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Freedom in the World - ↓ Pakistan (2008)

Capital:
Islamabad

Population:
169,300,000

Political Rights Score: 6
Civil Liberties Score: 5
Status: Not Free

Trend Arrow

Pakistan received a downward trend arrow to reflect the imposition of martial law, under which restrictions were placed on freedom of assembly and the media, politicians and human rights activists were held under house arrest, the constitution was suspended, and the Supreme Court was disbanded.

Overview

A political crisis brought on by President and Army Chief Pervez Musharraf's suspension of the chief justice of the Supreme Court in March 2007 escalated throughout the year, culminating in his reelection as president in October and the imposition of martial law and a state of emergency in November. As part of the crackdown, political leaders and activists, lawyers, and the media were all targeted for arrest and detention, while the constitution was suspended and a majority of the higher judiciary was replaced. The state of emergency was lifted in mid-December, following sustained local pressure, but some rights of expression and assembly remained suspended. Following the assassination of opposition leader Benazir Bhutto in late December, parliamentary elections planned for early January 2008 were postponed. Also during the year, the media expanded its watchdog capacity in the absence of an independent legislature and judiciary, resulting in a range of official reprisals, including the shutdown of many outlets in November. Other human rights violations, including arbitrary arrest and "enforced disappearances," continued to be reported in 2007. Sectarian, separatist, and terrorist violence escalated dramatically as militants extended their influence throughout the country.

Pakistan was created as a Muslim homeland during the partition of British India in 1947. Following a nine-month civil war, East Pakistan achieved independence in 1971 as the new state of Bangladesh. The army has directly or indirectly ruled Pakistan for much of its independent history. As part of his efforts to consolidate power, military dictator Mohammad Zia ul-Haq amended the constitution in 1985 to allow the president to dismiss elected governments. After Zia's death in 1988, successive presidents cited corruption and abuse of power in sacking elected governments headed by Benazir Bhutto of the Pakistan People's Party (PPP) in 1990 and 1996, and Nawaz Sharif of the Pakistan Muslim League (PML) in 1993.

After the PML decisively won the 1997 elections, Sharif, as prime minister, largely ignored Pakistan's pressing economic and social problems while attempting to undermine every institution capable of challenging him, including the judiciary and the press. When he attempted to fire the army chief, General Pervez Musharraf, in

1999, he was deposed in a bloodless coup. Musharraf then appointed himself "chief executive," declared a state of emergency, and suspended Parliament, the provincial assemblies, and the constitution. He was able to neutralize Sharif and Bhutto through a combination of court convictions and exile.

Musharraf's primary aim after gaining power was to ensure a dominant role for the military in governing Pakistan. The 2002 Legal Framework Order (LFO) gave him effective control over Parliament and changed the electoral rules to the detriment of opposition parties. The regime also openly promoted progovernment parties, such as the newly formed Pakistan Muslim League Quaid-i-Azam (PML-Q). In the 2002 parliamentary elections, the PML-Q led with 126 National Assembly seats, while the PPP captured 81, and the PML took 19. A coalition of six religious parties, the Muttahida Majlis-i-Amal (MMA), performed unexpectedly well in this tilted playing-field, winning 63 seats in the National Assembly and a majority in two provinces. With support from independents and deserters from the other main parties, the PML-Q was able to form a government; it consolidated its position by winning a majority of seats in the 2003 Senate elections.

Parliament was deadlocked for most of 2003, with the opposition insisting that Musharraf rescind the LFO, introduce legal and constitutional changes through the normal parliamentary process, and relinquish his position as army chief if he wished to continue as president. A deal brokered with the MMA enabled the government to pass a 2004 constitutional amendment legitimizing the coup; the government was also able to pass legislation establishing a powerful National Security Council (NSC) headed by the president, which further solidified the military's role in government. Musharraf then reversed his pledge to step down as army chief, drawing protests by the MMA. Local elections in 2005 further marginalized the moderate opposition and placed local government structures more firmly under the control of Musharraf's allies.

