes great effort to inculcating in new recruits the feeling that they belong to a military family different from (and vastly superior to) Pakistani civilian society'. Regionally, the north-west Punjab and KP and Punjabi and Pashtun/Pathan ethnicities respectively have provided the majority of military recruits, particularly for the Army (Lieven, 2011). Moves are being made to make the military a more national institution; recruitment initiatives have focused on Sindhi, Mohajir and Baloch in an effort to increase their numbers in the forces, and new cantonments have been built in Sindh and Balochistan.⁶⁷⁹

No COI was found amongst the sources cited on forced recruitment by government forces. Note that the Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 4.2.2 *Forced recruitment by government forces* included two sources which documented that recruitment to the lashkars paramilitary force was not always voluntary.

4.2.4. Treatment of military deserters⁶⁸⁰

The Pakistan Army Act 1952 stipulates with regards to deserters:

36. Desertion and aiding deserters:

(1) Any person subject to this Act who deserts or attempts to desert the service shall, on conviction by court martial, if he commits the offence when on active service or when under orders for active service, be punished with death, or such less punishment as is in this Act mentioned; and if he commits the offence under any other circumstances, be punished [with rigorous imprisonment for a term which may extend to five years] or with such less punishment as is in this Act mentioned.

⁶⁷⁷ United States Department of Labor, [2013 Findings on the Worst Forms of Child Labor - Pakistan](#), 7 October 2014, p.82

⁶⁷⁸ CIA World Factbook, [Pakistan](#), last updated 30 June 2014, *Military*

⁶⁷⁹ Overseas Development Institute (ODI), [The search for common ground: civil-military relations in Pakistan](#), March 2014, 2.2 *The role of the military in Pakistani society*

⁶⁸⁰ Selected COI in this subsection reproduced with permission from ACCORD as cited in: Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 4.2.3 *Treatment of military deserters* p.97

(2) Any person subject to this Act who knowingly harbours any deserter from any of the military, naval or air forces of Pakistan shall, on conviction by court-martial, be punished with rigorous imprisonment for a term which may extend to seven years or with such less punishment as is in this Act mentioned.

(3) Any person subject to this Act who, being cognisant of any desertion, or attempt at desertion, of any person belonging to the military, naval or air forces of Pakistan, does not forthwith give notice to his own or some other superior officer, or does not take any steps in his power to cause such person to be apprehended, shall, on conviction by court-martial, be punished with rigorous imprisonment for a term which may extend to three years or with such less punishment as is in this Act mentioned.⁶⁸¹

Pakistan's Penal Code of 1860 sets out with regards to the assisting, harbouring and concealing of deserters from the armed forces:

135. Abetment of desertion of soldier, sailor or airman:

Whoever abets the desertion of any officer, soldier, sailor or airman, in the Army, Navy or Air Force of Pakistan, be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

136. Harbouring deserter:

Whoever, except as hereinafter excepted, knowing or having reason to believe that an officer, soldier, sailor or airman, in the Army, Navy or Air Force of Pakistan, has deserted, harbours such officer, soldier, sailor or airman, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Exception: This provision does not extend to the case in which the harbour is given by a wife to her husband.

137. Deserter concealed on board merchant vessel through negligence of master:

The master or person in charge of a merchant vessel, on board of which any deserter from the Army, Navy or Air Force of Pakistan is concealed, shall, though ignorant of such concealment, be liable to a penalty not exceeding [one thousand five hundred rupees], if he might have known of such concealment but for some neglect of his duty as such master or person in charge, or but for some want of discipline on board of the vessel.⁶⁸²

The Pakistan Rangers Ordinance of 1959, which “extends to the Provinces of the Punjab and Sind and applies to every member of the Force wherever he may be serving” contains the following provisions regarding desertion:

13. Offences punishable with transportation for life or rigorous imprisonment for seven years.

– Any member of the Force who – [...]

(g) who, while on active duty – [...]

(ii) deserts the service [...]

14. Offences punishable with one year rigorous imprisonment or fine or both.

– Any member of the Force who: - [...]

(n) who, while not on active duty – [...]

(ii) deserts the service

15A. Capture of deserters.–

(1) Whenever any member of the force deserts or absents without leave, his Commandant shall give written information of the desertion or absence to such civil authorities as in his opinion may be able to afford assistance towards the capture of the deserter and such authorities shall thereupon take steps for the apprehension of the said deserter or absentee in like manner as if he were a person for whose apprehension a warrant had been issued by a Magistrate, and shall deliver the deserter or absentee, when apprehended, to Force custody.

⁶⁸¹ Pakistan: Act No. XXXIX of 1952, [Pakistan Army Act \[Pakistan\]](#), 13 May 1952, Section 36

⁶⁸² [Pakistan Penal Code \(Act XLV of 1860\)](#), 6 October 1860, amended as of 2006, Sections 135-137

(2) Any police officer may arrest without warrant any person whom he reasonably believes to be a member of the Force and a deserter or absentee without leave and bring him without delay before the nearest Magistrate as if he were a deserter from the Pakistan Army.⁶⁸³

In September 2013 the News reported that “Innumerable Pakistan Army officers belonging to its Medical Corps, including colonels and majors, have deserted during their foreign training courses”.⁶⁸⁴ It further notes:

After having graduated from the Army Medical College and commissioned in the Pakistan Army’s Medical Corps, these army officers when sent to foreign countries like the US, the UK and Australia never came back.

According to sources, the Surgeon General of the Pakistan Army has formally approached the Pakistan Medical and Dental Council (PMDC) with the first batch of deserter officers to de-notify their registration.

The PMDC, the sources said, has also been asked to get the registration of these deserters cancelled in the countries of their present residence.

The actual number of these deserters is said to be quite high but the army authorities have so far communicated the names of 10 officers. The PMDC has been asked “to de-notify registration of Army Medical Corps deserter officers with PMDC and parallel organisations of adopted/host countries of these officers”.⁶⁸⁵

In March 2014 the Nation reported that in Rawalpindi the Federal Investigation Agency (FIA) “arrested a woman who left military service 14 years ago without reporting to her high-ups. An official of the agency requesting anonymity said that Shabana Kasuar, former lieutenant, was trying to leave the country along with her three children. He said the Kausar was going to Canada and her name appeared on exit control list during scrutiny of documents. ‘In the year 2000 her name was put on ECL [exit control list] for leaving her job without reporting or showing genuine reason, which is considered illegal in army service’, he said. He added the woman was arrested after the airport officials informed the FIA”.⁶⁸⁶

No further COI on the treatment of military deserters was found amongst the sources consulted post June 2013.

Also see [6.5.2. Imposition of travel restrictions for certain groups and in certain areas, including documentation needed for internal travel.](#)

4.2.5. Human rights violations by the security forces

For information on human rights violations perpetrated by non-state armed groups, see: [3.3. Overview of human rights abuses by non-state armed groups.](#)

4.2.5.1. Extrajudicial killings

❖ Security forces

⁶⁸³ [Pakistan Rangers Ordinance \(W.P. Ordinance XIV of 1959\)](#), 1959, amended as of 1997, Section 15 A

⁶⁸⁴ The news, [Deserter army doctors in US, UK in trouble](#), 14 September 2013

⁶⁸⁵ The news, [Deserter army doctors in US, UK in trouble](#), 14 September 2013

⁶⁸⁶ The Nation, [FIA arrests female military deserter](#), 20 March 2014

In its 'Freedom in the World' report addressing events in 2013, Freedom House reports that "The police, the military, and the intelligence services continue to enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are common".⁶⁸⁷ The 2013 U.S. Department of State report similarly notes that "There were many reports that authorities committed arbitrary or unlawful killings. Security forces reportedly committed extrajudicial killings in connection with conflicts in Balochistan".⁶⁸⁸

The Asian Human Rights Commission reports in October 2013 that "Disappearances and extrajudicial killings are at alarming levels in Pakistan. Since the year 2000, hundreds of people are missing. Similar numbers of people have been killed extrajudicially in detention centres, torture cells, and in the open. Extrajudicial killings by LEAs [law enforcement authorities] are a routine practice, used without compunction by the police, Frontier Corps, and Pakistan Rangers".⁶⁸⁹ The Asian Human Rights Commission reports that "The Voice of Baloch Missing Persons (VBMP) has compiled lists of disappearances and extra judicial killings despite threats and intimidation from the state security agencies. The VBMP list reveals that during 2013, 160 persons were extrajudicially killed, 510 persons remain missing after arrest by the security agencies and 50 decomposed bodies of unknown persons were recovered from different cities of the province".⁶⁹⁰

According to an August 2014 submission by the Asian Legal Resource Centre to the UN Human Rights Council, "Extra judicial killings have become rampant in Pakistan; they are being executed with impunity and are rarely tried in Courts. The Asian Legal Resource Centre (ALRC) continues to document hundreds of cases of extra-judicial killings in Pakistan, which are generally accompanied by absolute impunity, due to the lack of investigations and prosecutions. The rampant killings, the lack of effective actions to neither punish them nor provide redress to the victims and their families, speak of the serious lacunae in the justice delivery institutions. Without substantial and structural reforms, ensuring the effective functioning of the country's investigation and justice delivery systems especially so, in instances where the perpetrators of abuses are alleged to be state agents or members of powerful groups- prospects for the effective protection and enjoyment of human rights, including the right to life, remains extremely dim".⁶⁹¹

The 2013 U.S. Department of State report states that "The nongovernmental organization (NGO) Society for Human Rights and Prisoners' Aid (SHARP) reported more than 300 civilian deaths after encounters with police, compared with 181 in 2012".⁶⁹² According to the 2013 Human Rights Commission of Pakistan report, "Killing of suspected criminals in reported exchange of firing with the police continued unabated. Police received criticism for being either trigger happy or worse still staging the events to unlawfully kill individuals. An independent probe mechanism remained lacking and even departmental inquiries were exceptionally rare".⁶⁹³ The Asian Legal Resource Centre also notes on the issue of 'encounter killings' and 'shoot on sight' policies that:

⁶⁸⁷ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

⁶⁸⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. a. *Arbitrary or Unlawful Deprivation of Life*

⁶⁸⁹ Asian Human Rights Commission, [PAKISTAN: New draconian laws provide legal cover to disappearances, extrajudicial killings, torture, & unfair trial](#), 23 October 2013

⁶⁹⁰ Asian Human Rights Commission, [Balochistan; 160 persons extra judicially killed, 510 disappeared and 50 decomposed bodies were found during 2013](#), 7 January 2014

⁶⁹¹ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: PAKISTAN: A call for an immediate intervention to stop extrajudicial killings](#), 27 August 2014, paragraph 1

⁶⁹² US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. a. *Arbitrary or Unlawful Deprivation of Life*

⁶⁹³ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Extrajudicial killings* p. 47

the government of Pakistan has accorded unlimited powers to the various law enforcement authorities to combat terrorism through Pakistan Protection Act of 2014. In September last year [2013], the government has issued the Pakistan Protection Ordinance (PPO), without the approval of the National Assembly. [...] The Pakistan Protection Ordinance (PPO) gives power to shoot a suspect on sight and keep a suspect in detention for 90 days without being produced before a Magistrate. Subsequently the National Assembly passed the Protection of Pakistan Act (PPA) 2014 which permits security forces to shoot suspects on sight with the permission of a grade -15 official. Prior to the PPA was passed by the parliament, law enforcement authorities including, the police, the Pakistan rangers, the Pakistan Army and Frontier Corps, have all illegally implemented the powers conferred by the Pakistan Protection Ordinance and have been involved in the killing of more than 300 persons in what they term as 'fake encounters' during the first seven months of this year.

These "encounter killings" are typically used by the authorities to falsely justify extra-judicial killings. [...] During this year alone, there were 28 such fake encounters reported in which more than three dozen persons were killed including 9 women and two children.⁶⁹⁴

Also reporting on an increase in 'encounter killings', Dawn notes in February 2014 that "Apart from the encounters, recovery of bullet-riddled and tortured bodies of 'missing activists' of different parties and other individuals emerges as a mystery which has yet to be resolved as both the police and Rangers deny their involvement amid serious allegations by the Muttahida Qaumi Movement (MQM) endorsed by rights bodies".⁶⁹⁵ The 2014 report from the Human Rights Commission of Pakistan notes that "Death of suspects in police encounters was a nationwide phenomenon, but had become more commonplace in bigger cities, especially Karachi. As many as 3,392 encounters took place in Sindh in 2014 as against 2,616 in 2013, indicating a substantial increase in the incidents".⁶⁹⁶ According to the Asian Human Rights Commission, "In 2014, more than 750 persons were killed in fake police encounters. In Karachi, the largest industrial and commercial city of the country, 260 persons were killed in operations against criminals, extortionists, and target killers. In Punjab Province alone, 350 persons were killed in encounters".⁶⁹⁷

Furthermore the International Commission of Jurists explains that "The Actions (in Aid of Civil Power) Regulations (AACPR), 2011 authorize 'the armed forces to take certain measures for incapacitating the miscreants by interning them during the continuation of the actions in aid of civil power'. The AACPR are applicable to the Federally Administered Tribal Areas (FATA) and the Provincially Administered Tribal Areas (PATA)".⁶⁹⁸ It further considers that "the AACPR have often been used as the legal cover for illegal detention, enforced disappearances and extrajudicial killings in the Federally Administered Tribal Areas and the Provincially Administered Tribal Areas".⁶⁹⁹

Freedom House, in its 'Freedom in the World' report covering events in 2014, continues to note that "The police, the military, and the intelligence services enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are common".⁷⁰⁰ The UK Foreign and Commonwealth Office report covering events in 2014 notes that

⁶⁹⁴ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: PAKISTAN: A call for an immediate intervention to stop extrajudicial killings](#), 27 August 2014, paragraphs 6, 7, 8, 12

⁶⁹⁵ Dawn, [Surge in 'extrajudicial killings' worries rights activists](#), 18 February 2014

⁶⁹⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and Order, Extrajudicial killings* p.81

⁶⁹⁷ Asian Human Rights Commission, [PAKISTAN: A Lawless State](#), 10 December 2014

⁶⁹⁸ International Commission of Jurists (ICJ), [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (i) *The petition challenging the Actions (in Aid of Civil Power) Regulations 2011* p.71

⁶⁹⁹ International Commission of Jurists (ICJ), [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (i) *The petition challenging the Actions (in Aid of Civil Power) Regulations 2011* p.71

⁷⁰⁰ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

“There were allegations of human rights violations in Balochistan, particularly reports of enforced disappearances and extrajudicial killings. [...] In January and March [2014], mass graves containing more than 20 mutilated bodies were discovered in Khuzdar, Balochistan”.⁷⁰¹ Also reporting on the discovery of the mass graves Amnesty International noted that it “is concerned that there may be more graves in the area that the authorities are not disclosing. Balochistan is one of the most violent parts of Pakistan with scores of activists, journalists and suspected armed group members falling victim to abductions, enforced disappearances and extra judicial executions across the province, including in Khuzdar. Some victims have later been found dumped at the roadside on the outskirts of the city of Karachi”.⁷⁰² Human Rights Watch similarly reports in its annual report for 2014 that “Ongoing rights concerns in Balochistan province related to enforced disappearances, extrajudicial killings, and torture remained unaddressed. Lack of government response to continuing abuses by the security forces in Balochistan fostered a long-standing culture of impunity”.⁷⁰³

In May 2014 Amnesty International issued a statement on the third anniversary of the abduction and killing of journalist Saleem Shahzad which noted that “Pakistani authorities should immediately investigate the Inter-Services Intelligence (ISI), the military’s premier spy agency, over its alleged involvement in journalist attacks”.⁷⁰⁴ Furthermore, the same source noted that in April 2014 “the journalist Hamid Mir narrowly escaped an assassination attempt in Karachi. He has accused the ISI of being responsible for the attack”.⁷⁰⁵ Also see [6.3.4. Treatment of journalists and other media professionals](#).

Human Rights Watch reported that “On June 17, 2014, police fired without warning on supporters of the Pakistan Awami Tehreek (PAT) political party who had attempted to resist police demolition of security barriers erected by PAT in front of its headquarters in the Lahore residential area of Model Town. The media reported that at least eight PAT members are confirmed killed by gunshot wounds. Another media account citing medical staff at Lahore’s Jinnah Hospital reported that another 80 PAT members were injured, including 40 with bullet wounds”.⁷⁰⁶ The same source argued that “the Pakistan authorities should ensure that a judicial inquiry into police shootings of rock-throwing protesters in Lahore fully and impartially investigates possible unnecessary use of lethal force”.⁷⁰⁷ For further information on the extra-judicial killings of demonstrators and protestors, see [6.3.3.3. Protestors](#).

Reporting on the situation in Balochistan the South Asia Terrorism Portal (SATP) notes that:

According to SATP’s partial database, the Province has recorded at least 3,295 civilian fatalities since 2004. Of these, 305 civilian killings (182 in the South and 123 in the North) have been claimed by Baloch separatist formations. Islamist and sectarian extremist groups, primarily Lashkar-e-Jhangvi (LeJ), Tehrik-e-Taliban Pakistan (TTP) and Ahrar-ul-Hind (Liberators of India), claimed responsibility for another 512 civilian killings, 506 in the North (mostly in and around Quetta) and six in the South. The remaining 2,478 civilian fatalities - 1,498 in the South and 980 in the North - remain ‘unattributed’. A large proportion of the unattributed fatalities, particularly in the Southern region, are believed to be

⁷⁰¹ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁷⁰² Amnesty International, [Pakistan: Mass graves a stark reminder of violations implicating the state in Balochistan](#), 5 February 2014

⁷⁰³ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁷⁰⁴ Amnesty International, [Pakistan must investigate Inter-Services Intelligence over attacks against journalists](#), 29 May 2014

⁷⁰⁵ Amnesty International, [Pakistan must investigate Inter-Services Intelligence over attacks against journalists](#), 29 May 2014

⁷⁰⁶ Human Rights Watch, [Pakistan: Fully Investigate Deadly Shootings](#), 17 June 2014

⁷⁰⁷ Human Rights Watch, [Pakistan: Fully Investigate Deadly Shootings](#), 17 June 2014

the result of enforced disappearances carried out by state agencies, or by their proxies, prominently including the Tehreek-e-Nafaz-e-Aman Balochistan (TNAB, Movement for the Restoration of Peace, Balochistan). In 2014, the Province recorded at least 301 civilian fatalities of which 26 civilian killings (All in North) were claimed by Baloch separatist formations. Islamist and sectarian extremist groups claimed responsibility for the killing of another 37 civilians (31 civilians in the North, mostly in and around Quetta; and six in south). The remaining 238 civilian killings remain 'unattributed'.⁷⁰⁸

In January 2015 Dawn noted that in Karachi, “of late, there has been an uptick in the number of alleged encounters and extrajudicial killings in the city”.⁷⁰⁹ It further notes that “It is not only political parties that are complaining about the extrajudicial deaths of their workers; civil society activists have also raised concerns about the all-too-frequent encounters in Karachi. Supporters of Sindhi and Baloch nationalist groups have also been targeted. It appears likely that some within the law-enforcement apparatus are using the cover of anti-militancy operations to settle scores and eliminate suspects by circumventing the criminal justice system”.⁷¹⁰ Also see [6.3.2.Treatment of \(actual and perceived\) members and supporters of political opposition parties](#).

For information on extra-judicial killings committed in detention facilities, see [5.8.1. Deaths in custody](#).

❖ Paramilitary forces

The Asian Human Rights Commission notes that “The federal government has started an operation in Karachi, the capital of Sindh, under the title: “Karachi Targeted Operation” with the support of the police and Pakistan Rangers. The operation, which commenced on September 5, 2013, is supposedly against the increase in targeted killings, extortion, kidnappings and incidents of terrorism including bomb blasts. The Pakistan Rangers has been given powers of arrest and detention of the suspects including permission to shoot on sight”.⁷¹¹

In an October 2013 article the BBC reports that “The Frontier Corps stands accused of enforced disappearances, torture and killings of suspected Baloch separatists. It is widely despised as an oppressive arm of the Pakistani state”.⁷¹² Human Rights Watch’s annual report addressing events in 2013 notes that “As in previous years, 2013 saw enforced disappearances and killings of suspected Baloch militants and opposition activists by the military, intelligence agencies, and the paramilitary Frontier Corps. Baloch nationalists and other militant groups stepped up attacks on non-Baloch civilians”.⁷¹³ The Asian Human Rights Commission similarly reports in October 2013 that “Extrajudicial killings by LEAs [law enforcement authorities] are a routine practice, used without compunction by the police, Frontier Corps, and Pakistan Rangers”.⁷¹⁴

Reporting on the Frontier Corps’ (FC) role in Balochistan, the International Crisis Group commented in January 2014 that:

The FC’s arbitrary actions are largely responsible for the spread of the Baloch insurgency. It is accused of extrajudicial killings, arbitrary arrests, torture and enforced disappearances throughout

⁷⁰⁸ South Asia Terrorism Portal, [Balochistan Assessment - 2015](#), regularly updated [accessed 3 April 2015]

⁷⁰⁹ Dawn, [Recourse to encounters](#), 15 January 2015

⁷¹⁰ Dawn, [Recourse to encounters](#), 15 January 2015

⁷¹¹ Asian Human Rights Commission, [PAKISTAN: Government must stop the disappearances and extrajudicial killings in Karachi](#), 8 May 2014

⁷¹² BBC, [Pakistani doctors angered by failure to halt abductions](#), 28 October 2013

⁷¹³ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁷¹⁴ Asian Human Rights Commission, [PAKISTAN: New draconian laws provide legal cover to disappearances, extrajudicial killings, torture, & unfair trial](#), 23 October 2013

Balochistan. According to Bizenjo, the NP accepted Prime Minister Sharif's offer to form the provincial government on the condition extrajudicial killings would end, but they continued even in his village. The Sharif government seemed to publicly admit its failure to rein in the FC when then-Attorney General Munir Malik, describing enforced disappearances as a legacy of military rule in July 2013, said it would take decades to resolve the issue.

Police personnel regularly direct relatives of missing persons to contact the FC and the military's main security agencies, ISI and MI. The FC denies, as it did in its June 2012 written submission to the Supreme Court, that they are in its custody; explanations of enforced disappearances range from claims that the disappeared had moved to other areas to fight the state to allegations that imposters in FC uniforms committed crimes to defame it. The FC has also said that "90 per cent" of the disappeared are involved in criminal activities and have been killed by rival Baloch groups such as the BLA.⁷¹⁵

The International Crisis Group further notes with regards to the paramilitaries' role in a targeted operation to enforce law and order in Karachi that "Scepticism about the ongoing paramilitary-led operation is reinforced by the rising levels of violence. While almost 10,000 suspects have reportedly been arrested and more than 15,600kg of explosives recovered, target killings claimed more than three dozen lives in the first week of December alone. A well-formed journalist commented: 'The players and faces of executioners change, and new brutal forces join in the game of death, pushing lawlessness to the next higher level. But what doesn't change is the state's inability and unwillingness to deal with the challenge'".⁷¹⁶ The 2014 report from the Human Rights Commission of Pakistan notes with regards to Karachi that 135 suspects were killed in encounters with Rangers.⁷¹⁷

❖ U.S. drone strikes

In an October 2013 report on US drone strikes in Pakistan Amnesty International reports that "The circumstances of civilian deaths from drone strikes in northwest Pakistan are disputed. The USA, which refuses to release detailed information about individual strikes, claims that its drone operations are based on reliable intelligence, are extremely accurate, and that the vast majority of people killed in such strikes are members of armed groups such as the Taliban and al-Qa'ida. Critics claim that drone strikes are much less discriminating, have resulted in hundreds of civilian deaths, some of which may amount to extrajudicial executions or war crimes, and foster animosity that increases recruitment into the very groups the USA seeks to eliminate".⁷¹⁸ Also reporting on the impact of drone strikes the Open Society Foundation reports in November 2014 that "U.S. drone strikes in Pakistan are estimated to have killed well over 2,000 individuals, including an unknown number of civilians. [...] For years, three factors have undermined the ability of governments, civil society and the international community to make progress on civilian harm from drone strikes. First is the United States' ongoing failure to publicly acknowledge and investigate credible claims and well-documented cases of civilian harm. Second, a pro-drone/anti-drone debate that too often ignores long-standing, systematic political marginalization and human rights abuses in FATA. And third, the Pakistani government's inability or failure to properly ensure transparency, accountability, and redress for civilian harm by U.S. drone strikes within its territory".⁷¹⁹ The Human Rights Commission of Pakistan report notes that in 2013, at least 199 people were reported to have been

⁷¹⁵ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *E. The Military's Role* p.21

⁷¹⁶ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 *E. Islamabad's Response* p.33

⁷¹⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and Order, Police abuse and reform*, Karachi, p.75

⁷¹⁸ Amnesty International, ["Will I be next?" US drone strikes in Pakistan](#), 2 October 2013, *Introduction* p. 7

⁷¹⁹ Open Society Foundations, [After the Dead Are Counted: U.S. and Pakistani Responsibilities to Victims of Drone Strikes](#), November 2014, *Executive summary* p.1

killed in and 34 injured in drone attacks.⁷²⁰ The 2014 report from the same source notes that “attacks by drones were reported to have killed at least 114 people in 2014. [...] Because of lack of access to parts of the FATA region for journalists and human rights defenders, it was difficult to determine how many victims of drone strikes were militants and how many civilians had died in these attacks”.⁷²¹

4.2.5.2. Enforced disappearances

Also see [2.3. Status of the Commission of Inquiry on Enforced Disappearances \(CIED\) \[also known as the Commission of Inquiry for Missing Persons \(CIMP\)\]](#).

❖ Security forces

Human Rights Watch explains in an August 2013 report that “Under international law, a state commits an enforced disappearance when its agents take a person into custody and then deny holding the person, or conceal or fail to disclose the person’s whereabouts. Family members and legal representatives are not informed of the person’s whereabouts, well-being, or legal status. “Disappeared” people are often at high risk of torture, a risk even greater when they are detained outside of formal detention facilities such as prisons and police stations”.⁷²²

According to the Asian Human Rights Commission’s annual report for 2013, “Pakistan has the highest number of forced disappearances in the world, many carried out in remote areas affected by armed conflict. Disappearances continue in Balochistan, beset by the long-standing conflict between government forces and Balochi nationalist armed forces; Sindh province, where Sindhi nationalists are demanding autonomy over resources; KPK province, notably under counter-terrorism and often in connivance with foreign forces [...]”.⁷²³ The report details selected instances of enforced disappearances by province.⁷²⁴

In its ‘Freedom in the World’ report addressing events in 2013, Freedom House reports that “The police, the military, and the intelligence services continue to enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are common”.⁷²⁵ Human Rights Watch reports that in July 2013 Pakistan’s attorney general admitted that more than 500 “disappeared” persons are in security agency custody.⁷²⁶ The U.S. Department of State report for 2013 states that “There were kidnappings and forced disappearances, with reports of disappearances in nearly all areas of the country. Some police and security forces held prisoners incommunicado and refused to disclose their location. Human rights organizations reported that many Sindhi and Baloch nationalists were among the missing, and there were reports of disappearances during the year in connection with the conflicts in FATA and KP”.⁷²⁷

⁷²⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Drone attacks* p. 50

⁷²¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Law and Order, Drone Strikes* p. 70

⁷²² Human Rights Watch, [Pakistan: Ratify Treaty on Enforced Disappearance](#), 29 August 2013

⁷²³ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, *Disappearance & Extrajudicial Killings* p.15

⁷²⁴ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, *Disappearance & Extrajudicial Killings* p.16 ff.

⁷²⁵ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

⁷²⁶ Human Rights Watch, [Pakistan: Ratify Treaty on Enforced Disappearance](#), 29 August 2013

⁷²⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. b. *Disappearance*

Its annual report covering 2013 the Asian Human Rights Commission reports that “Disappearances [...] are associated with torture in custody and extrajudicial killings. In 2013, 180 bodies of formerly missing persons were dumped on the road-side as a result of apparent extrajudicial execution during their undocumented detention”.⁷²⁸ The same source also notes that “The Voice of Baloch Missing Persons (VBMP) has compiled lists of disappearances and extra judicial killings despite threats and intimidation from the state security agencies. The VBMP list reveals that during 2013, 160 persons were extrajudicially killed, 510 persons remain missing after arrest by the security agencies and 50 decomposed bodies of unknown persons were recovered from different cities of the province”.⁷²⁹ It further notes in January 2014 that according to VBMP, “a total number of 13,990 persons are missing after their arrest by security forces. The government has made no effort to contradict this figure”.⁷³⁰

In a December 2013 report the International Commission of Jurists considers that “The prevalence of enforced disappearances has been a major human rights problem in Pakistan and a source of significant political tension [...]”.⁷³¹ It also comments that “Despite overwhelming evidence implicating Pakistani security forces in enforced disappearances, to date no one has been brought to justice for their alleged involvement in enforced disappearances. Multiple factors have enabled impunity for enforced disappearances: a compromised criminal justice system, inadequate witness protection laws, and the absence of civilian oversight of the military”.⁷³² The same source adds that “the Supreme Court has failed so far in ensuring members of the military and security agencies allegedly responsible for enforced disappearances are held to account and providing effective remedy and reparations to the hundreds, if not thousands, of victims of enforced disappearance”.⁷³³

Amnesty International’s annual report covering 2014 similarly states with regards to enforced disappearances that “Despite clear rulings by the Supreme Court to the government in 2013 demanding the recovery of victims of enforced disappearances, the authorities did little to meet its obligations under international law and the Constitution to prevent these violations. The practices of state security forces, including actions within the scope of laws such as the Protection of Pakistan Act, resulted in men and boys being subjected to enforced disappearance across Pakistan and particularly in the provinces of Balochistan, Khyber Pakhtunkhwa and Sindh. Several victims were later found dead, bearing what appeared to be bullet wounds and torture marks. The government did not implement Supreme Court orders calling for security forces responsible for enforced disappearances to be brought to justice”.⁷³⁴ The same source further notes:

The bodies of men and boys arbitrarily detained by the Pakistan armed forces in Khyber Pakhtunkhwa province and the Federally Administered Tribal Areas (FATA) continued to be recovered months or years later, while the authorities generally failed to abide by Peshawar High Court orders either to release those suspected of terrorism or charge them promptly and bring them to trial. Detainees

⁷²⁸ Asian Human Rights Commission, [*The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field*](#), 10 December 2013, *Introduction* p.3

⁷²⁹ Asian Human Rights Commission, [*Balochistan; 160 persons extra judicially killed, 510 disappeared and 50 decomposed bodies were found during 2013*](#), 7 January 2014

⁷³⁰ Asian Human Rights Commission, [*Balochistan; 160 persons extra judicially killed, 510 disappeared and 50 decomposed bodies were found during 2013*](#), 7 January 2014

⁷³¹ International Commission of Jurists (ICJ), [*Authority without accountability: The search for justice in Pakistan*](#), 5 December 2013, *Enforced disappearances* p.16

⁷³² International Commission of Jurists (ICJ), [*Authority without accountability: The search for justice in Pakistan*](#), 5 December 2013, (3) *Impunity for enforced disappearances* p.70

⁷³³ International Commission of Jurists (ICJ), [*Authority without accountability: The search for justice in Pakistan*](#), 5 December 2013, *Enforced disappearances* p.16

⁷³⁴ Amnesty International, [*Amnesty International Report 2014/15: Pakistan*](#), 25 February 2015, *Enforced disappearances*

continued to have limited access to families and lawyers. There were some rare instances of activists subjected to enforced disappearance being returned alive. On 5 February [2014], Kareem Khan, an anti-drone activist and a relative of victims, was abducted by up to 20 armed men, some in police uniforms, from his home in the garrison city of Rawalpindi, days before he was due to travel to Europe to give testimony before the European Parliament on the impact of US drone strikes on Pakistan's tribal areas. He was released nine days later following pressure from local and international rights groups and foreign governments. He claimed that he had been subjected to torture and repeatedly questioned about his activism and his investigation of drone strikes. The authorities failed to investigate the incident adequately and did not bring those responsible to justice.

Human rights groups criticized a judicial inquiry into mass graves discovered in Totak Balochistan on 25 January for failing to investigate state security forces adequately. Baloch activists claimed that the graves belonged to ethnic Baloch activists who had been subjected to enforced disappearance.⁷³⁵

Human Rights Watch reports in its annual report for 2014 that "Ongoing rights concerns in Balochistan province related to enforced disappearances, extrajudicial killings, and torture remained unaddressed. Lack of government response to continuing abuses by the security forces in Balochistan fostered a long-standing culture of impunity".⁷³⁶ Freedom House, in its 'Freedom in the World' report covering events in 2014, continues to note that "Enforced disappearances have targeted terrorism suspects, Balochi and Sindhi nationalists, journalists, researchers, and social workers".⁷³⁷

The Asian Legal Resource Centre submitted to the UN Human Rights Council in February 2014 that "Balochistan province, at this moment in time, may be said to be the place in the world where the largest number of enforced disappearances take place. The Supreme Court of Pakistan and several High Courts have recognised the high level of disappearances that take place in the province. However, neither the courts nor the government have been able to take any effective steps to stop the practice of enforced disappearances or even to bring down the numbers of such instances that take place. Conservative estimates place the number of enforced disappearances at between 10,000 and 15,000".⁷³⁸ The same source submitted to the UN Human Rights Council in August 2014 on the issue of forced labour of children that "There are reports that the military in their detention centres across the country use girls as sex slaves in order to obtain confessional statements from people who are forcibly made to disappear, particularly more so in the Balochistan province".⁷³⁹

In August 2014, on the eve of the annual International Day of the Victims of Enforced Disappearances, the International Commission of Jurists (ICJ), Amnesty International, and Human Rights Watch issued a statement urging "Pakistan's government to stop the deplorable practice of state agencies abducting hundreds of people throughout the country without providing information about their fate or whereabouts".⁷⁴⁰ They further noted that "The government has failed to establish the facts about the fate and whereabouts of victims when disappearances occur, has failed to bring perpetrators to justice, and has failed to provide reparations to victims, including the families of the disappeared".⁷⁴¹ The organisations further report:

⁷³⁵ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Enforced disappearances*

⁷³⁶ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁷³⁷ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

⁷³⁸ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status, Pakistan: disappearances](#), 25 February 2014

⁷³⁹ Asian Legal Resource Centre, [PAKISTAN: End slavery and bonded labour, Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 27 August 2014, paragraph 2

⁷⁴⁰ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

⁷⁴¹ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

Instead, the government has responded by passing the Protection of Pakistan Act, 2014, which facilitates enforced disappearances by retrospectively legitimizing detention at undisclosed locations and providing immunity to all state agents acting in 'good faith.' These steps perpetuate a troubling culture of impunity in Pakistan, casting grave doubts on the government's seriousness about ensuring justice and protecting human rights.

Enforced disappearances—most often of men and boys—occur regularly throughout Pakistan, including Balochistan and north-western Pakistan, as well as in Punjab and Sindh provinces.

Balochistan is of particular concern because of a pattern of enforced disappearances targeting political activists, human rights defenders, journalists, and lawyers. Disappeared people are often found dead, their bodies bearing bullet wounds and marks of torture.⁷⁴²

It is also reported by Amnesty International, Human Rights Watch and the International Commission of Jurists in their joint statement that "In the weeks leading up to Pakistan's Independence Day, 14 August [2014], dozens of ethnic Baloch were arbitrarily arrested in the New Kahan area of Quetta, and Turbat and Kharan districts. At present, the fate or whereabouts of all of these people remain unknown".⁷⁴³

The 2014 report from the Human Rights Commission of Pakistan notes that "According to the Commission of Inquiry on Enforced Disappearances (CIED) report submitted to the interior ministry at the end of 2014, there were as many as 1,265 cases of missing persons pending with the commission. According to the interior ministry, 155 bodies of missing persons were found in 2014, 67 of which were Baloch. [...] According to data from HRCP's monitoring of 48 critical districts of Pakistan, 129 new cases of enforced disappearance were reported in the year under review, 106 of which were from only nine districts of Balochistan".⁷⁴⁴ It further reports that that "The worrying trend of enforced and involuntary disappearances continued in Balochistan, KP and Sindh where dozens of students and political workers of nationalist parties were picked up, tortured to death and their bodies thrown in far flung areas".⁷⁴⁵ The UK Foreign and Commonwealth Office report covering events in 2014 notes that "There were allegations of human rights violations in Balochistan, particularly reports of enforced disappearances and extrajudicial killings. A march from Quetta to Islamabad to protest against enforced disappearances and killings of Baloch, which started in November 2013, continued until the end of February 2014. The "Voice for Baloch Missing Persons" alleged that more than 18,000 Baloch were "missing". [...] In December [2014], the National Human Rights Commission expressed alarm at the increasing reports of enforced disappearances in Sindh. Between August and December [2014], at least ten activists of Sindh nationalist political parties were reportedly abducted by security agencies; their bodies were later found dumped. The commission urged the government to ratify and implement the International Convention for the Protection of All Persons from Enforced Disappearances. In the same month, the World Sindhi Congress condemned the extrajudicial killing, abduction, disappearances and torture of Sindhi and Baloch people".⁷⁴⁶

The International Crisis Group reports in a January 2014 report with regards to the role of security forces in kidnappings perpetrated by criminal groups that:

⁷⁴² Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

⁷⁴³ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

⁷⁴⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and 'disappearances'*, Disappearances/arbitrary detention p.100

⁷⁴⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and 'disappearances'* p.87

⁷⁴⁶ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

According to the Sindh police, many victims end up in KPK and FATA, passed on by criminal gangs to militant outfits or kidnapped by militant networks operating in Karachi. A retired police official still involved in the security sector maintained that 70 per cent of extortion incidents could be attributed to criminal gangs; 20 per cent to militant groups; and 10 per cent to criminals with links to political parties. A 2013 Supreme Court inquiry found that some kidnapping rings also had strong links with security officials in the police and paramilitary Rangers, as well as private guards in banks. A Rangers spokesperson denied this. In August 2013, the navy opened an investigation of three naval intelligence personnel, including two assistant directors, for alleged involvement in a kidnapping gang.⁷⁴⁷

Also reporting on the involvement of intelligence personnel in disappearances the Asian Legal Resource Centre notes in June 2014 that “The ISI [Inter-Services Intelligence], Pakistan’s spy agency, has been implicated in numerous abductions, torture and killings of journalists, and yet no serving ISI official has ever been held to account. This effectively allows the organisation to continue to operate beyond the reach of the law. [...] Hyatullah, MusaKhel and many from Balochistan were killed after their disappearance by the powerful intelligence agencies of the army. A prominent journalist, Umer Cheema, was also abducted by the intelligence agency, the ISI, severely tortured and sodomised by army officials. But, as is typical where the military are concerned, no perpetrator has ever been prosecuted nor has any enquiry been concluded”.⁷⁴⁸ In an April 2014 report Amnesty International noted with regards to the situation for journalists in Khuzdar, the second largest city in Balochistan that “State security forces, which have a significant presence in the city, along with pro- and anti-state armed groups, have been implicated in threats and attacks against journalists for reasons including their ethnicity, political views or affiliations. The perpetrators subject victims to abduction, torture and other ill-treatment, and unlawful and extrajudicial killing”.⁷⁴⁹ Also see [6.3.4. Treatment of journalists and other media professionals](#).

A Human Rights Watch commentary reported that:

On February 10 [2015], the Supreme Court asked federal and provincial governments to ensure that ‘whenever a dead body is found, the relatives of the missing persons should be contacted to identify it.’ That’s no small task. Official statistics indicate that since 2009, authorities have recovered the bodies of 4,557 suspected victims of enforced disappearance and subsequent extrajudicial execution, of which 266 remain unidentified. Those figures reflect the brutal toll of government agencies’ deplorable practice of abducting people and then denying holding them, or not providing information about their fate or whereabouts. Such enforced disappearances – most often of men and boys – occur regularly throughout Pakistan, particularly in Balochistan and northwestern Pakistan, but also in Punjab and Sindh provinces. [...]

The Supreme Court singled out Balochistan’s provincial government for criticism for failing to inform relatives of “missing persons” after the recovery of unidentified dead bodies. That criticism is well-earned. Human Rights Watch research has revealed abject official failure to establish and provide families information on disappearance victims in Balochistan. In many cases, police beat and dragged suspects handcuffed and blindfolded into vehicles, failing to identify themselves or explain the basis for arrest.⁷⁵⁰

⁷⁴⁷ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 B. Governance and Criminality, p.28

⁷⁴⁸ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: The international community must pursue the government of Pakistan to ensure the safety and security of journalists](#), 4 June 2014, paragraphs 12 and 24

⁷⁴⁹ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 6.1 KHUZDAR: A GRAVEYARD FOR JOURNALISTS p.50

⁷⁵⁰ Human Rights Watch commentary, [Dispatches: Identifying Pakistan’s ‘Disappeared’](#), 12 February 2015

The South Asia Terrorism Portal (SATP) reports in its 2015 Pakistan assessment that “The issue of ‘disappearances’, the continuing recovery of dead bodies, and the mounting numbers of missing persons continue to haunt the country. Pakistan’s Attorney General (AG) Salman Aslam Butt, on February 10, 2015, told a two-judge bench of the Supreme Court, hearing an application filed by Voice for Baloch Missing Persons (VBMP) Chairman Nasrullah Baloch, that 4,557 dead bodies had been recovered from all over the country over the preceding five years, and that 266 of these were unidentified”.⁷⁵¹

❖ Paramilitary forces

In an October 2013 article the BBC reports that “The Frontier Corps stands accused of enforced disappearances, torture and killings of suspected Baloch separatists. It is widely despised as an oppressive arm of the Pakistani state”.⁷⁵² Human Rights Watch’s report addressing events in 2013 notes that “As in previous years, 2013 saw enforced disappearances and killings of suspected Baloch militants and opposition activists by the military, intelligence agencies, and the paramilitary Frontier Corps. Baloch nationalists and other militant groups stepped up attacks on non-Baloch civilians”.⁷⁵³ Amnesty International’s annual report covering 2014 states with regards to an enforced disappearance committed by the Frontier Corps that:

Zahid Baloch, Chairman of the Baloch Student Organisation-Azad, was abducted in Quetta, Balochistan, on 18 March. Witnesses claimed he was taken at gunpoint in the city’s Satellite Town area by personnel of the Frontier Corps, a federal security force. The authorities denied knowledge of his arrest and failed to investigate his fate or whereabouts or to investigate the abduction adequately. No new information was known at the end of the year.⁷⁵⁴

Reporting on the Frontier Corps’ (FC) role in Balochistan, the International Crisis Group comments in January 2014 that:

The FC’s arbitrary actions are largely responsible for the spread of the Baloch insurgency. It is accused of extrajudicial killings, arbitrary arrests, torture and enforced disappearances throughout Balochistan. According to Bizenjo, the NP accepted Prime Minister Sharif’s offer to form the provincial government on the condition extrajudicial killings would end, but they continued even in his village. The Sharif government seemed to publicly admit its failure to rein in the FC when then-Attorney General Munir Malik, describing enforced disappearances as a legacy of military rule in July 2013, said it would take decades to resolve the issue.

Police personnel regularly direct relatives of missing persons to contact the FC and the military’s main security agencies, ISI and MI. The FC denies, as it did in its June 2012 written submission to the Supreme Court, that they are in its custody; explanations of enforced disappearances range from claims that the disappeared had moved to other areas to fight the state to allegations that imposters in FC uniforms committed crimes to defame it. The FC has also said that “90 per cent” of the disappeared are involved in criminal activities and have been killed by rival Baloch groups such as the BLA.⁷⁵⁵

⁷⁵¹ South Asia Terrorism Portal, [Pakistan Assessment 2015](#), regularly updated [accessed 3 April 2015]

⁷⁵² BBC, [Pakistani doctors angered by failure to halt abductions](#), 28 October 2013

⁷⁵³ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁷⁵⁴ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Enforced disappearances*

⁷⁵⁵ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, *E. The Military’s Role* p.21

4.2.5.3. Torture

For information on torture committed in custody/detention facilities, see [5.3. Torture and ill-treatment of criminal suspects](#).

❖ Security forces

In its 'Freedom in the World' report addressing events in 2013, Freedom House reports that "The police, the military, and the intelligence services continue to enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are common".⁷⁵⁶ A September 2013 report from REDRESS notes that "torture remains a significant problem in Pakistan, and is perpetrated by law enforcement personnel primarily when interrogating arrestees and detainees. The problem is especially prevalent in the context of counter-terrorism efforts. The threat of terrorism and fundamentalist insurgency in certain regions, primarily the Northwest frontier, has led to widespread violations, including torture, of which an international element is also apparent, given the complicity of western intelligence services".⁷⁵⁷

Freedom House, in its 'Freedom in the World' report covering events in 2014, continues to note that "The police, the military, and the intelligence services enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are common".⁷⁵⁸ A 2014 report by Amnesty International marking 30 years of the UN Convention Against Torture noted that "torture in Pakistan is frequently practised by police, intelligence services and the army, particularly in conflict-ridden tribal areas and Balochistan".⁷⁵⁹ Human Rights Watch similarly reported in its annual report covering 2014 that "Ongoing rights concerns in Balochistan province related to enforced disappearances, extrajudicial killings, and torture remained unaddressed. Lack of government response to continuing abuses by the security forces in Balochistan fostered a long-standing culture of impunity".⁷⁶⁰

The 2014 report from the Human Rights Commission of Pakistan (HCRP) notes that "Torture remained widespread in Pakistan, with police and security agencies being the most frequent offenders. Resort to torture to extract confessions from suspects and to intimidate individuals in custody or otherwise was routinely reported from across the country. Dumped bodies of victims of enforced disappearance often displayed signs of sadistic treatment. An inordinate number of detainees in internment centres — even young men — seemed to suffer cardiac arrests during the criminal investigation stage. According to the HCRP database which relied on monitoring of the news media, 63 people including four women and two minors died in custody, while FIR was registered only in 14 cases. According to media reports monitored for the database, at least 47 people including seven women underwent custodial torture in 2014".⁷⁶¹

The Asian Legal Resource Centre notes in June 2014 that "The ISI [Inter-Services Intelligence], Pakistan's spy agency, has been implicated in numerous abductions, torture and killings of journalists, and yet no serving ISI official has ever been held to account. This effectively allows the

⁷⁵⁶ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

⁷⁵⁷ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. Pakistan, 7.6. Conclusion p.104

⁷⁵⁸ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

⁷⁵⁹ cited in UK Foreign and Commonwealth Office, [Pakistan: country of concern, latest update 30 June 2014](#), 30 June 2014

⁷⁶⁰ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁷⁶¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, Law and Order, Law enforcers' excesses, Torture in custody p.80

organisation to continue to operate beyond the reach of the law”.⁷⁶² In an April 2014 report Amnesty International noted that it “has received credible allegations of the harassment, abduction, torture and killing of journalists carried out by a range of perpetrators”.⁷⁶³ It lists among the state actors “the Directorate for Inter-Services Intelligence (ISI), the military’s premier intelligence service” and “ethnic Baloch armed groups, both pro- and anti-state”.⁷⁶⁴ Also see [6.3.4. Treatment of journalists and other media professionals](#).

In June 2014 the World Organisation Against Torture (OMCT) and Human Rights Commission of Pakistan reported that “Four years ago, Pakistan ratified UNCAT [United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment] and thereby committed itself to eradicating torture. Yet torture remains today one of the most serious human rights problems in Pakistan. Our country continues to fall short in complying with its obligations. No serious efforts have been made to give effect to the UNCAT. As of today, Pakistan has not submitted its initial state report, which is mandatory under the UNCAT”.⁷⁶⁵

Also note that sources document that victims of victims of enforced disappearances have been found dead, bearing what appear to be bullet wounds and signs of torture; see [4.2.5.2. Enforced disappearances](#).

❖ Paramilitary forces

In an October 2013 article the BBC reports that “The Frontier Corps stands accused of enforced disappearances, torture and killings of suspected Baloch separatists. It is widely despised as an oppressive arm of the Pakistani state”.⁷⁶⁶ Reporting on the Frontier Corps’ (FC) role in Balochistan, the International Crisis Group reports that “The FC’s arbitrary actions are largely responsible for the spread of the Baloch insurgency. It is accused of extrajudicial killings, arbitrary arrests, torture and enforced disappearances throughout Balochistan”.⁷⁶⁷

4.2.5.4. Forced displacement

In its review of 2013 UNOCHA reports that “Insecurity remained a challenge in north-west Pakistan, as 140,000 people were displaced from the Federally Administered Tribal Areas (FATA) due to increased hostilities and security operations against non-state armed actors, pushing the number of internally displaced people (IDPs) to more than 1 million. More than 108,000 IDPs from FATA returned home during the year, though many returned to damaged homes and limited basic services. Over 1.4 million people who have returned to FATA since 2009 continue to try to recover and rebuild their livelihoods”.⁷⁶⁸ In an October 2013 report on US drone strikes in Pakistan Amnesty

⁷⁶² Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: The international community must pursue the government of Pakistan to ensure the safety and security of journalists](#), 4 June 2014, paragraphs 12 and 24

⁷⁶³ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 1. Introduction p.9

⁷⁶⁴ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 1. Introduction p.9

⁷⁶⁵ OMCT/Human Rights Commission of Pakistan, [Pakistan: Time for real efforts to eradicate torture and implement the Convention against Torture](#), 26 June 2014

⁷⁶⁶ BBC, [Pakistani doctors angered by failure to halt abductions](#), 28 October 2013

⁷⁶⁷ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, E. The Military’s Role p.21

⁷⁶⁸ UNOCHA, [Humanitarian Bulletin Pakistan Issue 21 | 16 November – 15 December 2013](#), 17 December 2013

International reports that “The military often fails to differentiate between civilians and fighters, and has attacked populated areas of North Waziristan, causing numerous deaths and injuries and frequent small-scale displacement”.⁷⁶⁹

The UK Foreign and Commonwealth Office report covering events in 2014 notes that “In June, Pakistan’s army launched a large-scale operation to clear North Waziristan of militants. Over one million internally displaced persons (IDPs) were forced out of the region”.⁷⁷⁰ Human Rights Watch’s annual report for 2014 provides further background on the operation noting that “On June 15 [2014], the Pakistani military began an air offensive against alleged Pakistani Taliban strongholds. The military action was in response to a June 8 attack by militants against Jinnah International Airport in Karachi that killed more than 18 people. The government then opened a ground offensive on June 30 in North Waziristan involving more than 30,000 troops. The government estimated that as of July 7 the military intervention had displaced almost 800,000 people, and that up to 75 percent of them have taken refuge in Bannu”.⁷⁷¹

UNOCHA reporting on military operations in 2014 notes that with regards to forced displacement that:

In 2014, security operations forced over 1 million people to leave their homes, mainly in North Waziristan Agency (NWA) and Khyber Agency in the Federally Administered Tribal Areas (FATA). In January and March 2014, an estimated 45,000 people fled their homes in NWA fearing a deterioration in security. The affected population subsequently returned to their areas of origin, however this improvement was temporary.

As a response to a breakdown in security and growing challenges posed by nonstate armed militants, the Government launched two security operations in 2014.

The operations—Zarb-e-Azb, launched in June in NWA and Khyber One in Khyber Agency in October—mainly focusing on Bara and Tirah Valley resulted in displacing over 233,000 families (1.4 million people). This makes 2014 the year with most displacements since 2009, taking the total number of the displaced to approximately 1.6 million. Displaced people continue to need education, food, health, non-food items, shelter, protection services, water, sanitation and hygiene assistance.⁷⁷²

With regards to housing demolitions, IRIN reported that “On 17 March [2014], 22-year-old Muhammad Yaqub got a notice from the authorities saying his mud-walled, thatch-roofed home in Pakistan’s capital city was scheduled to be bulldozed. He lives in one of 18 illegal settlements which the Capitol Development Authority (CDA), a department under the Ministry of Interior, is planning to move or raze this month. The settlements, home to more than 80,000 people many of whom are internally displaced or Afghan refugees and migrants, have come under renewed scrutiny since 3 March, when gunmen and suicide bombers killed 11 people in a rare attack on a judicial complex in Islamabad. [...] The demolitions were slated to begin on 24 March 2014, but after thousands of residents held a sit-in in front of CDA offices on 20 March, officials announced the clearance operation would be postponed”.⁷⁷³

For information on the conditions of persons in displacement, see [6.5.4. Internally displaced persons \(IDPs\)](#).

⁷⁶⁹ Amnesty International, [“‘Will I be next?’ US drone strikes in Pakistan”](#), 2 October 2013, 2.3 OPERATIONS BY PAKISTAN ARMED FORCES p.15

⁷⁷⁰ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁷⁷¹ Human Rights Watch, [Pakistan: Ensure Aid Reaches Displaced in Waziristan](#), 10 July 2014

⁷⁷² UNOCHA, [Humanitarian Bulletin Pakistan Issue 32 December 2014 – January 2015](#), 14 February 2015

⁷⁷³ Integrated Regional Information Network, [Pakistan slum clearances politically motivated?](#) 7 April 2014

5. Rule of Law / Administration of Justice

5.1. Judicial independence

For information on corruption in state institutions in general, see [1.3.4.1. Corruption](#).

The 2013 U.S. Department of State report considers that “The law provides for an independent judiciary, but the judiciary often was subject to external influences, such as fear of reprisal in terrorism or blasphemy cases. In nonpolitical cases, the media and the public generally considered the high courts and the Supreme Court credible. [...] Many lower courts remained corrupt, inefficient, and subject to pressure from prominent wealthy, religious, and political figures. The politicized nature of judicial promotions increased the government’s control over the court system”.⁷⁷⁴

REDRESS comments in a July 2013 report that “Corruption is rife in the public institutions of Pakistan, especially the police and the judiciary, which contributes to a lack of impartiality and restricts the effective investigation of crime. [...] Strains on the judiciary, resulting in a backlog of cases, provides an opportunity for judges to ‘seek bribes to fix an early hearing’. Furthermore, political pressure exerted by both the federal and respective provincial governments hinders the effective operation of the judiciary, and ultimately curtails its independence”.⁷⁷⁵ The 2013 U.S. Department of State report similarly states that “Anecdotal reports persisted about corruption in the judicial system, including reports of small-scale facilitation payments requested by court staff. Lower-court judges lacked independence, and superior court judges sometimes pressured them on how to decide a case. Lower courts remained corrupt, inefficient, and subject to pressure from prominent wealthy, religious, and political figures. Government involvement in judicial appointments increased the government’s control over the court system”.⁷⁷⁶

Human Rights Watch’s annual report covering 2013 note that “Pakistan’s judiciary remains an independent but controversial actor” but that “The courts are rife with corruption”.⁷⁷⁷ It further notes that “Judges often use *suo motu* proceedings—the court acting on its own motion—to help people gain access to justice. In other cases, the judiciary has used such proceedings to interfere with legislative or executive powers, part of a longstanding power struggle between Chief Justice Iftikhar Chaudhry, the government, and the army”.⁷⁷⁸ The Asian Human Rights Commission similarly notes in its annual report for 2013 that “Corruption and bribery still play a significant role in Pakistan and all too often the wealthy are able to buy their way out of trouble while the poor, often innocent of the charges they face, are left to their fate. Pakistan fails to meet the basic requirements of guaranteeing an impartial trial, adequate legal representation, and independence of the judiciary from outside influence, including pressure from the government itself. The Qisas and Diyat Ordinance, which allows for families of victims to accept ‘blood money’ further muddles the judicial process as criminals with money are able to pay their way out of crimes such as murder”.⁷⁷⁹

⁷⁷⁴ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. e. *Denial of Fair Public Trial*

⁷⁷⁵ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. *Pakistan, Complaint procedure and independent oversight* p.101

⁷⁷⁶ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 Section 4. Corruption and Lack of Transparency in Government

⁷⁷⁷ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁷⁷⁸ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁷⁷⁹ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, *Death sentence* p.52

In its 'Freedom in the World' report covering events in 2013 Freedom House reports that "Over the last decade, the higher judiciary has become comparatively free of the problems that are endemic in the broader justice system, including corruption, intimidation, a large backlog of cases, and political interference. Under Chief Justice Chaudhry, who retired in December 2013, the higher judiciary took on an activist role, which helped it assert its independence but also caused tensions with the political branches. By the end of the year, with a new democratic government and a new chief justice in place, the relationship between the branches appeared to have become less adversarial. The 2009 National Judiciary Policy attempted to tackle inefficiency in the lower judiciary. Though its focus on speedy adjudication has reduced the courts' backlog, in many cases the policy has undermined the quality of justice by weakening due process safeguards, including through the use of special venues such as antiterrorism courts".⁷⁸⁰

Human Rights Watch's report for 2013 further notes that "Judges also continued to muzzle media and other criticism of the judiciary through threats of contempt of court proceedings. The judiciary's conduct came under severe criticism during the election campaign when judges tried to disqualify political candidates in violation of Pakistan's international human rights commitments, using vague and discriminatory laws requiring candidates to be pious Muslims, and although repealed in 2009, to be university graduates. Chief Justice Chaudhry, who took a leading role in acting against those critical of the judiciary, retired from office in December".⁷⁸¹

An April 2014 Transparency International report summarises the independence of Pakistan's judiciary thus:

The present constitutional conventions and safeguards for Pakistan's superior judiciary have survived a number of coups d'état, upheavals and politically motivated movements. There have been a number of attempts to control the judiciary both, under the martial law and the civil rule. It is alleged that the superior courts and judges, through amendments in the Constitution have been subject to forced removal, unconstitutional and merit-less appointments based on nepotism, political patronage, and favouritism and out of turn elevations.⁷⁸²

The World Justice Project's 2014 Rule of Law Index ranks Pakistan 96 out of 99 countries surveyed.⁷⁸³ The survey scored Pakistan on the following indices: Constraints on government powers (73/99); absence of corruption (91/99); open government (95/99); fundamental rights (92/99); order and security (99/99); regulatory enforcement (95/99); civil justice (94/99); and criminal justice (68/99).⁷⁸⁴ Reporting on the survey the Business Recorder notes that "Not only does Pakistan rank one of the lowest around the globe (96/99), but also fifth among six regional countries in overall rule of law performance, leading only Afghanistan. At such a low rank, the country portrays weaknesses along most of the indicators; corruption in all government branches, ineffective enforcement, human rights' violation in form of refusal to right to life and security of the people are all inhibitors to fair functioning of the society".⁷⁸⁵

Freedom House, in its 'Freedom in the World' report covering events in 2014, continues to note that "the broader justice system is marred by endemic problems including corruption, intimidation, a large backlog of cases, and insecurity".⁷⁸⁶ The same source further reports that "In a potential

⁷⁸⁰ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

⁷⁸¹ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁷⁸² Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 3: Judiciary*, 3.1.4 *Independence (Practice)* p.66

⁷⁸³ World Justice Project, [2014 Rule of Law Index](#), 2014, *Pakistan* p.132

⁷⁸⁴ World Justice Project, [2014 Rule of Law Index](#), 2014, *Pakistan* p.132

⁷⁸⁵ Business Recorder, [Pakistan legal system amongst the worst](#), 17 March 2014

⁷⁸⁶ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

milestone for the rule of law in Pakistan, former military ruler and president Pervez Musharraf was formally indicted in March 2014 on charges of subverting the constitution through an emergency decree and other actions in 2007 that included the removal of many top judges. At year's end, it remained unclear whether the civilian authorities would be able to pursue the trial to completion in the face of reported resistance from the military".⁷⁸⁷

5.2. Access to fair trial

The 2013 U.S. Department of State report considers that "There were extensive case backlogs in the lower and superior courts, as well as other problems that undermined the right to effective remedy and the right to a fair and public hearing. According to then Chief Justice Chaudhry, more than 1.6 million cases were pending in the district and the superior courts as of August 2012. Delays in justice in civil and criminal cases were due to antiquated procedural rules, weak case-management systems, costly litigation, and weak legal education".⁷⁸⁸ The 2013 Human Rights Commission of Pakistan report similarly notes that "A heavy backlog of cases across all tiers of the judicial system remained the foremost hurdle in realising the goal of expeditious justice. The courts' ability to do deal with the caseload was hampered also by delay in appointment of judicial officers. The most extensive interaction of the people at large with the judicial machinery was at the district level and it was at this level that delays were most pervasive".⁷⁸⁹

Human Rights Watch's annual report covering 2013 notes that "Despite the adoption of a National Judicial Policy in 2009, access to justice remains poor, as case backlogs mount throughout the country".⁷⁹⁰ Similarly, in a July 2013 report on torture in Pakistan Redress notes with regards to the justice system that:

The justice system is characterised by prolonged court proceedings and a significant backlog of pending cases, primarily owing to the scarcity of qualified judges and legal professionals and inadequate case management or court administration systems. More importantly, the judiciary has not been willing to take the initiative to handle these matters due to a fear of retaliation by the military. There have been few cases where police officers in particular have been charged with torture and ill- treatment and even convicted by a court for their actions. However, punishments are rarely enforced and the Special Rapporteur noted that disciplinary measures, such as demotion or dismissal, were often viewed as sufficient punishment for officials who had abused their authority.⁷⁹¹

An April 2014 Transparency International report summarises Pakistan's judiciary thus:

Pakistan's judicial system has been criticized for its inefficiency, lack of training, huge judicial backlog and corruption particularly in the subordinate courts Problems like lack of proper funding, under staffing and inadequate infrastructure has made access to justice an agonizing and a cumbersome process for the citizens. Criminal cases can take up to five years and civil cases can prolong up to 20 years and in most cases parties may not even survive the decision.

According to Pakistan 2012 Human Rights Country Report, there is a backlog of 1.4 million cases pending adjudication before the entire judiciary of the country. [...]

Lack of government funding and inadequate infrastructure for courts are among the major causes for backlogs and inordinate delays. Although the courts prepare their annual budget but the final budget

⁷⁸⁷ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

⁷⁸⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. e. *Denial of Fair Public Trial*

⁷⁸⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Administration of justice* p.22

⁷⁹⁰ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁷⁹¹ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. *Pakistan*, 7.4 *Accountability* p. 102

approved by the respective Assembly is subject to various cuts. Budgetary allocation to judiciary is negligible and the third pillar of the State is getting less than 1% of the federal/provincial budgets, which is not sufficient to carry out courts' duties effectively.⁷⁹²

The 2014 Human Rights Commission of Pakistan report notes that "The judiciary was up against more than 1.793 million cases pending in courts across the country. With this backlog taking a toll on individuals as well as the system, public faith in the efficacy of the justice system to deliver seemed to have dwindled".⁷⁹³ The same source further notes that "The constitutional scheme of trichotomy and separation of powers in Pakistan has been interpreted and projected overtime to mean that the only form of judicial accountability acceptable under the Constitution is self-accountability. But that has not taken root. According to Transparency International, the judiciary in Pakistan is perceived to be amongst one of the more corrupt public institutions. But the high courts that possess administrative control of the district judiciary within each province have made no structured effort to curb corruption within the courts subservient to them".⁷⁹⁴

Amnesty International reports that during 2014 the "The National Assembly approved the Protection of Pakistan Act [PPA] in July and other security laws during the year that enshrined sweeping powers for law enforcement and security forces, expanding the scope for arbitrary arrests, indefinite detention, the use of lethal force, and secret court proceedings which go well beyond international law enforcement and fair trial standards".⁷⁹⁵ Reporting on the same Act, Human Rights Watch notes that the "PPA violates the right to fair trial by shifting the onus of proof on the accused in certain circumstances, and granting powers of arbitrary arrest and preventive detention to the security forces".⁷⁹⁶

In a December 2014 report on the restoration of death sentences the Asian Human Rights Commission states that "Most of the accused cannot afford a good counsel who can save them from the gallows, defense counsel are often ill equipped to handle their client's case. It is an open secret that the investigation of the police is faulty at best. Use of forensics is almost nonexistent; accounts of witnesses are heavily relied upon by the court which can be coloured by revenge, sympathy, and hatred etc for the accused. It is also a known fact that many people roam around the courts who would testify to anything provided they are paid a certain amount. Given the rampant corruption in the police and judiciary death penalty should not be awarded".⁷⁹⁷

Amnesty International further reports in January 2015 that "Some of the prisoners executed so far, and those at risk, have been convicted in Anti-Terrorism Courts. These suspend fundamental rights of the defendant by holding trials in absentia or often using statements obtained through torture as evidence. Judges are also under pressure to conclude trials within seven working days".⁷⁹⁸ It further noted in a December 2014 Urgent Action that "many death sentences are handed down after trials that do not meet international fair trial standards":

⁷⁹² Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 3: Judiciary*, 3.1.2 Resource (Practice) p.61

⁷⁹³ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Administration of Justice* p.30

⁷⁹⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Administration of Justice* p.32

⁷⁹⁵ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015

⁷⁹⁶ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁷⁹⁷ Asian Human Rights Commission, [PAKISTAN: AHRC strongly opposes restoration of death sentences](#), 30 December 2014

⁷⁹⁸ Amnesty International, [Pakistan: End wave of executions in wake of Peshawar attack](#), 16 January 2015

These trials are characterized by a lack of access to legal counsel and an acceptance of evidence inadmissible under international law. Statements extracted through torture continue to be used as evidence in court. Defendants often face restrictions in trying to access a lawyer or are given state-appointed lawyers who are often poorly trained and paid, and may not represent their clients vigorously unless given further payments by the defendant or their family. In addition, the right to fair trial has been undermined in trials before lower courts which continue to sentence people to death. These courts operate with restricted public access and with the requirement for trials to be completed within a matter of days or weeks, putting judges under extreme pressure to convict.⁷⁹⁹

Also see [5.5. Revival of the use of the death penalty](#).

In February 2015 Amnesty International reported on the execution of two men convicted of non-terrorism-related crimes, Muhammad Riaz and Muhammad Fiaz.⁸⁰⁰ According to Amnesty International, “Muhammad Riaz and Muhammad Fiaz received an unfair trial. Their appeal before the Supreme Court in was dismissed in 2006 on a technical ground as no lawyer was willing to represent or appear on behalf of the two men, for fear of being disbarred or a backlash from the Supreme Court Bar Association”.⁸⁰¹ The same source adds that “Pakistan’s judicial system is seriously flawed. Frequent use of torture to extract ‘confessions’, a lack of access to legal counsel, and long periods of detention without charge are just some of our concerns. The death penalty is always a human rights violation, but the serious fair trial concerns in Pakistan makes its use even more troubling”.⁸⁰²

A January 2015 Radio Free Europe/Radio Liberty article continues to note that “The country’s notoriously slow civil court procedures often delays justice for years”.⁸⁰³

Although the specific treatment of religious minorities is beyond the scope of this report, it should be noted that the U.S. Department of State report covering 2013 states that “As blasphemy cases moved through the justice system, lower courts often failed to adhere to basic evidentiary standards, which led to some convicted persons spending years in jail before higher courts overturned their convictions and ordered them freed for lack of evidence. Lower courts conducted proceedings in an atmosphere of intimidation by violent extremists and generally refused to free defendants on bail or acquit them for fear of reprisal. In an effort to avoid confrontation with or violence from extremists, judges and magistrates often delayed and continued trials indefinitely”.⁸⁰⁴

❖ Military courts

IRIN reported in December 2013 that “When civilian courts let suspects go due to a lack of evidence, the military sometimes takes over”.⁸⁰⁵ The 2014 UK Foreign and Commonwealth Office report notes that “On 24 December [2014], in response to the attack on the Army Public School in Peshawar, Prime Minister Sharif announced a 20-point National Action Plan to tackle terrorism. The plan included the establishment of military courts to fast-track the most serious terrorist cases. There are

⁷⁹⁹ Amnesty International, [Urgent Action: Fears of Further Executions in Pakistan](#), 22 December 2014

⁸⁰⁰ Amnesty International, [Pakistan: Two executions for non-terrorism offences a ‘disturbing and dangerous’ escalation](#), 13 February 2015

⁸⁰¹ Amnesty International, [Pakistan: Two executions for non-terrorism offences a ‘disturbing and dangerous’ escalation](#), 13 February 2015

⁸⁰² Amnesty International, [Pakistan: Two executions for non-terrorism offences a ‘disturbing and dangerous’ escalation](#), 13 February 2015

⁸⁰³ Radio Free Europe/Radio Liberty, [Pakistan Hangs Two Terrorism Convicts](#), 7 January 2015

⁸⁰⁴ U.S. Department of State, [2013 International Religious Freedom Report - Pakistan](#), 28 July 2014, *Government practices*

⁸⁰⁵ IRIN, [Analysis Pakistan’s judges and military clash over rule of law](#), 9 December 2013

concerns that these courts, not subject to civilian oversight, could undermine international fair trial standards".⁸⁰⁶ Reporting on the same announcement Amnesty International noted that it "add[ed] to concerns over fair trials".⁸⁰⁷ Also see [5.6. Constitutional amendment: Use of anti-terrorism legislation in ordinary criminal cases/military courts to try civilians.](#)

The 2014 Human Rights Commission of Pakistan report notes that "Military courts are undeniably desirable for the military, not because it thinks these courts form the pivot in Pakistan's fight against terror but because as the front-line national agency fighting terrorism, complete control of the criminal justice system would make the fight more convenient. The military is not trained to deal with courts, investigation and prosecution and it doesn't wish to start learning in the middle of its declared war on terror. The internal military logic seems to be that while fighting terrorists and capturing them during combat, it should not have to prove to another agency whether the fighters are guilty or not and why should due process benefit such combatants or afford them the possibility of going scot-free for lack of evidence".⁸⁰⁸

Reporting on the January 2015 establishment of military courts, Amnesty International reports that "Military courts usually lack requirements for the independence or impartiality of judges. The courts are often characterized by prolonged periods of pre-trial or pre-charge detention, lack of access to lawyers and a lack of a right to appeal verdict. Torture is also rife in Pakistani police and military detention centres, and statements extracted through torture continue to be used as evidence in courts".⁸⁰⁹ The Asian Human Rights Commission also reporting on military courts notes in January 2015 that:

The procedure followed by the military court does not strictly adhere to the dictates of equality before law and places the burden of proof on the accused to prove himself innocent which is against the principal of criminal justice "innocent until proven guilty" The trials by the military are often rushed. This circumvention of the due process often results in miscarriage of justice. As these courts do not follow any precedence their proceeding often kept a secret, it is only natural that their transparency and conviction will always be questioned. The procedure of military court is such that the complainant, prosecution and judge are all military personnel with little or no legal background. The summary court procedure allows little room for the poor accused to defend himself and is not allowed a counsel. The alleged accused is deemed a convict ab initio, thus there is a slim chance of him being acquitted.⁸¹⁰

In a January 2015 commentary Human Rights Watch states that "The authorities have sought to justify military courts as necessary for the "speedy trial" of terrorist suspects and to circumvent perceived "loopholes" of the civilian justice system. Such criticism is not without basis. Pakistan's civilian courts have a well-earned reputation for prosecutions undermined by both corruption and a glacially paced judicial process. The Nation lamented in October 2013 that 'bribery and blackmail are normal routine matters for lawyers as well as clients, and very little is done to counter such decay'".⁸¹¹ Reporting on access to fair trial in military courts the Asian Legal Resource Centre similarly reports in February 2015 that:

The procedure followed by the military courts does not strictly adhere to the dictates of equality before law and places the burden of proof on the accused to prove himself or herself innocent,

⁸⁰⁶ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁸⁰⁷ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015

⁸⁰⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Military Courts* p.42

⁸⁰⁹ Amnesty International, [Pakistan: End wave of executions in wake of Peshawar attack](#), 16 January 2015

⁸¹⁰ Asian Human Rights Commission, [Establishment of military court: a recipe for disaster](#), 3 January 2015

⁸¹¹ Human Rights Watch commentary, [Are military courts the best way to fight terror?](#), 17 January 2015

something that runs counter to a fundamental principal of criminal justice, “innocent until proven guilty”.

