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DFAT COUNTRY INFORMATION REPORT PAKISTAN

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MAP



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ACRONYMS

ACC	Afghan Citizenship Card (issued by NADRA)
AJK	Azad Jammu and Kashmir
ANP	Awami National Party
APS attack	2014 attack on a Peshawar Army school
BLA	Balochistan Liberation Army (also called Baloch Liberation Army)
CII	Council of Islamic Ideology
CNIC	Computerised National Identity Card
FATA	Federally Administered Tribal Areas
FIA	Federal Investigations Agency
FIR	First Information Report, an initial written police record of a complaint or reported crime
HRCP	Human Rights Commission of Pakistan
IB	Intelligence Bureau
IOM	International Organisation for Migration
ISI	Inter-Services Intelligence
ISIL	Islamic State in Iraq and the Levant, aka Daesh, ISIS or IS
JCSC	Joint Chiefs of Staff Committee
LeJ	Lashkar-e Jhangvi
LGBTI	Lesbian, Gay, Bisexual, Trans and Intersex
MNIC	Manual National Identity Card
MoI	Ministry of the Interior
MQM	Muttahida Qaumi Movement (political party)
NACTA	National Counter Terrorism Authority
NADRA	National Database and Registration Authority
NAP	National Action Plan
PML-N	Pakistan Muslim League-Nawaz (political party)
PPP	Pakistan Peoples Party (political party)
POR card	Proof of Registration of Afghan refugees by UNHCR
PTI	Pakistan Tehreek-e-Insaf (political party)
RSF	Reporters sans Frontières (Reporters Without Borders)
SATP	South Asia Terrorism Portal
TTP	Tehreek-e-Taliban Pakistan
UNHCR	United Nations High Commissioner for Refugees

GLOSSARY

<i>Diyat</i>	‘Blood money’ or financial compensation paid as an alternative to equal retaliation for murder, physical injury or property damage (see Qisas)
<i>Harami</i>	Forbidden under Islam
<i>Hudood</i>	The Hudood Ordinances (1977) localised the Penal Code inherited from Britain
<i>Imambargah</i>	Shi’a place of worship
<i>Jihad</i>	Holy war, or a struggle/fight against the enemies of Islam
<i>Jirga</i>	A tribal council responsible for settling disputes by consensus in accordance with the Pashtunwali. Jirgas are also known as Panchayats
<i>Madrassa</i>	Islamic School
<i>Pashtunwali</i>	Pashtunwali is a non-written ethical code / system of law and governance followed by indigenous Pashtuns. Pashtunwali is used mostly in rural tribal areas
<i>Purdah</i>	A curtain used to separate women from the sight of unrelated men (also used figuratively)
<i>Qisas</i>	A punishment under Islamic law allowing equal retaliation (‘eye for an eye’) for murder, bodily injury or property damage
<i>Sehat Insaf/ Sehat Sahulat</i>	Khyber Pakhtunkhwa government health care card
<i>Sharia</i>	Islamic law
<i>Tazkira</i>	Afghan National Identification Card
<i>Zakat</i>	A compulsory religious tax under Sunni Islam

Terms used in this report

high risk	DFAT is aware of a strong pattern of incidents
moderate risk	DFAT is aware of sufficient incidents to suggest a pattern of behaviour
low risk	DFAT is aware of incidents but has insufficient evidence to conclude they form a pattern

official discrimination

1. legal or regulatory measures applying to a particular group that impede access to state protection or services that are available to other sections of the population (examples might include but are not limited to difficulties in obtaining personal registrations or identity papers, difficulties in having papers recognised, arbitrary arrest and detention)
2. behaviour by state employees towards a particular group that impedes access to state protection or services otherwise available, including by failure to implement legislative or administrative measures

societal discrimination

1. behaviour by members of society (including family members, employers or service providers) that impedes access by a particular group to goods or services normally available to other sections of

- 
- society (examples could include but are not limited to refusal to rent property, refusal to sell goods or services, or employment discrimination)
2. ostracism or exclusion by members of society (including family, acquaintances, employers, colleagues or service providers)

1. PURPOSE AND SCOPE

1.1 The Department of Foreign Affairs and Trade (DFAT) has prepared this Country Information Report for protection status determination purposes only. It provides DFAT's best judgement and assessment at time of writing and is distinct from Australian government policy with respect to the Islamic Republic of Pakistan (Pakistan).

1.2 The report provides a general, rather than an exhaustive country overview. It has been prepared with regard to the current caseload for decision makers in Australia, without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.

1.3 Ministerial Direction Number 56 of 21 June 2013 under s 499 of the Migration Act 1958 states that:

Where the Department of Foreign Affairs and Trade has prepared a country information assessment expressly for protection status determination processes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.

1.4 This report draws on DFAT's on-the-ground knowledge and discussions with a range of sources in Pakistan. It also takes into account relevant information from government and non-government sources, including but not limited to: those produced by the Immigration and Refugee Board of Canada, the European Asylum Support Office, the UK Home Office the US State Department; those from recognised human rights organisations such as Amnesty International and Human Rights Watch; those produced by reputable international, South Asian regional and Pakistani think tanks and organisations such as the Human Rights Commission of Pakistan, International Crisis Group, Pakistan Institute for Peace Studies, and the South Asia Terrorism Portal; those from relevant UN bodies and international organisations such as the International Monetary Fund, the International Organisation for Migration (IOM), the UN Committee on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the UN Office of the High Commissioner for Human Rights (OHCHR), the UN Development Programme (UNDP), the UN Office of the High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and the World Bank; Pakistan Government and non-government organisations and reputable news organisations. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.

1.5 This updated Country Information Report replaces the previous DFAT report on Pakistan published on 1 September 2017.

2. BACKGROUND INFORMATION

RECENT HISTORY

2.1 The Islamic Republic of Pakistan emerged as a Muslim-majority state as a result of partition of the Indian sub-continent in August 1947. Partition caused riots and population movement, approximately half a million people were killed in communal violence, and one million were left homeless. Jammu and Kashmir remain disputed territory (see [Cross Border Volatility](#)). Since partition, Pakistan and India have fought three wars, including the Indo-Pakistani war of 1971, which resulted in the separation of Bangladesh (then-East Pakistan).

2.2 Pakistan spans a total land area of 796,095 square kilometres. It is bordered by Iran to the west, Afghanistan to the north-west, China to the north-east, India to the south-east, and the Arabian Sea to the south. It has four provinces, Balochistan (capital Quetta), Khyber Pakhtunkhwa (capital Peshawar), Punjab (capital Lahore), and Sindh (capital Karachi), and the Islamabad Capital Territory. In 2018, the former Federally Administered Tribal Areas (FATA, also now known as the tribal districts) became a part of Khyber Pakhtunkhwa province. The former FATA agencies (now districts) are governed by a series of interim regulations, distinguishing them from the rest of Khyber Pakhtunkhwa (see Political System). The former FATA includes seven tribal districts: Bajaur, Khyber, Kurram, Orakzai, Mohmand, North Waziristan, and South Waziristan. The Pakistan-administered area of the disputed Jammu and Kashmir region consists of two administrative regions: Azad Kashmir and Gilgit-Baltistan.

2.3 Protracted terrorism, vulnerability to natural and humanitarian disasters, ethnic and religious tensions, and periodic military interruptions of civilian rule undermine stability and serve as significant push factors for both internal relocation and external migration (see Demography, Security Situation, Race/Nationality, Religion and [Military and Intelligence Services](#)).

2.4 In May 2013, general elections marked the first transition from one democratically elected government to another in Pakistan's history. Mr Muhammad Nawaz Sharif was elected as prime minister. Mr Sharif resigned in 2017 (in the wake of disqualification by the Supreme Court) over corruption charges relating to leaked papers from a Panama law firm in 2016 (the Panama Papers, see [Corruption](#)). His party, Pakistan Muslim League-Nawaz (PML-N) claimed the charges were politically motivated and accused the military of manipulating the judicial process.

2.5 Pakistan Tehreek-e-Insaf (PTI), led by former cricket captain Imran Khan, won a plurality of seats (151 of 342) in the July 2018 elections. With the support of minority parties, PTI controls 180 votes in Pakistan's National Assembly, more than PML-N or Pakistan People's Party (PPP). PML-N has accused the military of manipulating the elections to favour PTI, including by coercing PML-N candidates to change party.