While managing to contain the secular opposition, Musharraf was less willing to rein in the Islamist groups with which the military traditionally had a close relationship. Although several groups were banned in September 2001, as Musharraf pledged to support the United States in its antiterrorism efforts, more than 40 groups continued to function under new names, and their leaders were generally not prosecuted. Attempts by the general to strengthen relations with one of the main religious parties, the pro-Taliban Jamiat-e-Ulema Islam (JUI), led to a September 2006 peace accord between the government and a Taliban tribal council in North Waziristan, under which authorities released a number of local fighters in exchange for a cessation of attacks on the army. While Musharraf said the deal would lead to greater stability along the Pakistan-Afghanistan border, critics predicted, correctly, that it would allow the Taliban to gain control on the ground in the Federally Administered Tribal Areas (FATA), and that it would not stop Taliban incursions into Afghanistan. Analysts subsequently remained concerned that the influence of the Taliban was continuing to spread, particularly in the FATA, North-West Frontier Province (NWFP), and Baluchistan.

During 2007, extremists extended their reach to the capital. Periodic confrontations between militants affiliated with Islamabad's Lal Masjid (Red Mosque), local neighbors, and the police ended in July when a skirmish escalated into a full-fledged military siege of the mosque compound, during which at least 100 militants and 11 security force personnel were killed. Following the assault, Islamists throughout Pakistan stepped up their bombing campaigns, leading to

higher levels of violence during the latter half of the year, particularly in the tribal areas. In November, the entire Swat valley in NWFP was taken over by Mullah Fazlullah, a radical Muslim cleric; the government only managed to reassert its control after sending hundreds of troops to the area and imposing a blockade and curfew. Overall, the level of violence almost doubled in 2007, with more than 3,500 people killed in terrorist or insurgent attacks.

In addition to violence stemming from the Islamist movement, Pakistan suffers from clashes between government forces and tribal groups in Baluchistan, which have escalated since early 2005. A separatist group, the Baluchistan Liberation Army (BLA), regularly attacks infrastructure and development projects and staff, while local tribal leaders demand greater political autonomy and control over the province's natural resources. The government has responded with counterinsurgency operations, leading to increased human rights violations and a looming humanitarian crisis. The government declared the BLA a terrorist group in April 2006, and the army killed the 79-year-old Baluchi separatist leader Nawab Akbar Khan Bugti in August of that year, prompting increased political instability and rioting. Violence surged in early 2007 and remained high throughout the year, with frequent bomb attacks and shooting incidents. The head of the BLA, Mir Balach Marri, was killed in November by government forces.

Concerned about his declining popularity, Musharraf in June 2006 brought forward the date of the indirect presidential election—conducted by an electoral college consisting of the national and provincial legislatures—so it would be held in 2007 while the current assemblies were still sitting. However, as the activism and independence of the Supreme Court (which since the 1999 coup had been generally pliant and supportive of the executive) increased during late 2006 and early 2007, particularly over the issue of “disappearances,” Musharraf worried that the judiciary could also threaten his reelection. He suspended Chief Justice Iftikhar Chaudhry in March 2007 on the grounds of misconduct and abuse of office, but the maneuver backfired when Chaudhry refused to resign, sparking large and widespread protests by lawyers who supported his cause throughout the country, harassment of media outlets covering the demonstrations, and politically charged clashes that killed at least 40 people in Karachi in May.

The political crisis deepened in July, when the court ruled against Musharraf's suspension of Chaudhry, who was reinstated. The following month, the court issued rulings allowing former prime minister Sharif to return from exile and releasing prominent government critic Javed Hashmi from prison. As opposition to Musharraf's actions spread across the political spectrum, he threatened to impose a state of emergency in August but then backed down, although security forces arrested Sharif and deported him when he attempted to return to Pakistan in September. A PML-Q majority in Parliament ensured Musharraf's victory in the presidential election on October 6, which proceeded despite the resignation of many opposition lawmakers prior to the vote. Musharraf had promised to step down as army chief if reelected, but when the Supreme Court announced that it would issue a ruling on the validity of the presidential election, Musharraf again took preemptive action and imposed martial law on November 3, suspending the constitution and replacing much of the higher judiciary. Under a state of emergency (SOE) declaration that lasted for 42 days, a range of basic civil liberties, including freedoms of the press, speech, and assembly, were suspended. More than 6,000 civil society activists, political leaders, and lawyers and judges were arrested soon after the declaration, although the vast majority were released

after short periods of detention. Sharif successfully returned from exile in late November.