The trials conducted by the Pakistani military are often rushed. The circumvention of due process often results in miscarriage of justice. As these courts do not follow precedence, their proceedings are often kept secret; it is but natural that their transparency and conviction will always remain in question.

The procedure followed by these military courts is such that the complainants, prosecutors, and judges are all military personnel with little or no legal background. The summary court procedures allow little room for the accused to defend themselves; the accused are not allowed legal counsel. The accused are deemed convicts ab initio. Thus there is a slim chance of them being acquitted. The military court summary proceedings can order execution on the slimmest evidence.

The accused will thus be denied due process and fair trial, a fundamental right under Article 5 of the Constitution of Pakistan.⁸¹²

❖ Jirgas

Amnesty International’s 2013 Death Sentences and Executions report notes that “Unlawful killings, including through stoning and shooting, ordered by tribal jirgas (Councils of Elders) were reported from Afghanistan and Pakistan”.⁸¹³ The U.S. Department of State report covering 2013 similarly states that “Parallel local council meetings (jirgas) announced inhuman punishments, such as honor killings for those accused of violating tribal customs or offering a woman or girl in marriage to the opposing clan to settle a dispute”.⁸¹⁴ The same source adds that:

Informal justice systems lacking the legal protections of institutionalized justice systems continued, especially in rural areas, and often resulted in human rights abuses. Feudal landlords and other community leaders in Sindh and Punjab, and tribal leaders in Pashtun and Baloch areas, held local council meetings (known as panchayats or jirgas), at times in defiance of the established legal system. Such councils settled feuds and imposed tribal penalties on perceived wrongdoers, including fines, imprisonment, or at times the death penalty. Women often were sentenced to violent punishments or death for “honor”-related crimes. In Pashtun areas, primarily located in FATA, such councils were held under the outlines of the FCR. Assistant political agents, supported by tribal elders of their choosing, are legally responsible for justice in FATA and conduct hearings according to their interpretation of Islamic law and tribal custom.⁸¹⁵

Freedom House notes in its ‘Freedom in the World’ report covering events in 2014 that “The existence of different legal systems results in unequal treatment. Moreover, many communities resort to informal, traditional forms of justice due to the inefficiency of the formal courts, leading to arbitrary and unjust decisions”.⁸¹⁶

The UK Foreign and Commonwealth Office reporting on the first three months of 2014 notes that “On 17 March [2014] two girls were murdered for “honour” in Shikarpur, Sindh after marrying men from another community. An illegal jirga (a court of elders) presided over by a local politician, fined the two men 2.8 million Pakistani Rupees (approximately US\$ 28,525.00) for kidnapping the girls but

⁸¹² Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 20 February 2015

⁸¹³ Amnesty International, [2013 Death Sentences and Executions](#), 26 March 2014, Footnote 6

⁸¹⁴ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014, c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

⁸¹⁵ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014, e. *Denial of Fair Public Trial*

⁸¹⁶ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

condoned the killings. Following media reports, the Chief Justice of Pakistan ordered action against 13 people, including the leader of the jirga, and local police formed an investigation team”.⁸¹⁷

In a November 2014 report the Open Society Foundation reports that “Pakistani courts do not have jurisdiction in FATA, nor does the criminal procedure code apply. Instead, civilian law enforcement depends on the functioning of traditional jirgas, which have raised serious rule of law concerns and at times failed to respect human rights, particularly those of women, minorities, and the poor. From an operational perspective, such mechanisms have been severely undermined by militant attacks and targeted killings of elders”.⁸¹⁸

5.2.1. Witness protection

Amnesty International notes that as of April 2014, Pakistan’s only Pakistan’s witness protection programme was the Sindh Witness Protection Act 2013, but that it had not yet been implemented.⁸¹⁹

REDRESS explains in a July 2013 report that “there is no system of effective victim and witness protection. Consequently, it is common for victims and witnesses to be threatened, subject to intimidation or even murdered. There is, however, an element of double standards in the law in that protection can be conferred to witnesses and other persons concerned with court proceedings relating to the Anti-Terrorism Act, subject to the availability of resources”.⁸²⁰ IRIN reports in December 2013 that “The police lack training and resources to process forensic evidence or protect witnesses in even the most serious crimes”.⁸²¹ In a December 2013 report the International Commission of Jurists considers that “Multiple factors have enabled impunity for enforced disappearances: a compromised criminal justice system, inadequate witness protection laws, and the absence of civilian oversight of the military”.⁸²²

The U.S. Department of State Pakistan report on Terrorism covering 2013 considers that “Intimidation by terrorists against witnesses, police, victims, prosecutors, defense lawyers, and judges contribute both to the slow progress of cases in Antiterrorism Courts and a high acquittal rate”.⁸²³ Transparency International reports in April 2014 that “The right to information laws are not strong and in absence of witness protection system in place, the public does not dare question the public functionaries”.⁸²⁴ The same source adds that “the Government is not able to protect witnesses. In a case of assassination of a TV Reporter, all the six witnesses to the murder of the TV

⁸¹⁷ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013: Pakistan - Country of Concern update](#), 10 April 2014

⁸¹⁸ Open Society Foundations, [After the Dead Are Counted: U.S. and Pakistani Responsibilities to Victims of Drone Strikes](#), November 2014, *Human Rights Denied and Impunity for Abuse* p.14

⁸¹⁹ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 4. KARACHI: AN URBAN FRONTLINE p.20

⁸²⁰ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. Pakistan, 7.4. Accountability p.103

⁸²¹ IRIN, [Analysis Pakistan's judges and military clash over rule of law](#), 9 December 2013

⁸²² International Commission of Jurists (ICJ), [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (3) *Impunity for enforced disappearances* p.70

⁸²³ US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

⁸²⁴ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 5: Law Enforcement Agencies, Summary* p.101

Reporter were assassinated”.⁸²⁵ Amnesty International further explains with regards to this case that:

The MQM [Muttahida Qaumi Movement] also stands accused of seeking to undermine efforts to provide justice in cases of journalist killings implicating the party’s activists. None is starker than the killing of young Geo TV correspondent Wali Khan Babar. On 13 January 2011, Babar was shot dead as he was driving home from work in Karachi. He had just filed his latest report on gang-related violence in the city and alleged links between a gambling syndicate and the MQM. The case outraged the journalist community, and under sustained pressure from journalists and public the authorities brought criminal proceedings against eight suspected killers soon afterwards. But the march towards justice for Wali Khan Babar’s killing soon faced significant hurdles. One after the other, police officers and witnesses involved in the case were assassinated, and the public prosecutors responsible for the case were forced to go into hiding after receiving death threats. Eventually the authorities were forced to move the trial out of Karachi.⁸²⁶

Also reporting on the same case, the Committee to Protect Journalists reports that “Killing witnesses has become an all too easy and effective method of stymying justice in the many cases of journalists murdered around the world. With poor standards for forensic evidence the norm in many countries where repeated targeted violence against journalists takes place, witness testimony is crucial to pursuing convictions. However, as was the case with Haider, the authorities often fail to grant witnesses adequate protection. Their stories also reveal something about those killers--thugs and masterminds who wield such immense power and influence that they are able to manipulate justice through corruption, violence, and fear”.⁸²⁷ Also see [6.3.4.Treatment of journalists and other media professionals](#).

For women’s access to fair trial, see [6.4.2.6.State response to violence against women](#).

5.3. Torture and ill-treatment of criminal suspects

The U.S. Department of State report for 2013 notes that “there were reports that security forces, including the intelligence services, tortured and abused individuals in custody. The law has no specific section against torture: It sanctions “hurt” but does not mention punishing perpetrators of torture. There are no legislative provisions specifically prohibiting torture”.⁸²⁸ It adds that “Torture occasionally resulted in death or serious injury. Observers noted the underreporting of torture throughout the country. SHARP and other human rights organizations reported that methods of torture included beating with batons and whips, burning with cigarettes, whipping the soles of feet, prolonged isolation, electric shock, denial of food or sleep, hanging upside down, and forced spreading of the legs with bar fetters”.⁸²⁹ Moreover “There were reports that police personnel employed cruel and degrading treatment and punishment. The Nation reported that Okara police forced a father and his son to sexually abuse each other in front of the other prisoners and guards

⁸²⁵ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, Pillar 2: Executive, 2.3.2 Legal System (Law &Practice) p.56

⁸²⁶ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 4. KARACHI: AN URBAN FRONTLINE p.20

⁸²⁷ Committee to Protect Journalists, [When Journalists Are Killed, Witnesses May Be Next](#), 12 February 2014

⁸²⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

⁸²⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

when they were detained on July 23. The Punjab Chief Minister (CM) Shahbaz Sharif later removed three senior police from their posts as punishment for their abuse of power”.⁸³⁰

A September 2013 report from REDRESS notes with regards to torture being committed during the process of arrest and detention in Pakistan that:

Torture and other forms of ill treatment are reportedly routinely used to extract confessions or obtain information, and extort money in the process of arrest and interrogation. The most common methods used include beatings with a baton and cane-stick, whipping with a leather slipper or a belt dipped in mustard oil, water boarding, electrocution, prolonged isolation, tight stress positions, and sexual abuse. A local NGO, the Society for Human Rights and Prisoners’ Aid (SHARP), documented over 8,000 cases of torture by the police in 2011, which had nearly doubled compared to the previous year. The police are also accused of torturing detainees in “private torture cells” in order to avoid detection and accountability. Forms of torture carried out by the police, such as using outdated methods in the course of interrogation, also stem from a lack of adequate knowledge and training.

The military and other agencies, which include Military Intelligence (MI), the Inter Service Intelligence (ISI), the Federal Intelligence Agency (FIA), the Pakistan Rangers and the Frontier Constabulary (FC), reportedly often resort to keeping arrested suspects incommunicado and torturing people suspected of involvement in “anti-state” activities including terrorism and separatist movements. Violations carried out at the hands of the Pakistani Armed Forces have been especially prevalent in the more volatile areas of Pakistan, such as the North-Western frontier and the Balochistan regions, with reports of arbitrary arrests, enforced disappearances, and “endemic torture in unauthorised cells.”⁸³¹

According to the Asian Human Rights Commission’s annual report for 2013, “the Pakistan Army is running 52 torture cells, many located in cantonment areas. The Pakistan Air Force has a number of torture cells in their bases, including one in its Islamabad headquarters. The Pakistan Navy is also running torture cells in Islamabad and Karachi, which includes Mehran Base, Karachi”.⁸³² It further notes that “Every police station has its own private torture centre, in addition to its lock ups. Every cantonment of the armed forces runs at least one torture centre and the Inter-Services Intelligence (ISI) offices have their ‘safe houses’”.⁸³³ Furthermore, police “also use such private locations to avoid identification of police facilities in the event that a victim does make a claim”.⁸³⁴ With regards to committing torture, the same source reports that:

Torture is not only used to get information; it is also used to a threat to extort money from victims and their family. This can occur throughout the process as well: victims already being tortured will pay bribes in hopes of reducing the severity of future events. In other cases, after taking accused persons into custody, the police do not formally arrest him / her for several days. They ask for a bribe to file a case under a bailable offence and if the bribe is not paid, then the person is arrested under a heinous crime as punishment for not bribing the police.⁸³⁵

The U.S. Department of State reports that “on September 17 [20013], Geo News reported that it uncovered a torture cell in the Ghaziabad police station. A correspondent found a 14-year-old boy

⁸³⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

⁸³¹ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. Pakistan, 7.1. Practice and patterns of torture p.93

⁸³² Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, Torture p.7

⁸³³ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, Introduction p.2

⁸³⁴ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, Torture p.7

⁸³⁵ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, Introduction p.2

chained in the cell. Local residents claimed that police regularly detained suspects in a torture cell. Four officers who allegedly operated the torture cell were suspended and subsequently arrested. Punjab CM Sharif requested a full report on the incident from the Punjab chief of police. At year's end there were no further updates".⁸³⁶

The September 2013 REDRESS report further notes that "Additional concerns have been raised in respect of outdated prison practices. The Prison Act of 1894 and the Prison Rules of Pakistan permit the use of various fetters and chains to punish "prison offences" and prisoners can be subjected to such a treatment for more than three months on the discretion of the superintendent. Such practice, according to the UN Special Rapporteur on Torture, amounts to "a clear violation of the Standard Minimum Rules [for the Treatment of Prisoners]" and constitutes "a form of inhuman and degrading treatment".⁸³⁷

The UK Foreign and Commonwealth Office annual report covering 2013 reports that "Mistreatment of people held in police custody continues to be reported, and there is little evidence of the authorities taking these allegations seriously".⁸³⁸ The Dawn newspaper cites the Lahore-based Democratic Commission on Human Development (DCHD), as stating that "57% of individuals accused of a crime in 2013 said they had been subjected to torture and humiliation while in police custody".⁸³⁹ Furthermore, "The DCHD says 81% of respondents who claimed they had been tortured said the magistrate did not ask them any questions relating to torture. Even when the torture was reported, 87% said their lawyers did not file a complaint".⁸⁴⁰

The 2014 report from the Human Rights Commission of Pakistan notes that "custodial torture remained rampant in jails and police stations across Pakistan. [...] Lack of use of sophisticated methods of investigation, like DNA testing etc, leaves the investigation team with only one method to solve a crime i.e. confession. A cursory glance at convictions in any year shows that in a majority of cases, the primary evidence used to convict someone is confession. Perhaps then the only thing standing between a conviction and a lingering case for police officials is the use of torture to extract a confession. [...] There were reports of the prison officials demanding heavy bribes from the prisoners in order to escort them to court for a hearing. Those who could not pay or refused to do so were severely tortured".⁸⁴¹

In March 2014 the Asian Human Rights Commission reported that "a young man was severely tortured in police custody for not paying a bribe in a theft case. The police used acid in order to torture him and his elder brother to force them to pay a bribe. Traces of acid were found on the anus and back of the victim. The brother of the victim remains missing from the police station. The police, after the death of the victim, immediately shifted the body to a civil hospital and denied that he died in the station. The people of his village agitated because the high police officials falsely

⁸³⁶ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

⁸³⁷ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. Pakistan, 7.1. Practice and patterns of torture p.94

⁸³⁸ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern – Pakistan](#), 10 April 2014

⁸³⁹ Dawn, [57% of accused tortured in police custody: Report](#), 26 June 2014

⁸⁴⁰ Dawn, [57% of accused tortured in police custody: Report](#), 26 June 2014

⁸⁴¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and 'disappearances', Custodial Torture* p.94

claimed that the investigation officer had been arrested. However, no case has yet been lodged against the police officials who tortured the young man to death and disappeared his brother”.⁸⁴²

A May 2014 Justice Project Pakistan and Allard K. Lowenstein International Human Rights Clinic Yale Law School report on torture in Faisalabad, Punjab province explains that:

This report offers evidence, unprecedented in Pakistan in its scale and reliability, that Faisalabad police have routinely abused and tortured their suspects and detainees. Using 1,867 MLCs [medico legal certificates], as well as individual interviews of victims, JPP and the Lowenstein Clinic were able to analyze 1,424 allegations of police abuse that occurred from 2006 to 2012 in the Faisalabad District of Pakistan. The MLCs and narratives consistently demonstrate that (1) the police typically tortured people who were already vulnerable, (2) police tended to use combinations of various torture methods on victims, (3) victims suffered long-term effects of torture, and (4) police often took steps to hide their abuses.⁸⁴³

The report found that “Torture methods were varied and extreme: Police have beaten victims, suspended, stretched and crushed them, forced them to witness other people’s torture, put them in solitary confinement, subjected them to sleep and sensory deprivation, confined them to small spaces, exposed them to extreme temperatures, humiliated them by imposing culturally inappropriate or unpleasant circumstances, and sexually abused them”.⁸⁴⁴ Also reporting on torture in Faisalabad, a November 2014 Express Tribune article reports that a district judge directed the city police officer (CPO) to take steps to check the increasing cases of illegal detention at police stations, stating that “Incidence of illegal detention in the district has reached an alarming level. The practice is a violation of the law”.⁸⁴⁵

The May 2014 Justice Project Pakistan and Allard K. Lowenstein International Human Rights Clinic Yale Law School report further considered that “The Pakistani government has failed to take effective measures to prevent police brutality and torture and to punish perpetrators. Although Pakistan has ratified treaties prohibiting the use of torture, it has taken few steps to implement its international obligations not only to refrain from torture, but also to prevent it. The government has failed to define torture in relevant national laws, to coordinate the various pieces of existing legislation that prohibit torture, and to provide victims meaningful redress”.⁸⁴⁶

Human Rights Watch reports in June 2014 that “The police and other security forces have been responsible for numerous abuses, including torture and other ill-treatment of criminal suspects [...]”.⁸⁴⁷ The Asian Human Rights Commission notes in a June 2014 report that “Some critics point out that the purpose of torture has become the only means of governance, governance by state fear amongst the citizens of Pakistan, in particular adversely affecting the poorer and more fragile segments of the society. Therefore custodial torture is an integral part of the present system of

⁸⁴² Asian Human Rights Commission, [*PAKISTAN: The police pour acid into the anus of a young man as he was unable to pay a bribe*](#), 21 March 2014

⁸⁴³ Justice Project Pakistan and Allard K. Lowenstein International Human Rights Clinic Yale Law School, [*Policing as Torture: A report on systematic brutality and torture by the police in Faisalabad, Pakistan*](#), May 2014, VII. Conclusion p.28

⁸⁴⁴ Justice Project Pakistan and Allard K. Lowenstein International Human Rights Clinic Yale Law School, [*Policing as Torture: A report on systematic brutality and torture by the police in Faisalabad, Pakistan*](#), May 2014, III. EVIDENCE OF POLICE BRUTALITY AND TORTURE

⁸⁴⁵ Express Tribune, [*Law enforcement: CPO told to stop illegal detentions, torture*](#), 19 November 2014

⁸⁴⁶ Justice Project Pakistan and Allard K. Lowenstein International Human Rights Clinic Yale Law School, [*Policing as Torture: A report on systematic brutality and torture by the police in Faisalabad, Pakistan*](#), May 2014, VII. Conclusion p.28

⁸⁴⁷ Human Rights Watch, [*Pakistan: Fully Investigate Deadly Shootings*](#), 17 June 2014

governance based on such coercion and intimidation and for economic exploitation”.⁸⁴⁸ It further considers that “The Government of Pakistan has issued a carte blanche to the law enforcement agencies to torture any suspect, and it is widely used by them to extract confessions and statements in any type of crime investigation, and also as a means of obtaining bribes in more serious crimes i.e. murder, rape etc”.⁸⁴⁹

Reporting on the 2 July 2014 passage of the Protection of Pakistan Bill, Human Rights Watch notes that “This vague and overbroad counterterrorism law gives a green light for abusing suspects in detention, which is already far too common in Pakistan”.⁸⁵⁰ Also see [5.6. Constitutional amendment: Use of anti-terrorism legislation in ordinary criminal cases/military courts to try civilians.](#)

In a September 2014 report the International Rehabilitation Council for Torture Victims notes that “Torture in Pakistan is increasingly common throughout the country and takes different forms in different circumstances. Reasons for the infliction of torture include to obtain a confession, information, or as punishment with the purpose of causing mental and physical harm. [...] Torture takes place primarily in places of detention, such as police stations. [...] Torture is not criminalised and there is no provision within the law to exclude confessions obtained under torture from being admitted in the courts”.⁸⁵¹ It identifies the main perpetrators as: prison and detention staff; police; and military personnel and rangers.⁸⁵² In relation to victims the source reports that:

Victims do not belong to a specific group as the phenomenon of torture is widespread. While victims are mostly male, females are equally vulnerable.

Victims can be of any origin or ethnicity. Torture takes place at different times within different socio-economic groups. Arbitrary arrests of individuals are frequently made under the excuse of the ‘war on terror’ and result in torture. Arrests of members of privileged groups, which are sometimes made to demonstrate police impartiality, also often lead to torture”.⁸⁵³

With regards to rehabilitation the same source reports that “At present, rehabilitation structures are almost non-existent in Pakistan. Nevertheless, there are some efforts by civil society organisations to provide limited services. There are no specialised facilities for torture victims but they can have access to government hospitals. However, citizens have hardly any access to basic health care”.⁸⁵⁴

In a September 2014 article the Dawn newspaper cites Hamza Haider, a lawyer working with the Justice Project Pakistan as stating that “most of the prisoners on death row, who gradually develop ‘death row phenomenon’ or ‘death row syndrome’, are mostly so worn out mentally and physically that they don’t even understand the situation they are really in. This uncertainty is compounded thanks to the 2008 moratorium [on executions]. The condemned prisoners are locked in separate cells, away from the general barracks which, in itself is a mental torture, as these ‘black cells’ are a reminder of imminent death”.⁸⁵⁵

A December 2014 report from Justice Project Pakistan and Reprieve on ‘the abuse and overuse of Pakistan’s anti-terrorism legislation’ considers that torture by police “is a widespread and systemic

⁸⁴⁸ Asian Human Rights Commission, [PAKISTAN: Successive governments using torture as a means of oppressive governance](#), 25 June 2014

⁸⁴⁹ Asian Human Rights Commission, [PAKISTAN: Successive governments using torture as a means of oppressive governance](#), 25 June 2014

⁸⁵⁰ Human Rights Watch, [Withdraw Repressive Counterterrorism Law](#), 3 July 2014

⁸⁵¹ International Rehabilitation Council for Torture Victims, [Torture in Pakistan](#), September 2014

⁸⁵² International Rehabilitation Council for Torture Victims, [Torture in Pakistan](#), September 2014

⁸⁵³ International Rehabilitation Council for Torture Victims, [Torture in Pakistan](#), September 2014

⁸⁵⁴ International Rehabilitation Council for Torture Victims, [Torture in Pakistan](#), September 2014

⁸⁵⁵ Dawn, [Between life and death](#), 7 September 2014

problem in Pakistan; it represents one of the most fundamental challenges faced by the country's criminal justice system".⁸⁵⁶ It further notes that:

Of the numerous problematic elements in Pakistan's anti-terror regime, one of the most concerning is Section 21-H of the ATA. This is the Section which permits the use at trial of extra-judicial 'confessions' given to police or security forces in terrorism cases. In ordinary criminal cases, the use of confessions given to police officers or security forces – as opposed to those given to magistrates – is prohibited by the Qanun-e-Shahadat Order of 1984 (see Article 164 of the Pakistan Code Crim. Pro.) the Evidence Act).⁸⁵⁷

Amnesty International reports in February 2015 that "Pakistan's judicial system is seriously flawed. Frequent use of torture to extract 'confessions', a lack of access to legal counsel, and long periods of detention without charge are just some of our concerns".⁸⁵⁸ It also notes that "torture is also rife in Pakistani police and military detention centres, and statements extracted through torture continue to be used as evidence in courts".⁸⁵⁹

Although the specific treatment of religious minorities is beyond the scope of this report, it should be noted that the U.S. Department of State report covering 2013 states that "there were continued reports of law enforcement personnel abusing members of religious minorities and persons accused of blasphemy while in custody".⁸⁶⁰

Also see [5.8.1. Deaths in custody](#).

5.4. Impunity for extrajudicial killings, disappearances, and other human rights violations by state actors

In its 'Freedom in the World' report addressing events in 2013, Freedom House reports that "Corruption, lack of accountability, and lack of transparency are pervasive problems at all levels of government, politics, and the military. [...] The police, the military, and the intelligence services continue to enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are common".⁸⁶¹ The 2013 U.S. Department of State report considers that "Police effectiveness varied greatly by district, ranging from reasonably good to ineffective. Some police committed human rights abuses or were responsive to political interests. Frequent failure to punish abuses contributed to a climate of impunity. [...] The court system remained the only means available to investigate abuses by security forces".⁸⁶² It adds that "Persons may petition the courts to seek redress for various human rights violations, and courts often took such actions. Individuals may seek redress in civil courts against government officials, including on grounds of denial of human rights. Observers reported that civil courts seldom, if ever,

⁸⁵⁶ Justice Project Pakistan and Reprieve, [Terror on Death Row](#), December 2014, *CONCERN NO. 4: GREATLY HEIGHTENED RISK OF TORTURE BY POLICE*, p.17

⁸⁵⁷ Justice Project Pakistan and Reprieve, [Terror on Death Row](#), December 2014, *CONCERN NO. 4: GREATLY HEIGHTENED RISK OF TORTURE BY POLICE*, p.17

⁸⁵⁸ Amnesty International, [Pakistan: Two executions for non-terrorism offences a 'disturbing and dangerous' escalation](#), 13 February 2015

⁸⁵⁹ Amnesty International, [Pakistan: End wave of executions in wake of Peshawar attack](#), 28 January 2015

⁸⁶⁰ U.S. Department of State, [2013 International Religious Freedom Report - Pakistan](#), 28 July 2014

⁸⁶¹ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

⁸⁶² US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 *1.d. Role of the Police and Security Apparatus*

issued official judgments in such cases, and most cases were settled out of court. Although there were no official procedures for administrative redress, informal reparations were common”.⁸⁶³

Human Rights Watch’s annual report covering 2013 noted that “While the military did not hinder the electoral process, it remained unaccountable for human rights violations and exercised disproportionate political influence, especially on matters of national security and counter-terrorism. [...] The Supreme Court was active in raising enforced disappearances and government abuses in Balochistan in 2013, yet did not hold any high-level military officials accountable, demonstrating the limits of judicial independence in a state in which the military is the most powerful actor”.⁸⁶⁴ The International Crisis Group notes in a September 2013 report that “Civilian and military intelligence agencies operate in a legal vacuum; neither the Intelligence Bureau (IB) nor ISI have a legal framework, making oversight and accountability nearly impossible”.⁸⁶⁵ REDRESS further explains that:

Law enforcement personnel appear to enjoy immunity from any liability under national laws. Section 132 of the Code of Criminal Procedure provides that no members of law enforcement agencies acting in “good faith” for the purposes of Chapter IX—unlawful assemblies and maintenance of public peace and security—shall be prosecuted without the sanction of the Government. Likewise, any law enforcement personnel acting in good faith or acting with intention to fulfil the obligations provided are not accountable under the ATA.⁸⁶⁶

Reporting on the practice of torture in Pakistan, the July 2013 REDRESS report considers that “Notwithstanding persistent allegations of widespread torture and ill treatment in Pakistan, there is a lack of effective mechanisms to investigate such incidents and prosecute those responsible. Even where a complaint is successfully recorded, it is often the case that allegations of torture are investigated by the same police officers who have been implicated in the violation. Many other factors, including poor management of evidence, insufficient financial and human resources, and inadequate training have aggravated the inadequacy of investigations, and ultimately resulted in strengthening the culture of impunity”.⁸⁶⁷ It further reports that “The Police Order 2002 introduced new mechanisms for dealing with complaints against police at the district, provincial, and national levels, including the District Public Safety and Police Complaints Commission the Provincial Public Safety and Police Complaints Commission and the National Public Safety Commission. With a few exceptions, this system has been ineffective, primarily owing to inadequate resources, a lack of incentives, and limited competency of the bodies involved”.⁸⁶⁸ It further notes that:

One of the principal obstacles to the effective investigation of torture and ill-treatment is the system of recording complaints. Section 154 of the CCP [Code of Criminal Procedure] requires the police to register a First Information Report after a crime has been committed or reported. However, the system is prone to abuse and inefficiency. The police will often register an FIR without substantial evidence— leading to the abuse of arrestees— or demand a bribe from complainants in order to register an FIR. According to data taken from the Annual Reports of the Lahore High Court, the non-registration of an FIR made up the overwhelming majority of complaints regarding police inefficiency

⁸⁶³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.e. *Civil Judicial Procedures and Remedies*

⁸⁶⁴ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

⁸⁶⁵ International Crisis Group, [Parliament’s Role in Pakistan’s Democratic Transition](#), 18 September 2013, 4. *Law and order p.30*

⁸⁶⁶ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.4. Accountability p.102

⁸⁶⁷ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.4. Accountability p.102

⁸⁶⁸ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, Complaint procedure and independent oversight p.100

since 2003. Furthermore, it has been reported that the police have failed to register an FIR in respect of torture allegations pertaining to military activities as a result of political pressure.⁸⁶⁹

The UK Foreign and Commonwealth Office annual report covering 2013 reports that “Pakistan still needs to address issues surrounding the rule of law. Poor access, corruption, and low standards of integrity plague law enforcement throughout the country. Human rights violators and abusers are further emboldened when they are able to act with impunity”.⁸⁷⁰ The 2013 U.S. Department of State report similarly considers that “Lack of government accountability remained a problem, and abuses often went unpunished, fostering a culture of impunity. Authorities punished government officials for human rights violations in very few instances”.⁸⁷¹

The U.S. Department of State report for 2013 notes that “In May 2012 President Zardari signed the National Commission for Human Rights Bill authorizing the establishment of a potentially independent and powerful entity, the Human Rights Commission; however, the government has not yet constituted the commission or released information regarding its efforts to establish the new body”.⁸⁷² The 2014 UK Foreign and Commonwealth Office notes that “The National Commission for Human Rights, signed into law by the National Assembly in 2012, has still not begun operating”.⁸⁷³ Also note that REDRESS reports that “The law has been criticised, however, due to its limited scope to deal with violations committed by intelligence agencies and the armed forces. Under Section 14 concerning complaints made against the armed forces, the Commission may only “seek a report from the Federal Government” on the allegation, and, after receipt of the report, make recommendations to the Government on what action to take. There is no express obligation on the Government to comply. Concerning complaints against intelligence agencies under Section 15, the Commission cannot make inquiries and “shall refer the complaint to the competent authority concerned”.⁸⁷⁴

In a December 2013 report the International Commission of Jurists considers that “Despite overwhelming evidence implicating Pakistani security forces in enforced disappearances, to date no one has been brought to justice for their alleged involvement in enforced disappearances. Multiple factors have enabled impunity for enforced disappearances: a compromised criminal justice system, inadequate witness protection laws, and the absence of civilian oversight of the military”.⁸⁷⁵ Similarly, according to an August 2014 submission by the Asian Legal Resource Centre to the UN Human Rights Council, “Extra judicial killings have become rampant in Pakistan; they are being executed with impunity and are rarely tried in Courts. The Asian Legal Resource Centre (ALRC) continues to document hundreds of cases of extra-judicial killings in Pakistan, which are generally accompanied by absolute impunity, due to the lack of investigations and prosecutions. The rampant

⁸⁶⁹ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, *Complaint procedure and independent oversight* p.100

⁸⁷⁰ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern – Pakistan](#), 10 April 2014

⁸⁷¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 *Executive summary*

⁸⁷² US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 *Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

⁸⁷³ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁸⁷⁴ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, *Complaint procedure and independent oversight* p.101

⁸⁷⁵ International Commission of Jurists (ICJ), [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (3) *Impunity for enforced disappearances* p.70

killings, the lack of effective actions to neither punish them nor provide redress to the victims and their families, speak of the serious lacunae in the justice delivery institutions”.⁸⁷⁶

In an April 2014 report Transparency International similarly reports on the issue of accountability of law enforcement agencies that:

In practice, law enforcement agencies are immune from criminal prosecutions for all their acts under the legal justification of ‘in line of their duty’. Also, obtaining requisite permission from the employing government to file a complaint against a police official is a daunting task. Mechanisms within the police departments for receiving complaints against police is said to be ineffective, as there is always reluctance in acceptance of a complaint against fellow police officials. There have also been complaints of “humiliating treatment” at police stations. In a number of cases, courts have also provided relief against police excesses. However, courts are reluctant to directly interfere in police investigations and consider it ill-advised to substitute their own decisions for that of the competent authority and only issue directions to competent authorities to pass an appropriate order where required. [...]

Institutions of Federal and Provincial Ombudsman are also weak when it comes to police accountability and can only make recommendations which are rarely accepted.⁸⁷⁷

The Asian Human Rights Commission reporting in June 2014 notes that “in a claim against torture, the burden of proof – beyond reasonable doubt - falls on the victim; and there are no independent agencies empowered to inquire into a complaint of torture in custody”.⁸⁷⁸

In August 2014, on the eve of the annual International Day of the Victims of Enforced Disappearances, the International Commission of Jurists (ICJ), Amnesty International, and Human Rights Watch issued a statement noting that “The government has failed to establish the facts about the fate and whereabouts of victims when disappearances occur, has failed to bring perpetrators to justice, and has failed to provide reparations to victims, including the families of the disappeared”.⁸⁷⁹

The organisations further report:

Instead, the government has responded by passing the Protection of Pakistan Act, 2014, which facilitates enforced disappearances by retrospectively legitimizing detention at undisclosed locations and providing immunity to all state agents acting in ‘good faith.’ These steps perpetuate a troubling culture of impunity in Pakistan, casting grave doubts on the government’s seriousness about ensuring justice and protecting human rights.⁸⁸⁰

The same source further notes that “The few investigations carried out by the Pakistani authorities have been hampered by their refusal or inability to adequately investigate state security forces and intelligence services implicated in enforced disappearances”.⁸⁸¹

Freedom House, in its ‘Freedom in the World’ report covering events in 2014, continues to note that “The police, the military, and the intelligence services enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses are

⁸⁷⁶ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: PAKISTAN: A call for an immediate intervention to stop extrajudicial killings](#), 27 August 2014, paragraph 1

⁸⁷⁷ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, , Pillar 5: Law Enforcement Agencies, 5.2.4 Accountability (practice) p.112

⁸⁷⁸ Asian Human Rights Commission, [PAKISTAN: Successive governments using torture as a means of oppressive governance](#), 25 June 2014

⁸⁷⁹ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

⁸⁸⁰ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

⁸⁸¹ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

common”.⁸⁸² The 2014 report from the Human Rights Commission of Pakistan similarly notes that “the police and the security forces continued to enjoy impunity for indiscriminate or excessive use of force. Extrajudicial killings, enforced disappearances, torture, and other abuses were common. Laws expanded the power of law enforcement agencies to engage in detention without trial, electronic surveillance, searches and seizures, and the use of deadly force, ostensibly to combat terrorism and other serious crimes”.⁸⁸³

The 2014 UK Foreign and Commonwealth Office report notes that “2014 was another troubling year for human rights in Pakistan. Severe and wide-ranging violations and abuses continued unabated, with little apparent prospect of improvement. [...] Despite some positive moves by federal and provincial authorities to introduce laws to protect vulnerable groups in Pakistan, lack of implementation of these laws, and of political will to tackle human rights, remained a significant barrier to progress”.⁸⁸⁴ Human Rights Watch similarly reports in its annual report for 2014 that “Accountability of law enforcement agencies showed no signs of improving in 2014. [...] Ongoing rights concerns in Balochistan province related to enforced disappearances, extrajudicial killings, and torture remained unaddressed. Lack of government response to continuing abuses by the security forces in Balochistan fostered a long-standing culture of impunity”.⁸⁸⁵ It further notes that “In July, the government passed the Protection of Pakistan Act (PPA), an overly broad counterterrorism legislation that violates international human rights standards and creates a legal pretext for abuses by the security forces without accountability”.⁸⁸⁶

5.5. Revival of the use of the death penalty

According to the UK Foreign and Commonwealth Office, “In 2013, 226 people were sentenced to death, and about 8,526 were on death row”.⁸⁸⁷ Human Rights Watch reported that “As of July 2014 there were 800 people on death row in Pakistan for “terrorism” convictions and another 17,000 people undergoing prosecution for alleged terrorism offenses”.⁸⁸⁸ According to the 2014 Human Rights Commission of Pakistan report, “More than 8,000 citizens languish on death row in the country, one of the highest in the world. During the year under review, 231 persons – 225 male and six female – were sentenced to death by different courts, according to the HRCP research”.⁸⁸⁹ The same report further notes that “Of the 231 persons condemned to death in 2014, 105 were sentenced for murder. Though it has been clearly stated that the ones to be hanged will be only those convicted of terror charges, the issuing of a black warrant for Shafqat Hussein indicated that perhaps the death penalty would not be restricted to the most serious offences. In 2004, the 15-year-old Shafqat Hussein was sentenced to death by an Anti-Terrorism court. The judgment was based on a confession which was retrieved after nine days of brutal torture, evidence of which was available in medico-legal reports. His crime did not have anything to do with terrorism either.

⁸⁸² Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

⁸⁸³ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of expression, Rule of law*, p.140

⁸⁸⁴ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁸⁸⁵ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁸⁸⁶ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁸⁸⁷ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 31 December 2014](#), 21 January 2015

⁸⁸⁸ Human Rights Watch, [Reinstate Death Penalty Moratorium](#), 18 December 2014

⁸⁸⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Restoration of death penalty and executions* p.44

Shafqat's death warrant was soon to be issued at the end of the year and numerous human rights groups from around the world campaigned against it. He was also scheduled for execution in August 2013 along with seven other men but it was cancelled merely a week before the execution was set to take place".⁸⁹⁰

Amnesty International explains that "Pakistan lifted a moratorium on executions on 17 December 2014 – in the wake of the Peshawar school massacre – on prisoners convicted of "terrorism" offences in Anti-Terror Courts".⁸⁹¹ For further information on the attack in Peshawar, see [3.3.5. Attacks on education](#).

The moratoria on the death penalty had been in place since 2008.⁸⁹² Following the announcement in December 2014, UN Secretary-General Ban Ki-moon "called on the Government of Pakistan to bring an end to the executions of all convicts and re-impose the country's moratorium on the death penalty" and UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, "condemned Pakistan's decision, particularly at a time when the international community is increasingly turning away from the use of the death penalty".⁸⁹³ The UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns "drew attention to a possible overuse of anti-terrorist laws by the Pakistani authorities, which may apply death sentences for crimes which do not meet the most serious crimes requirement. "The definition of acts of terrorism in the Pakistani legislation remains very vague. Hundreds of people charged with such acts are at risk of being executed," he warned".⁸⁹⁴

A January 2015 European Parliament Resolution "Recalls its constant opposition to the death penalty in all circumstances; regrets the decision by Prime Minister of Pakistan Nawaz Sharif to rescind a four-year unofficial moratorium on capital punishment, and calls for this moratorium to be reinstated immediately".⁸⁹⁵ The Inter Press Service notes that according to human rights groups, resuming the death penalty will not combat terrorism in Pakistan.⁸⁹⁶ In response to lifting the moratorium, Amnesty International stated that "This is a cynical reaction from the government. It masks a failure to deal with the core issue highlighted by the Peshawar attack, namely the lack of effective protection for civilians in north-west Pakistan".⁸⁹⁷ The Inter Press Service adds that sources also express concern that many death sentences are handed down in Pakistan after trials that do not meet international fair trial standards.⁸⁹⁸ Amnesty International notes in January 2015 that "Some of the prisoners executed so far, and those at risk, have been convicted in Anti-Terrorism Courts. These suspend fundamental rights of the defendant by holding trials in absentia or often using statements

⁸⁹⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and 'disappearances', Death Penalty* p.97

⁸⁹¹ Amnesty International, [Pakistan: Two executions for non-terrorism offences a 'disturbing and dangerous' escalation](#), 13 February 2015

⁸⁹² OHCHR - UN Office of the High Commissioner for Human Rights, [High Commissioner For Human Rights Zeid Regrets Resumptions Of Executions In Pakistan And Jordan](#), 22 December 2014

⁸⁹³ UN News Service, [UN chief urges Pakistan to end executions, reinstate death penalty moratorium](#), 26 December 2014

⁸⁹⁴ OHCHR news, [Pakistan: UN human rights experts warn against the resumption of death penalty for terrorism acts](#), 23 December 2014

⁸⁹⁵ European Union: European Parliament, [European Parliament resolution of 15 January 2015 on Pakistan, in particular the situation following the Peshawar school attack](#), 15 January 2015, 2015/2515(RSP)

⁸⁹⁶ Inter Press Service, [Reinstatement of Pakistan's Death Penalty a Cynical Reaction, Says Amnesty](#), 21 December 2014

⁸⁹⁷ Inter Press Service, [Reinstatement of Pakistan's Death Penalty a Cynical Reaction, Says Amnesty](#), 21 December 2014

⁸⁹⁸ Inter Press Service, [Reinstatement of Pakistan's Death Penalty a Cynical Reaction, Says Amnesty](#), 21 December 2014

obtained through torture as evidence. Judges are also under pressure to conclude trials within seven working days”.⁸⁹⁹ Also see [5.2. Access to fair trial](#).

Hands Off Cain reports that “Pakistan sanctions the death penalty for 27 offences, including blasphemy, stripping a woman in public, terrorist acts, sabotage of sensitive institutions, sabotage of railways, attacks on law enforcement personnel, spreading hate against the armed forces, sedition and cybercrimes”.⁹⁰⁰

Radio Free Europe/Radio Liberty reported that in December 2014 Pakistan stated that it would begin executing nearly 500 prisoners convicted on terrorism-related charges in the coming weeks.⁹⁰¹ Reportedly, “The Interior Ministry has cleared these prisoners for execution and their clemency appeals have been rejected by the president Mamnoon Hussain”.⁹⁰²

Amnesty International notes that “Many on death row convicted of acts of terrorism were actually convicted of crimes that bear little resemblance to the conventional notion of terrorism”.⁹⁰³ A December 2014 report from Justice Project Pakistan and Reprieve on ‘the abuse and overuse of Pakistan’s anti-terrorism legislation’ found that “over 800 prisoners on death row in Pakistan were tried as ‘terrorists’ though in many cases (as many as 86%) there was no link to anything reasonably defined as ‘terrorism’”.⁹⁰⁴ Indeed “A study of the individual cases illustrates that the laws are being applied to people with no relationship to terrorism at all – from a 14 year old youth accused of kidnapping to another young man accused of killing his own father in a dispute over inheritance”.⁹⁰⁵ The data runs to December 2012 for most of Pakistan, apart from Sindh where it was collected up until October 2014.⁹⁰⁶ It further notes that “there are currently over 17,000 pending ‘terrorism’ cases in Pakistan, many of which have nothing to do with terrorism”.⁹⁰⁷

In February 2015 Amnesty International noted that “The execution of two men convicted of non-terrorism-related offences marks a disturbing and dangerous escalation in Pakistan’s use of the death penalty”.⁹⁰⁸ It further reports that Muhammad Riaz and Muhammad Fiaz, hanged in Mirpur Central Prison in the Azad Jammu and Kashmir region, were awarded death sentences in 2005 having been convicted of murdering the son of the President of the Supreme Court Bar Association in 2004.⁹⁰⁹ According to Amnesty International, between 17 December 2014 and 13 February 2015, 24 people were executed.⁹¹⁰

⁸⁹⁹ Amnesty International, [Pakistan: End wave of executions in wake of Peshawar attack](#), 16 January 2015

⁹⁰⁰ Hands Off Cain, [Pakistan](#), regularly updated [accessed 23 March 2015]

⁹⁰¹ Radio Free Europe/Radio Liberty, [Pakistan To Execute About 500 Terrorism Convicts](#), 22 December 2014

⁹⁰² Radio Free Europe/Radio Liberty, [Pakistan To Execute About 500 Terrorism Convicts](#), 22 December 2014

⁹⁰³ Amnesty International, [Pakistan: End wave of executions in wake of Peshawar attack](#), 16 January 2015

⁹⁰⁴ Justice Project Pakistan and Reprieve, [Terror on Death Row](#), December 2014, p.i

⁹⁰⁵ Justice Project Pakistan and Reprieve, [Terror on Death Row](#), December 2014, *Executive summary* p.3

⁹⁰⁶ Justice Project Pakistan and Reprieve, [Terror on Death Row](#), December 2014, *Data and methodology* p.4

⁹⁰⁷ Justice Project Pakistan and Reprieve, [Terror on Death Row](#), December 2014, p.i

⁹⁰⁸ Amnesty International, [Pakistan: Two executions for non-terrorism offences a ‘disturbing and dangerous’ escalation](#), 13 February 2015

⁹⁰⁹ Amnesty International, [Pakistan: Two executions for non-terrorism offences a ‘disturbing and dangerous’ escalation](#), 13 February 2015

⁹¹⁰ Amnesty International, [Pakistan: Two executions for non-terrorism offences a ‘disturbing and dangerous’ escalation](#), 13 February 2015

5.6. Constitutional amendment: Use of anti-terrorism legislation in ordinary criminal cases/military courts to try civilians

The 2014 UK Foreign and Commonwealth Office report notes that “On 24 December [2014], in response to the attack on the Army Public School in Peshawar, Prime Minister Sharif announced a 20-point National Action Plan to tackle terrorism. The plan included the establishment of military courts to fast-track the most serious terrorist cases”.⁹¹¹

The Express Tribune notes that on 7 January 2015 President Mamnoon Hussain signed the 21st Constitutional Amendment Bill 2015 into law, making it a part of the Constitution.⁹¹² The amendment enables military courts to try civilians suspected of terrorism.⁹¹³ The Express Tribune explains that the Constitutional Amendment Bill was passed with 247 votes - 14 more than the required two-third majority in the National Assembly, and 78 votes out of 104 were passed in the Senate.⁹¹⁴ Radio Free Europe/Radio Liberty reports that “The constitutional change is designed to speed up the trials of alleged terrorists and protect the process from the intimidation of judges and witnesses”.⁹¹⁵ Hands Off Cain notes in January 2015 that “The new law, which was passed by a two-thirds majority in both houses of Parliament, is the central plank of the government response to the attack on a Peshawar school last month in which the Pakistani Taliban killed at least 149 people, most of them children. The military has pushed for the new courts, arguing that a weak civilian judicial system has failed to bring Taliban and other Islamist militants to justice”.⁹¹⁶

The Asian Legal Resource Centre explains that “The military courts so established are against the basic foundation / structures of the Constitution; the Constitution envisages a separation of power amongst the pillar of the state—the judiciary, the executive, and the legislature. Giving any single pillar all-encompassing powers runs is against the basic structure of the Constitution of Pakistan”.⁹¹⁷ It adds that

The established constitutional principal dictates that military tribunals remain subordinate to the civilian appellate courts and not vice versa; the right to appeal should vest with the civilian judges. The establishment of military courts has taken away the fundamental rights guaranteed in the Constitution, which are non-derogable under any circumstances”.⁹¹⁸

The Human Rights Commission of Pakistan similarly reports that “the decision undermines the judiciary and shows lack of confidence in an independent and strong judicial system in the country. It must be noted that the superior judiciary has, several times in the past, ruled that military courts are unconstitutional”.⁹¹⁹

⁹¹¹ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁹¹² Express Tribune, [President signs 21st Constitutional Amendment into law](#), 7 January 2015

⁹¹³ Radio Free Europe/Radio Liberty, [Pakistani parliament approves military courts for terror suspects](#), 6 January 2015

⁹¹⁴ Express Tribune, [President signs 21st Constitutional Amendment into law](#), 7 January 2015

⁹¹⁵ Radio Free Europe/Radio Liberty, [Pakistani parliament approves military courts for terror suspects](#), 6 January 2015

⁹¹⁶ Hands Off Cain, [Pakistan](#), regularly updated [accessed 23 March 2015]

⁹¹⁷ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 20 February 2015

⁹¹⁸ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 20 February 2015

⁹¹⁹ Human Rights Commission of Pakistan, [HRCP alarmed at setting up of military courts](#), 26 December 2014

The UK Foreign and Commonwealth Office considers that “There are concerns that these courts, not subject to civilian oversight, could undermine international fair trial standards”.⁹²⁰ According to Amnesty International, “The jurisdiction of military courts over cases of terrorism raises serious concerns about fair trial guarantees, as rights could be violated in the rush to ensure speedy terrorism convictions. The latest moves to fast-track terror cases in military trials are leading Pakistan down a dangerous path. Military courts should never be used to try civilians under any circumstances. There is no excuse for sacrificing the right to a fair trial in the name of national security [...] Military jurisdiction should be restricted solely to the trial of military personnel accused of purely military or disciplinary offences. Military courts usually lack requirements for the independence or impartiality of judges. The courts are often characterized by prolonged periods of pre-trial or pre-charge detention, lack of access to lawyers and a lack of a right to appeal verdict. Torture is also rife in Pakistani police and military detention centres, and statements extracted through torture continue to be used as evidence in courts”.⁹²¹ Also see [5.2. Access to fair trial](#).

In early February 2015 Radio Free Europe/Radio Liberty reported that “Pakistani military courts are ready to start trying some of the 10,000 suspects arrested since the start of a major counterterrorism operation. Pakistani military spokesman General Asim Bajwa said on February 8 that the first 12 cases would be heard by the military courts ‘next week’”.⁹²²

5.7. Due process

A July 2013 REDRESS report explains that “Article 10(2) of the Constitution provides that ‘Every person who is arrested and detained in custody shall be produced before a Magistrate within a period of twenty-four hours of such arrest... and no such person shall be detained in custody beyond the said period without the authority of a Magistrate’. The above protection is also reinforced through Article 61 of the Code of Criminal Procedure. However, the scope of its application does not extend to individuals arrested or detained under any law providing for preventive detention”.⁹²³

REDRESS further notes that “Article 10(4) of the Constitution provides that those individuals ‘acting in a manner prejudicial to the integrity, security or defence of Pakistan or any part thereof, or external affairs of Pakistan, or public order, or the maintenance of supplies or services’ can be placed in preventive detention for 3 months in the first instance. With the authorisation from a Review Board, the period of detention can be continued for up to 12 months”.⁹²⁴ However, it considers that “In practice, the Police frequently fail to observe this safeguard by carrying out arbitrary arrests with false charges or by attempting to extort money for the release or holding of suspects in police custody, until the detention is challenged”.⁹²⁵ It further notes that:

The Magistrate, upon receiving a request of remand, can extend the detention for up to 15 days if further investigation is deemed necessary, which is common practice. In some cases where there is insufficient evidence, police and magistrates have contrived to extend detention further by issuing a

⁹²⁰ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁹²¹ Amnesty International, [Pakistan: End wave of executions in wake of Peshawar attack](#), 16 January 2015

⁹²² Radio Free Europe/Radio Liberty, [Pakistani military courts to start terrorism trials](#), 8 February 2015

⁹²³ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. Safeguards and complaint mechanisms, Arrest and pre-trial detention p.97

⁹²⁴ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. Safeguards and complaint mechanisms, Arrest and pre-trial detention p.97

⁹²⁵ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. Safeguards and complaint mechanisms, Arrest and pre-trial detention p.98

new First Information Report. Such practice, given a lack of independent mechanisms for monitoring police custody, gives rise to lengthy periods of detention during which there is a high risk of torture or other ill- treatment. Detainees could file writs of habeas corpus to the high courts, and, in certain cases, to the Supreme Court for the enforcement of their fundamental rights. Yet the remedy is curtailed by exceptions provided in a number of special laws.⁹²⁶

REDRESS notes with regards to first information reports (FIRs) and abuse of arrestees that:

Section 154 of the CCP [Code of Criminal Procedure] requires the police to register a First Information Report [FIR] after a crime has been committed or reported. However, the system is prone to abuse and inefficiency. The police will often register an FIR without substantial evidence— leading to the abuse of arrestees— or demand a bribe from complainants in order to register an FIR. According to data taken from the Annual Reports of the Lahore High Court, the non-registration of an FIR made up the overwhelming majority of complaints regarding police inefficiency since 2003.⁹²⁷

The Aurat Foundation explains that “FIR or First Information Reports is a legal instrument that sets the criminal law procedures in motion. It contains the account of an alleged crime, as narrated by the complainant or aggrieved and provides a basis for the police to investigate and submit their findings to a competent court of law alongside other evidence [also called a challan]”.⁹²⁸ The 2013 U.S. Department of State report adds that:

A FIR is the legal basis for any arrest, initiated when police receive information about the commission of a cognizable offense. The ability of police to initiate a FIR without a third party report is limited. Often a different party must file the FIR, depending on the type of crime, irrespective of whether there is reasonable proof of a crime. For certain crimes, however, police may initiate a FIR. A FIR allows police to detain a suspect for 24 hours, after which a magistrate may order detention for an additional 14 days if police show that the detention is material to the investigation. Some authorities did not observe these limits on detention. There were reports that authorities filed FIRs without supporting evidence to harass or intimidate detainees or did not file them when adequate evidence was provided unless the complainant paid a bribe.⁹²⁹

For further information on FIRs, see:

- ❖ Immigration and Refugee Board of Canada, [Pakistan: First Information Reports \(FIRs\) \(2010-December 2013\) \[PAK104714.E\]](#), 10 January 2014

REDRESS reports that “Constitutional protections are curtailed in the Federally Administered Tribal Areas (FATA) and the Khyber Pakhtunkhwa’s (formerly the Northwest Frontier Province, NWFP) Provincially Administered Tribal Areas (PATA), where parallel legal systems operate”.⁹³⁰ The International Commission of Jurists explains in a December 2013 report that “The Actions (in Aid of Civil Power) Regulations (AACPR), 2011 authorize ‘the armed forces to take certain measures for incapacitating the miscreants by interning them during the continuation of the actions in aid of civil

⁹²⁶ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. Safeguards and complaint mechanisms, Arrest and pre-trial detention p.98

⁹²⁷ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. Safeguards and complaint mechanisms, Complaint procedure and independent oversight p.100

⁹²⁸ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 3.11 FIR Registration p.23

⁹²⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. Arrest Procedures and Treatment of Detainees

⁹³⁰ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. Safeguards and complaint mechanisms, Arrest and pre-trial detention p.98

power'. The AACPR are applicable to the Federally Administered Tribal Areas (FATA) and the Provincially Administered Tribal Areas (PATA)".⁹³¹ It further considers that:

The overly broad and vague wording of the AACPR gives sweeping powers to members of armed forces, namely to detain without charge or trial where it appears that such detention would be expedient for peace. Individuals may be detained for an unspecified period without any right to be brought before a court of law or to challenge the legality of detention before a court. The Interning Authority under the AACPR may, on its own authority, or on a request from the victim or his relatives review the case of the person being held. In addition, the Regulations provide that statement or depositions by members of the armed forces shall on their own be sufficient for convicting the accused.⁹³²

The International Commission of Jurists further reports that "The [AACP] Regulations violate Article 10(2) of the Pakistan Constitution and Article 9 of the ICCPR [International Covenant on Civil and Political Rights]. The Pakistani Constitution requires that every arrested or detained person be brought before a magistrate within a period of 24 hours of the arrest or released; and Article 9(4) of the ICCPR provides all detained persons with the right to access a court to challenge the lawfulness of his or her or detention pursuant to habeas corpus or similar procedures".⁹³³

REDRESS also notes that "the [1997] Anti- Terrorism Act (ATA) permits preventive detention for any person involved in the activities of a prescribed organisation listed in Section 11E of the ordinance for up to 1 year. Following a further amendment in 2009, any person who has allegedly been involved in any offence under this Act can be placed in detention for 90 days for interrogation without any possibility of habeas corpus. The duration of remand can also be extended, allowing the period of 'not less than thirty days' in the first place and its extension for another 90 days where the court is satisfied that 'further evidence may be available' and that "no bodily harm has been or will be caused to the accused".⁹³⁴

The 2013 U.S. Department of State report further notes that "there were reports that some police detained individuals arbitrarily without charge or on false charges in order to extort bribes for their release. There were reports that some police also detained relatives of wanted individuals to compel suspects to surrender".⁹³⁵ According to Human Rights Watch's annual report covering 2013 "Security forces routinely violate basic rights in the course of counterterrorism operations, with suspects frequently detained without charge or convicted without a fair trial. Thousands of suspected members of Al-Qaeda, the Taliban, and other armed groups—who were rounded up in a nationwide crackdown in 2009 in the Swat Valley and the Tribal Areas—remained in illegal military detention at time of writing; few had been prosecuted or produced before the courts. The army continues to deny lawyers, relatives, independent monitors, and humanitarian agency staff access to persons detained during military operations. In July [2013], Attorney General Munir Malik admitted that more than 500 "disappeared" persons were in security agency custody".⁹³⁶

⁹³¹ International Commission of Jurists (ICJ), [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (i) *The petition challenging the Actions (in Aid of Civil Power) Regulations 2011* p.71

⁹³² International Commission of Jurists (ICJ), [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (i) *The petition challenging the Actions (in Aid of Civil Power) Regulations 2011* p.72

⁹³³ International Commission of Jurists (ICJ), [Authority without accountability: The search for justice in Pakistan](#), 5 December 2013, (i) *The petition challenging the Actions (in Aid of Civil Power) Regulations 2011* p.72

⁹³⁴ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7.Pakistan, 7.3. *Safeguards and complaint mechanisms, Arrest and pre-trial detention* p.99

⁹³⁵ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. *Arrest Procedures and Treatment of Detainees*

⁹³⁶ Human Rights Watch, [World Report 2014 - Pakistan](#), 21 January 2014

The Asian Human Rights Commission notes that “The federal government has started an operation in Karachi, the capital of Sindh, under the title: “Karachi Targeted Operation” with the support of the police and Pakistan Rangers. The operation, which commenced on September 5, 2013, is supposedly against the increase in targeted killings, extortion, kidnappings and incidents of terrorism including bomb blasts. The Pakistan Rangers has been given powers of arrest and detention of the suspects including permission to shoot on sight. [...] During the seven months of its operation, according to the police and Rangers, 17,000 persons were arrested but government has failed to make public the whereabouts of such arrestees”.⁹³⁷

The UK Foreign and Commonwealth Office annual report covering 2013 reports that “The promulgation of the Protection of Pakistan Ordinance (PPO) in October 2013 was of particular concern. The PPO empowers police and security agencies to arrest anybody on the basis of “credible” information that he/she is involved in anti-state activities, terrorism and treason. Several of its provisions contravene international human rights standards, for example by allowing security forces to conceal the location of detained persons, and their handing over to security forces without legal oversight”.⁹³⁸ Human Rights Watch reports in its annual report for 2014 that replacing the PPO, “In July [2014], the government passed the Protection of Pakistan Act (PPA), an overly broad counterterrorism legislation that violates international human rights standards and creates a legal pretext for abuses by the security forces without accountability. The PPA violates the right to fair trial by shifting the onus of proof on the accused in certain circumstances, and granting powers of arbitrary arrest and preventive detention to the security forces”.⁹³⁹ It further explains that among the most worrying provisions is “The expansion of powers of arrest without warrant from the police to members of the armed forces or “civil armed forces.” The ordinance empowers those forces to ‘enter and search without warrant any premises to make any arrest or to take possession of any firearm, explosive, weapon, vehicle, instrument, or article used or likely to be used in the commission of any scheduled offense.’ Providing such powers without judicial control violates the rights against arbitrary arrest under article 9, and to privacy and the security of the home under article 17 of the ICCPR”.⁹⁴⁰

The UK Foreign and Commonwealth Office reports that under the PPA “suspects may be held for questioning for 90 days instead of the current limit of 15. The UK, along with EU partners, regularly raised concerns on the provisions of the PPO and the act as inconsistent with international human rights standards”.⁹⁴¹ Amnesty International reporting on the PPA similarly notes that “The National Assembly approved the Protection of Pakistan Act in July and other security laws during the year that enshrined sweeping powers for law enforcement and security forces, expanding the scope for arbitrary arrests, indefinite detention, the use of lethal force, and secret court proceedings which go well beyond international law enforcement and fair trial standards”.⁹⁴²

With regards to access to legal advice and compulsory medical assistance upon arrest REDRESS reports that “Article 10(1) of the Constitution stipulates that ‘[n]o person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall be denied the right to consult and be defended by a legal practitioner of his choice.’

⁹³⁷ Asian Human Rights Commission, [PAKISTAN: Government must stop the disappearances and extrajudicial killings in Karachi](#), 8 May 2014

⁹³⁸ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern – Pakistan](#), 10 April 2014

⁹³⁹ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

⁹⁴⁰ Human Rights Watch, [Withdraw Repressive Counterterrorism Law](#), 3 July 2014

⁹⁴¹ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

⁹⁴² Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015

Nevertheless, detainees are often held incommunicado on arrest without access to legal advice. There is no provision concerning medical examination upon arrest under Pakistani laws”.⁹⁴³

It is also reported by Amnesty International, Human Rights Watch and the International Commission of Jurists in a joint statement that “In the weeks leading up to Pakistan’s Independence Day, 14 August [2014], dozens of ethnic Baloch were arbitrarily arrested in the New Kahan area of Quetta, and Turbat and Kharan districts. At present, the fate or whereabouts of all of these people remain unknown”.⁹⁴⁴ Also see [4.2.5.2. Enforced disappearances](#). Reporting on the practice of “encounter killings” being typically used by the authorities to falsely justify extra-judicial killings, the Asian Legal Resource Centre reports that “these killings are part of a wider pattern of arbitrary arrests and abductions, forced disappearances and torture following which, victims emerge dead, often by having their mutilated bodies dumped by the roadside”.⁹⁴⁵ Also see [4.2.5.1. Extrajudicial killings](#).

In a September 2014 report the International Rehabilitation Council for Torture Victims notes that “Arbitrary arrests of individuals are frequently made under the excuse of the ‘war on terror’ and result in torture. Arrests of members of privileged groups, which are sometimes made to demonstrate police impartiality, also often lead to torture”.⁹⁴⁶ In a November 2014 report the Open Society Foundation reports that “Residents of FATA are currently denied full political, civil, and legal rights in Pakistan. They are subject to the draconian, colonial-era Frontier Crimes Regulation (FCR), that authorizes measures such as collective punishment and detention without trial, which are clear violations of international law and fundamental rights. Though FATA residents are ostensibly protected by the Constitution of Pakistan, they have no access to Pakistani courts, and no way of enforcing rights and protections”.⁹⁴⁷

Although the treatment of non-Pakistani nationals is beyond the scope of this report, it should be noted that as IRIN reports in February 2015, “Thousands of Afghans in Pakistan have been arrested or moved from their homes of many years in the wake of December’s killing of over 100 schoolchildren in the city of Peshawar. The Afghans, the majority of whom are not registered refugees, have been targeted in a government crackdown announced immediately after the killings”.⁹⁴⁸

❖ Pre-trial detention

The 2013 U.S. Department of State report notes that “Police routinely did not seek a magistrate’s approval for investigative detention and often held detainees without charge until a court challenged the detention. When requested magistrates approved investigative detention without requiring justification. In cases of insufficient evidence, police and magistrates sometimes colluded to issue new FIRs, thereby extending detention beyond the 14-day period”.⁹⁴⁹ It further notes that:

⁹⁴³ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. Pakistan, Access to legal advice and compulsory medical assistance upon arrest p.99

⁹⁴⁴ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

⁹⁴⁵ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: PAKISTAN: A call for an immediate intervention to stop extrajudicial killings](#), 27 August 2014, paragraph 8

⁹⁴⁶ International Rehabilitation Council for Torture Victims, [Torture in Pakistan](#), September 2014

⁹⁴⁷ Open Society Foundations, [After the Dead Are Counted: U.S. and Pakistani Responsibilities to Victims of Drone Strikes](#), November 2014, *Human Rights Denied and Impunity for Abuse* p.14

⁹⁴⁸ Integrated Regional Information Network, [Peshawar killings provoke crackdown on Afghans](#), 5 February 2015

⁹⁴⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. Arrest Procedures and Treatment of Detainees

A district coordination officer has the authority to recommend preventive detention, on the grounds of “maintenance of public order,” for as long as 90 days to a provincial home department and, with the approval of the Home Department, may extend it for an additional 90 days. By law detainees must be brought to trial within 30 days of their arrest.

Judges sometimes denied bail at the request of police or the community or upon payment of bribes. In some cases trials did not start until six months after the FIR, and at times individuals remained in pretrial detention for periods longer than the maximum sentence for the crime with which they were charged. SHARP estimated that 75 percent of the prison population was awaiting trial. In some cases detainees were informed promptly of charges brought against them.

NGOs reported that authorities sometimes denied bail in blasphemy cases under the premise that, because defendants faced the death penalty, they were likely to flee. [...]

Antiterrorism courts had the discretion to deny bail for some charges if the court had reasonable grounds to believe the accused was guilty.⁹⁵⁰

According to the 2013 Human Rights Commission of Pakistan report, “64% of the prisoners in severely overcrowded jails were under trial”.⁹⁵¹ It further notes that “A clear majority of the prison population in the country comprised under-trial prisoners, who were confined without a sentence often for years. Trials were disrupted at times because of logistical problems, lack of fuel for vehicles often prevented the under-trial prisoners from being taken to courts for their hearing. The detainees paid for these problems too, through prolonged detention without judicial determination of their cases”.⁹⁵²

Reporting on military courts, Amnesty International notes in January 2015 that “The courts are often characterized by prolonged periods of pre-trial or pre-charge detention, lack of access to lawyers and a lack of a right to appeal verdict. Torture is also rife in Pakistani police and military detention centres, and statements extracted through torture continue to be used as evidence in courts”.⁹⁵³

Paramilitaries

Reporting of the role of paramilitaries in urban policing, the International Crisis Group reports that:

Reliance on paramilitary entities to enforce the law, such as in Karachi, is particularly problematic. They often illegally detain suspects for weeks or even months before handing them over to police for processing. The police have to produce a suspect before a magistrate within 24 hours of arrest, or when they officially assume custody from the Rangers or FC [Frontier Corps]. They must have sufficient evidence for detention, after which the suspect is placed under judicial remand. Paramilitary personnel, however, seldom give the police the necessary evidence or even basic information of the arrest, such as the circumstances leading to it. Individual Rangers or FC officials may also rotate out, leaving the police with no contact person on a case.⁹⁵⁴

According to a June 2014 Asian Human Rights Commission report, the organisation “has received information of an incident where a political activist has been made to disappear following arrest by the Pakistan Rangers; his whereabouts are since unknown. Police have refused to file a case of the

⁹⁵⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. *Arrest Procedures and Treatment of Detainees*

⁹⁵¹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Highlights, Jails and prisoners* p.5

⁹⁵² Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Jails, prisoners and ‘disappearances’*, p.60

⁹⁵³ Amnesty International, [Pakistan: End wave of executions in wake of Peshawar attack](#), 16 January 2015

⁹⁵⁴ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014, VI. *Urban Policing* p.40

disappearance citing that in instances of paramilitary arrests police have no jurisdiction to file charges. The provincial government too has shown no interest, ignored the entire incident of such publicly showcased arrest in a crowded public place such the hospital where it is reported that at least fifty others have also witnessed the para military forces dragging the activists, who had been visiting a patient out of the hospital, dragging him across the floor before taking him away in an jeep type vehicle – all, in full view of the public. 18 such political activists were made to disappear during the past five months and extra judicially killed, allegedly by the same Pakistan Rangers and their bodies containing marks of torture”.⁹⁵⁵

The Human Rights Commission of Pakistan reported in October 2014 that “The ongoing Karachi operation led by Rangers has not proven effective. Complaints of people being picked up regularly surface and are not adequately addressed”.⁹⁵⁶ The Asian Human Rights Commission reports that “On 5th September 2014, the Federal Government launched an operation in Karachi, the capital of Sindh, under the title: "Targeted Operation" with the support of the police and Pakistan Rangers ‘supposedly’ against the increase in targeted killings, extortion, kidnappings and incidents of terrorism including bomb blasts. The Pakistan Rangers have been given powers of arrest and detain suspects including the permission to shoot on sight. The operation has mainly focused on Lair, the Baloch dominated area and one ethnic political party”.⁹⁵⁷

5.8. Prison conditions (including ill-treatment, torture, overcrowding, health care in prison)

For information on torture committed in custody/detention facilities, see [5.3. Torture and ill-treatment of criminal suspects](#).