2.6 Dr Arif Alvi was elected as president on 4 September 2018. Constitutionally, the presidency is primarily a ceremonial position (although this can depend on the politics of the day). The prime minister heads the Cabinet and the president chairs the National Security Council, comprised of the military chiefs and cabinet members.

DEMOGRAPHY

2.7 Pakistan is a Muslim-majority state located in South Asia. It is the sixth most populous country in the world. With a population of 207.7 million (average annual growth of 2.4 per cent), of which over 31 per cent are aged between 15 and 29. Pakistan's growing youth bulge is one significant push factor driving external migration, as Pakistan struggles to create jobs to meet demand.

2.8 Just over half the population of Pakistan lives in Punjab (around 110 million people), 23 per cent live in Sindh (47 million), over 14 per cent in Khyber Pakhtunkhwa (30 million), just under six per cent in Balochistan (12 million), just over two per cent in the former FATA (now part of Khyber Pakhtunkhwa) (4 million), and less than one per cent in Islamabad (2 million). This results in a political dynamic in which the political party that wins Punjab is likely to secure the national outcome (see [Political System](#)).

2.9 Pakistan is ethnically and linguistically diverse. Outside of large urban centres, Pakistanis tend to live in ethnically homogenous communities. Punjabis form the largest ethnic group (44.7 per cent), followed by Pashtuns (15.4 per cent), Sindhis (14.1 per cent), Saraikis (8.4 per cent), Muhajir (Urdu-speaking immigrants from India, 7.6 per cent), Balochi (3.6 per cent), and others (6.3 per cent, including Hazaras who number at less than one per cent).

2.10 Urdu and English are the official languages of Pakistan. English is common in most government ministries and capital cities, and is widely spoken by the elite. It is also the language of instruction in many schools. While judicial proceedings are usually conducted in Urdu, stenographers transcribe content into English, and Legislation and Supreme Court judgements are in English (see [Judiciary](#)). Approximately eight per cent of the population speak Urdu as a first language. Pakistan's major regional languages are Punjabi and Saraiki (a variant of Punjabi), Sindhi, Pashto, Balochi and Brahui.

2.11 Over six million Pakistanis live outside Pakistan, with significant numbers in Saudi Arabia, the United Kingdom, the United Arab Emirates and the United States. Wealthier Pakistani families commonly send their children abroad to study, especially to the United Kingdom, United States, Australia, United Arab Emirates and Sweden.

2.12 Pakistan is also host to a large and longstanding population of people displaced by conflict and natural disasters. Those displaced include Afghan refugees (see [Afghan Refugees](#)) and internally displaced people (IDPs).

ECONOMIC OVERVIEW

2.13 Pakistan has the world's 26th largest economy and seventh largest labour force. The World Bank classifies Pakistan as a lower-middle-income country, with per capita gross national income of around USD 1,500 (2016).

2.14 Pakistan's economy averaged real annual GDP growth of 5.7 per cent in 2017, with 2018 growth estimated at 5.8 per cent. Pakistan is seeking to strengthen economic growth and increase exports by collaborating with China on the USD60 billion China-Pakistan Economic Corridor (CPEC). CPEC centres on infrastructure and energy investments and plans to connect Pakistan and western China with Africa and Europe through Gwadar, a port city on the south-western coast of Balochistan (see [Armed Groups](#)). Critics argue that Pakistan risks accumulating unsustainable debt through the project, and the IMF projects that capital outflows will begin to increase in 2020. Displacement of Afghan and Baloch communities living on the CPEC routes has begun to occur (see [Afghan Refugees](#)) and there have been attacks against CPEC projects ([Armed Groups](#)).

2.15 The United Nations Development Programme (UNDP) ranks Pakistan 150th out of 189 countries in its 2018 Human Development Index, between Nepal and Cameroon. Pakistan is the second lowest-ranked country in the 'medium human development' category. In 2015, four per cent of Pakistanis were living below the World Bank's extreme poverty line of USD 1.90 per day. The government's national Multidimensional Poverty Index (MPI) classified nearly 39 per cent of Pakistanis as living in multidimensional poverty in 2016. The overall figure masks significant regional variation in poverty incidence, ranging from over 70 per cent in former FATA and Balochistan, to around 30 per cent or below in Punjab and Azad Jammu and Kashmir. Pakistan has a significant poverty gap between urban (9.3 per cent) and rural (54.6 per cent) areas.

2.16 In 2018, Pakistan ranked 136th out of 190 economies for ease of doing business. Pakistan's security situation, energy shortages and regulatory environment deter foreign and domestic investment and affect economic growth. Slow growth leads to a lack of employment opportunities for Pakistan's growing numbers of young people. The World Bank estimates youth unemployment in Pakistan has exceeded the overall rate of unemployment over the last decade.

2.17 DFAT assesses lack of economic opportunity acts as a significant push factor for internal migration to urban centres and for external migration.

Corruption

2.18 Corruption is widespread and systemic. The private sector GAN Business Anti-Corruption portal claims the Pakistan government is unable to guarantee integrity in state bodies and prevent corruption, despite an adequate legal framework. Transparency International's 2017 Corruption Perceptions Index ranked Pakistan 117th out of 180 countries, equal with Ecuador, Egypt, Gabon and Togo. Pakistan's estimated 12.8 per cent tax to GDP ratio is low by international standards, with the Pakistan economy ranking 172nd out of 190 countries for paying taxes.

2.19 Bribery, is prevalent in law enforcement, procurement and provision of public services. The judiciary is not seen as reliably independent and has been accused of shielding corrupt political practices from prosecution.

2.20 In April 2016, leaked documents from a Panama law firm detailing private financial information of its clients (the 'Panama Papers') included information on then prime minister Nawaz Sharif and members of his family. The Supreme Court of Pakistan disqualified Sharif from office in 2017 in relation to the Panama Papers revelations, ruling that he was not an 'honest and trustworthy' person: a constitutional requirement for holding public office. Nawaz was sentenced to ten years imprisonment in July 2018, along with his daughter Maryum (7-year sentence) and his son in law (one-year sentence). Nevertheless, in September 2018, the Islamabad High Court suspended the verdict, stating the National Accountability Bureau (NAB) had failed to provide evidence for corruption.

2.21 The NAB also filed cases against: former Finance Minister Ishaq Dar, claiming his assets were disproportionate to known sources of income; and Shahbaz Sharif, former Chief Minister of Punjab and brother of former prime minister Nawaz Sharif, claiming corruption in a low-cost housing scheme that was introduced in Punjab during his time as Chief Minister. As at January 2019, a further three cases are pending against Nawaz, with additional proceedings on the horizon for Shahbaz.

Health

2.22 Basic health care in Pakistan is free, but limited capacity, lack of funding, corruption, slow economic growth and overarching governance challenges combine to reduce quality and accessibility.

2.23 In 2010, the 18th Amendment to the Constitution devolved significant powers to the provinces, resulting in highly variable health service provision and budget allocation across the country. The World Bank notes health expenditure accounted for 2.69 per cent of Pakistan's GDP in 2016, compared to the World Health Organisation's (WHO) south-east Asia regional average of 4.6 per cent (2015), the WHO's global average of 6.3 per cent (2015), and the Australian government average of over 10 per cent (2015-16). In addition to budgetary and capacity deficits, the uncertain security environment and incidence of natural disasters have disrupted improvements to the health system.

2.24 Pakistan is one of three countries in the world (with Afghanistan and Nigeria) where endemic transmission of wild poliovirus continues to occur, and the poor security environment across the country affects health workers: targeted killings of polio health workers is common (international media estimates at least 70 polio workers were killed between 2011 and 2015 alone) and continued in 2018 (see Security Operations).

2.25 The 2018 World Economic Forum Global Gender Gap Report (GGGR) ranked Pakistan 148th out of 149 countries for health and survival of women and girls (only ahead of Yemen, and dropping four places from 2017). The maternal mortality ratio is 178 per 100,000 live births, the infant mortality rate is just over 50 deaths per 1,000 live births (similar to levels in sub-saharan Africa), and more than 177,000 children die each year in Pakistan before their fifth birthday because they or their mother are malnourished.

