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PAKISTAN

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PREFACE

Pakistan has been an important source country of refugees and asylum-seekers over a number of years. This paper seeks to define the scope, destination, and causes of their flight.

In the first part, the paper provides a statistical overview of Pakistani refugees and asylum-seekers in the main European asylum countries, describing current trends in the number and origin of asylum requests as well as the results of their status determination. The data are derived from government statistics made available to UNHCR and are compiled by its Statistical Unit.

The second part of the paper contains information regarding the conditions in the country of origin, which are often invoked by asylum-seekers when submitting their claim for refugee status. The Country Information Unit of UNHCR's Centre for Documentation and Research (CDR) conducts its work on the basis of publicly available information, analysis and comment, with all sources cited.

TABLE OF CONTENTS

1. Trends in Asylum Applications and Adjudication
2. Profile of the Situation in Pakistan
 - 2.1 Historical Background
 - 2.2 National Institutions
 - 2.3 Historical Overview
 - 2.4 Recent Political Developments
 - 2.5 Issues of Concern
 - 2.6 Profiles of Political Parties
3. The Human Rights Situation
 - 3.1 International Legal Framework
 - 3.2 National Legal Framework and Legislation
 - 3.3 General Respect of Human Rights
 - 3.4 The Situation of Specific Groups

Bibliography
Map
Statistical Tables

1. TRENDS IN ASYLUM APPLICATIONS AND ADJUDICATION
Applications (*see tables, page 1*)

Asylum applications in Europe from nationals of Pakistan reached a peak in 1991, when some 14,000 persons applied for asylum in the 19 European asylum countries listed in the annexed tables. The annual number of asylum-seekers from Pakistan has remained relatively stable since 1995, ranging from 8,000 to 10,000.

In 1997, Germany recorded the largest number of asylum-seekers from Pakistan, 3,800, or 46 per cent of all Pakistani nationals applying for asylum in Europe, followed by the United Kingdom (20 per cent, cases only), France (8 per cent) and Belgium (6 per cent).

1951 UN Convention status recognition (*see tables, page 2*)

Some 170 asylum-seekers from Pakistan were granted 1951 UN Convention refugee status during 1997, mostly in first instance only, down from some 270 the year before. A peak in recognition was reached in 1990, when almost 1,000 Pakistani citizens were granted Convention refugee status (960 of them in Germany).

During 1990-1997, Germany granted asylum to some 2,600 Pakistani nationals, 82 per cent of all Pakistanis given Convention status recognition in Europe.

Rejections (*see tables, page 3*)

More than 50,000 Pakistani asylum requests were rejected during 1990-1997, of which 43 per cent were rejected in Germany.

Humanitarian status (*see tables, page 4*)

In 1997, the number of Pakistani nationals granted humanitarian status recognition (60) was quite similar to that of the previous years, with the exception of 1992, when the United Kingdom granted humanitarian status to 410 Pakistanis.

Recognition rates (*see tables, page 5*)

Since 1992, the 1951 UN Convention recognition rate for Pakistani asylum-seekers has been quite low: less than 5 per cent of the decisions taken, mostly in first instance, resulted in refugee status under the 1951 Convention. The Convention recognition rate in Germany, the largest receiving country of Pakistani asylum-seekers, has remained consistently above the European average.

The total recognition rate (including both Convention and humanitarian status recognition) for Pakistani nationals in Europe was 7 per cent during 1990-1997.

2. PROFILE OF THE SITUATION IN PAKISTAN

2.1 Basic Country Information

The Islamic Republic of Pakistan, Asia's seventh largest country, is located on the northwestern portion of the Indian subcontinent. It is bordered by India to the east, by Afghanistan and Iran to the west, and it has a short frontier with the People's Republic of China in the far north-east. The southern border is on the Arabian Sea (*Europa World Yearbook* 1997, 2535; *Encyclopaedia Britannica*, 1997 [electronic format]). Pakistan today has four provinces, which are autonomous units, namely Baluchistan, North-West Frontier Province (NWFP), Punjab and Sindh. It further comprises 11 Federally Administered Tribal Areas (FATAs) and the Federal Capital Area (FCA) of Islamabad (*Economist Intelligence Unit, Country Profile* 1997-98, 4).

According to the last completed census in 1981, the population was 84,253,644, and the estimated population in mid-1996 was 134,146,000. The fifth and latest population count was held in March 1998 amidst considerable resistance, and its results are expected to be available in mid-1998 (*Dawn*, 17 February 1998; *Dawn Wire Service*, 28 March 1998). The most heavily populated urban areas are Karachi and Lahore (*The Far East and Australasia*, 1998, 897).

Although nearly all Pakistanis are Muslims, the population is not homogenous. It is a complex mixture of indigenous peoples, divided by race, linguistic and tribal differences. The Punjabis are the principal ethnic group, comprising about two-thirds of the population. Other major groups are the Sindhis (13 per cent), the Pathans (also referred to as Pashtuns, Pushtoons or Pakhtoons) (8.5 per cent), the Urdu (7.6 per cent), the Baluchis (2.5 per cent), and the Mohajirs (*The Far East and Australasia* 1998, 897). Tribal divisions are most noticeable in the western hills, but also affect the plains, which are inhabited by Janglis (once nomads, now largely cultivators), Thringuzars (camel-herders), and other groups (*Ibid.*).

Each of Pakistan's languages has a strong regional focus, and no single language can be said to be common to the whole population. The predominant linguistic group is Punjabi (spoken by almost one-half of the population), but it is not considered an official language; other languages include Pashtu, Sindhi, Saraiki, and Baluchi. Urdu, which is spoken by most educated Punjabis, is the nation's official language, and English is also extensively used (*Europa World Yearbook* 1997, 2535; *Encyclopaedia Britannica*, 1997 [electronic format]). Only one-fourth of the population is literate and, among women, the rate is one-sixth (*Encyclopaedia Britannica*, 1997 [electronic format]).

The state religion is Islam, embracing about 97 per cent of the population. The remainder are mainly Christians in Punjab and Hindus in Sindh (*Europa World Yearbook* 1997, 2552; *Encyclopaedia Britannica*, 1997 [electronic format]; *Reuters*, 12 May 1998). The Muslims are divided into a Sunni majority and minorities of Shi'a and Ahmadi (*Ibid.*).

2.2 National Institutions

The Islamic Republic of Pakistan is a federated parliamentary democracy (EIU Country Report, 1st Quarter 1998, 5). Its federal legislature consists of the President, a lower and an upper house. The lower house, called the National Assembly, has 207 members elected directly for a five-year term, on the basis of universal suffrage, with ten members representing minorities, and 20 women chosen by the elected members. The upper house, called the Senate, has 87 members chosen by the provincial assemblies, who serve for six years, with one-third retiring every two years. The role of the Senate is mostly advisory. The provinces have their own government and assembly (*Office fédéral des réfugiés* [Suisse], juillet 1997; *Europa World Yearbook* 1997, 2548; *Encyclopaedia Britannica*, 1997 [electronic format]).

The head of state is the President, who is elected by the federal legislature for a term of five years. He acts on the advice of the Prime Minister, who holds supreme executive authority. The Prime Minister is elected by the National Assembly. Both he and the President must be Muslim (*Ibid.*). The Prime Minister and the President informally share power with the Chief of the Armed Forces, who wields considerable influence on many major policy decisions, in an arrangement referred to as the 'troika' (*The Far East and Australasia*, 1998, 910).

However, most observers believe that the Army remains the most powerful element in the troika (*Amnesty International*, June 1997, U.S. DOS Country Reports for 1997, 1998), as it is the only institution in Pakistan that functions efficiently throughout the entire country, providing an element of stability amidst an unstable political and social environment (*Office fédéral des réfugiés* [Suisse], juillet 1997). It remains the ultimate political arbiter, and was the driving force behind the premature removal of the last three administrations (*EU Country Profile* 1997-98, 9). In 1997, the Army was given a permanent and visible role besides the President, the Prime Minister and members of the cabinet, in the Council of Defence and National Security (CDNS), which is to advise the government on matters of national interest (*The Far East and Australasia* 1998, 910; *Amnesty International*, June 1997). The total strength of the armed forces is given as 587,000, including 513,000 reservists. The Army has 520,000 men, the Navy 22,000, and the Air Force 45,000. There is also a 247,000-strong paramilitary force, including a National Guard of 185,000 men (*The Far East and Australasia* 1998, 946) and the Rangers, numbering 6,000 to 7,000 men, commanded by regular army officers and complementing the 25,000 police officers who have to fight sectarian violence in Karachi (*Jane's Intelligence Review*, July 1996). Other paramilitary groups are the Frontier Guards and the Coast Guards. Apart from this, there are reportedly many private armed groups, often better armed than the police, which are said to be employed by criminal as well as religious and political organizations (*Office fédéral des réfugiés* [Suisse], juillet 1997).

Pakistan's judicial system is headed by the supreme court, and each province has a high court and district courts under the high court's supervision. The Federal *Shari'a* Court, a court of Islamic law, was set up in the 1980s (*Encyclopaedia Britannica*, 1997 [electronic format]). The courts are said to be hampered by inadequate resources, inefficiency and corruption (U.S. DOS Country Reports for 1997, 1998; *Amnesty*

International, June 1997). Moreover, while the Constitution provides for an independent judiciary, there is a high level of tension between the executive and the judiciary (UN Commission on Human Rights, 12 February 1998), as successive democratic governments have continued the practice of martial law rule to keep the higher judiciary under executive branch influence (U.S. DOS Country Reports for 1997, 1998; Amnesty International, June 1997). The government's powers over the judiciary were further enhanced in late 1997 after a confrontation between the Prime Minister and the Chief Justice. Nawaz Sharif rejected the nomination of five judges for the supreme court by Chief Justice Sajjad Ali Shah, to which the latter responded by threatening to strike out the 13th Amendment. The Supreme Court in turn tried Nawaz Sharif for contempt of court after he criticized the court, and President Leghari took Chief Justice Shah's side in the dispute (BBC News, 27 November 1997, 3 December 1997; Indian Subcontinent Monitor, January 1998; Himal, January 1998). Because the 'powerful army eventually threw its weight behind the Prime Minister' (Far Eastern Economic Review, 9 April 1998), Nawaz Sharif won this struggle over judicial versus executive authority, leading to the resignation of President Leghari in December 1997 and the removal of the Chief Justice from his position. This confrontation damaged the credibility, prestige and independence of the judiciary (U.S. DOS Country Reports for 1997, 1998; EIU Country Report, 4th Quarter 1997, 13).

2.3 Historical Overview

Pakistan was formed in 1947, out of the partition of the United Kingdom's Indian Empire into the independent states of India and Pakistan, in response to the desire in the subcontinent to have a separate Islamic state (Europa World Yearbook 1997, 2535; EIU Country Profile 1997-98, 4). The call for a separate state was first enunciated in 1903 by the poet Muhammad Iqbal, and was formally adopted in 1940 by the All India Muslim League, led by Muhammad Ali Jinnah (EIU Country Profile 1997-98, 4). Originally, the country consisted of two wings: West Pakistan (the current Pakistan) and East Pakistan (now Bangladesh), which were separated by India. Although the majority of the population lived in the smaller East Pakistan, political and military power was concentrated in West Pakistan (Europa World Yearbook 1997, 2535). Thus, apart from economic losses due to the partition, the country did not inherit a central government, a capital, an administrative core, or an organized defense force (The Far East and Australasia 1998, 898). Political institutions were weak and the Muslim League failed to provide imaginative leadership, which in turn created a political vacuum that led to political instability (The Far East and Australasia 1998, 898; Ahmed, S., December 1997, 419).

Following a succession of civilian and military governments, the first general election for a national assembly was held in December 1970, from which an East Pakistani opposition party demanding greater regional autonomy emerged victorious. Zulfikar Ali Bhutto, the leader of the Pakistan People's Party (PPP) which had won a majority in the west, was reluctant to accept this victory, and a brutal civil war ensued in which hundreds of thousands of Bengalis were killed, and which came to an abrupt end when the Indian army intervened and Bangladesh was declared an independent state (EIU

Country Profile 1997-98, 4; Ahmed, S., December 1997, 420; Encyclopaedia Britannica, 1997 [electronic format]).

Zulfiqar Ali Bhutto then became President and, after the passage of the new Constitution in 1973, also Prime Minister of a truncated Pakistan. Although enjoying significant popular support, his suppression of the opposition with the use of the military *sparked protests* which in 1977 led to his removal from office by the Chief of Army Staff, General Muhammad Zia ul-Haq, who then declared martial law. Mr. Bhutto was subsequently tried, convicted and hanged in 1979 (Ahmed, S., December 1997, 420; The Far East and Australasia 1998, 901).

President Zia endeavoured to create a political constituency by implementing an Islamization programme (EIU Country Profile 1997-98, 5), which included the enforcement of Islamic penal codes, and the introduction of Islamic economic principles (Europa World Yearbook 1997, 2535; Encyclopaedia Britannica, 1997 [electronic format]). Provisions of the Constitution that did not agree with Islamic tenets were suspended (EIU Country Profile 1997-98, 7). To suit the martial law administration, the organs of the state were disabled, the independence of the higher judiciary was undermined, and political parties were banned (Amnesty International, June 1997).

Under General Zia's military rule, economic disparities widened and ethno-regional, sectarian and religious tensions were fuelled (Ahmed, S., December 1997, 419), weakening the democratic opposition (Amnesty International, June 1997). On 17 August 1988, General Zia was killed in an air crash and, in accordance with the Constitution, the Chairman of the Senate, Ghulam Ishaq Khan, became the new President (The Far East and Australasia 1998, 903; Encyclopaedia Britannica, 1997 [electronic format]).