For information on due process including detention without charge and access to legal representation, see [5.7. Due process](#).

The Human Rights Commission of Pakistan’s annual report covering 2013 reports that “The prisons system was weighed down in the year under review by a range of problems, including corruption, overcrowding, mistreatment and torture of detainees, poorly trained prison staff, and deficient accountability mechanisms. The preference for custodial sentences and the inclination towards detaining multitudes without conviction or even before their trial began was the biggest contributor to the overcrowding”.⁹⁵⁸

In an August 2013 report the Asian Legal Resource Centre notes that “Poor living conditions and the corrupt monopoly run by the prison guards only serve to increase recidivism and criminal behavior, even within the jails themselves. Networks of criminal gangs operate in and outside of the prisons, as exemplified by the most recent storming of Dera Ismail Khan Jail in Punjab province”.⁹⁵⁹ It further

⁹⁵⁵ Asian Human Rights Commission, [PAKISTAN: Enforced disappearance of a political activist following arrest by the Pakistan Rangers](#), 26 June 2014

⁹⁵⁶ Human Rights Commission of Pakistan, [Political situation diverting attention from grave human rights concerns: HRCP](#), 14 October 2014

⁹⁵⁷ Asian Human Rights Commission, [PAKISTAN: Government of Sindh fails to conduct inquiry into the custodial death of a young man](#), 21 January 2015

⁹⁵⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Jails, prisoners and ‘disappearances’*, p.60

⁹⁵⁹ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: Pakistan: Government](#)

notes that “Services and materials provided to the Pakistani police force are inadequate and outdated. Training and investigative procedures need to be modernized. Within the prisons themselves, salaries are low and advancement is a slow process. This leads to corruption in the prison security and police force”.⁹⁶⁰

A September 2013 REDRESS report notes that “Overcrowding has become a serious problem in Pakistani prisons, which has resulted in “abysmal” living conditions amounting to inhumane treatment”.⁹⁶¹ A Dawn newspaper article of September 2014 notes that “Pakistani jails, unless they happen to be women or juvenile prisons, are bursting at the seams. The population in our prisons is almost five times more than the capacity with the prisoners in the barracks in the evenings at closing time not even being able to turn if they lie alongside each other in the tight space. So most just sit or squat on the floor until they can be let out in the morning to carry out their chores. This goes against prison rule no 745, which states that each inmate must get at least 18 square metres in a barrack and 31 square metres in a cell, if placed there”.⁹⁶² Reporting on the effects of overcrowding the same source notes that:

Overcrowding in prisons leads to other serious problems such as hygiene, sanitation and the spreading of contagious diseases such as tuberculosis, Hepatitis C, HIV and skin infections. As most part of the budget is spent in buying medicines for the inmates and other medicare needs, the budget for jails falls short.

With the budget falling short, the diet, too, is affected. Instead of getting the prescribed balanced diet including vegetables, lentils, meat, eggs and milk, the prisoners are fed lentils mostly.

Also, there are long queues outside the toilets and very little privacy due to the overcrowding.

Another issue, due to having too many prisoners to manage, is lack of transport and escorts to take the UTPs [under-trial prisoners] to the courts for appearances during their individual trials. Not appearing in court leads to delays in trials of prisoners whose cases could be disposed off swiftly. One often comes across one or two policemen chaperoning eight to 10 UTPs shackled together in the courts, especially the city courts. All are taken together to one court even though some may have their hearings at other courts at the same time. That’s how the cases drag on and they languish behind bars.⁹⁶³

The 2013 Human Rights Commission of Pakistan report notes on the issue of overcrowding that:

There were 8,139 detainees in the 22 KP jails against the authorised capacity for 7,982. As many as 5,217 detainees in the province’s prisons were under trial.

In Balochistan, things were slightly better. The authorised capacity of the 11 jails was 2,585 and the prisoners detained there were 2,862—only 277 higher. The under-trial prisoners numbered 1,288. The trend was reversed for juveniles however, as out of the total 107 detainees in the province’s prisons, only three were convicted.

But nowhere was the situation more pressing than in Punjab, where 48,225 prisoners were packed into 32 prisons meant to hold no more than 21,527.

Out of the total, 31,401 detainees were under trial. At the end of 2013, in only three of the province’s 32 prisons was the number of prisoners less than authorised capacity. In 18 prisons the detainees’

[must commute death sentences and protect the people’s right to life](#), 30 August 2013, paragraph 15 paragraph 11

⁹⁶⁰ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status: Pakistan: Government must commute death sentences and protect the people’s right to life](#), 30 August 2013, paragraph 15

⁹⁶¹ REDRESS, [Torture in Asia: The Law and Practice](#), July 2013, 7. Pakistan, 7.1. Practice and patterns of torture p.94

⁹⁶² Dawn, [Bursting at the seams](#), September 2014

⁹⁶³ Dawn, [Bursting at the seams](#), September 2014

numbers were over 100% more than the capacity allowed. Eight of these prisons experienced more than 200% overcrowding.⁹⁶⁴

An undated Hands Off Cain Pakistan profile reports that “Prisoners in Pakistan, especially those on death row, live in cramped, overcrowded cells and often face abuse. In Punjab alone, at least 5,260 convicts are on death row in 30 jails. But there are only 812 death row cells to house them. The death row cells are usually small rooms that measure 9x12 feet, have attached toilets and are cordoned off by walls that are approximately three feet high. On occasions, as many as 12 inmates have to crowd into one cell, charge rights groups. A survey by the Law and Justice Commission of Pakistan, an advisory body to the government, says three to six prisoners are usually kept in a single death cell”.⁹⁶⁵

The 2013 U.S. Department of State reports considers that “Conditions in some prisons and detention centers were harsh and life threatening. Problems such as overcrowding and inadequate medical care were widespread”.⁹⁶⁶ The same source adds that:

Prison conditions often were extremely poor . Police sometimes tortured, mistreated, and, at times, killed prisoners. Overcrowding was common. Provincial governments were the primary managers of prisons and detention centers. Human rights groups that surveyed prison conditions found sexual abuse, torture, and prolonged detention prevalent. [...]

Inadequate food and medical care in prisons led to chronic health problems and malnutrition for those unable to supplement their diets with help from family or friends. In many facilities, sanitation, ventilation, lighting, and access to potable water were inadequate.

Most prison facilities were of antiquated construction, without the capacity to control indoor temperatures. A system existed for basic and emergency medical care, but it did not always function effectively. Prisoners sometimes paid bribes, and bureaucratic procedures slowed access to medical care. Foreign prisoners often remained in prison long after completion of their sentences because they were unable to pay for deportation to their home countries. [...]

Minority prisoners generally were afforded poorer facilities than Muslims and often suffered violence at the hands of fellow inmates. Christian and Ahmadi communities claimed that their members were more likely to be abused in prison. The Center for Legal Aid and Assistance reported that conditions were often worse for those prisoners accused of violating blasphemy laws. [...]

Police often did not segregate detainees from convicted criminals. Prisoners with mental illness usually lacked adequate care and authorities did not separate them from the general prison population.⁹⁶⁷

In September 2014 the Dawn newspaper cites Hamza Haider, a lawyer working with the Justice Project Pakistan as stating that “most of the prisoners on death row, who gradually develop ‘death row phenomenon’ or ‘death row syndrome’, are mostly so worn out mentally and physically that they don’t even understand the situation they are really in. This uncertainty is compounded thanks to the 2008 moratorium [on executions]. The condemned prisoners are locked in separate cells, away from the general barracks which, in itself is a mental torture, as these ‘black cells’ are a reminder of imminent death”.⁹⁶⁸ The same source further notes that “There is little awareness of mental health issues and psychological illness in Pakistan in general, and jail authorities are, as one would expect, indifferent to such issues. Haider laments that prison rules are silent over whether a

⁹⁶⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Jails, prisoners and ‘disappearances’*, p.61

⁹⁶⁵ Hands Off Cain, [Pakistan](#), regularly updated [accessed 23 March 2015]

⁹⁶⁶ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Prison and Detention Center Conditions*

⁹⁶⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Prison and Detention Center Conditions*

⁹⁶⁸ Dawn, [Between life and death](#), 7 September 2014

prisoner can call a psychologist or psychiatrist from the outside. “When we file an application, demanding permission for a psychologist’s meeting with our client, our plea is mostly rejected. Instead, the jail’s own medical officer or a doctor from a public hospital checks the prisoner very briefly and rules out any psychological issues,” Haider says”.⁹⁶⁹ Also see [5.5. Revival of the use of the death penalty](#).

The 2014 report from the Human Rights Commission of Pakistan notes with regards to prison conditions that:

The condition of prisoners in Pakistan remained dismal. Chronic issues such as overcrowding, lack of proper healthcare system, inferior quality food, corruption and rampant torture continued in the year under review. According to a United Nations Office on Drugs and Crime (UNODC) report, 800 or so female prisoners in Pakistani jails were facing harassment, insanitary conditions and lack of proper healthcare. It is widely believed that a majority of the female prisoners experience sexual harassment and sexual violence at the hands of jail wardens. During prison surveys, UNODC found prevalence of suicidal depression, sleep disorders and other mental illnesses among female prisoners. No gynaecologist was available on call to attend to female prisoners in Punjab. [...]

In jails across the country, except for Gilgit-Baltistan, the population exceeded the authorised capacity. In Punjab, this excess was about 130%. In some prison barracks, a few convicts had to stand while the others slept or prisoners could not access the washroom in the night because sleeping prisoners covered the entire barrack floor. Such conditions amount to ill-treatment and are beyond the punishment of penal confinement that prisoners have to bear. Living in such close quarters to each other without access to sunlight for most of the day leads to health concerns like skin diseases and a deterioration of the general hygiene level. [...] Insanitary conditions in the prison, unhygienic food as well as overcrowding caused major health concerns.⁹⁷⁰

The same source further reports that “In a survey of selected prisons in Pakistan in 2013-14, HRCP found jail hospitals lacking in numbered beds and medication for hundreds of prisoners. No jail had a full-time female doctor. All serious health issues faced by female prisoners were referred to the local hospital. There were also reports that prisoners selected for preferred treatment were often sent to jail hospitals to avoid the cramped barracks”.⁹⁷¹ In January 2015 the Nation newspaper reported on plans to create Pakistan’s first ‘high security’ prison. The article reports that “The inauguration is just in time for Pakistan’s push against militancy and would greatly facilitate the process. Pakistan’s existing prison system is at breaking point, if not broken already; the prisons house 33,000 more prisoners than the official capacity, leading to extreme overcrowding. Coupled with an archaic housing model which contains communal barracks and an extremely flawed oversight system means that inmates are kept in extremely inhumane conditions, are subjected to continuous human rights violations and can easily obtain contraband – a search operation in Hyderabad Jail after the 2011 riots recovered six pistols, one rifle, hundreds of mobile phones and a large quantity of locally made liquor from the cells, as well as cannabis which was grown on the premises”.⁹⁷²

5.8.1. Deaths in custody

⁹⁶⁹ Dawn, [Between life and death](#), 7 September 2014

⁹⁷⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Prisoners in Pakistan* p.88

⁹⁷¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and ‘disappearances’* p.86

⁹⁷² The Nation, [High Security Prison](#), 15 January 2015

The Asian Human Rights Commission reports in October 2013 that “Disappearances and extrajudicial killings are at alarming levels in Pakistan. Since the year 2000, hundreds of people are missing. Similar numbers of people have been killed extrajudicially in detention centres, torture cells, and in the open”.⁹⁷³ The 2013 U.S. Department of State report similarly notes that “Extreme physical abuse while in official custody allegedly caused some deaths of persons accused of crimes”.⁹⁷⁴ It adds that “Torture occasionally resulted in death or serious injury”.⁹⁷⁵ Furthermore, “SHARP reported 69 deaths in jails, compared with nine in 2012. Police stated that these deaths occurred when suspects attempted to escape, resisted arrest, or committed suicide”.⁹⁷⁶ The 2013 Human Rights Commission of Pakistan report noted that according to its media monitoring “no less than as 63 detainees, one of them a woman, were killed and 53 injured in prisons during 2013. As many as 28 detainees died from various diseases”.⁹⁷⁷ The 2014 report from the Human Rights Commission of Pakistan (HCRP) notes that “According to HRC’s media monitoring, 72 prisoners died in jails in 2014 while 47 others were injured due to accidents or in various clashes. At least 50 of these deaths were confirmed to have been caused by illness or old-age and at least three as a result of custodial torture. The high incidence of deaths in custody of young or apparently healthy men due to heart failure was a worrying trend. Persons, either accused or arbitrarily arrested, were often picked up by the police and their bodies handed over to the family within a few days. Post mortem reports were rarely made public and few policemen found guilty were ever tried or punished otherwise”.⁹⁷⁸

Media sources document alleged cases of deaths in custody due to torture. For example “On August 22 [2013], The Express Tribune reported that Lundianwala police allegedly tortured and killed Muhammad Danish during a murder case interrogation. After the interrogation, police took him to the hospital, but Danish eventually died from his injuries, including damage to his lungs. A day earlier, protesters held a sit-in at the police station to demand that the supervising officer punish those responsible for Danish’s death. While police initially stated that they would take action against the officers involved, they later dismissed the torture allegations and claimed that death was due to his ‘high blood pressure’”.⁹⁷⁹

The Dawn newspaper reports in January 2014 that according to family and medical sources, “A 65-year-old man, the father of an alleged hardened criminal, died in police custody allegedly due to police torture at the Pasrur City police station”.⁹⁸⁰ In June 2014 Dawn reported that a family alleged that Sabzazar police tortured a young man to death. His brother had been informed that a constable and a gravedigger were burying someone in a local graveyard and when he got there, he found a hand of the buried man outside the ‘grave’ and recognised him with the rings.⁹⁸¹ The brother claimed that the policeman tried to bury his brother in clothes and he himself spotted some bruises on the body with blood stains.⁹⁸² In November 2014 Dawn documented that “police used teargas

⁹⁷³ Asian Human Rights Commission, [PAKISTAN: New draconian laws provide legal cover to disappearances, extrajudicial killings, torture, & unfair trial](#), 23 October 2013

⁹⁷⁴ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. a. *Arbitrary or Unlawful Deprivation of Life*

⁹⁷⁵ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

⁹⁷⁶ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Prison and Detention Center Conditions*

⁹⁷⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Jails, prisoners and ‘disappearances’*, p.62

⁹⁷⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and ‘disappearances’, Custodial Torture* p.94

⁹⁷⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

⁹⁸⁰ Dawn, [Man’s death in custody sparks demo](#), 26 January 2014

⁹⁸¹ Dawn, [Victim’s family alleges death in custody](#), 1 June 2014

⁹⁸² Dawn, [Victim’s family alleges death in custody](#), 1 June 2014

and baton charge on Monday to disperse hundreds of students who were protesting the alleged killing of a man from torture in police custody”.⁹⁸³

In November 2014 the Express Tribune reported that the chairperson of Defence of Human Rights, Amina Masood Janjua had “requested the Supreme Court to form a powerful commission to look into the mysterious deaths of 101 prisoners detained in internment centres”.⁹⁸⁴ The petitioner is representing hundreds of missing persons families in the apex court for last eight years.⁹⁸⁵ For example, in October 2014 the Express Tribune reported that “The officer in charge of the Lakki Marwat internment centre has been summoned by the Peshawar High Court to explain why rules were not followed in the case of a detainee who died in custody”.⁹⁸⁶ According to the deceased’s father, “on November 28, 2013, Lakki Marwat internment centre handed over Gul’s body to the family without any explanation for his death. Additional Advocate General Rab Nawaz said Gul’s autopsy was not conducted on the insistence of his father”.⁹⁸⁷ Also see [5.8.2. Internment camps for suspected militants](#).

The Asian Human Rights Commission reports in January 2015 that “has received information that a young man, Faraz Alam, who has been tortured to death in police custody and the Sindh Provincial Government, has to-date failed to conduct an inquiry and to set up a judicial commission of inquiry into this incident despite promises by the Minister of Information to do so. The young man has been illegally detained for five days and has been severely tortured to obtain a confession to the effect that he was arrested officially after his five days of illegal detention. The post-mortem report on the deceased revealed severe torture marks on different parts of the young man’s body. Police say he died of a heart attack when he was taken to Court. Police are required legally to produce him before the Court within 24 hours of his arrest but he was produced in Court following eight days of his official arrest”.⁹⁸⁸

Although the specific treatment of religious minorities is beyond the scope of this report, it should be noted that the U.S. Department of State report covering 2013 states that “NGOs reported at least five persons accused of blasphemy had died in police custody in recent years”.⁹⁸⁹

5.8.2. Internment camps for suspected militants

The 2013 U.S. Department of State report explains that “The Actions in Aid of Civil Power Regulation 2011 grants wide powers to the military. The regulation allegedly responded to the need for a permanent federal statute to regulate the armed forces and give them legal authority to handle detainees under civilian supervision when called upon by the government. Retroactive to 2008, the regulation empowers the KP governor to direct the armed forces to intern suspected terrorists in the FATA and PATA”.⁹⁹⁰ It further notes that [original emphasis]:

⁹⁸³ Dawn, [Students protest against death in custody](#), 25 November 2014

⁹⁸⁴ Express Tribune, [Missing persons: Rights body petitions SC to probe deaths of over 100 internment centre prisoners](#), 5 November 2014

⁹⁸⁵ Express Tribune, [Missing persons: Rights body petitions SC to probe deaths of over 100 internment centre prisoners](#), 5 November 2014

⁹⁸⁶ Express Tribune, [Custodial death: High court summons head of internment centre](#), 10 October 2014

⁹⁸⁷ Express Tribune, [Custodial death: High court summons head of internment centre](#), 10 October 2014

⁹⁸⁸ Asian Human Rights Commission, [PAKISTAN: Government of Sindh fails to conduct inquiry into the custodial death of a young man](#), 21 January 2015

⁹⁸⁹ U.S. Department of State, [2013 International Religious Freedom Report - Pakistan](#), 28 July 2014

⁹⁹⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. Arrest Procedures and Treatment of Detainees

Retroactive to 2008, the regulation empowers the KP governor to direct the armed forces to intern suspected terrorists in the FATA and PATA. Critics stated that the regulation **violates the constitution because, among other things, it empowers** the armed forces to occupy property, makes statements or depositions by military officers sufficient to convict an accused, and makes all evidence collected, received, or prepared by the internment authority admissible and dispositive of guilt. Others **noted that the regulation establishes a legal framework where none previously existed, prohibits the abuse or misuse of force by the military, and** allows for more transparent treatment of detainees by requiring registration upon apprehension and providing a legal process for transfer of detainees from military to civilian authorities for prosecution. It also creates an appeals process for detainees and their relatives and, importantly, limits the powers of the armed forces in administering the regulation. Detainee transfers to the internment centers continued on a regular basis.

According to media reports, the agencies shifted about 2,500 missing persons to the federal and provincial governments' notified internment centers. In addition the number of enforced disappearances cases, as defined by international human rights law, increased after the promulgation of the regulation. When the Peshawar High Court took up for hearing cases of missing persons during the year, the number of habeas corpus petitions increased to more than 350. The court resumed hearings in these cases after the summer break ended in September.⁹⁹¹

The Human Rights Commission of Pakistan report notes that "In September [2013], the Peshawar High Court directed the security forces to either shift all those kept in the illegal detention centres to the notified internment centres or free them. The high court observed that illegal detention was an offence under the Army Act and such cases could be tried by a civil court. The judge was hearing habeas corpus petitions regarding the enforced disappearance of over 150 persons".⁹⁹²

The 2013 U.S. Department of State report further notes that "During a December 10 [2013] hearing, the government informed the Peshawar High Court that since the formation of the federal task force for missing persons in July, it has identified 643 missing persons in KP and 64 in the tribal areas as internment centre detainees. On December 10 [2013], the Supreme Court disposed of a petition of 35 missing persons who disappeared from the Malakand Internment Center in KP after being acquitted by courts. The government explained that two of the inmates died in custody. Authorities presented the remaining seven before the Supreme Court. The court ordered the release of the remaining detainees and declared such detentions illegal. It also set a seven-day deadline for the government to produce all of the remaining missing persons before the court. The December 18 [2013] deadline passed without the production of any other missing persons, however. The next missing persons hearing is scheduled for January 14, 2014".⁹⁹³ Also see [4.2.5.2. Enforced disappearances](#).

The 2014 report from the Human Rights Commission of Pakistan notes that "For several years thousands of persons, kept outside the ambit of the law under illegal detention, have been confined in unaccounted for internment centres in Khyber Pakhtunkhwa province. There was no official record of these prisoners, nor any access to courts in the country. They could simply be picked up and hidden away for years under various security laws application to FATA and PATA regions. These prisoners did not enjoy the safeguards other prisoners did in the country i.e. visiting rights of families, right to appeal for an inquiry in case of torture or custodial death".⁹⁹⁴ In May 2014 the

⁹⁹¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.d. *Arrest Procedures and Treatment of Detainees*

⁹⁹² Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Administration of justice, Internment and disappearance In September, the Peshawar High* p.27

⁹⁹³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 b. *Disappearance*

⁹⁹⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and 'disappearances', Internment centres* p.103

Express Tribune reported that “708 missing persons have been traced at eight internment centres in Khyber-Pakhtunkhwa (K-P) and the Federally Administrated Tribal Areas”.⁹⁹⁵ Also in May 2014, the News reported that the Peshawar High Court had observed that “officials of the provincial and federal governments were in-charge of the internment centres on paper only as the facilities were being run practically by the Pakistan Army”.⁹⁹⁶

According to a September 2014 Dawn newspaper article, “The extremist group Islamic State is proof that Pakistan needs an effective prosecutorial and judicial framework to process the cases of thousands of detainees interned during present and previous military operations in the country”.⁹⁹⁷ A further September 2014 Dawn newspaper article reporting on deaths in internment camps noted that relatives “went missing after taken away allegedly by the security forces; they finally surfaced in internment centres with no progress in their cases and finally their bodies were handed over to the respective families. Recently, there is an alarming increase in death of detainees at the internment centres under mysterious circumstances”.⁹⁹⁸ The Human Rights Commission of Pakistan reported in October 2014 that “The situation of detainees at internment centres deserves urgent attention. Lack of meetings with family and neglect of their health and due process rights must be rectified without delay and each death in custody independently investigated”.⁹⁹⁹ Also see [5.8.1. Deaths in custody](#).

6. Human Rights Issues

6.1. Citizenship/Nationality

6.1.1. Domestic legal framework (Constitution and legislation)¹⁰⁰⁰

The Pakistani Citizenship Act, 1951, states that Pakistan citizenship may be obtained by birth (Section 4), by descent (Section 5), by migration (Section 6), by naturalisation (Section 9) or by marriage (Section 10).¹⁰⁰¹ The June 2013 ACCORD cites a 2012 Community Appraisal & Motivation Programme (CAMP) report¹⁰⁰² as explaining that [emphasis added]:

-By Birth: This category of acquiring citizenship by birth in is the easiest and well known method which, in most cases, automatically confers nationality to a person. Sections 4 and 5 of the CA [Citizenship Act] 1951 cover cases of citizenship by birth; these provisions do not apply to a person whose father is not a citizen but has been residing in the country for a long time. It has been held that these sections must be read together and operate to provide every person born in Pakistan after 13th April 1951 [date of commencement of PCA 1951] with citizenship and subject to Section 3 which provides that a person will be a citizen by descent if his or her father is a citizen at the time of birth. Prolonged residences of foreigners cannot give them citizen status unless due process of law is followed; a case in point is the presence of registered Afghan citizens in Pakistan who have been

⁹⁹⁵ Express Tribune, [Questionable disappearances: ‘Over 700 missing persons at internment centres’](#), 21 May 2014

⁹⁹⁶ The News, [Army practically running internment centres, observes PHC](#), 21 May 2014

⁹⁹⁷ Dawn, [Internees must be prosecuted](#), 20 September 2014

⁹⁹⁸ Dawn, [Deaths at internment centres expose treatment meted out to detainees](#), 15 September 2014

⁹⁹⁹ Human Rights Commission of Pakistan, [Political situation diverting attention from grave human rights concerns: HRC](#), 14 October 2014

¹⁰⁰⁰ Selected COI in this subsection reproduced with permission from ACCORD as cited in:

Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 5.1 Citizenship/nationality, 5.1.1 Domestic legal framework

¹⁰⁰¹ [Pakistan Citizenship Act, 1951 \(II of 1951\), amended as of 2000](#)

¹⁰⁰² N.B. the information cited could not be found in the referenced report [Community Appraisal & Motivation Programme, [The Legal Environment in Pakistan for Registered Afghans](#), 2012, p.69-70] hence the ACCORD report is referenced

residents for decades – it is imperative to note that the State policy towards them which entails temporary protection, so the provisions of the PCA 1951 do not apply to them. A person claiming citizenship by birth must apply in the prescribed form under Rule 8 of PCR 1952 to the relevant officer of the district of birth or residence, accompanied by a birth certificate issued by either a village official, police station official, Municipal/Town committee personnel or a Registrar of Births and Deaths [appointed under the Births, Deaths & Marriages Registration Act 1886]. In case the applicant is a minor, a statement by parents or guardian is also required. Upon receipt of these documents, the relevant officer will scrutinize the validity of all the information provided and upon being satisfied, request the provincial authority to grant a certificate of citizenship.

- **By Descent:** Under the principle of ‘jus sanguinis’, a person can be automatically granted citizenship if either or both of his or her parents are citizens already even if he or she is born outside the particular geographical territory. Section 5 used the term ‘father’ initially, but it has been substituted for ‘parent’ by the Pakistan Citizenship [Amendment] Ordinance 2000, hence now a person can acquire citizenship by descent under this section if either his or her mother or father is a citizen. Rule 9 outlines the procedural requirements to be fulfilled for a person claiming citizenship under Section 5 which includes an application in the prescribed form accompanied by a certificate of citizenship of one of the parents, and evidence establishing the applicant’s relationship with either of them.

- **By Migration:** Section 6 deals with citizenship by migration which entails migrants from the territories of the subcontinent as well as those from ‘outside these territories’ which in theory at least, points to migrants from other countries as well. The one prerequisite is that the intention of permanent residence must be established for a person to be granted a certificate of domicile under this section.

- **By Naturalization:** Under Section 9, a person who has been granted a certificate of naturalization under the Naturalization Act 1926 may apply to be registered as a citizen of Pakistan by naturalization. The Federal Government is also empowered to grant citizenship without the production of a certificate of naturalization.

- **By Marriage:** Section 10 states that a woman who is not a citizen is married to a Pakistani male citizen, she will be entitled to citizenship, but not in the opposite case, i.e. when a non citizen man is married to a female Pakistani citizen. The latter prohibition has been the subject of much debate and controversy since this provision seems discriminatory towards foreign males; however, it has been held in a High Court ruling that given the cultural and religious protection given to women in our society, it is justified to grant an alien woman married citizenship on the basis of her marriage to a Pakistani, while denying an alien man in the same position on the grounds of public policy. However, the Federal Shariat Court has called for striking down this provision as it is ‘discriminatory, negates gender equality and is in violation of Articles 2A and 25 of the Constitution and also against international commitments of Pakistan, and most importantly is repugnant to Holy Qur’an and Sunnah’ and recommended its amendment to allow foreign men to obtain citizenship on account of their marriage to Pakistani women.

The procedural requirements for a foreign woman to obtain citizenship on account of her marriage to a Pakistani man includes furnishing the prescribed form accompanied by a marriage certificate, her husband’s certificate of citizenship, and if her husband is no longer alive, an oath of allegiance and certificate of domicile. Upon receipt of the necessary documents, the Federal Government will conduct the necessary inquiries and issue an order either in favor or otherwise.¹⁰⁰³

According to the website of the Pakistan ‘Directorate General of Immigration and Passports, Immigration’, the Government of Pakistan has dual nationality arrangements with following 16 countries, meaning that nationals of these countries are not required to renounce their nationality while acquiring Pakistan Citizenship: United Kingdom; Egypt; France; Jordan; Italy; Syria; Belgium; Switzerland; Iceland; Netherland; Australia; United States of America; New Zealand; Sweden; Canada; Ireland.¹⁰⁰⁴

¹⁰⁰³ Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 5.1 Citizenship/nationality, 5.1.1 Domestic legal framework p.106

¹⁰⁰⁴ Government of Pakistan, [Directorate General of Immigration and Passports, Immigration](#), undated [accessed 9 April 2015]

The June 2013 ACCORD report cites the website of Delta Quest Group, a business consultancy and legal services firm, which provides information on areas of immigration, second passport, second citizenship, residency and work visas. According to this website, Pakistani citizenship can be lost in the following ways:

Pakistan Loss of Citizenship:

- Voluntary renunciation of Pakistani citizenship is permitted by law. [...]
- Involuntary: The following are grounds for involuntary loss of Pakistani citizenship:
- Person obtains foreign citizenship.
- Naturalized citizenship was obtained through fraud or falsity.
- Naturalized citizen shows disloyalty to government.
- Naturalized citizen is convicted of a crime in first five years of citizenship.
- Citizen has resided outside the country for over seven years without registering.¹⁰⁰⁵

6.1.2. Citizenship and identity documentation¹⁰⁰⁶

The Pakistan Citizenship Rules, 1952, contain provisions on issuing a certificate of citizenship.¹⁰⁰⁷ The website of the Directorate General of Immigration & Passports (DGIP) of the Pakistani Ministry of Interior lists the following kinds of applications for certificates of citizenship:

Application for a Certificate of Citizenship of Pakistan at the Commencement of the Pakistan Citizenship Act, 1951 (II of 1951) - FORM "A"

Application for a certificate of naturalization under the Naturalization Act, 1926 - FORM "A"

Application for a Certificate of Citizenship of Pakistan at the Commencement of the Pakistan Citizenship Act, 1951 (II of 1951) - FORM "B"

Application for Citizenship of Pakistan from a person born in Pakistan, who having migrated to India after 1st March, 1947 has returned to it under a permit for resettlement or permanent return - FORM "C"

Application for Registration as a Citizen of Pakistan by a person of Indo-Pakistan origin residing abroad - FORM "D"

Application for a Certificate of Registration as Citizen of Pakistan by Naturalization - FORM "E"

Application for a Certificate of Citizenship of Pakistan from a person of former East Pakistan domicile residing in Pakistan, or in a foreign country - FORM "E-1"

Application for a certificate of citizenship of Pakistan from a person domiciled in the territories which before the 16th day of December, 1971 constituted the Province of East Pakistan but residing on that day or on 18th March, 1978 in a country beyond those territories under the protection of a Pakistan passport - FORM "E-3"

Grant of Pakistan Citizenship Certificate to a woman on the found of her Marriage to a Pakistan National - FORM "F"

Application for Registration of a Minor as a Citizen of Pakistan - FORM "M"

Application for a Certificate of Domicile in Pakistan - FORM "P"

Application for a Certificate of Citizenship from a person whose citizenship is in doubt - FORM "Q"

Application for Registration as a Citizens of Pakistan by a British subject (Or Commonwealth Citizens) - FORM "R"

Application for Registration of birth of a child of a Citizen of Pakistan born in a country outside Pakistan - FORM "S"

Form of statement for annual registration by a Citizen of Pakistan resident abroad - FORM "T"

¹⁰⁰⁵ Delta Quest Group, [Pakistan Citizenship](#), undated [accessed 9 April 2015]

¹⁰⁰⁶ Selected COI in this subsection reproduced with permission from ACCORD as cited in:

Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 5.1 Citizenship/nationality, 5.1.1 Domestic legal framework

¹⁰⁰⁷ [Pakistan Citizenship Rules, 1952, 6 February 1951](#)

Application for copy of [Citizenship or domicile certificate] or its Replacement with changed particulars - FORM "V"

Declaration of Renunciation of Citizenship under Section 14-A of the Pakistan Citizenship Act 1951 - FORM "X"

Declaration of intention to resume Pakistan citizenship under section 14-A of the Pakistan Citizenship Act, 1951 - FORM "Y".¹⁰⁰⁸

The DGIP explains that here are three distinct types of Pakistani passports that are issued to applicants: ordinary (green), diplomatic (red) and official (blue), "official passports are issued to Pakistani Nationals who are Senators, MNAs, Provincial Ministers, Judges of the Supreme Court of Pakistan/High Courts, Officers serving with the Government and proceeding abroad on official assignments etc".¹⁰⁰⁹ It further notes that the DGIP "will issue the Machine Readable Passport (MRP) valid for five years & Ten years subject to fee deposit" and that "Machine Readable Passports (MRP's) are replacing the existing manual system".¹⁰¹⁰

The website of the Pakistan National Database and Registration Authority (NADRA) explains that the "CNIC (Computerized National Identity Card) is the core product of NADRA issued to a valid/legitimate citizen of Pakistan. It is a blend of state-of-the-art technology and well-defined business rules to guarantee its authenticity and validity. Every genuine, 18 Years and above, citizen of Pakistan is eligible for CNIC".¹⁰¹¹ It adds that "A CNIC applicant is required to produce the following documents at the time of application:

- Birth Certificate or
 - Old NIC [National Identity Card] or
 - Matriculation Certificate or
 - CNICs of immediate/blood relatives
 - Citizenship certificate issued by MOI
- Note
- No documents are demanded from illiterate applicant for age verification for first time.
 - Residents of FATA/PATA will only be entertained at their native DAUs [Data Acquisition at Data Acquisition Unit] and their forms will be attested by concerned PA/APA.¹⁰¹²

With regards to the National Identity Card for Overseas Pakistanis (NICOP), the same source notes that the NICOP "is a registration document to be issued to a valid/legitimate citizen of Pakistan. Previously it was issued to overseas Pakistanis working/living/staying/studying abroad for consecutive time period of six months or possessing dual nationalities but now it can be issued to any citizen of Pakistan".¹⁰¹³ Furthermore, a NICOP applicant is required to produce the following documents at the time of application:

- Birth Certificate or
- Old NIC or

¹⁰⁰⁸ Government of Pakistan, [Directorate General of Immigration and Passports, Immigration](#), undated [accessed 9 April 2015]

¹⁰⁰⁹ Government of Pakistan, [Directorate General of Immigration and Passports, Passports](#), undated [accessed 10 April 2015]

¹⁰¹⁰ Government of Pakistan, [Directorate General of Immigration and Passports, Passports](#), undated [accessed 10 April 2015]

¹⁰¹¹ National Database and Registration Authority, [Computerized National Identity Card](#), undated [accessed 9 April 2015]

¹⁰¹² National Database and Registration Authority, [Computerized National Identity Card](#), undated [accessed 9 April 2015]

¹⁰¹³ National Database and Registration Authority, [National Identity Card for Overseas Pakistanis](#), undated [accessed 9 April 2015]

- Matriculation Certificate or
- CNICs of immediate relatives or
- Passport (mandatory in case of new).¹⁰¹⁴

The National Database and Registration Authority further explains that the Pakistan Origin Card (POC) “program endeavors to provide eligible foreigners with unprecedented incentives to get back to their roots, while ensuring that the motherland remains tightly integrated with expatriates worldwide which includes:

- └ Visa-free entry into Pakistan.
- └ Indefinite stay in Pakistan.
- └ Exemption from foreigner registration requirements.
- └ Permission to purchase and sell property.
- └ Right to open and operate bank accounts”.¹⁰¹⁵

It adds that the documentation requirements for the POC are:

- Complete POC Form.
- 2 photographs . (ICAO Standard).
- Bank Draft/Bank Receipts for Fees payment on account of POC processing and CNIC/NICOP Cancellation(if applicable)
- Renunciation letter/Affidavit of Ex-Pakistani having CNIC/NICOP(renunciation letter in case of dual status country)
- Copy of Foreign passport (non-expired)
- Marriage Certificate of Married Applicants attested by Pak Mission /Foreign Office
- At least 1 proof of Pakistani origin:
- Copy of self CNIC/NICOP/MNIC/Pakistani Passport
OR
- CNIC/NICOP copy of any of living relative (parents/grandparents/spouse) and a document to show link with that relative like copy of birth certificate, marriage certificate, property document or educational documents. Copy of MNIC/POC/Pakistani Passport is also acceptable for cases wherein eligibility of applicant is proved through.

Note: English translation will be required if document is not in English/Urdu In case of doubt, any supporting document may be demanded. .¹⁰¹⁶

The High Commission for Pakistan in the UK lists the following categories are eligible for a Pakistan Origin Card (POC):

- a) Former Pakistani Citizens: Any person who does not currently hold Pakistani citizenship but has ever remained a Pakistani citizen in his/her lifetime.
- b) Foreigners with links to Pakistan: A person who has never been a Pakistani citizen but any of whose parents or grandparents is/was a citizen of Pakistan at any time during his/her lifetime, provided that at least one of his/her living relatives is presently a Pakistani citizen.
- c) Any person who has never been a Pakistani citizen but who either himself, or any of his / her parents or grandparents
 - i. was born in the territories included in the Indo-Pak sub-continent;
 - ii. was domiciled in the territories now included in Pakistan; and who acquired the citizenship or nationality of a foreign state or country before the commencement of the Pakistan Citizenship Act, 1951 (II of 1951) i.e. 13th April 1951. Such person shall

¹⁰¹⁴ National Database and Registration Authority, [National Identity Card for Overseas Pakistanis](#), undated [accessed 9 April 2015]

¹⁰¹⁵ National Database and Registration Authority, [Pakistan Origin Card](#), undated [accessed 9 April 2015]

¹⁰¹⁶ National Database and Registration Authority, [Pakistan Origin Card](#), undated [accessed 9 April 2015]

have to present proof that at least one of his living relatives is presently a Pakistani citizen.¹⁰¹⁷

In relation to Child Registration Certificates (CRC) the NADRA website states it is “a registration document used to register minors under the age of 18 years”.¹⁰¹⁸ It reports that the following are the basic documentation requirements for CRC:

- No Documents are required for applicants below the age of 10 years
- Birth or School Certificate is required for applicants over the age of 10 years.¹⁰¹⁹

With regards to Family Registration Certificates (FRC), the NADRA website states that they “are documents issued to nationals of Pakistan highlighting the family tree structure of the applicant”.¹⁰²⁰ It further reports that the following are the basic documentation requirements for FRC:

- CNIC numbers of all family members
- CRC numbers of all family members.¹⁰²¹

A November 2013 Immigration and Refugee Board of Canada report notes with regards to the Smart National Identity Card (SNIC) that:

Pakistan's National Registration and Database Authority (NADRA) reports that the SNIC was introduced in Pakistan by NADRA in August 2012 (Pakistan 24 Jan. 2013). Sources report that the SNIC was “rolled out” in October 2012 (The News International 13 Oct. 2012; Pakistan 13 Oct. 2012; BiometricUpdate.com 15 Oct. 2012). According to local media sources, as of March 2013, NADRA had issued 627,072 SNICs (Pakistan Today 24 Mar. 2013; The Frontier Post 13 Mar. 2013a). The NADRA website indicates that applications for Computerized National Identity Cards (CNIC) are still accepted (Pakistan, n.d.). The News International, a Karachi-based newspaper, cites the Chairman of NADRA as saying that the SNIC will replace the CNIC (24 Mar. 2013).

NADRA reports that the SNIC contains a microchip that stores data, such as biometric data (Pakistan 24 Jan. 2013). In addition, an article on the NADRA website notes that the SNIC also contains the following information: name of the individual, father's name, photograph, address, and date of birth (ibid. 3 Aug. 2013). According to an article published by the Peshawar newspaper the Frontier Post, the Interior Minister of Pakistan said that SNICs included a “smart chip, two pictures on front and one on rear, quick response bar code, tracking ID on rear, security features (Map), etc.” (13 Mar. 2013a).¹⁰²²

The Human Rights Commission of Pakistan’s (HRCP) annual report covering 2013 notes that “After introducing the chip-based identity card for adults, the National Database Registration Authority (NADRA) in August introduced a similar smart card for children under 18 years of age. The card had been called an ‘entitlement document’. The new card for children was said to hold applications and data from the health, education and social sector such as vaccination records, academic records and

¹⁰¹⁷ High Commission for Pakistan, [The Pakistan Origin Card](#), undated [accessed 10 April 2015]

¹⁰¹⁸ National Database and Registration Authority, [Child Registration Certificates](#), undated [accessed 9 April 2015]

¹⁰¹⁹ National Database and Registration Authority, [Child Registration Certificates](#), undated [accessed 9 April 2015]

¹⁰²⁰ National Database and Registration Authority, [Family Registration Certificates](#), undated [accessed 9 April 2015]

¹⁰²¹ National Database and Registration Authority, [Family Registration Certificates](#), undated [accessed 9 April 2015]

¹⁰²² Immigration and Refugee Board of Canada, [Pakistan: Smart National Identity Card \(SNIC\), including content, validity period, purpose, and associated benefits \[PAK104671.E\]](#), 06 November 2013

polio registration. However, it was to be an optional card and Child Registration Certificate (B-Form) was to continue as the primary identity document for children".¹⁰²³

A July 2013 Immigration and Refugee Board of Canada report notes that "Sources indicate that a person's CNIC number does not change after marriage (Pakistan 15 July 2013; Evangelical Asian Church 18 July 2013). However, according to information compiled by the Evangelical Asian Church representative, in addition to the CNIC number, a CNIC card also bears a "family tree number," which is different than the CNIC number (ibid.). He said that after marriage, a woman's family tree number changes (ibid.). He further explained that, after marriage, when a woman becomes a member of her husband's family, her "husband's family number will be allotted to her" and that this change is reflected on her CNIC card (ibid.)."¹⁰²⁴

Reporting on fraudulent identity cards and birth certificates a January 2015 Immigration and Refugee Board of Canada report notes that "Dawn, an English-language newspaper based in Karachi, reports that, during a 22 January 2013 meeting of the Pakistani Senate's Standing Committee of Interior, the Director of NADRA indicated that foreigners use forged documents such as birth certificates or education certificates to obtain Computerized National Identity Cards (CNICs) (22 January 2013). The Director also indicated that, since Pakistan does not have "any concept of [a] work permit," foreigners who get employment in Pakistan eventually use employment-related documents to obtain legitimate CNICs (ibid.)."¹⁰²⁵ The same report further notes that:

On 22 September 2012, the Express Tribune reported that NADRA had initiated a national crackdown against holders of fake CNICs (The Express Tribune 22 Sept. 2012). The initiative came after the FIA arrested 24 NADRA and Immigration and Passports officials in July 2012 for issuing fake CNICs in Lahore (ibid.). Sources report that, on 19 February 2013, the FIA arrested four NADRA employees accused of providing fake CNICs to Afghan refugees (DND 19 Feb. 2013; Dawn 19 Feb. 2013). The arrested NADRA officials had been providing these ID cards since 2009 in exchange for a "huge amount" of money (ibid.; DND 19 Feb. 2013). Sources report that 74 employees were dismissed from NADRA after its "automated auditing system," which records every transaction made by employees processing CNICs, detected malpractice by these employees (PPI 29 Nov. 2013; Dawn 4 Nov. 2013). Dawn further reports that, in connection with the dismissal of the 74 employees, an investigation identified a "group of agents" who were bribing NADRA employees to process fake ID cards (ibid.). On 6 May 2014, sources reported that the NADRA dismissed 20 employees after it found that they were engaged in "illegal" processing of CNICs (Pakistan Today 6 May 2014; Daily Times 6 May 2014).¹⁰²⁶

¹⁰²³ Human Rights Commission of Pakistan, [*State of Human Rights in 2013*](#), March 2014, *Birth registration*, p.194

¹⁰²⁴ Immigration and Refugee Board of Canada, [*Pakistan: Whether the Computerized National Identity Card \(CNIC\) number changes when a person gets married; information added or changed on the CNIC after marriage \(2003-July 2013\) \[PAK104518.E\]*](#), 22 July 2013

¹⁰²⁵ Immigration and Refugee Board of Canada, [*Pakistan: Fraudulent documents, including non-identity documents such as academic qualification documents, travel documents, First Information Requests \(FIRs\), land ownership titles and newspaper articles, and identity documents including identity cards and birth certificates; methods of obtaining fraudulent documents and assessing the credibility of fraudulent documents\(2012-December 2014\) PAK105021.E\]*](#), 14 January 2015

¹⁰²⁶ Immigration and Refugee Board of Canada, [*Pakistan: Fraudulent documents, including non-identity documents such as academic qualification documents, travel documents, First Information Requests \(FIRs\), land ownership titles and newspaper articles, and identity documents including identity cards and birth certificates; methods of obtaining fraudulent documents and assessing the credibility of fraudulent documents\(2012-December 2014\) PAK105021.E\]*](#), 14 January 2015

6.2. Ethnicity

6.2.1. Domestic legal framework (Constitution and legislation)¹⁰²⁷

The Constitution of Pakistan provides for:

26. Non-discrimination in respect of access to public places

(1) In respect of access to places of public entertainment or resort not intended for religious purposes only, there shall be no discrimination against any citizen on the ground only of race, religion, caste, sex, residence or place of birth.

(2) Nothing in clause (1) shall prevent the State from making any special provision for women and children.

27. Safeguard against discrimination in services

(1) No citizen otherwise qualified for appointment in the service of Pakistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste, sex, residence or place of birth:

Provided that, for a period not exceeding [forty] years from the commencing day, posts may be reserved for persons belonging to any class or area to secure their adequate representation in the service of Pakistan:

Provided further that, in the interest of the said service, specified posts or services may be reserved for members of either sex if such posts or services entail the performance of duties and functions which cannot be adequately performed by members of the other sex [:]

[Provided also that under-representation of any class or area in the service of Pakistan may be redressed in such manner as may be determined by an Act of Majlis-e-Shoora (Parliament).

(2) Nothing in clause (1) shall prevent any Provincial Government, or any local or other authority in a Province, from prescribing, in relation to any post or class of service under that Government or authority, conditions as to residence in the Province for a period not exceeding three years, prior to appointment under that Government or authority.

28 Preservation of language, script and culture

Subject to Article 251 any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and subject to law, establish institutions for that purpose. [...]

33 Parochial and other similar prejudices to be discouraged

The State shall discourage parochial, racial, tribal, sectarian and provincial prejudices among the citizens. [...]

36 Protection of minorities

The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.

37 Promotion of social justice and eradication of social evils

The State shall:

(a) promote, with special care, the educational and economic interests of backward classes or areas; [...]

(c) make technical and professional education generally available and higher education equally accessible to all on the basis of merit; [...]

251 National language

(1) The National language of Pakistan is Urdu, and arrangements shall be made for its being used for official and other purposes within fifteen years from the commencing day.

¹⁰²⁷ Selected COI in this subsection reproduced with permission from ACCORD as cited in: Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 5.2 Ethnicity 5.2.1 Domestic legal framework for the protection of ethnic minorities p.116 ff

(2) Subject to clause (1), the English language may be used for official purposes until arrangements are made for its replacement by Urdu.

(3) Without prejudice to the status of the National language, a Provincial Assembly may by law prescribe measures for the leaching, promotion and use of a Provincial language in addition to the National language.¹⁰²⁸

Pakistan's Penal Code of 1860 provides penalties for the promotion of enmity between different groups and statements that may incite group differences:

153-A. Promoting enmity between different groups, etc.:

Whoever

(a) by words, either spoken or written, or by signs, or by visible representations or otherwise, promotes or incites, or attempts to promote or incite, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities; or

(b) commits, or incites any other person to commit, any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities or any group of persons identifiable as such on any ground whatsoever and which disturbs or is likely to disturb public tranquillity; or

(c) organizes, or incites any other person to organize, and exercise, movement, drill or other similar activity intending that the participants in any such activity shall use or be trained to use criminal force or violence or knowing it to be likely that the participants in any such activity will use or be trained to use criminal force or violence or participates, or incites any other person to participate, in any such activity intending to use or be trained to use criminal force or violence or knowing it to be likely that the participants in any such activity will use or be trained, to use criminal force or violence, against any religious, racial, language or regional group or caste or community or any group of persons identifiable as such on any ground whatsoever and any such activity for any reason whatsoever cause or is likely to cause fear or alarm or a feeling of insecurity amongst members of such religious, racial, language or regional group or caste or community. shall be punished with imprisonment for a term which may extend to five years and with fine.

Explanation: It does not amount to an offence within the meaning of this section to point but, without malicious intention and with an honest view to their removal, matters which are producing, or have a tendency to produce, feelings of enmity or hatred between different religious, racial, language or regional groups or castes or communities. [...]

505. Statements conducing to public mischief:

[...](2) Whoever makes, publishes or circulates any statement or report containing rumour or alarming news with intent to create or promote, or which is likely to create or promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, shall be punished with imprisonment for a term which may extend to seven years and with fine.

Explanation: It does not amount to an offence within the meaning of this section, when the person making, publishing or circulating any such statement, rumour or report has reasonable grounds for believing that such statement, rumour or report is true and makes, publishes or circulates it in good faith and without any such intent as aforesaid.¹⁰²⁹

¹⁰²⁸ [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012

¹⁰²⁹ [Pakistan Penal Code \(Act XLV of 1860\), 6 October 1860, amended as of 2006, Section 499](#)

6.2.2. Treatment of ethnic groups / ethnic minorities in practice

For information on the ethnic breakdown in Pakistan, see [1.2. General overview of ethnic and linguistic groups](#).

According to the 2013 U.S. Department of State report, “Societal discrimination against national, ethnic, and racial minorities persisted, as did discrimination based on caste, sexual orientation, gender identity, and HIV status”.¹⁰³⁰

In an October 2013 article IRIN reported that “Being a member of an ethnic or religious minority in Pakistan brings with it inherent risks”.¹⁰³¹ Reporting on the situation of ethnic Hazaras the same source notes that:

The ethnic Hazara minority, comprising some 6,000-7,000 people according to its leaders, have also faced attacks.

It is targeted both because it is an ethnic minority concentrated in certain parts of Quetta and speaking Farsi, and because nearly all Hazaras are Shia. “The Hazaras are targeted due to both these factors, and we have no protection,” Abdul Qayyum Changezi, chairman of the Hazara Jarga representing the community, told IRIN.

For months, the community has lived under siege with roads to predominantly Hazara areas blockaded, but this has not prevented bomb attacks such as the one in January this year [2013] that killed 96. Other attacks have taken place since then.¹⁰³²

Amnesty International’s annual report covering 2014 similarly notes that “Dozens of ethnic Hazaras were killed in attacks in Quetta and other parts of Balochistan; the armed group Lashkar-e-Jhangvi claimed responsibility for many of these, saying they were because the Hazaras were Shi’a Muslims”.¹⁰³³ As the treatment of religious minorities is beyond the scope of this report, no further information on the treatment of Hazaras is included in this section, which focuses on the ill-treatment of persons due to their ethnicity.

Reporting on the situation for the Kihal indigenous community the October 2013 IRIN article reports:

The Kihal are another community under pressure. Samu Kihal, a member of the indigenous Kihal community with whom IRIN last spoke in 2010 said: “Things have been getting worse and worse for us since then. People say we are ‘dirty’ and now they sometimes don’t even pay us as beggars - saying they will give their money only to Muslims.”

The Kihals have for centuries lived along the banks of the River Indus, making their living from fishing or using reeds to construct river craft.

However, rapid development along the Indus, and in some cases, according to Samu Kihal, “the seizure of lands that were ours for generations” have threatened their livelihoods and homes.

While the Kihals say they are Muslim, the majority population rejects this on the basis that they eat ‘impure’ food prohibited to Muslims, such as crocodile meat. As a nomadic population they are also not entitled to national ID cards, which require a fixed address, meaning that Kihals cannot vote. “We are not even considered people,” Samu Kihal said.¹⁰³⁴

¹⁰³⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014
Executive summary

¹⁰³¹ IRIN, [Minorities under pressure in Pakistan](#), 17 October 2013

¹⁰³² IRIN, [Minorities under pressure in Pakistan](#), 17 October 2013

¹⁰³³ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Abuses by armed groups*

¹⁰³⁴ IRIN, [Minorities under pressure in Pakistan](#), 17 October 2013

The Human Rights Commission of Pakistan's (HRCP) annual report covering 2013 summarises with regards to political violence in Balochistan that "The lawlessness affected businesses and inter- and intra-province travel. Settlers, people who were not ethnic Baloch were targeted by separatist insurgents. In August [2013] HRCP slammed the execution-style killing of 13 labourers in Balochistan. Those killed, mainly from Punjab, were returning to their homes to celebrate Eid. An insurgent group claimed responsibility for the attack and sought to justify it by stating that the men worked for the security forces. However, the local police reports contradicted that claim".¹⁰³⁵ It further notes that "In Balochistan and Sindh, doctors were systematically targeted by militants, some for their ethnicity or sectarian identity and others just for being agents of betterment and advancement".¹⁰³⁶ Also see [3.3.7. Politically motivated attacks on individuals](#).

In its 'Freedom in the World' report addressing events in 2014, Freedom House reports that "Pakistan has a number of religious, ethnic, and linguistic minorities and other marginalized groups. Multiple forms of discrimination are common".¹⁰³⁷ Amnesty International's annual report covering 2014 states "Ethnic Baloch armed groups calling for a separate state of Balochistan were implicated in the killing and abduction of security forces and others on the basis of their ethnic or political affiliations, and carried out attacks on infrastructure".¹⁰³⁸ The South Asian Terrorism Portal reported in July 2014 that "Balochistan Home and Tribal Affairs Department sources said that over 800 bodies were found in Balochistan during last three-and-a-half years, with most of them being found in Quetta, Khuzdar and Makran belt. The sources said that 466 victims were identified as ethnic Baloch, 123 as Pashtuns, and 107 from other ethnicities. Meanwhile, 107 bodies remained unidentified. Of the 466 Baloch killed in the Province, most were political workers while the remaining were killed in incidents of targeted killings, tribal disputes, domestic violence etc, the Home Department sources explained".¹⁰³⁹ It is reported by Amnesty International, Human Rights Watch and the International Commission of Jurists in their joint statement that "In the weeks leading up to Pakistan's Independence Day, 14 August [2014], dozens of ethnic Baloch were arbitrarily arrested in the New Kahan area of Quetta, and Turbat and Kharan districts. At present, the fate or whereabouts of all of these people remain unknown".¹⁰⁴⁰ Also see [4.2.5.2. Enforced disappearances](#).

Freedom House reports in its Freedom on the Net report covering May 2013 - May 2014 that "Political dissent and secessionist movements in areas including Balochistan and Sindh province, where a Sindhi nationalist movement advocates for political divisions along ethnic lines, is among the nation's most systematically censored content".¹⁰⁴¹ In an April 2014 report Amnesty International noted with regards to the situation for journalists in Khuzdar, the second largest city in Balochistan that "State security forces, which have a significant presence in the city, along with pro- and anti-state armed groups, have been implicated in threats and attacks against journalists for reasons including their ethnicity, political views or affiliations. The perpetrators subject victims to abduction, torture and other ill-treatment, and unlawful and extrajudicial killing. Journalists have often been caught between rival ethnic Baloch armed groups either advocating the separation of

¹⁰³⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Political violence, Balochistan* p.56

¹⁰³⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Health, Strikes by doctors young and old* p.249

¹⁰³⁷ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹⁰³⁸ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Abuses by armed groups*

¹⁰³⁹ South Asian Terrorism Portal, [Pakistan Timeline 2014](#), 2014, 3 July 2014

¹⁰⁴⁰ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

¹⁰⁴¹ Freedom House, [Freedom on the Net 2014 - Pakistan](#), 4 December 2014, *Limits on Content*

Balochistan from the state of Pakistan or supporting the state".¹⁰⁴² Also see [6.3.4. Treatment of journalists and other media professionals](#).

According to the 2013 U.S. Department of State report, "Political, sectarian, and ethnic violence in Karachi did not abate during the year. According to the HRCP, 1,726 persons were killed in Karachi. The tenuous balance between political parties and the ethnic and sectarian groups they represented shifted due to significantly altered demographics in the city".¹⁰⁴³ The U.S. Department of State report on Terrorism covering 2013 states that "Karachi continued to suffer from political and ethnic violence inflicted by different groups, including militant organizations, fundamentalist religious groups, and the militant wings of political parties. Some militant groups worked to assert control over political parties and criminal gangs operating in the city and surrounding areas of southern Sindh".¹⁰⁴⁴

The Human Rights Commission of Pakistan's (HRCP) annual report covering 2013 summarises with regards to political violence in Karachi that "Large parts of the city remained ethnically divided and ethnic and sectarian violence was rife".¹⁰⁴⁵ It further notes with regards to freedom of movement and targeted killings in Karachi that "Targeted ethnic, political and sectarian killings continued unabated in 2013. People remained in constant fear of outbreak of violence or becoming victims of random firing. Many areas continued to be marked as strongholds of certain ethnic groups and so remained no-go areas for others. Despite the government operation being carried out, killings continued unchecked. The operation against target killers often meant the imposition of a semi-curfew in the area".¹⁰⁴⁶ In its annual report covering 2013 Minority Rights Group International reports on the same issue that:

While many targeted killings are politically motivated, violence has also taken on an inter-ethnic dimension. Bombings and assassinations have been used by different factions to control particular constituencies, in particular by displacing ethnic groups to other areas. Reports suggest well-established links between criminal groups and some members of mainstream political parties. Migration towards major cities such as Karachi further aggravates tensions as parties fear losing votes and engage in inflammatory statements against other groups (such as Pashtuns and Muhajirs – Muslims who migrated from other parts of South Asia to Pakistan, especially after Partition with India) as part of a strategy to shore up support by deploying the exclusionary rhetoric of ethnic politics and identity.¹⁰⁴⁷

In its 'Freedom in the World' report addressing events in 2014, Freedom House reports that "Ethnic violence in the city of Karachi is exacerbated by political rivalry between the traditionally dominant MQM [Muttahida Qaumi Movement], founded to represent refugees from India who came to Pakistan after 1947; the ANP [Awami National Party], representing ethnic Pashtun migrants; and the PPP [Pakistan People's Party], which is allied with Baloch gangs. The criminal gangs that carry out

¹⁰⁴² Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 6.1 KHUZDAR: A GRAVEYARD FOR JOURNALISTS p.50

¹⁰⁴³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. g. Use of Excessive Force and Other Abuses in Internal Conflicts

¹⁰⁴⁴ US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

¹⁰⁴⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, Law and order, Political violence, Karachi p.54

¹⁰⁴⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, Freedom of movement, Targeted killings in Karachi p.78

¹⁰⁴⁷ Minority Rights Group International, [State of the World's Minorities and Indigenous Peoples 2014](#), 3 July 2014, Pakistan p.129

much of the violence, regularly extort money from businesses in Karachi, Pakistan's economic hub".¹⁰⁴⁸

Human Rights Watch reporting in August 2014 notes that "Hundreds of men and boys, especially individuals associated with the Muttahida Quami Movement political party and ethnic Pashtuns accused of being associated with the Taliban, have been subjected to enforced disappearance in the city of Karachi over the last two years. Several members of ethnic Sindhi nationalist groups have also allegedly been subjected to enforced disappearance in the province of Sindh in the same period".¹⁰⁴⁹

IRIN reports in August 2014 that "People fleeing the war-torn North Waziristan area of Pakistan and arriving in Sindh Province in the south of the country are finding themselves increasingly unpopular. Last month, roads were closed off when angry residents demanded an end to such migration, while the provincial government has made moves to ban all internally displaced persons (IDPs) from entering Sindh. [...] IDPs from North Waziristan are not the only ones facing hostility. There have been increasing reports of law enforcement agencies and even workers of Sindhi ethnic parties harassing ethnic Pashtuns in the province".¹⁰⁵⁰

6.3. Freedom of Expression and Association

6.3.1. Domestic legal framework (Constitution and legislation)¹⁰⁵¹

❖ Freedom of speech, expression

The Constitution of Pakistan provides for:

Article 19 Freedom of speech: Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence.¹⁰⁵²

Freedom House reports in its Freedom on the Net report covering May 2013 - May 2014 that "Article 19 of the Pakistani constitution establishes freedom of speech as a fundamental right, although it is subject to several restrictions. Pakistan became a signatory to the International Covenant on Civil and Political Rights in 2010".¹⁰⁵³ It further notes that "A controversial counterterrorism law, the Pakistan Protection Ordinance, was promulgated by President Mamnoon Hussain on October 31, 2013. An executive order subject to parliamentary review, it was amended in January 2014 and approved by the National Assembly in April, when opposition politicians staged a walk-out in protest. Freedom of expression advocates were concerned by the draft's inclusion of unspecified "internet offenses" as terrorist acts, with suspects potentially subject to arbitrary arrest or extrajudicial execution. The Senate did not approve the ordinance, and the National Assembly subsequently approved a resolution to extend it for 120 days, effective at the end of the coverage

¹⁰⁴⁸ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹⁰⁴⁹ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

¹⁰⁵⁰ Integrated Regional Information Network, [IDPs under pressure in Pakistan's Sindh Province](#), 4 August 2014

¹⁰⁵¹ Selected COI in this subsection reproduced with permission from ACCORD as cited in:

Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 5.3 Freedom of expression and association, 5.3.1 Domestic legal framework p.123 ff

¹⁰⁵² [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012

¹⁰⁵³ Freedom House, [Freedom on the Net 2014 - Pakistan](#), 4 December 2014, *Limits on Content*

period on May 22, 2014. With some reformulation, it was passed as the Pakistan Protection Act [PPA]¹⁰⁵⁴ in August. One news report said the interior ministry issued a separate order putting the ordinance in effect from December 5, 2013”.¹⁰⁵⁵

Human Rights Watch describes in detail the “most worrying” provisions of the PPA as including: the vague definition of terrorist acts; the expansion of powers of arrest without warrant from the police to members of the armed forces or “civil armed forces”; shifting the “burden of proof” from government prosecutors to criminal suspects; providing effective immunity for abuses by security forces and judicial officials acting under the law and empowering the government to determine the place of custody, inquiry, investigation, and trial.¹⁰⁵⁶ It further notes that “Peaceful political protesters and critics of government policies are particularly vulnerable to abuses under the new law because of dangerous ambiguity in its definition of terrorist acts. Besides ‘killing, kidnapping, extortion’, the law classifies vague acts, including ‘Internet offenses and other offenses related to information technology’ as prosecutable crimes without providing specific definitions for these offenses. The terms are so ambiguous that a non-violent online political protest might be considered ‘threatening the security of Pakistan’”.¹⁰⁵⁷

The U.S. Department of State report for 2013 notes that “the government impeded criticism by monitoring political activity. Citizens could criticize the government publicly or privately, but not the military. Blasphemy laws restricted individuals’ right to free speech concerning matters of religion and religious doctrine”.¹⁰⁵⁸ Freedom House explains that “The constitution and other legislation, such as the Official Secrets Act¹⁰⁵⁹, authorize the government to curb freedom of speech on subjects including the constitution itself, the armed forces, the judiciary, and religion. National security laws were increasingly used to prosecute journalists in 2013. [...] Under the 2004 Defamation Act¹⁰⁶⁰, offenders receive minimum fines of 100,000 rupees (\$1,100) and prison sentences of up to five years, but the legislation has not yet been used to convict journalists. Since 2010, broadly defined contempt laws have been employed by the judiciary to curb reporting on particular cases or judges, and a number of print and television outlets as well as other critical voices have been threatened or charged with contempt”.¹⁰⁶¹ Also see Pakistan’s Penal Code of 1860 on the definition of criminal defamation and cases of exception to the offence.¹⁰⁶²

The U.S. Department of State report for 2013 further notes that “The Antiterrorism Act¹⁰⁶³ allows the government to use special streamlined courts to try persons charged with violent crimes, terrorist activities, acts or speech designed to foment religious hatred, and crimes against the state”.¹⁰⁶⁴

❖ Freedom of association

¹⁰⁵⁴ The full text can be accessed at: [Protection of Pakistan Act, Ordinance No. 1 of 2014 to amend the Protection of Pakistan Ordinance 2013, 22 January 2014](#)

¹⁰⁵⁵ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Limits on Content*

¹⁰⁵⁶ Human Rights Watch, [Withdraw Repressive Counterterrorism Law](#), 3 July 2014

¹⁰⁵⁷ Human Rights Watch, [Pakistan’s dangerous anti-terrorism law](#), 21 July 2014

¹⁰⁵⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2. a. *Freedom of Speech and Press*

¹⁰⁵⁹ The full text can be accessed at: [Official Secrets Act \(1 Act No. XIX of 1923\), 1923](#)

¹⁰⁶⁰ Pakistan Press Foundation, [Text of Defamation Bill 2004](#), 20 August 2004

¹⁰⁶¹ Freedom House, [Freedom of the Press 2014 - Pakistan](#), 1 December 2014

¹⁰⁶² [Pakistan Penal Code \(Act XLV of 1860\), 6 October 1860, amended as of 2006, Section 499](#)

¹⁰⁶³ The full text can be accessed at: [Anti-Terrorism Act \(Act No. XXVII of 1997\), 1997](#)

¹⁰⁶⁴ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1.e. *Trial Procedures*

The Constitution of Pakistan provides for:

Article 16 Freedom of assembly: Every citizen shall have the right to assemble peacefully and without arms, subject to any reasonable restrictions imposed by law in the interest of public order.

Article 17 Freedom of association:

(1) Every citizen shall have the right to form associations or unions, subject to any reasonable restrictions imposed by law in the interest of sovereignty or integrity of Pakistan, public order or morality.

(2) Every citizen, not being in the service of Pakistan, shall have the right to form or be a member of a political party, subject to any reasonable restrictions imposed by law in the interest of the sovereignty or integrity of Pakistan or public order and such law shall provide that where the Federal Government declare that any political party has been formed or is operating in a manner prejudicial to the sovereignty or integrity of Pakistan or public order, the Federal Government shall, within fifteen days of such declaration, refer the matter to the Supreme Court whose decision on such reference shall be final. provided that no political party shall promote sectarian, ethnic, regional hatred or animosity, or be titled or constituted as a militant group or section.

(3) Every political party shall account for the source of its funds in accordance with law.

(4) Every political party shall, subject to law, hold intra-party elections to elect its office-bearers and party leaders.¹⁰⁶⁵

The International Center for Not-for-Profit Law NGO Law Monitor profile on Pakistan reports with regards to current draft legislation that [emphasis added]:

After several months of relative silence, in January 2015, **the draft Foreign Contributions Act, 2014** (draft FCA), appeared back on the government's agenda, with the purported aim of preventing terrorist financing by regulating the foreign funding of domestic non-governmental organizations and international non-governmental organizations (INGOs). The draft law recently came under discussion in a meeting held under the chairmanship of the Secretary of the Ministry of Law, Justice and Human rights, and the Ministry proposed further amendments to the draft.