2.26 Average life expectancy at birth in Pakistan is approximately 68 years (2018), compared to an average of 69 years (2016) across South Asia and 82 years (2018) in Australia. The elderly and people living with a disability have limited access to health care and to enabling devices to improve quality of life. Significant social stigma associated with disability in Pakistan further limits access as many families will not seek help outside the home. Social stigma also impedes access to health services for sexual minorities (see [People who identify as LGBTI](#)). Only around a quarter of the HIV-positive people who have the active support of community groups have access to treatment, while those without support groups have almost no chance of receiving treatment.

2.27 Wealthier Pakistanis have access to better quality private health care. Rural areas have poorer access to health care services, compounded by a lack of infrastructure and transport facilities. Islamic religious practices, such as observation of the *purdah*, also restrict women's activities outside the home and therefore create additional access barriers to health care for women and girls (see [Women](#)).

2.28 Many religious and secular charities provide emergency relief, education and health services, but generally focus their support on the specific needs of their community or sect.

Education

2.29 Article 25A of the Constitution states that the 'State shall provide free and compulsory education to all children of the age of five to sixteen years,' but low budget allocations, lack of capacity and corruption affect the quality and availability of education. Education expenditure in Pakistan amounted to 2.8 per cent of GDP in 2017, compared with the South Asia regional average of 2.5 per cent (2016), and 5.2 per cent (2014) in Australia. Provincial governments are responsible for education services, and budget allocations and quality vary greatly across the country.

2.30 Around 57 per cent (2014) of Pakistanis over the age of 15 are literate, compared to the South Asia regional average of 71 per cent (2016). An estimated 44 per cent (2014) of Pakistani women over the age of 15 are literate compared to the South Asia regional average of 62 per cent (2016). Based on publicly available government and non-government data sources, over 25 million boys and girls between the ages of five and 16 in Pakistan were estimated to not be attending school in 2018. The proportion of children out of school increases as the level of education rises, an estimated 23 per cent of primary school aged children, and 85 per

cent of higher-secondary level aged children do not attend school. Balochistan, followed by the former FATA (now part of Khyber Pakhtunkhwa) have the highest rates of non-attendance. Gender disparity is also significant, with 15.9 million boys between the age of five and 16 are enrolled in school, compared to just 11.9 million girls (disparity is greatest in Khyber Pakhtunkhwa, followed by the former FATA).

2.31 Entrance to tertiary education is merit-based, although public institutions reserve quotas for students from rural and underdeveloped areas. Low rates of school attendance, for both students and teachers, is common in rural and poorer areas, and education opportunities are generally better in large urban centres than in rural areas.

2.32 Private institutions are also available, and afford a degree of flexibility to applicants as official documentation, such as Computerised National Identity Cards (CNICs, see [Computerised and Smart National Identity Cards](#)), are not always necessary for enrolment. While private schools historically catered to wealthier families, they have become increasingly popular amongst poorer populations, as lower-cost private options have expanded in recent years. More than a third of all Pakistani students are now enrolled in private schools, and private tuition can average as low as under USD5 (AUD6.9) a month in rural villages, a small percentage of average household income.

2.33 Access to education is also affected by a poor security environment (see [Security Situation](#)). In January 2016, one faction of the militant group Tehreek-e Taliban Pakistan (TTP) announced that it would target schools, colleges and universities with violent attacks. The message came two days after militants attacked the Bacha Khan University near Peshawar in Khyber Pakhtunkhwa province, killing 21 people. According to the former FATA Secretariat, more than 550 schools have been attacked between 2004 and 2017 in the former FATA (now Khyber Pakhtunkhwa) alone. In May 2018, militant group, Ittehadul Mujahideen North Waziristan, warned residents against sending 'grown-up' girls to schools after damaging two North Waziristan schools, and by December 2018, media reported almost all girls' schools in Mir Ali, North Waziristan had closed. A significant attack also occurred against 12 schools in Gilgit Baltistan in August 2018.

2.34 Although the Constitution prohibits discrimination in granting admission to government schools, students must declare their religious affiliation when applying for entry into both public and private institutions, including universities. Declaration of religion on applications to sit government school examinations has led to discrimination against Ahmadi students (see [Ahmadis](#)). Islamic studies are compulsory for all Muslim students in state-run schools.

2.35 An estimated 18,000 to 35,000 *madrassas* operate across Pakistan (estimates range due to the lack of an agreed definition on what constitutes a *madrassa*). *Madrassas* provide education free of charge and often provide food and shelter, increasing their attractiveness to poorer families. The number of *madrassas* is increasing. Local sources see a pressing need for reform of the education curriculum to remove discriminatory content and combat growing religious intolerance and conservatism. Academic qualifications provided by *madrassas* are not recognised, which limits employment opportunities for students.

2.36 The government is working to reform *madrassas* that promote radicalisation and facilitate recruitment to terror networks. The government formed a taskforce in September 2018 to develop a uniform curriculum in schools, including *madrassas*, across Pakistan. These reforms are part of a broader effort to bring *madrassas* under the national educational system, and strengthen oversight of religious education institutions, in an effort to comply with the government's 20-point National Action Plan (NAP). The NAP was agreed in the wake of the December 2014 attack on a Peshawar Army public school (APS attack) in which more than 140 children died. The NAP requires *madrassas* to register, reform their curriculum and report their funding sources, with a view to monitoring extremism. Since 2014, the government has identified some *madrassas* with alleged links to terrorist organisations and arrested some clerics, but has yet to establish a uniform national registration and regulation process.

2.37 Many wealthier families pursue overseas education opportunities for their children, particularly in western countries but increasingly in China and Russia. China has increased the number of scholarships available to Pakistani students.

2.38 Academic sources estimate 10,000 to 15,000 students per year from the rural middle class and lower middle class are going to China for their education. Chinese and Pakistani media report 22,000 Pakistani students have chosen China for their higher education, with approximately 2,500 new students enrolled in 2017 to pursue their degrees. In comparison, 12,328 Pakistani nationals enrolled in different education sectors in Australia in the first half of 2017, including 9024 in the higher education sector.

2.39 DFAT assesses that official documentation, such as a CNIC, is not necessarily a barrier to enrolment in private institutions in Pakistan. However, DFAT assesses discrimination based on a child's gender, religion and/or ethnicity, and the prevailing security environment, may act as secondary barriers to enrolment in and/or access to public or private institutions (see [Women](#), [Race/Nationality](#), [Religion](#) and [Security Situation](#)).

Employment

2.40 Under the Constitution, both the federal and provincial governments have responsibility for labour policy. In practice, the federal government enacts legislation under which provincial governments make rules and regulations according to provincial requirements.

2.41 Pakistan's official unemployment rate is 6 per cent. The ratio of female to male labour participation in Pakistan is low at 30 per cent (2017) (see [Women](#)), and underemployment is high, especially amongst the young. These figures do not capture the significant proportion of the economy that is informal.

2.42 In 2017, the total labour force of Pakistan comprised approximately 64 million people, of whom 42 per cent worked in agriculture, 23 per cent in industry, and 35 per cent in services. Pakistan engages in the legal labour of minors (see [Children](#)) and exports labour, mostly to the Middle East. According to the Minister for Overseas Pakistanis and Human Resources Development, approximately 2.5 million Pakistanis travelled overseas for employment between 2015 and 2018. Nearly 0.8 million people travelled abroad in 2014, 0.9 million in 2015, and 0.8 million in 2016. Trade unions and worker rights organisations regularly raise concerns over the working conditions of labourers in Pakistan.

POLITICAL SYSTEM

2.43 Pakistan has a federal system of government with a bicameral legislature: the National Assembly and the Senate. The National Assembly (the lower house) has 342 seats. Elections for most lower house seats are decided on a first past the post basis, with 60 seats reserved for women and 10 for non-Muslim minorities. Reserved seats are allocated by proportional representation to parties with more than five per cent of the directly elected seats.

2.44 The current Senate (the upper house) consists of 104 senators. Each of the four provincial assemblies elects 23 senators, while eight are former FATA representatives, four are Federal Capital Territory (Islamabad) representatives from the lower house. The former FATA's incumbent eight senators will complete their six-year terms (ending half in 2021 and half in 2024), after which the former FATA will cease to be represented in the Senate. A further four seats are allocated to non-Muslim minorities. Half Senate elections are held triennially, with senators serving six-year terms. The last half Senate election was held in March 2018.