2.4 Recent Political Developments

Since 1988, the country has undergone several changes of government, owing to the use by the President of his important discretionary powers under the Eighth Amendment of the Constitution (EIU Country Profile 1997-98, 4). Benazir Bhutto, daughter of the former Prime Minister and leader of the Pakistan People's Party (PPP), has been Prime Minister twice, from 1988 to 1990 and from 1993 to 1996. Both times, however, she was dismissed from office on charges of corruption, a weak and unfit government, and for failing to address economic problems, mounting terrorism and lawlessness (Reuters, 11 May 1998(a); Political Parties of Asia and the Pacific, 1992, 237; EIU Country Profile 1997-98, 5-7; Europa World Yearbook 1997, 2539). On both occasions, Benazir Bhutto was followed as Prime Minister by Nawaz Sharif, leader of the Pakistan Muslim League (PML). Despite initial broad support during his first period in office, relations between Nawaz Sharif and then-President Khan degenerated into a battle for political supremacy, which was finally brought to an end by the Chief of the Armed Forces, General Abdul Wahed, who obliged both to resign in 1993. Farooq Leghari, deputy leader of the PPP, then replaced Ghulam Ishaq Khan as President (Encyclopaedia Britannica, 1997 [electronic format]; EIU Country Profile 1997-98, 5, 6).

In February 1997, the PML(N) (the Nawaz Sharif group) won a decisive majority in the elections (albeit with very low voter turnout) following the ousting of Benazir Bhutto, and Nawaz Sharif again became Prime Minister (*Europa World Yearbook* 1997, 2539). His two-thirds majority in the National Assembly enabled him to enact the Thirteenth Amendment, which repealed the major components of the Eighth Amendment, thus divesting the President of his sweeping powers (*Ibid.*, 2549; U.S. DOS Country Reports for 1997, 1998; *Dawn Wire Service*, 5 April 1997, 2 April 1997). Further constitutional changes transferred additional power from the President to the Prime Minister, such as, *inter alia*, the appointment of the chief of the armed forces and the selection of senior judges. Moreover, some of the prerogatives of the Chief Justice were transferred to the Prime Minister, weakening the judiciary and subjecting it to more executive influence. Prime Minister Sharif's position was again strengthened by the election in December 1997 of his supporter, Rafiq Tarar, as the new President (*Human Rights Commission of Pakistan*, February 1998; *ETU Country Report*, 1st Quarter 1998, 11; *Deutsche Presse-Agentur*, 1 January 1998; *BBC News*, 1 January 1998). However, President Tarar's election has been criticized by opposition politicians and human rights groups because of his alleged conservative Muslim views (*Himal*, March 1998; *Indian Subcontinent Monitor*, February 1998; *ETU Country Report*, 1st Quarter 1998, 11) which are "more likely to exacerbate communal tensions than to alleviate them" (*Himal*, March 1998).

2.5 Issues of Concern

Despite having all the elements of a democratic regime -- an elected government, functioning representative institutions, and a formal adherence to constitutional rule -- Pakistan is a weak and fragile state, lacking democratic norms and governance while the legitimacy of its state institutions is contested (*Ahmed*, S., December 1997, 419). The long periods of martial law, with their authoritarian state structures and the suspension of civil and political rights, have caused great damage, weakening the social, economic and political fabric of the state, and exacerbating linguistic, regional, ethnic and sectarian divisions which now threaten the country's fragile national cohesion (*Ahmed*, S., December 1997, 419; *Amnesty International*, June 1997).

The current government, like its predecessors, has failed to respond adequately to the tensions. Prime Minister Sharif is facing acrimonious infighting within the PML, a malfunctioning economy, and opposition leader Benazir Bhutto whipping up popular sentiment against him in anti-government rallies (*Far Eastern Economic Review*, 9 April 1998; *Dawn*, 25 February 1998a). One of PML's provincial coalition partners, the Awami National Party (ANP) has left the coalition (*Far Eastern Economic Review*, 9 April 1998; *Himal*, April 1998; *Indian Subcontinent Monitor*, April 1998) and started talks with Benazir Bhutto, while the PML's ally in Sindh, the MQM, is on the verge of walking out (*Dawn*, 7 April 1998; *ETU Country Report*, 1st Quarter 1998, 16). These developments threaten the PML's grip on two of the four provincial governments (*Far Eastern Economic Review*, 9 April 1998).

A small political elite, no longer dominated by the rural feudal classes, has become more heterogeneous and complex over the last couple of decades, comprising local

administrators, the military and newly emerging industrialists. These groups are said to be personally interlinked, especially so by a mutual economic and political interest which transcends group and party affiliation, and whose aim is to maintain their hold on power (Amnesty International, June 1997). At the political level, it is common for the party in office to weaken its opponents by subjecting them to false criminal charges, arbitrary arrests, torture, and intimidation, while the opposition parties likewise try to paralyze the government (*Ibid.*).

Pakistan is a poor country: its annual per capita GNP is \$470, among the lowest in Asia, with vast disparities in the distribution of wealth between social classes. The economic gap is said to be widening because the benefits of growth do not reach most of the population and a middle class hardly exists (U.S. DOS Country Reports for 1997, 1998). Cotton, rice, leather, textiles and apparel are the principal exports. The economy includes both state-run and private industries and financial institutions. The promised economic reforms which gave Nawaz Sharif his large electoral mandate have not yet been undertaken, except for tariff reductions, investment incentives, and the privatization (albeit slow) of state assets (EIU Country Report, 1st Quarter 1998, 7; U.S. DOS Country Reports for 1997, 1998; Indian Subcontinent Monitor, May 1998). Deeper structural problems such as the bloated payroll, poor tax compliance and a high debt have reportedly not been addressed (Far Eastern Economic Review, 8 January 1998). This slow pace of economic reforms, together with the heightened political turmoil at the end of 1997 and the rising incidence of violence in the main business city of Karachi, are said to account for the slow growth of the industrial and agricultural sectors (Business Recorder, 13 May 1998; EIU Country Report, 1st Quarter 1998, 9).

Ethnic Tensions

In present-day Pakistan, Punjabis form a majority of the population and continue to dominate the military and civil bureaucracy. President Tarar is a Punjabi, as are the Prime Minister, the Chief of the Armed Forces and the Chairman of the Senate (EIU Country Report, 1st Quarter 1998, 11; Indian Subcontinent Monitor, February 1998). So far, only superficial attempts have been made to provide adequate representation to ethnic minorities such as the Sindhis and the Baluchis, and ethnic and religious grievances and regional demands for greater autonomy have been suppressed by military force (*Ibid.*; Ahmed, S., December 1997, 423). Ethnicity, language and identity politics have become political issues and threaten to destroy the state as it currently exists (Rahman, T., September 1997, 833).

The Sindh province of Pakistan is the most ethnically diverse and, as such, the focus of ethnic tensions (DIRB Country Review, April 1994). The Sindh nationalist leader advocates the creation of an independent state of Sindh Desh. Sindhi speakers strongly resent the ruling elite's favoring of Urdu, which is the mother tongue of the Mohajirs, who comprise a near majority in Sindh's urban areas and who have reportedly received state patronage while ethnic Sindhis were neglected. The Mohajirs are said to be over-represented in the civil bureaucracy and given preferential access to economic resources. Since 1984, the Mohajirs see themselves as an ethnic group like the Sindhis and are claiming power in Sindh based on this identity (Rahman, T., 837).

The Sindh's sense of alienation intensified under Zia ul-Haq, who considered them a threat because they resisted the military regime, while the Mohajirs sided with it. Since the formation of the Mohajir Qaumi Movement (MQM), tensions have resulted in periodic outbreaks of extreme violence between Sindh Pthans and Mohajirs, between Mohajirs and the security forces, as well as between rival MQM factions (Ahmed, 423; *Far Eastern Economic Review*, 9 April 1998). The military's frequent interventions in Sindh have heightened these tensions, and the province is regarded as a potential battleground for a vicious civil war (Rahman, T., 837). The *Human Rights Commission of Pakistan* reports that in 1997 there were a number of violent clashes between tribes in Balochistan, Sindh and Frontier, in which at least 112 persons were killed (February 1998).

Ethnic tensions have been further exacerbated by the March 1998 population census. The Mohajirs of Sindh and the Baluchis and Pathans of Baluchistan fear that the census will undermine their political clout by showing their communities to be smaller than claimed, while Sindh nationalistic violence is expected if they are shown to be a minority in their own province (*Far Eastern Economic Review*, 9 April 1998; *The Economist*, 11 April 1998; AFP-mail, 2 mars 1998). An ethnic Pathan group has demanded that the census be conducted under the supervision of a commission comprising Baluchistan's Pathans and Baluchis (AFP, 9 March 1998; *Dawn Wire Service*, 21 March 1998). The Christians, who claim to be underreported, want to hold their own census in order to ensure accurate counts and their corresponding rights (Dawn, 9 March 1998a). This census is expected to show that the urban population has grown in relation to the rural population since the last count in 1981, which would hurt the landed political elite because it implies a drastic redrawing of constituencies and seats in the assemblies. The headcount will also show that the populations of the smaller provinces have grown in proportion to that of Punjab, which would affect the distribution of funds. The government, however, has announced that no financial restructuring will take place for the time being (*Far Eastern Economic Review*, 9 April 1998; *The Economist*, 11 April 1998). The first results are expected within a few months, amidst suspicions about its reliability (*Ibid.*; Dawn, 25 February 1998b).

Sectarian Violence

While sectarian tensions have periodically erupted throughout Pakistan's history, communal violence has become endemic since the 1980s, when General Zia's regime used religion to legitimize military rule, patronizing selected Sunni groups (*The Far East and Australasia*, 1998, 911) as part of a military strategy of divide-and-rule which exacerbated existing internal divisions. The confrontation with state-sponsored Sunni religious extremists gave rise to a Shi'a backlash and the formation of well-armed and motivated Shi'a factions (Ahmed, S., 423; Amnesty International, June 1997). Once confined to the Punjab, sectarian violence has escalated dramatically over the last years, engulfing the entire country, especially urban Sindh. In Punjab, clashes between Sunni and Shi'a political groups left a death toll given as between 165 to 200 people in 1997, the highest in several years (*Human Rights Commission of Pakistan*, February 1998; HRW World Report 1998, 201; Amnesty International, June 1997; *Far Eastern Economic Review*, 9 April 1998; *Europa World Yearbook*, 1997, 2539). In Sindh, Shi'a and Sunni extremists are likewise engaged in violence

against each other (Far Eastern Economic Review, 9 April 1998). The Human Rights Commission of Pakistan notes, however, that Sunni casualties were not only inflicted by Shi'a militants, but that there were "violent incidents between [Sunni] groups of *Deobandis*, *Barelvis* and *Ahle Hadith*, often reportedly over rights to a mosque" (February 1998) (*Ibid.*). In October 1997, violence erupted between two rival *Sunni* factions following the torture and death of four students (*The News International*, 21 October 1997; Dawn, 21 October 1997). In early 1998, there has been a spate of killings and cemetery attacks in Lahore (Himal, March 1998; Indian Subcontinent Monitor, February 1998).

Police Corruption

In its annual report for 1997, the Human Rights Commission of Pakistan comments that "[n]obody in Pakistan is satisfied with the working of the police . . . [which] . . . throughout the year . . . was strongly censured by government leaders, judges and public organizations" (Human Rights Commission of Pakistan, February 1998), and adds that the federal government expressed its concern at the provincial governments' failure to control lawlessness (*Ibid.*). The police were said to be responsible for extrajudicial killings in fake encounters and in custody, torture during investigations, illegal detention, abuse of authority, corruption and a variety of criminal acts (*Ibid.*; HRW World Report 1998, 201; U.S. DOS Country Reports for 1997, 1998). Few of the policemen responsible for inflicting torture and death to detainees are ever brought to justice for it, and are instead subjected merely to administrative disciplinary measures (U.S. DOS Country Reports for 1997, 1998; Amnesty International, June 1997, Office fédéral des réfugiés [Suisse], juillet 1997). In 1996, then-President Leghari alleged that police officials pay bribes to the politicians and senior officials in order to get posted to police stations of their choice, subsequently recouping their investment by extorting money from the citizens (U.S. DOS Country Reports for 1996, 1997). Police and security forces have been given a free hand in the fight against terrorism, using whatever means are necessary; their methods in the 1995-96 crackdown against the MQM, led one observer to comment that "there can be little doubt that the government sanctioned the use of extra-judicial methods to eliminate key terrorist suspects" (Jane's Intelligence Review, July 1996). Another observer noted that "many of those killed in fake encounters are people whose only crime was to be politically active and who had never been known for any kind of violent act" (*The Herald*, March 1996), while others were victimized solely for being in the wrong place at the wrong time and were later labelled 'MQM activists' (*Ibid.*). The Chief Minister of Punjab is reported to have cited the great amount of corruption in the police force as one of the factors contributing to the violence in his province, while a judge is said to regard the police as "the biggest *qabza* group (a group that illegally expropriates property)" (Human Rights Commission of Pakistan, February 1998).

Relations with India

Pakistan's relations with India are tense, especially over the status of the state of Jammu and Kashmir, which is divided between the two countries (Border and Territorial Disputes, 1992, 474; Ganguly, S., December 1997, 414). While the Government of Pakistan is said to acknowledge providing only "moral, political and

diplomatic support to Kashmir militants", one such group, the Jammu and Kashmir Islamic Front (JKIF), claimed responsibility for three bombings in and around New Delhi in 1996. Pakistan has also alleged that India has sponsored a series of bombings in Punjab Province from late 1995 to 1996, in which at least 18 people were killed (U.S. Department of State, 1996 Global Terrorism, 1997). Tensions have recently mounted over the issue of India's five underground nuclear tests, which were conducted near the Pakistani border in May 1998, escalating a strategic arms race in the region (International Herald Tribune, 12 May 1998a; Pakistan Press International, 13 May 1998a; The News International, 12 May 1998). This perceived threat from India reportedly accounts for the sizable allocation of funds to defense over development (Ibid.), and is explained by Prime Minister Sharif as follows: "A dilemma that confronts a developing country like Pakistan is to reconcile the imperatives of economic development with the exigency of coping with a dire threat to its security and survival" (The News International, 12 May 1998).

2.6 Profiles of Political Parties

Pakistan People's Party (PPP)

This party was founded in 1967 by Zulfikar Ali Bhutto, and is now headed by his daughter, Benazir Bhutto. At its founding the policy was described as one of Islamic socialism, democracy and independence in foreign affairs (Political Parties of Asia and the Pacific, 1992, 235; Office Fédéral des Réfugiés, Juillet 1997). Nowadays the party is said to be an amalgamation of socialists and conservatives, most always dominated by the latter, and allegedly epitomised by the wealthy landowning class to which the Bhuttos belong (EIU Country Profile 1997-98, 8). The Bhuttos' homeland, Sindh, is said to be the PPP's powerbase (Office fédéral des réfugiés [Suisse], Juillet 1997). All important posts within the party are allocated by its President, based on a promise of loyalty (Office fédéral des réfugiés [Suisse], Juillet 1997). The PPP's student organization is called the People's Student Federation (PSF), and its youth organization is called the People's Youth Organization (PYO) (Ibid.). The PPP is the main opposition party.