In addition, on January 1, 2015, **the Securities and Exchange Commission of Pakistan (SECP) issued Circular No. 02/2015**, stating that, pursuant to the National Action Plan on Counterterrorism, it will submit all not-for-profit companies registered under Section 42 of the Companies Ordinance to a license re-validation/renewal process to ensure they are not engaged in terrorist financing. Moreover, the process would involve review for compliance with the Companies Ordinance of 1984, including confirming that income and profits “are applied solely towards the promotion of the objects for which the association was formed,” and not used directly or indirectly for other purposes.¹⁰⁶⁶

The U.S. Department of State report for 2013 notes that “Although the constitution provides for freedom of assembly, the government placed restrictions on it. By law district authorities may prevent gatherings of more than four persons without police authorization. The law permits the government to ban all kinds of rallies and processions, except funeral processions, for reasons of security”.¹⁰⁶⁷ The Pakistan Penal Code of 1860 contains the following provisions pertaining to unlawful assembly and rioting:

141. Unlawful assembly: An assembly of five or more persons is designated an ‘unlawful assembly’ if the common object of the persons composing that assembly is:-

First: To overawe by criminal force, or show of criminal force, the Federal or any Provincial Government or Legislature, or any public servant in the exercise of the lawful power of such public servant; or

Second: To resist the execution of any law, or of any legal process, or

Third: To commit any mischief or criminal trespass, or other offence; or

¹⁰⁶⁵ [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012

¹⁰⁶⁶ The International Center for Not-for-Profit Law, [NGO Law Monitor: Pakistan](#), 9 February 2015

¹⁰⁶⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2. a. *Freedom of Speech and Press*

Fourth: By means of criminal force, or show of criminal force, to any person to take or obtain possession of any property, or to deprive any person of the enjoyment of a right of way, or of the use of water or other incorporeal right of which he is in possession or enjoyment, or to enforce any right or supposed right; or

Fifth: By means of criminal force, or show of criminal force, to compel any person to do what he is not legally bound to do, or to omit to do what he is legally entitled to do.

Explanation: An assembly which was not unlawful when it assembled, may subsequently become an unlawful assembly.

142. Being member of unlawful assembly: Whoever being aware of facts which render any assembly an unlawful assembly, intentionally joins that assembly, or continues in it, is said to be a member of any unlawful assembly.

143. Punishment: Whoever is a member of an unlawful assembly, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both. [...]

144. Joining unlawful assembly armed with deadly weapon: Whoever, being armed with any deadly weapon, or with anything which, used as a weapon of offence, is likely to cause death, is a member of an unlawful assembly/shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

145. Joining or continuing in unlawful assembly, knowing it has been commanded to disperse: Whoever joins or continues in an unlawful assembly, knowing that such unlawful assembly has been commanded in the manner prescribed by law to disperse, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

146. Rioting: Whenever force or violence is used by an unlawful assembly, or by any member thereof, in prosecution of the common object of such assembly, every member of such assembly is guilty of the offence of rioting.

147. Punishment for rioting: Whoever is guilty of rioting, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.¹⁰⁶⁸

The Anti-Terrorism Act (ATA) of 1997 sets out provisions regarding involvement with a “prescribed organization”:

11-F. Membership, support and meetings relating to a Prescribed Organization.

1. A person is guilty of an offence if he belongs or professes to belong to a prescribed organization.
2. A person is guilty of an offence under sub-section (1) shall be liable of conviction to a term not exceeding six months imprisonment and a fine.
3. A person commits an offence if he,
 - a. Solicits or invites support for a prescribed organization, and the support is not, restricted to, the provision of money or other property; or
 - b. Arranges, manages or assists in managing, or addressing a meeting which he know is –
 - i. To support a prescribed organization;
 - ii. To further the activities of a prescribed organization; or
 - iii. To be addressed by a person who belongs or professes to belong to a prescribed organization.
4. A person commit an offence if he addresses a meeting, or delivers a sermon to a religious gathering, by any means whether verbal, written, electronic, digital or otherwise, and the purpose of his address or sermon, is to encourage support for a prescribed organization or to further its activities.
5. A person commits an offence if he solicits, collects, or raises funds for a prescribed organization.
6. A person guilty of an offence under sub-sections (3), (4) and (5) shall be liable on conviction to a term of imprisonment not less than one year and not more than five and a fine.¹⁰⁶⁹

¹⁰⁶⁸ [Penal Code, 6 October 1860, amended as of 2006, Sections 141-147](#)

¹⁰⁶⁹ [Anti-Terrorism Act \(Act No. XXVII of 1997\), 1997](#)

6.3.2. Treatment of (actual and perceived) members and supporters of political opposition parties and political activists

N.B. This section focuses on state security forces' treatment of (actual and perceived) members and supporters of political opposition parties and political activists. For information on non-state treatment see [3.3.7. Politically motivated attacks on individuals](#).

The Human Rights Commission of Pakistan's (HRCP) annual report covering 2013 summarises with regards to the issue of freedom of association that "Unfortunately several breaches of this fundamental human right were witnessed in 2013 in Pakistan. Certain political parties, organisations working for the human rights, particularly women's and religious minorities' rights, and independent trade unions faced discrimination, threats or violence, harassment, persecution, intimidation or reprisals. There were attacks on nongovernmental organizations (NGOs), threats against trade union leaders and labourers, and violence against political activists".¹⁰⁷⁰ It further notes with regards to members of political opposition parties that "According to the Pakistan Security Report 2013 by Pak Institute for Peace studies, 422 incidents of violence against political leaders and workers took place during the year, claiming the lives of 527 people and leaving around 1,100 people injured".¹⁰⁷¹

The U.S. Department of State report covering 2013 states that "There were few restrictions on political parties. In most areas there was no interference with the rights to organize, run for election, seek votes, or publicize views. In Balochistan there were reports security agencies and separatist groups harassed local political parties, such as the Balochistan National Party and the Balochistan Student Organization".¹⁰⁷² It further notes that "the government impeded criticism by monitoring political activity. Citizens could criticize the government publicly or privately, but not the military. Blasphemy laws restricted individuals' right to free speech concerning matters of religion and religious doctrine. [...] The government also impeded criticism by monitoring political activity and controlling the media".¹⁰⁷³ Freedom House reports in its Freedom on the Net report covering May 2013 - May 2014 that "Technical attacks against the websites of nongovernmental organizations, opposition groups, and activists are common in Pakistan but typically go unreported due to self-censorship".¹⁰⁷⁴ According to the 2013 U.S. Department of State report, "Several domestic intelligence services monitored politicians, political activists, suspected terrorists, and the media. These services included the Inter-Services Intelligence agency, the police Special Branch, and Military Intelligence. There were credible reports that authorities routinely used wiretaps, monitored mobile telephone calls, intercepted electronic correspondence, and opened mail without the court approval".¹⁰⁷⁵ An April 2014 Transparency International report notes that "There have been examples of state interference in the activities of political parties in the past, particularly in the military regimes or military controlled regimes, in the form of curbs on media, on political party association and mobilization and the use of security agencies against political opponents".¹⁰⁷⁶

¹⁰⁷⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of association*, p.142

¹⁰⁷¹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Political violence* p.53

¹⁰⁷² US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 3. *Elections and Political Participation*

¹⁰⁷³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2 a. *Freedom of Speech and Press*

¹⁰⁷⁴ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

¹⁰⁷⁵ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. f. *Arbitrary Interference with Privacy, Family, Home, or Correspondence*

¹⁰⁷⁶ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 10: Political Parties, 10.1.4 Independence (Practice)* p.181

Describing the July 2014 passage of the Protection of Pakistan Act, Human Rights Watch notes that “Peaceful political protesters and critics of government policies are particularly vulnerable to abuses under the new law because of dangerous ambiguity in its definition of terrorist acts. Besides ‘killing, kidnapping, extortion’, the law classifies vague acts, including ‘Internet offenses and other offenses related to information technology’ as prosecutable crimes without providing specific definitions for these offenses. The terms are so ambiguous that a non-violent online political protest might be considered ‘threatening the security of Pakistan’”.¹⁰⁷⁷

Although pre-dating the cut-off point for research for this report, it should be noted that as the Human Rights Commission of Pakistan reports, “2013 was an election year and pre-poll targeting of political parties and their candidates added to the customary political violence. The Taliban threatened and carried out attacks against Muttahida Qaumi Movement, Awami National Party and Pakistan Peoples’ Party. The militants asked the people to stay away from these parties’ rallies and gatherings. Election campaigns of all three parties were hampered as they were increasingly occupied with their safety. They alleged that the wave of attacks against them was part of a plot to bring rightwing parties to power. Election candidates were injured and killed and election rallies and offices targeted in bombings and suicide attacks claimed by the Taliban. Political rivalries also resulted in clashes leading up to the elections”.¹⁰⁷⁸ Also see [2.2.1. May 2013: General elections](#).

- ❖ Non-exhaustive, illustrative examples of security forces’ ill-treatment of (actual and perceived) members and supporters of political opposition parties and political activists between June 2013-February 2015

The U.S. Department of State report for 2013 notes on the issue of extra-judicial killings of perceived political activists that “There were extrajudicial killings of nationalist political activists in Sindh Province. [...] On August 15, police shot and killed three activists from the nationalist party Jeay Sindh Tehrike – Paryal Chandio, Umeed Ali, and Elahi Chachar – at Karachi’s Safari Park. Local television coverage and a deputy inspector general investigation revealed police killed the three students following detention while in custody. [...] Politically motivated killings of Baloch nationalists continued in Balochistan and Karachi. On August 14, security forces allegedly killed Secretary General of the Baloch Student Organization Azad Raza Jahangeer, along with another Balochistan National Movement leader in Turbat. Separately, security agents allegedly abducted Zaheer Baloch, a son of Baloch Republican Party leader Anwar Baloch, from Panjgur in April. In June authorities found Baloch’s corpse near Karachi. [...] There were reports of politically motivated killings by political factions or unknown assailants in the city of Karachi, Sindh Province”.¹⁰⁷⁹

The same source adds that “The elected provincial government and political parties in Sindh Province remained the targets of attacks. There was a significant increase in attacks on the Awami National Party (ANP), the Muttahida Quami Movement (MQM), the Pakistan People’s Party (PPP), and government office holders, especially prior to the May 11 elections”.¹⁰⁸⁰

The U.S. Department of State report for 2013 notes with regards to the enforced disappearance of political activists that “Nationalist political parties in Sindh Province, including the JSMM [Jeay Sindh

¹⁰⁷⁷ Human Rights Watch, [Pakistan’s dangerous anti-terrorism law](#), 21 July 2014

¹⁰⁷⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Political violence* p.53

¹⁰⁷⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. a. *Arbitrary or Unlawful Deprivation of Life*

¹⁰⁸⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. a. *Arbitrary or Unlawful Deprivation of Life*

Muttahida Mahaz] and the Jeay Sindh Qaumi Mahaz (JSQM), reported disappearances and claimed that some of their members were in the custody of the intelligence agencies. According to the JSQM's spokesperson, there were at least 10 activists in the custody of intelligence agencies. Security forces allegedly kidnapped JSQM activist Ayaz Leghari and NGO worker Majid Leghari in July. According to press accounts in the English daily, the Frontier Post, approximately 250 persons disappeared from Karachi, eight from Hyderabad, four from Benazirabad, three from Sukkar, and two each from Tharparkar, Khairpur and Naushehro Peroz from 2010 until 2012. The NGO Defense of Human Rights provided details regarding more than 100 missing persons from Sindh to the Supreme Court. [...] On September 12, the newspaper Dawn reported law enforcement officers had found 592 bodies in Balochistan since 2010, with many of the corpses belonging to missing Baloch political workers".¹⁰⁸¹ The 2013 Human Rights Commission of Pakistan report similarly notes:

Enforced disappearance has been a serious violation of human rights in Balochistan for nearly a decade. From 2010 onwards, many victims of enforced disappearance started returning as mutilated dead bodies left at deserted places. In 2013, 116 bodies were found across the province; 87 of them were identified and many of the families either suspected involvement of security agencies or accused them of extrajudicial killings. The other 29 bodies remained unidentified. Political activists in Sindh also claimed that state agencies were responsible for killing nationalist workers in the province in a similar manner.¹⁰⁸²

The U.S. Department of State report on Terrorism covering 2013 states that "Karachi continued to suffer from political and ethnic violence inflicted by different groups, including militant organizations, fundamentalist religious groups, and the militant wings of political parties. Some militant groups worked to assert control over political parties and criminal gangs operating in the city and surrounding areas of southern Sindh".¹⁰⁸³ The Asian Human Rights Commission notes that "The federal government has started an operation in Karachi, the capital of Sindh, under the title: "Karachi Targeted Operation" with the support of the police and Pakistan Rangers. The operation, which commenced on September 5, 2013, is supposedly against the increase in targeted killings, extortion, kidnappings and incidents of terrorism including bomb blasts. The Pakistan Rangers has been given powers of arrest and detention of the suspects including permission to shoot on sight. [...] During the seven months of its operation, according to the police and Rangers, 17,000 persons were arrested but government has failed to make public the whereabouts of such arrestees. A political party, MQM, claims that 25 activist members were extrajudicially killed and 45 workers are missing after their arrest during the last seven months".¹⁰⁸⁴

According to a January 2014 International Crisis Group report "Karachi has had an annual increase in targeted political killings since 2006. According to HCRP, there were 220 such victims in 2010, including 61 from the MQM [Muttahida Qaumi Movement], 40 from the ANP [Awami National Party], 39 from the MQM splinter group MQM-Haqiqi (MQM-H) and 29 from the PPP [Pakistan People's Party]. 77 of the 490 victims in the first half of 2011 alone were from the MQM, 29 from the ANP and 26 from the PPP. In the first six months of 2013, over 1,700 were killed, with June (more than 300) the deadliest month; by year's end the total surpassed 2,200".¹⁰⁸⁵ The Human Rights Commission of Pakistan (HCRP) annual report covering 2013 notes with regards to Karachi that

¹⁰⁸¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. *b Disappearance*

¹⁰⁸² Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Bodies dumped in Sindh and Balochistan p. 49*

¹⁰⁸³ US Department of State, [Country Report on Terrorism 2013 - Chapter 2 - Pakistan](#), 30 April 2014

¹⁰⁸⁴ Asian Human Rights Commission, [PAKISTAN: Government must stop the disappearances and extrajudicial killings in Karachi](#), 8 May 2014

¹⁰⁸⁵ International Crisis Group, [Policing Urban Violence in Pakistan](#), 23 January 2014 IV. *Karachi: Violence in Pakistan's Mega-City, A. Ethnicity, Politics and Violence p.26*

“According to media monitoring by HRCP of killings in lawlessness in Karachi, 3,218 people were killed in violence in Karachi, up 14% from 2012 when 2,823 people were killed. The menace of targeted killings seemed to be better entrenched than ever as 1,006 citizens excluding political activists were gunned down in targeted attacks. The figure was 19% higher compared to 843 target killings of this nature monitored in 2012. As many as 268 political activists were killed in Karachi in 2013, while 356 had been killed in 2012”.¹⁰⁸⁶ In January 2014 the Human Rights Commission of Pakistan reported that “Violence in Karachi has become so commonplace that reports of ever more gruesome excesses against the citizens are usually taken in the stride. However, the recent killing in Lyari of four members of a family and rape of a woman because of their links with a political party is disturbing on many levels. The victims had apparently been expelled from the area by the local gang leaders because of the family head’s political affiliation”.¹⁰⁸⁷

The U.S. Department of State report for 2013 notes on the issue of political prisoners that “Some Sindh and Baloch nationalist groups claimed that their members were marked for arrest and detained based on their political affiliation or beliefs. Under the 2009 Aghaz-e-Huqooqe Balochistan package, which was intended to address the province’s political, social, and economic problems, the government announced a general amnesty for all Baloch political prisoners, leaders, and activists in exile, as well as those allegedly involved in “antistate” activities, dropping all cases against Baloch leaders. Despite the amnesty, some Baloch groups claimed that illegal detention of nationalist leaders by state agencies continued. Several of the missing persons documented by Voice of Baloch Missing Persons are well-known leaders of nationalist political parties and student organizations”.¹⁰⁸⁸

In February 2014 the Human Rights Commission of Pakistan (HCRP) “demanded a transparent inquiry into the abduction and murder of a Muttahida Qaumi Movement (MQM) worker [Salman Nooruddin] in Karachi and called for probing complaints by the party of extra-judicial killing and illegal detention of its workers”.¹⁰⁸⁹ The Human Rights Commission of Pakistan further notes that it “is particularly concerned about the killing of Salman Nooruddin, said to be an MQM worker, who was picked up allegedly by law enforcement personnel on February 3 [2014]. His nephew was also detained along with him but was later freed. Salman’s body was found dumped in Karachi’s Shah Latif Town the following day. The body reportedly showed severe torture marks, which was also noted in the post mortem report”.¹⁰⁹⁰ Reporting on another incident in February 2014, the News notes that MQM worker Fahad Aziz was moved from detention to a hospital after “his condition turned critical during investigation and four policemen including the in-charge of the investigation team has been suspended on the charge of torturing Fahad”.¹⁰⁹¹

In March 2014 the Human Rights Commission of Pakistan expressed “its grave concern over the apparently well planned killing of JSQM leaders Maqsood Qureshi and Salman Wadho, whose charred bodies were found in a torched car in Naushehro Feroze district”.¹⁰⁹² In April 2014 the Human Rights Commission of Pakistan “noted with serious alarm that while the Muttahida Qaumi Movement (MQM) has continued to voice concerns about abduction, torture and extrajudicial

¹⁰⁸⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Karachi* p.54

¹⁰⁸⁷ Human Rights Commission of Pakistan, [HRCP slams horrors in Karachi turf wars](#), 9 January 2014

¹⁰⁸⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. e *political prisoners*

¹⁰⁸⁹ Human Rights Commission of Pakistan, [HRCP for probing complaints of excesses against MQM workers](#), 11 February 2014

¹⁰⁹⁰ Human Rights Commission of Pakistan, [HRCP for probing complaints of excesses against MQM workers](#), 11 February 2014

¹⁰⁹¹ The News, [MQM held worker in intensive care after police torture](#), 9 February 2014

¹⁰⁹² Human Rights Commission of Pakistan, [HRCP alarmed at JSQM leaders’ killing, demands probe](#), 24 March 2014

killings of its workers, steps have not been taken to investigate the charges. [...] HRCP has learned that dead bodies of two MQM workers were found in Korangi [Karachi] late last week. Both men had been missing for over a month and their bodies showed torture marks”.¹⁰⁹³

In May 2014 Amnesty International reported that “Zahid Baloch, Chairman of the Baloch Student Organisation-Azad (BSOA) was abducted in Quetta, Balochistan, on 18 March. His family do not know where he is or what has happened to him. He is at grave risk of ill-treatment, torture, or even death. Hundreds of other activists have suffered similar fates in the province over recent years”.¹⁰⁹⁴ The same source further notes that “Witnesses claim Zahid Baloch was taken at gunpoint in the Satellite Town area in Quetta, Balochistan on 18 March by personnel of the Frontier Corps, a federal paramilitary force. The authorities have not provided any information concerning his abduction and have failed to investigate it adequately”.¹⁰⁹⁵ Amnesty International considers that “Zahid Baloch’s abduction follows a pattern of enforced disappearances in Balochistan province whereby Baloch political activists, human rights defenders, journalists, lawyers and suspected insurgents have been picked up by state security forces, and never seen again. Across the province many of those subjected to enforced disappearance have been recovered dead, often bearing bullet wounds and marks of torture”.¹⁰⁹⁶

Human Rights Watch reports that “Accountability of law enforcement agencies showed no signs of improving in 2014. In June [2014], one of the most egregious incidents of excessive use of force against political protesters occurred in Model Town, a Lahore suburb. Police fired without warning on supporters of the Pakistan Awami Tehreek (PAT), an opposition political party, whose workers had tried to stop police demolition of security barriers erected in front of PAT headquarters. Authorities confirmed the deaths of at least eight PAT members. Another 80 PAT members were injured”.¹⁰⁹⁷ Human Rights Watch further considers that “The police response to the PAT protesters is emblematic of the breakdown of law enforcement in the face of politically motivated attacks by various groups throughout the country. The police and other security forces have been responsible for numerous abuses, including torture and other ill-treatment of criminal suspects, extrajudicial killings, and unresolved enforced disappearances”.¹⁰⁹⁸

Also in June 2014, the Human Rights Commission of Pakistan expressed “grave concern” over the abduction and brutal murder of Jeay Sindh Mutahida Mahaz (JSMM) activist Muneer Cholyani, noting that “the incident appeared to be the continuation of a disturbing trend in Sindh where individuals affiliated with nationalist groups and political parties were being targeted”.¹⁰⁹⁹ Reporting on the same incident, the Asian Human Rights Commission further notes that “Another Sindhi nationalist and human rights activist is missing from November 2013 after his abduction by persons in police uniform. In the continuation of the victimization of Sindhi activists, two persons belonging to the JSMM, were burned alive in their car on the celebration of Pakistan Day [23 March]. On another occasion three Sindhi activists were killed in fake encounter on Independence Day [14 August]”.¹¹⁰⁰

¹⁰⁹³ Human Rights Commission of Pakistan, [HRCP wants abduction, killing of MQM workers probed](#), 21 April 2014

¹⁰⁹⁴ Amnesty International, [Urgent Action: Abducted political activist at risk of death](#), 19 May 2014

¹⁰⁹⁵ Amnesty International, [Urgent Action: Abducted political activist at risk of death](#), 19 May 2014

¹⁰⁹⁶ Amnesty International, [Urgent Action: Abducted political activist at risk of death](#), 19 May 2014

¹⁰⁹⁷ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹⁰⁹⁸ Human Rights Watch, [Pakistan: Fully Investigate Deadly Shootings](#), 17 June 2014

¹⁰⁹⁹ Human Rights Commission of Pakistan, [HRCP slams targetting of nationalists in Sindh](#), 3 June 2014

¹¹⁰⁰ Asian Human Rights Commission, [PAKISTAN: Sindhi political and human rights activists targeted by intelligence agencies](#), 4 June 2014

In July 2014 the Asian Human Rights Commission reported that “a 17 year old boy - a Sindhi national- had been arrested, illegally detained for eleven days, tortured in full view of his father demanding a huge sum of money and later shot dead by the Police on the pretext of the boy being a member of Taliban. According to information received, the boy had been tortured by the police officers at the Sachal Police Station in Karachi, demanding a huge sum of money from his parents in return for his release. The father having no means to pay the amount of money had instead, made arrangements to pay only a portion of the demand - ten percent – which had agitated the Station House Officer of the police as being an insult and had led to the boy being shot dead. According to his father, the enraged police officer had taken the boy and three other young men, to an Afghan refugee camp in the late hours of the day and shot him, point blank, killing the boy on the spot. The police had later released a statement saying that the killing had taken place in a skirmish with Taliban forces and that explosives were recovered from their possession, following the incident”.¹¹⁰¹

The South Asian Terrorism Portal reported in July 2014 that “Balochistan Home and Tribal Affairs Department sources said that over 800 bodies were found in Balochistan during last three-and-a-half years, with most of them being found in Quetta, Khuzdar and Makran belt. The sources said that 466 victims were identified as ethnic Baloch, 123 as Pashtuns, and 107 from other ethnicities. Meanwhile, 107 bodies remained unidentified. Of the 466 Baloch killed in the Province, most were political workers while the remaining were killed in incidents of targeted killings, tribal disputes, domestic violence etc, the Home Department sources explained”.¹¹⁰² The same source lists incidents of politically motivated violence, although the perpetrators are not always identified. For example, on 26 July 2014 “A political worker, Nazir Ahmed was killed by unidentified assailants in Orangi Town” and on 3 August 2014 “An activist of a political party was killed and another was injured at Majeed Colony in Landhi Town”.¹¹⁰³

In August 2014 the Human Rights Commission of Pakistan reported that “While it is gratifying to note that the incidence of enforced disappearance has declined to some extent in Balochistan, increased number of cases continue to be reported from Khyber-Pakhtunkhwa and Sindh. What is particularly unacceptable is the fact that the victims are mostly persons known for political dissent or communitarian activism”.¹¹⁰⁴ Human Rights Watch reporting in August 2014 notes that “Hundreds of men and boys, especially individuals associated with the Muttahida Quami Movement political party and ethnic Pashtuns accused of being associated with the Taliban, have been subjected to enforced disappearance in the city of Karachi over the last two years. Several members of ethnic Sindhi nationalist groups have also allegedly been subjected to enforced disappearance in the province of Sindh in the same period”.¹¹⁰⁵ The same source adds that “Balochistan is of particular concern because of a pattern of enforced disappearances targeting political activists, human rights defenders, journalists, and lawyers. Disappeared people are often found dead, their bodies bearing bullet wounds and marks of torture”.¹¹⁰⁶

In August 2014 Radio Free Europe/Radio Liberty reported that “Police in Pakistan say they have arrested about 150 opposition activists as mass demonstrations in Islamabad against Prime Minister Nawaz Sharif entered a fifth day. Opposition leader Imran Khan and conservative Islamist cleric Tahir ul-Qadri have led tens of thousands of their supporters from across the country into Islamabad”.¹¹⁰⁷

¹¹⁰¹ Asian Human Rights Commission, [PAKISTAN: A teenager falsely branded a Taliban and shot dead in a staged encounter - A human rights defender's life under threat for exposing such encounters](#), 22 July 2014

¹¹⁰² South Asian Terrorism Portal, [Pakistan Timeline 2014](#), 2014, 3 July 2014

¹¹⁰³ South Asian Terrorism Portal, [Pakistan Timeline 2014](#), 2014, 26 July and 3 August 2014

¹¹⁰⁴ Human Rights Commission of Pakistan, [HRCP call for end to disappearances](#), 30 August 2014

¹¹⁰⁵ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

¹¹⁰⁶ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

¹¹⁰⁷ Radio Free Europe/Radio Liberty, [Pakistan Arrests 150 Ahead Of 'Red Zone' Protest](#), 19 August 2014

Also see [2.2.2. August/September 2014: Opposition protests organised by Pakistan Tekreek-e-Insaf \(PTI\) and Pakistan Awami Tehreek \(PAT\)](#) for further information on the Freedom March. In September 2014 Radio Free Europe/Radio Liberty reported that an Islamabad court ordered that 100 opposition activists be sent to jail for two weeks for holding illegal protests.¹¹⁰⁸ It further notes that “Protesters led by former cricket star Imran Khan and Tahir ul-Qadri, a cleric, have been locked in a bitter standoff with the government for weeks, refusing to leave their protest camp in Islamabad until Prime Minister Nawaz Sharif resigns”.¹¹⁰⁹

The 2014 Human Rights Commission of Pakistan report notes that “Over the course of roughly five months of the PTI and PAT protests, the police set new records of arbitrarily detaining individuals over flimsy charges. The arrests, made under the Maintenance of Public Order (MPO) 1960 and for violations of Section 144 of the CrPC, were dubbed as blatant harassment. Such a systematic campaign sets dangerous precedent by the government to clamp down on fundamental freedoms. As of August, a total of 1,980 party workers belonging to PTI and PAT were behind bars in various jails of Punjab. Also, within a few weeks, almost 3000 to 5000 arrested workers were released showing that the charges against them were weak”.¹¹¹⁰ It further notes that “the year also saw the “kill and dump” policy, previously used against Baloch activists, extended to Sindhi nationalists. HRCP documented a number of cases where men associated with Sindhi nationalist groups were abducted, allegedly by security personnel, with their bodies later found in different parts of Sindh and Balochistan. Similarly, reports of illegal detentions and torture of many activists, particularly those who identified themselves as Baloch nationalists or were close to Baloch separatist groups, also became rampant. Several bodies of Baloch young men were found dumped in Karachi. Legitimate political participation by Baloch and Sindhi nationalists was severely curtailed leading to increased disillusionment with the state”.¹¹¹¹

The UK Foreign and Commonwealth Office reports that between September and December 2014 “Sectarian killings involving members of Shia and Sunni Muslim political parties were reported in Karachi, Rawalpindi, Sahiwal and Sargodha”.¹¹¹²

In a November 2014 article the Asian Human Rights Commission reports that “In the Sindh Province, the security forces have made secular and nationalist forces and activists their main target, in order to keep them in illegal detention centres, torture them and thereafter are extra judicially executed in an effort to eliminate any evidence of the disappearances. During the year 2014, more than 100 activists from nationalist groups particularly from the group ‘Jeay Sindh Muttahida Mahaz’ (JSM), a banned organisation, have been arrested and are missing”.¹¹¹³ The News similarly reports in December 2014 that according to Muttahida Qaumi Movement (MQM) Rabita Committee member Kunwar Naveed, over 100 MQM activists were killed in 2014.¹¹¹⁴ Dawn reports that according to the HCRP, in Karachi 134 political activists were killed during 2014 while 340 bodies were found in different city areas.¹¹¹⁵

¹¹⁰⁸ Radio Free Europe/Radio Liberty, [Dozens Of Opposition Activists Jailed In Pakistan](#), 13 September 2014

¹¹⁰⁹ Radio Free Europe/Radio Liberty, [Dozens Of Opposition Activists Jailed In Pakistan](#), 13 September 2014

¹¹¹⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of assembly, Curbs* p.163

¹¹¹¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of association, Marginalized groups and political participation* p. 188

¹¹¹² UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 31 December 2014](#), 21 January 2015

¹¹¹³ Asian Human Rights Commission, [PAKISTAN: Disappearances and extra judicial killings of Sindhi nationalists continues with impunity](#), 29 November 2014

¹¹¹⁴ The News, [‘100 MQM activists killed this year’](#), 2 December 2014

¹¹¹⁵ Dawn, [78 children among 2,909 people killed in Karachi in 2014: HRCP](#), 7 January 2015

In December 2014 the Human Rights Commission of Pakistan “expressed grave alarm at the rapid rise in enforced disappearances in Sindh, with the victims turning up dead. Those taken away are young men, mainly political activists, picked up from various parts of the province in the last few months. Mutilated dead bodies of many of the victims have been found”.¹¹¹⁶ It further noted that “In several cases the involvement of security forces’ personnel has been established by witnesses while in some their role has been actively suspected. Those familiar with the authorities’ inclinations toward dealing with dissent across Pakistan over the last decade hardly need to be reminded why official involvement is suspected”.¹¹¹⁷

According to a December 2014 Asian Human Rights Commission report “In Punjab, where Sharif’s younger brother rules, police have been allowed to quash political protests and activists ruthlessly. On June 17th, 14 political activists, including two women of Pakistan Awami Tehreek (PAT) Party, were killed in a police shooting. The provincial police refused to file the criminal case on behalf of the deceased families, and instead filed a case against the opposition PAT leaders. The leader of the Parliamentary party of MQM, Mr. Altaf Hussain has claimed that in the past two years 379 of their supporters have been killed extrajudicially and this year 25 workers have disappeared”.¹¹¹⁸ It further notes that “In Balochistan and Sindh provinces, the nationalists and secular forces have been the main targets of state violence, in the form of arbitrary arrests, enforced disappearance, torture, and extrajudicial killings. In January, three mass graves were found and 169 mutilated bodies were recovered in Balochistan. The government announced an inquiry so Pakistan Army and its intelligence agencies would not be humiliated. In Sindh, more than 60 bodies of activists from Nationalist parties arrested by police have been found dumped this year. The Nationalist groups of Sindh, Jeay Sindh Qaumi Mahaz (JSQM) and Jeay Sindh Mutehida Mahaz (JSMM) have claimed that the security establishment killed more than 100 persons in 2014”.¹¹¹⁹

According to the Human Rights Commission of Pakistan, “The year 2014 saw growing violence against workers and leaders of political parties. In Karachi, the capital of Sindh province, 134 political activists were killed in 2014, even though according to the Sindh Rangers’ report published in August 2014 on the on-going operation in Karachi, 178 terrorist and criminals had been killed and 2,787 arrested since September 2013. Political associations, especially with parties known for their liberal or progressive agenda, were considered dangerous and their workers remained foremost on militants’ target list”. [...] According to Conflict/Violence Report 2014, published by Centre for Research and Security Studies (CRSS), an Islamabad based think-tank, 186 politicians and party workers and 52 persons affiliated with religious organisations were killed in 2014. The Awami National Party (ANP) faced the highest number of such attacks with 16 acts of violence followed by Pakistan Muslim League-N with six, according to the Pakistan Security Report, published by Pakistan Institute for Peace Studies (PIPS).¹¹²⁰ The report provides a number of illustrative incidents. For example “In December [2014], a PTI worker Nazir Ullah died in custody of the police at Pirabad Police Station, allegedly as a result of brutal torture. The police denied the claim saying that he was found unconscious on the roadside in Orangi Town in Karachi and was shifted to the hospital by the police where the doctors pronounced him dead on arrival. PTI workers and leaders staged protests

¹¹¹⁶ Human Rights Commission of Pakistan, [HRCP’s alarm at missing men in Sindh turning up dead](#), 5 December 2014

¹¹¹⁷ Human Rights Commission of Pakistan, [HRCP’s alarm at missing men in Sindh turning up dead](#), 5 December 2014

¹¹¹⁸ Asian Human Rights Commission, [PAKISTAN: A Lawless State](#), 10 December 2014

¹¹¹⁹ Asian Human Rights Commission, [PAKISTAN: A Lawless State](#), 10 December 2014

¹¹²⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of association* p.172 and *Targeted for their political affiliations* p.175

outside the Karachi Press Club and were baton-charged for trying to move towards the Red Zone”.¹¹²¹

The South Asia Terrorism Portal noted that government officials disclosed on 15th February 2015 that “over 600 hardcore terrorists have been arrested since the approval of NAP [National Action Plan]. Of these 600-plus terrorists, 320 belonged to TTP, while 311 had links with Lashkar-e-Taiba (LeT), Jaish-e-Muhammad (JeM) and Hizb-ut-Tahrir (HuT). Significantly, however, the top leaderships of LeT and JeM continue to roam free, and in many cases, their actions are visibly facilitated by state agencies”.¹¹²² According to a report on the implementation of the National Action Plan presented to Prime Minister Nawaz Sharif:

265 cases were also registered for the misuse of loudspeakers.

It added that 31 million SIMs were verified and that the entire process will be completed by mid-April this year.

Regarding regulation of madrassas, the prime minister was informed that there was a consensus on the registration, regulation, financing, curriculum, audit and that relevant data is being shared with the provincial governments in this regard.

The premier was also informed that as many as 233 militants were identified to have links with Tehreek-e-Taliban Pakistan or its affiliates.

Under the category of sectarian terrorism, 294 proclaimed offenders were identified, 547 cases registered under hate speech, 416 arrests made, 83 material confiscated while 41 shops sealed, the report added.

Regarding the Afghan refugees, the premier was told that an action plan has been finalised and registration of un-documented refugees is underway.

The premier was further confirmed that a security audit of media houses as well as the journalists in all provinces and Islamabad was completed and that 57 security guards were trained so far.¹¹²³

For further information on the National Action Plan, see [2.4.2. The National Action Plan \(also known as the National Plan of Action\) \(December 2014\)](#). Also see [4.2.5.1. Extrajudicial killings](#) and [4.2.5.2. Enforced disappearances](#).

6.3.3. Treatment of other perceived political opponents

6.3.3.1. Civil society and human rights defenders

The International Center for Not-for-Profit Law NGO Law Monitor February 2015 profile on Pakistan reports that

The not-for-profit sector in Pakistan has grown considerably in recent years in terms of both its size and its scope of work. Today, Pakistan’s 45,000 organizations employ about 300,000 persons, utilize 200,000 full time staff, and engage in a wide set of activities ranging from service delivery to sophisticated financial services to technical advice in areas like agricultural extension, water and sanitation, and housing construction. Increasingly, civil society organizations (CSOs) are engaged in lobbying for legal and fiscal reform and take a pro-active approach in defining issues for the national agenda. This new role is partly derived from the comparatively large volume of resources the civil society sector now commands.¹¹²⁴

¹¹²¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of association, Targeted for their political affiliations* p.176

¹¹²² South Asia Terrorism Portal, [Pakistan Assessment 2015](#), Undated, Date accessed 8 April 2015

¹¹²³ The Express Tribune, [12,462 arrested under National Action Plan: report](#), 14 February 2015

¹¹²⁴ The International Center for Not-for-Profit Law, [NGO Law Monitor: Pakistan](#), 9 February 2015

It further notes that “Generally, the legal framework for CSOs may be divided into several categories. Some laws govern the registration, internal governance and accountability of organizations. Other laws govern how they are financed and managed. Still other laws govern the reporting relationship between the State and CSOs with respect to their operations or the manner in which they treat their employees. Taken as a whole, the legal framework can be considered generally enabling for civil society and the activities of CSOs”.¹¹²⁵

The U.S. Department of State report for 2013 notes that “Domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Other groups that reported on problems implicating the government, military, or intelligence services faced restrictions on their operations. Very few NGOs had access to KP, the FATA, and some areas in Balochistan. While officials were sometimes cooperative, they were only somewhat responsive to these groups’ views. The government delayed or blocked issuance of visas to international staff members of organizations whose work it felt might tarnish the image of the government. There were also reports security agencies blocked the issuance of visas for international staff members due to concerns about their activities and links to foreign governments. Security threats were a problem for NGO workers due to the instability in the FATA and KP, and organizations that promoted women’s rights faced particular challenges”.¹¹²⁶

The 2013 Asian Human Rights Commission report notes that “Human rights defenders live the most precarious lives in the country. They are prey to the police, security agencies, and influential people. Rights defenders have also been subjected to targeted killings by non-state actors opposed to their work. [...] human rights defenders – be they journalists investigating and documenting the wrongdoings of state agents, lawyers representing victims of human rights abuse in court, or human rights activists campaigning to end violations – have been subject to a range of rights violations themselves. They have been harassed, arbitrarily arrested and detained, subjected to enforced disappearance, tortured, and extrajudicially executed”.¹¹²⁷

The Human Rights Commission of Pakistan (HRCP) annual report covering 2013 reports that “Although violent incidents affected all citizens, some sections were targeted more specifically than others. Numerous incidents across the country during the year served as reminders of how dangerous being a human rights defender or a social worker had become in Pakistan. More than once people associated with HRCP were targeted, including Malik Jrar Advocate, member of the Commission’s executive body and a former vice-chairperson for HRCP’s Khyber Pakhtunkhwa chapter. He had gone to drop his children at school when armed men shot and killed him in Peshawar in February [2013]”.¹¹²⁸ It lists a number of incidents, for example “HRCP also voiced concern at the abduction of Haider Ali Advocate, a human rights activist, from Turbat in Balochistan. He was abducted allegedly by law enforcement agencies on November 27 [2013] when he was going home from the district courts. [...] In December [2013], HRCP strongly condemned the murder of its activist Ahmed Jan Baloch in Panjgur district of Balochistan. Ahmed Jan was shot and severely injured by armed men on a motorcycle in a market”.¹¹²⁹

¹¹²⁵ The International Center for Not-for-Profit Law, [NGO Law Monitor: Pakistan](#), 9 February 2015

¹¹²⁶ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 d. *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*

¹¹²⁷ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, *Human Rights Defenders Under Attack* p.57

¹¹²⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Human rights defenders* p.50

¹¹²⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Human rights defenders* p.50

Freedom House reports in its Freedom on the Net report covering May 2013 - May 2014 that “Free expression activists and bloggers have also reported receiving death threats. Many publicize them—and sometimes attract more—on Twitter. [...] Human rights activist Sabeen Mehmood received death threats in 2013 after opposing an anti-Valentine’s day campaign by a religious group earlier in the year”.¹¹³⁰ The same source further notes that “Technical attacks against the websites of nongovernmental organizations, opposition groups, and activists are common in Pakistan but typically go unreported due to self-censorship. Minority organizations such as the Catholic-run human rights advocacy group National Commission for Justice and Peace have also been subject to technical attacks”.¹¹³¹

The U.S. Department of State report for 2013 notes that “The South Asia Terrorism Portal reported that journalists, teachers, students, and human rights defenders also were targeted in Balochistan”.¹¹³² The UK Foreign and Commonwealth Office annual report covering 2013 similarly states that “Human rights activists, the media, minorities and NGO health workers were increasingly targeted”.¹¹³³

In its ‘Freedom in the World’ report covering events in 2014 Freedom House reports that “The authorities generally allow nongovernmental organizations (NGOs) to function, including those that are highly critical of the government. Nevertheless, such groups face a number of challenges when working in violence-prone areas in the FATA, KPK, and Balochistan. Radical Islamist groups frequently threaten and attack NGOs devoted to female education and empowerment. In November, police in Karachi raided offices of a U.S.-based digital-mapping NGO and arrested its staff”.¹¹³⁴

According to Amnesty International, Kareem Khan, an anti-drone activist, disappeared in February 2014 days before he was due to travel to Europe to give testimony before the European Parliament.¹¹³⁵ It further notes that “According to witnesses, over a dozen men, some in police uniforms, others in plain clothes, burst into Kareem Khan’s home and whisked him away in the early hours of the morning”.¹¹³⁶ Amnesty International further considered that “The disappearance of Kareem Khan highlights the disturbing trend of targeting those who dare to speak publicly about human rights abuses in Pakistan, and raises serious concerns about the country’s possible continued complicity in the US drone programme”.¹¹³⁷

Amnesty International further notes that “On the afternoon of 27 March 2014, journalist and human rights defender Raza Rumi contacted Amnesty International to register reports that his name was on a Pakistani Taliban hit-list. “I’m not sure if it’s real or just an attempt to silence me, but I’m very concerned,” he told Amnesty International. The next day while driving home after completing his weekly television programme in the city of Lahore, his car was sprayed with bullets. “I was sitting in the back and instinctively ducked under the seat” he said, while glass shattered all around him. His driver Mohammad Mustafa was killed in the hail of bullets as the car continued to lurch until hitting

¹¹³⁰ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

¹¹³¹ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

¹¹³² US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 d. *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*

¹¹³³ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern – Pakistan](#), 10 April 2014

¹¹³⁴ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹¹³⁵ Amnesty International, [Pakistan: investigate disappearance of anti-drone activist on eve of European visit](#), 11 February 2014

¹¹³⁶ Amnesty International, [Pakistan: investigate disappearance of anti-drone activist on eve of European visit](#), 11 February 2014

¹¹³⁷ Amnesty International, [Pakistan: investigate disappearance of anti-drone activist on eve of European visit](#), 11 February 2014

an electrical pole. Rumi narrowly escaped with his life and suffered only minor injuries. But Anwar Hussain, a security guard in the car with him, hired as protection following the threats, received serious gunshot wounds and was paralyzed".¹¹³⁸

In March 2014 the UN Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya issued 'Observations on communications transmitted to Governments and replies received'. In relation to Pakistan she noted that:

The Special Rapporteur takes note of the acknowledgements of receipt to all four communications sent to the Government of Pakistan during the present reporting period, and she looks forward to a substantive response from the Government given the seriousness of the allegations presented. Moreover, the Special Rapporteur acknowledges the receipt on 27 March 2013 of the state response to a communication sent in the previous reporting period (PAK 11/2012), and she welcomes the action taken to investigate the serious attack on Ms Malala Yousafzai, and to support her family in medical treatment.

The Special Rapporteur expresses grave concern for the physical and psychological integrity of human rights defenders and their family members in Pakistan following reports that she has received of violence, torture, attempted killings and killings of human rights defenders. She is also concerned regarding information received of killings of family members of human rights defenders and death threats directed towards them. In this regard, the Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

She expresses further concern regarding allegations of defamation campaigns and threats against human rights defenders, as well as the forced closure of an NGO working for women's rights and girls' education.

The Special Rapporteur regrets that so far no reply has been received in response to her requests to visit Pakistan (2008, 2010) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide any guidance or assistance the Government might require.¹¹³⁹

Amnesty International documents that, "Prominent human rights defender and lawyer Rashid Rehman was shot dead in Multan, Pakistan on 7 May [2014]. The killing is likely linked to his legal representation of university teacher Junaid Hafeez who has been charged with blasphemy. The Pakistani authorities must bring the perpetrators to justice and drop all charges against Junaid Hafeez. [...] Rashid Rehman had been associated with the HRCP [Human Rights Commission of Pakistan] for over 20 years and was a Punjab Regional Coordinator for Multan".¹¹⁴⁰ Rupert Colville, a spokesperson for the UN High Commissioner for Human Rights stated that "The murder of prominent human rights lawyer Rashid Khan Rehman in Pakistan this week has brought into stark focus the climate of intimidation and threats that permeates the work of human rights defenders and journalists in the country".¹¹⁴¹

In June 2014 the Asian Human Rights Commission reported that it "received information that the life of a lady lawyer and human rights defender is under threat for pursuing the murder case of two

¹¹³⁸ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 1. Introduction p.1

¹¹³⁹ UN Human Rights Council, [Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, Addendum Observations on communications transmitted to Governments and replies received*](#), 3 March 2014, paragraphs 329-332

¹¹⁴⁰ Amnesty International, [Urgent Action: Human rights defender shot dead in his office](#), 19 May 2014

¹¹⁴¹ OHCHR news, [Press briefing notes on South Sudan, Pakistan and Venezuela](#), 9 May 2014

women who were killed in the name of honour".¹¹⁴² Human Rights Watch reporting in August 2014 notes that "Balochistan is of particular concern because of a pattern of enforced disappearances targeting political activists, human rights defenders, journalists, and lawyers. Disappeared people are often found dead, their bodies bearing bullet wounds and marks of torture".¹¹⁴³ In an April 2014 report Amnesty International noted with regards to Balochistan that "The BMDA [pro-state Baloch Musallah Difa Army] has been accused of perpetrating targeted killings of several individuals including human rights activists and those advocating ethnic Baloch separatism across the province".¹¹⁴⁴

In September 2014 Amnesty International reported on the arrest of suspects in the assassination attempt on Malala Yousafzai.¹¹⁴⁵ Human Rights Watch explains that she is "a student and outspoken advocate for children's right to education, who was shot in an attack claimed by Tehreek-e-Taliban Pakistan on October 9, 2012. She subsequently recovered from her serious injuries and, in October, became the youngest person to ever receive the Nobel Peace Prize".¹¹⁴⁶ The September 2014 Amnesty International report further considers that "human rights defenders promoting the rights of women and girls in her native Swat and across Pakistan remain especially at risk of deadly attacks and other abuse from the Taliban and other groups, not least because of the authorities' continued failure to hold the perpetrators to account".¹¹⁴⁷

In October 2014 the Asian Human Rights Commission reported that "nine human rights defenders from Gilgit-Baltistan, including the President of the Supreme Appellate Court, Bar Association were charged for sedition for holding a protest in front of the office of United Nations Military Observer Group in India and Pakistan (UNMOGIP) at Gilgit. They were staging a protest for the release of Baba Jan and 11 other human rights defenders who were sentenced to life imprisonment by an Anti-Terrorism Court (ATC)".¹¹⁴⁸ The same source further explains that they were sentenced for holding a protest against not providing compensation to people who were submerged and trapped under a massive landslide, the "Attabad lake" incident in Hunza Valley, and against the of a father and his son by a high ranking police officer, during the demonstrations.¹¹⁴⁹

The Pak Institute for Peace Studies notes in October 2014 that "Even committed and brave individuals advocating for minority rights and justice, including judges, lawyers and rights activists have been threatened by colleagues (for providing legal assistance to those accused in blasphemy cases) and religious groups; and more often than not targeted and murdered for their work".¹¹⁵⁰ Minority Rights Group International similarly notes in a December 2014 report that "In recent years, efforts on the part of civil society to draw attention to the plight of religious minorities have also gained traction through the growth of social media in the country. [...] Beyond social media, peaceful protests have been staged in different parts of the country in order to spread awareness of violence

¹¹⁴² Asian Human Rights Commission, [Lawyer and rights activist threatened for pursuing the honor killing of two women](#), 9 June 2014

¹¹⁴³ Human Rights Watch, [Pakistan: Impunity Marks Global Day for Disappeared](#), 29 August 2014

¹¹⁴⁴ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 6.1 KHUZDAR: A GRAVEYARD FOR JOURNALISTS p.50

¹¹⁴⁵ Amnesty International, [Pakistan: Malala arrests must lead to better protection for human rights defenders](#), 12 September 2014

¹¹⁴⁶ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹¹⁴⁷ Amnesty International, [Pakistan: Malala arrests must lead to better protection for human rights defenders](#), 12 September 2014

¹¹⁴⁸ Asian Human Rights Commission, [PAKISTAN: Call to immediately withdraw the sedition charges against the nine human rights defenders for holding a peaceful protest](#), 23 October 2014

¹¹⁴⁹ Asian Human Rights Commission, [PAKISTAN: Release with immediate effect, Baba Jan and other eleven human rights defenders, sentenced for life imprisonment by an anti-terrorism court](#), 17 October 2014

¹¹⁵⁰ Pak Institute for Peace Studies, [Minority Rights in Pakistan: Historic Neglect or State Complicity?](#) 1 October 2014, BACKGROUND

against religious communities in Pakistan [...] Yet as some respondents noted, these efforts face difficult challenges, not least of which is the threat of violence: *‘Many leaders [of religious communities] have been killed, and everyone knows the killer but they are not punished even. Each vocal person [who] speaks against terrorism, fundamentalism, he or she is threatened or killed. Even human rights activists and journalists have been targeted.’* Christian activist, Hyderabad, July 2014”.¹¹⁵¹

In January 2015 the Express Tribune reported that in a statement Muhammad Tahseen, the secretary general of the Pakistan Civil Society Forum condemned the harassment of NGOs by police in the name of assuring security.¹¹⁵² He stated that “Police have started visiting offices of NGOs in the Punjab and Khyber Pakhtunkhwa and interrogating workers about their programmes, activities and funding sources”.¹¹⁵³

6.3.3.2. Humanitarian aid workers

See also [3.3.7.2. Polio vaccination workers and their police escorts.](#)

According to an April 2014 Transparency International report, “the government has not been able to protect aid workers who have been a target of violent attacks. Consequently, Pakistan has been ranked as the second-most dangerous place for aid workers in 2012. [The] Major cause is the misconception about humanitarian and aid workers who are often propagated by extremist faction as followers of hidden western agenda”.¹¹⁵⁴ It further notes that the “Increase in incidents of violence such as kidnapping, abduction, torture and assassination of CSO [civil society organisation] workers has made protection of CSO members and staff a serious issue in Pakistan, and allegedly the state agencies fail to do anything. As a result, the foreign organizations suspend their campaigns and projects. Such as the International Committee of the Red Cross (ICRC) has suspended its project, the UN Children’s Fund (UNICEF) and the World Health Organization (WHO) have suspended their anti-polio vaccination health campaigns”.¹¹⁵⁵

In its ‘Freedom in the World’ report covering events in 2013 Freedom House reports that “A polio vaccination drive undertaken by international entities like the World Health Organization (WHO) and the UN Children’s Fund (UNICEF) has been denounced by the TTP as a Western plot to sterilize Muslims. Over 30 polio workers have been murdered by them since mid-2012. Separately, several charitable and cultural organizations operating from Pakistan have links to Islamist militant groups”.¹¹⁵⁶ The U.S. Department of State report for 2013 notes that “in many parts of the country, female NGO workers were accused of not observing cultural norms, such as not wearing veils, encouraging other women to work outside the home, and working alongside male colleagues”.¹¹⁵⁷

The Human Rights Commission of Pakistan (HRCP) annual report covering 2013 reports on the situation for aid workers that:

¹¹⁵¹ Minority Rights Group International, [Searching for Security: The Rising Marginalization of Religious Communities in Pakistan](#), 9 December 2014

¹¹⁵² Express Tribune, [Heavy-handed?: Forum condemns harassment of civil society](#), 11 January 2015

¹¹⁵³ Express Tribune, [Heavy-handed?: Forum condemns harassment of civil society](#), 11 January 2015

¹¹⁵⁴ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 12: Civil Society, Summary* p.212

¹¹⁵⁵ Transparency International, [National Integrity System: Country Report 2014: Pakistan](#), 25 April 2014, *Pillar 12: Civil Society, 12.1.4 Independence (Practice)* p.219

¹¹⁵⁶ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

¹¹⁵⁷ U.S. Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014
2.b. Freedom of Association

The year 2013 was not any easier on aid workers. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), a total of 91 aid workers were attacked in Pakistan from January to November 2013. They included 20 women. As many as 29 aid workers were killed, 41 injured and 21 kidnapped. Khyber Pakhtunkhwa was the most dangerous region where 37 (41 percent) workers were attacked. Among these, 20 were killed and 17 injured. Twenty-one were attacked in FATA; three of them were killed, seven injured and 11 kidnapped. In Sindh, where 20 workers were attacked, three were killed, eight injured and nine kidnapped.

Polio workers and their armed escorts were the largest group at the receiving end of violence. Eight of the fatalities and 17 of the injured were policemen escorting polio vaccinators. Eleven workers were attacked in Karachi, 18 in Khyber Agency, 14 in Peshawar and 11 in Swabi. Of the 21 people abducted, nine were released, on average after five weeks in captivity. The women were freed immediately". [...] According to media monitoring by HRCP, 20 polio vaccinators and nine policemen protecting them were killed in attacks on vaccination teams across the country in 2013. Most of the attacks occurred in FATA, Khyber Pakhtunkhwa and Karachi.¹¹⁵⁸

UNOCHA reports that "In 2013, 155 aid workers were killed, 171 were seriously wounded, and 134 were kidnapped. Overall, these statistics represent a 66 per cent increase in the number of victims from 2012. Preliminary figures show that as of 18 August 2014, 79 aid workers have been killed this year alone".¹¹⁵⁹

The UK Foreign and Commonwealth Office annual report covering 2013 reports that "Human rights activists, the media, minorities and NGO health workers were increasingly targeted. More than 20 polio vaccination and health workers were killed in terrorist attacks opposing "western" health projects".¹¹⁶⁰ The report of the report of the Secretary-General on 'Children and armed conflict' covering 2013 notes that:

Attacks on polio workers continued, resulting in the killing of several polio workers and eight police workers providing escort.

On 21 November, 11 teachers and local volunteers were abducted from a private school in Khyber Agency after polio vaccinations had taken place in the school. The abduction was allegedly carried out by the Lashkar-e-Islam group, and the victims were released after a few days unharmed. Hospitals and medical clinics were also targeted. At least four people were killed, including at least one hospital staff, and five injured in a suicide bomb attack on a hospital in Bajaur tribal area on 20 April.

On 15 June, at least 25 civilians were killed and many others wounded in a coordinated attack claimed by Lashkar-e-Jhangvi on a bus with female university students and, subsequently, the Medical Complex in Quetta, where casualties of the first attack received treatment.¹¹⁶¹

The Inter Press Service reports in January 2014 that "The Taliban are hampering vaccination work in all provinces, say health workers. The situation is particularly grave in Khyber Pakhtunkhwa and the Federally Administered Tribal Areas (FATA) in the north of Pakistan. [...] Not even top Islamic scholars have been able to make a dent as militants continue to kill polio workers, and ask parents not to vaccinate their children".¹¹⁶² Amnesty International's annual report covering 2014 states "Health workers involved in polio and other vaccination campaigns were killed in various parts of the

¹¹⁵⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Law and order, Human rights defenders* p.51

¹¹⁵⁹ UNOCHA, [Humanitarian Bulletin Pakistan, Issue 29 / 18 July–19 August 2014](#), 26 August 2014

¹¹⁶⁰ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013 - Section XI: Human Rights in Countries of Concern – Pakistan](#), 10 April 2014

¹¹⁶¹ UN, [Children and armed conflict Report of the Secretary-General](#), 15 May 2014 paragraph 191

¹¹⁶² Inter Press Service, [Pakistan's Polio Campaign Runs Into Taliban Wall](#), 3 January 2014

country. Killings were particularly prevalent in parts of the northwest and the city of Karachi, areas with an active presence of Taliban and aligned groups which oppose vaccinations”.¹¹⁶³

The UK Foreign and Commonwealth Office annual report covering 2014 notes that “17 healthcare workers and 28 security personnel were killed by militants alleging that polio vaccination was a western conspiracy; by December, End Polio Pakistan reported almost 300 cases of polio compared to 93 in 2013”.¹¹⁶⁴ UNOCHA reports that “In 2014, there were 75 incidents of attack against aid workers including polio workers in Pakistan; a slight decrease from 86 in 2013. This covers a range of incidences: injuries, deaths and kidnapping. In Pakistan, attacks against aid workers includes UN and NGO personnel, and polio worker who are government-employed and their police escorts. [...] In 2013 and 2014, three-fourths of all attacks on humanitarians were in FATA and KP”.¹¹⁶⁵

A December 2014 Doctors Without Borders report cites Nizam Khan Dawar, a human rights specialist and CEO of the Tribal Development Network, a network of local organizations working for peace and development in FATA as stating that “female doctors and health workers continue to face the brunt of violence and intimidation from militant groups who question women’s right to access healthcare, especially reproductive health”.¹¹⁶⁶

6.3.3.3. Protestors

The U.S. Department of State report for 2013 notes with regards to freedom of assembly in Pakistan that “Although the constitution provides for freedom of assembly, the government placed restrictions on it. By law district authorities may prevent gatherings of more than four persons without police authorization. The law permits the government to ban all kinds of rallies and processions, except funeral processions, for reasons of security. Authorities generally prohibited Ahmadis from holding conferences or gatherings. There were several successful protests, strikes, and demonstrations throughout Sindh, both peaceful and violent. Law enforcement agencies did not have the capacity to intervene and prevent these gatherings”.¹¹⁶⁷

The Human Rights Commission of Pakistan annual report covering 2013 summarises that “Many political, religious gatherings and protests against energy shortages turned violent. At least two people were killed, several more injured, and public and private property destroyed”.¹¹⁶⁸ Freedom House reports in its annual report for 2013 that “The constitution guarantees the rights to associate, demonstrate, and organize, but in practice the government often imposes arbitrary restrictions. Such official obstacles were less common during 2013, which featured many large demonstrations and gatherings, including during the election campaign”.¹¹⁶⁹

¹¹⁶³ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Abuses by armed groups*

¹¹⁶⁴ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

¹¹⁶⁵ UNOCHA, [Humanitarian Bulletin Pakistan Issue 32 December 2014 – January 2015](#), 14 February 2015

¹¹⁶⁶ Doctors Without Borders, [Pakistan: “No Place to Call Home” for Internally Displaced People](#), 3 December 2014

¹¹⁶⁷ U.S. Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 *Section 2. b. Freedom of Peaceful Assembly and Association*

¹¹⁶⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Highlights, Freedom of Assembly p.5*

¹¹⁶⁹ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

Although the treatment of protestors by non-state actors is beyond the scope of this section it should be noted that Freedom House reports that during 2013, “public assemblies were repeatedly targeted by nonstate militant groups during the year, killing hundreds of people”.¹¹⁷⁰ Also see:

- Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of Assembly, Religious and sectarian attacks and protests* p.130

According to the 2014 report from the Human Rights Commission of Pakistan, “Though many large-scale protests were held in the country in 2014, the government did not ensure the freedom of assembly, as guaranteed in the national and international laws, for most protesters. It differentiated between different groups of protestors on the space provided to them to exercise their right to peaceful assembly. As in previous years, authorities’ negligence and poor management allowed routine administrative problems and demands for basic rights to fester and develop into mass protests”.¹¹⁷¹ Furthermore, “Incidents of violence and use of excessive force against protestors set many examples during the year. Despite claims that rubber bullets had been imported for crowd control, high number of casualties with evidence of bullet wounds suggested that live rounds were used with possible shoot-to-kill orders. The police, regardless of gender, showed unusual cruelty in handling unarmed civilians as well as persons with disabilities, all seeking justice with fair demands. The police excessively used batons for crowd control making no distinction between the young and old. News channels often showed footage of several policemen hitting a single protestor, who happened to have fallen and left behind, with batons. Such behaviour was more of a vengeful nature than for peacemaking and diffusing the situation”.¹¹⁷²

The Asian Human Rights Commission reports that “The people of Pakistan watched the brutal attack by the police on a peaceful demonstration for the recovery of disappeared persons in front of Parliament House in Islamabad on April 28 [2014]. [...] The peaceful protest was conducted under the banner of, 'Defence of Human Rights' (DHR) and was led by its chairperson, Mrs. Amina Masood Janjua. [...] Police resorted to baton-charging and aerial firing and also fired tear gas canisters to disperse the demonstrators, as a result of which several persons fell unconscious. The resultant clash also left six police personnel, including two women and four men wounded. Amna Masood Janjua, who is a human rights activist and campaigner on the issue of missing persons, was arrested. [...] According to AFP [Agence France Presse], several journalists were wounded and had their equipment damaged due to the excessive use of force by security personnel”.¹¹⁷³ The same source adds that after the incident the Prime Minister “ordered the release of Mrs. Janjua and all others who were arrested. He also ordered the suspension of the police officers responsible for the attack on the demonstrators”.¹¹⁷⁴

Human Rights Watch reports that “Accountability of law enforcement agencies showed no signs of improving in 2014. In June [2014], one of the most egregious incidents of excessive use of force against political protesters occurred in Model Town, a Lahore suburb. Police fired without warning on supporters of the Pakistan Awami Tehreek (PAT), an opposition political party, whose workers had tried to stop police demolition of security barriers erected in front of PAT headquarters.

¹¹⁷⁰ Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

¹¹⁷¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of assembly* p.153

¹¹⁷² Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of assembly, Violence*, p.161

¹¹⁷³ Asian Human Rights Commission, [PAKISTAN: Protests against disappearances rise and the level of tolerance from the law enforcement agencies declines](#), 30 April 2014

¹¹⁷⁴ Asian Human Rights Commission, [PAKISTAN: Protests against disappearances rise and the level of tolerance from the law enforcement agencies declines](#), 30 April 2014

Authorities confirmed the deaths of at least eight PAT members. Another 80 PAT members were injured”.¹¹⁷⁵

Describing the July 2014 passage of the Protection of Pakistan Act, Human Rights Watch notes that “Peaceful political protesters and critics of government policies are particularly vulnerable to abuses under the new law because of dangerous ambiguity in its definition of terrorist acts. Besides ‘killing, kidnapping, extortion’, the law classifies vague acts, including ‘Internet offenses and other offenses related to information technology’ as prosecutable crimes without providing specific definitions for these offenses. The terms are so ambiguous that a non-violent online political protest might be considered ‘threatening the security of Pakistan’”.¹¹⁷⁶ Also see [6.3.1.Domestic legal framework \(Constitution and legislation\)](#).

In its annual report covering events in 2014 Human Rights Watch noted that “Political instability reached a crisis point in August and September [2014], as prolonged and violent opposition protests threatened to undermine gains achieved by the country’s first civilian transfer of power following the May 2013 election of Nawaz Sharif as prime minister. The protests in Islamabad—led by opposition politicians Imran Khan and Dr. Tahir-ul-Qadri, who demanded Sharif’s resignation and the formation of a new government—prompted violence by both protesters and the security forces that resulted in at least three deaths and hundreds of injuries. The government responded to the protests by imposing a state of emergency in Islamabad and suspending fundamental rights such as the right to petition the courts to enforce constitutional guarantees. During the height of the crisis, the military intervened at the government’s request, allowing it to dangerously reinsert itself into democratic political decision-making”.¹¹⁷⁷ On 9 August 2014 Radio Free Europe/Radio Liberty reported that Qadri “alleges that authorities have arrested more than 500 followers in a campaign of intimidation”.¹¹⁷⁸ Radio Free Europe/Radio Liberty reported on 19 August 2014 that “Police in Pakistan say they have arrested about 150 opposition activists as mass demonstrations in Islamabad against Prime Minister Nawaz Sharif entered a fifth day”.¹¹⁷⁹ The BBC reported that on 31 August 2014 “Islamabad police chief Khalid Khattak told the BBC that close to 100 protesters had been arrested”.¹¹⁸⁰ The UK Foreign and Commonwealth Office reports that “From August to December [2014], there were widespread opposition led protests against alleged rigging of the 2013 elections. Although numbers were not huge by Pakistan standards, the length of the protests was unprecedented. The resultant media coverage increased the level of debate, and awareness amongst ordinary Pakistanis on issues of elections reform, corruption, rights, VIP culture, and dynastic politics. This tested the commitment of the government, law enforcement agencies and army to democracy and the right to peaceful protest. Despite some criticism of the police response to an escalation in protests, the authorities showed considerable restraint during the protests”.¹¹⁸¹

Also see [2.2.2. August – December 2014: Opposition protests organised by Pakistan Tekreek-e-Insaf \(PTI\) and Pakistan Awami Tehreek \(PAT\)](#).

In September 2014 Radio Free Europe/Radio Liberty reports that an Islamabad court ordered that 100 opposition activists be sent to jail for two weeks for holding illegal protests.¹¹⁸² Reportedly “Demonstrators gathered outside the court in Islamabad on September 13 to protest against its

¹¹⁷⁵ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹¹⁷⁶ Human Rights Watch, [Pakistan’s dangerous anti-terrorism law](#), 21 July 2014

¹¹⁷⁷ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹¹⁷⁸ Radio Free Europe/Radio Liberty, [Pakistani police, protesters in deadly clashes](#), 9 August 2014

¹¹⁷⁹ Radio Free Europe/Radio Liberty, [Pakistan Arrests 150 Ahead Of ‘Red Zone’ Protest](#), 19 August 2014

¹¹⁸⁰ BBC, [Pakistan protesters clash with Islamabad police](#), 31 August 2014

¹¹⁸¹ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

¹¹⁸² Radio Free Europe/Radio Liberty, [Dozens Of Opposition Activists Jailed In Pakistan](#), 13 September 2014

ruling”.¹¹⁸³ In November 2014 Islamabad's Special Anti-Terrorism Court issued arrest warrants for two prominent protest leaders -- cricketer-turned-politician Imran Khan and cleric Tahir-ul-Qadri and 26 other people over violence during antigovernment protests.¹¹⁸⁴

In November 2014 Dawn documented that “police used teargas and baton charge on Monday to disperse hundreds of students who were protesting the alleged killing of a man from torture in police custody”.¹¹⁸⁵ In December 2014 the Human Rights Commission of Pakistan “strongly condemned the police violence on visually impaired protesters in Lahore and said that the violent action again exposed the savagery of the baton-wielding face of what passed for authority in the province”.¹¹⁸⁶ Also in December 2014 the same source expressed “deep concern” over violent clashes in Faisalabad that resulted in the death of a Pakistan Tehrik-e-Insaf (PTI) activist and injuries to several others, including policemen.¹¹⁸⁷ It further notes that “It is lamentable that even though many indications had suggested that the protest on Monday could turn violent, not least because of provocative tirades from both the ruling party and the PTI, the authorities did not show the necessary resolve and imaginativeness to ensure law and order. Police passively looking on as individuals openly used firearms was just one indication of that”.¹¹⁸⁸

The Asian Human Rights Commission reports that in January 2015 “police transcend[ed] their authority and baton charged school children who were demanding that their school run by trust be reopened and administration not handed over to government. [...] According to one of the student “the police charged upon us unprovoked,” the police officer according to several eye witnesses baton charged without any discrimination resulting in injury to a student Fahad Ilyas whose father was later forced by the police to take back his statement that his child was injured due to police excess”.¹¹⁸⁹ On 16 January 2015, Reuters reports that “About 200 protesters clashed [...] with Pakistan police outside the French consulate in the southern city of Karachi after a demonstration against the satirical magazine Charlie Hebdo turned violent. A Reuters journalist said protesters stoned police and fired shots after security forces used water cannon and tear gas. At least one person was wounded”.¹¹⁹⁰

6.3.3.4. Trade union activists

The U.S. Department of State report for 2013 explains that “Despite passage of the four provincial-level IRAs [Industrial Relations Acts], no federal law covered nationwide or transprovincial unions until 2011, so such organizations had no authority to exist and no mandate. This legal gap included unions at nationwide entities, such as Pakistan International Airlines and the Pakistan Water and Power Development Authority. The Industrial Relations Ordinance (IRO) passed in 2011 rectified these issues, but the directive applied only to transprovincial unions and unions operating inside the ICT [Islamabad Capital Territory]. The IRO expired in March 2012, and the IRA 2012 took effect

¹¹⁸³ Radio Free Europe/Radio Liberty, [Dozens Of Opposition Activists Jailed In Pakistan](#), 13 September 2014

¹¹⁸⁴ Radio Free Europe/Radio Liberty, [Arrest Warrants Issued For Pakistani Protest Leaders](#), 13 November 2014

¹¹⁸⁵ Dawn, [Students protest against death in custody](#), 25 November 2014

¹¹⁸⁶ Human Rights Commission of Pakistan, [HRCP slams brutal beating of visually impaired in Lahore](#), 4 December 2014

¹¹⁸⁷ Human Rights Commission of Pakistan, [HRCP flays Faisalabad violence, urges talks to end imbroglio](#), 9 December 2014

¹¹⁸⁸ Human Rights Commission of Pakistan, [HRCP flays Faisalabad violence, urges talks to end imbroglio](#), 9 December 2014

¹¹⁸⁹ Asian Human Rights Commission, [PAKISTAN: School students' baton charged for demanding right to education](#), 25 January 2015

¹¹⁹⁰ Reuters, [Pakistan police fire tear gas at French consulate protesters in Karachi](#), 16 January 2015

immediately thereafter. The IRA 2012, like the stopgap measure before it, addresses only transprovincial and ICT unions. Most of the nation's labor force was not covered by any federal labor regulations of any kind".¹¹⁹¹

Freedom House reports in its annual report covering 2013 that "The right of workers to organize and form trade unions is recognized in law. The constitution also grants unions the rights to collective bargaining and to strike. However, many groups are excluded from these protections: teachers, agricultural workers, those associated with the armed forces, state employees other than railway and postal workers, the security staff of airlines and energy companies, public-sector health workers, and workers in export-processing zones. These excluded groups make up approximately 60 percent of the country's workforce employed in the formal sector. The procedures that need to be followed for a strike to be legal are onerous. Nevertheless, strikes are organized regularly. Employers usually respond by harassing and firing workers for union activity. Nearly 70 percent of the workforce is employed in the informal sector and is not represented by unions".¹¹⁹²

The U.S. Department of State report for 2013 notes that "State administrators, government and state enterprises, workers in export processing zones, and public sector workers were prohibited from collective bargaining and striking, but labor groups reported the law was not applied during the year. The provincial industrial relations acts also address and limit strikes and lockouts. [...] Other federal-level laws define illegal strikes, picketing, and other types of protests as "civil commotion" that carries a penalty of up to life imprisonment. The law also states that any gathering of four or more persons requires police authorization, a provision that authorities may use against trade union gatherings because devolution did not alter the federal government's authority on criminal matters".¹¹⁹³ The same source further reports that during 2013:

There were no reported incidents of the government dissolving a union without due process. It is possible, however, for a union to be administratively "deregistered" without judicial review. Unions were able to organize large-scale strikes, but strikes were often broken up by police and used by employers to justify dismissals. Marches and protests also occurred regularly despite the repercussions, although union leaders were often arrested and in some cases charged under antiterrorism and antistate laws. Violence and other freedom of association problems persisted throughout the year. In March 2012 police used batons and tear gas against a demonstration by female health workers in Sindh Province. In June 2012 eight doctors were injured and 50 arrested during a demonstration in Quetta. In July 2012 troops deployed by the military to disperse mass protests in Karachi killed 65 persons.¹¹⁹⁴

The Human Rights Commission of Pakistan annual report covering 2013 summarises on the issue of freedom of association that "Unfortunately several breaches of this fundamental human right were witnessed in 2013 in Pakistan. Certain political parties, organisations working for the human rights, particularly women's and religious minorities' rights, and independent trade unions faced discrimination, threats or violence, harassment, persecution, intimidation or reprisals. There were attacks on nongovernmental organizations (NGOs), threats against trade union leaders and

¹¹⁹¹ U.S. Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014
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¹¹⁹² Freedom House, [Freedom in the World 2014 - Pakistan](#), 23 January 2014

¹¹⁹³ U.S. Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014
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¹¹⁹⁴ U.S. Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014
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labourers, and violence against political activists”.¹¹⁹⁵ Further reporting on anti-union discrimination the same source notes that:

In April [2013], management of Kraft Foods Pakistan locked out members of the Cadbury Pakistan Progressive Employees Union and attacked union leaders when negotiations over wages, benefits and job security reached a deadlock. Disciplinary action against union leader Muhammad Saleem was initiated to dismiss him, in violation of a valid collective agreement.