2.45 The National Assembly elects a prime minister as the head of government. The prime minister heads the cabinet and the president chairs the National Security Council, which comprises military chiefs and cabinet

members. Members of the provincial assemblies and both houses of the federal legislature elect the president as head of state, a largely ceremonial role.

2.46 All four provinces have their own elected provincial assemblies and governments. A chief minister heads each provincial government. Each province has a governor appointed by the president. Provincial elections coincide with National Assembly elections on a five-year cycle.

2.47 Islamabad is a special 'Federal Capital Territory'. In addition, the Federal Government administers seven tribal districts (Bajaur, Khyber, Mohmand, Kurram, Orakzai, South and North Waziristan) and six frontier regions. Collectively these 13 administrative units are known as the former FATA (now Khyber Pakhtunkhwa).

2.48 Pakistan also administers approximately one-third of the area of the former princely states of Jammu and Kashmir and Gilgit-Baltistan — also known as the 'Northern Areas' of Pakistan — that have a quasi-provincial status and are not represented in the National Assembly. They elect their own parliaments and governments. Control over these autonomous regions is a source of tension between Pakistan and India.

2.49 Eight former FATA (now Khyber Pakhtunkhwa) representatives sit in the national legislature and the president has the power to promulgate laws for the former FATA. The president manages the former FATA through his representative, the governor of Khyber Pakhtunkhwa, and through appointed 'deputy commissioners' (also referred to as district commissioners). Until passage of the constitutional amendment in 2018, a set of colonial-era laws and regulations, including the Frontier Crimes Regulations (FCR), governed the former FATA. The FCRs, which are reportedly unpopular in FATA and criticised by domestic and international interlocutors, permitted collective punishment of family or tribal members of those found guilty of specified criminal acts. In practice, since independence in 1947, traditional tribal decision-making bodies known as *jirgas* have administered the former FATA with little federal government intervention.

2.50 The 2014 NAP (see [Education](#)) called for administrative and development reform in the former FATA. On 24 May 2018, the government passed a constitutional amendment that merged the former FATA with Khyber Pakhtunkhwa and introduced the *FATA Interim Government Regulation* (2018), which repealed the Frontier Crimes Regulations (FCR). The *FATA Interim Governance Regulation* replaces the Frontier Crimes Regulations (FCR) of 1901 until a formal merger materialises.

2.51 The new interim regulations establish an interim system of justice, and are deemed to be a combination of the FCR and a draft bill called The Tribal Areas Rewaj Act of 2017. Tribal areas are now known as 'tribal districts,' and 'political agents' as 'deputy commissioners' (also referred to as 'district commissioners'). The amendment brings the former FATA under the legislative authority of Khyber Pakhtunkhwa and the Constitution of Pakistan.

2.52 The international community has criticised the interim regulations for overlooking the contradictions that have arisen as a result of borrowing from two documents, and also for providing significant discretion to concerned authorities (especially given some of the powers being conferred, which were not in the original FCR). Human rights groups have also criticised the new regulations for continuing many FCR provisions, and for the following specific provisions:

- the deputy commissioner of the tribal district has many of the same powers as political agents under the FCR (Section 2(f));
- the regulations maintain the jirga system (see [Women](#)) through the 'Council of Elders' (Sections 2(c)(g)(h), 10, 13 and 15);
- the role of the civil judiciary is limited as 'no civil court shall have jurisdiction to call in question the legality of anything done ... in respect of any matter, the cause of action whereof has arisen in (the former) FATA' (Section 12).

2.53 The interim regulations extend the jurisdiction of the Supreme Court of Pakistan and Peshawar High Court to the tribal districts. The interim regulations also provide room for the former FATA Tribunal and other appellate authorities to exist, hence creating conflicts at various levels. Under the interim regulations, criminal cases can be referred to a Council of Elders, which conduct hearings and submit their findings to the deputy commissioner. Deputy commissioners have complete authority to pass a verdict, which could be challenged in a high court within 30 days.

2.54 The interim laws are beginning to face legal challenges. The Peshawar High Court declared several provisions of the Interim Regulations, including assigning of judicial powers to administrative officers in the tribal districts being merged with Khyber Pakhtunkhwa, in conflict with the Constitution. The federal and Khyber Pakhtunkhwa governments are directed to make alternative arrangements in accordance with the Constitution within 30 days. The High Court decision can be appealed in the Supreme Court within 30 to 60 days.

2.55 Pakistanis have historically tended to vote more according to ethnic, local or feudal ties rather than ideological, religious or sectarian allegiances. The political system includes representation from a broad range of political, ethnic and religious interests. Local sources observed in early 2018 that religion and conservatism appeared to dominate the election campaign process, fostering religious intolerance at the community level.

HUMAN RIGHTS FRAMEWORK

2.56 Pakistan was elected to the UN Human Rights Council in October 2017 for a three-year term (2018 to 2020). It has ratified most major international human rights instruments, including: The International Convention on the Elimination of All Forms of Racial Discrimination; The International Covenant on Civil and Political Rights; The International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination Against Women; The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; The Convention on the Rights of the Child, including optional protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography; and The Convention on the Rights of Persons with Disabilities. However, the full implementation of many of these instruments lags.

2.57 In November 2015, the human rights wing of the Ministry of Law and Justice was replaced by a new Ministry of Human Rights, which launched a National Action Plan on Human Rights in February 2016. A national task force chaired by the Minister for Human Rights supports the action plan. Other bodies responsible for human rights policy include the Ministry for Law and Justice, the Ministry for Religious Affairs, and the Council for Islamic Ideology (CII). The CII is a constitutional body that advises the legislature on whether laws are in accordance with Islam, and it engages on human rights issues where it holds an interest or the government requests review.

National Commission for Human Rights (NCHR)

2.58 In May 2015, the government established a National Commission for Human Rights (NCHR), under the chairmanship of Justice (Retired) Ali Nawaz Chowhan, pursuant to the *National Commission for Human Rights Act* (2012). The NCHR works independently of the government, and is directly accountable to the parliament.

2.59 The NCHR's mandate includes investigation of individual or institutional human rights complaints, legislative review, research, policy engagement and advocacy, and monitoring the government's human rights efforts, including its implementation of treaty obligations and the 2016 National Action Plan for Human Rights. The NCHR is empowered to initiate its own investigations. It maintains branches in the former FATA,

Balochistan, Punjab, Khyber Pakhtunkhwa and Islamabad, and has a separate branch listed for minority members. Branch resources and activity vary widely across the country.

2.60 The NCHR has taken positive steps to monitor the human rights situation in Pakistan. While the NCHR can make recommendations to the government, it does not have any formal enforcement powers. Nor does it have the power to investigate complaints against intelligence agencies or the armed forces. It is also affected by funding constraints. The United Nations' Office of the High Commissioner for Human Rights (OHCHR) does not recognise the NCHR as an accredited national human rights institution compliant with the Paris Principles.

National Commission for the Status of Women (NCSW)

2.61 The National Commission for the Status of Women (NCSW), chaired by Ms Khawar Mumtaz, is a statutory body established in July 2000 in accordance with the 1995 Beijing Declaration and Platform for Action and 1998 National Plan of Action (NPA) for Women. The NCSW's mandate includes examining government policies, programs and other measures for women's development and gender equality; legislative and regulatory review; monitoring mechanisms and institutional procedures for redress of violations of women's rights and grievances; research and analysis; and dialogue with NGOs and stakeholders at the national, regional and international level. The NCSW is an active and well-respected body that has successfully pushed gender based legislative reform in partnership with the Women's Parliamentary Caucus at the federal and provincial levels.

2.62 The NCSW has a strong reputation for gender advocacy and reform, but has a limited budget and often faces political constraints in engaging on sensitive topics. The NCSW maintains provincial level branches (PCSWs), whose levels of presence and activity vary.

Other Human Rights Institutions

2.63 The government has agreed in principle to create, but has not yet established, a National Commission for the Rights of the Child. In 2015, Pakistan ratified the United Nations Convention on the Rights of Persons with Disabilities, committing to implement it through domestic legislation. DFAT is aware of media reports that parliament was to consider a bill on the rights of persons with disability in 2017. The government advised the UN Human Rights Council in 2017 that it had established a National Council for Rights of Persons with Disabilities. The Disabled Persons (Employment and Rehabilitation) Ordinance, (1981) passed in 1981. According to the government, a National Council for the Rehabilitation of Disabled Persons (NCRDP) established in 1982. NCRDP works under the Social Welfare Sections of the Ministry of Women Development and Special Education.