Musharraf was sworn in for a new five-year term as president on November 29, just after resigning as army chief and appointing General Ashfaq Kayani in his stead. In mid-December, possibly bowing to a combination of sustained local and some international pressure, the SOE was lifted and an amended version of the constitution was restored, but some restrictions on the press and the right to assembly remained in place at year's end, as did the emasculation of the judiciary, in preparation for parliamentary elections scheduled for early January 2008. Following the December 27 assassination of former prime minister Benazir Bhutto, who had returned from exile in October, the country plunged deeper into crisis and uncertainty, with the elections postponed and the political landscape in disarray.

Political Rights and Civil Liberties

Pakistan is not an electoral democracy. Despite the presence of a civilian legislature that was elected in 2002, the military, headed by General Pervez Musharraf, wielded effective control over the structures of government. The 1973 constitution provides for a National Assembly, which currently has 272 directly elected members and 70 seats reserved for women and non-Muslim minorities, all serving five-year terms; and a Senate, the majority of whose 100 members are elected by the four provincial assemblies for six-year terms. The president is elected for a five-year term by an electoral college consisting of the national and provincial legislatures. In a decision of questionable legality, Musharraf chose to hold the latest presidential election in October 2007, prior to legislative elections planned for January 2008, meaning he was reelected by the same lawmakers who had confirmed him as president in 2004. At year's end, the National Assembly had been dissolved following the completion of its term, and a caretaker cabinet headed by Senate chairman Mohammedmian Soomro comprised the civilian part of the government. Meanwhile, Musharraf retired as army chief in late November and retook the presidential oath as a civilian.

The ability of political parties to operate freely was restricted after the 1999 coup. In preparation for the 2002 national elections, Musharraf strengthened the powers of the presidency and formalized the military's role in governance. That year's LFO gave him the right to unilaterally dismiss the national and provincial legislatures, and it provided for a military-dominated National Security Council that would supervise the work of the civilian cabinet. The LFO also barred certain individuals from running for office and restricted political parties in their choice of leadership. Some of these measures were explicitly aimed at preventing former prime ministers Benazir Bhutto and Nawaz Sharif from contesting the elections. Local and international institutions raised serious doubts about the fairness of the 2002 electoral process. Furthermore, women often have difficulty voting and running for office in some parts of the country due to opposition from social and religious conservatives. The government continued to constrain opposition party activity through mass arrests and preventative detention in 2007. Late in the year, both Sharif and Bhutto were allowed to return from exile to contest the planned January 2008 elections. The campaign period was tense, marked by violence and the imposition of a state of emergency that restricted the movements of a number of political leaders. After Bhutto was assassinated at a December 27 campaign rally, in a bombing that also killed more than 20 others, the elections were postponed.

Pakistan's government operates with limited transparency and accountability.

Since the 1999 coup, military officers have assumed an increasing role in governance through "army monitoring teams" that oversee the functioning of many civilian administrative departments. The army now has a stake in continuing to influence both commercial and political decision-making processes, in addition to its traditional dominance over foreign policy and security issues. Serving and retired officers receive top public sector jobs in ministries, state-run corporations, and universities, and are given a range of other privileges. The effective functioning of Parliament has been hampered by ongoing opposition boycotts, and many pieces of legislation, as well as the crucial October 2007 presidential vote, have been pushed through with limited debate. Most important policies have been introduced by presidential decree rather than being initiated by Parliament.

Corruption is pervasive at almost all levels of politics and government. Transparency International's 2007 Corruption Perceptions Index ranked Pakistan 138 out of 180 countries surveyed. Although Musharraf publicly stated after the 1999 coup that eliminating official corruption was a priority, the National Anti-Corruption Strategy approved in 2002 focused on politicians, civil servants, and businesspeople while virtually ignoring military and security personnel. Corruption charges are frequently used as a tool to punish opposition politicians or induce them to join the ruling PML-Q. However, after facing the threat of charges for many years, Bhutto reached a deal with the government in late 2007 that involved the dropping of corruption charges against her prior to her return to the country. A National Reconciliation Ordinance, passed just ahead of the October presidential election, provided for an automatic withdrawal of all corruption cases filed against public officials prior to 1999.