Police intervention in strike and refusal to bargain: In March [2013], police raided a hotel in Karachi and arrested 50 union members and leaders participating in a sit-in protest. Criminal charges were filed against union leader Ghulam Mehboob who was detained for 14 hours. The hotel management refused to bargain with the union or to attend conciliation hearings.¹¹⁹⁶

Freedom House notes in its ‘Freedom in the World’ report covering events in 2014 that “the procedures that need to be followed for a strike to be legal are onerous. Nevertheless, strikes are organized regularly. Employers usually respond by harassing and firing workers for union activity. Roughly 70 percent of the workforce is employed in the informal sector and is not represented by unions”.¹¹⁹⁷ According to the 2014 Human Rights Commission of Pakistan report, “Workers and labourers continued to face hindrance in forming and joining trade unions and enjoying the right to collective bargaining. The Industrial Relations Act, a provincial law to regulate formation of trade unions, effectively excluded a major chunk of the workforce by limiting its scope to formal workers. Despite Pakistan’s international obligations to extend right to association to all, its domestic, home-based and agricultural workers, and the self-employed were barred from the ambit”.¹¹⁹⁸

6.3.4. Treatment of journalists and other media professionals

According to Freedom House’s Freedom of the Press report for 2013, “Media freedom remained restricted in 2013 as journalists continued to face a high level of violence and threats from a range of sources, including the military, intelligence services, and militant groups”.¹¹⁹⁹ A 2014 Pak Institute for Peace Studies study on ‘Media Safety in Pakistan’ identifies six major groups that the sources of threats for media practitioners in Pakistan can be categorized in: 1. Militant religious outfits/Taliban; 2. Baloch separatist groups; 3. State/intelligence agencies; 4. Ethnic political parties; 5. Criminal gangs; 6. Mainstream political parties; 7. Tribal elders and feudal lords.¹²⁰⁰

Freedom House also notes that “The constitution and other legislation, such as the Official Secrets Act, authorize the government to curb freedom of speech on subjects including the constitution itself, the armed forces, the judiciary, and religion. National security laws were increasingly used to prosecute journalists in 2013. [...] Online surveillance is a growing concern, and the e-mail accounts of some journalists are reportedly monitored. [...] The safety of journalists is a key concern in

¹¹⁹⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of association*, p.142

¹¹⁹⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of association*, p.146

¹¹⁹⁷ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹¹⁹⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of association* p.172

¹¹⁹⁹ Freedom House, [Freedom of the Press 2014 - Pakistan](#), 1 December 2014

¹²⁰⁰ Pak Institute for Peace Studies, [Media Safety in Pakistan](#), 2014, 2. Threats to media, the perpetrators and the role of stakeholders p.31

Pakistan. Intimidation by intelligence agencies and the security forces – including physical attacks and arbitrary, incommunicado detention – continues to take place”.¹²⁰¹

Freedom House further explains that “Broadcast media are regulated by the Pakistan Electronic Media Regulatory Authority (PEMRA), whose members are appointed or approved by the government and which has a record of using heavy-handed tactics to curb broadcast outlets. PEMRA officials in 2013 continued to temporarily suspend certain broadcasts or programs under media regulations, including an official code of conduct, or through the ad hoc denial of broadcast rights or blockage of transmissions around sensitive events”.¹²⁰²

The U.S. Department of State report for 2013 notes that “During the year security forces, political parties, militants, and other groups subjected media outlets, journalists, and their families to violence and harassment. Journalists were abducted. Media outlets that did not practice self-censorship were often the targets of retribution”.¹²⁰³

The Brookings Institution reports that “A total of 54 journalists have been killed ‘motive confirmed’ since the Committee to Protect Journalists (CPJ) began tracking in 1992. Pakistan ranked in the top-5 deadliest countries for journalists from 2005-2013, according to CPJ”.¹²⁰⁴ The Asian Legal Resource Centre reports that “The fact that Pakistan is among the most dangerous countries in the world for journalists is borne out by the statistics of a total of 87 deaths since the year 2000. A total of 16 journalists were killed during the year 2011, nine journalists died in 2012 and 13 journalists in 2013 while performing their official duties which ranked Pakistan as the third most dangerous country in the world for journalists. The tribal areas, Khyber Pakhtoon and Balochistan provinces remained the most dangerous areas for journalists from the state intelligence agencies and militant groups. Besides this, more than 100 journalists were injured while performing their duties”.¹²⁰⁵

In October 2013, a year-old fatwa naming certain Pakistani media and journalists as “enemies of the mujahideen” was re-issued on Twitter.¹²⁰⁶ Reporters Sans Frontières explains that “The same fatwa was already issued a year ago, shortly after the Taliban shooting attack on the teenage activist Malala Yousafzai. A group that supports the outlawed coalition Tehreek-e-Taliban Pakistan (TTP) has claimed responsibility for reissuing it. The TTP itself has denied any role but did not dispute its message. The fatwa designated Dewa Radio, Mishal Radio, Azadi Radio, Radio Aap ki Dunya, and the BBC as targets and included the photos of two nationally-known journalists – Hamid Mir, host of the programme “Capital Talk” on the TV channel Geo News, and Hasan Nisar, a Geo News reporter and commentator. [...] The fatwa accuses the named media of promoting secularism and western values in their coverage of the war on terror and says that, by refusing to use the term “martyr,” they are portraying the Taliban as terrorists and enemies of peace”.¹²⁰⁷

The 2014 UK Foreign and Commonwealth Office report notes that “Pakistan continued to benefit from a diverse and lively media, but remained one of the most dangerous places for journalists to

¹²⁰¹ Freedom House, [Freedom of the Press 2014 - Pakistan](#), 1 December 2014

¹²⁰² Freedom House, [Freedom of the Press 2014 - Pakistan](#), 1 May 2014

¹²⁰³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2. a. *Freedom of Speech and Press*

¹²⁰⁴ Brookings Institution, [Afghanistan Index](#), 10 February 2015, 5.6 *Journalists Killed in Pakistan Since 1992 p.*

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¹²⁰⁵ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraphs 3-4

¹²⁰⁶ Reporters Sans Frontières, [Renewed Fatwa calling for “actions” against journalists](#), 23 October 2013

¹²⁰⁷ Reporters Sans Frontières, [Renewed Fatwa calling for “actions” against journalists](#), 23 October 2013

operate. Reporters Without Borders rated Pakistan 158 out of 180 countries in its 2014 World Press Freedom Index, and reported that Balochistan was one of the five most dangerous areas in the world for journalists, caught between terrorist attacks and arbitrary detention by security forces. At least seven journalists were killed in 2014, one remains missing, and dozens received death threats”.¹²⁰⁸ Amnesty International reports that in 2014 “At least eight journalists were killed across Pakistan during the year in direct response to their work, marking the country out as one of the most dangerous in the world for the media profession”.¹²⁰⁹ According to the Inter Press Service, 2014 “saw the deaths of 14 journalists, media assistants and bloggers, while dozens more were injured, kidnapped or intimidated”.¹²¹⁰ It further notes that “Reports by rights groups here point to a culture of impunity that is rendering impossible the notion of a free press, which activists and experts say is crucial to development and peace in a country mired in poverty and conflict”.¹²¹¹ It cites Mazhar Abbas, a former president of the Pakistan Federal Union of Journalists, as stating that “the government’s inability to ensure freedom of expression has put reporters in an extremely difficult situation. ‘The problem is that nobody knows who is killing the journalists’, he says. A complete dearth of official information on the perpetrators, combined with a lack of proper investigations, means that far too many journalists continue to operate within a climate of uncertainty and impunity, experts say”.¹²¹²

Freedom House notes in its ‘Freedom in the World’ report covering events in 2014 that “The media regularly face censorship and other pressure from state and nonstate actors. The constitution authorizes the government to curb speech on subjects pertaining to the armed forces, the judiciary, and religion. Blasphemy laws are occasionally used against the media. During the 2014 political crisis, a number of media houses allegedly supported the opposition protests and criticized the Sharif government on instructions from the military. The TTP and other militant groups have attacked media groups and reporters for their coverage”.¹²¹³

In April 2014 Amnesty International released a report on ‘Attacks on Journalists in Pakistan’ which summarised that:

According to Amnesty International research, at least 34 journalists have been assassinated as a direct consequence of their work since democratically-elected government was restored in Pakistan in March 2008. Since Prime Minister Nawaz Sharif formed government on 5 June 2013, at least eight journalists are believed to have been killed across Pakistan in response to their work. Shortly before the release of this report, broadcaster Hamid Mir, a prominent critic of the military and the Pakistani Taliban, was fighting for his life in hospital after narrowly escaping a shooting in the city of Karachi on 19 April 2014. Over a hundred journalists across the country have given Amnesty International first-hand accounts of harassment, abduction, torture and attempted killings at the hands of state and non-state perpetrators. The facts and circumstances of these abuses vary from case to case, and in different regions journalists face different types of risks. However, all these abuses share the common purpose of seeking to silence the media and stifle public debate. [...]

In the overwhelming majority of cases investigated by Amnesty International, the Pakistani authorities failed to carry out prompt, impartial, independent and thorough investigations into human rights abuses against journalists, or to bring those responsible to justice. [...]

Amnesty International has received credible allegations of the harassment, abduction, torture and killing of journalists carried out by a range of perpetrators. These include, but are not limited to: the

¹²⁰⁸ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

¹²⁰⁹ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Freedom of expression – journalists*

¹²¹⁰ Inter Press Service, [Threats, Deaths, Impunity – No Hope for Free Press in Pakistan](#), 20 February 2015

¹²¹¹ Inter Press Service, [Threats, Deaths, Impunity – No Hope for Free Press in Pakistan](#), 20 February 2015

¹²¹² Inter Press Service, [Threats, Deaths, Impunity – No Hope for Free Press in Pakistan](#), 20 February 2015

¹²¹³ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

Directorate for Inter-Services Intelligence (ISI), the military's premier intelligence service; the Muttahida Quami Movement (MQM) political party; the armed group Lashkar-e-Jhangvi (LEJ) and its associated religious group Ahle Sunnat Wal Jamaat (ASWJ); Tehreek-e-Taliban (henceforth 'the Pakistani Taliban') and al-Qa'ida-linked groups; and ethnic Baloch armed groups, both pro- and anti-state.¹²¹⁴

Reporting on state harassment, the same Amnesty International report notes that "Dozens of journalists from across Pakistan and working in all media platforms and for outlets big and small complained to Amnesty International about human rights violations – harassment, intimidation or attacks – they claimed they suffered at the hands of the ISI. On the basis of detailed investigations into these cases, it appears that journalists are particularly at risk of abuse by the ISI if they expose security lapses by the military, its alleged links to armed groups like the Taliban, or human rights violations by security forces in Balochistan and northwest Pakistan, or if they work for foreign media outlets considered by the state to be hostile to Pakistan".¹²¹⁵

In June 2014 the Asian Legal Resource Centre reported that "The environment for working journalists is steadily deteriorating and has reached a point where Pakistan has become one of the most dangerous countries in the world for journalists. Journalists face menacing threats from militant groups including the Taliban and Al-Qaida and from the spy agencies of country's most powerful security establishment, particularly from the Inter Services Intelligence (ISI)".¹²¹⁶ The same source further noted that "The failure of the criminal justice system allows perpetrators to compromise freedom of speech with impunity. The Pakistani government has instituted judicial commissions of inquiry on two occasions into the killings of journalists, yet these commissions failed to identify the assassins. Murders of journalists have never been prosecuted or brought to book regardless of available evidence and witnesses. Civilian politicians cannot take action as they themselves are in fear of the military. The Taliban and other militant groups are shields for the military establishment and are used to suppress the freedom of expression".¹²¹⁷ A 2014 Pak Institute for Peace Studies report on 'Media Safety in Pakistan' similarly considers that "the government has failed to take meaningful action against the perpetrators of violence against media practitioners".¹²¹⁸ See the same report for a regional assessment of the media security landscape in Pakistan.¹²¹⁹ The Human Rights Commission of Pakistan notes that "For a third year in a row, Pakistan was named as the most dangerous country for journalists in the year under review, according to the International Federation of Journalists (IFJ), a global organization of journalists based in Belgium. The threat was most pronounced in volatile regions such as FATA and troubled districts such as Khuzdarin Balochistan".¹²²⁰

For a detailed breakdown of attacks on journalists in 2013, see:

¹²¹⁴ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 1. INTRODUCTION p.7-9

¹²¹⁵ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 3. DEADLY CENSORSHIP: THE STATE AND NATIONAL SECURITY REPORTING p.14

¹²¹⁶ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 2

¹²¹⁷ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 25

¹²¹⁸ Pak Institute for Peace Studies, [Media Safety in Pakistan](#), 2014, Introduction p.11

¹²¹⁹ Pak Institute for Peace Studies, [Media Safety in Pakistan](#), 2014, 1. Media security landscape in Pakistan p.17 ff

¹²²⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, Attacks against NGOs, human rights defenders and journalists p.178

- Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of expression, Attacks on journalists in 2013* p.109

❖ Non-exhaustive, illustrative examples of attacks on journalists from 2014-February 2015

The UK Foreign and Commonwealth Office reports that at the start of the 2014, “the Pakistani Taliban issued a “hit-list” of more than 20 journalists and publishers it held responsible for misrepresenting them”.¹²²¹ In January 2014 Radio Free Europe/Radio Liberty reported that “Three men working for a TV station in Pakistan have been shot dead. Police say gunmen on motorcycles killed the three employees of Express TV on January 17 in the southern city of Karachi. The Taliban said it was behind the attack. Former Taliban spokesman Ehsanullah Ehsan told Express TV it had been attacked because the Taliban considered its coverage biased and the Taliban would continue to attack journalists they disagreed with”.¹²²²

Also in January 2014, Reporters Without Borders reported that it was “extremely concerned” about the anonymous threats that Noorul Wahab, a journalist for the Daily Express in Khyber Pakhtunkhwa received after his newspaper published a report by him on a sexual attack on a female student.¹²²³ The Committee to Project Journalists reported in February 2014 that “Explosive materials were found in the parking lot of ARY television network's offices in Karachi” and that “unidentified assailants on a motorcycle threw a hand grenade at the offices of Aaj TV, which exploded and damaged the entrance of the building, according to news reports. Two staffers suffered unspecified injuries in the attack, according to news reports. Assailants also threw a hand grenade at the offices of the Nawa-i-Waqt media group, about a half-mile away from the Aaj TV offices, before fleeing the scene, according to news accounts”.¹²²⁴

The UK Foreign and Commonwealth Office report covering 2014 notes that:

In March, journalist and TV anchor Raza Rumi, known for his outspoken views against the Taliban, narrowly escaped an attempt on his life in Lahore. A month later senior journalist and GeoNews TV anchor Hamid Mir was critically wounded in an attack in Karachi. The attack was condemned internationally. On World Press Freedom Day in May, the British High Commissioner in Islamabad called on “all in Pakistan to support a free and fair press, where journalists can go about their vital work without fear, intimidation or harassment”.

In June, the Pakistan Electronic Media Regulatory Authority suspended the broadcasting licence of private television channel GeoNews for 15 days, and fined Geo TV 10 million rupees (approximately £64,000). This followed a complaint by the Ministry of Defence that the channel’s reporting had brought the main intelligence agency into disrepute. During the year, other television channels received similar penalties for alleged controversial or sacrilegious content.¹²²⁵

Also reporting on the April 2014 attack on Hamid Mir, Human Rights Watch reports that “Mir survived the attack and Jang/Geo—his employer and the country’s largest media conglomerate—accused the director general of the military’s powerful Inter Service Intelligence (ISI) of involvement in the incident. The ISI denied the allegation and the central government punished Jang/Geo for the accusation by suspending its broadcast license and taking its channels off the air for 15 days.

¹²²¹ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

¹²²² Radio Free Europe/Radio Liberty, [Three Pakistani TV Workers Killed](#), 18 January 2014

¹²²³ Reporters Sans Frontières, [Reporter gets death threats after covering sexual assault](#), 14 January 2014

¹²²⁴ Committee to Project Journalists, [Assailants target media outlets in Karachi](#), 18 February 2014

¹²²⁵ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

Unidentified assailants also attacked the offices and employees of the media group”.¹²²⁶ Freedom House notes in its ‘Freedom in the World’ report covering events in 2014 that “during the year, Imran Khan accused Geo of siding with the PML-N in the 2013 elections, and PTI supporters attacked Geo reporters and offices during the sit-in protests in August and September”.¹²²⁷

Reporters Without Borders reported that it “condemns the appalling climate of intimidation reigning in Pakistan after an attack on provincial newspaper reporter Zafar Aaheer on 31 May [2014] and several attacks on newspaper distribution trucks in the past few days. Aaheer, who reports for the Daily Jang newspaper in Multan, in the eastern province of Punjab, was attacked on his way home by gunmen, who beat him with the butts of their pistols, causing serious injuries”.¹²²⁸

In September 2014 the UK Foreign and Commonwealth Office reported that “Journalists came under further attacks in the last three months. In July, Express News TV’s bureau chief in Peshawar was targeted with an improvised explosive device. This was the third attack on his house since March. Members of the local media community protested outside the Governor’s House about the lack of police protection. Also in July, a television journalist in Rawalpindi complained to police that he had received death threats from the Pakistani Taliban (TTP) and, in August, the Press Club in Khuzdar, Balochistan, was forced to close for ten days following threats to journalists. In a more hopeful development, a court dismissed a case lodged against Geo TV for broadcasting a “sacrilegious” programme”.¹²²⁹

The Committee to Protect Journalists reported in August 2014 that “Journalists from various news outlets have been attacked while covering the ‘Freedom March’, according to news reports”.¹²³⁰ It further notes that “At least four crew members from Aaj News, including digital satellite news gathering engineer Iqbal, cameramen Usmaan, Iqbal, and Samaarat, (identified by single names only) were beaten today by workers from the opposition Pakistan Tehreek-e-Insaf (PTI) party while covering a speech by PTI leader Imran Khan during a sit-in in the capital Islamabad, the private news channel reported. The four were treated in hospital for minor injuries, reports said”.¹²³¹ See [2.2.2. August – December 2014: Opposition protests organised by Pakistan Tehreek-e-Insaf \(PTI\) and Pakistan Awami Tehreek \(PAT\)](#) for further information on the Freedom March.

Human Rights Watch also reports that “In August [2014], journalist Omar Quraishi and columnist Kamran Shafi both received death threats from unidentified sources after the two men criticized the August protests in Islamabad led by opposition politicians Imran Khan and Dr. Tahir-ul-Qadri”.¹²³² Reporters Sans Frontières reports on 31 August 2014 that “Two gunmen yesterday stormed into the offices of the Online news agency in Quetta, in the southwestern province of Balochistan, and opened fire, killing bureau chief Irshad Mastoi, trainee journalist Abdul Rasool and office accountant Muhammad Yunas. The shooting confirmed Balochistan as one of the world’s deadliest places for media personnel, a region where all journalists are at risk”.¹²³³

¹²²⁶ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹²²⁷ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹²²⁸ Reporters Sans Frontières, [Newspaper trucks, latest target of anti-media violence in Pakistan?](#), 03 June 2014

¹²²⁹ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 30 September 2014](#), 16 October 2014

¹²³⁰ Committee to Protect Journalists, [Several journalists attacked while covering 'Freedom March' in Pakistan](#), 25 August 2014

¹²³¹ Committee to Protect Journalists, [Several journalists attacked while covering 'Freedom March' in Pakistan](#), 25 August 2014

¹²³² Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹²³³ Reporters Sans Frontières, [Pakistan - Two news agency journalists shot dead in Quetta](#), 31 August 2014

The UK Foreign and Commonwealth Office reports that “In October [2014], allegations of blasphemy were registered against the host of a private television show accused of staging a fake marriage and making derogatory remarks against religious figures. In separate incidents two journalists were killed in Hafizabad, Punjab. At the end of the same month, the Pakistan Electronic Media Regulatory Authority (PEMRA) suspended the licence of ARY News for 15 days, fined the channel Rupees 10 million (£65,000), and banned a news anchor for allegedly maligning the judiciary. In November [2014], a journalist working for Pakistan Television went missing from Quetta”.¹²³⁴

Reporters Sans Frontières reports that “Nadeem Haider, a reporter for the Urdu-language Daily Dunya, was gunned down in the Kaliki Mandi area of Hafizabad on 3 October [2014] by two men who then fled. Yaqoob Shehzad, a reporter for the Express News and Daily Express newspapers and president of the Hafizabad Press Club, was slain on 5 October. Although both journalists were clearly targeted, they had not had received any prior threats, their families say”.¹²³⁵ It further notes that “Concern is growing about the climate of violence, one that is regularly punctuated by death threats, bombings and shootings and affects journalists, other media employees and families alike”.¹²³⁶

According to the 2014 Human Rights Commission of Pakistan report, “On November 30, journalists and technicians from two television channels were attacked, and their satellite trucks damaged. A cameraperson from Dawn News was injured by small explosives allegedly thrown by PTI members, while two technicians from Dunya News were wounded by a grenade explosion and rushed to the hospital”.¹²³⁷

Amnesty International reports that in November 2014 an anti-terrorism court (ATC) “sentenced in absentia Mir Shakil-ur-Rahman, owner of Geo TV and its parent Jang Media Group, actress Veena Malik, her husband Asad Bashir and TV host Shaista Wahidi, to 26 years in prison each for airing a “contemptuous” programme. Geo TV has a tense relationship with Pakistani authorities and was earlier this year temporarily taken off air following the blasphemy allegation”.¹²³⁸ According to David Griffiths, Amnesty International’s Deputy Asia Pacific Director, “This sentence will have a chilling effect on freedom of expression in Pakistan. It is appalling that someone should be sent to prison for decades over a TV programme. Today’s judgment shows how Pakistan’s deeply flawed blasphemy laws have become another tool to silence media. There are also serious concerns about the fairness of this trial as the defendants were sentenced in absentia and never had the opportunity to answer the charges in court”.¹²³⁹

Reporters Sans Frontières reported that “On 12 December [2014] in Karachi, Mazhar Abbas, a journalist and former secretary-general of the Pakistan Federal Union of Journalists, was brutally attacked along with a crew from the Geo News television channel by PTI [Pakistan Tehreek-e-Insaf] militants. A Geo News reporter had to hide in a satellite truck to escape the attackers”.¹²⁴⁰

¹²³⁴ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 31 December 2014](#), 21 January 2015

¹²³⁵ Reporters Sans Frontières, [Pakistan - Two journalists gunned down two days apart in Punjab](#), 10 October 2014

¹²³⁶ Reporters Sans Frontières, [Pakistan - Two journalists gunned down two days apart in Punjab](#), 10 October 2014

¹²³⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and ‘disappearances’, Freedom of Expression, Rule of law* p. 144

¹²³⁸ Amnesty International, [Pakistan: Blasphemy sentence against private TV channel will have chilling effect on media freedom](#), 26 November 2014

¹²³⁹ Amnesty International, [Pakistan: Blasphemy sentence against private TV channel will have chilling effect on media freedom](#), 26 November 2014

¹²⁴⁰ Reporters Sans Frontières, [Pakistan - Geo TV, target of Pakistan spy agency](#), 24 December 2014

Reporters Sans Frontières further noted in December 2014 that “As Pakistan Tehreek-e-Insaf [PTI], the opposition party led by former cricket champion Imran Khan, has grown more powerful, the media have been increasingly targeted in confrontations directed a wing of the government or by various political factions. [...] Since Khan’s party launched a protest movement last 14 August, more than a dozen attacks on journalists, media workers and contributors of Geo News, a television channel, and for the daily newspapers Jang and The News have taken place. The media organizations were deliberately targeted by PTI militants. Most of these incidents have been filmed and photographed”.¹²⁴¹ The same source adds that:

Part of the responsibility lies with media owners, businessmen who prize their political alliances to the detriment of journalistic ethics. Neha Ansari, a former journalist for the Express Tribune, described the process in Foreign Policy magazine. According to her, since opponents of the ruling party began holding the August demonstrations, charging voting fraud in the 2013 elections, “The owners of Pakistani media powerhouses — namely ARY News, the Express Media Group, and Dunya News — received instructions from the military establishment to support the ‘dissenting’ leaders and their sit-ins.”

This editorial interference prompted numerous cases of biased press coverage and self-censorship. Above all, these practices led to a revival of animosity against the media, regardless of their political orientation, by political partisans of all persuasions. Whether pro-government, in the opposition or aligned with the military, the media, have frequently paid a high price for their coverage — sometimes directed by their owners - of the country’s political conflicts.¹²⁴²

The Inter Press Service reporting in February 2015 notes that “A report released last month by the Pakistan-based Freedom Network (FN) documents numerous assassinations and attacks including the Jan. 1 shooting of Shan Dahar, a reporter with Abb Takk Television in Larkana, a city in the southern Sindh Province. [...] At the time of his death, the reporter had been working on a story about Pakistan’s sprawling black market for unregulated drugs; some believe that those with vested interests in the industry had a hand in his death. Other documented deaths include the Jan. 17 killing of Waqas Aziz Khan, Ashraf Arain and Muhammad Khalid in a suburb of Karachi when gunmen opened fire on a media van used for live transmissions by Express TV”.¹²⁴³ The Committee to Protect Journalists reports that on 16 January 2015 “Agence France-Presse photographer Asif Hassan was shot and wounded today while covering clashes in Karachi between police and supporters of the Jamaat-e-Islami religious party who were demonstrating against the French satirical magazine Charlie Hebdo, according to news reports. It is unclear from where the firing originated or whether he was targeted”.¹²⁴⁴

❖ Treatment of journalists in northwest Pakistan

Reporting on the situation in 2013 Freedom House notes that “Conditions for reporters covering the ongoing conflict in the Federally Administered Tribal Areas (FATA) and parts of Khyber Pakhtunkhwa Province remained especially difficult in 2013, as a number of correspondents were detained, threatened, expelled, kidnapped, attacked, or otherwise prevented from working, whether by Taliban militants and local tribal groups, criminal organizations, or the army and intelligence services. [...] Journalists’ ability to cover military operations in the FATA is hampered, as they can gain access only if they agree to become embedded with military units, which means that any reporting is subject to potential censorship. Media in general remain much more tightly restricted in

¹²⁴¹ Reporters Sans Frontières, [Pakistan - Geo TV, target of Pakistan spy agency](#), 24 December 2014

¹²⁴² Reporters Sans Frontières, [Pakistan - Geo TV, target of Pakistan spy agency](#), 24 December 2014

¹²⁴³ Inter Press Service, [Threats, Deaths, Impunity – No Hope for Free Press in Pakistan](#), 20 February 2015

¹²⁴⁴ Committee to Protect Journalists, [AFP photographer shot while covering anti-Charlie Hebdo protests in Pakistan](#), 16 January 2015

the FATA than elsewhere in Pakistan".¹²⁴⁵ The Asian Human Rights Commission reported in April 2014 that "Background interviews with journalists and media rights campaigners suggest that journalists belonging to the Federally Administered Tribal Areas (FAT) and Khyber Pukhtunkhwa face higher risks and in many cases, they are not only harassed, threatened but their families also suffer threats and harassment. At least three journalists- Aslam Durrani of Peshawar, Mumtaz Malik of North Waziristan and Ayub Khattak of Karak- have been killed in North-western Pakistan because of their reporting during the year 2013. Other have been kidnapped, assaulted and suffered various kinds of abuse".¹²⁴⁶ An April 2014 Amnesty International report considers that:

Northwest Pakistan is one of the most dangerous places in the country for journalists. At least nine people have been killed in the area since the restoration of democratic rule in March 2008 in response to their work. The national total for the same period is 34. Mired in lawlessness, insurgency and conflict for over a decade, northwest Pakistan and particularly the Tribal Areas have been the staging post for the Taliban, al-Qa'ida and other armed groups responsible for abductions, killings and bombings across Pakistan and neighbouring Afghanistan. It has also been claimed that the region has been used by armed groups to prepare and facilitate attacks in China, Europe and the USA. For these reasons, northwest Pakistan is a region of significant interest to the national and international media, and local media workers are under significant pressure to deliver hard-hitting reports from the most conflict-ridden and dangerous areas. Journalists in northwest Pakistan face harassment, intimidation and attacks from Pakistan security forces, the Taliban and other armed groups to silence or influence their reportage. Journalists reporting on human rights abuses by state and non-state parties to the conflict or local communities are especially at risk.¹²⁴⁷

The Inter Press Service reports in February 2015 with regards to the situation for journalists in FATA that:

In the northern Federally Administered Tribal Areas (FATA), journalists suffer constant threats and attacks from the Taliban and other militant groups that have operated on the border of Afghanistan since fleeing the U.S. invasion of their country in 2001. Since the War on Terror began, 12 journalists in FATA have lost their lives, while scores of others have fled to Peshawar, capital of the neighbouring Khyber Pakhtunkhwa province.¹²⁴⁸

❖ Treatment of journalists in Balochistan

Reporting on the situation in Balochistan in 2013 Freedom House notes that "Reporters in restive Balochistan Province face pressure and harassment from Balochi nationalists, Islamist groups, and the government. Several journalists in the region were killed or fled into exile in 2013 after receiving repeated threats".¹²⁴⁹ The Asian Human Rights Commission reported in April 2014 that "in Balochistan the situation is no different from FATA where the intelligence agencies, Baloch insurgents, underground death squads and sectarian groups like the Lashkar-e-Jhangvi have reportedly threatened journalists and in some cases have killed them. Rights groups have been reporting the deaths of journalists at the hands of intelligence agencies for a long time now".¹²⁵⁰

¹²⁴⁵ Freedom House, [Freedom of the Press 2014 - Pakistan](#), 1 December 2014

¹²⁴⁶ Asian Human Rights Commission, [PAKISTAN: Double jeopardy -- Attacks on journalists increase with impunity](#), 7 April 2014

¹²⁴⁷ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 5. *IN THE FIRING LINE ON THE FRONTIER* p.37

¹²⁴⁸ Inter Press Service, [Threats, Deaths, Impunity – No Hope for Free Press in Pakistan](#), 20 February 2015

¹²⁴⁹ Freedom House, [Freedom of the Press 2014 - Pakistan](#), 1 December 2014

¹²⁵⁰ Asian Human Rights Commission, [PAKISTAN: Double jeopardy -- Attacks on journalists increase with impunity](#), 7 April 2014

An April 2014 Amnesty International report considers that “Balochistan, the largest but most sparsely-populated province of Pakistan on the border with Iran and Afghanistan, is one of the most dangerous places in the country to be a journalist. This is a significant benchmark given the high risks faced by media professionals across the country. Several reporters, cameramen and other media workers have been killed as a result of bombings targeting processions, neighbourhoods of particular religious groups or state security forces. However, journalists have also been subjected to targeted harassment and other abuse in direct response to their work. Those who report on alleged human rights abuses by state security forces and non-state armed groups in the province are particularly at risk. Amnesty International research reveals that at least 12 journalists have been killed because of their work as journalists in Balochistan in the last six years alone – slightly over a third of all journalist killings cases in Pakistan during the same period. Journalists are particularly at risk for seeking to report on human rights abuses in the province”.¹²⁵¹

According to the 2014 Human Rights Commission of Pakistan report, “More than 30 journalists have fallen victim to targeted killing in Balochistan over the last five years. The figures served as a reminder of the growing threats to journalists in the province’s complex political environment where survival depends on an almost impossible delicate balancing act amid insurgent organisations, feuding tribes with shifting allegiances, extremist groups, as well as the security forces, political parties and the courts”.¹²⁵²

Reporters Sans Frontières reports that Balochistan was one of the 5 most dangerous areas in the world for journalists in 2014:

Pakistan’s biggest and poorest province, Balochistan sees frequent violent clashes between the security forces and local armed groups. Journalists working in the province are caught between these two “Predators of Press Freedom.” As well as frequent Islamist and Taliban bombings or shootings, they are exposed to reprisals by Balochi separatists and to surveillance and arbitrary detention by the Pakistan military. The violence endemic to Balochistan since 2004 continues to be a daily reality for the region’s few remaining journalists.¹²⁵³

❖ Internet freedom

The U.S. Department of State report for 2013 notes that “There were reports of some restrictions on internet access and reports that the government monitored internet use, some e-mail, and internet chat rooms. Since 2012 the government has implemented a systematic nationwide content monitoring and filtering system that restricts or blocks ‘unacceptable’ content, including material that is un-Islamic, pornographic, or critical of the state and military”.¹²⁵⁴

Freedom House reports in its Freedom on the Net report covering May 2013 - May 2014 that “Since January 2003, the government of Pakistan has censored some online content, and the system for doing so is becoming increasingly sophisticated, though it lacks an adequate legislative framework. A variety of government agencies are involved, but the PTA is the primary authority. [...] Besides blocking, the PTA issues takedown orders involving banned content. Twitter removed allegedly

¹²⁵¹ Amnesty International, [Pakistan: "A bullet has been chosen for you": Attacks on journalists in Pakistan](#), 30 April 2014, 6. BALOCHISTAN: CAUGHT BETWEEN THE STATE AND SEPARATISTS p.48

¹²⁵² Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Jails, prisoners and 'disappearances', Freedom of Expression, Rule of law* p. 142

¹²⁵³ Reporters Sans Frontières, [2014 Round-Up of Abuses against Journalists](#), 16 December 2014, *The 5 most dangerous areas 2014*

¹²⁵⁴ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2. a. *Freedom of Speech and Press*

blasphemous posts at the government's request in 2014, though restored at least some on review".¹²⁵⁵ With further regards to blocking the same source reports:

Blocks increased in early 2014. Net users around the country reported different sites were temporarily inaccessible, including the UK-based Guardian newspaper, Gawker, Storify, and some online games. The blocks were never explained, though hundreds of social media users complained. Blocking frequently targets social media and communication apps, and different religious groups persistently pressure the Pakistani courts to ban Facebook completely. Groups and individuals affiliated with political and religious causes have also filed court petitions against YouTube. [...] Political dissent and secessionist movements in areas including Balochistan and Sindh province, where a Sindhi nationalist movement advocates for political divisions along ethnic lines, is among the nation's most systematically censored content.¹²⁵⁶

Freedom House further reports in its Freedom on the Net report covering May 2013 - May 2014 that "Authorities also target users seeking to access blocked content. In 2011, the PTA sent a legal notice to all ISPs in the country urging them to report customers using encryption and virtual private networks (VPNs)—technology that allows internet users to go interact online undetected and access blocked websites—to curb communication between terrorists".¹²⁵⁷

Freedom House notes in its 'Freedom in the World' report covering events in 2014 that "Online media have grown in reach and popularity in recent years, and Pakistanis can use the internet to access foreign and independent news services. However, more than 200,000 websites are banned in the country because of their allegedly anti-Islamic, pornographic, or blasphemous content. Access is also restricted for security reasons".¹²⁵⁸

The 2014 UK Foreign and Commonwealth Office report notes that "The government ban on YouTube entered its third year. In November [2014], Facebook revealed that requests from the Pakistan Telecommunication Authority and IT Ministry, to restrict access to blasphemous content, increased almost tenfold from January to June, compared to the previous six months. In December [2014], Freedom House ranked Pakistan 69 out of 100 for Internet freedom, down two points from 2013, and the lowest in Asia after Vietnam and China".¹²⁵⁹ In February 2015 it was reported that "Officials in Pakistan say the country's ban on YouTube is set to remain in place 'indefinitely'".¹²⁶⁰ Radio Free Europe/Radio Liberty explains that "Pakistan blocked the video-sharing site in September 2012 after it hosted 'Innocence of Muslims,' a film that sparked protests worldwide for appearing to mock Islam. Since then, Pakistani officials say they have found no way to filter out blasphemous content other than by blocking YouTube entirely".¹²⁶¹

6.3.4.1. Bloggers

Freedom House reports that "The 2004 Defamation Act allows for imprisonment of up to five years, and observers fear a chilling effect if it is used to launch court cases for online expression. Section 124 of the penal code on sedition "by words" or "visible representation" is broadly worded, though

¹²⁵⁵ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Limits on Content*

¹²⁵⁶ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Limits on Content*

¹²⁵⁷ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Limits on Content*

¹²⁵⁸ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹²⁵⁹ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2014 - Section XII: Human Rights in Countries of Concern - Pakistan](#), 12 March 2015

¹²⁶⁰ Radio Free Europe/Radio Liberty, [YouTube in Pakistan to stay blocked 'indefinitely'](#), 8 February 2015,

¹²⁶¹ Radio Free Europe/Radio Liberty, [YouTube in Pakistan to stay blocked 'indefinitely'](#), 8 February 2015,

it has yet to be applied in an online context”.¹²⁶² Reporting in October 2013, Article 19 identifies a number of further restrictions on the right to freedom of expression and Internet freedoms in Pakistan:

- the adoption of the Fair Trial Act of 2012, which vests security agencies with unprecedented powers regarding citizen surveillance
- evidence of Netsweeper being used for web filtering and content censoring
- the repeated use of ‘kill-switch’ tactics, a complete shutdown of all cellular phone networks, in several parts of the country.¹²⁶³

Freedom House notes in its Freedom on the Net report covering May 2013 - May 2014 that “Government surveillance is a concern for activists, bloggers, and media representatives, as well as ordinary internet users. Pakistani authorities, particularly intelligence agencies, appear to have been expanding their monitoring activities in recent years, while provincial officials have been exerting pressure on the central government to grant local police forces greater surveillance powers and location tracking abilities, ostensibly to curb terrorism and violent crimes”.¹²⁶⁴ It also notes that “Pakistan is one of the world’s most dangerous countries for traditional journalists, with five killed in relation to their work in 2013. Violence has yet to affect online journalists in the same way, though they can also be vulnerable”.¹²⁶⁵ Moreover it notes that “Free expression activists and bloggers have also reported receiving death threats. Many publicize them—and sometimes attract more—on Twitter. Most are sent via text message from untraceable, unregistered mobile phone connections, often originating from the tribal areas of the country, and several include specific details from the recipient’s social media profiles or other online activity. Human rights activist Sabeen Mehmood received death threats in 2013 after opposing an anti-Valentine’s day campaign by a religious group earlier in the year”.¹²⁶⁶

Freedom House further reports with regards to blasphemy charges for digital content that:

Section 295(c) of the penal code, which covers blasphemy, is frequently invoked to limit freedom of expression. Any citizen can file a blasphemy complaint against any other, and human rights groups say charges have been abused in the past to settle personal vendettas. The imputation of blasphemy leaves the accused vulnerable to reprisals, regardless of whether it has foundation. Some cases have involved electronic media.

Blasphemy charges for digital content saw an alarming spike in the central province of Punjab in 2013 and 2014. On May 7, 2014, Rashid Rehman, the defense lawyer in another digital blasphemy case in Punjab was shot dead in his office by unidentified assailants after receiving multiple death threats in relation to the case, including in court from lawyers for the prosecution. He was defending Junaid Hafeez, an English professor and former Fulbright scholar jailed since 2013 for alleged blasphemy on Facebook, a charge based on an unsupported accusation by a religious group.¹²⁶⁷

Describing the July 2014 passage of the Protection of Pakistan Act, Human Rights Watch notes that “Peaceful political protesters and critics of government policies are particularly vulnerable to abuses under the new law because of dangerous ambiguity in its definition of terrorist acts. Besides ‘killing, kidnapping, extortion’, the law classifies vague acts, including ‘Internet offenses and other offenses related to information technology’ as prosecutable crimes without providing specific definitions for

¹²⁶² Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

¹²⁶³ Article 19, Pakistan: [ARTICLE 19 and Bytes for All condemn proposed ban on instant messaging](#), 19 October 2013

¹²⁶⁴ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

¹²⁶⁵ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

¹²⁶⁶ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

¹²⁶⁷ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014, *Violations of User Rights*

these offenses. The terms are so ambiguous that a non-violent online political protest might be considered ‘threatening the security of Pakistan’¹²⁶⁸.

The UK Foreign and Commonwealth Office reporting on the period September 2014-December 2014 notes that “internet rights group Bytes for All reported that internet abuse of women in Pakistan triggered violent physical attacks and complained that social media companies were slow to prevent this. In Punjab alone the Federal Investigation Agency said there had been more than 170 complaints of cybercrime so far this year. Activists complained that few cases of online harassment are reported as the police rarely act”.¹²⁶⁹ In December 2014 Radio Free Europe/Radio Liberty cited Faheem Zafar, an activist from Internet freedom group called Bytes For All, as stating that the climate in Pakistan is “becoming more intrusive and disturbing as the authorities clamp down on liberal political discourse on the Internet” by banning sites and accounts of activists.¹²⁷⁰

6.4. Women and Children

6.4.1. Domestic legal framework (Constitution and legislation)¹²⁷¹

The United States Institute of Peace identifies the following provisions of the **Constitution of the Islamic Republic of Pakistan, 1973** regarding women:

Pakistan’s 1973 Constitution [...] affirms in its fundamental rights and principles that the state is committed to eliminating exploitation. Article 25 (1) guarantees that all citizens are equal under the law and are entitled to equal protection of law; Article 25 (2) adds, ‘There shall be no discrimination on the basis of sex.’ Article 27 prohibits discrimination on the basis of sex, race, religion, or caste for government employment. Finally, Article 34 in the principles of policy section states that ‘steps shall be taken to ensure full participation of women in all spheres of national life,’ and Article 38(a) adds that it is the responsibility of the state to ‘secure the well-being of the people, irrespective of sex, caste, creed, or race, by raising their standard of living.’¹²⁷²

The UN Women website¹²⁷³ lists the following offences that are included in (but are not limited to) the **Pakistan Penal Code of 1860 (amended as of 2006)**¹²⁷⁴:

Physical harm of any sort (illegal touching, violence and abuse)	Wrongful restraint	Assault and criminal force against a woman with intent to strip her of her clothes or outrage her modesty	Forced abortions and miscarriages

¹²⁶⁸ Human Rights Watch, [Pakistan’s dangerous anti-terrorism law](#), 21 July 2014

¹²⁶⁹ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 31 December 2014](#), 21 January 2015

¹²⁷⁰ Radio Free Europe/Radio Liberty, [Pakistan: Internet activists criticize Islamabad over poor freedom ranking](#), 5 December 2014

¹²⁷¹ Selected COI in this subsection reproduced with permission from ACCORD as cited in:

Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 5.4 Women and children, 5.4.1 Domestic legal framework p.138 ff

¹²⁷² United States Institute of Peace, [Moving Forward with the Legal Empowerment of Women in Pakistan](#), May 2012, *Historical Backdrop on Women’s Legal Rights* p. 4

¹²⁷³ UN Women Pakistan, [Legislation on Violence against Women and Girls](#), undated (accessed 23 February 2015)

¹²⁷⁴ [Pakistan Penal Code \(Act XLV of 1860\)](#), 6 October 1860, amended as of 2006 (available at pakistani.org)

Mental harm	Trespass of all types and criminal offences committed during trespass	Unnatural offences	Exchange of women for purposes of settling a dispute
Assault	Kidnapping and Abducting children and women	Human trafficking	Depriving a woman of her inheritance
Murder	Deceiving a woman in affairs relating to marriage	Forced prostitution	Attempted Offences (including aiding and abetting)
Honour Killings	Wrongful confinement	Forced marriages	Marriage to the Holy Quran ¹²⁷⁵

UN Women reports on the following additional legal provisions [original emphasis]:

Child Marriage Restraint Act, 1929

Child marriages have been one of the most problematic issues in Pakistan. The biggest issue relates to the age of majority, which under Islamic law is age of puberty while in other legislation it varies from the age of 16 to 18. The issue of child marriages is related to a number of other societal issues and customary practices such as exchange marriages, forced marriages, practice of giving women and children in compensation in tribal/familial clashes etc all often include the element of child marriage. This law was promulgated to deal with child marriages and the above issues and prescribes punishments for those involved including adult bridegrooms, nikkah registrars, parents etc.

Foreigners Act, 1946 and Foreigners Order, 1951

These laws deal with *procedures relating to foreign nationals in Pakistan*. These also identify the processes of dealing with illegal aliens in the country. In the absence of a detailed law dealing with trafficked persons being forcefully entered into Pakistan, these laws are relevant with regards to their treatment, including repatriation etc.

Muslim Family Law Ordinance, 1961

This law deals with all *matters relating to marriage, including registration, polygamy, divorce, maintenance and other relevant processes and procedures*.

This is relevant as violence is often manifested through marriage and family. In a patriarchal society such as Pakistan where a woman's recognition is through her family, it is important to ensure her protection within the marriage itself. The processes and procedures can be used for the violation of women's rights and protections. It is important for a marriage to be registered and a woman to be aware of her rights of divorce and in situations where the husband marries a second time etc.

Dowry and Bridal Gifts (Restriction) Act, 1976

This law *places restrictions on the amount of gifts to a bride and groom*, while also requiring limited expenditure on the wedding functions. It also mandates all dowry items to be vested property of the bride. It further requires listing and valuation of all dowry and gift items.

Anti-Terrorism Act 1997

This Act provides for the prevention of terrorism and sectarian violence and for speedy trial of heinous offences (such as kidnapping for ransom). The law *covers issues of child molestation and gang rape*.

Prevention and Control of Human Trafficking Ordinance, 2002

This law *defines the crimes of human trafficking*. It also provides punishments for such trafficking and identifies those responsible. However, this law only relates to external trafficking i.e. requiring a crossing of international borders. Internal trafficking (trafficking within the borders of Pakistan) is therefore not covered by this law.

¹²⁷⁵ UN Women Pakistan, [Legislation on Violence against Women and Girls](#), undated (accessed 23 February 2015)

Criminal Law (Amendment) Act, 2004

This law *introduced the definition of honour crimes within the PPC and recognized it as an offence*. It recognised that killings committed in the name of honour were murders and must be booked and prosecuted as murder and that exemptions will not be given for honour killings or crimes. It also made illegal the exchange of women in marriage or otherwise for the purposes of settling disputes.

Protection for Women (Criminal Law Amendment) Act, 2006

This law *created changes in two of the Hudood Ordinances, namely the Zina and Qazf Ordinance*. It removed a number of clauses, such as the clause pertaining to rape, kidnapping, abducting or inducing a woman to compel for marriage, fornication, offences relating to buying and selling for prostitution, kidnapping or abducting for unnatural lust etc from the Zina Ordinance and placed them in the Pakistan Penal Code 1860. This has the result of the overarching rules and procedures of the PPC being applicable to these offences, such as investigation techniques and forms of evidence.

The Protection Against Harassment of Women at the Workplace Act, 2010

This law *introduced the definition of harassment at the workplace as an offence*. It provides for wide descriptions of the workplace to include premises out of the place of work, where any official work or work activity is being carried out. Harassment is defined within the concept of work. A number of penalties are identified for those found guilty of harassment, varying upon the degree and extent of harassment. It also spells out the procedures where cases of harassment come forward. It also requires all workplaces to set up a committee to deal with such cases. It also requires the Government to appoint an Ombudsman to deal with any such cases.

Criminal Law Amendment Act, 2010

The law creates an *amendment to Section 509 of the PPC*. It replaces the original section with the offence of sexual harassment. As a result, a wide definition of sexual harassment has been included in the law, effectively criminalizing it. It also provides a corresponding punishment. *This law talks more specifically about the harassment at public places*.

Criminal Law (Second Amendment) Act, 2011

This law includes provisions within the PPC to *specifically deal with the offence of hurt being caused by acid*, a crime which women are the most common victim of. It makes amendments in the section of hurt to include the effects of acid i.e. disfiguring or defacing. It also adds a specific clause relating to hurt by corrosive substance and a corresponding punishment.

The Prevention of Anti Women Practices - Criminal Law (Third Amendment) Act, 2011

This law makes *amendments to the PPC, including within the PPC a number of offences considered to be customary practices*. It expands the existing clause on prohibition on exchange of women for purposes of resolution of a dispute to include prohibition of customs such as Wanni, Swara or any other such custom. New sections added include prohibition of depriving women from inheriting their property; creating an offence for forced marriages of women; and marriage of a woman to the Holy Quran. These amendments target those who force women into such situations, depriving them or their rights or coercing them against their will.

Domestic Violence (Prevention and Protection) Act, 2012

The Domestic Violence Bill makes violence against women and children an offence, punishable by time in jail and imposition of fines. The Bill also stipulates that the cases regarding domestic violence be dealt with expeditiously, time lines in this connection have also been given.

Besides children and women, the Bill also provides protection to the adopted, employed and domestic associates in a household.

The law classifies domestic violence as acts of physical, sexual or mental assault, force, criminal intimidation, harassment, hurt, confinement and deprivation of economic or financial resources.¹²⁷⁶

¹²⁷⁶ UN Women Pakistan, [Legislation on Violence against Women and Girls](#), undated (accessed 23 February 2015)

The U.S. Department of State report for 2013 notes with regards to the 2006 Women's Protection Act that:

In 2010 the FSC [Federal Shariat Court] declared several clauses of the Women's Protection Act un-Islamic and unconstitutional. The verdict sought to reinstate certain provisions of the 1979 Hudood Ordinance and expand the FSC's jurisdiction in cases of adultery and false accusations of adultery. The FSC directed its judgment to the federal government as well as the provincial and Islamabad high courts for implementation. In 2011 the federal government appealed the FSC's decision to the Supreme Court, which had yet to set a hearing date by year's end. In September the nongovernmental Council of Islamic Ideology, which advises parliament and the prime minister, rejected the Women Protection Act, saying it was contrary to the spirit of the Koran and sharia. On December 30, the country appointed a female judge to the FSC for the first time.¹²⁷⁷

As reported by the 2013 U.S. Department of State report, "No specific law prohibits domestic violence, which was a widespread and serious problem".¹²⁷⁸ UN Women reports with regards to provincial domestic violence legislation that:

In enacting legislation as a first step to prevent and protect women against crimes of violence, the Provincial Assembly of Balochistan passed the Domestic Violence (Prevention and Protection) Bill on 9 March 2014 despite some lawmakers terming the bill as being in contrast with the tribal norms of society. The adopted legislation follows the pattern of the landmark bill passed on the same issue by the Sindh Assembly in March 2013, the first province to pass a law on domestic violence. Balochistan's bill defines different forms of domestic violence, including physical, sexual and economic abuse, stalking, harassment, etc. as well as verbal and emotional abuse, although the definition of the latter is not as wide-ranging as that in the Sindh legislation.

The Balochistan bill expands the ambit of domestic violence to include violence visited upon domestic servants. Unlike the Sindh legislation, Balochistan's bill has no direct penalties specified for abuses that are not covered by the Pakistan Penal Code.

According to the bill, penalties for crimes under domestic violence are to be decided by the 'Protection Committees', although the bill does include penalties for breaching the Committee's orders.

Legislation for the Islamabad Capital territory has only been passed by the Senate in February 2012 which means it has not yet become law.) Bills for the provinces of Khyber Pakhtunkhwa and Punjab, and Pakistan Administered Kashmir are being developed or deliberated on.¹²⁷⁹

The 2013 U.S. Department of State report notes that with regards to the 2011 Prevention of Anti-Women Practice Amendment Act and the 2010 Acid Control and Acid Crime Practice Bill, "as with other laws, these measures are not applicable to the FATA and PATA unless the president issues a notification to this effect".¹²⁸⁰

6.4.2. Overview of current issues regarding women and children

6.4.2.1. Rape and other forms of sexual violence

¹²⁷⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹²⁷⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹²⁷⁹ UN Women, [Pakistan Newsletter, Issue No. 7 January to April 2014](#), 7 November 2014

¹²⁸⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

The U.S. Department of State report for 2013 explains that “Rape is a criminal offense, with punishment that ranges from a minimum of 10 to 25 years in prison and a fine to the death penalty. The penalty for gang rape is death or life imprisonment, but sentences were often less severe. Although rape was frequent, prosecutions were rare. Spousal rape is not a crime”.¹²⁸¹

According to a report submitted by the Ministry of Law, Justice and Human Rights to the National Assembly, of 5,297 cases of registered human rights violations in 2013, 129 cases of rape/gang-rape were reported, three in Islamabad, 72 in Punjab, 48 in Sindh and six in Khyber Pakhtunkhwa.¹²⁸² In contrast, the Asian Legal Resource Centre submitted to the UN Human Rights Council that “Hundreds of cases of killings/murders of women were reported in Pakistan from January 2013 to the end of April 2014. Besides these cases, 3,576 rape cases were reported from Punjab province alone during the same period [...] 401 cases of gang rape were also reported”.¹²⁸³ The News cites Aurat Foundation figures as recording that 1,149 women were raped and gang-raped between January to September 2014.¹²⁸⁴ In its annual report covering events in 2014, according to the Human Rights Commission of Pakistan “which monitored newspapers for cases of violence against women, 597 women and girls were gang-raped, 828 raped and 36 stripped in public in the country during the year. The Ministry of Interior statistics for 2014 show 18,700 people, mostly women, were kidnapped. Some 326 gang-rape cases were reported in the country, including 263 in Punjab, 35 in Sindh, 11 in KP, and 17 in Islamabad. As many as 3,243 rape cases were reported — 2,734 in Punjab, 191 in Sindh, 133 in KP, 19 in Balochistan, 162 in Islamabad, and four in GB”.¹²⁸⁵

The same report notes that “According to an estimate by the Human Rights Commission of Pakistan, a woman is raped every two hours, and gang raped every eight hours but the judicial system fails them. While a big number of sexual offence cases were filed in the lower judiciary, only a few were handed out conviction. Less than four percent of Pakistan’s rape cases result in a conviction, according to antirape campaigner War Against Rape. Rights activists say that rape goes largely unpunished because of police manipulation of cases and judges’ skepticism of survivors and so, ignoring drastic flaws in the investigation process, a lack of resources for forensics analysis, and confusion about rape laws”.¹²⁸⁶ The Aurat Foundation provides a province-wise breakdown of the main forms of violence against women, including the 15 districts with most violence against women. At the time of publication, the most recently available report is for 2013.¹²⁸⁷

The Asian Legal Resource Centre notes in a June 2014 submission to the UN Human Rights Council on the issue of rape that:

Minor girls and adult women remain vulnerable to the risk of abduction and sexual assault while rapists find impunity through both common and Shariah law. Across Pakistan, individuals as well as gangs and other types of groups resort to raping innocent girls and women for an array of reasons: pure lust, revenge due to alleged tribe or family offences, to avenge a rejected marriage proposal, for religious and ethnic reasons, or simply to satisfy their predatory desire as a way to exert

¹²⁸¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

¹²⁸² Cited in Dawn, [5,297 cases of HR violations registered in 2013](#), 13 October 2014

¹²⁸³ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraphs 2 and 3

¹²⁸⁴ The News, [More than 1,500 women kidnapped in first nine months of 2014 in Pakistan](#), 11 December 2014

¹²⁸⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Women, Violence against women* p.214

¹²⁸⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Women* p.51

¹²⁸⁷ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 2.3 Offense wise/ Province wise breakdown of major offenses reported in Pakistan p.7

unadulterated brutality and power. The scientifically unfounded belief that sexual intercourse with a virgin exempts the attacker from the risk of contracting the HIV virus or that it can even cure an already diagnosed infection, exposes minor girls and unmarried young women to even greater risks of sexual abuse, adding unremitting horror to the social stigma.¹²⁸⁸

The U.S. Department of State reports that “There were reports that police and security forces raped women. The government rarely took action against those responsible. [...] On August 23 [2013], the Daily Awami Awaz reported that police in Sukkur allegedly gang-raped a woman named “Rabia.” She went to the police station to file a complaint on a domestic issue, but instead of helping her, a group of officers, forced her into a residence and raped her once again. Police never registered the rape incident. On October 8, Ghotki police allegedly raped two young women in their custody for a period of three days. They were arrested and appeared before the court on October 14. Chief Minister Sindh Syed Qaim Ali Shah took notice of the case and ordered a probe into the matter”.¹²⁸⁹ The U.S. Department of State report for 2013 further notes that:

As in previous years, the government’s enforcement of the Women’s Protection Act of 2006 was poor. The act brought the crime of rape under the jurisdiction of criminal rather than Islamic courts. By law police are not allowed to arrest or hold a female victim overnight at a police station without a civil court judge’s consent. The law requires a complaint to be made directly to a sessions court, a trial court for heinous offences. After recording the victim’s statement, the sessions court judge officially lodges a complaint, after which police may then make arrests. While this procedure was meant to eliminate abuses relating to social norms that make it difficult for women to seek legal redress from police, NGOs reported that it created other barriers for rape victims who could not afford to travel to the courts or access the courts. Rape was a severely underreported crime due to societal taboos that prevented persons from speaking about it.¹²⁹⁰

The Asian Human Rights Commission reports in September 2014 that “It’s a common practice that women are used as pawns by the police to obtain confessional statements from suspected criminals, women face both physical torture and humiliation by supposed guardians and enforcers of the law and order. It is not uncommon for wives and daughters to be stripped naked and paraded in front of their husbands and fathers. They are even raped in front of their husbands and fathers to force confessions from the men”.¹²⁹¹

According to Rakshinda Parveen, a civil society activist, “Rape victims in Pakistan are either silenced with compensation or threatened to leave the community or country, while some even commit suicide”.¹²⁹² The 2013 Asian Human Rights Commission report notes that “Adding to the unremitting horror, the social stigma surrounding rape frequently leads to the victim committing suicide, often aided and abetted by her own family, or in her being forcibly married to her attacker to preserve her family’s “honor.” In fact, rape is so common and under reported that the perpetrators in Pakistan are rarely arrested, let alone tried, convicted, and jailed”.¹²⁹³ The 2013 U.S. Department of State report similarly notes that:

¹²⁸⁸ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 4

¹²⁸⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 1. c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

¹²⁹⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. *Women*

¹²⁹¹ Asian Human Rights Commission, [PAKISTAN: Statement on International Day for the Elimination of Violence against Women](#), 26 November 2014

¹²⁹² Express Tribune, [Seeking justice: Only one rape conviction in the last five years](#), 9 November 2014

¹²⁹³ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, *Women Wronged in Pakistan, Cases of Rape* p.29

According to the Aurat Foundation and others, prosecutions of reported rapes were rare. Police and NGOs reported that false rape charges sometimes were filed in different types of disputes, reducing the ability of police to identify legitimate cases and proceed with prosecution. NGOs reported police were at times implicated in rape cases. NGOs also alleged police sometimes abused or threatened victims, demanding they drop charges, especially when police received bribes from suspected perpetrators. Some police demanded bribes from victims before registering rape charges, and investigations were sometimes superficial. While the use of post-rape medical testing increased during the year, medical personnel in many areas did not have sufficient training or equipment, which further complicated prosecutions. Extrajudicial resolutions to rape accusations were common, with a victim often forced to marry her attacker.

Women's rights activist Farzana Bari stated that those who committed crimes against women generally enjoyed strong connections in society and were more powerful and resourceful than the victims. In many cases, the victim's family came under pressure and opted for an out-of-court settlement.¹²⁹⁴

According to the 2014 Human Rights Commission of Pakistan report, 894 women committed suicide while 357 attempted suicide, mostly over some domestic issue.¹²⁹⁵ In March 2014 Radio Free Europe/Radio Liberty reported that "A woman who said she had been the victim of a gang rape in Pakistan has died after setting herself on fire. [Amima] Bibi, who was believed to be 17 or 18, said she had been assaulted by a gang of men, including a family member, in January [2014]. A court dropped the case on March 13 following the issuance of a police report that said she had not been raped. Bibi's brother said the decision had been too much for Bibi to cope with".¹²⁹⁶ In July 2014 Dawn reported that in Bahawalpur "Failure to get justice from police and receiving threats from the main accused, an alleged gang-rape victim committed suicide".¹²⁹⁷ The same source further reports "Yazman police claimed to have registered a case on June 8, but did not arrest the accused. About four days back, the main accused managed to get pre-arrest bail from a court. The accused again reached the house of the victim girl and hurled threats at her. The victim's father said his daughter locked herself in a room on Sunday night and hanged herself with a ceiling fan".¹²⁹⁸ A further alleged gang rape victim committed suicide in Burewala in August 2014.¹²⁹⁹

Also reporting on the Amima Bibi's suicide as reported above, the Inter Press Service noted that "Amina's case has once again thrown the spotlight on the plight of thousands of rape victims in Pakistan who suffer due to flaws in the criminal justice system, socio-cultural inhibitions, the negative attitudes of investigators, police failure to collect evidence and the humiliation of victims in trial courts. According to the National Police Bureau (NPB) of Pakistan, around 3,000 cases of rape are reported every year – to be precise 3,173 cases were reported in 2012 and 3,164 in 2013. The conviction rate, however, is less than four percent, according to a report released by the NGO War Against Rape (WAR)".¹³⁰⁰ A June 2014 Nation article cites Senator Syeda Sughra Imam as stating that "that according to the data of Interior Ministry provided to the Senate, the conviction ratio in the rape cases in the country was zero per cent in the last five years".¹³⁰¹

¹²⁹⁴ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹²⁹⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, Women, Violence against girl children p.215

¹²⁹⁶ Radio Free Europe/Radio Liberty, [Pakistani Teen In Rape Case Dies After Setting Herself Ablaze](#), 14 March 2014

¹²⁹⁷ Dawn, ['Rape' victim commits suicide](#), 29 July 2014

¹²⁹⁸ Dawn, ['Rape' victim commits suicide](#), 29 July 2014

¹²⁹⁹ Dawn, [Rape victim fails to survive after suicide bid](#), 23 August 2014

¹³⁰⁰ Inter Press Service, [Raped, And Abandoned By Law](#), 3 May 2014

¹³⁰¹ The Nation, [Rape conviction rate zero, Senate body told](#), 27 June 2014

In November 2014 the Express Tribune reported that “Only one of the 90 rape cases registered in the capital during the last five years has led to a conviction”.¹³⁰² State Minister for Interior Baleeghur Rehman noted that “a total of 14,583 rape cases have been registered in Pakistan during the last five years, the most of which were in Punjab — 12,795 — and only 949 cases of them led to convictions. While the number of cases registered increased with time, the conviction rates have fluctuated from 195 in 2009 to 136 in 2013”.¹³⁰³ The Express Tribune further reports:

Providing provincial statistics, the minister mentioned that a total of 1,077 rape cases were registered in Sindh out of which 38 were convicted. Only three cases were convicted last year, the lowest in five years. In Khyber-Pakhtunkhwa, a total of 458 rape cases were registered, 35 of which led to convictions. Last year, out of the 108 cases reported, not a single case led to a conviction. In Balochistan, 92 cases were registered with the accused being punished in just 10 cases. In AJK, 60 cases in the past four years have led to zero convictions. There were 3 guilty verdicts in the province back in 2009. Gilgit-Balistan had the highest conviction rate, with five out of the 11 cases ending with guilty verdicts.¹³⁰⁴

The Express Tribune adds that “SSP Islamabad Operations SSP [Senior Superintendent of Police] Asmatullah Junejo suggested the low conviction rate could be linked to the pay packages given to investigation officers. He explained that while the reporting mechanism was working fine, the amount being paid to investigators for rape cases was relatively low, discouraging cops from taking up those cases. The fee for investigation officers can go as high as Rs25,000 per case, dependent on the nature of the crime. Citing more common examples, Junejo explained that an illegal narcotics investigation would pay an investigation officer Rs11,000, while the payment for a crime as heinous as rape is only Rs7,000”.¹³⁰⁵

Also see [6.4.2.6.State response to violence against women](#).

For information on child rape, see [6.4.4.3. Violence against children](#)

❖ Intimidation and harassment

The 2013 U.S. Department of State report notes with regards to sexual harassment in Pakistan that

In 2010 two comprehensive laws, the Criminal Law Amendment Act 2010 and the Protection Against Harassment of Women at Workplace Act, were enacted to prevent and criminalize sexual harassment in the workplace and in the public sphere. In 2010 Musarrat Hilali was appointed the country’s first federal ombudsman for protection against harassment of women at work. Since 2010 the office had received 139 cases; the office disposed of 130 cases and nine were under process. Under the law all provinces were to establish provincial-level ombudsmen. In July 2012 Sindh became the first province to appoint a provincial ombudsman to redress complaints relating to sexual harassment. On February 22, the Punjab government appointed former Kinnaird College (Lahore) Principal Mira Phailbus as a provincial ombudsman. Neither Balochistan nor KP had an ombudsman. Despite these measures, sexual harassment remained a widespread problem. Press reports indicated harassment was especially high among domestic workers and nurses.¹³⁰⁶

¹³⁰² Express Tribune, [Seeking justice: Only one rape conviction in the last five years](#), 9 November 2014

¹³⁰³ Express Tribune, [Seeking justice: Only one rape conviction in the last five years](#), 9 November 2014

¹³⁰⁴ Express Tribune, [Seeking justice: Only one rape conviction in the last five years](#), 9 November 2014

¹³⁰⁵ Express Tribune, [Seeking justice: Only one rape conviction in the last five years](#), 9 November 2014

¹³⁰⁶ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

Human Rights Watch report notes that “Intimidation and threats against women and girls who venture out in public places or take public roles continued in 2014”.¹³⁰⁷ The UK Foreign and Commonwealth Office reporting on the period September 2014-December 2014 notes that “Internet rights group Bytes for All reported that internet abuse of women in Pakistan triggered violent physical attacks and complained that social media companies were slow to prevent this. In Punjab alone the Federal Investigation Agency said there had been more than 170 complaints of cybercrime so far this year. Activists complained that few cases of online harassment are reported as the police rarely act”.¹³⁰⁸ Freedom House reports in its Freedom on the Net report covering May 2013 - May 2014 that “At least four women were violently killed in rural areas of Pakistan for using digital technology, which their communities condemned as immoral”.¹³⁰⁹

Amnesty International’s annual report covering 2014 states that “Women also risked abuse while seeking to exercise their rights. For example, in September a jirga (traditional decision-making body) of male Uthmanzai tribal chiefs from North Waziristan tribal agency threatened women with violence for seeking access to humanitarian assistance in displaced persons camps in Bannu district of Khyber Pakhtunkhwa province, where the vast majority of people fleeing the conflict in the tribal agency were based”.¹³¹⁰ For further information on the situation of internally displaced women, see [6.5.4. Internally displaced persons \(IDPs\)](#).