2.64 In June 2014, the Supreme Court ordered the establishment of a national council for minorities' rights. While government reports suggest a National Commission for Minorities may have existed since 1995, DFAT is unable to verify its establishment. According to the UN Committee on the Elimination of Racial Discrimination (UN CERD) alternative report, the Centre for Social Justice and separate media reporting, a National Commission for Minorities is yet to be established.

2.65 Provincial human rights bodies linked to parent Commissions lack the power to sanction public officials. Human rights institutions in Pakistan lack sufficient data to assess government performance against human rights treaty commitments.

SECURITY SITUATION

2.66 The security situation in Pakistan is complex, volatile, and affected by domestic politics, politically motivated violence, ethnic conflicts, sectarian violence, and international disputes with India and Afghanistan. According to the South Asian Terrorism Portal (SATP), 3684 civilians have died in terrorism-related violence between 2014 and mid-January 2019. SATP bases its statistics from media reports, so this number may understate the actual number of casualties.

2.67 Overall, there was a 29 per cent decline in the number of reported terrorist attacks in 2018 (compared to a 16 per cent decline in 2017), marking a nine-year downward trend. Nevertheless, Pakistan continues to face security threats from insurgent, separatist and sectarian militant groups.

2.68 Up to 262 reported terrorist attacks, including 19 suicide and gun-and-suicide coordinated attacks, killing 595 and injuring 1030, occurred in 2018 (compared to up to 370 reported attacks in 2017). The Tehreek-e-Taliban Pakistan (TTP), TTP splinter groups, and ISIL-affiliates conducted up to 171 of these attacks (compared to up to 213 attacks in 2017). Nationalist groups also carried out up to 80 attacks, killing 96 and injuring 216, in 2018 (compared to 138 in 2017), and there were up to 11 sectarian related terrorist attacks, killing 50 and injuring 45 (compared to 20 in 2017). Moreover, while there was a 21 per cent decrease in suicide attacks in 2018 (compared to 2017), the number of people killed by suicide attacks in 2018 actually increased by 11 per cent (from 286 in 2017, to 317 in 2018).

2.69 The security situation varies across the country, however, and militant attacks can occur anywhere. Balochistan faced the most significant security challenges in 2018, due to activity by both religious and nationalist non-state actors. While Khyber Pakhtunkhwa, including the former FATA, reported the highest number of terrorist attacks (125 attacks, killing 196), Balochistan reported the second highest number of attacks (115), but claimed the highest death toll (354). Sindh ranked third (12 attacks, killing 19), Gilgit-Baltistan fourth (5 attacks, killing 5), Punjab ranked fifth (4 attacks, killing 20), and Azad Jammu and Kashmir ranked last (1 attack, killing 2). The highest decrease in attacks (compared to 2017) was reported in Punjab (71 per cent decrease), followed by AJK (67 percent), Karachi (62 percent), Sindh excluding Karachi (57 percent), Balochistan (30 per cent), and Khyber Pakhtunkhwa (by 19 percent).

2.70 Security and law enforcement personnel were the target of the largest number of attacks during 2018 (136 attacks, or 52 per cent, killing 217), however the most lethal attacks were against political leaders and workers (24 attacks, killing 218). Politicians remain at risk of assassination. 47 attacks (killing 51) targeted civilians, seven targeted Shi'a, two targeted Christians, one targeted Hindus, one targeted Sikhs, and six targeted educational institutions (see [Religion](#) and [Education](#)). Moreover, four terrorist attacks (killing 8) targeted religious minorities in 2018 (compared to six in 2017), and up to six incidents of faith-based, individual or communal violence (killing 4) were also reported (compared to 5 in 2017). Three of the faith-based violent incidents targeted the Ahmadi community (see [Religion](#) and [Ahmadis](#)). Sectarian violence also reduced by 40 per cent (12 incidents reported) in 2018 compared to 2017.

2.71 Islamic State in Iraq and the Levant (ISIL, also known as ISIS or Daesh) increased its activity in Pakistan in 2017 and 2018, especially in Balochistan and northern Sindh (see ISIL, [Anti-Pakistan Sunni groups and anti-Shia sectarian groups](#)). While ISIL was responsible for attacks with the largest death tolls, Tehreek-e-Taliban Pakistan (TTP, or the Pakistani Taliban) and associated groups conducted the largest number of attacks in both 2017 and 2018 (see [Anti-Pakistan Sunni groups and anti-Shia sectarian groups](#)).

2.72 The underlying conditions for militancy, including weak executive, judiciary and law enforcement institutions, poor infrastructure and services, extreme religious ideologies and stark sectarian divisions, and lack of economic opportunity continued in 2018, and continue to do so in 2019. DFAT assesses cycles of violence are likely to continue until these conditions change. The state's use of Islam to foster Pakistan's

national identity complicates counter-radicalisation efforts and undermines the status of non-Muslim groups in the country.

Civil Disorder and Politically Motivated Violence

2.73 Demonstrations are common and continue to be the major source of security unrest in Pakistan. The government's ability to maintain law and order against politically motivated violence is limited. Demonstrations often occur after Friday prayers and can be the target of terrorist attacks. In February 2017, a suicide bomber killed 13 people during a protest of approximately 400 pharmacists in Lahore.

2.74 Demonstrations relating to blasphemy and other religious issues can draw wide – and rapid – support. Large protests have also occurred over taxation, fuel, water and gas shortages.

Security Operations

2.75 The Pakistan armed forces (see [Military and Intelligence Services](#)) have launched several security operations in Pakistan due to terrorism and the volatile security environment. Operation Zarb-e-Azb commenced in June 2014 and targeted terrorist groups, including the TTP, in North Waziristan (NWA), former FATA. Zarb-e-Azb spread to other parts of the former FATA and Khyber Pakhtunkhwa, and involved the Rangers, a paramilitary security force, and intelligence operations in Balochistan and Karachi to target terrorist, separatist and criminal groups (see [Police, Frontier Corps and Rangers](#) and [Military and Intelligence Services](#)).

2.76 In December 2014, the APS attack (see [Education](#)) led to the NAP, which, together with Operation Zarb-e-Azb, formed a civil-military effort to combat terrorist, separatist and criminal groups across Pakistan. The NAP ended Pakistan's unofficial moratorium on the death penalty, established military courts to try suspected militants, targeted sources of finance for militant organisations, took measures to restrict hate speech, and committed to policy reforms, particularly in the former FATA. In 2018, the Government announced its second National Security Policy, and the Ministry of Interior is reportedly preparing NAP-2.

2.77 Observers credit Operation Zarb-e-Azb, its successor Radd-ul-Fasaad, and the NAP with a significant reduction in the number of violent and terrorism related attacks in Pakistan. In 2018, up to 262 reported terrorist attacks killed 595 people. This is a significant decrease from 2013, when the terrorist death toll included 3,000 civilians and 676 security force personnel.

2.78 In February 2017, the military announced Operation Radd-ul-Fasaad to succeed Operation Zarb-e-Azb in response to a series of separate attacks between 13 and 16 February 2017 across Lahore, Quetta, and Sehwan, which killed at least 100 people and left several hundred injured (JuA's Ghazni Campaign). Radd-ul-Fasaad expanded the role of the military in counter-terrorism operations in Punjab. In July 2017, the military launched operation Khyber-IV in the Rajgal Valley, targeting Lashkar-e-Islam, Jammatal Ahrar (JuA) and the TTP. Khyber-IV also targeted ISIL connections across the border with Afghanistan's Nangarhar province.

2.79 Local observers, including officials, in Khyber Pakhtunkhwa also reported a trend of increased security, a reduction in reported killings, and reduced fear within the community in 2018. Residents of Peshawar reported an increased sense of security in the evenings due to the enhanced military presence.

2.80 In the lead up to the 2018 election (May to July), 19 terrorist attacks targeted political leaders, workers and election gatherings, rallies and offices, an 87 per cent decrease from the 148 attacks recorded prior to the 2013 elections (March to May). Nevertheless, the lethality increased, with 215 deaths perpetrated by ISIL and

the TTP during the 2018 election campaign, compared to 179 deaths perpetrated by nationalist groups, the Taliban and other groups in 2013. Incidents of election related political violence declined from 80 incidents in 2013 (March to May) to 13 in 2018 (May to July).