Press freedom was severely tested in 2007 as media outlets took a leading role in reporting on the ongoing political turmoil and were consequently targeted in crackdowns by authorities. Pakistan has some of the most outspoken newspapers in South Asia, and the broadcast sector has become considerably more diverse with the opening of a number of new private television stations. Some of those outlets focus on live news, commentary, and call-in talk shows, which serve to inform viewers and shape public opinion regarding current events. In general, the constitution and other laws authorize the government to curb freedom of speech on subjects including the constitution, the armed forces, the judiciary, and religion; blasphemy laws are also occasionally used to suppress the media. Authorities employ advertising boycotts to pressure publications that fail to heed unofficial directives on coverage. In 2007, the government cut nearly two-thirds of its advertisements with the Dawn Group, which had defied an official request for a news blackout on Baluchistan and the tribal areas. The authorities also withheld a television broadcast license from the group. Access to certain websites is periodically blocked, particularly those involving Baluchi nationalist issues or other sensitive subjects. The physical safety of journalists continues to be a matter of concern. On numerous occasions, security forces have subjected journalists to physical attacks, intimidation, or arbitrary arrest and incommunicado detention. In addition, Islamic fundamentalists and thugs hired by feudal landlords or local politicians harass journalists and attack newspaper offices. Conditions for reporters covering the ongoing unrest in the tribal areas are particularly difficult. A number of journalists were killed during the year, and family members of journalists continued to be targeted.

Restrictions on media coverage dramatically increased as part of the November 2007 imposition of martial law. A Provisional Constitutional Order (PCO), which

replaced the constitution, suspended protections relating to freedom of the press, and two additional ordinances imposed severe curbs on print and electronic media, barring them from publishing or broadcasting “anything which defames or brings into ridicule the head of state, or members of the armed forces, or executive, legislative or judicial organ of the state,” as well as any broadcasts deemed to be “false or baseless.” Journalists found to have breached the ordinances faced jail terms of up to three years, fines of up to 10 million rupees (US\$165,000), and cancellation of their licenses. A special bureau within the Information Ministry was tasked with monitoring the 21 national dailies and 13 leading regional newspapers to ensure that they obeyed the print media ordinance. Transmissions of many foreign and domestic networks were suspended until they signed a new 14-page code of conduct in which they agreed to discontinue specific types of programming, such as election-related content, talk shows, and live call-in segments. Channels that refused, including Geo TV, the country’s largest private television network, remained off the air at year’s end.

Pakistan is an Islamic republic, and there are numerous legal restrictions on religious freedom. Blasphemy laws provide steep sentences, including the death penalty, and injuring the “religious feelings” of individual citizens is prohibited. Instances of low-ranking police officials taking bribes to file false blasphemy charges against Ahmadis, Christians, Hindus, and occasionally other Muslims continue to take place. Ahmadis consider themselves Muslims, but the constitution classifies them as a non-Muslim minority, and the penal code severely restricts their religious practice. Authorities occasionally confiscate or close Ahmadiyya publications and harass journalists or printers involved in their production. To date, appeals courts have overturned all blasphemy convictions, but suspects are generally forced to spend lengthy periods in prison, where they are subject to ill-treatment, and they continue to be targeted by religious extremists after they are released. In an attempt to limit abuse of these laws, an amendment was enacted in 2005 requiring that a senior police officer investigate such charges. This has led to a significant reduction in new blasphemy cases, according to the U.S. State Department’s Report on International Religious Freedom, with several dozen cases being reported each year.

Religious minorities also face unofficial economic, social, and cultural discrimination, and are occasionally subjected to violence and harassment. Attacks by terrorists and others on places of worship and religious gatherings occur frequently, leading to the deaths of dozens of people every year. The government often fails to protect religious minorities from sectarian violence, and discriminatory legislation contributes to a climate of religious intolerance.