According to the 2014 Human Rights Commission of Pakistan report, “Despite the enactment of Protection of Women against Harassment at Workplace Act 2010, women continued to suffer harassment at the hands of their employers. July 2014 witnessed the suicide of a 19-year-old female cricketer. Haleema Rafiq, a resident of Multan and a fast-bowler on the national women’s cricket team, died after she drank toilet-cleaning acid. She, along with five other female cricketers had been pursuing a sexual harassment case against the officials of the Multan Cricket Club since last year. In response to their charges, a club official filed defamation suit against the cricketers, which purportedly pushed Halima to take her own life”.¹³¹¹

6.4.2.2. Honour crimes

The 2013 U.S. Department of State report explains that “The practice of karo-kari or siyah kari – a premeditated honor killing that occurs if a family, community, tribal court, or jirga determines that adultery or some other “crime of honor” occurred – continued across the country. Karo-kari derives from “black male” (karo) and “black female” (kari), metaphoric terms for someone who has dishonored the family or is an adulterer or adulteress. Once a woman is labeled as a kari, male family members assume there is justification to kill her and any coaccused karo to restore family honor. In many cases the karo is not killed but is able to flee”.¹³¹²

The 2014 annual report of the Society for the Protection of the Rights of the Child reports that “Honor killings are triggered by an entrenched patriarchal mindset in Pakistan whereby male and

¹³⁰⁷ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

¹³⁰⁸ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 31 December 2014](#), 21 January 2015

¹³⁰⁹ Freedom House, [Freedom on the Net 2014 – Pakistan](#), 4 December 2014

¹³¹⁰ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Enforced disappearances*

¹³¹¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Women, Violence against girl children p.216*

¹³¹² US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. *Women*

family honor is directly linked with the conduct of women. As a result of this mindset, women in most parts of the country are only conceived in terms of their relationship to men: as mothers, daughters, or sisters and not as individuals. The men in the family determine the future of women and girl children by restricting their mobility and making their life choices themselves; most importantly decisions relating to a girl's marriage are often made by her family; any exercise of autonomy by a girl in this regard often results in a violent reaction by the family. Possible transgressions that often result in the death of the victim include "illicit" sexual relations, infidelity, suspicion of adultery, rape, seeking divorce, or refusing arranged marriage".¹³¹³ Pew Research notes in May 2014 that cases range from "women refusing to enter into an arranged marriage, seeking a divorce or having a pre- or extra-marital affair".¹³¹⁴ It also cites a 2011 study it conducted which found that four-in-ten respondents thought that the practice of honour killings was justified.¹³¹⁵

According to a report submitted by the Ministry of Law, Justice and Human Rights to the National Assembly, of 5,297 cases of registered human rights violations in 2013, 418 were cases of honour killings.¹³¹⁶ Of these, 19 were in Balochistan, 41 in Khyber Pakhtunkhwa, 315 in Sindh, 40 in Punjab and three in Islamabad.¹³¹⁷ In contrast the Human Rights Commission of Pakistan reported "In 2013, 869 women were killed in the name of honour in Pakistan. As many as 359 were killed in cases of Karo Kari".¹³¹⁸ The Asian Legal Resource Centre submitted to the UN Human Rights Council that from January 2013 to the end of April 2014 that "921 women were killed in the name of honour. Around 191 were reported slain for marrying the husband of their own choice and going against their families' wishes".¹³¹⁹ The News cites Aurat Foundation figures as recording that 604 women were killed in the name of 'honour' between January to September 2014.¹³²⁰ The UK Foreign and Commonwealth Office reporting on the period September 2014-December 2014 notes that "During this period, there were reports of so-called 'honour killings' of women, men and couples across the country. In October [2014], the Aurat Foundation reported 421 incidents of violence against girls and women in Sindh between July and September [2014]".¹³²¹ According to the 2014 Human Rights Commission of Pakistan report, its database "recorded that 923 women and 82 minor girls fell victim to 'honour' killings in 2014".¹³²² The Aurat Foundation provides a province-wise breakdown of the main forms of violence against women, including the 15 districts with most violence against women. At the time of publication, the most recently available report is for 2013.¹³²³

¹³¹³ Society for the Protection of the Rights of the Child, [*The State of Pakistan's Children*](#), 2014, *Violence against children chapter*

¹³¹⁴ Pew Research, [*Four-in-Ten Pakistanis say honor killing of women can be at least sometimes justified*](#), 30 May 2014

¹³¹⁵ Pew Research, [*Four-in-Ten Pakistanis say honor killing of women can be at least sometimes justified*](#), 30 May 2014

¹³¹⁶ Dawn, [*5,297 cases of HR violations registered in 2013*](#), 13 October 2014

¹³¹⁷ Dawn, [*5,297 cases of HR violations registered in 2013*](#), 13 October 2014

¹³¹⁸ Human Rights Commission of Pakistan, [*State of Human Rights in 2013*](#), March 2014, *Women, 'Honour' crimes*, p.180

¹³¹⁹ Asian Legal Resource Centre, [*Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status*](#), 4 June 2014, paragraph 2

¹³²⁰ The News, [*More than 1,500 women kidnapped in first nine months of 2014 in Pakistan*](#), 11 December 2014

¹³²¹ UK Foreign and Commonwealth Office, [*Pakistan - Country of Concern: latest update, 31 December 2014*](#), 21 January 2015

¹³²² Human Rights Commission of Pakistan, [*State of Human Rights in 2014*](#), March 2015, *Women, Honour crimes and acid attacks* p.217

¹³²³ Aurat Foundation, [*Annual report 2013: Situation of Violence Against Women*](#), 2013, 2.3 Offense wise/ Province wise breakdown of major offenses reported in Pakistan p.7

The UN High Commissioner for Human Rights Navi Pillay reported in May 2014 that “According to the Human Rights Commission of Pakistan, 869 women were murdered in so-called ‘honour killings’ [in 2013] [...] but the real figure could be much higher, with many such killings believed to be disguised as accidents, or not reported at all”.¹³²⁴ Furthermore she notes that “People who carry out ‘honour crimes’ are rarely prosecuted, and even when they are, they often receive absurdly light sentences, considering they have committed pre-meditated murder. [...] This is unacceptable, and it is clearly both the State’s and the judiciary’s responsibility to work seriously to deter such crimes, and ensure that people who commit them are brought to justice”.¹³²⁵ The Asian Human Rights Commission similarly reports with regards to honour killings that “it is rare for authorities to act against the perpetrators”.¹³²⁶ Agence France Presse explains that “Pakistani law allows the relatives of a victim to ‘forgive’ the killer in return for blood money -- meaning that if the relatives themselves have arranged the killing, prosecution can be avoided”.¹³²⁷ Amnesty International similarly notes on the issue of honour killings in Pakistan that “Seeking justice is extremely problematic in Pakistan, as a wide legal loophole currently exists that allows perpetrators of ‘honour’ killings to escape any punishment. Under Pakistani law in cases of murder, the victim’s family is allowed to pardon the perpetrators; the culprits are then free from prosecution and sentencing”.¹³²⁸

The Society for the Protection of the Rights of the Child reports that as between January 2000 to December 2013 1,107 cases of honor killings of children were reported from different parts of the country according to the Madadgar National Helpline.¹³²⁹ It cites the following examples:

- In September 2014, a 17 year old girl was gunned down by a young man when she refused to marry him. The incident took place in Tarnol area of ICT. The police registered a case against the accused and initiated murder investigations.
- In June 2014, a teenage girl was doused in petrol and set on fire after she refused a marriage proposal. The incident took place in District Toba Tek Singh, Punjab. The 18 year old girl was at home when her proposed suitor entered the house and set her on fire. The girl was taken to a hospital but succumbed to her injuries.
- In the same month, a couple was publically beheaded for contracting a court marriage after eloping. The couple was murdered by the girl’s family after they returned to their hometown. The couple was first subjected to severe torture after which their heads were chopped off in full public view.¹³³⁰

The Human Rights Watch annual report covering events in 2014 notes that “Pakistani human rights nongovernmental organizations (NGOs) estimate that there are about 1,000 “honor killings” every year. In a notorious case, 25-year-old Farzana Parveen, who was three-months pregnant, was stoned to death in May [2014] in front of a Lahore courthouse by family members angry that she had married without their permission. Perpetrators of these killings often enjoy impunity because law enforcement officials routinely drop the case if the victim’s family has offered ‘forgiveness’”.¹³³¹ In

¹³²⁴ OHCHR - UN Office of the High Commissioner for Human Rights, [Navi Pillay Urges Government Action After “Honour” Killing Of Pregnant Woman In Pakistan](#), 28 May 2014

¹³²⁵ OHCHR - UN Office of the High Commissioner for Human Rights, [Navi Pillay Urges Government Action After “Honour” Killing Of Pregnant Woman In Pakistan](#), 28 May 2014

¹³²⁶ Asian Human Rights Commission, [PAKISTAN: Statement on International Day for the Elimination of Violence against Women](#), 26 November 2014

¹³²⁷ Agence France Presse, [Murder for 'honour': the bloody tide sweeping Pakistan](#), 17 November 2014

¹³²⁸ Amnesty International, [No Honour in Gender Violence](#), 2 July 2014

¹³²⁹ Society for the Protection of the Rights of the Child, [The State of Pakistan’s Children](#), 2014, *Violence against children chapter*

¹³³⁰ Society for the Protection of the Rights of the Child, [The State of Pakistan’s Children](#), 2014, *Violence against children chapter*

¹³³¹ Human Rights Watch, [World Report 2015 - Pakistan](#), 29 January 2015

response to the incident UN Women Executive Director Phumzile Mlambo-Ngcuka condemned the killing and stated that “The location of her murder, directly outside a courthouse, makes the sense of impunity and injustice all the more stark”.¹³³² She further noted that “This murder, like the thousands of “honour killings” that occur globally each year, is a symptom of gender inequality and discrimination”.¹³³³

The BBC reports that women have also been murdered in “honour killings” for adultery and that many of those accused of adultery end up in Karachi's central prison for women.¹³³⁴ It documents the following case:

Sadia is 24. She arrived at the prison four months ago after her husband of nine years accused her of sleeping with another man. She is still awaiting trial.

"My husband divorced me, beat me and then kicked me out of home," she explains. "Then he went to the police and told them that I'd run away with another man. In reality he and his family beat me and kicked me out."

Sadia tells me she does not have access to a lawyer and is not sure when she will be able to leave. At the time of my visit, there are 80 women in the prison - many have no idea why they are there and end up languishing in jail for years without trial.

Some of the more lucky women end up at a handful of shelters across the country.¹³³⁵

The BBC cites human rights lawyer Hina Jilani, who has tried several honour crimes cases as noting that “Honour crimes are filed in the lower courts and anti-terror courts, as murders or attempted murders. [...] Unfortunately, the law in the country is very flawed and weighed in favour of impunity for honour-killings. In most cases, it will end in a compromise. First, the family will conspire to kill the woman and then conspire to forgive the person who pulled the trigger”.¹³³⁶ The BBC reported that in January 2014, a court in the remote northern Pakistan region of Kohistan sentenced a man to death for the murder of three brothers in a so-called honour killing for the first time.¹³³⁷ Also see [6.4.2.6. State response to violence against women](#).

In June 2014 the Asian Human Rights Commission reported that it “received information that the life of a lady lawyer and human rights defender is under threat for pursuing the murder case of two women who were killed in the name of honour”.¹³³⁸ It further notes:

The murderers quickly tried to bury the bodies claiming that they both committed suicide after the exposure of their illicit relations. The local politicians from the ruling party used high police officials to stop the court order of the exhumation of the bodies. The lawyer was threatened to keep away from the case.

The killers have made several attacks on the lawyer's chambers and threatened that if she pursues the case she and her children will not be spared. The killers told her that killing one more woman would not increase the sentence for killing two already. The police and courts have ignored the threats to the lawyer.

¹³³² UN Women - [UN Entity for Gender Equality and the Empowerment of Women \(replaces UNIFEM, DAW, INSTRAW, OSAGI\): Statement by UN Women Executive Director Phumzile Mlambo-Ngcuka on the “Honour Killing” of Farzana Parveen in Lahore, Pakistan](#), 29 May 2014

¹³³³ UN Women - [UN Entity for Gender Equality and the Empowerment of Women \(replaces UNIFEM, DAW, INSTRAW, OSAGI\): Statement by UN Women Executive Director Phumzile Mlambo-Ngcuka on the “Honour Killing” of Farzana Parveen in Lahore, Pakistan](#), 29 May 2014

¹³³⁴ BBC, [How Pakistan's women are punished for love](#), 12 December 2014

¹³³⁵ BBC, [How Pakistan's women are punished for love](#), 12 December 2014

¹³³⁶ BBC, [Love, honour and the Pakistani girl who lived](#), 16 July 2014

¹³³⁷ BBC, [Six guilty of Pakistan Kohistan 'honour killings'](#), 30 January 2014

¹³³⁸ Asian Human Rights Commission, [Lawyer and rights activist threatened for pursuing the honor killing of two women](#), 9 June 2014

This case is an example of the particular mindset of the judiciary, police and politicians with regard to the killing of women in the name of honour.¹³³⁹

For further information on this issue, see [6.3.3.1. Civil society and human rights defenders](#).

6.4.2.3. Acid attacks

A September 2014 World Bank report on violence against women in South Asia identifies the following reasons for acid attacks “family or land disputes, dowry demands, rejection of a man’s advances, daring to snub a boy, turning down an offer of marriage, and even going to school. Most acid attacks are carried out by someone known to the victims, including family members. In some cases, men have thrown acid in women’s faces to assert their masculinity and superiority within a strongly patriarchal society. Combating acid violence is rendered more difficult by a cultural setting in which legislation against such action is weak, contradictory, or often lacking; conviction rates of perpetrators are low; and the sale of acid is often unregulated”.¹³⁴⁰

According to a report submitted by the Ministry of Law, Justice and Human Rights to the National Assembly, of 5,297 cases of registered human rights violations in 2013, 26 acid attack cases were registered, including nine in Khyber Pakhtunkhwa, four in Sindh and 13 in Punjab.¹³⁴¹ It further notes that 22 burn cases were reported — 13 in Sindh and nine in Punjab.¹³⁴² In comparison, the Asian Legal Resource Centre submitted to the UN Human Rights Council that from January 2013 to the end of April 2014 there were 105 acid attacks targeting women.¹³⁴³ The Society for the Protection of the Rights of the Child reports that according to data provided by the Acid Survivors Foundation (ASF), “over a five year period, the number of acid attacks reported from different parts of the country have increased”.¹³⁴⁴ It provides the following yearly disaggregation of acid attacks in Pakistan between 2009 and 2014:

2009	43
2010	55
2011	150
2012	110
2013	143
2014	115 (till October 2014)
Total	616 ¹³⁴⁵

The UK Foreign and Commonwealth Office cited the Aurat Foundation as documenting 42 acid attacks in the Punjab alone between January and September (compared to 35 for all 2013), involving

¹³³⁹ Asian Human Rights Commission, [Lawyer and rights activist threatened for pursuing the honor killing of two women](#), 9 June 2014

¹³⁴⁰ World Bank, [Violence against Women and Girls: Lessons from South Asia](#), 16 September 2014, BOX 2.5 Acid Attacks on Women and Girls in South Asia p.56

¹³⁴¹ Dawn, [5,297 cases of HR violations registered in 2013](#), 13 October 2014

¹³⁴² Dawn, [5,297 cases of HR violations registered in 2013](#), 13 October 2014

¹³⁴³ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 2

¹³⁴⁴ Society for the Protection of the Rights of the Child, [The State of Pakistan’s Children](#), 2014, Violence against children chapter

¹³⁴⁵ Society for the Protection of the Rights of the Child, [The State of Pakistan’s Children](#), 2014, Violence against children chapter

51 women and eight men as victims.¹³⁴⁶ According to the 2014 Human Rights Commission (HRC) of Pakistan report “Acid attacks have been rising in Pakistan despite the criminalization of this offence in 2010. According to HRC’s database seven women died in acid attacks on 92 women and 13 minors in 2014. Sixty women expired in other incidents like cylinder blast, stove burning and setting on fire”.¹³⁴⁷ The Aurat Foundation provides a province-wise breakdown of the main forms of violence against women, including the 15 districts with most violence against women. At the time of publication, the most recently available report is for 2013.¹³⁴⁸

The Inter Press Service reported in August 2013 that “Despite stiffer sentences for offenders, ranging from 14 years to life imprisonment and a fine of one million rupees (10,000 dollars), since the Acid Crime Prevention Act was modified in 2011, campaigners say the number of women doused in acid has increased”.¹³⁴⁹ Dabir-ur-Rehman, heading the Friends of Burns Centre, a patients’ welfare branch of the Burns Centre, told the Inter Press Service that he had “not seen a single person convicted or any [woman] getting justice”.¹³⁵⁰ It further notes that “Valerie Khan of ASF, however, has seen the conviction rate tripling since 2012 after the amendments in the law. ‘But let’s face it,’ she added. ‘From a six percent conviction rate for acid attacks we have reached 18 percent, which is an improvement. But it still means that more than 80 percent of the culprits are still escaping justice’. What needs to be done, said Khan, is strengthening the law enforcement mechanism”.¹³⁵¹

The News reports in April 2014 that “Not a single conviction has taken place since the passage of the Acid Crime and Prevention Act in 2012 in Sindh”.¹³⁵² According to Zohra Yusuf, chair of the independent Human Rights Commission of Pakistan, one reason for the low conviction rate is that “investigation in most criminal cases, also in the cases of acid attacks, is extremely poor, so offenders are often acquitted”.¹³⁵³ The Inter Press Service further notes that:

Fakhra Younus, a survivor who made international news 13 years ago, never got justice, because her perpetrator, Bilal Khar, belonged to a powerful political family. Younus underwent more than three dozen surgeries before killing herself last year; Khar continues to enjoy virtual impunity. “A lot of pressure is brought upon families to retract their complaints,” said Yusuf, adding that “In the case of Fakhra, the entire family backtracked and said they could not identify him in court.” “Victims often fear reprisals from perpetrators,” Khan concurred. “In addition, they also find it difficult to access justice”.¹³⁵⁴

In July 2014 Valerie Khan of ASF was cited as stating that “there are strong indications that the implementation of the 2011 law on acid attacks is gradually improving. [...] In 2012, only one per cent of the FIRs [First Instance Reports] were registered under this law. In 2013, that percentage rose to 71”.¹³⁵⁵ Furthermore she notes that “In 2013, the level of prosecution for cases of acid attacks was 35 per cent, whereas to date in 2014, it stands at 55 per cent. [...] We also need to look

¹³⁴⁶ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 31 December 2014](#), 21 January 2015

¹³⁴⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Women, Honour crimes and acid attacks* p.218

¹³⁴⁸ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 2.3 Offense wise/ Province wise breakdown of major offenses reported in Pakistan p.7

¹³⁴⁹ Inter Press Service, [Despite Stiffer Penalties, Acid Attacks Continue](#), 1 August 2013

¹³⁵⁰ Inter Press Service, [Despite Stiffer Penalties, Acid Attacks Continue](#), 1 August 2013

¹³⁵¹ Inter Press Service, [Despite Stiffer Penalties, Acid Attacks Continue](#), 1 August 2013

¹³⁵² The News, [Justice remains elusive for women scarred for life](#), 5 April 2014

¹³⁵³ Inter Press Service, [Despite Stiffer Penalties, Acid Attacks Continue](#), 1 August 2013

¹³⁵⁴ Inter Press Service, [Despite Stiffer Penalties, Acid Attacks Continue](#), 1 August 2013

¹³⁵⁵ Dawn, [Acid violence: Laws must meet action](#), 31 July 2014

at the trend in terms of conviction — the average conviction was about six years imprisonment in 2007 whereas now it is between 14 to 20 years. Very often they get 25 years of imprisonment”.¹³⁵⁶

Also see [6.4.2.6. State response to violence against women](#).

In July 2014 Agence France Press reports that “A recent spate of acid attacks in a region of Pakistan previously untouched by the crime has sparked an impassioned debate about rising Islamisation that is forcing an increasing number of women to stay at home. [...] Two fresh attacks on consecutive days in the restive southwestern Baluchistan province last week, where until a few years ago such assaults were unheard of, suggests a new pattern is emerging”.¹³⁵⁷ The same source further notes that “In most acid attack cases around Pakistan, the majority of victims know their attackers. When caught, relatives found guilty speak of punishing their victims for having sullied their "honour" or that of their family with "indecent" behaviour. But, in these latest cases, the victims had no known connection to their assailants -- which has led campaigners to suggest the attacks are part of rising religious extremism in the province”.¹³⁵⁸ Jahanzaib Jamaldini, vice president of the Baluch National Party, “The aim of these inhuman acts is to prevent women from participating in education, as well as social, political and economic aspects of life by creating a climate of terror”.¹³⁵⁹

The 2014 report from the Human Rights Commission of Pakistan notes that “In July, acid attacks targeting women in Balochistan, where such attacks had been largely unheard off, fuelled suspicions that these were part of rising religious extremism in the province, aimed at scaring women into staying at home. On July 22, two men on a motorcycle sprayed acid using syringes on two teenaged girls returning from a market in Mastung district of Balochistan. A day earlier, men on two motorcycles had targeted four women aged between 18 and 50, in the same manner in Quetta, as they shopped for the upcoming Eid celebrations in the market area of Sariab. Shopkeepers in both Quetta and Mastung reported a drop in women customers following the attacks. Hundreds of cases of acid attack, whose victims are overwhelmingly women, are reported in Pakistan every year”.¹³⁶⁰

6.4.2.4. Domestic violence

The 2013 U.S. Department of State report notes that “No specific law prohibits domestic violence, which was a widespread and serious problem. Husbands reportedly beat and occasionally killed their wives. Other forms of domestic violence included torture, physical disfigurement, and shaving the eyebrows and hair off women’s heads. In-laws abused and harassed the wives of their sons. Dowry and family-related disputes often resulted in death or disfigurement by burning or acid”.¹³⁶¹

The UK Department for International Development reports that “Nine out of 10 women have experienced domestic violence, but only 4% of complaints received by the police are from women”.¹³⁶² A study published in December 2014 in the Journal of Adolescent Health “revealed that child marriage in Pakistan is linked to increased spousal violence and extreme controlling behaviour

¹³⁵⁶ Dawn, [Acid violence: Laws must meet action](#), 31 July 2014

¹³⁵⁷ Agence France Presse, [Pakistan acid attacks on women cast pall of fear](#), 31 July 2014

¹³⁵⁸ Agence France Presse, [Pakistan acid attacks on women cast pall of fear](#), 31 July 2014

¹³⁵⁹ Agence France Presse, [Pakistan acid attacks on women cast pall of fear](#), 31 July 2014

¹³⁶⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of movement, Curbs on women’s movement* p.118

¹³⁶¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹³⁶² UK Department for International Development, [Leading the way: first female prosecutor in Khyber Pakhtunkhwa fights for women’s rights](#), 28 November 2014

among husbands”.¹³⁶³ The Express Tribune summarises the results thus “The study analysed national data from the Pakistan Demographic and Health Survey of 2012-2013 of married women between the ages of 15 and 24. Of this group, nearly half (47.8%) were married prior to the age of 18. Approximately one-third of these women had endured spousal violence and controlling behaviour from their husbands”.¹³⁶⁴

According to a report submitted by the Ministry of Law, Justice and Human Rights to the National Assembly, of 5,297 cases of registered human rights violations in 2013, 286 cases of domestic violence were reported, including 239 in Khyber Pakhtunkhwa, 45 in Sindh and two in Islamabad.¹³⁶⁵ In comparison, the Asian Legal Resource Centre submitted to the UN Human Rights Council that from January 2013 to the end of April 2014 that there were 700 cases of domestic violence.¹³⁶⁶ According to the 2013 Human Rights Commission of Pakistan report “As many as 389 incidents of domestic violence were reported in the media; husbands were the most common perpetrators. More than 800 women committed suicide in 2013, mostly owing to domestic issues”.¹³⁶⁷ The Aurat Foundation provides a province-wise breakdown of the main forms of violence against women, including the 15 districts with most violence against women. At the time of publication, the most recently available report is for 2013.¹³⁶⁸

The June 2014 Asian Legal Resource Centre report adds that:

In fact, given the prevalence of gender biased attitudes among police officials, a large number of women who want to lodge complaint are turned away from police stations and in many cases they are tortured, abused and raped. Women victims of domestic violence encounter even higher levels of unresponsiveness and hostility by police, as well as by other actors at all levels of the criminal justice system. Since issues pertaining to the family sphere continue to be largely perceived as “private matters”, Pakistan is still lacking in the legislation of a specific law against domestic violence (which mainly includes verbal offence, isolation and reclusion within the domestic walls, restriction of several rights such as financial independence and freedom of thought, forced sexual intercourse and marital rape, battering and other forms of physical beating). Police officers pressure for ‘reconciliation’ among concerned parties rather than filing a report and arresting the perpetrator (often these are abusive husbands but can also include in-laws, siblings and other akin relatives).¹³⁶⁹

The U.S. Department of State similarly reports that “Women who tried to report abuse faced serious challenges. Police and judges were sometimes reluctant to take action in domestic violence cases, viewing them as family problems. Instead of filing charges, police typically responded by encouraging the parties to reconcile. Authorities usually returned abused women to their abusive family members. Women were reluctant to pursue charges because of the stigma attached to divorce and their economic and psychological dependence on relatives. Relatives were hesitant to

¹³⁶³ Express Tribune, [Pressing concern: Study proves child marriage linked to domestic violence](#), 8 January 2015

¹³⁶⁴ Express Tribune, [Pressing concern: Study proves child marriage linked to domestic violence](#), 8 January 2015

¹³⁶⁵ Dawn, [5,297 cases of HR violations registered in 2013](#), 13 October 2014

¹³⁶⁶ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 3

¹³⁶⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, Women, Violence against women p.177

¹³⁶⁸ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 2.3 Offense wise/ Province wise breakdown of major offenses reported in Pakistan p.7

¹³⁶⁹ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 6

report abuse due to fear of dishonoring the family”.¹³⁷⁰ Also see [6.4.2.6. State response to violence against women](#).

The Nation reports that according to a report from the ministry of interior the conviction rate for domestic violence cases in Islamabad Capital Territory (ICT) “remained less than one percent in such cases as only one person was convicted in the reported cases of rape and two persons were convicted in the domestic violence cases from 2008 to 2014”.¹³⁷¹ In February 2015 the Express Tribune similarly reports that “With only two convictions in the last seven years in cases pertaining to violence against women, it is no surprise that victims opt for a compromise with their alleged aggressors rather than seeing them behind bars”.¹³⁷² It further reports that “during 2008 and 2014, a total of 326 cases of domestic violence against women were registered in Islamabad out of which charge sheets were presented in 302 cases. Of them, 11 were cancelled, four remained untraced and nine cases (of 2014) are still under investigation”.¹³⁷³ It also notes that “statistics obtained from the Interior Ministry revealed that the conviction rate remained at 0.6 per cent, 10 per cent ended in acquittal, 3.3 per cent were cancelled while almost 67 per cent cases were pending since 2008. Around 15 per cent of the parties also reached a compromise”.¹³⁷⁴ According to Khawar Mumtaz, chairperson of the National Commission on the Status of Women, “At the initial stage, the general attitude towards such cases is that they should not be brought to the police station while in many registered cases, compromise is considered to be the only option”.¹³⁷⁵ Barrister Afzal Hussain reported that “four other factors contribute to it: lawyers’ frequent requests for adjournment, inattention of police, huge backlog of cases and shortage of judges”.¹³⁷⁶

6.4.2.5. Forced marriage

The 2013 U.S. Department of State report explains that:

The practice of buying and selling brides also continued in rural areas, although prohibited by law. Many tribes, communities, or families practiced sequestering women from all contact with men other than their relatives. Despite prohibitions on handing over women as compensation for crimes or as a resolution of a dispute (also known as “vani” or “swara”), the practice continued in Punjab and KP. In rural Sindh landowning families continued the practice of “marriage to the Koran,” forcing a female family member to stay unmarried to avoid division of property. Property of women married to the Koran remained under the legal control of their fathers or eldest brothers, and such women were prohibited from contact with any man older than age 14. These women were expected to stay in the home and not contact anyone outside their families.¹³⁷⁷

¹³⁷⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹³⁷¹ The Nation, [Conviction rate stands at less than 1pc](#), 1 February 2015

¹³⁷² Express Tribune, [Domestic violence: With dismal conviction rate, victims prefer to compromise](#), 1 February 2015

¹³⁷³ Express Tribune, [Domestic violence: With dismal conviction rate, victims prefer to compromise](#), 1 February 2015

¹³⁷⁴ Express Tribune, [Domestic violence: With dismal conviction rate, victims prefer to compromise](#), 1 February 2015

¹³⁷⁵ Express Tribune, [Domestic violence: With dismal conviction rate, victims prefer to compromise](#), 1 February 2015

¹³⁷⁶ Express Tribune, [Domestic violence: With dismal conviction rate, victims prefer to compromise](#), 1 February 2015

¹³⁷⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

The Asian Human Rights Commission reports with regards to the reasons for child marriages that:

The multiple reasons of child marriages are deeply rooted in poverty, gender discrimination, conflicting laws, religious norms and in centuries-old patriarchal traditions, with devastating effects on girls' life. These ugly tradition include *sawara*, *wani*, *sang chati*, *paitlikhi*, *wattasatta*, *vulvaljai* or *khasaniyesoogo* unchecked in many parts of Pakistan, particularly in the rural Sindh, Balochistan, Punjab, and the country's northwestern tribal areas. These black traditions hard hit the women through whom young girls are exchanged to settle family/tribal/clan disputes and feuds.

As a result every year thousands of girls-prenees and teens- become the wives of older men. Young girls are married when they are still children and as a result are denied fundamental human rights. Early marriage compromises their development and often results in early pregnancy and social isolation, with little education reinforcing the gendered nature of poverty. Required to perform heavy amounts of domestic work, under pressure to demonstrate fertility, married girls and child mothers face constrained decision-making and reduced life choices. Both boys and girls are affected by child marriage but the issue impacts girls in far larger numbers, with more intensity—and is wide ranging.¹³⁷⁸

The Asian Legal Resource Centre submitted to the UN Human Rights Council in August 2014 that “The Prevention of Anti-Women Practices Bill”¹³⁷⁹, that prohibits forced marriages, was passed in 2011, however no information is available in relation to its enforcement and there is still much work to be done in this regard”.¹³⁸⁰ The bill criminalised “badal-e-sulh, wanni, or swara or any other custom or practice under any name, in consideration of settling a civil dispute or a criminal liability” with imprisonment from 3 to 7 years and a fine of five hundred thousand rupees.¹³⁸¹ It prohibited depriving woman from inheriting property with imprisonment from 5 to 7 years or a fine of one million rupees or both and prohibited marriage with the Holy Quran with imprisonment from 3 to 7 years and a fine of five hundred thousand rupees.¹³⁸² It also prohibited forced marriage “Whoever coerces or in any manner whatsoever compels a woman to enter into marriage shall be punished with imprisonment of either description for a term, which may extend to ten years or for a term which shall not be less than three years and shall also be liable to fine of five hundred thousand rupees”.¹³⁸³

According to the 2013 Human Rights Commission of Pakistan report “Extreme poverty and a belief that timely marriage protected girls’ morals and relieved her parents of the responsibility to protect her were some of the main reasons for child marriages in Pakistan”.¹³⁸⁴ It further notes that “The practice of swara, marrying off young girls as compensation to settle disputes between tribes, was reported several times in 2013, especially in the Swat region of Khyber Pakhtukhawa province despite it being declared unlawful”.¹³⁸⁵ The Asian Legal Resource Centre similarly submitted to the UN Human Rights Council in August 2014 that “Forced and early marriages of girls are a socially acceptable practice in many parts of Pakistan. Girls under the age of 18 are often forced into marriages to settle debts and disputes, under the guise of primitive social and cultural norms and

¹³⁷⁸ Asian Human Rights Commission, [No more child brides! Bravo Sindh Assembly](#), 12 May 2014

¹³⁷⁹ For the full text of the bill, see [The Prevention of Anti Women Practices Act 2011](#)

¹³⁸⁰ Asian Legal Resource Centre, [PAKISTAN: End slavery and bonded labour, Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 27 August 2014, paragraph 8

¹³⁸¹ [The Prevention of Anti Women Practices Act 2011](#)

¹³⁸² [The Prevention of Anti Women Practices Act 2011](#)

¹³⁸³ [The Prevention of Anti Women Practices Act 2011](#)

¹³⁸⁴ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Women, Forced and underage marriages*, p.181

¹³⁸⁵ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Children, Child marriages*, p.196

customs”.¹³⁸⁶ The Inter Press Service notes that “Some are even ‘promised’ to a rival before they are born, making them destined to a life of servitude for their husband’s family”.¹³⁸⁷ According to the 2013 U.S. Department of Labor report on Child Labor for Pakistan “Girls who are sold into forced marriages are sometimes trafficked internationally into commercial sexual Exploitation”.¹³⁸⁸ The 2014 Human Rights Commission of Pakistan report notes that “18,700 people, mostly women, were kidnapped for a number of reasons. Sindh police said it registered 1,261 cases of kidnapping of women for forced marriages in 2014”.¹³⁸⁹ Also see [6.6. Trafficking of persons \(internal and external\)](#).

The 2014 report of the Society for the Protection of the Rights of the Child reports that “In Pakistan, child marriages are directly related to a patriarchal mindset which promotes a culture wherein the family’s honor (specifically male honor) is directly related to female “chastity”. Women’s sexuality and mobility is strictly controlled and fear of male companionship before marriage compels many families to marry off their daughters at a young age to preserve family “honor”. Apart from [...] health complications, child marriages also result in low educational achievements and serious economic implications for women. In the latter case, girls are often prohibited from working by their conservative families; in addition, because of the lack or absence of education, child brides are barred from gaining meaningful employment”.¹³⁹⁰

According to Sahil, a Pakistani NGO working on child protection issues reporting in December 2014, “40% of girls are married below the age of 18 and 13% before reaching 15 years where as 7% boys are married before the age of 18 years”.¹³⁹¹ According to UNICEF’s 2014 report, 7% of girls in Pakistan were married before the age of 15 years while 24% were married before they were 18.¹³⁹² The UK Foreign and Commonwealth Office reports that In Pakistan nearly half of all marriages involve girls younger than 18, and 70% of girls are married before the age of 16.¹³⁹³ Reporting specifically on the practice of forced marriage the 2013 Asian Human Rights Commission report notes that “Child marriage is only part of the problem; forced marriage of women in general (especially those of religious minorities [...]) are also a prevailing problem. Free and Fair Election (FAFEN), in a recent report, has cited a high increase in forced marriages, with 324 cases being registered in February 2013 and 403 in May 2013. This represents an increase of 24%, with Faisalabad leading with 43 cases”.¹³⁹⁴

An October 2014 Aurat Foundation study on ‘Forced Marriages and Inheritance Deprivation’ notes that “For children about to be married against their will by their parents, a strange paradox arises where the guardian may be the only individual authorized to lodge a police report on behalf of the

¹³⁸⁶ Asian Legal Resource Centre, [PAKISTAN: End slavery and bonded labour, Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 27 August 2014

¹³⁸⁷ Inter Press Service, [Pakistani Rights Advocates Fight Losing Battle to End Child Marriages](#), 16 July 2014

¹³⁸⁸ United States Department of Labor, [2013 Findings on the Worst Forms of Child Labor - Pakistan](#), 7 October 2014

¹³⁸⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, Women p.51

¹³⁹⁰ Society for the Protection of the Rights of the Child, [The State of Pakistan’s Children](#), 2014, Violence against children chapter

¹³⁹¹ Sahil, [UN Convention on the Rights of the Child... 25 years later](#), October –December 2014, *Situational Analysis of Child Rights Situation in Pakistan*

¹³⁹² UNICEF, [The State of the World’s Children 2014 In Numbers: Every Child Counts Revealing disparities, advancing children’s rights](#), 2014, Table 9. Child Protection p. 81

¹³⁹³ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 30 September 2014](#), 16 October 2014

¹³⁹⁴ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, Women Wronged in Pakistan, Forced Marriage p.28

child, if s/he is a minor".¹³⁹⁵ The Inter Press Service reports that according to Intazar Medhi, a lawyer based in Lahore, "the Child Marriage Restraint Act of 1929 – which prohibits girls under the age of 16 and boys under the age of 18 from being legally wed – is one of the least invoked laws in the country".¹³⁹⁶ The same source reports that the Act doesn't act as a deterrent to the "deeply embedded cultural practice" given that violators are only fined a maximum of 1,000 rupees (about 10 dollars) and that "the law doesn't extend to the many thousands of 'unofficial' marriage ceremonies that take place around the country every day".¹³⁹⁷ The 2013 U.S. Department of State report similarly notes the law which "prescribes punishment and fines, ranging from imprisonment up to a month, a fine of 1,000 rupees (\$10), or both. The penalties were too low to have any deterrent effect".¹³⁹⁸ Agence France Presses notes in a February 2014 article that "Forced marriage under swara is against the law, but police say that even when a complaint is brought there is great reluctance among witnesses to give statements".¹³⁹⁹

In April 2014, Sindh became Pakistan's first elected assembly to have passed a bill prohibiting marriages under 18 years, punishable a maximum of "three years rigorous punishment but not less than two years".¹⁴⁰⁰ However the News reported in July 2014 that despite the Sindh Child Marriages Restraint Act 2013 by the provincial assembly, "child marriages are still on the rise, leading to a higher rate of maternal mortalities in the region".¹⁴⁰¹

Although the specific treatment of religious minorities is beyond the scope of this report, the practice of forced marriage and conversion of minority women should be noted. The 2012 UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan consider that "Amongst the most marginalized sections of society, Christian women and girls are particularly at risk of sexual and gender based violence, forced conversion to Islam and forced marriage by Muslim men, as well as discrimination and violence, including honour killings, at the hands of their own communities. Law enforcement authorities are reportedly unable or unwilling to protect victims of forced marriage and other forms of sexual and gender based violence. [...] Pervasive throughout the country, sexual and gender -based violence also affects Hindu women. Hindu women and girls are reportedly subject to abductions for the purposes of forced conversion at the hands of Muslim men, particularly in Sindh province. Such abductions are often accompanied by sexual violence and may result in the forced marriage of the victim to her abductor. [...] Other forms of gender-based violence affecting Hindu women include honour killings (Karo Kari)".¹⁴⁰²

6.4.2.6. State response to violence against women

Also see [4.2.2. Effectiveness of the police, particularly investigation and prosecution of terrorism cases.](#)

¹³⁹⁵ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, Chapter 4. Police Response to GVB, D. iii. Ensuring protection for children born of forced marriage or about to be forced into marriage p.55

¹³⁹⁶ Inter Press Service, [Pakistani Rights Advocates Fight Losing Battle to End Child Marriages](#), 16 July 2014

¹³⁹⁷ Inter Press Service, [Pakistani Rights Advocates Fight Losing Battle to End Child Marriages](#), 16 July 2014

¹³⁹⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Children

¹³⁹⁹ Agence France-Presse, [Pakistan's child brides married off for 'honour'](#), 21 February 2014

¹⁴⁰⁰ Asian Human Rights Commission, [No more child brides! Bravo Sindh Assembly](#), 12 May 2014

¹⁴⁰¹ The News, [Despite a law in place, child marriages still on the rise](#), 27 July 2014

¹⁴⁰² UNHCR, [Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan](#), 14 May 2012, IV. A. Potential Risk Profiles, 2. Christians p.28-29 and 3. Hindus p. 32

The Asian Legal Resource Centre submitted to the UN Human Rights Council in June 2014 that perpetrators of violence against women are able to escape punishment due to “serious systemic flaws such as the absence of the rule of law, the lacunas in the implementation of the existing legislation, the widespread corruption, the insufficient political will and profound institutional incompetence, whereby the lack of a fair and equitable treatment before the law for everybody, combined with the structural bias against women make the criminal justice system acutely gender biased and discriminatory”.¹⁴⁰³

❖ Police attitudes to violence against women

According to the 2013 Human Rights Commission of Pakistan report “Police stations were a place avoided by most women, regardless of need. The police at places was involved in causing hurt and psychological trauma to women who visited police stations to register complaints”.¹⁴⁰⁴ The Aurat Foundation in its annual report for 2013 notes that

Women’s access to justice in sexual violence cases is typified by underreporting as they often cannot disclose what has happened to them without inviting public scrutiny and shame onto themselves and their families. If they do find the courage, they are often disbelieved or reprimanded for being part, if not entirely responsible. The first point of access, the Police (though it should not be, given the importance of medical intervention at the initial stage), is usually apathetic and often turns the offense around by blaming the woman for inviting trouble onto herself.¹⁴⁰⁵

Reporting on discriminatory attitudes against women by police, the Asian Legal Resource Centre notes that:

Those women who, according to the most traditional and conservative precepts, ‘dare’ to report violence and other crimes committed against them, not only encounter a series of bureaucratic difficulties in the process of their legal wrangling, but even face humiliation at the hands of police, medico-legal staff and the courts at different levels. Recently, there have been reports concerning incidents where women complainants decided to take the most severe forms of protest in order to receive the deserved attention, such as setting themselves on fire against the biased and disrespectful attitudes openly shown against them by the police.

In fact, given the prevalence of gender biased attitudes among police officials, a large number of women who want to lodge complaint are turned away from police stations and in many cases they are tortured, abused and raped. Women victims of domestic violence encounter even higher levels of unresponsiveness and hostility by police, as well as by other actors at all levels of the criminal justice system. Since issues pertaining to the family sphere continue to be largely perceived as “private matters”, Pakistan is still lacking in the legislation of a specific law against domestic violence (which mainly includes verbal offence, isolation and reclusion within the domestic walls, restriction of several rights such as financial independence and freedom of thought, forced sexual intercourse and marital rape, battering and other forms of physical beating). Police officers pressure for ‘reconciliation’ among concerned parties rather than filing a report and arresting the perpetrator (often these are abusive husbands but can also include in-laws, siblings and other akin relatives).¹⁴⁰⁶

¹⁴⁰³ Asian Legal Resource Centre, [*Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status*](#), 4 June 2014, paragraphs 5 and 6

¹⁴⁰⁴ Human Rights Commission of Pakistan, [*State of Human Rights in 2013*](#), March 2014, *Women, Women and law enforcement* p.176

¹⁴⁰⁵ Aurat Foundation, [*Annual report 2013: Situation of Violence Against Women*](#), 2013, 3.6 Rape/gang-rape-Top 10 Districts for Rape/Gang-rape from 2008-2013 p.17

¹⁴⁰⁶ Asian Legal Resource Centre, [*Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status*](#), 4 June 2014, paragraphs 5 and 6

The 2013 U.S. Department of State report similarly notes that “Women who tried to report abuse faced serious challenges. Police and judges were sometimes reluctant to take action in domestic violence cases, viewing them as family problems. Instead of filing charges, police typically responded by encouraging the parties to reconcile. Authorities usually returned abused women to their abusive family members. Women were reluctant to pursue charges because of the stigma attached to divorce and their economic and psychological dependence on relatives. Relatives were hesitant to report abuse due to fear of dishonoring the family”.¹⁴⁰⁷ With regards to rape the same source notes that “NGOs reported police were at times implicated in rape cases. NGOs also alleged police sometimes abused or threatened victims, demanding they drop charges, especially when police received bribes from suspected perpetrators. Some police demanded bribes from victims before registering rape charges, and investigations were sometimes superficial”.¹⁴⁰⁸

The Asian Human Rights Commission reports in October 2013 with regards to cases of sexual assault that “Many cases were not registered because of the lack of justice and rule of law. Influential persons behind the cases allow them to fail. Law enforcement agencies give and take bribes and the victims do not get justice. As a result the offenders move about freely. The police traditional behaviour of showing no interest in these cases and security for the victims means that many women do not make reports out of fear. They are also afraid to report rape for fear of becoming victims of honour killings”.¹⁴⁰⁹ Also documenting corruption, in June 2014 the Asian Human Rights Commission reported that it “has received information that a 13 year old girl was brutally gang raped during an entire night, by six infamous criminals who belong to a political party. The station head officer (SHO) has been suspended and thereafter transferred for filing charges of gang rape and assault against the rapists. The rapists have been identified in court by the victim and the court had ordered the arrest of the perpetrators. However, local police have ignored the orders of the court to arrest the suspects due to the nexus between the criminals and police officers”.¹⁴¹⁰

Sara Zaman of the War Against Rape was reported in an October 2013 Dawn article as stating that a victim’s troubles started with her first contact with police; “If she succeeds in lodging an FIR [First Instance Report] with police, she is among the fewer lucky ones among a whole lot”.¹⁴¹¹ The Aurat Foundation explains that “FIR or First Information Reports is a legal instrument that sets the criminal law procedures in motion. It contains the account of an alleged crime, as narrated by the complainant or aggrieved and provides a basis for the police to investigate and submit their findings to a competent court of law alongside other evidence [also called a challan]”.¹⁴¹²

An October 2014 Aurat Foundation report notes with regards to issues lodging an FIR that “Women that took legal action reported that there was no privacy when they went to lodge an FIR at the local police station, which was described as “scary” and “confusing”. In most cases, the FIR was lodged immediately, whereas in some cases it took 3 to 6 months. No woman reported being referred for legal or psychological counseling by the police whereas women described the court environment as “confusing”, “intimidating” and “unhelpful”. Some women reported not understanding the process

¹⁴⁰⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹⁴⁰⁸ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹⁴⁰⁹ Asian Human Rights Commission, [PAKISTAN: An Islamic country cannot protect its minors from sexual assault and the perpetrators enjoy impunity](#), 4 October 2013

¹⁴¹⁰ Asian Human Rights Commission, [Threats to the lives of a minor who was gang raped and her father; a police officer suspended and transferred for taking action against the rapists](#), 29 June 2014

¹⁴¹¹ Dawn, [Alarm at rise in rape incidents, low conviction rate](#), 11 October 2013

¹⁴¹² Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 3.11 FIR Registration p.23

of bringing a civil suit even when it was explained to them either by Police officers or their lawyers. None of the women reported any safety planning measures on behalf of the police, even after they reported the extent of violence committed by their husband and/or in-laws. Of those who took legal action, however, most reported being moderately satisfied with the proceedings”.¹⁴¹³ In its annual report for 2013, the Aurat Foundation noted that:

In 2013, FIRs were registered for 73 percent [of] cases reported in the media. [...] According to province-wise registration of FIRs, FATA has the worst outlook with zero FIRs registered in 2013 followed by Sindh where about 32 percent [of] cases had been registered with no information for more than half the cases registered [172]. [...] While FATA reported only 12 cases of VAW in the year, Sindh had 1,130 cases, 53 percent of which had not been registered with the police. The sheer number of cases in which FIR was not registered in Sindh would lead one to conclude Sindh was worse off in terms of police inaction, whereas FATA reveals something about women’s limited access to justice systems”.¹⁴¹⁴

Dawn cites the Aurat Foundation report ‘Situation of Violence Against Women in Sindh (July-September 2014)’ as noting that “A badly-worded FIR also harms prosecution cases obstructing women’s access to effective remedies. [...] Most of the time police are not informed about such incidents, while some of those reported to the police are not recorded in roznamcha (police diary). [...] Even if a few cases are lodged, inquiries are not properly conducted and the matter is eventually shelved”.¹⁴¹⁵

Reporting on the reason for the poor conviction rate in rape cases, Asad Jamal, a Lahore-based lawyer who has represented several rape victims told the Inter Press Service in May 2014 that “rape cases are mishandled from the start”, further noting that “very few police officials know how to collect scientific evidence in rape cases or record the statements of traumatised rape victims. Citing the example of a case he is fighting right now, Jamal says the police investigator concerned even forgot to preserve the clothes that the victim was wearing at the time of the sexual assault”.¹⁴¹⁶ The same source further reports:

Jamal says sometimes police insist on including the names of fake witnesses to strengthen rape cases but such practices end up benefiting the accused, especially in appellate courts. “Ideally, scientific and DNA evidence should be enough to convict an accused, but unfortunately trial courts depend a lot on eyewitnesses for primary evidence,” he says. Jamal pointed to another reality – rape victims often belong to disadvantaged sections of society while rapists are mostly powerful people.¹⁴¹⁷

According to lawyer Zainab Qureshi, a consultant for the International Commission of Jurists, reporting in October 2014, “Rape survivors are pressurized into withdrawing the complaint and not pursuing the matter further through intimidation or out of court settlements. Often it was observed [...] that the police and the prosecuting agencies facilitated these settlements”.¹⁴¹⁸ The 2013 U.S. Department of State report similarly notes that “Extrajudicial resolutions to rape accusations were common, with a victim often forced to marry her attacker”.¹⁴¹⁹

¹⁴¹³ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Executive summary*

¹⁴¹⁴ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 3.11 FIR Registration p.23

¹⁴¹⁵ Dawn, [Sindh records 421 cases of violence against women in three months](#), 11 October 2014

¹⁴¹⁶ Inter Press Service, [Raped, And Abandoned By Law](#), 3 May 2014

¹⁴¹⁷ Inter Press Service, [Raped, And Abandoned By Law](#), 3 May 2014

¹⁴¹⁸ Dawn, [State of neglect](#), 26 October 2014

¹⁴¹⁹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

Zia Awan, founder of the Madadgar National Helpline for women and children, reports that he “receives a large number of calls from women who are undecided on whether to report the case or remain silent in order to avoid humiliation and life-long stigma. The impunity of rapists and the ordeal of rape victims deter the latter from seeking justice, he says”.¹⁴²⁰ The Inter Press Service further reports that “Sources privy to rape investigations reveal that due to socio-cultural mores police usually try to put the blame on complainants and prove that rape victims are women of loose morals. Their perception is that a woman who has really been raped would not dare to report the crime out of shame and fear of public humiliation. If the victim has had any association with the alleged rapist or has been socially active or has a ‘modern’ lifestyle, police tend to believe that her allegations are fabricated. Legal provisions in Pakistan also make this possible. Shahid Ghani, a Lahore-based lawyer, cites such a provision: “When a man is prosecuted for rape or an attempt to ravish, it may be shown that the prosecutrix was of generally immoral character”.¹⁴²¹ The Aurat Foundation also notes that “Officers in Swat and Mardan share that women usually do not approach police stations for any reason as men of their family consider it dishonourable for women to publicize matter that should stay within the household. The culture of KPK, Pakhtunwali, was identified by respondents in the police as a major barrier for women seeking legal redress”.¹⁴²²

An October 2014 Aurat Foundation study on ‘Forced Marriages and Inheritance Deprivation’ which spoke to “56 male and 15 female police officers through detailed focus group discussions” further notes with regards to gender-based violence that “despite being aware of its manifestations, officers felt that in most cases the women were at fault”.¹⁴²³ Junior police officers from Karachi reported that about 95% cases reported by women are false.¹⁴²⁴ Furthermore, it notes that “Mediation was reported as the method of choice by Police officers to settle domestic disputes in Islamabad and Karachi, though some officers in Hyderabad, Peshawar also reported settling matters at the station. In most parts, this is being done to save women the shame and hassle of going through the courts, which is expensive and does not necessarily award justice even after many years of trial”.¹⁴²⁵

❖ Women’s police stations and women police officers

The Asian Human Rights Commission reports in August 2013 that “The percentage of women working in civil services is 5.4 while the representation of women judges in superior courts is 2.91 percent as against the 33 percent required by the UN Beijing Conference of 1996 to which Pakistan is a signatory”.¹⁴²⁶ According to the 2013 Human Rights Commission of Pakistan report, “There were only 560 women in Khyber Pakhtunkhwa’s 60,000- strong police force. In Punjab, only 9 out of 146 SPs [superintendents of police] were women. Out of 474 DSPs in Punjab, only 35 were women”.¹⁴²⁷ It adds that “There were only three women police stations in the province; one each in Lahore, Rawalpindi and Faisalabad. Female police officers numbered but a few all over Pakistan and were often not given important positions. They were rarely seen on the streets supposedly because they

¹⁴²⁰ Inter Press Service, [Raped, And Abandoned By Law](#), 3 May 2014

¹⁴²¹ Inter Press Service, [Raped, And Abandoned By Law](#), 3 May 2014

¹⁴²² Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Executive summary*

¹⁴²³ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Chapter 4, B. ii. What constitutes GBV*, p.41

¹⁴²⁴ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Chapter 4, C. viii. False reporting by women* p.49

¹⁴²⁵ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Chapter 4, B. iv. Legal response to DV*, p.41

¹⁴²⁶ Asian Human Rights Commission, [PAKISTAN: Gender imbalance in Pakistan judiciary](#), 6 August 2013

¹⁴²⁷ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Highlights, Women* p.6

had higher chances of being harassed”.¹⁴²⁸ The Aurat Foundation in its annual report for 2013 notes that “Even though a handful of women police stations exist in Pakistan, a women needs to file an application for the transfer of her case to these stations”.¹⁴²⁹

The 2013 U.S. Department of State report adds that “To address societal norms that disapprove of victims who reported gender-based violence and abuse, the government established women’s police stations, staffed by female officers, to offer women a safe haven where they could safely report complaints and file charges. Men were also able to utilize these police stations. Women’s police stations struggled with understaffing and limited equipment. Training for female police and changing cultural assumptions of male police also remained challenges. Due to restrictions on women’s mobility and social pressures related to women’s public presence, utilization of women’s police centers was limited, but NGOs and officials reported use was growing and that more centers were needed”.¹⁴³⁰

The October 2014 Aurat Foundation study notes on the issue of women police stations that:

In terms of structural support such as police, the study found that in District Karachi, Islamabad, Hyderabad and Peshawar where there are dedicated women police stations, only cases where both the accused and victim[s] are women may be referred to women officers for complaint registration and investigation, whereas district Mardan and Swat do not have a separate police station for handling women’s cases. Women were found being forced to deal with male officers in Swat and Mardan [also Malakand and Swabi by extension], even though it is considered culturally inappropriate for women to converse and have dealings with men outside the family. Despite the presence of some 500 police stations in KPK, not a single station reportedly has a woman’s desk. Karachi district was found to have the largest number of women’s police stations [3] and complaint cells for women [4], even though only one of the stations is fully functional. According to GIZ Pakistan, women officers across Sindh constitute about 0.82% of the entire police force for the province, whereas in KPK, women police officers’ ratio was 0.62%. In Islamabad, this ratio was 1.36% compared to male officers. In Islamabad, according to a policy passed between 2011-12, one female police officer is posted at the reception desk in all [18] male police stations to guide women that approach with a complaint. They are, however, not part of the complaint registration or investigation sections and serving merely as female faces to women victims. The women’s police station in Peshawar is situated near the Police Head Quarters and because of high security detailing in the area, women do not have access to its premises. Police officers report that because this station is also situated in a congested part of town, it is difficult for women to avoid prying eyes when they come to lodge complaints. This keeps substantial number of women from initiating any engagement with the law.

The general perception concerning violence against women amongst all district police officers was that it happens in poor and illiterate families and that women themselves are often to blame. Every police officers interviewed reported domestic violence to be the most frequently reported form of VAW which was mostly perpetuated by the women of a household, including the mothers-in-law and the sisters-in-law, whereas sometimes the husband is solely to blame. The husband was seen as a “helpless” individual, torn between his family and the woman he has wedded.¹⁴³¹

The UK Department for International Development (DFID) reports in November 2014 that Haseena Syed became the first female prosecutor in the Khyber Pakhtunkhwa Prosecution Service (KPPS) in

¹⁴²⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Women and law enforcement* p.176

¹⁴²⁹ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 3.6 Rape/gang-rape-Top 10 Districts for Rape/Gang-rape from 2008-2013 p.17

¹⁴³⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹⁴³¹ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Executive summary*

Pakistan.¹⁴³² It further notes that “through the work Haseena has done, she has been able to convince a number of women who are victims of domestic abuse to come forward and fight for justice”.¹⁴³³ DFID also reports that “Three model police stations in Peshawar district have been opened which undertake more complex investigations, and use community and gender responsive policing techniques. A further 4 model stations are in the pipeline. [...] ‘Lady Complaints Units’ established in 3 model stations, enabling more women to access justice. The results show an increase of 67% in number of women coming forward to register their complaints”.¹⁴³⁴

According to sources consulted by the Immigration and Refugee Board of Canada “An October 2013 article published by the International Business Times, an American digital news publication that reports on business, the economy, and politics (n.d.), states that “too few members of the public take female cops seriously, and the all-women stations are far less busy than their all-male counterparts. Making things worse, many male colleagues do not regard women policemen as equal or even necessary” (22 October 2013). In correspondence with the Research Directorate, a representative of War Against Rape (WAR), a Karachi-based NGO that gathers data on rape in Pakistan through a network of survivors (n.d.), stated that “in actual fact the female police officers are not really empowered or effective or involved in investigations” (WAR 11 Dec. 2014)”.¹⁴³⁵

The 2014 Human Rights Commission of Pakistan report notes with regards to proposals to establish women’s police stations that:

In September 2014, Sindh government announced that it intended to establish women police stations in Thatta, Umerkot, Sanghar, Nawabshah and Khairpur districts. Directives were also issued to set up counters of the Women Development Department in newly established women police stations in Karachi.

To further strengthen gender responsive policing, it was also announced that 2000 new women police officers would be recruited in Sindh. For the first time in Sindh three female SHOs were granted charge of entire police stations – two were given charge in April and one in August 2014. Earlier in February, US State Department’s Bureau of International Narcotics and Law Enforcement Affairs gifted buses for female police officers in Karachi. In April 2014, KP government announced the establishment of women desks in all 500 police stations of the province. Its aid the KP Police Department was developing a plan to increase women’s strength in the police force.¹⁴³⁶

❖ Medico legal officers' and doctors' attitudes to violence against women

The 2013 U.S. Department of State report notes that “While the use of post-rape medical testing increased during the year, medical personnel in many areas did not have sufficient training or equipment, which further complicated prosecutions.”¹⁴³⁷ The Aurat Foundation in its annual report for 2013 notes that “Medico-legal officers hold that only minors less than 10 years-olds are raped; the rest concoct stories. Doctors often lack necessary equipment to conduct these examinations,

¹⁴³² UK Department for International Development, [Leading the way: first female prosecutor in Khyber Pakhtunkhwa fights for women’s rights](#), 28 November 2014

¹⁴³³ UK Department for International Development, [Leading the way: first female prosecutor in Khyber Pakhtunkhwa fights for women’s rights](#), 28 November 2014

¹⁴³⁴ UK Department for International Development, [Leading the way: first female prosecutor in Khyber Pakhtunkhwa fights for women’s rights](#), 28 November 2014

¹⁴³⁵ Immigration and Refugee Board of Canada: [Pakistan: Recourse and resources available to female victims of violence in Islamabad, Karachi and Lahore \(2013-December 2014\) \[PAK105023.E\]](#), 15 January 2015

¹⁴³⁶ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, Women, Access to justice and legislative changes p.212

¹⁴³⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

including glass slides, swab, weighing machines etc. and do not conduct head-to-toe examinations. Victims are almost never tested for HIV/AIDs, pregnancy or referred for counselling unless they seem exceedingly distressed”.¹⁴³⁸

The October 2014 Aurat Foundation study reports that it spoke to 22 medico legal officers and that doctors reported that “most women that approach them are liars and want fake reports”.¹⁴³⁹ The report found that “Doctors were also found severely ill-equipped for collecting forensic and physical evidence that may be present on a woman’s body”.¹⁴⁴⁰ Furthermore, “Doctors also reported often being stopped from inquiring cause of injury by the person bringing the woman in by declaring it a private family matter, which they allow”.¹⁴⁴¹ It also notes that “Medico-legal [ML] work usually involves security concerns as, based on a doctor’s report, a person can be sentenced to life imprisonment and possibly a death penalty. This makes ML component of violence cases susceptible to bribery and corruption as well. [...] Most doctors also reported being continually harassed by different parties involved in a case. Some reported direct death and threats to harm”.¹⁴⁴²

The Dawn newspaper cited Sara Zaman of the War Against Rape as noting that “She spoke about the procedural loopholes when a victim was flummoxed by police and medico-legal officers in hospitals whether to lodge an FIR first or get a medico-legal examination. Even chemical examiners bluntly called the victims shrewd and declared them impostors before a case formally went to court, she said. She said that she saw significantly fewer FIRs lodged with police than the number of medico-legal certificates issued, which showed how police discouraged a survivor from lodging the case”.¹⁴⁴³

The Asian Legal Resource Centre submitted to the UN Human Rights Council in June 2014 that “Countless medico-legal staff throughout the entire country are corrupt and feel no shame in altering facts and distorting medical reports in favor of powerful and often influential perpetrators”.¹⁴⁴⁴

❖ Judges’ attitudes to violence against women

Also see [5.1. Judicial independence](#) and [5.2. Access to fair trial](#).

The World Bank notes in a September 2014 report that whilst laws exist for most forms of violence against women, “a number of structural deficiencies in these laws and related policies weaken South Asian women’s access to state justice mechanisms”.¹⁴⁴⁵ It further notes that:

Across the region, courts contend with a severe backlog of cases, and the time required to bring a case to court and produce a resolution or outcome is often extremely long, thereby discouraging

¹⁴³⁸ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 3.6 Rape/gang-rape-Top 10 Districts for Rape/Gang-rape from 2008-2013 p.17

¹⁴³⁹ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, Executive summary

¹⁴⁴⁰ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, Executive summary

¹⁴⁴¹ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, Chapter 4, MEDICO-LEGAL RESPONSE TO GBV, A. General information about community served and VAW cases dealt p. 64

¹⁴⁴² Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, Chapter 4, MEDICO-LEGAL RESPONSE TO GBV, H. Workplace security p. 71

¹⁴⁴³ Dawn, [Alarm at rise in rape incidents, low conviction rate](#), 11 October 2013

¹⁴⁴⁴ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 7

¹⁴⁴⁵ World Bank, [Violence against Women and Girls: Lessons from South Asia](#), 16 September 2014, Section 3. Government, Religious Institutions, and Legal Systems, Implementation of laws and policies p.83

women from seeking justice through formal mechanisms. In Pakistan, lack of personnel, facilities, and access to necessary legal materials are contributing factors (Khan 2001). Generally low rates of female participation in justice mechanisms and processes—ranging from women’s inability to stand before courts to their minimal presence as lawyers, judges, and other judiciary personnel—also contribute to poor outcomes for women in the courtroom. Further exacerbating these issues is a general lack of legal awareness.¹⁴⁴⁶

The World Bank also describes that government institutions are stronger and more established in urban areas, noting that “In rural areas, where federal governments often have a minimal footprint because of geography, limited infrastructure, or other reasons, a vacuum exists that encourages the development of parallel systems of law and governance. Such systems are found in parts of Pakistan and in Afghanistan, where tribal and customary systems of law and governance predominate”.¹⁴⁴⁷

The Asian Legal Resource Centre submitted to the UN Human Rights Council in June 2014 with regards to women’s access to that judicial system that:

In the courtrooms lawyers leave no stone unturned to shatter the victim’s sense of self-respect by asking awkward questions regarding the virginity status and past sexual history. The judicial system, particularly the lower judiciary, has strong proclivity to sexist assumptions about women. Judges allow defense counsels to openly insult the victims’ characters and make sly insinuations about their costumes and behavior, especially in relation to their sexual preferences and habits. The entire criminal justice system routinely ignores the real causes behind many complaints and underestimates the consequences of gender biased attitudes, which allow all forms of violence against women to continue to occur with large acceptance and enormous impunity.¹⁴⁴⁸

The Aurat Foundation in its annual report for 2013 similarly notes that:

Trials are often held in open court, with nothing barring onlookers from making gestures of mockery and ridicule. [...] The defence is free to probe the victim’s sexual history and often cite lack of medical evidence to indicate consent. Bails are granted casually when the crux of the evidence is based on medical findings, particular visible marks of violence in the woman’s body. [...] Trials are lengthy, arduous and have high direct and indirect costs, including opportunity costs of lost wages from day spent in court [...]. It is very normal for Police, Judges and Lawyers to broker a ‘compromise’ or out-of-court settlement, which, if accepted, ends in dismissal of the case and release of the offender.¹⁴⁴⁹

The 2014 Human Rights Commission of Pakistan report notes that “Pakistan’s legal system lacks women judges or male judges sensitised to gender/rape issues on the bench and a programme to protect rape survivors as they appear to give their testimony. Some judges still find it easy to blame the woman. Proving rape is far from easy. The defence puts forth the argument that the act was consensual. Amidst systemic flaws and cultural attitudes that criminalise a female rape victim rather than enable her to become a survivor, the public nature of rape trials, say most experts, is very invasive and humiliating and a big reason why a survivor may recant her charges. Though recanting charges should not mean closing of a case of an un-compoundable offence, which rape is. The state

¹⁴⁴⁶ World Bank, [Violence against Women and Girls: Lessons from South Asia](#), 16 September 2014, Section 3. Government, Religious Institutions, and Legal Systems, Implementation of laws and policies p.83

¹⁴⁴⁷ World Bank, [Violence against Women and Girls: Lessons from South Asia](#), 16 September 2014, 2. Forms of Violence That Need More Research to Establish Prevalence, Custodial violence against women p.57

¹⁴⁴⁸ Asian Legal Resource Centre, [Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 4 June 2014, paragraph 7

¹⁴⁴⁹ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 3.6 Rape/gang-rape-Top 10 Districts for Rape/Gang-rape from 2008-2013 p.17

is bound to take it to a logical conclusion. [...] A large number of cases are either withdrawn or a compromise is reached".¹⁴⁵⁰

An October 2014 Aurat Foundation study on 'Forced Marriages and Inheritance Deprivation' notes with regards to access to the judicial system that:

In terms of GBV [gender based violence] reporting, all prosecutors interviewed were of the opinion that only a small fraction of cases reach the courts because of cultural constraints. A prosecutor from Islamabad estimated this ratio to be around 7%, whereas in Mardan, lawyers held that 30%-50% cases are resolved within the home due to the stigma attached to women approaching courts. Another prosecutor from Hyderabad further clarified that women stay away because court procedures are difficult to understand and engage with.¹⁴⁵¹

It further notes on the issue of the low conviction rate in Pakistan that:

Convictions in all criminal cases brought to Pakistani courts remain anywhere between 5 and 10 percent, depending on whose report is consulted. This compares starkly with some developed countries where convictions in violence against women cases may be as high as 95% for all cases tried under a court of justice. It is unfathomable that 90 percent of cases being reported in Pakistan are false or fabricated. What is more believable and established through various researches across the country is that flawed and outdated systems of investigations [say, in the case of technology-driven VAW], political interference, gender bias, literal interpretation of statutory provisions, and customary laws taking precedence over codified law are major contributory factors which keep most litigants from the attainment of [legal and social] justice. One can of course add to this list as problems exist across all areas of criminal and civil justice systems. The situation is further exacerbated where little headway has been made to collectively assess why most laws concerning gross violence against women have produced negligible results for the average woman, despite generalizations about lack of knowledge of laws, limited access to formal justice systems, lack of agency and strict social-cultural controls on women's behaviour.¹⁴⁵²

The same report interviewed 28 lawyers and criminal prosecutors and noted that "The manner in which women are counseled and their subsequent 'performance' in court leads one to believe that court systems become more difficult to navigate than they should be, which women seldom have prior exposure to and about which they generally lack knowledge. There is a certain disorientation and intimidation commonly reported by women when they go to criminal courts, as sessions courts are usually swarming with male lawyers, police officers, prisoners and other male staff. It is little wonder that women should forget their statements or get nervous in this environment [as reported by some lawyers and police officers in this study]. When asked about being familiar with methods of psycho-social counseling, most lawyers said they did not know what is was or how it could be done, but would like to receive trainings if the opportunity arises".¹⁴⁵³

According to Faisal Siddiqui, a Karachi-based lawyer, "The shameful attitude of society, police and lawyers towards rape victims is the biggest hurdle in securing justice".¹⁴⁵⁴ The Inter Press Service further reports that "His own client, a rape victim, had to seek psychological treatment for two years after appearing in court for cross-examination, he says. The defence lawyer, he says, asked her about the minutest details of the assault and made her recall the traumatic incident over and over

¹⁴⁵⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Women* p.52

¹⁴⁵¹ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Executive summary*

¹⁴⁵² Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, *Chapter 1* p.7

¹⁴⁵³ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, 4.3. PUBLIC PROSECUTORS, B. Knowledge, understanding and experience of handling violence against women cases, C. ii. Witness counselling & case preparation p.79-80

¹⁴⁵⁴ Inter Press Service, [Raped, And Abandoned By Law](#), 3 May 2014

again. Unfortunately, he says, many lawyers deliberately confuse rape victims during cross-examination in order to get relief for the accused. ‘They ask shameful questions which no woman can answer’.”¹⁴⁵⁵ According to Maliha Hussain, director of Mehergarh, an Islamabad based non-profit that works with survivors of rape, “Pakistan’s legal system suffers from two fundamental and fatal shortcomings which directly impact rape survivors — the absence of women judges on the bench and the absence of a programme to protect rape survivors as they appear to give their testimony”.¹⁴⁵⁶ Karachi-based lawyer Faisal Siddiqi states that “I find a genuine belief among the legal fraternity, including the judges, that the woman is a liar and makes up stories”.¹⁴⁵⁷ Hussain further reported that she “finds a ‘misogynist [sic] mindset’ displayed in the courtroom. She said, most judges find it ‘easy to blame the woman’ as they are already suspicious of the survivor’s credibility”.¹⁴⁵⁸

6.4.2.6.1. Availability of shelters and services

The Aurat Foundation in its annual report for 2013 notes that “There are very few shelter homes against the number of women seeking refuge. Going to a shelter home is still considered taboo and perceived as the last resort of women who have been turned away by respectable society”.¹⁴⁵⁹ The 2013 U.S. Department of State report notes that “The government operated the Crisis Center for Women in Distress, which referred abused women to NGOs for assistance. A total of 26 government-funded Shaheed Benazir Bhutto centers for women across the country provided women with temporary shelter, legal aid, medical treatment, and psychosocial counseling. These centers served women who were victims of exploitation and violence. Victims later were referred to a “darul aman” or a shelter house (approximately 200 centers for women and children who were victims were established with funds from the Provincial Women Development Department). These centers provided shelter, access to medical treatment, limited legal representation, and some vocational training. Many government centers lacked sufficient space, staff, and resources. In some cases women were abused at the government-run shelters and found their movements severely restricted, or were pressured to return to their abusers”.¹⁴⁶⁰

An October 2014 Aurat Foundation report notes with regards to the “total number of functional and on-record shelter homes/ Dar-ul- amans / crisis centers in the selected districts at present” that [emphasis added]:

Karachi: 7 shelters are functioning in Karachi district: 1. Gosha-e-Afiat, 2. Zehra Home, 3. Bint -e-Fatima Old Home Trust 4. Edhi Home 5. Panah Shelter Home Crisis Centre

Hyderabad: Only one Dar-ul-Aman in Hyderabad, of which very few people know

Peshawar: 4 shelters for women exist in Peshawar: 1. Darul Atfal for Children - run by All Pakistan Women's Association [APWA] 2. Halfway house for women/girls ñ run by Social Welfare Department 3. Women Crisis Centre for abandoned women/girls - run by the Government. 4. Mera Ghar (shelter) for GBV survivors (Women & girls) - run by Noor Education Trust, an NGO

ICT [Islamabad Capital Territory]: One shelter home in Islamabad

Swat:

Mardan: There is only one Dar-ul -Aman in District Mardan, run by the Government.¹⁴⁶¹

¹⁴⁵⁵ Inter Press Service, [Raped, And Abandoned By Law](#), 3 May 2014

¹⁴⁵⁶ Dawn, [State of neglect](#), 26 October 2014

¹⁴⁵⁷ Dawn, [State of neglect](#), 26 October 2014

¹⁴⁵⁸ Dawn, [State of neglect](#), 26 October 2014

¹⁴⁵⁹ Aurat Foundation, [Annual report 2013: Situation of Violence Against Women](#), 2013, 3.6 Rape/gang-rape-Top 10 Districts for Rape/Gang-rape from 2008-2013 p.17

¹⁴⁶⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Women

¹⁴⁶¹ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, Table 9: Secondary data regarding presence of institutions and mechanisms responding to GBV in selected districts p.27

It further notes that “Peshawar and Mardan police officers suggested that shelter services for women need to be improved. In an attempt to find shelter for women who have been subjected to violence, shelter services were considered highly insufficient and unreliable in these two districts”.