2.81 Government and military operations have disrupted the activities of militant groups and limited their access to former safe havens, and Military courts have tried and convicted individuals with links to terrorist organisations (see [Judiciary](#), and [Military and Intelligence Services](#)). Nonetheless, militant groups remain active across Pakistan and authorities rarely investigate alleged human rights violations by security forces (see [Military and Intelligence Services](#)).

2.82 Although counter-terrorism operations have succeeded in suppressing terrorism-related violence, societal intolerance and religious extremism appear to have increased, suggesting the underlying causes of violence remain. DFAT assesses, despite a reduction in levels of violence, sporadic large-scale terrorist attacks are likely to continue to occur, against a background of ongoing smaller-scale attacks (albeit at a reduced tempo).

Armed Groups

2.83 While terrorist attacks declined in 2017 and 2018, armed groups remain a threat to Pakistan's domestic security and Pakistan-based terrorist groups remain a threat to Pakistan's neighbours, particularly India. Armed groups can be generally categorised into four main groups: anti-state militant groups such as the TTP, sectarian militant groups, anti-Indian and Afghan-focused groups, and secular nationalist groups, such as the Baloch militants. However, the variety of forms of extremism in Pakistan feed off each other and the dividing lines between the various groups is often blurred.

Anti-Pakistan Sunni groups and anti-Shia sectarian groups

2.84 Despite official disruption efforts, the TTP and its affiliated networks remained the greatest security threat to Pakistan, with the highest overall number of attacks in 2018. TTP is the largest banned group in Pakistan and was responsible for 79 terrorist attacks across the country, resulting in 185 fatalities and 3336 injuries in 2018 (compared to 70, causing 360 fatalities and 360 injuries in 2017). The TTP—effectively an umbrella organisation for predominantly Pashtun Sunni militant groups—splintered into several separate groups reflecting Operation Zarb-e-Azb, leadership tensions and the rise of ISIL. Nevertheless, in early 2017, a number of these splinter groups re-joined the TTP or pledged support for its leader. The TTP and its splinter groups maintain a separate identity from the Afghan Taliban, although they remain ideologically aligned. TTP's level of cohesion waxes and wanes depending on the leadership. Even when TTP undergoes cyclical splintering, the disparate networks remain dangerous and willing to break any short-term agreements they may reach with the Pakistani state.

2.85 Hizbul Ahrar (HuA), formed from a split within TTP-Jamaat-ul-Ahrar (TTP-JA) in November 2017, and claimed a large number of attacks in Pakistan and Afghanistan in 2018. HuA targets law enforcement agencies, and attacks have ranged from small scale IED attacks to complex, multiple attacker or successive attacks across multiple locations.

2.86 The UN listed Jamaat ul Ahrar (JuA), an autonomous faction of the TTP, as a terrorist group in 2017. JuA was involved in 15 terrorist attacks (all in Khyber Pakhtunkhwa), killing 11 and injuring 16 in 2018 (compared to 37, killing 123 and injuring 306 in 2017). JuA leadership reportedly has close ties to al-Qaeda. Smaller militant groups in Khyber Pakhtunkhwa and the former FATA, labelled the 'local Taliban' for their TTP sympathies, carried out 28 terrorist attacks in 2018 (compared to 29 in 2017).

2.87 Banned in 2008, Lashkar-e-Islam (LI) is a militant group based in Khyber Agency, former FATA, which has had contact with ISIL's Khorasan chapter in Afghanistan. LI was involved in 10 attacks in 2018 (compared to 21 in 2017, 19 of which were in Khyber Agency).

2.88 ISIL is active in Pakistan, and its regional affiliate Islamic State in the Khorasan Province (ISKP) has heavily drawn on ex-TTP for its membership. ISKP increased its operations in 2017 and 2018. ISIL had the highest death toll, and conducted five major attacks, killing 224 and injuring 301 in 2018 (compared to six major attacks, killing 153 people and injuring 380, and kidnapping and killing two Chinese nationals in Quetta in 2017). ISIL had a more significant presence in Balochistan and northern Sindh, and became increasingly involved in sectarian terrorist attacks in Pakistan and Afghanistan in 2018. ISIL was also the most lethal group during the 2018 elections, with an attacks on a political polling station near Quetta and on a political gathering in Mastung killing over 180 people in 2018. While the government denies that ISIL operates in Pakistan, security forces have claimed operational success against ISIL. JuA, factions of the TTP and Lashkar-e-Jhangvi (LeJ) Al-Alami reportedly have operational links with ISIL. It remains unclear whether IS directly commands attacks in Pakistan, or whether it claims attacks conducted by sympathetic militant groups. Security experts suggest the increasing number of successful attacks indicates ISIL is conducting its own activities. Regardless, ISKP is able to use local anti-Pakistan networks to project strength and grow.

2.89 Lashkar-e-Jhangvi (LeJ), a Sunni paramilitary terrorist group, conducted seven terrorist attacks in 2018 (compared to 10 in 2017). LeJ faction, LeJ Al-Alami, also conducted 8 terrorist attacks in 2017). LeJ primarily targets Shi'a, especially the Hazara community in Quetta, and also acts against Christians, Ahmadis and Sufi Muslims. In total, the two groups were responsible for killing 132 people. ISKP reportedly supported LeJ as a proxy in Afghanistan to target Shia.

2.90 Several other banned Sunni militant groups continue to operate throughout Pakistan, including Sipah-e-Sahaba Pakistan (SSP, also known as Ahle Sunnat Wal Jamaat or ASWJ) and Jaish-e Mohammad (JeM) (see [India-focused Sunni groups](#)). Shi'a militant groups such as Sipah-e-Mohammad Pakistan (SMP) have attacked Sunnis, although Shi'a militancy has declined as the security situation has improved. SMP reportedly acts primarily in Punjab province to attack Sunni militant groups such as LeJ and SSP, and was responsible for targeted killings of Sunnis in Karachi and Quetta in 2014. DFAT is not aware of any major attacks by SMP or other significant Shi'a militant organisations in recent years, although Shi'a have killed suspected Sunni militants.

2.91 The frequency of sectarian attacks has reduced annually since the launch of Zarb-e-Azb and the NAP in 2014. The South Asia Terrorism Portal reports 16 incidents of sectarian violence killed 231 people and injured 691 in 2017, compared with 131 incidents killing 558 and injuring 987 in 2013 (2018 data not yet available). This trend continued in 2018, with a 40 per cent reduction in sectarian violence (12 incidents) compared to 2017.

India-focused Sunni groups

2.92 Lashkar-e-Tayyiba (LeT) is a Pakistan-based Sunni Islamic extremist organisation that uses violence in pursuit of uniting Indian Administered Kashmir with Pakistan under a radical interpretation of Islamic law. LeT is both a militant network as well as a social network (Falah-e-Insaaniyat), and according to academic experts, has a well-established relationship with the Pakistani state. Despite Pakistan banning LeT in 2002, the group continues to operate in Pakistan under the name Jamaat ud-Dawa (JuD). JuD was created as a charitable organisation by LeT founder Hafiz Muhammad Saeed immediately prior to LeT being banned. The United Nations Security Council listed JuD as a LeT alias on 10 December 2008. In August 2017 JuD set up a new political party, the Milli Muslim League (MML), headed up by Saifullah Khalid (a JuD operative). Cross-border attacks by LeT can increase Pakistan-India tensions. LeT maintains links with Islamist extremist groups including the Afghan Taliban, Al-Qaeda (AQ), Harkat ul-Jihad al-Islami and Jaish-e-Mohammad.

2.93 Jaish-e Mohammad (JeM) is a Pakistan-based fundamentalist Sunni Islamist organisation, which primarily conducts terrorist attacks in the Indian Administered region of Jammu Kashmir. It uses violence in pursuit of forcing the withdrawal of Indian security forces from Indian Administered Kashmir to place Jammu Kashmir under the control of Pakistan. JeM has links to other terrorist groups including AQ, LeT and the Afghan Taliban.