The PPP has also been plagued by an internal family conflict. In 1995, Benazir Bhutto's brother, Murtaza Bhutto, attempted to become the new leader of the PPP by establishing a rival faction called the PPP Shamed Bhutto Group (SB), and charging his sister's government with corruption and misuse. However, PPP (SB) failed to attract support and did not threaten the PPP. When Murtaza Bhutto was killed in a gun battle with the police in 1996, opposition politicians blamed Benazir Bhutto and her husband, while she denied the accusations and implied that the government and the army were behind the killing. Her husband is currently in jail, awaiting trial for the murder (Europa World Yearbook 1997, 2538-9; The Herald, October 1996; The News, 24 February 1997; The Far East and Australasia 1998, 911).

Benazir Bhutto has recently created a new opposition alliance, the Pakistan People's Unity (*Pakistan Awami Ittehad*, PAU), made up of 15 parties from left to right. This is regarded as an 'opportunistic' alliance to fight the PML (Far Eastern Economic Review, 9 April 1998; Himal, April 1998).

Pakistan Muslim League (PML)

The PML was founded in 1947, as the successor of the All India Muslim League, the party that led Pakistan to independence. As such, the PML sees itself as the real founding father of the Pakistani state. Ideologically, it proclaims secular state principles but tries to harmonize them with Islamic demands (Office fédéral des réfugiés [Suisse], Juillet 1997). The PML has its base in Punjab, although it has a presence throughout the country (Office fédéral des réfugiés [Suisse], Juillet 1997). It has traditionally been seen as the party closest to the establishment of army generals and senior bureaucrats (EIU Country Profile 1997-98, 8).

The PML has split on many occasions and now comprises several factions. In 1979 two new factions were created: the pro-Zia Pagara group and the Chattha group, later renamed the Qasim group (Political Parties of the World, 1988, 416; The Far East and Australasia 1998, 930). In 1988, the Pagara group split again into the Fida group, who were army-supported Zia loyalists, and the Junjo group. In 1993, under the leadership of Nawaz Sharif, the PML(N) separated from the Junjo group and retained its original name (Ibid.). Nawaz Sharif's PML(N) group is now the mainstream faction (EIU Country Profile 1997-98, 5). More recently, however, other factions of the PML, such as the PML (Qasim group), the PML (Functional), PML (Hoti group) and the PML (Junero group) decided to merge into a united Muslim League and form an alliance against the government (Dawn, 9 March 1998b). The party has a student organization, called the Muslim Student Federation (MSF) (Office fédéral des réfugiés [Suisse], Juillet 1997).

United National Movement (*Muttahida Qaumi Movement*, MQM)

The party was established in 1978 as the All Pakistan Mohajir Students Organisation (APMSO), the name still used for its student organization, and changed its name to *Mohajir Qaumi Movement* (Immigrants' National Movement) in 1984, when the Mohajirs started seeing themselves as an ethnic group (The Far East and Australasia 1998, 929). Its leader, Altaf Hussain, rules from exile and allegedly exerts an "awesome influence over domestic political developments" (Office fédéral des réfugiés [Suisse], Juillet 1997; EIU Country Profile 1997-98, 9). The MQM claims to represent Mohajirs, Muslim Urdu-speaking migrants who fled India after the 1947 partition. It seeks the designation of Mohajir as the fifth nationality, after Sindhi, Punjabi, Pathan and Baluchi, on the premise that the Mohajirs have been exploited by the Pathans and Punjabis and are subject to discrimination in employment and education (Political Parties of Asia and the Pacific, 1992, 233; The Far East and Australasia 1998, 929). Its support base is mainly in urban Sindh, especially in Karachi and Hyderabad, where Mohajirs are a majority group (Office fédéral des réfugiés [Suisse], Juillet 1997; EIU Country Profile 1997-98, 9). MQM has been accused by some of being a "militant party with fascist tendencies" and Altaf Hussain and many influential members have been charged with serious crimes (Office fédéral des réfugiés [Suisse], Juillet 1997).

In 1992, the party split into two factions, the small breakaway MQM (Haqiqi), headed by Afzaq Haqiqi, and the MQM (Altaf), under the leadership of Altaf Hussain. This split was allegedly sponsored by the military, who reportedly use the MQM(H) as a tool to undermine the MQM(A) (The Far East and Australasia 1998, 911, 929;

Ahmed, S., December 1997, 423; Jane's Intelligence Review, July 1996). The split has also contributed to ongoing Mohajir infighting (The Far East and Australasia 1998, 907-8; Ahmed, S., December 1997, 423).

Islamic Assembly (*Jamaat-i-Islami, JI*)

Also referred to as *Jamaat-i-Islami Pakistan (JIP)*, this party was founded in 1941 as an elitist fundamentalist Islamic party with an international orientation. It participated in the Afghan war, and wants to turn Pakistan into a holy Islamic state (*Political Parties of the World*, 1988, 414; *Office fédéral des réfugiés* [Suisse], Juillet 1997). The party is headed by Amir Qazi Hussain Ahmad. It does not have a populist campaign and therefore did not do well in the 1993 elections and did not take part in the 1997 elections. The party is surrounded by many, often rival, military groups; its student organization, the *Islamic Jamiat-i-Talaba (IJT)*, is one of the most well-organized movements in the universities (Ibid.). The JI is a member of the *Tehrik-i-Takfifaz Mamooz-i-Risalat* (TTNR), a group of religious parties said to exist mainly on paper (Dawn, 15 April 1998(a)).

Awami National Party (ANP)

The ANP emerged in 1986, when four left-wing regional parties reunited (*Political Parties of the World*, 1988, 412; *Office fédéral des réfugiés* [Suisse], Juillet 1997). Its leader is Wali Khan. It is only really represented in the North-Western Frontier Province, and has cooperated in coalitions with both the PPP and the PML (Ibid.). However, it has recently broken its coalition with the PML, weakening PML's grip on the NWFP. At issue was the PML's refusal to honour its promise to rename the NWFP *Pakhtunkhwa*, to reflect the Pathan ethnicity of the region (Himal, April 1998; Indian Subcontinent Monitor, April 1998).

Conference of Ulama of Islam (*Jamiat-i-Ulema-i-Islam - JUI*)

This is a fundamentalist Sunni party, founded in 1945, which adheres to a multiparty democratic system (*Political Parties of the World*, 1988, 413; *Office fédéral des réfugiés* [Suisse], Juillet 1997). Its leader is Maulana Fazlur Rahman, and a faction of the JUI is influenced by Maulana Abdullah Dardhwasti (Ibid.). It has an extremist militant faction called *Anjuman Sipah-i-Sahaba (ASS)* (Soldiers of the Companions of the Prophet), which conducts anti-Shi'a activities and aims to have them declared non-Muslims. The ASS is considered the group mainly responsible for the escalation of violence between Sunnis and Shi'a since the beginning of 1997. Its death squads are known by the name of *Lashkar-i-Shangvi*, and their leader is Riaz Basra (Ibid.).

Conference of Ulama of Pakistan (*Jamiat-i-Ulema-i-Pakistan, JUP*)

The JUP is a moderate progressive Sunni party, founded in 1968, with a heavy presence in the urban centres (Ahmed, S., December 1997; *Political Parties of the World*, 1988, 413). Its leaders are Shah Ahmed Noorani, Maulana Nasrullah Khan and Maulana Abdus Sattar Khan Niazi (*Office fédéral des réfugiés* [Suisse], Juillet 1997). This party is also a member of the TTNR (Ibid.).

Sipah-i-Sahaba Pakistan (SSP)

SSP is a militant Sunni party, founded in the early 1980s, demanding that the Shi'a be declared a non-Muslim minority in Pakistan (HRW World Report 1998, 201). An offshoot of this group, the Lashkar-i-Jhangvi, reportedly claimed responsibility for the September 1997 killing of two Iranian air force technicians in Rawalpindi (Dawn, 6 May 1998).

Tehrik-i-Jafaria Pakistan (TJP)

The TJP is a Shi'a party founded in 1987 and aims for the establishment of a divine Islamic state. The party is led by Sajid Naqvi. It has a militant branch, called *Sipah-i-Mohammad Pakistan (SMP)*, led by Ghulam Raza Naqvi (Office fédéral des réfugiés [Suisse], Juillet 1997). The SMP is the Shi'a counterpart of the SSP (HRW World Report 1998, 201) and is responsible for numerous attacks against the Sunnis (Office fédéral des réfugiés [Suisse], Juillet 1997).

3. THE HUMAN RIGHTS SITUATION

3.1 International Legal Framework

Pakistan has ratified a number of international instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination (21 September 1966); the Convention on the Prevention and Punishment of the Crime of Genocide (12 October 1957); the Convention on the Political Rights of Women (7 December 1954), and the Convention on the Rights of the Child (12 November 1990), and has acceded to the Convention on the Elimination of All Forms of Discrimination Against Women (12 March 1996). Pakistan is not a State Party to the 1951 Convention Relating to the Status of Refugees, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, or the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNHCR, Refworld legal databases, 15 May 1998).

3.2 National Legislation

The Constitution

In 1973, President Zulfikar Ali Bhutto's government adopted a constitution, incorporating the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam. The Constitution guarantees fundamental rights such as equal status for men and women; freedom of thought, speech, worship and the press, and freedom of assembly and association, as well as the rights of religious and other minorities (Europa World Yearbook, 1997, 2548). Institutionally, it provides for a federal democratic structure (EIU Country Profile 1997-98, 7).

Shari'a Law

Since 1977, a policy of Islamization was begun under General Zia ul-Haq, which involved the introduction of Islamic taxes, an Islamic banking system, a ban on alcohol

and the introduction of Koranic punishments for certain offenses. In a 1988 ordinance, *Shari'a* was declared the supreme law of the country (*Contemporary Religions*, 1992, 453). In 1991 the government introduced a *Shari'a* Bill, with a view to enacting legislation to ensure the comprehensive Islamization of society, including the educational, economic and judicial systems (*Contemporary Religions*, 1992, 453; *Europa World Yearbook*, 1997, 2536; *Office fédéral des réfugiés* [Suisse], juillet 1997). Under *Shari'a* law, no legislation is allowed to be contrary to Islamic rules and regulations (*Contemporary Religions*, 1992, 453; *Office fédéral des réfugiés* [Suisse], juillet 1997). Despite the inclusion of an amendment guaranteeing the constitutional rights of minorities, the *Shari'a* law has reportedly "furthered a sense of second class citizenship among minorities, as the religious orthodox would be in a position to interpret the law in a manner best promoting their beliefs" (*World Directory of Minorities*, 1997, 574), a view reinforced by the introduction of Section 295(c) of the penal code, which prescribes the death penalty for anyone defiling the name of the Prophet Mohammed (*Ibid.*).

The Death Penalty

According to Amnesty International, the Penal Code of Pakistan includes provisions for imposing the death penalty for numerous offenses such as murder (section 302); murder in the course of a robbery (section 17(4)), offenses against property (Hudood Ordinance); waging war or abetting the waging of war against the state (section 121); abetting mutiny (section 13); kidnapping for ransom (section 364); kidnapping a person under the age of 10 with intent of murder or causing grievous bodily harm (section 364-a), robbery (section 396); hijacking (section 402(b)) and harbouring a hijacker (section 402(c)); *zina* and rape (Hudood Ordinance); blasphemy (section 295(c)); drug trafficking; planning to or sabotaging the railway system, and arms trading (September 1996). In March 1997 the Pakistan National Assembly extended the death penalty to gang-rape (Amnesty International, June 1997; *Dawn Wire Service*, 8 March 1997; 7 March 1997). According to information received by the UN Special Rapporteur on Extrajudicial, Summary and Arbitrary executions, Baqir Waly Ndiaye, however, "death sentences may be imposed on trials which are alleged not to meet minimum fair trial standards as laid down in international instruments" (UN Commission on Human Rights, 19 December 1997). The UN Special Rapporteur also expressed concern about the Child Offenders Bill, which envisages the imposition of the death sentence on juveniles as of the age of 16 (*Ibid.*).

The *Qisas* and *Diyat* Ordinances

This ordinance substitutes sections 299 to 338 of the Penal Code. First promulgated in 1990, it reportedly "redefines the offenses of murder and the infliction of bodily 'hurt' and the punishments for these offenses in terms of Islamic law" (Amnesty International, June 1997). As such, *qisas* is defined as "punishment for causing similar hurt at the same part of the body of the convict as he has caused to the victim or by causing his death if he has committed *qatl-i-amd* (intentional killing), in exercise of the right of the victim or a *wali* (heir of the victim, or the provincial government if there is no heir)" (*Ibid.*). *Diyat* is financial compensation to the heirs of the victim, to be determined by the court "keeping in view the financial position of the convict and

the heirs of the victim" (*Ibid.*). This Ordinance is said to declare void certain provisions of the Penal Code and Code of Criminal Procedure: it limits the possibility of those sentenced to death of having their sentences commuted to life imprisonment. In addition, in 1992 a Supreme Court judgment ruled that the President has no power to commute death sentences passed as *hadd* or *qisas* (UN Commission on Human Rights, 19 December 1997).

The Blasphemy Law

In 1980, Section 295(a) was added to the Penal Code of Pakistan, which prescribed a punishment of up to three year's imprisonment for anyone making derogatory remarks with respect to any persons revered in Islam (*Amnesty International*, September 1996). In 1986, Section 295(c) was added, declaring it a criminal offense to defile the name of the Prophet Mohammed, making the offense punishable with death or life imprisonment (*Ibid.*).

In October 1990, the Federal Shariat Court (FSC) ruled that "the penalty for contempt of the Holy Prophet . . . is death and nothing else" (*Ibid.*).