¹⁴⁶² Moreover, “Protection orders may be issued in rare cases where the accused has a prior criminal record or is considered particularly dangerous, after a woman gives an application in court that her safety is compromised. This is however, not common practice for most VAW [violence against women] cases. As another measure of protection, the woman may be dislocated to take up residence at the shelter and leave her house. It is difficult to say how woman with children can exercise this choice [of dislocation] when most government-run shelters do not accommodate male children over ages 12-14”.¹⁴⁶³

It continues “women were asked which services they thought would have made things easier for them in their struggle for social and legal justice. Majority [of] women cited shelters and good legal counsels as the most important but largely insufficient or missing form of support. These things, they claimed, kept many other victims of forced marriages from taking legal action once they had decided to seek justice or get away from abusive relationships. Other needs identified by women included: skill development, professional and moral support by service providers and comprehensive & quality healthcare”.¹⁴⁶⁴

A September 2014 World Bank report on violence against women in South Asia reports that “Women ‘rescued’ from honor crimes also suffer abuse when remanded to safe houses where conditions are abysmal and akin to a prison. Moreover, reintegration into family and society of women who have been in custody is made even harder if women are sexually abused, as they are then regarded as ‘dishonored’ or ‘spoiled,’ bringing shame to their families (Khair 2004)”.¹⁴⁶⁵ According to the Deputy Director of South Asia Partnership Pakistan, “Women who take shelter in Dar-ul Amans are negatively stereotyped in our society”.¹⁴⁶⁶

In September 2014, the NGO Shirkat Gah reported that “In the face of the government’s neglect, members of civil society have taken it upon themselves to improve the condition of Sindh’s Darul Amans and give women a better place for shelter”.¹⁴⁶⁷ It further notes that the Sindh Darul Aman Reforms Project aims to strengthen Darul Amans in Sukkur, Hyderabad and Larkana and that the project would “work towards effectively implementing the notified standard operating procedures, improving database management for better service delivery and analysing cases for policy recommendation”.¹⁴⁶⁸

According to Dawn, reporting in February 2014 “in Balochistan there is only one functioning women’s shelter in Quetta which, in the words of a provincial legislator, ‘is more of a criminal concern rather than any shelter. We wouldn’t want any woman to go there; she’ll come out with her reputation in tatters’. The condition of most women’s shelters, if not all, in the country is reportedly

¹⁴⁶² Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, Chapter 4. POLICE RESPONSE TO GVB, G. Inter-departmental coordination p.58

¹⁴⁶³ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, 4.3. PUBLIC PROSECUTORS C. vi. Protection orders/ witness protection p.82

¹⁴⁶⁴ Aurat Foundation, [Forced Marriages and Inheritance Deprivation](#), October 2014, 4.3. PUBLIC PROSECUTORS, B. Knowledge, understanding and experience of handling violence against women cases p.76

¹⁴⁶⁵ World Bank, [Violence against Women and Girls: Lessons from South Asia](#), 16 September 2014, BOX 2.5 Acid Attacks on Women and Girls in South Asia p.56

¹⁴⁶⁶ The News, [Call to allocate budget for Dar-ul-Amaans](#), 30 January 2015

¹⁴⁶⁷ Shirkat Gah, [Sheltering the vulnerable: civil society takes up Darul Aman reform challenge](#), 16 September 2014

¹⁴⁶⁸ Shirkat Gah, [Sheltering the vulnerable: civil society takes up Darul Aman reform challenge](#), 16 September 2014

not much better”.¹⁴⁶⁹ In May 2014 Dawn reported that in Narowal a man shot and critically injured his wife at a shelter home.¹⁴⁷⁰ He had the permission of a magistrate to meet with his wife at the shelter, where he had also met with her previously in order to reconcile.¹⁴⁷¹

In July 2014 Dawn also reported that a committee had been constituted in Larkana to investigate the escape of three inmates from the Darul Aman.¹⁴⁷² It reports that “The inquiry report found that the four policemen deployed at the gate of the Darul Aman building failed to discharge their professional duty of providing external security to Darul Aman while there was likelihood of outside support in the incident”.¹⁴⁷³ Dawn reports in September 2014 that at a consultative meeting held in Larkana, it was reported that “Darul Amans in Sindh were plagued by lack of skilled staff, poor infrastructure and security issues”.¹⁴⁷⁴ In January 2015 it was reported that according to a South Asia Partnership Pakistan report, “many shelter homes lacked basic health facilities. Offices of physiologists and doctors at many of the shelter homes are vacant”.¹⁴⁷⁵

6.4.3. Economic situation of women

For information on the situation of internally displaced women, see [6.5.4. Internally displaced persons \(IDPs\)](#).

UN Women, reporting on factors that have held back Millennium Development Goals achievement in Pakistan in an April 2014 report, identifies a “persistence of historical and structural unequal power relations between women and men; poverty and inequalities and disadvantages in access to resources/opportunities, and growing gaps in equality of opportunity, discriminatory laws, policies, social norms, attitudes, harmful customary and contemporary practices and gender stereotypes. Other identified factors include: natural disasters; underinvestment in gender equality; lack of systematic gender mainstreaming; and the ongoing adverse impact of the world economic and financial crisis”.¹⁴⁷⁶

Radio Free Europe/Radio Liberty reports that “a global report by the Geneva-based World Economic Forum shows that Pakistani women continue to face the world's worst inequality for access to health care, education, and employment. The annual Gender Gap Index, released on October 28 [2014], ranked Pakistan 141 out of 142 countries in the survey. It is the third consecutive year that Pakistan has received the second to last ranking. The report says the only country where women face worse inequality issues than Pakistan is Yemen”.¹⁴⁷⁷

The UNDP reports that its Gender Inequality Index (GII) “reflects gender-based inequalities in three dimensions – reproductive health, empowerment, and economic activity”.¹⁴⁷⁸ It notes that “Pakistan has a GII value of 0.563, ranking it 126 out of 149 countries in the 2013 index. In Pakistan, 19.7

¹⁴⁶⁹ Dawn, [Tackling domestic violence](#), 11 February 2014

¹⁴⁷⁰ Dawn, [Man shoots wife at shelter home](#), 29 May 2014

¹⁴⁷¹ Dawn, [Man shoots wife at shelter home](#), 29 May 2014

¹⁴⁷² Dawn, [Policemen, watchman found responsible for Darul Aman escape episode](#), 24 July 2014

¹⁴⁷³ Dawn, [Policemen, watchman found responsible for Darul Aman escape episode](#), 24 July 2014

¹⁴⁷⁴ Dawn, [Shelter homes plagued by poor infrastructure, security issues, moot told](#), 4 September 2014

¹⁴⁷⁵ Pakistan Tribune, [‘More funds be given to shelter homes’](#), 31 January 2015

¹⁴⁷⁶ UN Women, [Pakistan Newsletter, Issue No. 7 January to April 2014](#), 7 November 2014

¹⁴⁷⁷ Radio Free Europe/Radio Liberty, [Report Says Pakistan's Women Still Face Worst Inequality In World](#), 28 October 2014

¹⁴⁷⁸ UNDP, [Human Development Report 2014, Pakistan: Explanatory note on the 2014 Human Development Report composite indices](#), 2014

percent of parliamentary seats are held by women, and 19.3 percent of adult women have reached at least a secondary level of education compared to 46.1 percent of their male counterparts. For every 100,000 live births, 260.0 women die from pregnancy related causes; and the adolescent birth rate is 27.3 births per 1000 live births. Female participation in the labour market is 24.4 percent compared to 82.9 for men".¹⁴⁷⁹

❖ Poverty and employment

The 2013 U.S. Department of State report notes that "Women faced significant discrimination in employment and frequently were paid less than men for similar work. In many rural areas of the country, strong societal pressure prevented women from working outside the home. Some tribes practiced sequestering women from all contact with men other than relatives".¹⁴⁸⁰ The Human Rights Commission of Pakistan annual report covering 2013 similarly notes that "Pakistan had the lowest participation of women in the labour force and formal employment in South Asia. The gender wage gap, i.e. the difference between wages paid to men and women for the same amount of work, remained wide despite more women entering the job market in Pakistan than ever before. [...] A majority of women were employed in the rural agriculture sector. In urban areas, women were mostly engaged in the informal sector as homebased workers (HBW), and domestic help".¹⁴⁸¹

The Inter Press Service reports in September 2014 that "According to the International Labour Organisation (ILO), gender disparities in labour force participation rates are severe in Pakistan, with male employment approaching 80 percent compared to a female employment rate of less than 20 percent between 2009 and 2012".¹⁴⁸² It further notes that "in the country's northern, tribal belt, the situation is even worse, with religious mores keeping women confined to the home, and unable to stray beyond the traditional roles of wife, mother, and housekeeper".¹⁴⁸³ For example Radio Free Europe/Radio Liberty reported in July 2013 that "Tribal elders and shopkeepers in northwestern Pakistan have banned women from shopping in bazaars without a male relative present. Local clerics in the Karak district of Khyber Pakhtunkhwa Province have urged shopkeepers not to allow women to enter stores and markets without a male relative accompanying them. The clerics said the presence of unaccompanied women in bazaars spreads "vulgarity and spoils men's fasting during Ramadan." It was not clear if the new restriction would be lifted after Ramadan ends".¹⁴⁸⁴

The September 2014 Inter Press Service article further notes that:

Experts also say the proportion of women workers occupying white-collar jobs is very limited, since even educated women are discouraged from entering the public service.

According to the Pakistan Economic Survey for 2012-2013, women have traditionally populated the informal sector, taking up jobs as domestic workers and other low-paid, daily-wage professions as cooks or cleaners, where affluent families typically pay them paltry sums of money.

In contrast, their share of professional clerical and administrative posts has been less than two percent. [...]

¹⁴⁷⁹ UNDP, [Human Development Report 2014, Pakistan: Explanatory note on the 2014 Human Development Report composite indices](#), 2014

¹⁴⁸⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. *Women*

¹⁴⁸¹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Women, Economic and social rights (challenges and opportunities)* p.168

¹⁴⁸² Inter Press Service, [Where Women Don't Work](#), 25 September 2014

¹⁴⁸³ Inter Press Service, [Where Women Don't Work](#), 25 September 2014

¹⁴⁸⁴ Radio Free Europe/Radio Liberty, [Women Banned From Shopping Alone In Northwest Pakistan](#), 20 July 2013

The manufacturing sector does not fair any better. Muhammad Mushtaq, a leading industrialist in the province, says only three percent of the workforce in 200 industrial units around KP is comprised of women.

“Many people do not want women to mix with men in offices, and prefer for them to stay away from public places,” he tells IPS. This is a particularly disheartening reality in light of the fact that the number of girls in Pakistani universities, including in the northern regions, is almost equal to that of boys; despite their competitive qualifications, however, women are marginalised.

Mushtaq also believes that sexual harassment of women in their workplaces conspires with other forces to keep women from the payroll. About 11 percent of working women reported incidents of sexual harassment in the workplace, according to a 2006 study by the Peshawar-based Women’s Development Organisation.¹⁴⁸⁵

The World Bank reports in October 2014 that “With respect to livelihood opportunities, half of the women in Pakistan suffer “poverty of opportunity” compared to a third of men. Women’s employment is limited by the same cultural restrictions that limit their access to education and health services, imposing serious constraints on their autonomy, mobility, and on the types of livelihoods that are available to them. Among those who do work, labor market participation is characterized by occupations that tend to be low wage and to keep women close to home. At the same time, women in rural areas are almost twice as likely to work as women in urban areas, and their occupations tend to be concentrated around agriculture”.¹⁴⁸⁶

UN Women reports Pakistan’s challenges in implementing the Millennium Development Goals, noting with regards to ‘Poverty, Labor Rights and Land Rights’ that:

Pakistan is facing development challenges in tackling poverty and hunger. Women’s lack of ownership and access to agricultural land is a key obstacle in this regard. More than 60% of women are engaged in the agricultural sector and are responsible for growing and managing food yet less than 2% own land and other natural resources. Despite there being a law on right to inheritance, women can only own and access land via husbands and brothers indicating that they depend on these relationships for their economic survival.

Though there has been a breakthrough in women joining the workforce, the informal sector remains a neglected area, over 70% women are economically active mainly in home based piece rate work, brick kiln work and other services and casual labour. The sector is a major contributor to the economy of Pakistan but there are no laws and policies to regulate or recognize the work, to provide decent wages and protect workers especially women.¹⁴⁸⁷

The 2014 Human Rights Commission of Pakistan report notes that “According to International Labour Organisation Global Wage Report 2014-15, released in December 2014, Pakistani women are less likely to hold wage jobs and women earn 38.5% less than men in similar jobs”.¹⁴⁸⁸ In a February 2015 article the Inter Press Service further notes with regards to domestic workers that according to the Pakistan Bureau of Statistics, of the 74 percent of the labour force engaged in the informal sector (men and children), a majority is employed in domestic work.¹⁴⁸⁹ Furthermore “Earnings fall far short of even the minimum wage, which is fixed at 10,000 rupees (about 97 dollars) per month in provinces like the Sindh. [...] The terms of their labour are far from clear; few have fixed working hours, benefits, pensions and proper contracts. Abuse is a frequent occurrence, and the laws

¹⁴⁸⁵ Inter Press Service, [Where Women Don’t Work](#), 25 September 2014

¹⁴⁸⁶ World Bank, [Pakistan - Country snapshot](#), 20 October 2014, *Rural Development*

¹⁴⁸⁷ UN Women, [Pakistan Newsletter, Issue No. 7 January to April 2014](#), 7 November 2014

¹⁴⁸⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Women, Economic and social rights(opportunities and challenges)* p.203

¹⁴⁸⁹ Inter Press Service, [Pakistan’s Domestic Workers Long For Low Pay and Overwork to Be a Thing of the Past](#), 9 February 2015

governing domestic work are murky”.¹⁴⁹⁰ It also reports that “The recent formation of Pakistan’s first domestic workers trade union, combined with the promise of various bills pending in parliament, have workers here daring to hope that their situation might improve very soon”.¹⁴⁹¹

❖ Health

The Pakistani NGO Shirkat Gah reports that “Pakistan’s total health expenditure (THE) is 0.35 % of its GDP. Private out-of-pocket or self-financing of healthcare is the largest source of financing for health care in Pakistan. The general government expenditure on health is 27% of the total health expenditure while the out-of-pocket expenditure is 63% of the total health expenditure which is a very high percentage. Paucity of government funds leads to poor quality services in public health units and gradual emergence of private health service providers”.¹⁴⁹² It further notes that:

At present, the public health delivery system in Pakistan mainly comprises of outreach services at the grassroot level and district level that provide preventive and curative health care. Government funded tertiary care health services are only present in urban areas and big cities. Informal and formal private health care providers are predominant part of the health care delivery system in Pakistan. The current health care delivery system is a result of a gradual privatization process which initiated in 1998, when the country faced a serious financial and foreign exchange crisis. This large-scale privatization has resulted in exclusion of lower-income quintile from access to cost-effective, optimal quality reproductive health care.¹⁴⁹³

The Society for the Protection of the Rights of the Child reports on the issue of maternal mortality that:

As of 2014, the maternal mortality ratio [MMR] in Pakistan was estimated to be around 276 deaths per 100,000 births; far more than the MDG [Millennium Development Goal] target of 140 deaths per 100,000 births. A further breakdown of the ratio reveals that the MMR presently stands at 319 in rural areas and 175 in urban areas. The maternal mortality ratio also varies considerably across provinces. It is lowest in Azad Jammu Kashmir (201 per 100,000) followed by Punjab (227 per 100,000) and Khyber Pakhtunkhwa (275 per 100,000); while it is slightly higher in Sindh (314 per 100,000) and highest in Balochistan (785 per 100,000). This discrepancy amongst the provinces can be attributed to the lack of access to health facilities, shortage of proper transport/ infrastructure, conservative cultural practices and untrained midwives.¹⁴⁹⁴

According to Shirkat Gah, “Poor health system and very low investment in child birth health care contribute to Pakistan’s high infant mortality ratios. Government expenditure on child birth health care is very low. Also, in last few years, terrorist attacks and displacement of population in KPK and floods in many districts of Punjab have disturbed the health service delivery mechanisms”.¹⁴⁹⁵

According to Sahil, a Pakistani NGO working on child protection issues, especially against child sexual abuse reporting in December 2014, “Pakistan has the highest first-day infant mortality rate in the

¹⁴⁹⁰ Inter Press Service, [Pakistan’s Domestic Workers Long For Low Pay and Overwork to Be a Thing of the Past](#), 9 February 2015

¹⁴⁹¹ Inter Press Service, [Pakistan’s Domestic Workers Long For Low Pay and Overwork to Be a Thing of the Past](#), 9 February 2015

¹⁴⁹² Shirkat Gah, [Country Profile: On Universal access to sexual and reproductive health: Pakistan](#), June 2014

¹⁴⁹³ Shirkat Gah, [Country Profile: On Universal access to sexual and reproductive health: Pakistan](#), June 2014

¹⁴⁹⁴ Society for the Protection of the Rights of the Child, [The State of Pakistan’s Children](#), 2014, *Health chapter*

¹⁴⁹⁵ Shirkat Gah, [Country Profile: On Universal access to sexual and reproductive health: Pakistan](#), June 2014

World. Each year 352,000 children die of preventable causes before their 5th birthday in Pakistan. 45% of under 5 deaths are directly linked to malnutrition among children and their mothers".¹⁴⁹⁶

According to Abdul Basit, a public health specialist based in Peshawar quoted by the Inter Press Service, the "shortage of women employees in the health sector is [detrimental] to the female population" and is the "result of male dominance and an environment shaped by the belief that women should stay at home instead of venturing out in public".¹⁴⁹⁷

IRIN reports that Pakistan has the world's second highest recorded rate of babies classed as having low birth rate (below 2.5kg) at 32 percent, according to the UN Children's Fund's (UNICEF) 2013 State of the World's Children report.¹⁴⁹⁸ UNICEF explains that "Weight at birth is a good indicator not only of the mother's health and nutritional status but also of the newborn's chances for survival, growth, long-term health and psychosocial development".¹⁴⁹⁹ According to a report by the provincial government of Sindh, "The consequences of such inadequate health services for pregnant women at a national level, coupled with inadequate food consumption, virtually non-existent services for adolescent girls and early age of marriage are particularly serious in terms of pregnancy outcomes".¹⁵⁰⁰ The World Bank reports in August 2014 that it is financing a project "to help the Government of Pakistan improve nutrition status of children under two years of age and of pregnant and lactating women in targeted areas".¹⁵⁰¹ It notes that "Although maternal and child health indicators have improved in Pakistan, significant challenges remain. The preliminary findings of the 2011 National Nutrition Survey revealed that the rates of child stunting have not changed in Pakistan since 1965. Pakistan has high rates of child malnutrition, with 44 percent of children being stunted and 22 percent severely stunted".¹⁵⁰²

❖ Welfare

The UNDP reports that the length of mandatory paid maternity leave is 84 days.¹⁵⁰³

6.4.4. Situation of children

6.4.4.1. Child labour

The Asian Human Rights Commission reports in August 2013 that "According to International Program on the Elimination of Child Labor (IPEC), 3.8 million children in the age group of 5-14 years are working in Pakistan out of the 40 million Pakistani children in this age group".¹⁵⁰⁴ According to the Pakistan NGO Child Right Movement, approximately 9.86 million children between the ages of 10-19 years are active child labourers in Pakistan, with reportedly around 2.58 million between 10-14 years old.¹⁵⁰⁵ The Huffington Post reports in January 2014 that "It is estimated that child

¹⁴⁹⁶ Sahil, [UN Convention on the Rights of the Child... 25 years later](#), October –December 2014, *Situational Analysis of Child Rights Situation in Pakistan*

¹⁴⁹⁷ Inter Press Service, [Where Women Don't Work](#), 25 September 2014

¹⁴⁹⁸ IRIN, [The vicious circle of low birth weight in Pakistan](#), 29 August 2013

¹⁴⁹⁹ IRIN, [The vicious circle of low birth weight in Pakistan](#), 29 August 2013

¹⁵⁰⁰ IRIN, [The vicious circle of low birth weight in Pakistan](#), 29 August 2013

¹⁵⁰¹ World Bank, [World Bank Helps Combat Malnutrition among Mothers and Children](#), 29 August 2014

¹⁵⁰² World Bank, [World Bank Helps Combat Malnutrition among Mothers and Children](#), 29 August 2014

¹⁵⁰³ UNDP, [Pakistan Human Development Indicators 2014](#), 2014, *Education*

¹⁵⁰⁴ Asian Human Rights Commission, [PAKISTAN: Youth- ignored and marginalised](#), 14 August 2013

¹⁵⁰⁵ Cited in Dawn, [Govt urged to enact laws to curb child labour](#), 12 June 2014

labourers now exceed 12 million in Pakistan” and that “these children are often exposed to physical violence, long working hours and dangerous working conditions”.¹⁵⁰⁶ It further notes that “Up to 1.7 million children from the age of five are working in illegal brick factories in Pakistan and are denied their basic right to a childhood, to an education and to play”.¹⁵⁰⁷ The 2014 Human Rights Commission of Pakistan report notes that “Pakistan ranked sixth on Global Slavery Index 2014 where child labour was most prevalent. It estimated that about two million Pakistanis, approximately 1.130% of the country’s population, comprised mostly of children and bonded labourers. The GSI also revealed that approximately 10 million child workers existed in Pakistan, out of which 3.8 million were aged five to 14 years”.¹⁵⁰⁸

The 2013 Asian Human Rights Commission report notes that “The majority of child laborers work full-time, having no chance to attend classes or engage in any educational activity which can contribute towards their future betterment and development of essential skills. Furthermore, the majority of them do not have access to basic health care, or vaccinations, resulting in their having poor health. In urban centers like Karachi and Islamabad, a number of children are engaged in minimally paid or totally unpaid domestic work in private households, sometimes up to fifteen hours per day”.¹⁵⁰⁹

The Asian Human Rights Commission further reports in June 2014 that “There is a long list of formal and informal sectors teeming with child labour across Pakistan. However, top among these sectors may be agriculture, auto workshops, rag picking and teashops, which harbour significant number of underage working children. One can find children as young as 5 year working in these sectors”.¹⁵¹⁰ The U.S. Department of State report for 2013 notes that “Children were forced to work in the brick kiln, glass bangle, and carpet-weaving industries, as well as agriculture, as part of fulfilling their families’ debt obligation to feudal landowners or brickkiln owners”.¹⁵¹¹

The 2013 U.S. Department of Labor report on Child Labor for Pakistan finds that children in Pakistan are engaged in child labor, the majority of which is agriculture and in the worst forms of child labor in bonded labor and that the majority of child workers reside in rural areas.¹⁵¹² It further notes that “Children, especially girls, are employed as domestic servants and may be subjected to extreme abuse. For example, in 2013, some child domestic servants were killed by their employers”.¹⁵¹³ It further notes with regards to government protection and prevention that:

In 2013, Pakistan made a moderate advancement in efforts to eliminate the worst forms of child labor. Provincial governments finalized national plans of action on child labor and bonded labor. In Punjab, District Vigilance Committees were re-established to combat bonded labor, including bonded labor of children. The Federal Investigation Agency also improved coordination among law

¹⁵⁰⁶ Huffington Post, [Work or Starve: Child Labour in Pakistan's Brick Kilns](#), 30 January 2015

¹⁵⁰⁷ Huffington Post, [Work or Starve: Child Labour in Pakistan's Brick Kilns](#), 30 January 2015

¹⁵⁰⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Children, Child labour* p.232

¹⁵⁰⁹ Asian Human Rights Commission, [The State of Human Rights in Pakistan, 2013, Country Has Turned into a Killing Field](#), 10 December 2013, *No Rights for Children* p.65

¹⁵¹⁰ Asian Human Rights Commission, [PAKISTAN: World Day Against child labour--plight of child labourers at teashops and restaurants](#), 12 June 2014

¹⁵¹¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 7. c. *Prohibition of Child Labor and Minimum Age for Employment*

¹⁵¹² United States Department of Labor, [2013 Findings on the Worst Forms of Child Labor - Pakistan](#), 7 October 2014

¹⁵¹³ United States Department of Labor, [2013 Findings on the Worst Forms of Child Labor - Pakistan](#), 7 October 2014

enforcement groups to better track human traffickers and took action against officials complicit in human trafficking.

The Government continues to implement an array of social programs and projects to combat child labor and bonded labor. However, children in Pakistan continue to engage in child labor in agriculture and the worst forms of child labor in bonded labor. While provincial governments drafted legislation to protect children from the worst forms of child labor in response to a Government-wide decentralization effort, only the Punjab Province passed such legislation. The federal law remains in effect in the remaining provinces. The federal and Punjab laws lack a minimum working age and the minimum age for hazardous work falls short of meeting international standards. Working children continue to lack sufficient legal protections. Enforcement efforts remain weak, and labor inspections have become infrequent. [...]

Police lack the necessary personnel, training, and equipment to confront the armed guards who often oversee bonded laborers.¹⁵¹⁴

The Asian Legal Resource Centre submitted to the UN Human Rights Council in August 2014 with regards to forced labour of children that:

There are reports that the military in their detention centres across the country use girls as sex slaves in order to obtain confessional statements from people who are forcibly made to disappear, particularly more so in the Balochistan province. [...]

In addition, a high number of incidents of bonded labour are also found in domestic services -- particularly women and children labourers, in the carpet weaving industry and in mining. [...]

Children as young as 5 years-old are kept away from schools, forced to work 7 days a week for up to 18 hours a day and end up with crippling injuries, respiratory disorders and chronic pain. [...]

The two main sectors of agriculture and brick kiln industry - that constitutes the backbone of Pakistan's economy -- primarily rely on bonded or forced labour including child labour.

[...] millions of children below the age of 18 are involved in worst forms of labour in sectors like auto workshops, carpet weaving, hotels, restaurants, mining and waste collection. Thousands of these children are also subjected to begging and sexual exploitation, and forcible recruitment into extremist and non-state militant groups.¹⁵¹⁵

The UK Foreign and Commonwealth Office reporting on the first three months of 2014 notes that "The Institute for Social Justice, an NGO working for the rights of child labourers, reported from Punjab on the torture of 21 child domestic workers, including eight deaths, during 2013. Pakistan does not have separate laws regulating the employment of under-age children for domestic help. In January, a ten-year-old maid in Lahore was allegedly beaten to death by her employer who had accused her of stealing. In February, a 13-year-old girl also working as a maid in Lahore was found strangled in her employer's home".¹⁵¹⁶ According to Sahil, a Pakistani NGO working on child protection issues, especially against child sexual abuse, "The number of child labor exceeded 12 million in 2013. More than 30 Child Domestic Workers were tortured to death in 3 year. Nearly 1.5 million children are living and or working on the streets in Pakistan".¹⁵¹⁷

¹⁵¹⁴ United States Department of Labor, [2013 Findings on the Worst Forms of Child Labor - Pakistan](#), 7 October 2014

¹⁵¹⁵ Asian Legal Resource Centre, [PAKISTAN: End slavery and bonded labour, Written statement* submitted to the UN Human Rights Council by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 27 August 2014

¹⁵¹⁶ UK Foreign and Commonwealth Office, [Human Rights and Democracy Report 2013: Pakistan - Country of Concern update](#), 10 April 2014

¹⁵¹⁷ Sahil, [UN Convention on the Rights of the Child... 25 years later](#), October –December 2014, *Situational Analysis of Child Rights Situation in Pakistan*

6.4.4.2. Recruitment of children for military means

IRIN reports that “After 11 September 2001, Al-Qaeda set up special camps in North Waziristan to train children, a task that was overseen for years by the group's top leadership. A special group of child fighters, called Jaish ul Tifal, was set up. The original camps are closed now, and most of the Arab instructors have fled Pakistan, but the tactic has inspired a host of other groups in North Waziristan to start their own programmes to recruit children”.¹⁵¹⁸

According to the 2013 U.S. Department of Labor report on Child Labor for Pakistan “Some children are used by non-state militant groups in armed conflict. Non-state groups kidnap children or coerce parents into giving away their children to spy, fight, or die in suicide attacks. These children are subjected to physical, sexual, and psychological abuse. Children as young as age 12 are recruited by pro-Taliban insurgents, trained as suicide bombers, and trafficked between Afghanistan and Pakistan”.¹⁵¹⁹ The 2013 U.S. Department of State report similarly notes that “militants sometimes offered parents money, often sexually and physically abused the children, and used psychological coercion to convince the children that the acts they committed were justified. The Nation reported on March 13 [2013] that Quetta police announced the arrest of 11 children who were allegedly involved in a series of bomb explosions. The teenaged suspects’ ages ranged from 11 to 18, and they all came from poor families. Police claimed the teenagers were responsible for more than one dozen bomb explosions and that terrorists paid them 2,000 to 5,000 rupees (\$19 to \$47) per bombing”.¹⁵²⁰

The report of the Secretary-General on ‘Children and armed conflict’ covering 2013 notes on the issue that:

The recruitment of children by armed groups in Pakistan, including reportedly for use as suicide bombers and bomb planters, remained a grave concern in 2013. For example, in March, the police arrested 11 children, between 10 and 17 years of age, who were allegedly used by the United Baloch Army to plant improvised explosive devices. All the children were held in the government of Balochistan security facility awaiting trial at the time of reporting. No exact figures could be established on the number of children used by armed groups, in particular in the Federally Administered Tribal Areas. However, on 24 October, 21 children, between 7 and 12 years of age, allegedly proceeding to Pakistan for military training by the Taliban were detained by Afghan security forces in Nuristan Province. The Taliban rejected those allegations.¹⁵²¹

Reporting in September 2013 the Inter Press Service reports that according to a teacher in Bannu, close to North Waziristan Agency, a Taliban ‘hotbed’, that “the Taliban routinely pick up boys from poor families in Bannu and train them to use guns, improvised explosive devices and to become suicide bombers”.¹⁵²² It further cites a police officer Khalid Khan as stating that the Taliban have kidnapped more than 500 children in the past five years and “About 40 have escaped but the whereabouts of others are not known”.¹⁵²³ Moreover, “Orphans are known locally to be the most vulnerable to recruitment because they are easily ‘available’” and “Terrorists hunt for young starving children to be trained to plant bombs, lay roadside traps or [be used] in fighting and for carrying out suicide attacks”.¹⁵²⁴ Frontier Post, reporting on the displacement of persons due to the wide-scale

¹⁵¹⁸ Integrated Regional Information Network, [Pakistan’s traumatized war children play soldiers and Taliban](#), 16 June 2014

¹⁵¹⁹ United States Department of Labor, [2013 Findings on the Worst Forms of Child Labor - Pakistan](#), 7 October 2014

¹⁵²⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 *g. Use of Excessive Force and Other Abuses in Internal Conflicts*

¹⁵²¹ UN, [Children and armed conflict. Report of the Secretary-General](#), 15 May 2014 paragraph 188

¹⁵²² Inter Press Service, [Poor Picked for ‘Paradise’](#), 4 September 2013

¹⁵²³ Inter Press Service, [Poor Picked for ‘Paradise’](#), 4 September 2013

¹⁵²⁴ Inter Press Service, [Poor Picked for ‘Paradise’](#), 4 September 2013

army operation in North Waziristan Agency notes in April 2014 that “Researchers and social scientists believe that Fata children in particular undergo psychological trauma as they are forced into the conflict – often as suicide bombers or child soldiers and also through displacement”.¹⁵²⁵

The Global Post, reporting on street children in Karachi in March 2014 notes that “children are easy targets for both criminal gangs and the Taliban militants who began arriving in the city in late 2010, initially for rest and medical help. Since 2010 the Taliban has become more entrenched in the ethnic Pashtun parts of Karachi, competing with local criminal groups and politically sponsored mafias by using the city to raise funds through extortion and kidnapping. Both the Taliban and the local gangs now recruit messengers from the large population of street children the migration has created”.¹⁵²⁶ It further cites Bilal Ahmed, a consultant overseeing research into the links between street kids and crime in Karachi, as noting that “The street children are an invisible population in the hundreds of thousands — ignored by the local administration, a pest to local residents, abused by the police — and that is precisely what makes them useful. They can carry weapons and bhatta (extortion) threats around the city. [...] Street kids are also being used to carry messages between members of terrorist groups, who fear phone-tapping by intelligence agencies and the police. [...] They use any tactics to gain access to the children [...] but generally extremists recruit the children through a promise of money and drugs rather than through Islamic ideology”.¹⁵²⁷ The report cites a further source as stating that according to unconfirmed reports, at the end of 2013 street children from Karachi were taken to Quetta, to be used as suicide bombers by extremists groups.¹⁵²⁸

The 2014 Global Coalition to Protect Education from Attack report notes that “evidence of armed groups and armed criminal groups recruiting children while they were in school or as they travelled to or from school was found in six countries during 2009-2012: Colombia, DRC, Pakistan, Somalia, Thailand and Yemen. [...] In Pakistan, militants recruited, lured or abducted children from mainstream schools and madrassas (religious schools), in some cases to train as suicide bombers”.¹⁵²⁹ The Inter Press Service further notes in January 2015 that “Some sources say that between two and three million students are enrolled at the nearly 20,000 madrassas spread across Pakistan; others say this is a conservative estimate”.¹⁵³⁰ The same source reports that part of the government’s 20-point National Action Plan dedicated to eradicate terrorism is to register and regulate all seminaries (madrassas).¹⁵³¹ The 2013 United States Department of State report on International Religious Freedom notes with regards to madrassahs that:

Private schools run by Islamic clerics, or madrassahs, vary greatly in their curriculum and character. In some rural communities, government schools may be difficult to reach or in poor condition, making madrassahs the only viable form of education available to impoverished students. By law madrassahs are prohibited from teaching sectarian or religious hatred or encouraging sectarian or religious violence. In practice, hard-line clerics who preach intolerance toward other sects are common. In recent years, in violation of the law, a small yet influential number of madrassahs have taught violent extremist doctrine in support of terrorism. In an attempt to curb the spread of violent extremism, the law requires all madrassahs to register with one of five wafaqs (independent boards) or directly with the government, to cease accepting foreign financing, and to accept foreign students only with the consent of their governments. In September according to press reports, the Ministry of Interior identified more than 500 foreign-funded religious schools (of the estimated 10,000-20,000 nationwide) that foment violent extremism, based on information from provincial law enforcement

¹⁵²⁵ Frontier Post, [Traumatised children from NWA flee battle zone in search of peace](#), 29 April 2014

¹⁵²⁶ Global Post, [Pakistan's criminal and terrorist gangs have new recruits: Street kids](#), 3 March 2014

¹⁵²⁷ Global Post, [Pakistan's criminal and terrorist gangs have new recruits: Street kids](#), 3 March 2014

¹⁵²⁸ Global Post, [Pakistan's criminal and terrorist gangs have new recruits: Street kids](#), 3 March 2014

¹⁵²⁹ Global Coalition to Protect Education from Attack, [Education Under Attack 2014](#), 2014, Summary p.20

¹⁵³⁰ Inter Press Service, [Fighting Extremism with Schools, Not Guns](#), 21 January 2015

¹⁵³¹ Inter Press Service, [Fighting Extremism with Schools, Not Guns](#), 21 January 2015

and intelligence agencies. The government officially categorizes most madrassahs as "non-extremist institutions".¹⁵³²

6.4.4.3. Violence against children (excluding conflict-related violence)

The 2013 U.S. Department of State report notes that "Child abuse was widespread. Young girls and boys working as domestic servants were abused, beaten, and made to work long hours by employers, who in some cases were relatives. Many of them were trafficking victims. According to a 2011 article in Dawn, more than 170,000 children lived on the streets. Up to 90 percent were abused sexually on the first night they slept outside, and 60 percent accused police of sexually abusing them. [...] In Karachi and interior Sindh, there were cases of sexual abuse of children in madrassahs. In 2011 Sindh police raided a Deobandi madrassah on the outskirts of Karachi and discovered 68 captive boys, many of whom reported sexual abuse by the custodians of the madrassah".¹⁵³³

The 2014 report of the Society for the Protection of the Rights of the Child reports that "In 2014, the Madadgar National Helpline released its three year database on violence against children in Pakistan. The data reveals the appalling state of child protection in Pakistan and reports a high prevalence of various forms of violence in the country".¹⁵³⁴ It provides the following statistics of reported cases of violence against children from January 2000 to December 2013:

Murder	10,192
Rape	4,572
Sodomy	3,429
Torture	4,996
Trafficking	3,336
Missing Children	11,224
Suicide	4,857
Police Torture	2,071
Karo Kari	1,107
Kidnapping	11,697
Forced Marriage	11,069
Vani ¹⁵³⁵ Cases	1,381
Total	69,604 ¹⁵³⁶

The Inter Press Service notes in October 2013 that "There is no official database, but the non-governmental organisation Sahil puts the number of child sexual abuse cases at 3,861 in 2012, while Madadgaar Helpline's national database recorded 5,659 cases of violence against children from January to October last year. These numbers, however, remain only indicative, as most cases go unreported".¹⁵³⁷ Shiraz Ahmed, survival support officer at Karachi-based NGO War Against Rape (WAR) told IRIN that "I would say somewhere around 10 to 20 percent of all rape cases that take

¹⁵³² United States Department of State, [2013 Report on International Religious Freedom - Pakistan](#), 28 July 2014

¹⁵³³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. Children

¹⁵³⁴ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Violence against children chapter*

¹⁵³⁵ Marriage as a means to settle a feud or dispute between families

¹⁵³⁶ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Violence against children chapter*

¹⁵³⁷ Inter Press Service, [Little Girls Killed, Who Cares](#), 7 October 2013

place are reported”, explaining that the under-reporting was due in part to social pressures, the prolonged legal process, stigma associated with rape, and the handling of cases by police.¹⁵³⁸

According to Sahil, a Pakistani NGO working on child protection issues, especially against child sexual abuse “3,002 Child Sexual Abuse [CSA] cases were reported in 2013”.¹⁵³⁹ The Society for the Protection of the Rights of the Child reports that “According to the Sahil Cruel Numbers Six Monthly Report 2014, a total of 1,786 cases of CSA were reported between January and June 2014. This is a significant increase when compared with the six month figures from last year: between January and July 2013 a total of 1,204 cases of CSA were reported. A large proportion of the victims included girls: the report highlights that out of 1,786 cases reported in 2014, 1,172 involved girls (66% of the total) and 614 (34% of the total) involved boys respectively”.¹⁵⁴⁰

The 2014 Human Rights Commission of Pakistan report notes that “A UNICEF report, ‘Hidden in Plain Sight: Statistical Analysis of Violence against Children’, released in September [2014], surveyed 190 countries and ranked Pakistan amongst the top 10 with the highest child homicide rates. The report showed that 30 percent of girls aged 15 to 19 years surveyed claimed that they experienced physical violence since the age of 15, with 24 per cent saying they had experienced physical violence within the last 12 months. The report also recorded that 53% of the girls and 34% of the boys aged 15 - 19 years interviewed for this survey believed that the husband/partner was justified in beating the wife in certain circumstances”.¹⁵⁴¹

In May 2014 the Asian Human Rights Commission reported on the issue of rape of children that:

The Asian Human Rights Commission (AHRC) has received information that rape cases of minors and young adults have increased in the country with the impunity. During the first four months of the year 11 cases concerning the rapes of minors were reported. It is now known how many cases were not reported in order to avoid any stigma being attached to the girls and in many cases the poor families of the victims were threatened and coerced by the police not to file case. The father of a seven-year-old Christian minor was arrested for reporting the case and was tortured in the police custody to withdraw his case against some brick kiln owners. Even an 18 month old girl was raped and police tried all efforts to avoid filing the case. It is a common strategy for the police to do their utmost to discourage the complainants from filing cases, especially in those cases where the police officials were involved.

The increase in rape cases of minors has crossed a critical threshold with the protection and patronage of authorities. Minors from Punjab province make up the majority of the victims where banned religious groups influence the police to refrain from allowing reports to be made. While most of the victims are from the religious minorities the parents frequently fail to make reports as the Muslim religious leaders threaten to charge them with blasphemy by implicating them in the burning of Quranic pages.¹⁵⁴²

For information on the abduction and trafficking of children, see [6.6.4. Child trafficking \(prevalence & state response\)](#).

¹⁵³⁸ IRIN, [Child rape gets more media attention in Pakistan](#), 24 September 2013

¹⁵³⁹ Sahil, [UN Convention on the Rights of the Child... 25 years later](#), October–December 2014, *Situational Analysis of Child Rights Situation in Pakistan*

¹⁵⁴⁰ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Violence against children chapter*

¹⁵⁴¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Children, Violence against children p.229*

¹⁵⁴² Asian Human Rights Commission, [Rape cases of minors are increasing – during the first four months 11 cases were reported](#), 2 May 2014

6.4.4.4. Access to education

See also [3.3.5. Attacks on education](#).

According to UNICEF's 2013 annual report on Pakistan "An estimated 7 million children of primary age and 25 million of secondary age (lower and upper) are out-of-school in Pakistan. Gender, wealth and household location strongly influence the out-of school profile. According to UNESCO, 49 per cent of children aged 7-16 from the poorest households were out of school in 2007, compared with 5 per cent from the wealthiest households. Poor girls living in rural areas are sixteen times less likely to be in school than boys from the wealthiest households living in urban areas. Moreover, whilst the average years of schooling for girls from high income urban areas is 9.4, the comparative figure for girls from low income rural areas is just 1.01 years".¹⁵⁴³ According to the 2014 UNDP Development Index, the mean number of years of schooling is 4.73.¹⁵⁴⁴

In a June 2014 briefing on 'Education Reform in Pakistan', the International Crisis Group reports that "In April 2010, the eighteenth constitutional amendment committed Pakistan to free and compulsory education for all children between the ages of five and sixteen. Yet, millions are still out of school, and the education system remains alarmingly impoverished".¹⁵⁴⁵ According to the International Crisis Group reporting in June 2014, "More than nine million children do not receive primary or secondary education, and literacy rates are stagnant".¹⁵⁴⁶ IRIN reports that according to education activists, "the literacy rate in FATA is lower than all other parts of the country mainly because of Taliban militancy and resulting displacement. The rate in North Waziristan is 15.7 percent, including 26.9 percent among men and 1.5 per cent among women".¹⁵⁴⁷

The World Bank reports in October 2014 that "Although Pakistan has made progress in education, it still faces major challenges in school participation, completion and student achievement. Pakistan has a very high out-of-school population of seven million, with two-thirds of them girls, although enrollment rates vary appreciably between and within provinces. Standardized tests suggest that student achievement is very low. A sizable share of school leavers does not achieve even minimum mastery of mathematics, reading or language, as defined by the government".¹⁵⁴⁸ The Inter Press Service reports in January 2015 that 5.02 million school-aged children – of which 13.7 million (55 percent) are girls – do not receive any form of education and that the government spends just 2.1 percent of its GDP on education.¹⁵⁴⁹

The World Bank further reports that "Education participation is inequitable, even at the primary level. Girls, children from poor families, rural children, and children from some traditionally-disadvantaged social groups have very low enrollment rates. Children from poor households appear to suffer a large participation disadvantage at all levels: only 43 percent of children aged six to 10 belonging to the poorest wealth quintiles are enrolled in school. In Punjab, female participation is 61 percent at the primary level, 10 percentage points lower than male participation, driven by gender differences in rural areas and among poor households".¹⁵⁵⁰ The 2013 U.S. Department of State report notes on the issue of girls' access to education that:

¹⁵⁴³ UNICEF, [Pakistan Annual Report 2013](#), 2013, *Education* p.35

¹⁵⁴⁴ UNDP, [Pakistan Human Development Indicators 2014](#), 2014, *Education*

¹⁵⁴⁵ International Crisis Group, [Education Reform in Pakistan](#), 23 June 2014, *Executive Summary*

¹⁵⁴⁶ International Crisis Group, [Education Reform in Pakistan](#), 23 June 2014, *Executive Summary*

¹⁵⁴⁷ Integrated Regional Information Network, [Military operations in NW Pakistan disrupt education](#), 10 September 2014

¹⁵⁴⁸ World Bank, [Pakistan - Country snapshot](#), 20 October 2014, *Education*

¹⁵⁴⁹ Inter Press Service, [Fighting Extremism with Schools, Not Guns](#), 21 January 2015

¹⁵⁵⁰ World Bank, [Pakistan - Country snapshot](#), 20 October 2014, *Education*

The most significant barrier to girls' education was the lack of access. Public schools, particularly beyond the primary grades, were not available in many rural areas, and those that existed were often too far away for a girl to travel unaccompanied. In addition, despite cultural beliefs that boys and girls should be educated separately after primary school, the government often failed to take measures to provide separate rest room facilities or separate classrooms, and there were more government schools for boys than for girls. The attendance rates for girls in primary, secondary, and postsecondary schools were lower than for boys across the board. In addition, certain tribal and cultural beliefs often prevented girls from attending schools.¹⁵⁵¹

The Society for the Protection of the Rights of the Child reports that "According to the latest ASER [Annual Status of Education Report] 2014 report, approximately 61% of children aged 3-5 years in rural areas and 42% in urban areas are out of school. This is an alarming figure given the fact that most of the children who do enter school either drop out or do not progress further on thereby increasing the number of out of school children. There is a dire need for an intervention whereby the provincial governments formulate laws that will ensure that early childhood education is made mandatory and out of school children are brought back into school".¹⁵⁵² The same source further notes that "According to the National Education Management Information System (NEMIS), around 22.5% of children in the primary school age category are out of school; approximately 5.1 million out of 22.6 million children aged (5-9). It is estimated that 23% of rural and 7% of urban children are not enrolled in any form of schooling. Population projections show that nearly 60% of children between the ages of 5-16 currently reside in rural areas. Out of the total number of out of school children in Pakistan, 14 million reside in rural communities, compared to 11 million who live in urban areas; meaning 57% of out of school children reside in rural areas".¹⁵⁵³

For a breakdown of provincial budgets for education and enrolment figures by province, see:

- Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Education chapter*

In a September 2013 report, UNICEF notes that "Out-of-school children often face deep-rooted structural inequalities and disparities. This study found that in Pakistan these are most commonly linked to gender biases, income poverty, child labour, inadequacies in the supply of schools and teachers especially in rural and remote areas, lack of infrastructure and school facilities especially for girls, deficiencies in the teaching-learning process, problems with the processes of devolution and decentralization, incapacities in school management committees, weak coordination between the public, private and non-profit sectors, and inadequate budget allocations and resource distribution".¹⁵⁵⁴ The 2014 report of Society for the Protection of the Rights of the Child reports with regards to gender disparities in education that "A Gender Parity Index (GPI) of 1 or above indicates that female enrolment is at par with or exceeds male enrolment, while a GPI lower than 1 implies the opposite. At a value of 0.80, meaning roughly three girls in school for every four boys, the GPI for primary education in Pakistan has hardly moved over the past five years".¹⁵⁵⁵ It further notes that:

¹⁵⁵¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 6. *Children*

¹⁵⁵² Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Education chapter*,

¹⁵⁵³ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Education chapter*,

¹⁵⁵⁴ UN Children's Fund, [Report on Out-of-School Children in Pakistan Indicates 3 out of 10 Primary Age Children Not Enrolled in School](#), June 2013, *Foreword*

¹⁵⁵⁵ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Education chapter*,

Differences of wealth, location, language and other factors are increasing the gender disparities in the country. Gender disparity in school attendance among urban households is often small as compared to rural households or households belonging to minorities (ethnic or religious). With little or no progress owing to lack of development in schools, Pakistan is set to miss its target of achieving gender parity by 2015.

Several factors have played a role in hindering progress towards achieving the goal of eliminating gender disparity in primary and secondary education. In Pakistan, the stereotypical perception of women as confined within the household hinders girls from going to school. This condition is aggravated by the distance of school from the household (especially in rural areas) and presence of male teachers in educational institutes.¹⁵⁵⁶

A June 2014 International Crisis Group briefing reports on the lack of educational facilities:

The madrasa (religious school) sector flourishes, with no meaningful efforts made to regulate the seminaries, many of which propagate religious and sectarian hatred. Militant violence and natural disasters have exacerbated the dismal state of education. Earthquakes and floods have destroyed school buildings in Balochistan, Sindh, Khyber Pakhtunkhwa (KPK) and Punjab, disrupting the education of hundreds of thousands of children. Militant jihadi groups have destroyed buildings, closed girls' schools and terrorised parents into keeping daughters at home; their attacks made global headlines with the shooting of schoolgirl and education activist Malala Yousafzai in October 2012. The public education system needs to foster a tolerant citizenry, capable of competing in the labour market and supportive of democratic norms within the country and peace with the outside world.¹⁵⁵⁷

The 2014 Human Rights Commission of Pakistan report notes that a "Shortage of teachers was another major gap in the education system in the country. According to a UNSECO policy paper, released in October 2014, Pakistan would require more than 150,000 new trained primary school teachers by 2015 to achieve the universal primary education target by 2015 and over 290,000 by 2020".¹⁵⁵⁸

IRIN reports in September 2014 that "Continuing military operations in Pakistan's North Waziristan tribal district are disrupting the education of more than 85,000 students in state-run schools. [...] The Pakistan military says it has now cleared militant groups from most parts of North Waziristan, but tribal elders say the government has not yet taken steps to allow people to return, something that has caused protests by displaced students from schools and colleges in North Waziristan".¹⁵⁵⁹ Whilst provincial authorities in Khyber Pakhtunkhwa Province, where many of the displaced relocated to, agreed to admit all school- and college-going displaced children in local schools and colleges, IRIN reports that IDPs are not enrolling their children as they are still optimistic about early repatriation.¹⁵⁶⁰

Freedom House notes in its 'Freedom in the World' report covering events in 2014 that "Education is not free of political indoctrination. Pakistan's primary and secondary public schools as well as privately run religious seminaries use textbooks that promote prejudice and intolerance against religious minorities. In colleges and universities, the student wings of political parties and Islamist groups use intimidation to impose their beliefs, including Islamic codes of conduct. In the FATA and

¹⁵⁵⁶ Society for the Protection of the Rights of the Child, [*The State of Pakistan's Children*](#), 2014, *Education chapter*

¹⁵⁵⁷ International Crisis Group, [*Education Reform in Pakistan*](#), 23 June 2014, *Executive Summary*

¹⁵⁵⁸ Human Rights Commission of Pakistan, [*State of Human Rights in 2014*](#), March 2015, *Children, Education p.227*

¹⁵⁵⁹ Integrated Regional Information Network, [*Military operations in NW Pakistan disrupt education*](#), 10 September 2014

¹⁵⁶⁰ Integrated Regional Information Network, [*Military operations in NW Pakistan disrupt education*](#), 10 September 2014

KPK, female access to education is under constant threat. In October, Prime Minister Sharif ordered a review of the curriculum at all levels of the education system. Also that month, the Higher Education Commission issued a document urging universities to monitor and prohibit student activities that challenged government views or the "ideology and principles of Pakistan." The document was widely criticized by academics".¹⁵⁶¹

The Inter Press Service further notes in January 2015 that "Some sources say that between two and three million students are enrolled at the nearly 20,000 madrassas spread across Pakistan; others say this is a conservative estimate".¹⁵⁶² The same source reports that part of the government's 20-point National Action Plan dedicated to eradicate terrorism is to register and regulate all seminaries (madrassas).¹⁵⁶³ Also see [6.4.4.2. Recruitment of children for military means](#).

6.5. Freedom of Movement

6.5.1. Domestic legal framework (Constitution and legislation)¹⁵⁶⁴

The Constitution of Pakistan provides that:

Article 15 Freedom of movement, etc.

Every citizen shall have the right to remain in, and, subject to any reasonable restriction imposed by law in the public interest, enter and move freely throughout Pakistan and to reside and settle in any part thereof.¹⁵⁶⁵

The 2013 U.S. Department of State report notes that "The law provides for freedom of internal movement and for uninhibited foreign travel, emigration, and repatriation, but the government limited these rights".¹⁵⁶⁶

The UK Home Office reports that the website of Pakistan's Ministry of Interior, accessed 20 May 2013, stated the following regarding the Exit Control List (ECL):¹⁵⁶⁷

1. Exit from Pakistan (Control) Ordinance, 1981¹⁵⁶⁸, empowers the Federal Government to prohibit any person from proceeding abroad. Ordinarily following categories of persons are placed on ECL:
 - Persons involved in mass corruption and misuse of power / authority causing loss to the government funds/property.
 - Government employees involved in economic crime where large government funds have been embezzled or institutional frauds committed.
 - Hardened criminals involved in acts of terrorism / conspiracy, heinous crimes and threatening national security.
 - Key directors of firms having tax default / liabilities of Rs. (rupees) 10 million or more.
 - Only 2 -3 key directors of firms having more than Rs. 100 million loan default / liabilities.

¹⁵⁶¹ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹⁵⁶² Inter Press Service, [Fighting Extremism with Schools, Not Guns](#), 21 January 2015

¹⁵⁶³ Inter Press Service, [Fighting Extremism with Schools, Not Guns](#), 21 January 2015

¹⁵⁶⁴ Selected COI in this subsection reproduced with permission from ACCORD as cited in:

Austrian Centre for Country of Origin and Asylum Research and Documentation, [Pakistan - COI Compilation](#), June 2013, 5.6 Freedom of movement, 5.6.1 Domestic legal framework

¹⁵⁶⁵ [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012

¹⁵⁶⁶ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2. d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

¹⁵⁶⁷ The direct page of the Ministry of Interior's [website](#) was not found when preparing this report

¹⁵⁶⁸ For the full text see: [Pakistan: Exit from Pakistan \(Control\) Ordinance, 1981, 31 December 1981](#)

- Names of persons if recommended by the Registrar, High Courts / Supreme Court of Pakistan and Banking Courts only. Drug traffickers...
2. The On-Line System is operational at the Ministry linked with international airports at Karachi, Lahore, Peshawar, Islamabad and Faisalabad.
 3. Any person aggrieved by the order of Federal Government regarding placement of his name on ECL, can under the law, file a Review Petition giving justifications for review and also can seek a personal hearing with the competent authority.
 4. ECL is reviewed periodically to assess the need for further retention of a person on ECL or otherwise.¹⁵⁶⁹

6.5.2. Imposition of travel restrictions for certain groups and in certain areas, including documentation needed for internal travel

N.B as this report only deals with the situation for Pakistani nationals, freedom of movement for refugees or foreign nationals visiting Pakistan has not been addressed.

❖ Exit control

The Human Rights Commission of Pakistan annual report covering 2013 explains with regards to Pakistan's exit control list that:

The Exit Control List (ECL) is a tool exercised by the authorities to prevent people from leaving the national territorial boundaries. The ECL is a system of border control exercised by government under the Exit from Pakistan (Control) Ordinance 1981. Federal Investigation Agency (FIA) is responsible for formulating and monitoring the ECL. Lack of transparency regarding the ECL persists and people often find their name on the ECL only when they reach the airports. Prominent inclusions in the ECL in 2013 included General Pervez Musharraf, in connection with treason charges that he faced.¹⁵⁷⁰

The 2014 Human Rights Commission of Pakistan report notes that "The right to leave the country came under what some affected individuals called arbitrary curbs on travel abroad by inclusion of individuals' names in the Exit Control List. In some cases, courts found the restriction to be arbitrary. A more general complaint of undue delay in provision of passports to citizens in the country or through Pakistani missions abroad was highlighted by the media and attracted judicial attention".¹⁵⁷¹

Reporting on the Anti-Terrorism (Second Amendment) Act 2013, the Human Rights Commission of Pakistan reports that "The amendment highlighted that if members or office bearers of a banned organization continued their involvement in prohibited activities, the government could take action against these individuals. It stated that such individuals might be stopped from travelling abroad, getting a passport, getting any kind of financial assistance including bank loans and credit cards".¹⁵⁷²

On the issue of foreign travel the 2013 U.S. Department of State report notes that:

¹⁵⁶⁹ Cited in UK Home Office, [Pakistan Country of Origin Information Report](#), 9 August 2013 Exit Control List (ECL) paragraph 33.17

¹⁵⁷⁰ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of Assembly, Power and fuel protests* p.129

¹⁵⁷¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of movement* p.109

¹⁵⁷² Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of Association, Banned organisations* p.146

The law prohibits travel to Israel, and the country's passports include a statement that they are "valid for all countries except Israel." Government employees and students must obtain "no objection certificates" from the government before traveling abroad. Authorities rarely enforced this requirement for students.

Persons on the Exit Control List were prohibited from foreign travel. Although the list was intended to prevent persons with pending criminal cases from traveling abroad, the Ministry of Interior added names of other persons such as human rights activists or leaders of nationalist parties. Those on the list had the right to appeal to the courts for removal of their names.¹⁵⁷³

The U.S. Department of State adds with regards to the travel ban to Israel that "This especially affected Bahais, since the Bahai World Center -- the spiritual and administrative heart of the community -- is located in Israel".¹⁵⁷⁴

According to the Immigration and Refugee Board of Canada reporting on the impact of a first instance report (FIR) on exit from Pakistan:

Sources report that having an FIR registered against a person would be unlikely to prevent them from leaving Pakistan, unless the government or the court has ordered a person's name to be put on the Exit Control List (Lawyer 19 Dec. 2013; CPDI-Pakistan 18 Dec. 2013; HRCP 17 Dec. 2013), which is maintained by the Ministry of the Interior and issued to all national exit points (ibid.).

The HRCP representative indicated that FIRs at the district level or local matters would be unlikely to impact a person leaving Pakistan (ibid.).

The representative of the HRCP noted that with the "right connections" anyone can be put on the Exit Control List, though should that person be able to "pay enough" they can still exit the country (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.¹⁵⁷⁵

Amnesty International reports that "On 5 February [2014], Kareem Khan, an anti-drone activist and a relative of victims, was abducted by up to 20 armed men, some in police uniforms, from his home in the garrison city of Rawalpindi, days before he was due to travel to Europe to give testimony before the European Parliament on the impact of US drone strikes on Pakistan's tribal areas".¹⁵⁷⁶ Also see [4.2.5.2. Enforced disappearances](#).

❖ Internal travel

The 2013 U.S. Department of State report notes that "Government restrictions on access to certain areas of the FATA, KP, and Balochistan, often due to security concerns, hindered the ability of humanitarian assistance providers to deliver aid to vulnerable populations".¹⁵⁷⁷ The Human Rights Commission of Pakistan similarly reports that "In 2013 frequent restrictions, both from state and non-state actors, posed challenges to freedom of movement for Pakistani citizens and foreigners

¹⁵⁷³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2. d. *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*

¹⁵⁷⁴ U.S. Department of State, [2013 International Religious Freedom Report - Pakistan](#), 28 July 2014, *Government practices*

¹⁵⁷⁵ Immigration and Refugee Board of Canada, [Pakistan: First Information Reports \(FIRs\) \(2010-December 2013\) \[PAK104714.E\]](#), 10 January 2014

¹⁵⁷⁶ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Enforced disappearances*

¹⁵⁷⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 2. d. *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*

alike. The citizens also faced restrictions on their right to reside and settle in any part of Pakistan".¹⁵⁷⁸ It adds that:

The challenges included poor law and order situation, precarious movement through Balochistan and tribal areas, closure of the Karakoram Highway (KKH) which connected the Gilgit Baltistan region to the rest of Pakistan, and targeted attacks and sectarian killings. [...]

Road blockade as an instrument of restricting freedom of movement was used frequently and sometimes arbitrarily. Sectarian killings and increased tensions led to various restrictions being imposed. Entry of religious clerics was banned in major cities during the month of Muharram to prevent incitement to violence and hate speech. [...]

Protests by different political parties restricted freedom of movement in all the major cities.¹⁵⁷⁹

According to sources consulted in a June 2013 report the Internal Displacement Monitoring Centre noted that "Freedom of movement remains a key concern. IDPs have been forced to flee on foot, at night and without assistance. In some cases children and disabled and elderly people are reported to have died of exhaustion en route. NSAGs [non-state armed groups] have reportedly prevented others from leaving at all, sometimes by detaining or even killing them. The government has also restricted IDPs' movements during military operations in the past, and instructed some to seek assistance in camps".¹⁵⁸⁰

In its 'Freedom in the World' report covering events in 2014 Freedom House reports that "There are few legal limitations on citizens' travel or their choice of residence, employment, or institution of higher learning. One exception affects Ahmadis, who are obliged to deny their faith to obtain a passport. Practical constraints on freedom of movement and related rights are common, ranging from insecurity and corruption to societal taboos. These are more pronounced in the case of women".¹⁵⁸¹ The 2014 Social Institutions & Gender Index for Pakistan similarly states that "Social norms that reinforce women's primary responsibility as a wife and mother are very strong in Pakistan. Her sphere is the household, and her behaviour reflects upon the honour of her whole family. Because of this, women's access to public space is often circumscribed, particularly in regard to mobility. Although women have the legal right to freedom of movement, widespread discriminatory practices limit their ability to exercise this right, particularly in Taliban-controlled tribal areas. Women are often harassed when taking public transportation. At its most extreme, 'honour' killings and the practice of purdah severely circumscribe the civil liberties of women. However, women do have the right to apply for passports on the same grounds as men".¹⁵⁸² For further information, see [6.4. Women and Children](#).

The 2014 report from the Human Rights Commission of Pakistan notes that "The right to move freely and to establish oneself in a place of one's choice relates to the entire territory of a State. This entitlement was tested by circumstances that forced a large number of citizens to flee their homes. Major population exodus occurred in Federally Administered Tribal Areas (FATA), mainly in North Waziristan Agency of starting in June and in Khyber Agency in October after military operations were launched in the two districts to dislodge militant extremist groups. Anti-IDP rhetoric and at least some opposition and hurdles to the entry of displaced persons from FATA to the provinces of Sindh

¹⁵⁷⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of Movement* p.75

¹⁵⁷⁹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Freedom of Movement* p.76

¹⁵⁸⁰ Internal Displacement Monitoring Centre, [Massive new displacement and falling returns require rights-based response](#), 12 June 2013

¹⁵⁸¹ Freedom House, [Freedom in the World 2015 - Pakistan](#), 5 May 2015

¹⁵⁸² Social Institutions & Gender Index, [Pakistan chapter](#), 2014, *Restricted civil liberties*

and Punjab were noticed, particularly in June and July”.¹⁵⁸³ IRIN similarly reports in August 2014 that “People fleeing the war-torn North Waziristan area of Pakistan and arriving in Sindh Province in the south of the country are finding themselves increasingly unpopular. Last month, roads were closed off when angry residents demanded an end to such migration, while the provincial government has made moves to ban all internally displaced persons (IDPs) from entering Sindh”.¹⁵⁸⁴ It adds that “The Save Sindh Committee (SSC), which campaigns for the expulsion of non-Sindhi residents, has taken to ever more vocal tactics to try and force tougher measures against IDPs. Between 5 and 11 July its members blocked key roads; on 22 July they brought whole parts of the region to a standstill through a crippling strike”.¹⁵⁸⁵

The Inter Press Service reported in November 2014 that “As Pakistan’s military offensive against the Tehreek-e-Taliban Pakistan (TTP) expands slowly from North Waziristan Agency to the restive Khyber Province, civilians must decide whether or not to defy a Taliban ban on travel. If they stay, they risk becoming victims of army shelling and gunfire, aimed at rooting out terrorists from the Afghan-Pakistan border regions where they have operated with impunity since 2001. If residents attempt to flee, they will face the wrath of militants who rely on the civilian population to provide cover against a wholesale military bombardment of the region”.¹⁵⁸⁶ It further notes that “At the end of October [2014], members of the TTP issued a warning to local residents that their houses would be blown up if they followed the army’s evacuation orders, which came in the form of pamphlets dropped from helicopters ahead of a three-day deadline to militants to lay down their arms or face a major offensive”.¹⁵⁸⁷

The 2014 Human Rights Commission of Pakistan report further notes that “As in previous years, the government barred several clerics from a number of cities during the month of Muharram in 2014 with a view to preventing them from fanning sectarian hatred. Apart from this once-a-year curb, however, little action was initiated against these clerics for hate speech. [...] Imposition of curfew amid security forces’ operations against militant extremists in parts of FATA and some districts of Khyber Pakhtunkhwa province, occasional curfew-like situations, such as strike calls in Karachi and closure of roads by the Punjab and federal governments to thwart two somewhat coordinated protests and sit-ins in Islamabad from August onwards also affected the citizens’ liberty of movement”.¹⁵⁸⁸

6.5.3. Treatment of persons returning from abroad

No information on the specific treatment of persons returning from abroad was found amongst the sources consulted which post-dates June 2013. For relevant COI published before this date, see:

- Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), [Pakistan: COI Compilation](#), June 2013, 5.6.3 *Treatment of persons returning from abroad*

The following information was found on the authorities’ general attitude towards deportees and persons claiming asylum abroad. The U.S. Department of State reported in its annual trafficking

¹⁵⁸³ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of movement* p.108

¹⁵⁸⁴ Integrated Regional Information Network, [IDPs under pressure in Pakistan’s Sindh Province](#), 4 August 2014

¹⁵⁸⁵ Integrated Regional Information Network, [IDPs under pressure in Pakistan’s Sindh Province](#), 4 August 2014

¹⁵⁸⁶ Inter Press Service, [Choosing Between Death and Death in Pakistan](#), 6 November 2014

¹⁵⁸⁷ Inter Press Service, [Choosing Between Death and Death in Pakistan](#), 6 November 2014

¹⁵⁸⁸ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Freedom of movement* p.108-9

report covering 2013 that “Some reports asserted that low-level officials in the FIA [Federal Investigative Agency anti-trafficking unit, including police, did not register cases against trafficking offenders in exchange for bribes. Other reports noted that some FIA] officials solicited bribes from deported Pakistani citizens who arrived in Pakistani airports to avoid having charges filed against them; some of these citizens may have been trafficking victims”.¹⁵⁸⁹ In September 2014 the Asian Human Rights Commission reported that it “has received information that security agencies have started targeting the family members of Baloch refugees who have fled to western countries. Reports state that family members including children of these refugees have been arrested by plain clothed persons and have been abducted in unmarked vehicles. Their whereabouts are yet unknown”.¹⁵⁹⁰

6.5.4. Internally displaced persons (IDPs)

For background information on military operations causing forced displacement, [see 4.2.5.4. Forced displacement](#).