The government generally does not restrict academic freedom. However, student groups at a number of universities, typically those with ties to political parties or radical Islamist organizations, violently attack or otherwise intimidate students, teachers, and administrators, and try to influence university policies. According to the International Crisis Group (ICG), college students are required to sign affidavits declaring that they will not participate in any political activity, and this ban is selectively enforced against supporters of opposition parties. Girls’ schools, particularly in NWFP, face threats from religious extremists, leading some parents to withdraw their children. Following the November 2007 declaration of martial law, students and teachers at some universities became heavily involved in the opposition protest movement, attempting to organize demonstrations and setting up blogs. Several teachers were arrested and charged for engaging in political

activities, while many students were harassed, intimidated, or treated roughly during demonstrations. In addition, internet services were temporarily suspended, while phone lines were monitored to keep track of those suspected of antigovernment activities.

Broad legal provisions for freedoms of assembly and association are not upheld by the government, which routinely restricts public gatherings of more than four people. Authorities regularly disperse protests using force and arrest political activists to prevent planned demonstrations. Laws governing sedition, public order, and terrorism have been used to raid party offices and detain political activists and leaders. Some Islamist leaders have been held under house arrest or in preventive detention under the Maintenance of Public Order ordinance, which allows three months' detention without trial. Restrictions on assembly and harassment of those who attempted to demonstrate were particularly stringent during the spring 2007 protests by lawyers and the November state of emergency, when thousands of people were arrested.

Authorities generally tolerate the work of nongovernmental organizations (NGOs) and allow them to publish critical material. However, NGOs that work on issues of female education and empowerment, and female NGO staff in general, have faced threats and attacks from Islamic fundamentalists, particularly in the north. Citing security concerns, the government has at times prevented aid groups from operating in Baluchistan, exacerbating the humanitarian situation there. Conditions for the NGO community worsened in November 2007, when Asma Jahangir and at least 50 other activists and members of the Human Rights Commission of Pakistan (HRCP) were detained and kept in prison. While many were released after several days, some, including Jahangir, were subject to more stringent controls and prolonged periods of house arrest.

Trade unions are independent. The law restricts the right to strike, and workers in certain essential industries face limits on collective bargaining. Despite legislation outlawing bonded labor and canceling enslaving debts, illegal bonded labor is widespread, particularly in Sindh province. According to news reports, there is a growing trend involving bonded laborers who sell organs, particularly kidneys, in order to escape their servitude. The enforcement of child labor laws remains inadequate; recent surveys have indicated that there are at least eight million child workers in Pakistan, and those found to be employing children often avoid punishment. During the year, protests by journalists' unions against numerous violations of press freedom were cracked down on harshly by police and security forces.

The judiciary consists of civil and criminal courts and a special Sharia (Islamic law) court for certain offenses. Lower courts remain plagued by corruption; intimidation by local officials, powerful individuals, and Islamic extremists; and heavy backlogs that lead to lengthy pretrial detentions. The military regime undermined the Supreme Court's reputation for independence in January 2000, when it ordered all high-ranking judges to swear to uphold the PCO issued by Musharraf. When the chief justice and a number of other judges refused, they were replaced by jurists willing to support the executive, particularly in cases on the legality of military rule or other politically charged topics. In addition, as noted by the ICG, the executive used the appointments system to remove independent judges, fill key positions with political allies, and reward those who issued favorable judgments. However, the Supreme Court has occasionally shown sparks of independence, and increasing

activism by the court, particularly by Chief Justice Iftikhar Chaudhry, prompted the standoff in 2007. Musharraf attempted to remove Chaudhry in March, leading to large-scale protests by lawyers and Chaudhry's reinstatement in July. Following the November 3 imposition of martial law and suspension of the constitution, the Supreme Court attempted to rule Musharraf's actions illegal. He responded with the dismissal of a majority of superior court justices and the arrest and detention of Chaudhry, other judges who refused to swear an oath of allegiance to the new PCO, and various lawyers and legal activists. At year's end, Chaudhry and his family remained under strict house arrest.