According to *Amnesty International*, the Blasphemy Law has been used over the years to "harass, intimidate and punish hundreds of people solely for the exercise of their right to freedom of religion", with most of the victims being members of religious minorities such as Ahmadis and Christians, as well as some Muslims who advocate novel ideas (June 1997). Ahmadis can be charged under this law for calling themselves Muslims (*World Directory of Minorities*, 1997, 574), while Christians complain that the legislation is abused and lays them open to false charges aimed at extortion or stealing land (*Reuters*, 14 May 1998, 10 May 1998). Calls for the abolition of Section 295(c) of the Penal Code, such as was made on 5 December 1997 by the visiting Archbishop of Canterbury, Mgr. George Leonard Carey, have elicited strong reactions from Pakistan's Muslim political and religious organizations (*Eglises d'Asie*, 16 decembre 1997; *The Washington Post*, 6 May 1998).

The Hudood Ordinances

These laws were promulgated in 1979 in order to bring the Penal Code closer to Islamic law (U.S. DOS Country Reports for 1997, 1998). In force since 1980, they cover the offense of *zina* (sexual intercourse between people not married to each other), the offense of *qazf* (false accusation of *zina*), theft and robbery as well as "intoxicant-related offenses" (*Amnesty International*, September 1996). The *Zina* Ordinance covers the offenses of *zina*, rape, and abduction with the aim of committing a sexual offense. The punishments for *zina* and rape differ, and are either *hadd* or *ta'zir*, depending on the evidence on which the conviction is based. *Hadd* is either stoning to death or 100 lashes in a public place, while the *ta'zir* punishment for *zina* is up to 10 years' imprisonment, 30 lashes and a fine, and for rape it is from four to 25 year's imprisonment, 30 lashes and a fine (*Ibid.*; U.S. DOS Country Reports for 1997, 1998). A high standard of evidence is required to apply the *hadd* punishment for *zina*, such as the witnessing of an act by "four adult Muslim men of good character" (*Ibid.*). Although to date no punishment has been carried out under the Hudood laws,

they are said to be invoked more frequently against women charged with adultery (U.S. DOS Country Reports for 1997, 1998). In cases of theft and robbery, the *hadd* punishment is applied if the accused confesses or two adult Muslim men of good character witness the act; failing this, the accused may be subjected to the *ta'zir* punishment (Amnesty International, September 1996).

Anti-Terrorist Act (ATA)

This bill was accepted in August 1997, as a response to the ongoing violence throughout the country. It was decreed for the "prevention of terrorism, sectarian violence and for speedy trial of heinous offenses and for matters connected therewith and incidental thereto" (Human Rights Commission of Pakistan, February 1998). The ATA gives the security forces and the police unprecedented extrajudicial powers, such as the right to shoot on sight those suspected of terrorist activity. The law also sets up special courts to dispense summary justice in terrorism cases, however, these courts do not have the same safeguards for defendants as regular courts (Far Eastern Economic Review, 18 September 1997; Himal, January 1998). Amnesty International reports that on 15 August 1995 Prime Minister Nawaz Sharif responded to international criticism to the Anti-Terrorist Act by declaring that his government would "bring about ideal conditions of law and order in the country within a matter of months by publicly hanging terrorists — without caring about the objections of the so-called human rights organizations . . . [adding that] . . . he did not recognize the 'so-called human rights' . . . did 'not care about the noise in the West about whatever we do' . . . and instead subscribed to those mentioned in the Holy Qur'an" (October 1997).

3.3 General Respect for Human Rights

The U.S. Department of State reported that in 1997 Pakistan's human rights record remained poor, with serious problems of police abuse, religious discrimination and child labour. Police reportedly committed extrajudicial killings, tortured, raped, abused, and arbitrarily arrested and detained citizens (U.S. DOS Country Reports for 1997, 1998). Human Rights Watch adds that sectarian violence, and the government's harsh response to it, left little scope for improvement in human rights (HRW World Report, 1998, 200). Although the human rights situation has reportedly improved substantially after the death of Zia ul-Haq, a culture of violence and criminality is said to prevail in Pakistan (Amnesty International, June 1997). In an effort to quell the violence, the government enacted the Anti-Terrorism Act, but made no progress in addressing statutory discrimination against women and religious minorities or in curbing the rampant police abuse (Ibid.; Office fédéral des réfugiés [Suisse], juillet 1997). Ordinary Pakistanis reportedly fear not just the police, who are said to frequently prefer to shoot suspects instead of making arrests, but also the law, because the death penalty is applied to an expanding range of offenses and can be applied to children (Amnesty International, June 1997).

Extrajudicial executions

Extrajudicial executions in Pakistan are said to occur in the context of clashes between the MQM (*Mutahida Qaumi Movement*) and the security forces, between political groups, and between Shi'a and Sunni sectarian extremists (U.S. DOS Country Reports for 1997, 1998). In Karachi, more than 400 people have fallen victim to extrajudicial executions by police and federal security forces or revenge killings by the MQM (HRW World Report 1998, 201). In October 1997, retired judge Arif Iqbal Hussain Bhatti, who had acquitted two Christian brothers accused of blasphemy in a highly publicized case in 1995, was killed in his office in Lahore after receiving a series of death threats from Muslim extremists during the campaign to impose the death penalty on persons accused of blasphemy (UN Commission on Human Rights, 12 February 1998; *The News International*, 9 October 1997). At least seven other lawyers who had provided legal assistance to persons accused of blasphemy were "targeted in drive-by shootings and assassinations" (Ibid.).

In 1998, victims of shootings have included members of the PML and the PPP (Dawn, 15 April 1998(b)), as well as alleged criminals who engage in combat with the police (Dawn, 25 March 1998). UN Special Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Baore Wali Ndiaye, reports that he received numerous allegations regarding the violations of the right to life committed by law enforcement officials during 1997 (UN Commission on Human Rights, 19 December 1997). He adds that most of these reports concern MQM members, workers or supporters who died either "in custody, often as a result of torture, or in staged armed encounters with the police (Ibid.). Police were also said to be responsible for numerous extrajudicial killings, sometimes at the behest of criminal organizations to eliminate rivals, others killing suspected criminals to prevent them from implicating police in crimes during court proceedings (U.S. DOS Country Reports for 1997, 1998). In April 1998, the Pakistani newspaper *Dawn* reported that police in Punjab had received instructions to "shoot to kill criminals on the spot who dare to trade fire with the police" (15 April 1998), a decision reportedly prompted by

intervention by higher judiciary in the affairs of the special courts by suspending punishments awarded by these courts, hearing of petitions challenging the Anti-Terrorist Act (ATA), the special court judges' failure in deciding important cases on time, and printed media's hostile approach towards the ATA [which] have convinced the provincial government to take extra-judicial steps against outlaws to arrest the growing crime ratio in the province (Ibid.).

Many people die as a result of bomb attacks, which are facilitated by the glut of arms in the country and the ease with which arms can be acquired (Human Rights Commission of Pakistan, February 1998). A series of explosions in Karachi in late February 1998 was variously attributed to 'terrorists' or sectarian factions (AFP, 1 March 1998(b); AFP-Mail, 28 février 1998; 27 février 1998), while other observers suggest that the wave of explosions appears to be aimed at spreading terror rather than targeting people (Deutsche Presse-Agentur, 10 March 1998). In the first seven

days of April 1998 alone, five bombs had exploded in the province of Sindh (AFP-Mail, 7 avril 1998).

Torture

According to the U.S. Department of State, although expressly forbidden by the Constitution and the Penal Code, torture and other cruel, inhuman, or degrading treatment by police remains common practice (U.S. DOS Country Reports for 1997, 1998). Amnesty International reports that there is widespread use of torture and ill-treatment of people in the custody of police or other law enforcement personnel, and that many victims fail to report it because they consider it as part of normal procedure (June 1997). It adds that prisoners and detainees are

beaten, kicked with heavy boots, given electric shocks and burned with cigarettes when police want to punish them for alleged wrongdoings, to intimidate or frighten them and, most often, to extract money from them. Prisoners arriving at jails for the first time are often placed in solitary confinement and put in bar or cross fetters to 'discipline' them. Women, children, the poor and mentally ill people are most at risk of ill-treatment and least able to find redress when constitutionally secured rights and legal safeguards are ignored (Ibid.).

Other torture methods are said to be whipping the soles of the feet, sexual assault, prolonged isolation, denial of food and sleep, hanging upside down, forced spreading of the legs, and public humiliation (U.S. DOS Country Reports for 1997, 1998). It is further reported that some magistrates collaborate in covering up these abuses by issuing investigation reports stating that the victims died of natural causes (Ibid.). In his December 1997 report, UN Special Rapporteur on Torture, Nigel S. Rodley, cited a number of incidents of torture by police between 1995 and 1996, whose victims included members of the Christian community, the MQM, a supporter of a women's group, as well as a woman suspected of an illicit relationship (UN Commission on Human Rights, 19 December 1998).

Arbitrary Arrest and Detention

Although arrest and detention procedures are regulated by law, the authorities are said not to always comply with the law (U.S. DOS Country Reports for 1997, 1998). The law stipulates that detainees must be brought to trial within 30 days of their arrest, but in many cases this does not happen until about six months later (Ibid.). Police are empowered to arrest individuals on the basis of a First Information Report (FIR) filed by a complainant, but they are said to be frequently filed without supporting evidence and used to harass or intimidate individuals (Ibid.). Individuals are sometimes detained arbitrarily without charges, or on false charges, in order to extort payment for their release (Amnesty International, June 1997).

The Government is said to occasionally resort to mass arrests in order to quell civil unrest, such as sectarian violence, and demonstrators, including members of religious minorities and political parties, have been subjected to mass arrest (U.S. DOS

Country Reports for 1997, 1998). Under the Maintenance of Public Order Act, the Deputy Commissioner of a local district is empowered to order the detention of any person suspected of threatening public order and safety, who can be held in detention without charge for 30 days, renewable in increments of 30 days up to a total of 90 days (*Ibid.*). In March 1998, police detained 365 people for allegedly disturbing the peace during a strike organized by ethnic Pathans over the population census (AFP, 9 March 1998).

Moreover, successive governments have brought criminal charges against political opponents in order to harass or persuade them to change their political allegiance (*Amnesty International*, June 1997). For example, in its efforts to neutralize the main opposition party, the PPP, the government is currently attempting to convict former Prime Minister Benazir Bhutto and her husband on charges of corruption (EIU Country Report, 1st Quarter 1998, 13; Reuters, 11 May 1998(a)). She, in turn, has brought graft charges against Prime Minister Nawaz Sharif and other members of the PML, accusing them of mis-declaration and deliberate concealment of assets in 1997 (*Indian Subcontinent Monitor*, April 1998). Several new warrants against Benazir Bhutto were issued in May 1998 for allegedly handing out jobs and earning money illegally while in power, while she claims to be "the target of a witchhunt by Prime Minister Nawaz Sharif's government" (Reuters, 11 May 1998; *Pakistan Press International*, 13 May 1998c; *International Herald Tribune*, 12 May 1998b).

Journalists whose reporting displeases government authorities have also been charged with criminal offenses as a way to chastise or intimidate them, with charges kept pending for years and reactivated at a convenient time to ensure their good behaviour (*Amnesty International*, June 1997).

Special Courts

Established in 1991 in order to try 'terrorism' and other 'heinous crimes', they are deemed by critics to be in violation of the Constitution because cases are decided in very short periods of time (e.g. seven days), and because they grant the police "extraordinary powers that threaten individual liberties" (U.S. DOS Country Reports for 1997, 1998; *Office fédéral des réfugiés* [Suisse], juillet 1997). UN Special Rapporteur Baere Wali Ndiaye states that trials before special courts do not meet international standards for fair trial because they "do not proceed from the presumption of innocence" (UN Commission on Human Rights, 19 December 1997). Section 28 of the Anti-Terrorist Act sanctions the transfer of cases from one special court to another, when it is "consider[ed] expedient to do so in the interest of justice, or where the convenience or safety of witnesses or the safety of the accused so requires" (*Amnesty International*, October 1997). However, the special court to which a case has been transferred is required to "proceed with the case from the stage at which it was pending immediately before such transfer and it shall not be bound to recall and re-hear any witness who has given evidence and may act on the evidence already recorded" (*Ibid.*). In cases where the composition of the court is changed, Section 19 decrees that the new court is required to "continue the trial where the previous court stopped hearing it without recalling and re-hearing witnesses" (*Ibid.*).

The goal of reaching decisions in only seven days has reportedly not been met, and the special courts appear to be "caught in the same dilemma that the rest of the conventional judicial system faces . . . [as well as] . . . creating an atmosphere of tension between the judiciary and the government" (*The Herald [Pakistan]*, February 1998(a)). For example, of approximately 1,600 'ordinary' cases brought before them since their inception, only 132 are said to have been decided; of the 125 cases of sectarian crime brought to it, only 12 have been decided (*The Herald [Pakistan]*, February 1998(c)).

Prison conditions

Prison conditions in Pakistan are described as alarming, with overcrowding being a major problem, and it is estimated that almost every jail in the country has three times more prisoners than its nominal capacity. The U.S. Department of State refers to a report by the Punjab Prisons Department which found that almost 53,000 prisoners were being held in facilities with a total capacity of a little more than 17,000, that very few of the prisoners had been convicted, the majority awaited trial and others had spent up to six months in jail without charge (U.S. DOS Country Reports for 1997, 1998). There are three classes of prison facilities: A, B and C. Common criminals and those in pre-trial detention are held in Class C cells, which are in the worst condition and in which they suffer the most abuse. Conditions in B and A cells are markedly better, with prisoners in A cells, which are reserved for prominent persons, being permitted to have servants, special food and television (*Ibid.*). Regular prisoners are exposed to widespread use of bar fetters, torture, extortion of prisoners and family members, and deep-rooted corruption among officials (*Amnesty International*, October 1996; *UN Commission on Human Rights*, 15 October 1996). Prisoners are routinely forced to pay bribes to avoid fetters, solitary confinement and beatings. In 1996, these excesses were confirmed by the Sindh provincial ombudsman after investigating the Hyderabad jail. (*The Herald*, September 1996). In addition, some wealthy landlords and political parties are said to operate private jails, mainly in tribal and feudal areas: 50 of these private jails are believed to be owned by landlords in lower Sindh, where some victims are said to be held captive for many years (U.S. DOS Country Reports for 1997, 1998).