Global Jihadists

2.94 AQ supports the anti-Pakistan *Jihad*, however, its long term intent (constrained by ongoing counter-terrorism efforts) remains to target the West. AQ was not involved in any known terrorist attack in 2018 (compared to two terrorist attacks targeting police in Karachi in 2017). Although Operation Zarb-e-Azb pushed AQ linked groups across the Afghanistan border, security forces still considered AQ a threat throughout 2018 due to links with and provision of resources, training and propaganda to militant groups. AQ has attacked the government for perceived alignment with the US war on terror. Ansarul Shariah Pakistan (ASP), a new Al-Qaeda inspired entity, conducted six terrorist attacks in Karachi in 2017, killing 15 people.

Afghanistan-focused Sunni groups

2.95 The Haqqani Network and Afghan Taliban have an ongoing presence in Pakistan, but focus on attacking international forces in Afghanistan and the Afghan government. The Haqqani Network cooperates with the TTP and is reported to maintain links with Al-Qaeda. The Afghanistan government alleges the network has close ties to the Pakistan Inter-Services Intelligence (ISI). Reports indicate Pakistan military operations in North Waziristan have reduced the Haqqani Network's military capabilities, forcing it to relocate to Kurram Agency.

Secular nationalist and separatist groups

2.96 Secular nationalist and separatist groups, mostly in Balochistan, but also Sindh, also engage in violence. Baloch nationalist insurgent groups have increased violent activities in 2018. In 2018, the Baloch Liberation Army (BLA) and the Baloch Liberation Front (BLF) were involved in 45 terrorist attacks, the Baloch Republican (BRA) in 12 terrorist attacks, and Lashkar-e-Balochistan (LeB) in four attacks in 2018 (compared to 132 small and medium attacks in 2017). Sindhi nationalist insurgents, including the Sindhu Desh Liberation Army or Front (SDLA), were involved in three small scale attacks in 2018 (compared to six in 2017). Other unidentified, religiously motivated militants were also involved in 27 terrorist attacks in 2018.

Nationalist groups have attacked military and economic infrastructure, including projects built under the CPEC agreements (see CPEC, [Economic Overview](#)). In November 2018, the BLA, which opposes projects linked to China's Belt and Road initiative in Balochistan, claimed an attack against the Chinese Consulate in Karachi which killed four people. In May 2017, suspected BLA militants killed 10 labourers and injured two others on a CPEC construction site in Gwadar. Other sources suggest the government may use protection of CPEC projects to justify targeting Baloch insurgents.

Violent and Organised Crime

2.97 Security forces have sought to tackle violent and organised crime across the country, particularly in large urban centres such as Karachi. Lahore, Karachi and other major cities generally have higher levels of violent crime than Islamabad, due to the large number of security personnel deployed in Islamabad relative to its population. Violent crime in rural areas and in Gilgit-Baltistan is generally lower.

2.98 Kidnapping is common in parts of Pakistan. While in some cases kidnapping is associated with family and domestic disputes, it is also a tool linked to security and/or political agendas. Gender based violence is also common, but often goes unreported (see Women).

2.99 The Rangers and police (see [Police, Frontier Corps and Rangers](#)) have arrested large numbers of people allegedly involved in kidnap, robbery and extortion in Karachi in recent years (see [Mutahidda Qaumi Movement](#)). While verifiable data remains unavailable, DFAT understands serious crime across Pakistan, especially in Karachi and downtown Peshawar, has reduced significantly since Operations Zarb-e-Azb and Radd-ul-Fasaad, and the NAP.

Cross-Border Volatility

2.100 Pakistan's bilateral relations with Afghanistan and India affect the overall security situation in Pakistan. Violence along the Pakistan India, Afghanistan and Iran borders generally flared in 2018. Nevertheless, cross border attacks decreased overall by 23 per cent, with 131 reported cross-border attacks, killing 111 Pakistanis, in 2018. Of the 131 reported cross-border attacks, 16 were on the Pakistan-Afghanistan border (decline of 43 percent compared in 2017), 109 were on the Pakistan-India border, and 6 were on the Pakistan-Iran border.

2.101 According to a June 2018 UN Report on the Situation of Human Rights in Kashmir, the situation at the controversial Line of Control (LoC) dividing Indian and Pakistani controlled areas in the militarised Jammu and Kashmir region intensified between 2016 and 2018. Pakistani domestic security experts also claim 2018 'marked the worst time in the history of India and Pakistan.' The Pakistan government publicly accused Indian forces of violating the 2003 ceasefire agreement more than a thousand times during 2017, killing 28 civilians and injuring 117. Conversely, the Indian government accused Pakistan of violating the ceasefire more than 800 times, resulting in the deaths of 25 civilians and 18 Indian troops. (see 2018 DFAT India Country Information Report, published on 17 October 2018).

3. REFUGEE CONVENTION CLAIMS

RACE/NATIONALITY

3.1 Pakistan is home to a number of distinct ethnic groups, divided along linguistic lines. Article 28 of the Constitution provides that ‘any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and, subject to law, establish institutions for that purpose.’ The Constitution contains specific safeguards against discrimination on various matters. Article 22(3)(b) provides that no citizen can be denied admission to a publicly-funded education institution on the grounds of race, religion, caste or place of birth. Similar provisions apply to discrimination in access to public places (Article 26) and public sector employment (Article 27). Article 25(1) states that ‘all citizens are equal before law and are entitled to protection of law.’

3.2 In practice, since partition in 1947, ethnicity has played a significant and complex role in Pakistan’s development. Conflict and natural disasters have exacerbated communal tensions and led different ethnic groups, such as Sindhis, Balochs and Pashtuns, to relocate to Karachi and other major cities.

3.3 The steady migration of Pashtuns from Khyber Pakhtunkhwa and the former FATA to Karachi has reportedly contributed to violence between the armed wings of major political parties, including the Mohajir-based Muttahida Qaumi Movement (MQM, see [Mutahidda Qaumi Movement](#)), the Sindh-based Pakistan People’s Party (PPP), the Pashtun-based Awami National Party (see [Awami National Party \(ANP\)](#)), and the TTP. In Balochistan, separatist groups such as the BLA have targeted and killed ethnic Punjabi settlers and others as part of their campaign for independence.

Pashtuns

3.4 Pashtuns are identified by their use of the Pashto language and its many dialects. Pashtun culture emphasises tribal and family relations, as well as customary norms collectively referred to as *Pashtunwali*. Pashtuns are predominantly Sunni, but not exclusively (see [Turis](#)).

3.5 Pashtuns comprise an estimated 15.4 per cent of the population of Pakistan, making them the second-largest ethnic group in the country after Punjabis. Pashtuns traditionally live among their own tribes and sub-tribes in Khyber Pakhtunkhwa and the former FATA, although many have migrated to urban areas. The largest Pashtun communities live in Karachi, which hosts the largest population of Pashtuns in the world, followed by Peshawar. Pashtuns also live in Balochistan, Islamabad, Lahore and other urban areas.

3.6 Pashtuns are represented at all levels of society in Pakistan. Historically, Pashtuns have dominated employment in the transport sector in Pakistan and Afghanistan. Pashtuns are well represented in Pakistan’s security forces. PTI has a strong support base in Pashtun-dominated Khyber Pakhtunkhwa (the only province the party had governed prior to election in 2018).

3.7 Pashtun-majority areas have historically experienced high levels of tribal, intra-communal and politically motivated violence, and a high concentration of military operations. However, the overall security situation for all Pakistanis, including Pashtuns, has improved in line with increased security across Pakistan.

3.8 The TTP's support base is primarily Pashtun (see [Armed Groups](#)) and local sources claim Operations Zarb-e-Azb, Radd ul-Fasaad and the NAP have led to official discrimination and racial profiling in terrorism-related arrests. In February 2018, the Punjab government issued a notice asking 'the population of Punjab to keep an eye out for suspicious individuals who look like Pashtuns or are from the former FATA, and to report any suspicious activity.'

3.9 In 2018, many Pashtuns were involved in large-scale demonstrations coordinated by Pashtun Nationalist movement, Pashtun Tahafuz [Protection] Movement (PTM), seeking protection against state oppression and human rights abuses against Pashtuns in the tribal regions of Pakistan. In April 2018, over 60,000 Pashtuns gathered at a mass PTM driven demonstration in Peshawar to demand Pashtun rights. PTM gained prominence following the extra-judicial killing of a Pashtun, Naqeeb Ullah Mehsud, in an alleged fake-encounter by the Karachi police in January 2018. PTM protests staged in different parts of the country alleged security enforcement involvement in the enforced disappearances, extra-judicial arrests and killings, and mistreatment of Pashtuns. PTM claims Pashtuns are humiliated at army check posts and are racially profiled.