Other parts of the judicial system, such as the antiterrorism courts, operate with limited due process rights. A 1999 ordinance vested broad powers of arrest, investigation, and prosecution in a National Accountability Bureau and established special courts to try corruption cases. Musharraf has used these organs to prosecute rival politicians and officials from previous governments. The Sharia court enforces the 1979 Hudood Ordinances, which criminalize nonmarital rape, extramarital sex, and several alcohol, gambling, and property offenses. They also provide for Koranic punishments, including death by stoning for adultery, as well as jail terms and fines. In part because of strict evidentiary standards, authorities have never carried out the Koranic punishments. Pressure to amend or do away with the ordinances, which are highly discriminatory toward women, has grown in recent years, and the Musharraf government has made limited progress toward reversing some of the worst provisions.

The FATA are governed under a separate legal system, the Frontier Crimes Regulation, which allows collective punishment for individual crimes and authorizes tribal leaders to administer justice according to Sharia and tribal custom. Feudal landlords and tribal elders throughout Pakistan adjudicate some disputes and impose punishments, including the death penalty or the forced exchange of brides between tribes, in unsanctioned parallel courts called jirgas. In April 2004, responding to growing concern over the potential for abuse inherent in this practice, the Sindh High Court banned all trials conducted under the jirga system in the province. However, such proceedings continue to take place. Tensions between national and constitutional laws and the efforts of provincial assemblies to pass restrictive Islamist legislation remain a problem.

Police routinely engage in crime, excessive force, torture, and arbitrary detention; extort money from prisoners and their families; accept bribes to file or withdraw charges; rape female detainees; and commit extrajudicial killings. Prison conditions are extremely poor, with overcrowding a particular problem. Case backlogs mean that the majority of prisoners are awaiting trial. Feudal landlords, tribal groups, and some militant groups operate private jails where detainees are routinely maltreated. Critics of the regime are particularly at risk of arbitrary arrest, torture, "disappearance," or denial of basic due process rights at the hands of military authorities. Progress on creating an official human rights commission empowered to investigate cases of abuse and redress grievances has been slow, and a general atmosphere of impunity remains the norm.

The HRCP has noted a marked increase in the number of people being illegally detained by state agencies, citing reports that more than 1,600 are missing or "disappeared." Initially, most of those detained were suspected of links to radical Islamist groups, but more recently Baluchi and Sindhi nationalists, government critics, and some journalists, researchers, and social workers have also been

targeted. Although intelligence services operate largely outside the purview of the judicial system, in October 2006 the Supreme Court took up several disappearance cases and ordered the government to accelerate the process of producing the missing men. As a result of the court decision, approximately 20 men were freed that year. Additional cases brought in 2007 by the HRCP and others on behalf of almost 200 detainees yielded similar orders to either release or lawfully detain prisoners who were being held incommunicado. However, the government did not fully comply with these rulings.

Press reports estimate that there are tens of thousands of active armed militants in Pakistan. These extremists—members of the Taliban and a number of other Islamist groups—carry out terrorist attacks within Pakistan and in neighboring countries against foreign, Shia, and Christian targets, killing at least several hundred civilians each year. Sunni and Shia fundamentalist groups continue to engage in tit-for-tat sectarian violence, mostly bomb attacks against places of worship and religious gatherings. The New Delhi-based South Asia Terrorism Portal (SATP) reported that 441 people were killed and 630 were injured in sectarian violence in 2007, nearly double the total for the previous year. A dramatic increase occurred after the declaration of the state of emergency, which was ostensibly aimed at cracking down on terrorist violence.

The army and security forces (with support from the United States) have conducted intermittent campaigns against foreign militants in the tribal areas since 2002, and human rights abuses associated with these operations—including arbitrary detention, property destruction, killing or displacement of civilians, and extrajudicial executions—continue to be reported. The focus during 2006 was on North Waziristan, where the army deployed additional troops before signing a truce with Islamist militants in September of that year. Meanwhile, local Taliban militants have strengthened their hold over South Waziristan since a similar truce in 2004, imposing strict behavioral codes and killing progovernment political and religious leaders, including 150 tribal elders in the past three years. Overall, the SATP reported that 3,599 people were killed in terrorist- or insurgent-related violence in 2007, including 1,523 civilians, 597 security force personnel, and 1,479 militants, more than double the figures from 2006. Major incidents included the bombing of a political rally marking Bhutto's return to Karachi on October 18, which killed 143 people and wounded hundreds, as well as the assassination of Bhutto herself in another bombing in late December.