Freedom of Expression

According to the U.S. Department of State, freedom of speech and of the press are provided for in the Constitution and citizens are generally free to discuss public issues (U.S. DOS Country Reports for 1997, 1998). The Human Rights Commission of Pakistan adds that the government retained total control over the electronic media, though it allowed marginal, selective visibility to the political opposition in the news and current affairs programmes (February 1998). Most journalists are said to practice some degree of self-censorship and true investigative reporting is rare, but the press is free to publish "charges and countercharges by named and unnamed parties and individuals representing competing class, political and social interests" (*Ibid.*). This, however, can lead to "undue pressure by political parties, ethnic, sectarian and religious groups, militant student organizations, and occasional commercial interests . . . [which] . . . when the group is extreme in its views, can include physical violence, the

sacking of offices, intimidation or beating of journalists, and interference with the distribution of newspapers" (Ibid.). In its annual report for 1997, Human Rights Watch cited a number of attacks on journalist and ransacking of newspaper offices, which were reportedly instigated mainly by political parties objecting to criticism of their members or activities (World Report 1998, 1997). At least two journalists were said to have been killed and eight shot at and wounded for the professional work, three were beaten and tortured, and many others were indiscriminately manhandled during raids in their offices (Pakistan Commission of Human Rights, February 1998).

The new Anti-Terrorist Act decrees up to seven year's imprisonment with labour for using "abusive or insulting words, or possessing or distributing written or recorded material, with intent to stir up sectarian hatred (U.S. DOS Country Reports for 1997, 1998). On 19 January 1998, the editor of the Urdu newspaper *Pakistan*, Jamil Chishti, was arrested in Lahore and charged with fanning sectarian hatred by printing certain 'objectionable' remarks against the fourth caliph, which were in effect excerpts from a famous treatise on the life of the Prophet Mohammed, *Seeratun Nabi*, which is included in the syllabi of many religious institutions (The Herald [Pakistan], February 1998(b)). The arresting officers were demanding that Mr. Chishti reveal the whereabouts of the authors of the treatise, who have been dead for over 50 years (Ibid.).

In July 1997, the government adopted the 14th (Anti-defection) Amendment to the Constitution, which decrees that a member of parliament can lose his seat if he breaches party discipline, votes against the party line, or abstains from voting in a manner that violates party policy. A parliamentarian who is declared a defector has no judiciary recourse. While concerns may be voiced, dissenting opinions will not be tolerated (Ahmed, S., 421).

Freedom of Religion

Religious intolerance against non-Muslims in Pakistan is said to be on the increase due to a number of laws and political decisions which have led to the targeting of people because of their religion (Eglises d'Asie, décembre 1997). The imposition of *Shari'a* law and its goal of Islamizing the Government and society have raised fears among members of minority religious groups of further restrictions in the practice of their religion (U.S. DOS Country Reports for 1997, 1998). While non-Muslim students at state-run schools are not required to study Islam ("*Islamiyyat*", which is compulsory for all Muslim students), they are not provided with parallel studies of their own religion and are instead often compelled by their teachers to complete the "*Islamiyyat*" (Ibid.). Moreover, although there are no laws prescribing the Koranic death penalty for apostasy, conversions reportedly take place in secret because of strong social opposition, and reprisals against suspected converts are said to be common (Ibid.). Religious intolerance is manifested through scorn, physical violence, layoffs, or the unfounded opening of legal proceedings for religious reasons ((Eglises d'Asie, décembre 1997). Violence has reportedly been directed against minority Muslim sects

as well as Christians, Hindus and members of Muslim offshoot sects such as Ahmadis and Zikris' (U.S. DOS Country Reports for 1997, 1998).

3.4 The Situation of Specific Groups

Ahmadis (Ahmadiyas)

The Ahmadi religious movement is an Islamic sect that originated in India, but came to Pakistan at the time of partition in 1947. Its followers are sometimes referred to as Qadianies, from Qadian, the Indian village where its founder was born. Ahmadis in Pakistan are a reformist Muslim sect which adheres to Islam but rejects the militant *jihad* (holy war) (World Directory of Minorities, 1997, 578). In the 1950s many influential religious parties succeeded in having the 'small but influential' Ahmadi sect designated as non-Muslim (Islam and Islamic Groups, 1992, 187), and in 1974 a constitutional amendment declared Ahmadis to be non-Muslims (U.S. DOS Country Reports for 1997, 1998; World Directory of Minorities, 1997, 578; Contemporary Religions, 1992, 492). In a response to the UN Special Rapporteur on Religious Intolerance, the Pakistani authorities stated that "[t]he Ahmadis converted to their religion from Islam" (UN General Assembly, 12 November 1997). Section 298(c) of the Penal Code, introduced by the Government in 1984, prohibits Ahmadis from calling themselves Muslims and forbids their use of Islamic terminology (U.S. DOS Country Reports for 1997, 1998). Ordinance XX of 1984 specifically prohibits Ahmadis from (i) referring to themselves as Muslims or to their founder as a prophet; (ii) referring to their places of worship as 'mosques'; (iii) using the traditional Muslim form of greeting ('*assalam-o-alaikum*'); (iv) using the Muslim call to prayer (the '*azān*'); (v) using the Koran and observing Islamic rites and traditions, and (vi) using words, either spoken or written, or by visible representation, which "outrages the religious feelings of Muslims", including wearing, posting, printing or translating Koranic verses (Amnesty International, 24 July 1997; INS Resource Information Center, November 1993). The punishment prescribed for committing any of the above acts is a fine and imprisonment for up to three years (Ibid.). Moreover, orthodox Muslims consider the Ahmadis' reference to the Prophet Mohammed to be defiling his name, and therefore punishable with death under the blasphemy laws of 1991 (INS Resource Information Center, November 1993). According to the U.S. Department of State,

Ahmadis suffer from harassment and discrimination and have limited chances for advancement into management levels in government service. Even the rumour that someone may be an Ahmadi or have Ahmadi relatives can stifle opportunities for employment or promotion. Ahmadi

* The Zikris are a Muslim sect formed in the early 17th Century, which follows only the oral tradition of Islam rather than the written form followed and accepted by the majority of Pakistan's Muslims. Zikris are found mainly in southern Baluchistan and Sindh and reportedly number about one million. In 1993 there was a movement to declare Zikris non-Muslims, and a campaign was mounted against their annual congregation at Koh-i-Murad in Malakand. This was accompanied by demonstrations calling for the destruction of the Zikri *Boilullah* (house of God), and members of the sect were subjected to violence and harassment (The Encyclopedia of the Peoples of the World, 1996; U.S. DOS Country Reports for 1994, 1995; Lawyers Committee for Human Rights, 1995 [all in electronic format]).

students are subject to abuse by their non-Ahmadi classmates, and the quality of teachers assigned to the schools by the Government is poor. Young Ahmadis and their parents also complain of difficulty in gaining admittance to good colleges, forcing many children to go abroad for higher education... (U.S. DOS Country Reports for 1997, 1998).

Christians

Christians in Pakistan constitute approximately 1.4 per cent of the population, and they are found mainly among the Punjabis. Half of these are Roman Catholics, and the leading Protestant churches are the Presbyterians and the Church of Pakistan, a union of Anglicans, Methodists and Lutherans (*Contemporary Religions*, 1992, 452). In February 1997, the Christian community in Khanewal and in neighbouring Shaniagar were attacked by Muslim mobs who burned down 12 churches, injured 50 people and destroyed more than 250 houses, 80 shops and a school after a rumour was broadcast on mosque loudspeakers that Christians had desecrated pages of the Koran (*The Far East and Australasia* 1998, 1997, 911; *The Times*, 14 February 1997; *Dawn*, 12 February 1997; *AFP*, 8 March 1997). Amnesty International subsequently reported that "[p]olice [were] believed to have instigated the incident with the help of Islamist groups in retaliation for the suspension of several police officers disciplined after desecrating the Bible during an earlier raid" (June 1997). In April 1997, the Anglican Consultative Council denounced the 'horrific incidents' inflicted upon the Christian community by 'criminal elements' in Pakistan (UN Commission on Human Rights, 14 April 1997). On 6 May 1998, Roman Catholic Bishop John Joseph shot himself in front of the tribunal at Sahiwal, near Faisalabad, in protest against the Blasphemy Law, especially Section 295(c), under which Ayoub Masih had been sentenced to death in April for allegedly speaking favourably about Salman Rushdie, author of *'The Satanic Verses'* (*Eglises d'Asie*, 16 May 1998; *Reuters*, 10 May 1998; *BBC News*, 7 May 1998; *Washington Post*, 6b May 1998). The incident has sparked protests by Christians against Section 295(c) of the Penal Code, as well as attacks by militant Muslims against an area known as Christian Town, during which they burned several houses and shops and demanded that Section 295(c) remain on the statute books (*Reuters*, 15 May 1998; 11 May 1998(b); 10 May 1998(b)).

Children

The 1973 Constitution of Pakistan prohibits the employment of children 14 years old or younger in factories, mines and other hazardous occupations. Pakistan has also ratified the Convention on the Rights of the Child, and its Employment of Children Act of 1991 as well as the Bonded Labour System (Abolition) Act of 1992 aim to protect children from all forms of exploitation, including bondage (*International Labour Organization*, "ILO/IPEC Programme in Pakistan", 1998). However, the U.S. Department of State indicates that the Government frequently fails to enforce these laws (U.S. DOS Country Reports for 1997, 1998). The results of an ILO/IPEC-assisted child labour survey conducted in 1996 by the Federal Bureau of Statistics for the Ministry of Labour, Manpower and Overseas Pakistanis, revealed that 8.3 per cent, or 3.3 million of the 40 million children between the ages of 5 to 14 years, were

working practically full time. Of these, 73 per cent are boys and 27 per cent are girls, with the children's contribution to work being greater in the rural areas. About 71 per cent of these children work in unskilled jobs in agriculture, sales and services, mining, construction, manufacturing and transport; of these, more than two-thirds work in the agricultural sector. About 70 per cent of working children are unpaid family helpers. A large number of them work 56 hours or more, and about 7 per cent of working children suffer from frequent illnesses and injuries, sustained mainly in the agriculture sector, followed by mining, construction, manufacturing and transport (*International Labour Organization*, "ILO/IPEC Programme in Pakistan", 1998). Most of the children work in makeshift sweat shops, sewing carpets and soccer balls or making surgical equipment (Gopher, 13 April 1998; *Voice of America*, 13 April 1998 [Internet]; *Le Monde*, 24 February 1998).

The majority of these children do not go to school: there are only enough schools for about 70 per cent of the children, and the dropout rate is over 50 per cent, due to the high costs (*International Labour Organization*, 1998). A private children's organization in Pakistan has reported that more than 26 million children were not going to school in 1997, more than 3,000 children were in jail, and about 500 children were victims of sexual violence (*Associated Press*, 12 March 1998). The U.S. Department of State indicates that children are sometimes kidnapped to be used as forced labour, for ransom or to avenge an enemy (U.S. *DOS Country Reports for 1997*, 1998). It also refers to the 'traditional practice' in rural areas of poor parents giving their children to rich landowners in exchange for money and land, and that these children are frequently abused by their owners, with incidents of rape and murder of minors being common (*Ibid.*). Amnesty International reports that the April 1995 murder of child labourer Iqbal Masih remains unsolved (June 1997). Sold into labour bondage at four years of age, Iqbal Masih worked 12-hour days at a carpet factory. After hearing a lecture about labour rights when he was ten years old, he became an activist "urging child labourers to defy their masters and insist on their rights" (*Ibid.*). He himself had been freed by the Bonded Labour Liberation Front (BLLF), whose leader and an associate, the journalist Zafarab Ahmed, were subsequently charged with sedition for planning "to exploit the murder of Iqbal Masih with a view to causing a recurring financial loss to the Pakistan business interests abroad . . . to pave the way for economic warfare against Pakistan" (*Ibid.*).

Women

Despite Pakistan's ratification in 1996 of the UN Convention on the Elimination of All Forms of Discrimination against Women, and of constitutional guarantees of equality for all citizens and of equal protection under the law, women in Pakistan are said to be disadvantaged, a situation said to be rooted in "endemic societal and religious attitudes towards them" (*Amnesty International*, June 1997). Article 25(1) of the Constitution states that "[a]ll citizens are equal before the law and are entitled to equal protection of law", and Article 25(2) says that "[t]here shall be no discrimination on the basis of sex alone" (*Amnesty International*, March 1997). Attempts in June 1996 by the Benazir Bhutto government to abolish the death penalty for women, on the grounds that they are seldom involved in 'heinous' crimes such as terrorism, were reversed following protests by Islamic groups, whereupon the government announced

that "death sentences imposed as mandatory punishments under sections of the penal code which are adopted from Islamic Law would be retained" (Ibid.).

Moreover, laws such as the *Zina* Ordinance usually result in the punishment of the woman, even in cases of rape, while in areas such as in Baluchistan, Lower Punjab and northern Sindh, "local systems of tribal law prevail and disputes are rarely taken before organs of Pakistan's official judicial system" (Ibid.). In these areas, the practice of *safet* (walking on burning coals) is more frequently applied to women than men, as a form of proving their innocence for alleged theft, betrayal of trust or adultery (Ibid.). Another tradition, known as *karo-kari*, calls for any man or woman involved in an illicit relationship to be killed by the family whose honour has been offended. Again, this is said to be applied more often to women, with hundreds of them allegedly killed this way each year (Ibid.).

Despite the existence of court orders and regulations calling for women to be interrogated only by female police officers, women detainees continue to be "detained overnight at regular police stations and abused by male officers" (U.S. DOS Country Reports for 1997, 1998). According to Amnesty International, "[r]ape of women detainees in the custody of the police and the paramilitary agencies is the most persistent human rights violation in Pakistan which has been ignored by successive governments" (March 1997).