The Human Rights Commission of Pakistan annual report covering 2013 reports that “Internal displacement remained widespread in FATA where actions of militant extremists, mainly the Pakistani Taliban, and military operations against them led to exodus of local residents. New displacement took place in FATA, just as residents of some of the seven tribal districts returned home”.¹⁵⁹¹ The same source further notes that “A number of reports highlighted security problems at IDP camps. In the worst instance, 17 people were killed and 28 injured in March when an explosion occurred at Jalojai Camp for IDPs as people queued to receive their rations. The camp administration had reportedly received threats three days earlier but no security measures had been taken”.¹⁵⁹²

According to the 2013 U.S. Department of State report, “As a result of militant activity and military operations in KP and the FATA, large population displacements occurred. Although an estimated 1.9 million conflict-affected persons returned home during the past two years, there were still more than one million internally displaced persons (IDPs) living with host communities, in rented accommodations, or in camps at the beginning of the year”.¹⁵⁹³ The Norwegian Refugee Council/Internal Displacement Monitoring Centre summarises the 2013 situation as follows:

Armed conflict continued to be the main cause of displacement in Pakistan in 2013. An estimated five million people have been displaced by conflict, sectarian violence and human rights abuses in the north-west of the country since 2004. Movements peaked in 2009, when three million people were forced to flee their homes, but by the end of 2010 the number of people living in displacement had fallen to around a million. Returns have since been offset by new displacement, with the total number of IDPs standing at around 746,700 at the end of 2013.

A hundred and forty thousand people were newly registered as displaced during the year. The majority fled from the Federally Administered Tribal Areas (FATA) to neighbouring Khyber

¹⁵⁸⁹ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014

¹⁵⁹⁰ Asian Human Rights Commission, [PAKISTAN: Children of Baloch asylum seekers targeted for enforced disappearances](#), 3 September 2014

¹⁵⁹¹ Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Internal displacement* p.287

¹⁵⁹² Human Rights Commission of Pakistan, [State of Human Rights in 2013](#), March 2014, *Internal displacement* p.289

¹⁵⁹³ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014

Pakhtunkhwa (KP) province. There are also an unknown number of unregistered IDPs from FATA, some of whom were identified by the IDP Vulnerability Assessment and Profiling (IVAP) project.¹⁵⁹⁴

The same source adds with regards to IDP registration that “UNHCR registers IDPs on behalf of the disaster management authorities in KP and FATA. To be eligible for registration, applicants must hold a valid national identity card (CNIC) showing two addresses in an area the government has “notified” or officially recognised as affected by conflict”.¹⁵⁹⁵ It further considers that “IDPs living in camps are generally considered to be in greatest need of assistance. That said, many outside the camps live below the poverty line and do not have adequate access to food, housing and basic services. An IVAP [IDP Vulnerability Assessment] profiling exercise conducted in seven KP districts between May and December [2013] found IDPs’ primary humanitarian needs to be food, non-food items, assistance with rent and access to water and livelihood opportunities. The international response was coordinated through the cluster system”.¹⁵⁹⁶ According to the 2013 U.S. Department of State report, “Significant numbers of displaced families, however, remained unregistered and uncounted because of restrictive government registration procedures, according to the Internal Displacement Monitoring Center (IDMC)”.¹⁵⁹⁷

IRIN reported in August 2013 that “Fleeing home is a negative experience in itself, but for Pakistan’s one million internally displaced persons (IDPs), most of them subsistence farmers, the sense of dislocation is made worse when they have to start paying for food and accommodation. The result is often what humanitarians call “negative coping strategies” - a set of responses to difficulties that may provide a temporary means of survival, but can seriously undermine IDPs’ long-term security”.¹⁵⁹⁸ The report cites Faiz Mohammed, chief coordinator for IDPs in the KP provincial government as stating that “People keep backups; some have savings, others have valuables and livestock. Once they’re gone, and they’re barely making enough to eat, it is extremely difficult for them to rebuild those backups”.¹⁵⁹⁹ IRIN adds that “data from the Internally Displaced Person Vulnerability Assessment and Profiling (IVAP) survey show that a large portion of the IDPs from the five-year conflict in FATA have resorted to negative coping strategies to survive: 30 percent of families purchased food on credit, and 21.7 percent borrowed food, or asked friends and relatives for help”.¹⁶⁰⁰

The 2013 U.S. Department of State report notes on the issue of humanitarian access that “Government restrictions on access to certain areas of the FATA, KP, and Balochistan, often due to security concerns, hindered the ability of humanitarian assistance providers to deliver aid to vulnerable populations”.¹⁶⁰¹ IRIN reporting on those persons in North Waziristan who decided not to flee the military offensive notes that “Many of those who decided not to flee are now far from basic services and humanitarian support. ‘We have been trying to get food supplies through to them, but

¹⁵⁹⁴ Norwegian Refugee Council/Internal Displacement Monitoring Centre (NRC/IDMC), [Global Overview 2014: people internally displaced by conflict and violence - Pakistan](#), 14 May 2014

¹⁵⁹⁵ Norwegian Refugee Council/Internal Displacement Monitoring Centre (NRC/IDMC), [Global Overview 2014: people internally displaced by conflict and violence - Pakistan](#), 14 May 2014

¹⁵⁹⁶ Norwegian Refugee Council/Internal Displacement Monitoring Centre (NRC/IDMC), [Global Overview 2014: people internally displaced by conflict and violence - Pakistan](#), 14 May 2014

¹⁵⁹⁷ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014, 2.d. *Internally Displaced Persons (IDPs)*

¹⁵⁹⁸ Integrated Regional Information Network, [Pakistan’s IDPs find it can get worse](#), 5 August 2013

¹⁵⁹⁹ Integrated Regional Information Network, [Pakistan’s IDPs find it can get worse](#), 5 August 2013

¹⁶⁰⁰ Integrated Regional Information Network, [Pakistan’s IDPs find it can get worse](#), 5 August 2013

¹⁶⁰¹ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014 d. 2. *Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*

the trucks from Bannu are not being allowed in', said Safdar Dawar, president of the Tribal Union of Journalists. 'The conditions are terrible'".¹⁶⁰²

Amnesty International's annual report covering 2014 summarises that "For the fourth year in a row major floods across Pakistan displaced hundreds of thousands, creating a major humanitarian crisis. [...] In June [2014] the Pakistan Army launched a major military operation in North Waziristan tribal agency, and carried out sporadic operations in Khyber tribal agency and other parts of FATA. Affected communities routinely complained of the disproportionate use of force and indiscriminate attacks by all sides to the conflict, especially the Pakistan armed forces. The fighting displaced over a million residents, most of whom were forced to flee to the district of Bannu in neighbouring Khyber Pakhtunkhwa province during the hottest period of the year".¹⁶⁰³ UNOCHA's humanitarian snapshot as of November 2014 reports with regards to internal displacement that:

Since 2008, more than 5 million people from Khyber Pakhtunkhwa (KP) and the Federally Administered Tribal Areas (FATA) have been registered as displaced. At the start of 2014, 970,000 people were displaced.

The military operation in the North Waziristan Agency (NWA) in June 2014 led to further displacements of more than half a million people. The National Database and Registration Authority (NADRA) has verified nearly 74,400 families displaced from NWA.

Since the commencement of a security operation in Bara on 16 October 2014, 80,100 families have been displaced. This includes mix of old and new displaced. As the operation is ongoing, the number of the displaced is increasing.

Approximately 6,657 displaced families are currently residing in three IDP camps (New Durrani, Jalozaï and Togh Sarai) while a larger majority of the displaced families are residing in hosting communities of Khyber Pakhtunkhwa Province.

Seventy eight percent of the displaced are women and children.¹⁶⁰⁴

The Internal Displacement Monitoring Centre reports in an undated profile on Pakistan that in addition to the displacement from North Waziristan, some 690,000 people have been living in protracted displacement, some for several years:

- 476,000 IDPs profiled by the IDP Vulnerability and Assessment and Profiling project (IVAP), in the following six districts: Dera Ismael Khan, Hangu, Kohat, Nowshera, Peshawar, and Charsadda. As for Kurram district, it saw a decrease in the number of IDPs previously profiled by IVAP due to returns. Therefore, IDMC uses the number given by UNHCR for Kurram district.
- 59,700 IDPs registered by UNHCR in the Federally Administered Tribal Areas (FATA) and KP province (excluding the six districts profiled by IVAP).
- 157,000 IDPs in other areas of the country since 2009.¹⁶⁰⁵

❖ Displacement from North Waziristan to Khyber Pakhtunkhwa (KP)

The Inter Press Service notes that "Prior to the recent wave of refugees from North Waziristan, the KP province had already welcomed over 1.5 million people from FATA. This latest influx brings the

¹⁶⁰² Integrated Regional Information Network, [Left behind in North Waziristan](#), 25 September 2014

¹⁶⁰³ Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Enforced disappearances*

¹⁶⁰⁴ UNOCHA, [Pakistan: Humanitarian Snapshot - Displacement Overview \(as of 25 Nov 2014\)](#), 25 November 2014

¹⁶⁰⁵ Internal Displacement Monitoring Centre, [Pakistan IDP Figures Analysis](#), undated [regularly updated, accessed 7 April 2015]

number of displaced since 2001 to over 2.5 million”.¹⁶⁰⁶ The Internal Displacement Monitoring Centre reports that displacement in North Waziristan in 2014 has taken place in three waves:

- In mid-January 2014, around 24,000 individuals fled insecurity due to hostilities between the government and the Tehrik-i-Taliban Pakistan (TTP). Most IDPs returned home in February.
- In February 2014, an estimated 23,000 fled the area to neighbouring districts following another offensive by the Pakistan Air Force.
- On 22 May 2014, some tens of thousands of IDPs fled one day after the Pakistani Army carried out air strikes targeting alleged militant hideouts. Those displacements were not monitored. On 16 June, the number of IDPs was 61,400. By 21 June the number had reached 234,000 and continues to rise. The area was officially ‘notified’ by government authorities on 18 June as a “conflict-affected” area, following the declaration of Operation Zarb-e-Azb (the sharp strike).¹⁶⁰⁷

Reporting on the June 2014 displacement from North Waziristan to neighbouring KP province the Inter Press Service noted that “The journey to the sprawling ‘tent cities’ erected for IDPs in towns like Bannu was not easy. Some died along the way, after trudging for hours in a summer heat wave that at times touched 45 degrees Celsius. Many were separated from their families en route. Those who made it safely to Bannu might have been considered the lucky ones – that is, until it became evident that the living conditions in the camps were abysmal, with food shortages, a near-total absence of clean water sources and sanitation facilities, and limited medical personnel and supplies”.¹⁶⁰⁸ The Asian Human Rights Commission similarly reported with regards to the situation during flight that:

Several women, children and the elderly died on their way to the settled areas of Khyber Pukhtunkhwa province in the scorching heat after three other provinces refused to give them entry. These displaced people had to walk for miles, and in some cases for days, because of a lack of transportation and proper lodging at the camps. It is typical for the Pakistani military to give prior warnings to militants to move out of the targeted areas safely. However, the locals are only given a small amount of time, sometimes hours, to flee the area, leaving their houses and shops to be looted by the Pakistani Army just prior to the military strikes. This has happened in South Waziristan, Bajaur, Swat, Tirah Valley and other parts of the tribal belt. The Mehsud tribe continues to be displaced, as well as the people of Bajaur who still have not returned to their land in the Loi Sam region, despite the fact that the whole area had been flattened by the bombing.¹⁶⁰⁹

In its June-July 2014 humanitarian bulletin UNOCHA reported that “Although the Government has established a camp in Frontier Region of Bannu, only 61 families have moved into the camp. Others are staying in schools, public buildings, rented houses or with relatives and friends. Reportedly, many families are crammed in small spaces with little facilities with harsh summer temperatures exceeding 40 degrees Celsius. Due to increased housing demands rents have increased, while civic facilities are under stress due to this increased pressure. The Director General Provincial Disaster Management Authority indicated that accommodation is becoming a serious challenge, especially as many people shun camps in favour of host community accommodations”.¹⁶¹⁰ Human Rights Watch reports that “The United Nations High Commissioner for Refugees Pakistan Country Representative stated “on July 9, 2014, that a lack of potable water, sanitation facilities, and health care in the main internally displaced persons (IDP) camp in the city of Bannu in Khyber Pakhtunkhwa province was heightening the risk of communicable disease outbreaks. [...] Pakistan media reported that the

¹⁶⁰⁶ Inter Press Service, [Displacement Spells Danger for Pregnant Women in Pakistan](#), 8 October 2014

¹⁶⁰⁷ Internal Displacement Monitoring Centre, [Pakistan IDP Figures Analysis](#), undated [regularly updated, accessed 7 April 2015]

¹⁶⁰⁸ Inter Press Service, [Choosing Between Death and Death in Pakistan](#), 6 November 2014

¹⁶⁰⁹ Asian Human Rights Commission, [PAKISTAN: The facts about the military operation in North Waziristan](#), 13 July 2014

¹⁶¹⁰ UNOCHA, [Humanitarian Bulletin Pakistan Issue 28, 18 June-19 July 2014](#), 19 July 2014

government was preventing needed assistance from “dozens of organizations” by delaying official permission, or “No Objection Certificates,” for their operations in the IDP camps”.¹⁶¹¹

In June 2014 the Human Rights Commission of Pakistan reported that it was “seriously concerned at the reports that the IDPs are not satisfied with the scale of help that is being offered to them. It is said that a large number of the IDPs have been obliged to look for private accommodation in Bannu and other cities. Many of them have sought shelter in Peshawar. If the displaced families’ reluctance to enter officially set-up camps is due to lack of reasonable facilities and an environment of friendly care, these shortcomings must expeditiously be removed. Past experience shows that women and children among the IDPs suffer more than others. They must be treated with special care. Instead of waiting for them to queue up at the designated points the officials should go to them and help them without compromising their dignity”.¹⁶¹²

In September 2014 the UK Foreign and Commonwealth Office reported that of the one million people registered as internally displaced as a result of the North Waziristan major operation, “only 580,000 of these have been verified and are receiving cash assistance from the government. A further 112,000 people have reportedly crossed the border into Afghanistan”.¹⁶¹³ The Inter Press Service reports in August 2014 that Al-Rehmat Trust (ART), a charity group widely considered a front for the outlawed Kashmir-based Jaish-e Mohammed (‘the army of Mohammed’ or JeM) was distributing food rations and medical supplies to residents of camps for the displaced in KP province.¹⁶¹⁴ The source adds that according to political analyst Dr. Khadim Hussain, chairman of the Baacha Khan Trust Education Foundation, “Besides JeM’s charity wing ART, the Jamat ud-Dawa (JuD), a missionary-style front group for the feared Lashkar-e-Taiba (‘army of the good’ or LeT) has also been active in relief efforts, rushing to the aid of those displaced by natural or man-made disasters, and winning the hearts of many who see the government’s emergency response as inadequate”.¹⁶¹⁵

IRIN reports in September 2014 that “Continuing military operations in Pakistan’s North Waziristan tribal district are disrupting the education of more than 85,000 students in state-run schools. [...] The Pakistan military says it has now cleared militant groups from most parts of North Waziristan, but tribal elders say the government has not yet taken steps to allow people to return, something that has caused protests by displaced students from schools and colleges in North Waziristan”.¹⁶¹⁶ Whilst provincial authorities in Khyber Pakhtunkhwa Province, where many of the displaced relocated to, agreed to admit all school- and college-going displaced children in local schools and colleges, IRIN reports that IDPs are not enrolling their children as they are still optimistic about early repatriation.¹⁶¹⁷

In November 2014 Radio Free Europe/Radio Liberty reported that “Hospital officials and eyewitnesses say at least four displaced people and nine police officers have been injured in a clash during which police opened fire as a crowd jostled for rations at a camp in northern Pakistan”.¹⁶¹⁸

¹⁶¹¹ Human Rights Watch, [Pakistan: Ensure Aid Reaches Displaced in Waziristan](#), 10 July 2014

¹⁶¹² Human Rights Commission of Pakistan, [HRCP for more efficient arrangements for IDPs](#), 27 June 2014

¹⁶¹³ UK Foreign and Commonwealth Office, [Pakistan - Country of Concern: latest update, 30 September 2014](#), 16 October 2014

¹⁶¹⁴ Inter Press Service, [In Pakistan, Militants Wear Aid Workers’ Clothing](#), 1 August 2014

¹⁶¹⁵ Inter Press Service, [In Pakistan, Militants Wear Aid Workers’ Clothing](#), 1 August 2014

¹⁶¹⁶ Integrated Regional Information Network, [Military operations in NW Pakistan disrupt education](#), 10 September 2014

¹⁶¹⁷ Integrated Regional Information Network, [Military operations in NW Pakistan disrupt education](#), 10 September 2014

¹⁶¹⁸ Radio Free Europe/Radio Liberty, [Displaced People, Police Injured In Clash In Pakistan](#), 13 November 2014

The December 2014 Food Security Bulletin for Pakistan reports with regards to food security and displacement that:

More than a million IDPs from various FATA agencies have been residing in Peshawar and nearby districts of Khyber Pakhtunkhwa for a number of years. Since the start of law and order operation in North Waziristan in mid-June 2014, a new influx of displaced families have arrived, most of them residing in Bannu, and the rest spread across D.I. Khan and Peshawar. A MIRA [Multi-sector Initial Rapid Needs] assessment was conducted in July 2014, which found that these displaced families are in immediate need of humanitarian assistance, including food. This was followed by a rapid market appraisal in Bannu conducted by WFP in collaboration with OXFAM, FAO and the Food Security Cluster. The findings showed that despite the influx of newly displaced families, markets were able to cope with the additional demand for food, and there were no adverse impacts on market supply capacity or on prices. Local food prices were in line with the national trend. It was also found that food or cash interventions were thus not likely to pose any adverse impact on market function or prices.¹⁶¹⁹

UNOCHA's humanitarian bulletin for December 2014-January 2015 notes that "To date, over 1.6 million people remain displaced in KP and FATA. The emergency has been characterized by phases of displacement in response to security or sectarian violence in FATA agencies with subsequent returns when calm is restored. The scope of humanitarian support required is broad and includes reception and protection of newly displaced people, and provision of relief services such as shelter, water and protection services for IDPs. The provision of life-saving humanitarian assistance, recovery and longer-term development efforts will continue to be extremely essential".¹⁶²⁰ In January 2015 Federal Minister for States and Frontier Regions (Safron) Lt Gen (retd) Abdul Qadir Baloch announced that the repatriation of IDPs of North Waziristan would start from 15 February 2015.¹⁶²¹

❖ Displacement from Khyber Agency to Khyber Pakhtunkhwa (KP)

UNOCHA reports in its October– December 2014 Bulletin that "The Pakistan Army launched security operations in Khyber Agency in October [2014], resulting in large-scale displacement mainly to neighbouring Peshawar District. As of 9 December, the Federally Administered Tribal Areas (FATA) Disaster Management Authority (FDMA) reported over 98,700 families (638,699 individuals) displaced; 61 per cent are children while 20 per cent are women. After scrutinizing the displacement enlistment records, the National Database Registration Authority (NADRA) found around 20,822 families were never registered as internally displaced persons (IDPs). They will be considered as a new caseload of displaced people from Bara".¹⁶²² The report adds that "Displacements from Bara of Khyber Agency date back to 2008. Prior to the current wave of displacements there were over 69,000 registered IDP families in different districts of Khyber Pakhtunkhwa (KP) Province. Bara was notified in 2008, and never denotified. Some registered IDP families returned home spontaneously but had to relocate again this year due to insecurity. These families continue to receive humanitarian assistance. NADRA verifications are ongoing".¹⁶²³

Dawn reports in November 2014 that "Delay in registration of the newly displaced tribal people from Bara and Tirah areas of Khyber Agency has forced the dislocated families to get tents on rent at

¹⁶¹⁹ WFP, [Pakistan Food Security Bulletin, Issue 2](#), December 2014

¹⁶²⁰ UNOCHA, [Humanitarian Bulletin Pakistan Issue 32, December 2014 – January 2015](#), 14 February 2015

¹⁶²¹ Dawn, [Repatriation of North Waziristan IDPs to begin from Feb 15: Safron](#), 21 January 2015

¹⁶²² UNOCHA, [Humanitarian Bulletin Pakistan Issue 31, October- December 2014](#), 16 December 2014

¹⁶²³ UNOCHA, [Humanitarian Bulletin Pakistan Issue 31, October- December 2014](#), 16 December 2014

Jalozai camp, Nowshera”.¹⁶²⁴ Reportedly, the displaced tribal people already living at Jalozai, were renting out their extra tents to the newly displaced.¹⁶²⁵

According to a January 2015 USAID report, “While the majority of IDPs from Bara fled to KPK’s Peshawar District, some families relocated to other nearby parts of FATA and KPK. OCHA estimates that 90 percent of IDPs are residing outside of camps, often with relatives or in rented houses. Remaining IDP populations have sought shelter in the Jalozai IDP camp located in Nowshera District, KPK. As of December, humanitarian agencies and the GoP had provided 14,000 displaced families from Bara with food assistance, while some families had also received other relief commodities, including hygiene and winter preparedness kits”.¹⁶²⁶

Dawn reports in a January 2015 article that “The government is said to be discriminating between IDPs of North Waziristan and other tribal agencies which have created a bad feeling among the displaced families of South Waziristan, Kurram and Orakzai. The federal government is paying cash assistance per month to all verified IDPs (Rs 12,000 per household) of North Waziristan. Besides, the government had paid one-time cash assistance of Rs 5000 for non-food items and one-time Ramazan package of Rs 20,000. In addition, the Punjab government is also paying Rs 7,000 to IDPs of North Waziristan and the KP government is also paying them Rs3,000 every monthly. Moreover, the World Food Programme is providing food ration every month. On the other hand the IDPs from other tribal agencies have been forgotten and they are getting only food ration”.¹⁶²⁷

Dawn further reports in January 2015 that IDPs of Khyber Agency “staged a sit-in outside the Governor’s House on Sher Shah Soori Road to demand end to military operation in their area, a comprehensive financial package, early repatriation, and the opening of Bara Bazaar. They warned they won’t return to their homes until security was provided to them, their destroyed houses were rebuilt, and local schools, hospitals, government offices and Bara Bazaar were reopened. [...] They criticised the federal government what they said using delaying tactics to provide displaced persons with quality food and other items of basic need. [...] The elders alleged that the government was discriminating against Khyber Agency IDPs as they’re denied cash, ration and other items of basic needs unlike those displaced from other parts of Fata, who were provided support until their rehabilitation. [Elder] Shah Faisal said the launch of ‘Khyber One’ military operation had added to the misery of displaced tribesmen besides causing fresh displacement. He complained displaced persons living in tents were denied basic facilities”.¹⁶²⁸

UNOCHA’s humanitarian bulletin for 18 January - 19 February 2015 notes that “Although the Government had announced returns to the Federally Administered Tribal Areas (FATA) would start in February continued insecurity has delayed the initial returns for recent or long-term displaced families from Bara; some families have been displaced up to four years. Approximately 80,000 families from five de-notified areas in Khyber—Akka Khel, Kamar Khel, Malik Din Khel, Shalobar and Stori Khel—are expected to return. [...] A recent assessment carried out by the Internally Displaced Persons (IDP) Vulnerability Assessment and Profiling (IVAP) project highlighted the concerns, needs and challenges faced by returning families show the top two needs of the returning families are shelter and security in the areas of origin”.¹⁶²⁹

¹⁶²⁴ Dawn, [Jalozai dwellers renting out tents to newly displaced families](#), 26 November 2014

¹⁶²⁵ Dawn, [Jalozai dwellers renting out tents to newly displaced families](#), 26 November 2014

¹⁶²⁶ USAID, [PAKISTAN – COMPLEX EMERGENCY FACT SHEET #1, FISCAL YEAR \(FY\) 2015](#), 22 January 2015

¹⁶²⁷ Dawn, [2014: From IDPs to TDPs](#), 6 January 2015

¹⁶²⁸ Dawn, [IDPs say won’t return until given security, houses rebuilt](#), 27 January 2015

¹⁶²⁹ UNOCHA, [Humanitarian Bulletin Pakistan Issue 33, 18 January 2015 – 19 February 2015](#), 19 February 2015

❖ Situation for displaced women

According to the 2013 U.S. Department of State report, “Registration of women [IPDs] was a particular problem; in more conservative regions of the country, particularly rural areas, authorities did not uphold or enforce a woman’s right to be registered”.¹⁶³⁰

According to sources consulted in a June 2013 report, the Internal Displacement Monitoring Centre noted that “Displaced households headed by women face particular difficulties in accessing assistance. The need to ensure purdah, or privacy, restricts women’s access to information, food distribution points and basic services, both in camps and host communities. Very little is understood about gender-specific protection needs. In some cases, displacement to urban settings leads to additional restrictions on women’s freedom of movement and livelihood opportunities. In others, however, it increases access to services and education opportunities”.¹⁶³¹

Amnesty International’s annual report covering 2014 states that “Women also risked abuse while seeking to exercise their rights. For example, in September a jirga (traditional decision-making body) of male Uthmanzai tribal chiefs from North Waziristan tribal agency threatened women with violence for seeking access to humanitarian assistance in displaced persons camps in Bannu district of Khyber Pakhtunkhwa province, where the vast majority of people fleeing the conflict in the tribal agency were based”.¹⁶³²

In its July- August 2014 humanitarian bulletin UNOCHA reports that “At the best of times, life is difficult for women in Pakistan’s north-western region. During emergency situations, such as when people flee their homes, women’s vulnerabilities increase. ‘Women and children are the worst affected in emergencies as they are completely dependent on male family members’, said Neelam Toru, Chairperson of the Provincial Commission on the Status of Women (PCSW), KP. [...] Ms. Toru visited the Government health facilities in Bannu in late June, soon after people arrived from NWA. The conditions of women in the maternity ward caused her grave concern. With the additional people in Bannu, the maternity ward on this day was overflowing. The one-room maternity ward held two beds but had to accommodate three women in varying stages of labour while several more women were on the floor—all attended by a single female doctor. The notably distressed doctor said many women suffered miscarriages, and early deliveries, with babies unable to survive. [...] A PCSW USAID-funded study, “Women in Emergencies”, coincided with the displacements from NWA. The study looks into the effects of emergencies on women resulting from displacement. An alarming 86 per cent of displaced women and 78 per cent from host communities shared how cultural practices and poverty prohibit their ability to access healthcare”.¹⁶³³

Also reporting on persons displaced to Bannu as a result of the North Waziristan military offensive the Inter Press Service (IPS) notes in an October 2014 article that “Officials estimate the number of displaced at just over 580,000, of which half are women. In the ancient city of Bannu, which now houses the largest number of refugees, some 40,000 pregnant women are facing up to their ultimate fear: a lack of hospitals, doctors and basic medical supplies”.¹⁶³⁴ Muhammad Sarwar told IPS “At least four women died of pregnancy-related complications on the way to Bannu, while 20 others had

¹⁶³⁰ US Department of State, [Country Report on Human Rights Practices 2013 - Pakistan](#), 27 February 2014, 2.d. *Internally Displaced Persons (IDPs)*

¹⁶³¹ Internal Displacement Monitoring Centre, [Massive new displacement and falling returns require rights-based response](#), 12 June 2013

¹⁶³² Amnesty International, [Amnesty International Report 2014/15: Pakistan](#), 25 February 2015, *Enforced disappearances*

¹⁶³³ UNOCHA, [Humanitarian Bulletin Pakistan, Issue 29 | 18 July–19 August 2014](#), 26 August 2014

¹⁶³⁴ Inter Press Service, [Displacement Spells Danger for Pregnant Women in Pakistan](#), 8 October 2014

miscarriages at the hospital. [...] We have only four female doctors in the whole district, who are required to provide treatment to all the women”.¹⁶³⁵ The IPS further notes that the WHO is currently assisting the KP health department to “prevent unnecessary deaths” adding that 73 percent of displaced women and children in Bannu are in “desperate need of care”.¹⁶³⁶

In its August –September 2014 humanitarian bulletin UNOCHA reporting on the situation for residents of Jalozai Camp, is home to over 4,000 families from Khyber Agency, notes that “Families displaced from the temperate climate of Tirah Valley bore the brunt of sweltering heat in the summer with just tents as their shelter. While men could go out in search of an income, the women and children stay within the tented camp as indicated by their culture. This may not seem very different from their daily routine in Kyber where women followed a strict tribal code of privacy. In Kyber, however, their large houses, the daily household chores and visits to relatives brought some activity to their daily life. In the camp, the women confine themselves to a tent, risking isolation. For many women this has resulted in stress disorders”.¹⁶³⁷

Reporting on the conditions in an camp in Sadda, the second-largest town in Kurram Agency, FATA, for persons displaced by militancy a December 2014 Médecins Sans Frontières (MSF) report cites an inhabitant Gul Bibi as noting that “This is not where a woman of my age should be living. [...] I have a home and a village and a country, yet I am living in this tent with my daughter, her children, her husband, and other members of my family”.¹⁶³⁸ Médecins Sans Frontières adds that:

The living conditions for the displaced population are less than ideal. Large families are cramped into small tents and are dependent on government aid or NGOs for basic necessities such as food, medicine, and clothing. Poor living conditions, lack of clean drinking water, poor healthcare facilities, and malnutrition has led to the death of dozens of children from curable diseases such as gastroenteritis, typhoid, and respiratory infections.¹⁶³⁹

According to Dr Javed Ali, MSF’s medical coordinator responsible for running health projects in FATA, “The north western [region] of Pakistan has traditionally been victimized by sectarian violence, militarization and mass displacement of the population because of the war on terror. [...] All of these factors have had a repulsive impact on the health policy and healthcare at the regional level. Health care has been militarized due to the conflict in the area and has led to a shortage of medical staff and medical supplies and there is no system in place to monitor and evaluate, strengthen and support a coherent health policy in the area”.¹⁶⁴⁰

The 2014 Human Rights Commission of Pakistan report notes that “Some 40 tribal elders decreed that families fleeing the military offensive should not allow women to collect food aid. “If any woman comes to the ration distribution area, she will be punished,” they said. Women IDPs wore the head-to-toe “burqa” robe with only a small mesh area to see through as they queued up to secure food, water or medicine. But journalists and members of the security forces saw one tribal elder slap several women queuing for food at the main stadium in Bannu, where most aid was being distributed”.¹⁶⁴¹

¹⁶³⁵ Inter Press Service, [Displacement Spells Danger for Pregnant Women in Pakistan](#), 8 October 2014

¹⁶³⁶ Inter Press Service, [Displacement Spells Danger for Pregnant Women in Pakistan](#), 8 October 2014

¹⁶³⁷ UNOCHA, [Humanitarian Bulletin Pakistan Issue 30 | 20 August–19 September 2014](#), 24 September 2014

¹⁶³⁸ Médecins Sans Frontières, [Pakistan: “No Place to Call Home” for Internally Displaced People](#), 16 December 2014

¹⁶³⁹ Médecins Sans Frontières, [Pakistan: “No Place to Call Home” for Internally Displaced People](#), 16 December 2014

¹⁶⁴⁰ Médecins Sans Frontières, [Pakistan: “No Place to Call Home” for Internally Displaced People](#), 16 December 2014

¹⁶⁴¹ Human Rights Commission of Pakistan, [State of Human Rights in 2014](#), March 2015, *Women, Health* p.209

6.6. Trafficking of persons (internal and external)

6.6.1. Domestic legal framework (Constitution and legislation)

Pakistan's Constitution at Article 11 prohibits all forms of trafficking of human beings.¹⁶⁴²

The Society for the Protection of the Rights of the Child noted the following with regards to the current legislative framework for dealing with human trafficking/kidnapping: "The current legislative framework for dealing with human trafficking/ kidnapping does not deal with internal human trafficking in Pakistan. Furthermore, as of 2014 there are no provincial laws to deal with trafficking and kidnapping".¹⁶⁴³ The same report listed the following legal provisions currently in existence [original emphasis]:

PPC¹⁶⁴⁴ [Pakistani Penal Code]: Section 364 A addresses the abduction of a minor whereby a person involved in the abduction of a child below 14 years of age is punishable with a death sentence or life imprisonment. The minimum imprisonment term for kidnapping a minor is seven years imprisonment.

Other sections dealing with child abduction include section 369 (kidnapping of a child with the intention of stealing from a child); section 366A (procuring of a minor girl for sexual purposes); section 366B (importation of a girl from a foreign country for sexual purposes); section 370 (buying and disposing of any person as a slave); and section 371 (habitual dealing in slaves).

The Prevention & Control of Human Trafficking Ordinance 2002¹⁶⁴⁵ [sic]: This Ordinance deals with external human trafficking in Pakistan. Section 3 punishes child/ female traffickers, planners and executors of human trafficking, and individuals who force people to perform labor or other services under threat.

The Criminal Law (Amendment) Bill 2014¹⁶⁴⁶: Currently, this Bill is required to be presented before the Cabinet for consideration. The summary has been submitted to the Cabinet Division for placing it before the Cabinet. Section 369A of the proposed Bill suggest punishment for a person involved in internal human trafficking (including child trafficking) with an imprisonment of five to seven years and a fine of Rs 500,000-700,000 or both.¹⁶⁴⁷

6.6.2. Prevalence of trafficking

❖ Internal

The U.S. Department of State reported in its annual report covering 2013 that:

Pakistan is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. A large percentage of trafficking that occurs within the country, particularly of children, is due in part to Pakistan's deteriorating security situation and weak economy. Counterterrorism and counterinsurgency efforts monopolized the Pakistani government's resources and attention. The country's largest human trafficking problem is bonded labor, in which landowners,

¹⁶⁴² [Constitution of the Islamic Republic of Pakistan](#), 1973, assented to by the President on February 28, 2012, Chapter 1: Fundamental Rights, 11 Slavery, forced labour, etc. prohibited

¹⁶⁴³ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, Violence against children chapter, Child Trafficking & Abduction, National & Provincial Legislation on Child Trafficking & Abduction

¹⁶⁴⁴ See the [Pakistan Penal Code \(Act XLV of 1860\)](#)

¹⁶⁴⁵ See the [Prevention & Control of Human Trafficking Ordinance 2002](#)

¹⁶⁴⁶ See the [Criminal Law \(Amendment\) Bill, 2014](#)

¹⁶⁴⁷ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, Violence against children chapter, Child Trafficking & Abduction, National & Provincial Legislation on Child Trafficking & Abduction

traffickers, or recruiters exploit an initial debt assumed by a worker as part of the terms of employment, ultimately entrapping other family members and sometimes persisting for generations. Experts estimate that two to four million people are subjected to bonded labor in Pakistan at any given time. Bonded labor is concentrated in the Sindh and Punjab provinces, but also takes place in the Balochistan and Khyber Pakhtunkhwa provinces, in agriculture and brickmaking and, to a lesser extent, in the mining and carpet-making industries. In some cases, when bonded laborers attempt to escape or seek legal redress, police return them to their traffickers, who then hold laborers and their families in private jails.¹⁶⁴⁸

The UN Office on Drugs and Crime (UNODC) stated in its December 2014 report on human trafficking and migrant smuggling in Pakistan that:

Pakistan was ranked number three out of the 162 countries ranked in the Global Slavery Index and even though data on the exact nature of the phenomenon is not available some related figures highlight the extent of the problem in the country. According to the Asian Human Rights Commission (AHRC) about 2,000,000 – 2,200,000 people were trapped “forms of modern slavery” in the country. The Society for Protection of the Rights of the Child (SPARC) estimates that eight million children are forced into some form of informal labour. Some regional approximations are also available. In 2012 the Human Rights Commission of Pakistan (HRCP) estimated that there are three to eight million people in Sindh and Punjab who are in forced or bonded labour conditions. Baseline survey data in 2009 indicated that Quetta, Rahim Yar Khan, Peshawar, Nowshera, Mardan and Swabi had higher volumes of internally trafficked victims than other areas.

Several reasons have been cited for the prevalence of domestic trafficking and related forced labour in Pakistan. Poverty, lack of access to education, widespread unemployment, rural-urban migration, large amounts of internally displaced people and the growth of the informal sector are some of the more commonly mentioned reasons. However traditional customs have been cited as one of the main causes of trafficking in children and child labor in Pakistan by The Aurat Foundation which notes that “certain cultural practices that are closely linked to internal trafficking are so widespread and accepted they are not viewed as trafficking and hence never reported”. Some of these “culturally sanctioned practices of trafficking” include:

- Practice of bonded labour
- Forced labour
- Domestic servitude
- Bride price
- Swara

Bonded, forced labor and domestic servitude might account for a larger amount of the trafficked victims as some studies have found that forced labor, as opposed to sexual exploitation, is a more potent reason for widespread trafficking in Pakistan and the “trafficking occurs from rural to urban areas mainly for economic reasons”. For example it has been reported that there are about 1.8 million agricultural sharecroppers as well as 1 million brick kiln workers in conditions of bonded labor in Pakistan. However, even though it is more difficult to quantify cultural practices like ‘Swara’ (mentioned above) where “girls are given in marriage as a form of dispute resolution”, these are also very prevalent in the country. This can be seen as belonging to a larger sub-set of the widespread practice of child marriage in Pakistan. Some other forms of child marriage according to the NGO Sahil include “Watta Satta” where brides are exchanged (a brother and sister married to a brother and sister in another household) in tribal areas. According to the World Bank this practice results in about 30% of all rural marriages. “Pait Likkhi” is also common where parents betroth children prior to or right after birth. Religious minorities and women are seen to be particularly vulnerable to cultural practices resulting in trafficking or forced labor. The prevalence of child marriage in Pakistan can also be attributed to the legal structure, with the “Child Marriages restraint Act 1929” which currently puts a minimum age of just 16 for the bride. However religious authority is a significant influence especially in the rural and tribal areas where this practice is more common. In March 2014 The Council of Islamic Ideology (CII) declared that there is no minimum age for marriage. The Chairman of the council also stated that “the laws limiting the age for both the segments of

¹⁶⁴⁸ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014

marriage are un-Islamic and needed to be rectified". It is currently being reported that 43% of the victims of early marriage are 11-15 years and 32% are 6-10 years old. Rulings like these further reinforce cultural practices responsible for trafficking of minors in the country.¹⁶⁴⁹

The same report noted with regards to the profiles of trafficking victims that:

[Although] concrete estimates on the exact profiles of victims are not available for Pakistan [...] previous research has found that the general profiles of the victims of trafficking in persons were:

- Young girls from poor families;
- Victims of war;
- Female victims of domestic violence;
- Indebted families
- Young boys from large, poor and landless families.

Education also has a role to play and the study found that out of the surveyed victims 35% were not educated and 27% were only educated on a primary level. It has also been observed that a large segment of the victims of trafficking in persons (from Pakistan to the EU as well as internally) are men for the reasons of bonded labor. Profiles of the smuggled migrants deported back to Pakistan from 2005-2008 reveal that 80% were from Punjab, 11% were from KPK and 7% from Sindh. Deportees from AJK, GB and Baluchistan were not statistically significant.¹⁶⁵⁰

In May 2014, the Protection Cluster Pakistan reported that "Women and girls in displacement are at heightened risk of GBV [Gender-Based Violence] - particularly trafficking for sexual exploitation and forced prostitution and rape".¹⁶⁵¹

Although the specific treatment of religious minorities is beyond the scope of this report, it should be noted that the Movement for Solidarity & Peace reporting in April 2014 on forced marriages and conversions in the Christian community of Pakistan stated that "Once in the custody of the abductor, the victim girl may be subjected to sexual violence, rape, forced prostitution, human trafficking and sale, or other domestic abuse".¹⁶⁵²

❖ External

The U.S. Department of State reported in its annual report covering 2013 that:

Many Pakistani men and women migrate voluntarily to the Gulf states, Iran, Turkey, South Africa, Uganda, Maldives, Australia, Greece, Spain, and other European countries for low-skilled employment; once abroad, some become victims of labor trafficking. Experts report that Pakistani men are subjected to forced labor in the EU, and Pakistani women are subjected to sex trafficking in the Gulf states. False job offers, especially for women and girls in the United Arab Emirates, and high recruitment fees charged by illegal labor agents or sub-agents of licensed Pakistani overseas employment promoters entrap Pakistanis into sex trafficking and bonded labor. Social media and internet cafes are used for recruiting and blackmailing girls for sex trafficking. There are reports of children subjected to sex trafficking between Iran and Pakistan, and of Pakistani children and adults with disabilities forced to beg in Iran. Pakistan is a destination country for men, women, and

¹⁶⁴⁹ United Nations Office on Drugs and Crime (UNODC), [Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan](#), December 2014, 3. Findings, 3.4 Domestic trafficking: Forced and bonded labor

¹⁶⁵⁰ United Nations Office on Drugs and Crime (UNODC), [Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan](#), December 2014, 4. Push factor and pull factors, 4.3 Victim profiles

¹⁶⁵¹ Protection Cluster Pakistan, [Protection cluster detailed assessment – areas of return and areas of displacement, KP Fata, Pakistan](#), May 2014, 6.2 Level of safety during the day and night

¹⁶⁵² Movement for Solidarity & Peace, [Forced Marriages & Forced Conversions In the Christian Community of Pakistan](#), April 2014, Executive Summary

children from Afghanistan, Iran, Uzbekistan, Tanzania, and Bangladesh subjected to forced labor. Women from Afghanistan, China, Russia, Nepal, Iran, Bangladesh, Uzbekistan, and Azerbaijan are reportedly subjected to sex trafficking in Pakistan. Refugees from Afghanistan, Bangladesh, and Burma, as well as religious and ethnic minorities, such as Hazaras, are particularly vulnerable to trafficking in Pakistan.¹⁶⁵³

According to the Global Slavery Index 2014 “The trafficking of Pakistani men and women for forced labour, sexual exploitation and forced marriage to the Gulf and Europe has been identified. Pakistani nationals are in the top ten nationalities of suspected traffickers in Europe”.¹⁶⁵⁴

The Asian Legal Resource Centre reported in its written statement submitted to the UN Human Rights Council in August 2014 that “Shocking statistics have emerged with regard to human trafficking across Pakistan’s borders; there have been 1 million Bangladeshis and more than 200,000 Burmese women trafficked to Karachi, Pakistan; 200,000 Bangladeshi women were trafficked to Pakistan in the last ten years, continuing at the rate of 200-400 women monthly. India and Pakistan both have become the main destinations for children under 16 who are trafficked in South Asia”.¹⁶⁵⁵

6.6.3. State response to trafficking of persons

The U.S. Department of State reported in its annual report covering 2013 regarding Pakistan’s ability to protect that:

The Government of Pakistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government continued to focus on trafficking as a transnational phenomenon, conflating trafficking and smuggling which are separate crimes under international law. While the Pakistani government has a draft anti-trafficking bill that would address gaps in its legislative framework, it did not introduce it in al Assembly or Senate. The government reportedly rescued 1,871 bonded labor victims in 2013 and worked with international organizations on several training initiatives, but did not show progress in convicting trafficking offenders; therefore, Pakistan is placed on Tier 2 Watch List. In the 22 years since the Bonded Labor System (Abolition) Act (BLSA) was enacted, Pakistani officials have yet to secure a conviction under the law. The government also regularly arrested victims, including child sex trafficking victims, for crimes they were compelled to commit as a result of trafficking, including prostitution. The Pakistani government’s efforts to fight trafficking were impaired by systemic corruption. During the reporting period, Pakistani media highlighted the Federal Investigative Agency’s (FIA) involvement in human trafficking, causing experts to question the FIA’s commitment to combating this crime. The absence of federal laws to address internal human trafficking and the poor implementation of existing laws also hampered Pakistan’s anti-trafficking efforts. Government officials continued to demonstrate a lack of political will, acting to address trafficking only when pressured to do so by media and activists.¹⁶⁵⁶

The same report further noted that:

The Government of Pakistan failed to demonstrate adequate law enforcement efforts against trafficking; efforts to eliminate internal trafficking were hampered by the absence of federal laws to address internal trafficking, the poor or non-existent implementation of existing laws, and widespread corruption. The government does not prohibit and penalize all forms of trafficking. Several sections of

¹⁶⁵³ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014

¹⁶⁵⁴ Walk Free Foundation, [The Global Slavery Index 2014](#), 13 November 2014, *Selected Country Studies: Pakistan*

¹⁶⁵⁵ Asian Legal Resource Centre, [Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 27 August 2014, paragraph 9

¹⁶⁵⁶ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014

the penal code criminalize some forms of human trafficking, such as slavery, selling a child for prostitution, and unlawful compulsory labor, prescribing punishments for these offenses that range from fines to life imprisonment. Transnational trafficking offenses, as well as some non-trafficking crimes—such as people smuggling and fraudulent adoption—are prohibited through the Prevention and Control of Human Trafficking Ordinance (PACHTO), which prescribes penalties of seven to 14 years’ imprisonment. Prescribed penalties for the penal code and PACHTO offenses are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The BLSA prohibits bonded labor, with prescribed penalties ranging from two to five years’ imprisonment, a fine, or both. Experts noted that fines and other penalties for bonded labor offenses are generally insufficient to deter unscrupulous employers or wealthy landowners. Under a devolution process that started in 2010, federal laws apply to provinces until corresponding provincial laws are enacted; as of the reporting period, only Punjab has adopted such a law. While the Pakistani government cooperated with an international organization to draft a comprehensive anti-trafficking bill to address the gaps in PACHTO, the legislation was not introduced in the National Assembly or Senate.¹⁶⁵⁷

Regarding effectiveness of protection it was further reported in the same report that:

Observers noted that Pakistan’s implementation of existing anti-trafficking laws was generally poor and that there was not a sustained effort by the government to find and prosecute traffickers, especially those involved in the exploitation of bonded laborers. Police reportedly acted only when pressured by media and activists, and were indifferent to many harmful practices that included or contributed to human trafficking, such as the forced marriage of girls to settle disputes, commercial sexual exploitation of boys, and widespread debt bondage in the agricultural and brick kiln industries. Because of law enforcement inaction, wealthy landowners continued to exploit sharecroppers and brick kiln workers with impunity. In November 2013, landowners kidnapped and threatened the brother of an anti-bonded labor activist; authorities took no law enforcement action against the landowner. In February 2014, observers reported that police in Sindh province were reluctant to rescue a family held in bondage by a landowner, due to his influence. Government employees’ complicity in trafficking remained a significant problem. During the reporting period, Pakistani media highlighted the FIA’s involvement in human trafficking and the complicity of other government officials. In July 2013, the FIA [Federal Investigation Agency] arrested three of its own officials and removed an assistant director for complicity in a falsified documents scheme at the Islamabad airport. The combination of corruption and a reduction of approximately 25 percent of staff severely reduced FIA’s capacity to combat trafficking. In February 2014, the FIA published a report on the most notorious human traffickers in the country, which included names of several politicians; the report’s utility was limited due to its conflation of smuggling and trafficking, however, it did document that there were 141 human “trafficking” networks operating inside Pakistan and provided details about the complicity of immigration officials at airports in Karachi, Lahore, and Islamabad. In January 2014, police arrested a member of the Balochistan Assembly for allegedly enslaving laborers, including three children, and police officers in a private jail. The provincial legislator reportedly sent threatening messages to the presiding judge. The Balochistan Chief Minister commented that the case was nothing more than an administrative matter. In February 2014, authorities in Islamabad allegedly protected a suspected trafficker from an Interpol warrant.¹⁶⁵⁸

With regards to services available to victims of trafficking, the same report stated:

The Government of Pakistan failed to protect victims of human trafficking during the reporting period. Police were reluctant to assist NGOs in rescue attempts, often tipping off landowners, and punished victims for unlawful acts committed as a direct result of being trafficked. Police conducted raids at massage parlors, beauty salons, and other establishments used as fronts for forced prostitution, but often treated sex trafficking victims as criminals, claiming that they were willful participants. For example, in February 2014, the FIA arrested 12 women and two men from Azerbaijan, Ukraine, and Uzbekistan for immigration violations; some, if not all, of the people were potentially subjected to

¹⁶⁵⁷ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014, *Prosecution*

¹⁶⁵⁸ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014, *Prosecution*

trafficking. Pakistani authorities did not have systematic methods for identifying trafficking victims among vulnerable populations and referring them to protective services. An FIA official acknowledged that the absence of victim centers, the lack of cross-border intelligence, and low public awareness hindered protection efforts. Pakistan's civil society continued to take the lead on victim protection, as the Pakistani government did not provide adequate protection and assistance services for trafficking victims. Officials admitted that there was no safe place to house deportees, and that hampered law enforcement's efforts to investigate human trafficking cases. Observers explained that there were only a few shelters designated for human trafficking victims and commented that many were ill-equipped to deal with the victims' myriad of social, economic, and psychological needs. Various government-run jail-like facilities that did not allow women to leave without a male relative or a court order, commonly called "women's shelters," were available to female trafficking victims; there were not only reports of abuse and severe lack of freedom of movement in these centers, but also allegations that staff and police sold some women unclaimed by their families to men under the guise of marriage. While there were shelters available to bonded laborers, they generally catered to women and children, offering no support to male victims. The ILO Report of the Committee of Experts noted that the district vigilance committees set up under the BLSA "had not performed their functions of identifying" bonded laborers. The Government of Pakistan did not report data on the number of trafficking victims identified and referred to shelters during the reporting period. An NGO report estimated that Pakistani police rescued 1,871 bonded laborers—425 women, 944 men, and 32 children—in 2013. Activists claimed that after bonded laborers were freed, they received little support from the government to restart their lives, and actually returned to the brick kilns or farms due to lack of alternative employment opportunities. Victims expressed reluctance to testify against their exploiters due to threats of violence against them and their families. In October 2013, Pakistani media reported the forced marriage of a 14-year-old girl whose family took her kidnapper to court, only for the judge to dismiss charges when she claimed, under threat of violence, that the marriage was consensual. Her exploiter had also forced her to engage in prostitution with several men, including police officers and a police chief. Observers also noted the absence of written contracts between many domestic workers and their employers; the lack of contracts left domestic workers even more vulnerable to trafficking. Undocumented foreign nationals were detained and charged under the penal code without screening to determine whether they had been subjected to human trafficking. Authorities detained returning Pakistani adults and children, some of whom were trafficking victims, for having left the country illegally. Victims of sex trafficking were often charged with crimes while their traffickers remained free.¹⁶⁵⁹

According to the Global Slavery Index 2014 "Pakistan has national laws that prohibit bonded labour and transnational human trafficking. However, following a constitutional amendment in 2010, the Federal Government devolved most legislative and enforcement powers to the provinces, including responsibility for labour, child protection, and women's protection. The provinces are yet to make all the necessary laws on these issues. No single national-level body exists to oversee a coordinated response to the modern slavery challenges that Pakistan faces. Cross-border human trafficking remains under the purview of the Federal Investigation Agency (FIA) of the Ministry of Interior and Narcotics Control, but there is no national level mechanism to address internal trafficking [...] There are government-run shelters for victims of trafficking, but these restrict victims' movement".¹⁶⁶⁰ The Asian Legal Resource Centre in its written statement submitted to the UN Human Rights Council in August 2014 reported that "Trafficking of women and children for the purpose of sex and the sex industry has become the easiest business which is made possible only with connivance of the various government officers posted at the different customs entry and exit points".¹⁶⁶¹

¹⁶⁵⁹ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014, *Protection*

¹⁶⁶⁰ Walk Free Foundation, [The Global Slavery Index 2014](#), 13 November 2014, *Selected Country Studies: Pakistan*

¹⁶⁶¹ Asian Legal Resource Centre, [Written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status](#), 27 August 2014, *paragraph 3*

In December 2014 the Dawn newspaper, reporting on women being kidnapped in Sindh for forced marriages, reported that “FIA Sindh Deputy Director (Anti-Human Trafficking Circle) Ashfaq Alam referred to numerous cases where people being trafficked, within the country as well as those being smuggled abroad, were retrieved and culprits arrested – yet the latter got away scot-free while being tried. He said that there were no facilities or shelter homes for the unfortunate souls could be placed for a while and provided with necessary guidance and support from not being trapped again by human traffickers. The FIA official regretted that a similar fate awaited thousands of bonded labour freed by the agency who badly need temporary shelter and long term rehabilitation. Provision for shelters, capacity building of judicial officers, lack of coordination between concerned departments, in particular context of FIA and Police, absence of any data base and so-forth were some of the hurdles in reducing human trafficking”.¹⁶⁶²

The UN Office on Drugs and Crime (UNODC) stated in its report on human trafficking and migrant smuggling in Pakistan published in December 2014 that the Federal Investigation Agency (FIA) reported that “in addition to the “porous borders” some of the major challenges to law enforcement agencies include the “lack of capacity building initiatives, poor infrastructure, limited resource, ineffective liaison among LEAs [Law Enforcement Authorities] and lack of cross border intelligence and information sharing”. It has also been reported that there is difficulty in gathering evidence due to militancy and terrorism in the country”.¹⁶⁶³ The same report further noted:

The following table details the enquiries and cases registered as well as the arrests made by the FIA in the timeframe of 2011-2013

DESCRIPTION	2011	2012	2013
Enquiries registered	8,344	9,579	5,048
Cases registered	4,999	5,637	2,899
Proclaimed Offenders (POs) arrested	503	347	79
Migrant smugglers arrested	1,639	1,944	765

Table 10: Legal action taken (2011-2013)

Out of the 21 agents identified in 2012 by the FIA AHTC [Anti Human Trafficking Cell] in QUETTA only six were arrested. Out of these only one was convicted under FIRs [First Information Reports] U/S 41/2012 U/S 22(b) EO 1979 whereas the rest remained on trial at the time of the reported numbers. It is also interesting to note that the remaining five cases being tried under 68/2012 U/S P&CHTO and 101/2012 U/S PACHTO. Seven facilitators were also arrested in 2012 by the FIA AHTC in Quetta, 4 of which had been convicted while three were on trial at the time of reporting.¹⁶⁶⁴

Throughout 2013-2014 news articles reported on Pakistan’s Federal Investigation Agency (FIA) arresting suspected traffickers, including government officials. The following are just illustrative examples of such reporting:

- **July 2013:** The Nation reported “In a rare and first kind of development in the history of Federal Investigation Agency (FIA), the agency Wednesday arrested its own three officials and removed an assistant director for their alleged involvement in human trafficking only under the directions of Interior Minister Chaudhry Nisar Ali Khan”.¹⁶⁶⁵

¹⁶⁶² Dawn, [1,261 women kidnapped in Sindh for forced marriages in 2014](#), 31 December 2014

¹⁶⁶³ United Nations Office on Drugs and Crime (UNODC), [Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan](#), December 2014, 3. Findings, 3.1 Context

¹⁶⁶⁴ United Nations Office on Drugs and Crime (UNODC), [Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan](#), December 2014, 4. Push factors and pull factors, 4.5. Legal action

¹⁶⁶⁵ The Nation, [FIA arrests three staffers for human trafficking](#), 18 July 2013

- **October 2013:** The Nation reported that “The Federal Investigation Agency (FIA) has itself been found involved in human trafficking as, according to highly confidential data, a number of Pakistanis in connivance with the agency’s officials were sent abroad on fake documents during the last one year of PPP regime”.¹⁶⁶⁶ The same month Dawn reported that “The Federal Investigation Authority (FIA) has busted a three-member gang of federal government officials allegedly involved in human trafficking”.¹⁶⁶⁷
- **February 2014:** Dawn reported that “the federal investigation Agency (FIA) [...] arrested a woman official of the immigration department and a travel agent in connection with human trafficking, official sources said. Shahzad Ahmed, an immigration official posted at Benazir Bhutto Airport, has already been arrested by the anti-human trafficking cell”.¹⁶⁶⁸ In the same month Dawn further reported that “Some officials of the Federal Investigation (FIA) have been accused of involvement in human trafficking and sex trade in the capital city. Sources said during the last two days the FIA human trafficking cell arrested 12 sex workers belonging to a Central Asian country along with their ring leader. The ring leader during interrogation alleged that the FIA officials had transported her sex workers to the city. A few days back, a civilian intelligence agency caught an official of the FIA transporting sex workers to different localities in the Red Zone. During interrogation, the FIA official confessed that he had been involved in transporting the sex workers in the city. Later, he was handed over to the FIA for further investigation”.¹⁶⁶⁹ The Nation also reported in February 2014 that “Federal Investigation Agency (FIA), as part of its ongoing campaign against human trafficking, Tuesday arrested Colonel (Retd) Fahimud Din and his son Muhammad Hussain Mir in a human trafficking case and a case was registered against them”.¹⁶⁷⁰
- **May 2014:** The Nation reported that “FIA is investigating against its own officials allegedly involved in human smuggling and facilitating human traffickers, revealed well placed sources in the agency adding that action has been taken against six officials in three different cases during last five months”.¹⁶⁷¹
- **September 2014:** The Dawn reported that “The Federal Investigation Agency (FIA) has widened the scope of its investigation into a recent attempt of human trafficking from the Benazir Bhutto International Airport. The agency questioned the staff of the Pakistan International Airline, its own immigration officials besides arresting a technical ground staff member (TGS) of the national flag carrier on the charge of involving in the human trafficking”.¹⁶⁷²
- **December 2014:** The Express Tribune reported that “The Anti-Human Trafficking Cell (AHTC) of the Federal Investigation Agency (FIA), Sindh, claimed that it has apprehended seven suspects including human smugglers, aliens, agents and court absconders during raids in the last 10 days. This was revealed by FIA Sindh deputy director Ashfaq Alam during a press conference at the agency’s Saddar office on Sunday. Alam said that the AHTC arrested agent Sohail Akhtar, who was allegedly involved in arranging South Korean employment visas for Rs800,000, during a raid. They also seized 18 passports and other documentary evidence. On information provided by Akhtar, his accomplice Syed Mohammad Ahmed was also arrested. According to Alam, the FIA also arrested Zamir Ahmed, an agent allegedly involved in making passports for non-Pakistanis with the help of Liaquat Ali, a retired superintendent from the passport office in Saddar. He said that they had also apprehended two absconders, identified as Jameel Mangrio and Muhammad Arshad, along with suspect Ahsanullah, an Afghan”.¹⁶⁷³

¹⁶⁶⁶ The Nation, [FIA staffers involved in human trafficking](#), 3 October 2013

¹⁶⁶⁷ Dawn, [Three officials held for alleged human trafficking](#), 5 October 2013

¹⁶⁶⁸ Dawn, [Another immigration official arrested for human trafficking](#), 12 February 2014

¹⁶⁶⁹ Dawn, [FIA officials accused of human trafficking](#), 22 February 2014

¹⁶⁷⁰ The Nation, [Ex-col, son held for human trafficking](#), 26 February 2014

¹⁶⁷¹ The Nation, [Human trafficking: FIA probes own officials](#), 23 May 2014

¹⁶⁷² Dawn, [FIA widens probe into human trafficking ring](#), 13 September 2014

¹⁶⁷³ The Express Tribune, [Improved performance: Anti-Human Trafficking Cell nabs seven suspects](#), 14 December 2014

6.6.4. Child trafficking (prevalence & state response)

See also [6.4.2.5 Forced marriage](#).

The U.S. Department of State reported in its annual report covering 2013 regarding the prevalence of child trafficking that:

Children as young as 5-years-old are bought, sold, rented, or kidnapped and placed in organized begging rings, domestic servitude, small shops, brick kilns, and prostitution. Some children are intentionally injured by their traffickers: in September 2013, Pakistani police arrested 27 people in Punjab province for kidnapping and mutilating eight children between the ages of five and 10 for forced begging. In February 2014, a poultry farmer discarded two bruised and bloodied boys ages 7 and 9 on the side of a road in Punjab province after they complained of unpaid wages. NGOs report that boys are vulnerable to sex trafficking around hotels, truck stops, bus stations, and shrines. Parents allow illegal labor agents to find work for their children, who are subsequently subjected to exploitative conditions, forced labor, and prostitution. Trafficking experts describe a structured system for forcing women and girls into prostitution, including physical markets in which victims are offered for sale. In June 2013, Pakistani media documented the attempted sale of a 12-year-old girl in a Karachi market. Women and girls are also sold into forced marriages; in some cases their new “husbands” move them across Pakistan’s land borders and force them into prostitution in Iran or Afghanistan. In other cases, sometimes organized by extra-judicial courts, girls are used as chattel to settle debts or disputes. Non-state militants kidnap children, buy them from destitute parents, or coerce parents with threats or fraudulent promises into giving their children away; these armed groups force children to spy, fight, or die as suicide bombers in Pakistan and Afghanistan, often through psychological coercion or sexual and physical abuse.¹⁶⁷⁴

The U.S. Department of Labor reported in its annual report covering 2013 regarding state protection that “The Government of Pakistan does not collect data on the number of criminal investigations, prosecutions, children assisted, or convictions of child traffickers and those using children in other exploitative forms of labor. During the reporting period, the Federal Investigation Agency’s (FIA) Interagency Task Force held several meetings to improve coordination among different law enforcement groups in order to improve the tracking of human traffickers. Additionally, FIA took action against FIA officials who were complicit in human trafficking and smuggling. During the reporting period, FIA arrested and filed eight criminal cases against its own staff, and it demoted or dismissed senior officers involved in human trafficking. In 2013, UNODC [UN Office on Drugs and Crime] and the Government of Pakistan launched a pilot training course of a human trafficking training curriculum for all law enforcement agencies”.¹⁶⁷⁵

The 2014 report of the Society for the Protection of the Rights of the Child reported that “Child trafficking in Pakistan has two major dimensions: firstly, women and girl children are trafficked to Pakistan from Bangladesh and Central Asian countries, mostly for forced commercial sexual exploitation. Secondly, children (a large number of them are young girls) are trafficked from rural/peripheral areas of the country to cities where they may be engaged as domestic workers, bonded laborers, and sex workers. Pakistan is also a transit country for young girls from East Asian countries and Bangladesh who are being trafficked to the Middle East for commercial sexual exploitation”.¹⁶⁷⁶ With regards to any available statistics, the same report noted “The Federal Investigation Agency (FIA) is primarily tasked with addressing external human trafficking in Pakistan; the agency revealed

¹⁶⁷⁴ U.S. Department of State, [Trafficking in Persons Report 2014: Pakistan](#), 20 June 2014

¹⁶⁷⁵ US Department of Labor, [2013 Findings on the Worst Forms of Child Labor](#), 7 October 2014, *Pakistan, Criminal Law Enforcement*

¹⁶⁷⁶ Society for the Protection of the Rights of the Child, [The State of Pakistan’s Children](#), 2014, *Violence against children chapter, Child Trafficking & Abduction*

that between 2009 and February 2014, the agency has intercepted 61,200 people at the Pakistan-Iran and Pakistan-Afghanistan borders. Furthermore, the agency has prepared a red list of most wanted traffickers which include 141 traffickers who operate a network of 7,890 people. The above information is restricted to cases of external or cross border human trafficking; moreover, there is no separate database on child trafficking in Pakistan".¹⁶⁷⁷

Two examples of child abduction/trafficking cases were highlighted by the same report:

A number of child abduction/ trafficking cases were reported from different parts of the country in 2014. These cases point to the poor state of child protection in the country as a whole and the immediate need to improve law enforcement in the country.

- In November 2014, a serious debate on the state of child protection in the country was triggered when Karachi Police recovered 36 minor girls from a private residence in the Liaqatabad area of Karachi. The girls belonged to the Bajaur Agency in FATA and had been sent to Karachi by their parents to study in a seminary. The seminary cleric had handed over the girls to a family after the latter failed to pay back a debt: the family was supposed to take care of the girls as a way of repayment of debt. The seminary was being run by the same person who had brought the girls from Bajaur; it was further revealed that after completing their education, the girls would be sent back to Bajaur where they would impart religious education to women and young girls⁷⁶. The incident cannot be purely regarded as an abduction or trafficking case but reveals how children can be used as bargaining chips in adult affairs. In this case, an economic transaction resulted in children being put in care of a family without permission from their parents. The case also highlighted that the mushrooming of unregistered Madrassahs that are tasked with providing religious education to children. In this regard, the absence of registration with a State authority allows these institutions to operate unmonitored, raising a number of child protection issues which may include involvement of children in armed conflict, child sexual abuse, and abduction/trafficking of children.
- The forced conversion of minority girls after abduction is becoming a common practice in Pakistan. According to a report released by the Movement for Solidarity & Peace, hundreds of Christian and Hindu girls are forcibly converted to Islam every year. In many cases, the girl is first abducted from her home before being converted. The report further stated that the average age of Christian girls who are abducted, converted, and then married off to the abductor or a third party lies between 12 and 25 years. An incident was reported in January 2014 when a 14 year old Christian girl from Rawalpindi, Punjab, was abducted, forcibly converted to Islam and married to a Muslim boy from her school. After police's intervention, the girl was produced before the court; however, she was accompanied by 50 armed men who had come to support the boy's family. The girl initially stated that she had converted to Islam and had married her class fellow; however, she later retracted her statement and revealed that she had been forced to convert after being abducted. The court did not allow the girl to return to her family.¹⁶⁷⁸

In July 2014 the Asian Human Rights Commission (AHRC) reported on another case where they had received information that:

[A] 12 year old girl has been missing for three years after being abducted and sold several times, allegedly by persons belonging to a criminal syndicate who are backed with heavy political patronage and with full connivance of the police. It is learnt that the a high ranking officer attached to the Police, in a deal with the traffickers has offered the girl's parents a considerable amount of money as compensation to keep the incident quiet.

According to information received six accused persons named in the First Instance Report filed with regard to the abduction and trafficking of the girl who was 12 years at the time, have made confessions to the police that they have in fact sold the girl to not one but several persons but the

¹⁶⁷⁷ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Violence against children chapter, Child Trafficking & Abduction*

¹⁶⁷⁸ Society for the Protection of the Rights of the Child, [The State of Pakistan's Children](#), 2014, *Violence against children chapter, Child Trafficking & Abduction*

police have not to-date arrested any persons on charges of abducting, selling or trafficking of a minor. We have received information that Police have subsequently produced a marriage certificate to the High Court which had indicated the girl's age as 32. The Lahore High Court at the hearing had accepted the certificate of marriage, stating that the document submitted by the police is authentic. Further, at the hearing, the person who had in fact confessed before the Lahore High Court, for being guilty of purchasing the girl, has been released by the police.

The AHRC has received information that the girl (who is now 16 year) is still missing; her parents do not know whether she is still alive nor dead, nor her whereabouts and the police have failed to find her. Instead, according to information received the police have arrested the maternal uncle of the girl, he had been detained in a private torture cell operated by the police where he had been severely tortured and demanded to withdraw the complaint against the perpetrators. He was released after the intervention from Session Court.¹⁶⁷⁹

¹⁶⁷⁹ Asian Human Rights Commission, [*Pakistan: A 12 year girl, kidnapped, trafficked, and still missing – police despite evidences have to-date failed to find the girl*](#), 11 July 2014