Beginning in early 2005, Baluchi nationalist groups increased their attacks on gas pipelines and other infrastructure, and the army has stepped up military reprisals in response, leading to human rights violations and the displacement of thousands of civilians. The killing of the elderly rebel tribal leader Nawab Akbar Khan Bugti by the army in August 2006 triggered riots and strikes, and the chief of the rebel BLA was killed by government forces in November 2007. Thousands of activists and other locals perceived to be sympathetic to the cause have been detained, according to an October 2007 ICG report. Separately, violence between the country's various political factions, particularly in Karachi, emerged as a concern during the year, with several dozen people killed in May alone.

Land rights are endangered by the weak rule of law and the military's expanded control over economic resources. According to a Human Rights Watch report, tenant farmers in the Okara district of Punjab province who have refused to cede their land rights to the army have faced besiegement, arbitrary detention, torture,

“forced divorce,” dismissal from employment, and murder. The military’s growing role in the economy has raised broader concerns, since it gives the armed forces an added incentive to retain political power and protect their gains.

A combination of traditional norms, discriminatory laws, and weak enforcement contributes to a high incidence of rape, domestic abuse, acid attacks, and other forms of violence against women; according to the HRCP, up to 80 percent of women are victims of such abuse during their lifetimes. Female victims of rape and other sexual crimes are often pressured by police not to file charges, and they are sometimes urged by their families to commit suicide. Gang rapes sanctioned by village councils as a form of punishment for crimes committed by the targeted woman’s relatives continue to be reported, despite the fact that harsh sentences have been handed down against the perpetrators in some cases. Under the discriminatory Hudood Ordinances, women can be charged with adultery or other sexual misconduct arising from rape cases or on suspicion of having an affair; thousands of women (an estimated 80 percent of the female prison population) have been incarcerated in recent years as a result of being wrongfully charged with adultery, and the threat of being charged with adultery may prevent some women from reporting rape. In 2006, Musharraf ordered the release on bail of all women held under the ordinances, and in July 2007 he promulgated the Law Reforms Ordinance, which allowed women held under Hudood laws to be eligible for bail. By year’s end, hundreds of women had been released. Religious parties opposed extensive reform of the ordinances themselves, but after watering down initial drafts, the government was able to pass the Women’s Protection Bill in November 2006. Under the measure, a woman is no longer required to produce four Muslim male witnesses to prove rape, and judges can try rape cases under criminal law rather than Sharia. However, extramarital sex is still criminalized, and marital rape is not recognized as a crime.

According to the HRCP, at least 636 women were killed by family members in so-called honor killings in 2007, although other local rights groups suspect that the actual number may be much higher, and many more are otherwise humiliated or mutilated. Government-backed legislation enacted in 2005 introduced stiffer sentences and the possibility of the death penalty for honor killings. However, given a prevailing environment in which authorities do not aggressively prosecute the perpetrators of violence against women, activists questioned the effectiveness of the bill. The tribal practice of *vani*, in which women are offered in marriage to settle blood feuds between rival families, continues to take place in certain parts of rural Pakistan, although there is growing opposition to the practice by the women themselves as well as social activists and religious scholars. It was declared illegal by the Supreme Court in 2004, and in a landmark December 2005 judgment, the court ordered local police to offer women protection. Despite legal bans, other forms of child and forced marriage continue to be a problem.

Pakistani inheritance law discriminates against women. Women also face unofficial discrimination in educational and employment opportunities, and the trafficking of women and children remains a serious concern, with females being trafficked or sold for the purposes of forced labor, sexual exploitation, or marriage to significantly older men. Children’s access to education and health care continues to be inadequate, with low numbers for both school attendance and literacy, despite the presence of a number of local and international NGOs that work to address such problems.