Although women's votes were crucial in electing the first woman prime minister in an Islamic country, women's participation in politics has not been encouraged, and women in tribal areas reportedly face religious and social censorship when they try to exercise their right to vote (Amnesty International, March 1997). For example, in January 1997, elders of the banned *Tarween Itehadul Ulema, Bara*, of Khyber Agency in the Federally Administered Tribal Areas (FATA), announced their opposition to voting by women on the grounds that it not only contravenes tribal customs and traditions, but also Islam (The Nation, 2 January 1997; The Frontier Post, 4 February 1997). The elders threatened to burn the houses of women registering to vote and to impose fines on men who help women vote (Ibid.; Human Rights Commission of Pakistan, February 1998). Although 300 women had registered, only one voted in the February 1997 elections in Bajaur Agency, while no women voted in Khyber and Mohammand Agencies (Ibid.). In October 1997 the Punjab government reportedly issued orders forcing female teachers and students to wear veils and banning cultural activities for females in schools and colleges (Dawn, 24 October 1997). Amnesty International also reports that "torture, rape and sexual humiliation were used to intimidate, punish and humiliate dozens of women activists or to make them change their political loyalties" during the first period in office of Prime Minister Nawaz Sharif (March 1997).

Domestic violence is said to be widespread and considered a private matter, and marital rape is not a crime, except when it results in serious injury (U.S. DOS Country Reports for 1997, 1998; Amnesty International, June 1997). There are reportedly numerous cases of women who have been killed or mutilated by male relatives who suspect them of adultery, with few of these cases being seriously investigated and, when arrests are made, they end up in acquittal of the male on the grounds that he was

'provoked', or for lack of witnesses (U.S. DOS Country Reports for 1997, 1998). This state of affairs is reflected in the words of a woman whose husband had caused her disfigurement by setting her on fire:

What is the use? I belong to a respectable family . . . if a woman goes to the police station, she cannot protect her honour. Everyone knows that no woman comes out of the police station with her honour intact (Amnesty International, June 1997).

On 10 March 1997, a landmark decision by the Lahore High Court upheld the validity of the marriage of 22-year-old Saima Waheed to the man she loved, which had been challenged by her father (HRW World Report, 1998, 202). The judgement, however, also called for "basic amendments to family laws to enforce parental authority and discourage courtships and extramarital relationships" (Ibid.). In March 1998 in Karachi, the father, brother and alleged fiancé of 19-year-old Riffat Afridi were arrested for shooting and wounding the girl's husband, whom she had married of her own free will (Inter Press Service, 6 March 1998; Dawn, 6 March 1998). Riffat Afridi had been condemned to death by an Afridi tribal council for dishonouring her family (The Ottawa Citizen, 27 February 1998). She and her now-paralyzed husband are said to be seeking asylum (The Washington Post, 6 May 1998). In a separate incident in Peshawar, 16 years after fleeing her native town to marry a man of her choice, Husan Farh, her husband and four of their five children were killed by relatives of the man she had allegedly jilted (Deutsche Presse-Agentur, 22 March 1998).

Homosexuals

Homosexuality is considered immoral and the government does not provide legal protection against discrimination of homosexual men and women (International Gay and Lesbian Association, 1993, 314). Homosexual acts constitute an offense punishable with imprisonment for life, and known homosexuals are said to become social outcasts (Ibid.). Section 377 (Unnatural Offenses) of the Penal Code calls for a minimum punishment of ten years and a fine, and Section 12 of the Hudood Ordinances states that "[w]hoever kidnaps or abducts any person in order that such person may be subjected . . . to . . . unnatural lust . . . shall be punished with death or . . . imprisonment for a term which may extend to twenty-five years, and shall also be liable to a fine" (Angam, A. S., 1 June 1990). In May 1997, in Khyber Agency, two men were flogged in public for allegedly committing acts of sodomy (World Organization Against Torture, 30 May 1997;). The punishment, 75 lashes with a strap for 37-year-old Mohammad Zaman and 32 for 14-year-old Fahimullah, were inflicted after they were sentenced by the leader and elders of the Afridi tribe (Ibid.).

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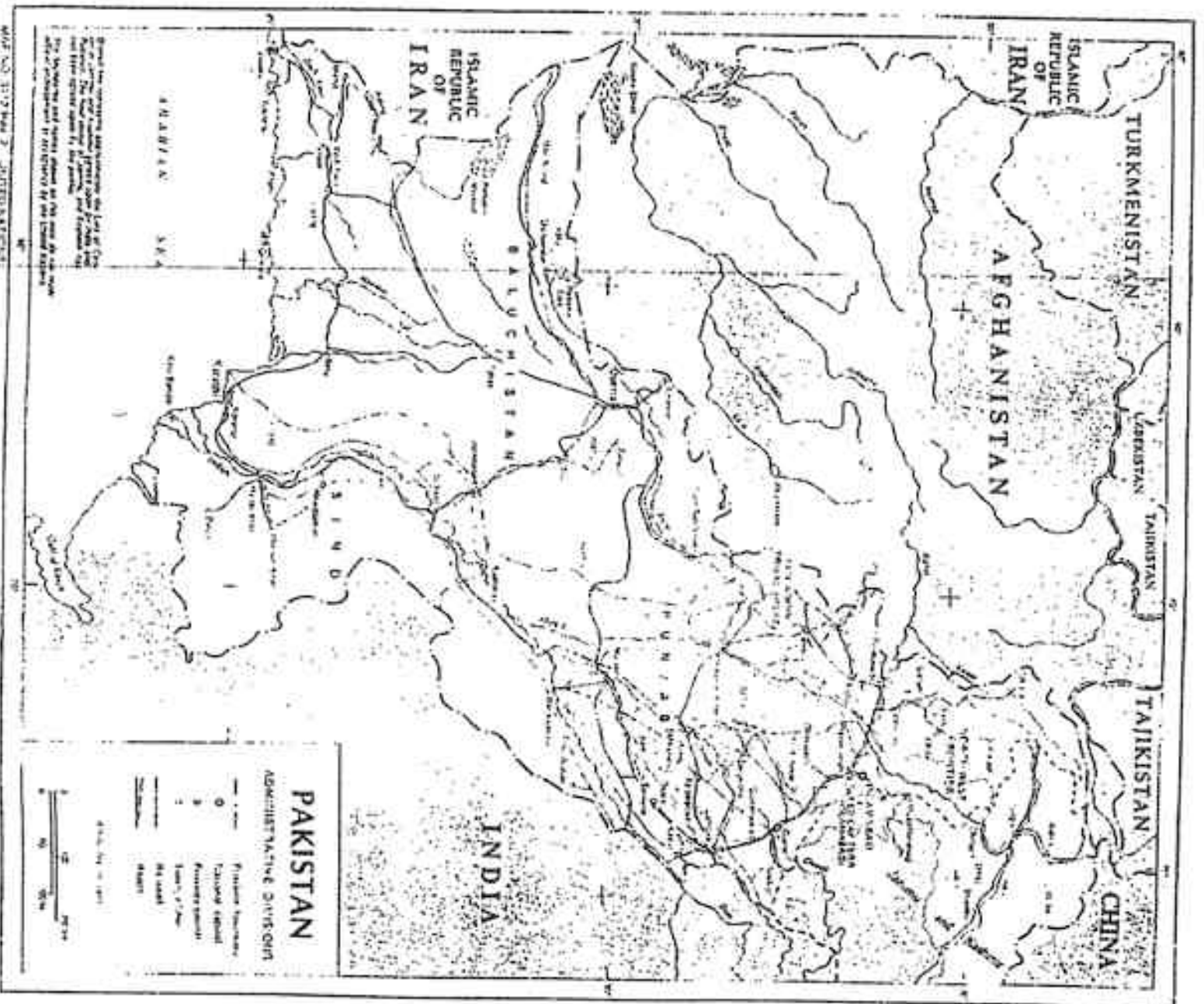
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Notes
 Decisions usually refer to first instance only.
 Applications in Germany include new and reopened applications
 UK statistics refer to cases only.

Asylum applications										Country of origin: Pakistan	
Country	1990	1991	1992	1993	1994	1995	1996	1997	Total		
Austria	410	1,390	270	140	80	110	270	220	2,900		
Belgium	850	910	720	1,260	620	360	300	470	5,530		
Bulgaria	-	-	-	-	-	-	-	-	-		
Czech Republic	-	-	-	-	-	-	-	-	-		
Denmark	40	70	40	50	110	130	170	120	730		
Finland	20	20	-	10	-	10	10	20	90		
France	1,740	1,860	850	500	450	550	490	690	7,130		
Germany	3,980	4,360	5,220	2,750	2,030	4,640	3,800	3,770	30,550		
Greece	360	190	10	20	-	-	-	10	590		
Hungary	-	-	-	-	-	-	-	-	-		
Italy	-	20	20	40	20	60	-	20	180		
Netherlands	210	220	110	100	180	240	260	220	1,540		
Norway	30	10	20	20	30	30	20	30	190		
Poland	-	-	-	-	-	30	-	-	30		
Portugal	-	-	10	10	40	10	10	350	520		
Spain	-	-	-	100	130	190	110	100	630		
Sweden	60	70	-	50	70	80	30	70	450		
Switzerland	1,210	1,340	630	410	420	440	460	450	5,340		
United Kingdom	1,480	2,250	1,700	1,120	1,810	2,920	1,540	1,520	15,540		
Total	10,410	13,710	9,500	6,600	6,000	9,820	7,760	8,180	72,080		

Asylum applications

Country of origin: Pakistan

Asylum country:	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	4%	10%	3%	2%	2%	1%	3%	3%	4%
Belgium	8%	7%	8%	19%	10%	4%	4%	6%	8%
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%
Czech Republic	0%	0%	0%	0%	0%	0%	0%	0%	0%
Denmark	0%	1%	0%	1%	2%	1%	2%	1%	1%
Finland	0%	0%	0%	0%	0%	0%	0%	0%	0%
France	17%	14%	9%	8%	8%	6%	5%	8%	10%
Germany	38%	32%	54%	42%	34%	47%	49%	46%	42%
Greece	3%	1%	0%	0%	0%	0%	0%	0%	1%
Hungary	0%	0%	0%	0%	0%	0%	0%	0%	0%
Italy	0%	0%	0%	1%	0%	1%	0%	0%	0%
Netherlands	2%	0%	1%	2%	3%	2%	3%	3%	2%
Norway	0%	0%	0%	0%	1%	0%	0%	0%	0%
Poland	0%	0%	0%	0%	0%	0%	0%	0%	0%
Portugal	0%	0%	0%	0%	1%	0%	0%	4%	1%
Spain	0%	0%	0%	0%	1%	0%	0%	0%	0%
Sweden	1%	0%	0%	2%	2%	2%	1%	1%	1%
Switzerland	12%	1%	0%	1%	1%	1%	0%	1%	1%
United Kingdom	14%	24%	18%	17%	30%	30%	21%	20%	22%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

country of origin

1981 UN Convention status recognitions

Country of origin: Pakistan

Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	-	20	10	-	10	-	-	-	40
Belgium	-	10	10	10	30	10	30	10	110
Bulgaria	-	-	-	-	-	-	-	-	-
Czech Republic	-	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-
Finland	-	-	-	-	-	-	-	-	-
France	20	20	20	20	10	10	10	10	120
Germany	960	550	130	110	300	220	180	120	2,570
Greece	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	10	10	-	-	20
Netherlands	-	-	30	-	-	10	20	10	70
Norway	-	-	-	-	-	-	-	-	-
Poland	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-
Sweden	-	-	-	-	-	-	-	-	-
Switzerland	-	20	30	30	30	20	20	10	180
United Kingdom	10	10	-	-	10	10	10	10	60
Total	990	630	230	170	400	290	270	170	3,150

1981 UN Convention status recognitions

Country of origin: Pakistan

Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	0%	3%	4%	0%	3%	0%	0%	0%	1%
Belgium	0%	2%	4%	6%	8%	3%	11%	6%	3%
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%
Czech Republic	0%	0%	0%	0%	0%	0%	0%	0%	0%
Denmark	0%	0%	0%	0%	0%	0%	0%	0%	0%
Finland	0%	0%	0%	0%	0%	0%	0%	0%	0%
France	2%	3%	9%	12%	3%	3%	4%	6%	4%
Germany	97%	87%	57%	65%	75%	76%	67%	71%	82%
Greece	0%	0%	0%	0%	0%	0%	0%	0%	0%
Hungary	0%	0%	0%	0%	0%	0%	0%	0%	0%
Italy	0%	0%	0%	0%	3%	3%	7%	6%	1%
Netherlands	0%	0%	13%	0%	0%	3%	0%	6%	2%
Norway	0%	0%	0%	0%	0%	0%	0%	0%	0%
Poland	0%	0%	0%	0%	0%	0%	0%	0%	0%
Portugal	0%	0%	0%	0%	0%	0%	0%	0%	0%
Spain	0%	0%	0%	0%	0%	0%	0%	0%	0%
Sweden	0%	0%	0%	0%	0%	0%	0%	0%	0%
Switzerland	0%	3%	13%	18%	8%	7%	7%	6%	5%
United Kingdom	1%	2%	0%	0%	3%	3%	4%	6%	2%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

Reflections	Country of origin: Pakistan									
	Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	70	540	670	450	100	140	300	210	2,520	
Belgium	70	100	110	142	170	100	80	30	800	
Bulgaria	-	-	-	-	-	-	-	10	10	
Czech Republic	-	-	-	-	-	-	-	-	-	
Denmark	-	-	-	-	-	70	-	-	70	
Finland	-	-	10	10	10	-	-	-	30	
France	2,230	1,970	950	667	560	590	460	500	8,170	
Germany	1,420	1,630	1,030	3,550	5,100	2,560	2,480	2,010	22,830	
Greece	210	330	-	-	-	-	-	10	550	
Hungary	-	-	-	-	-	-	-	-	-	
Italy	-	20	20	40	10	60	-	20	170	
Netherlands	50	140	170	-	150	210	290	70	1,130	
Norway	40	10	20	12	20	30	20	30	160	
Poland	-	-	-	-	-	-	50	50	140	
Portugal	-	-	-	10	40	20	10	-	80	
Spain	-	-	-	160	120	180	110	100	590	
Sweden	-	-	-	-	-	70	50	30	150	
Switzerland	510	890	1,260	560	330	310	260	450	4,660	
United Kingdom	120	220	1,020	760	1,770	1,550	2,390	2,540	10,370	
Total	4,760	5,960	5,250	6,420	8,390	5,980	7,500	6,300	52,560	

