

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	454
Land:	Pakistan
Kilde:	Refugee Documentation Centre (Ireland)
Titel:	Legal Aid Board (RDC). Treatment of Homosexuals
Udgivet:	28. februar 2019
Optaget på baggrundsmaterialet:	25. juni 2019



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Pakistan - Researched and compiled by the Refugee Documentation Centre of Ireland on Thursday 28 February 2019

Treatment of homosexuals

In April 2018 the *United States Department of State* issued a report reviewing events of 2017 which included noting that:

“Consensual same-sex sexual conduct is a criminal offense; however, the government rarely prosecuted cases. The penalty for same-sex relations is a fine, two years’ to life imprisonment, or both” (United States Department of State (20 April 2018) *2017 Country Reports on Human Rights Practices: Pakistan*, p.33).

In July 2018 the *United Kingdom Foreign and Commonwealth Office* reviewing events of 2017 states that:

“LGBT people continued to face violence and discrimination” (United Kingdom Foreign and Commonwealth Office (16 July 2018) *Human Rights and Democracy Report 2017 – Pakistan*, p.2).

A report issued in March 2018 by *International Federation for Human Rights* state that:

“The government failed to accept all seven recommendations that called for the protection of lesbian, gay, bisexual, transgender, and intersex (LGBTI) people from violence and discrimination and for the protection of their rights” (International Federation for Human Rights (15 March 2018) *Pakistan: Government's lack of commitment at UN rights review a missed opportunity*, p.3).

In March 2018 *Erasing 76 Crimes* states in a report that:

“Pakistan is still a hostile climate for LGBT persons who risk sanctions from their family, societal isolation, legal problems and ever-present violence” (Erasing 76 Crimes (28 March 2018) *‘400 million LGBT people in jeopardy worldwide’*, p.3)

A report issued by *Freedom House* in 2019 reviewing events of 2018 states that:

“Other segments of the population that suffer legal or de facto discrimination and violence include ethnic and religious minorities, Afghan refugees, and LGBT people. The penal code prescribes prison terms for consensual sex “against the order of nature,” deterring LGBT people from acknowledging their identity or reporting abuses. Members of the transgender and intersex community are authorized to register for official documents under a “third gender” classification recognized by the Supreme Court since 2009, and some transgender people were recognized in the 2017 census. However, transgender and intersex people continue to face targeted violence as well as discrimination in housing and employment” (Freedom House (2019) *Freedom in the World 2019, Pakistan*, p.11).

A document issued in January 2019 by *Human Rights Watch* commenting on events of 2018 points out that:

“Pakistan's penal code criminalizes same-sex sexual conduct, placing men who have sex with men and transgender women at risk of police abuse, and other violence and discrimination” (Human Rights Watch (17 January 2019) *World Report 2019, Pakistan*, p.5).

A compilation of COI research issued in January 2019 by the *Immigration and Refugee Board of Canada* states that sources:

“...state that sexual minorities are subjected to violence in Pakistan...” (Immigration and Refugee Board of Canada (17 January 2019) *Pakistan: Treatment of sexual and gender minorities by society and authorities; state protection and support services available (2017-January 2019)*, p.4).

A report issued in February 2019 by the *Department of Foreign Affairs and Trade of Australia* notes that:

“Same-sex attracted people are often rejected by their families, and can be thrown out of home and forced into sex work. They face significant societal discrimination and, in some cases violence” (Department of Foreign Affairs and Trade of Australia (20 February 2019) *DFAT Country Information Report Pakistan*, p.53).

References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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