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# **Human Rights and Democracy: The 2012** Foreign & Commonwealth Office Report -Pakistan

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The picture in Pakistan remains complex. There have been some positive political and legal developments, but there remain also acute human rights challenges in a very difficult security environment. The state carried out the first execution in four years in November and there continue to be reports of mistreatment and extrajudicial killings by the security forces with impunity. The past year has seen significant terrorist and sectarian violence and continuing persecution of religious and ethnic minorities. The government of Pakistan has made some progress, continuing the legislative successes of 2011, by passing bills to create a new National Commission for Human Rights and to protect women from violence, but it needs to go further to ensure that these meet international standards, and it will also be judged on how well it implements the legislation. The National Commission was still not up and running six months after the bill establishing it was passed. This year, Pakistan was elected to the UN Human Rights Council and went through its second Universal Periodic Review. The international community will be monitoring its response to the recommendations.

In last year's report, we identified several human rights objectives for 2012: freedom of expression and religion, implementation of international treaties, democracy and elections and promotion of the rule of law, child and maternal health and women's rights. We took these forward through a range of projects and targeted dialogue with the Pakistani authorities. Success was mixed, but the government responded on some legislative issues and FCO and UK aid projects have had a positive impact.

Elections in 2013 will be a vital step on the path to a strong, stable and democratic Pakistan. Helping Pakistan to deliver elections which are credible and that lead to a peaceful transfer of power will be a top priority for the UK in 2013. We will also encourage Pakistan, and its new government, to step up its implementation of international obligations on human rights. Essential changes will only happen with the political support of the authorities. We will continue to focus on the rights of minorities and women, through frank senior-level discussions and project work.

#### **Elections**

Federal and Provincial elections due in 2013 will be a crucial milestone in Pakistan's democratic history. It will be the first time in Pakistan that a civilian government has completed its full term and democratically transferred power to another. Our discussions in 2012, continuing into 2013, have called for elections which are credible and acceptable to the Pakistani people. The Foreign Secretary, the Development Secretary and the Senior FCO Minister Baroness Warsi all raised the importance of the elections, including ensuring that women and minorities are able to vote, during their visits to Pakistan in 2012.

Political violence is widespread in Pakistan and the possibility of an escalation of violence around the elections is a serious concern. We will continue to call on all parties to ensure that elections are peaceful and free from fraud and that citizens, including women and minority groups, are able to vote without intimidation. This will be vital to building citizens' trust in the electoral process and the credibility of democratic government.

The UK is supporting the Electoral Commission of Pakistan (ECP) in their electoral preparations through a three-year programme focused on sustainable capacity-building based on international best practice. For example, DFID is funding the training of election staff, helping to refine the electoral dispute resolution mechanism, enabling the ECP to update their electoral operations systems and supporting an ECP voter education strategy, with a specific focus on encouraging women to vote. We are providing 41,000 ballot boxes to increase the number of polling stations to enable more people to vote in remote areas. We are also supporting civil society to increase voter education, helping disadvantaged groups (especially women) register for the elections, training more than 40,000 election monitors and observing the performance of elected representatives and public institutions.

#### Freedom of expression and assembly

Pakistan's vibrant media continued to challenge the establishment and stand up for human rights issues in 2012. Pakistan's Foreign Minister, Hina Rabbani Khar, acknowledged the importance of the media and civil society in this regard in her statement to the UN for Pakistan's Universal Periodic Review in October. However, as both Reporters Without Borders and the South Asia Free Media Association have highlighted, Pakistan remains an extremely dangerous place for journalists to operate and report freely. There have been several reports of threats to journalists, most publicly by the Pakistani Taliban (TTP) in response to reporting of the shooting of Malala Yousafzai.

Human rights defenders can also receive threats. For example, Pakistani media reported in June that Asma Jahangir, a leading human rights lawyer and advocate of the Supreme Court Bar Association, claimed there was a plan by the Pakistani authorities to assassinate her.

The then Minister for South Asia, Alistair Burt, met Ms Jahangir to express support for the critical work which she and others do in Pakistan to defend human rights.

#### Access to justice and the rule of law

The federal government has successfully steered through a succession of laws on human rights in the last two years, but implementation will remain a challenge until Pakistan can address issues surrounding the rule of law. Corruption and low standards of integrity plague law enforcement throughout the country and impact on almost all human rights issues as offenders are often able to act with impunity. Reports of mistreatment of those in police custody continue to surface and we see little evidence of the authorities taking these allegations seriously.

This is an issue we can help to address through project work, though the solution will not come until Pakistan takes action itself at federal, provincial and district level. In 2012, we ran workshops in Mirpur, where many cases involving British nationals originate, to raise police officers' awareness of their human rights obligations. We also saw the start of a multi-year UK-led

programme with Pakistan to strengthen the country's capacity to tackle terrorism through the criminal justice system, in line with international obligations. The UK is also working at a provincial level in Khyber Pakhtunkhwa to increase access to justice, especially for women, and provide paralegal and local mediation support to resolve less serious disputes, increasing capacity for the courts to deal with more serious criminal cases.