Reflections	Country of origin: Pakistan									
	Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	1%	9%	13%	6%	1%	2%	4%	3%	5%	
Belgium	1%	2%	2%	2%	2%	2%	1%	0%	2%	
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Czech Republic	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Denmark	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Finland	0%	0%	0%	0%	0%	0%	0%	0%	0%	
France	47%	33%	18%	8%	7%	11%	6%	11%	16%	
Germany	30%	27%	20%	66%	61%	43%	46%	32%	43%	
Greece	4%	6%	0%	0%	0%	0%	0%	0%	0%	
Hungary	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Italy	0%	0%	0%	0%	0%	1%	0%	0%	0%	
Netherlands	2%	2%	3%	0%	2%	4%	4%	1%	2%	
Norway	1%	0%	0%	0%	0%	1%	0%	0%	0%	
Poland	0%	0%	0%	0%	0%	0%	0%	1%	0%	
Portugal	0%	0%	0%	0%	0%	0%	0%	0%	0%	
Spain	0%	0%	0%	2%	1%	3%	1%	2%	1%	
Sweden	0%	0%	0%	0%	0%	1%	1%	0%	0%	
Switzerland	11%	17%	24%	7%	4%	5%	3%	7%	9%	
United Kingdom	3%	4%	19%	9%	21%	26%	32%	40%	20%	
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	

country of origin

Humanitarian status		Country of origin: Pakistan							
Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	-	-	-	-	-	-	-	-	-
Belgium	-	-	-	-	-	-	-	-	-
Bulgaria	-	-	-	-	-	-	-	-	-
Czech Republic	-	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-
Finland	-	-	10	-	-	-	-	-	10
France	-	-	-	-	-	-	-	-	-
Germany	-	-	-	-	-	10	10	-	20
Greece	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-	-
Netherlands(1)	-	10	20	-	-	10	-	-	40
Norway(1)	10	-	-	-	-	-	-	-	10
Poland	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-
Sweden	20	10	20	-	20	-	-	-	70
Switzerland	-	-	-	-	-	-	20	10	30
United Kingdom	50	70	410	40	30	30	20	50	700
Total	80	90	460	40	50	60	50	60	860

(1) Including individually granted temporary protection

(1) Including individually granted temporary protection

Humanitarian status

Humanitarian status		Country of origin: Pakistan									
Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total		
Austria	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Belgium	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Czech Republic	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Denmark	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Finland	0%	0%	2%	0%	0%	0%	0%	0%	1%		
France	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Germany	0%	0%	0%	0%	0%	20%	20%	0%	2%		
Greece	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Hungary	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Italy	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Netherlands(1)	0%	11%	4%	0%	0%	20%	0%	0%	5%		
Norway(1)	13%	0%	0%	0%	0%	0%	0%	0%	1%		
Poland	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Portugal	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Spain	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Sweden	25%	11%	4%	0%	40%	0%	0%	0%	8%		
Switzerland	0%	0%	0%	0%	0%	0%	40%	17%	3%		
United Kingdom	63%	78%	89%	100%	60%	60%	40%	83%	80%		
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%		

(1) Including individually granted temporary protection

(1) Including individually granted temporary protection

1961 UN Convention recognition rates

1961 UN Convention recognition rates					Country of origin:		Pakistan		
Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	0%	4%	1%	0%	9%	0%	0%	0%	2%
Belgium	0%	9%	8%	7%	15%	9%	27%	25%	12%
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%
Czech Republic	0%	0%	0%	0%	0%	0%	0%	0%	0%
Denmark	0%	0%	0%	0%	0%	0%	0%	0%	0%
Eireland	0%	0%	0%	0%	0%	0%	0%	0%	0%
France	1%	1%	2%	3%	2%	1%	2%	1%	1%
Germany	40%	25%	11%	2%	6%	8%	5%	6%	10%
Greece	0%	0%	0%	0%	0%	0%	0%	0%	0%
Hungary	0%	0%	0%	0%	0%	0%	0%	0%	0%
Italy	0%	0%	0%	0%	50%	14%	0%	0%	11%
Netherlands	0%	0%	14%	0%	0%	4%	6%	13%	6%
Norway	0%	0%	0%	0%	0%	0%	0%	0%	0%
Poland	0%	0%	0%	0%	0%	0%	0%	0%	0%
Portugal	0%	0%	0%	0%	0%	0%	0%	0%	0%
Spain	0%	0%	0%	0%	0%	0%	0%	0%	0%
Sweden	0%	0%	0%	0%	0%	0%	0%	0%	0%
Switzerland	0%	2%	2%	5%	8%	6%	7%	2%	3%
United Kingdom	6%	3%	0%	0%	1%	1%	0%	0%	1%

Total: 1991 UN Conv. recogn. rate equals the no. of Conv. status recognitions divided by the total number of positive and negative decisions

Total recognition rates

Total recognition rates				Country of origin: Pakistan							
Asylum country -	1990	1991	1992	1993	1994	1995	1996	1997	Total		
Austria	0%	4%	1%	0%	9%	0%	0%	0%	2%		
Belgium	0%	9%	8%	7%	15%	9%	27%	25%	12%		
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Czech Republic	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Denmark	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Finland	0%	0%	50%	0%	0%	0%	0%	0%	28%		
France	1%	1%	2%	3%	2%	1%	2%	1%	1%		
Germany	40%	25%	11%	2%	6%	8%	5%	6%	10%		
Greece	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Hungary	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Italy	0%	0%	0%	0%	50%	14%	0%	0%	11%		
Netherlands	0%	7%	23%	0%	0%	9%	6%	13%	9%		
Norway	20%	0%	0%	0%	0%	0%	0%	0%	5%		
Poland	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Portugal	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Spain	0%	0%	0%	0%	0%	0%	0%	0%	0%		
Sweden	100%	100%	100%	0%	100%	0%	0%	0%	32%		
Switzerland	0%	2%	2%	5%	8%	6%	13%	4%	4%		
United Kingdom	23%	27%	29%	6%	2%	3%	1%	2%	7%		

Total: Total recogn. rate equals the no. of Conv. status + humanized status recognitions divided by the total number of positive and negative decisions

Convention + Humanitarian recognitions

Country of origin: Pakistan

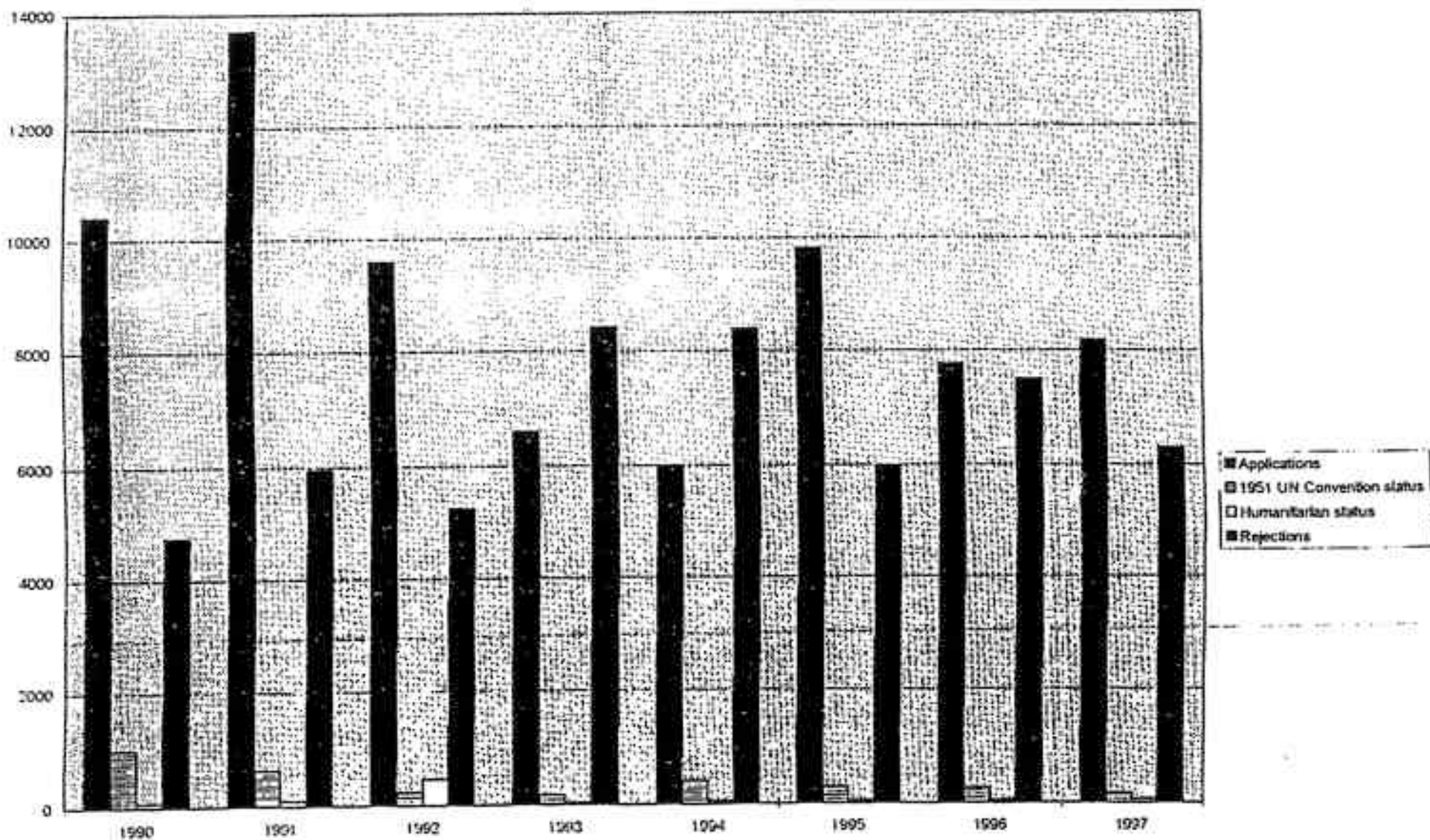
Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	-	20	10	-	10	-	-	-	40
Belgium	-	10	10	10	30	10	30	10	110
Bulgaria	-	-	-	-	-	-	-	-	-
Czech Republic	-	-	-	-	-	-	-	-	-
Denmark	-	-	-	-	-	-	-	-	-
Finland	-	-	10	-	-	-	-	-	10
France	20	20	20	20	10	10	10	10	120
Germany	960	550	130	110	300	230	190	120	2,590
Greece	-	-	-	-	-	-	-	-	-
Hungary	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	10	10	-	-	20
Netherlands	-	10	50	-	-	20	20	10	110
Norway	10	-	-	-	-	-	-	-	10
Poland	-	-	-	-	-	-	-	-	-
Portugal	-	-	-	-	-	-	-	-	-
Spain	-	-	-	-	-	-	-	-	-
Sweden	20	10	20	-	20	-	-	-	70
Switzerland	-	20	30	30	30	20	40	20	190
United Kingdom	60	60	410	40	40	40	30	60	760
Total	1 070	720	690	210	450	340	320	230	4 030

Convention + Humanitarian recognitions

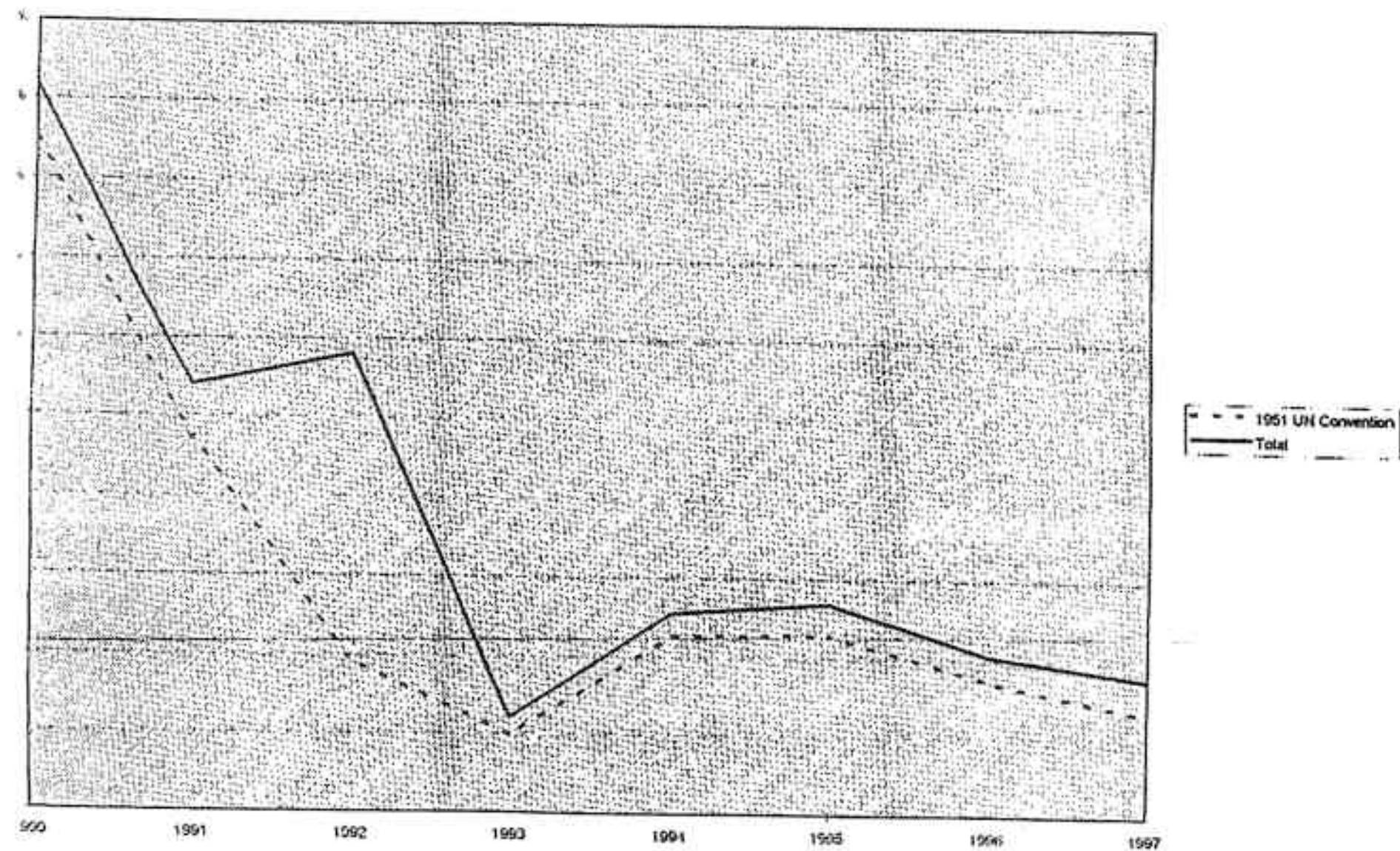
Country of origin: Pakistan

Asylum country	1990	1991	1992	1993	1994	1995	1996	1997	Total
Austria	0%	3%	1%	0%	2%	0%	0%	0%	1%
Belgium	0%	1%	1%	5%	7%	3%	9%	4%	3%
Bulgaria	0%	0%	0%	0%	0%	0%	0%	0%	0%
Czech Republic	0%	0%	0%	0%	0%	0%	0%	0%	0%
Denmark	0%	0%	0%	0%	0%	0%	0%	0%	0%
Finland	0%	0%	1%	0%	0%	0%	0%	0%	0%
France	2%	3%	3%	10%	2%	3%	3%	4%	3%
Germany	90%	76%	19%	52%	67%	66%	59%	52%	64%
Greece	0%	0%	0%	0%	0%	0%	0%	0%	0%
Hungary	0%	0%	0%	0%	0%	0%	0%	0%	0%
Italy	0%	0%	0%	0%	2%	3%	0%	0%	0%
Netherlands	0%	1%	7%	0%	0%	6%	6%	4%	3%
Norway	1%	0%	0%	0%	0%	0%	0%	0%	0%
Poland	0%	0%	0%	0%	0%	0%	0%	0%	0%
Portugal	0%	0%	0%	0%	0%	0%	0%	0%	0%
Spain	0%	0%	0%	0%	0%	0%	0%	0%	0%
Sweden	2%	1%	3%	0%	4%	0%	0%	0%	2%
Switzerland	0%	3%	4%	14%	7%	6%	13%	9%	5%
United Kingdom	6%	11%	59%	19%	9%	12%	9%	26%	19%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%

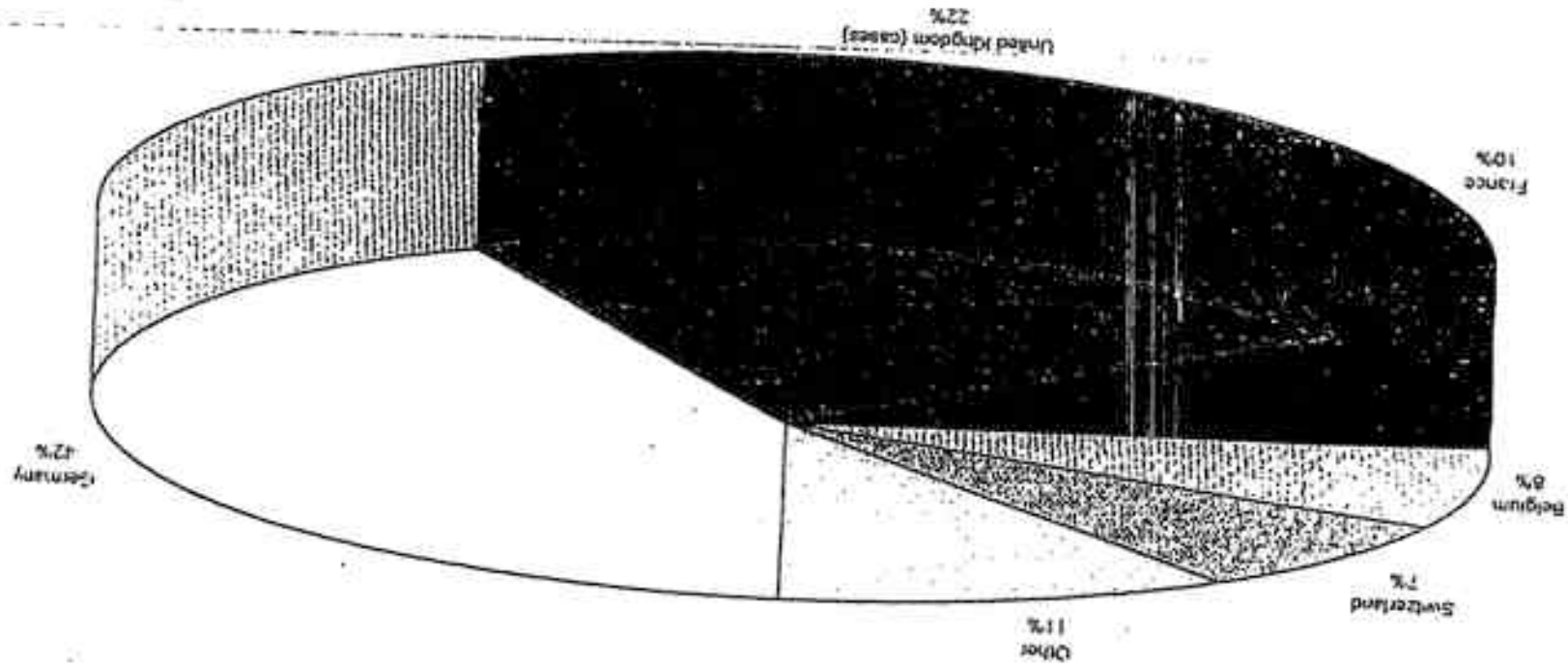
Asylum applications and decisions in Europe, Pakistan



1951 UN Convention and Total Recognition Rate of Pakistani asylum-seekers
in Europe

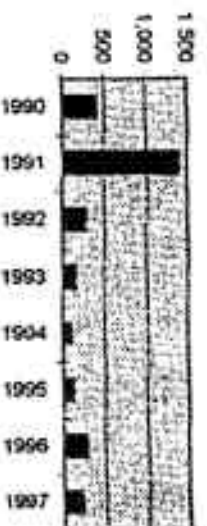


Leading countries of destination of Pakistani asylum-seekers
1990-1997

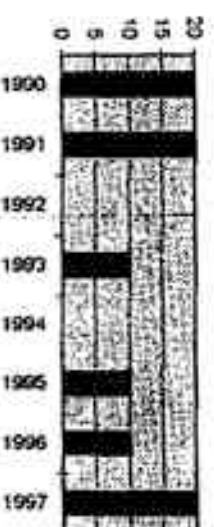


Asylum applications from Pakistani nationals in European countries, 1980-1997

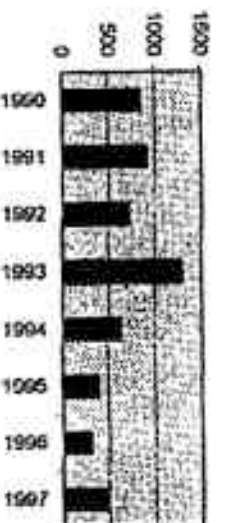
Austria



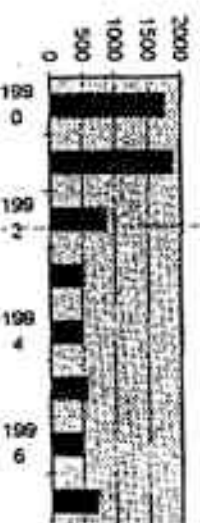
Finland



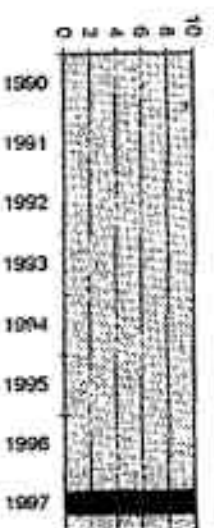
Belgium



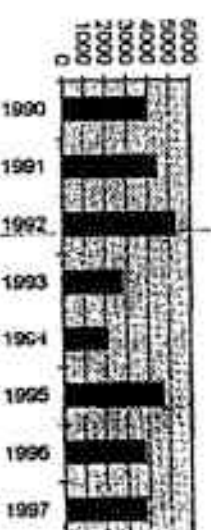
France



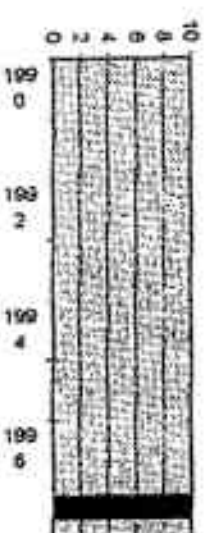
Bulgaria



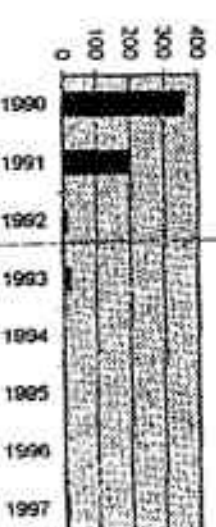
Germany(1)



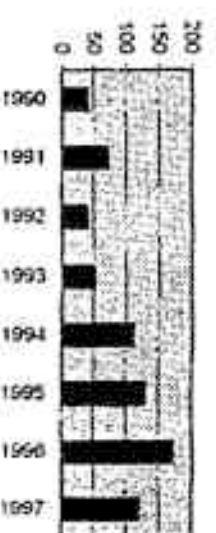
Czech Republic



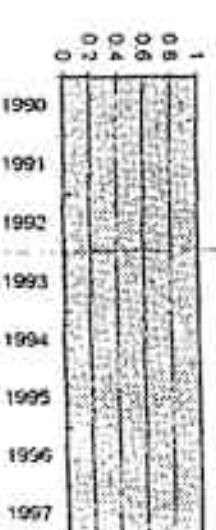
Greece



Denmark

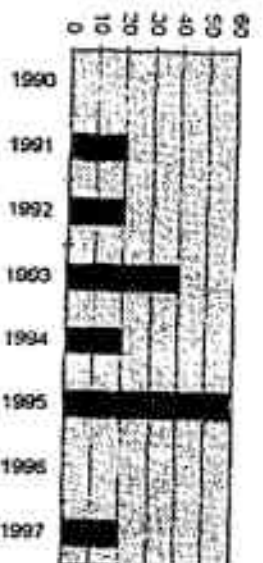


Hungary

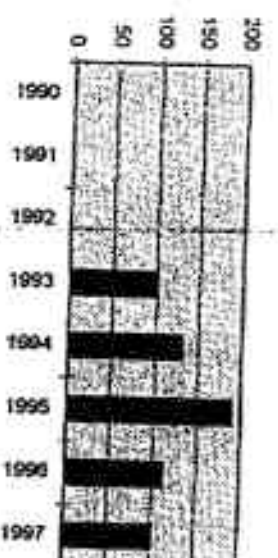


Asylum applications from Pakistani nationals in European countries, 1990-1997

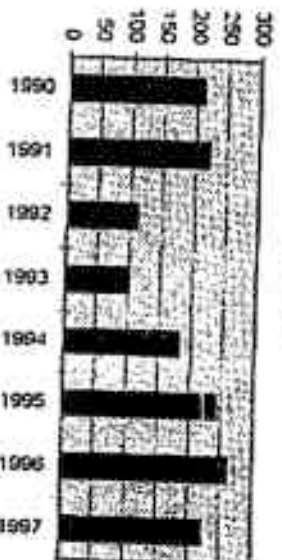
Italy



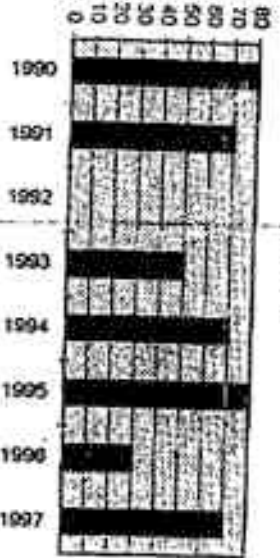
Spain



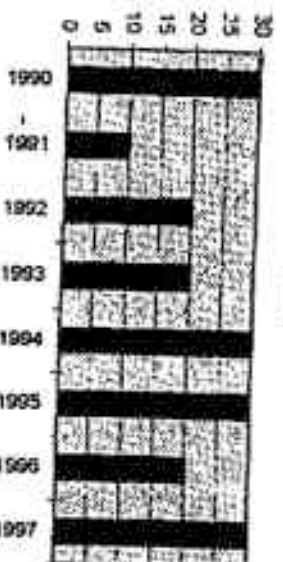
Netherlands



Sweden



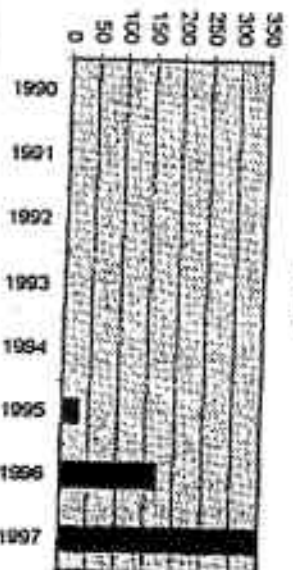
Norway



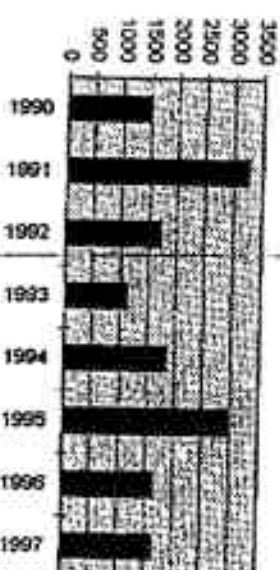
Switzerland



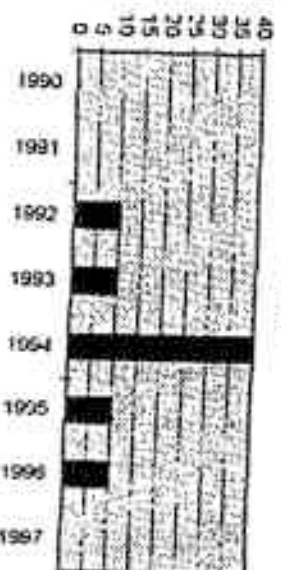
Poland



United Kingdom



Portugal



Total