#### **Death penalty**

The year saw the first execution in Pakistan since a *de facto* moratorium was put in place by President Zardari in 2008. Muhammed Hussain, a soldier who murdered his commanding officer, was hanged in November following conviction by a military court in 2009. The Pakistani government has said this was a military case and does not breach the moratorium.

In October, prior to Muhammed Hussain's execution, one of the UK's recommendations to Pakistan during its Universal Periodic Review was to make the moratorium official. Making progress on this in Pakistan will require political resolve. We will continue to urge the Pakistani authorities not to return to regular executions in 2013 following the change of government.

#### Conflict and protection of civilians

Pakistan continues to deal with a high rate of terrorist and sectarian violence, in particular in the Federally Administered Tribal Areas (FATA), Karachi, Peshawar, Quetta and wider Balochistan. State security forces, supporters of political parties, sectarian groups and wider communities are the most frequent targets. The perpetrators are rarely caught and brought to justice. The people of Pakistan will always have our sympathy, our understanding and our robust support in addressing these problems.

During the latter half of 2012, human rights activists, the media, minorities and NGO health workers were increasingly targeted. The attack by the TTP in early October on Malala Yousafzai, the 14-year-old girls' rights activist, shocked Pakistan and the world. The UK government strongly supports Malala's, and the government of Pakistan's, efforts to ensure that all children in Pakistan have access to education in a safe environment, free from the threat of terrorism.

The ongoing conflict between security forces and militants in Pakistan raises human rights concerns, particularly over the reported conduct of the Pakistani forces. Amnesty International produced a detailed report in December on human rights abuses in the FATA, many of which resulted from the conflict in the region. We run a number of projects in the FATA to strengthen civil society and support those who work for reform and peace.

There are regular allegations of similar human rights abuses in Balochistan, particularly reports of enforced disappearances and extrajudicial killings. We welcome the judiciary's attempts to hold the security forces to account. We supported a 10-day visit to Pakistan at the government's invitation by the UN Working Group for Enforced and Involuntary Disappearances, but were disappointed that they were not able to meet representatives of the security forces.

We raised a number of these issues with Pakistan bilaterally and during its Universal Periodic Review at the UN in October, including reports of extrajudicial killings and the need to ensure effective implementation of the International Covenant on Civil and Political Rights and Convention against Torture. We regularly raise the need to maintain human rights and the rule of law in fighting terrorism with senior military and government figures. Human rights will continue to be a core consideration in any security and justice sector assistance we give to the Pakistani authorities.

#### Freedom of religion or belief and minority rights

Although there were small signs of progress, on the whole 2012 was another difficult year for Pakistan's minorities. There were a number of violent, and lethal, attacks against Shia Muslims and Hazaras. The murder of 20 Shia pilgrims travelling by bus outside Quetta on 30 December is sadly one of many such incidents. We receive regular reports from many communities – including Christian, Hindu, Ahmaddi, Sufi, Shia and minority ethnic communities – who continue to face intimidation and violence, forced conversion, destruction of property and vandalism of graves and other forms of targeted persecution and discrimination. Misuse of the blasphemy laws against Muslims and non-Muslims continued.

We welcomed President Zardari's speech in August recognising the problems faced by minorities in Pakistan, and the efforts of those in government to address the situation. These included their public stand on high-profile cases such as that of Rimsha Masih, the young Christian girl arrested for blasphemy in August, whose case was dismissed by the courts. But recognition of the problem by the government of Pakistan needs to be translated into real, sustainable progress for all Pakistan's minorities. FCO projects supported interfaith dialogue and campaigns to encourage Pakistan's political parties to recognise the electoral power of minority communities. Ministerial engagement includes regular lobbying of the federal and provincial governments encouraging them to guarantee the rights of all citizens.

#### Women's rights

There have been a number of federal legislative successes over the last two years on women's rights. These have been particularly aimed at protecting women from violence, including acid attacks. In 2012, however, Pakistan fell to 134th out of 135 countries in the World Economic Forum's Gender Gap Index, scoring particularly low in education, economic participation and health.

These are all issues targeted by UK aid. For instance, in the last few years in Khyber Pakhtunkhwa, where Malala Yousafzai lived and campaigned for girls' education, small cash stipends provided by UK aid have helped more than 400,000 girls to stay in school. We are encouraging women's greater participation in the economy by supporting training in new skills and helping women to access financial services such as micro-loans. Our work with civil society is helping to strengthen provincial legislation on women's rights and encouraging citizens to reject violence against women and other marginalised groups. We have also supported the Acid Survivors Foundation (ASF), who help survivors of acid attacks and work to eliminate acid violence in the country.

We have also targeted projects on improving women's political participation. FCO projects have included supporting gender-sensitive media reporting and DFID is supporting the Free and Fair Election Network (FAFEN), a civil society network that helps women and other disadvantaged groups to register on the electoral roll and actively participate in the democratic process.

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