3.10 Pashtuns migrating within Pakistan, particularly to Karachi and Lahore, also report ethnic profiling and harassment by security officials, including demands for bribes as high as PKR 500,000 (AUD 5,500) on the threat of being listed as a terrorist (see TTP in [Armed Groups](#)). Pashtuns also report frequent blocking of their CNIC when relocating (see [Computerised and Smart National Identity Cards \(CNICs and SNICs\)](#)), which impedes access to property and assets. Where evidence of wrongdoing is lacking and influential connections are available, Pashtun community leaders are typically able to secure the release of arrested Pashtuns. As a result, Pashtuns prefer to relocate to areas where they have family connections, notably within Khyber Pakhtunkhwa or Sindh (not including Karachi), and to avoid resettlement in Punjab.

3.11 The Awami National Party (ANP), which has a heavy Pashtun support base, is strongly anti-Taliban and also faced considerable electoral violence in 2018, including during the 2018 polls (See [Awami National Party \(ANP\)](#)).

3.12 DFAT assesses that Pashtuns face a medium risk of official discrimination in the form of terrorism-related and racial profiling by security forces in areas where they are a minority, particularly in Punjab. Pashtuns in Pashtun majority areas or locations where individuals have family or social connections face a low risk of official discrimination. Pashtuns who are not Turis, or are not linked to the ANP, face a similar risk of violence as other ethnic groups in Pakistan in the same locations (for risk assessments specific to Turis Shi'a Pashtuns and Pashtun ANP supporters, see [Turis](#) and [Awami National Party \(ANP\)](#)).

Turis

3.13 The Turi tribe is a Shi'a Pashtun tribe of around 500,000 people. Turis are not generally distinguishable from other Pashtuns by appearance, but are identifiable by tribal names, accents, and residency in known Turi areas. Most Turis live in Parachinar, lower and upper Kurram Agency, Orakzai, DI Khan, Kohat, and Hangu. Concentration of Turis in small geographic areas, particularly in and around Parachinar and Kurram Agency, renders Turi communities vulnerable to attack.

3.14 The Taliban and Al Qaeda have gained significant ground in the former FATA, killing many Shi'a—especially in Parachinar, rendering Turis and other Shi'a tribes of the former FATA amongst the most vulnerable across Pakistan. Between 2008 and 2014, Turis faced significant violence. Groups such as the TTP targeted Turis for their Shi'a faith (see [Shi'a](#)). Militants frequently stopped and killed Turis travelling on roads. A significant spike in profiling and targeted killings occurred between 2009 and 2014 along the Tall-Parachinar road, which links Kurram Agency and Peshawar.

3.15 Deaths from terrorist attacks in Kurram Agency significantly increased in 2017. DFAT is aware of three attacks targeting Turis in Parachinar during the first six months of 2017, on the grounds of their Shi'a faith (see [Shi'a](#)):

- on 21 January 2017, militants detonated a remote-controlled improvised explosive device in a marketplace in Parachinar;
- on 31 March 2017 a suicide bomber attacked an imambargah in Parachinar; and
- on 24 June 2017 two devices detonated in a market in Parachinar.

The three attacks killed more than 120 people.

3.16 However, operations Zarb-e-Azb, Radd ul Fasaad and associated counter-terrorism activities (see [Security Operations](#)) significantly decreased the number and severity of attacks on Turis. In the first quarter of 2018, the Turi community reported two attacks, including one involving an improvised explosive device that targeted women and children. This compares to community estimates that 200 Turis were killed and 1000 injured in 2017. DFAT is unable to verify these claims. Turis reported significantly fewer road attacks in 2018, as military operations have forced militants into the mountains. This has restored confidence within the community for individuals (although not large groups) to travel on the Tall-Parachinar road, although only between dawn and dusk.

3.17 While military operations have improved the security situation in Parachinar and Kurram Agency, they have also restricted freedom of movement and limited the community's access to essential services and trade opportunities. Military operations have also displaced many Turis, and some of the many who have since returned to their homes have faced extensive damage to property and crops.

3.18 By February 2018, the Turi community estimated 40 per cent of military fencing in Kurram was complete, decreasing border permeability. Continuing security measures and tighter Afghanistan-Pakistan border controls also restrict movement. Turis also advise the military implements a 20 to 30 square kilometre area red zone for Parachinar, and a second, smaller red zone inside the outer red zone, in which markets and schools are located. Security forces have issued cards to access the red zones, which can be obtained by residents on presentation of identity documents (CNICs or passports).

3.19 While minorities feel more protected, according to the media, discrimination and violence towards Shi'a tribes, particularly Turis, remains significant in Kurram Agency due to state concerns regarding Iranian influence (see [Shi'a](#)) and greater presence of the Taliban and Al Qaeda. Turis face some risk of violence while travelling by road to Iran and Iraq on religious pilgrimage, although DFAT understands the government provides security assistance for such journeys (see [Shi'a](#)). Turis also express concern that the civil war in Syria was spilling over into Kurram and that ISIL, based in Nangarhar, is getting stronger.

3.20 Turis relocating from Parachinar and Kurram Agency to access adequate services face difficulties finding employment outside of Parachinar due to ethnic and religious profiling and are generally discriminated against in employment selection processes. Turis claim a Turi child died at a North Waziristan checkpoint because security officials refused the family's request to cross to visit a hospital. DFAT is unable to verify this claim.

3.21 Notwithstanding these difficulties, global Turi Shi'a networks and donation systems can assist Turis to relocate to other cities in Pakistan. Such support often relies on a senior male Turi advocate, limiting access for poorer members of the community, especially women and children. Turis leaving Kurram Agency tend to relocate to other known Shi'a areas, irrespective of language barriers, notably Wah Kant, Islamabad, Rawalpindi, Lahore and Karachi.

3.22 The Parachinar government provides PKR 3 million (AUD 33,000) to families of government officials or military members killed in the line of duty, and PKR 300,000 (AUD 3,300) for civilians killed in the course of

military operations. Members of parliament from the former FATA can face significant cultural pressure to provide financial assistance to constituents. Local sources say five orphanages in Parachinar are accessible to Turis and other ethnic and religious minorities.

3.23 Preferred relocation options for Turis are Wah Kant, Islamabad, Rawalpindi, Lahore and Karachi. Turis leaving Kurram Agency tend to relocate to other known Shi'a areas, irrespective of the language barriers they may face. Relocation to Khyber Pakhtunkhwa is not viable, as Turis are discriminated against, face security threats, do not have adequate access to services, and would likely be forced to sell assets. If forced to move to Khyber Pakhtunkhwa, Turis prefer to live in gated communities such as the Defence House Authority, however they will face security concerns and remain vulnerable. Abbottabad is considered slightly more secure within Khyber Pakhtunkhwa, but remains unsuitable from a risk perspective.

3.24 DFAT assesses that Turis face a similar risk of official discrimination as other Pashtuns based on ethnicity (see [Pashtuns](#)), and no additional risk of official discrimination based on their religion (see [Shi'a](#)).

3.25 Turis tend to live in enclaves with other Turis, mitigating societal discrimination. Outside these areas, Turis face a moderate risk of societal discrimination based on their Shi'a religion (see [Shi'a](#)) and historical animosity with the Bangash tribe.

3.26 DFAT notes a trend of decreased reports of attacks against Turis in 2018 due to the improved security situation in Parachinar and Kurram Agency. However, while this trend is likely to continue in 2019, attacks and violence against Turis can, and may still occur. As such, DFAT assesses Turis in Kurram Agency still face a moderate risk of sectarian violence from militant groups, because of their Shi'a faith. Turis in other parts of the country tend to face a level of risk similar to other non-Hazara Shi'a groups.

Hazaras

3.27 The Hazara ethnic group, native to Hazarajat in central Afghanistan, is of Eurasian descent, rendering Hazaras visibly distinct from other ethnic groups in Pakistan. Estimates of the size of the Hazara population in Pakistan range from around 600,000 to under one million. Most Hazaras are Shi'a Muslim, predominantly of the Twelver Sect (*athna asharia*), although a small number are Sunni.

3.28 Hazaras migrated to Pakistan from Afghanistan in the second half of the 20th century. Most Hazaras live in enclaves in Quetta due to the security situation in Balochistan. While DFAT is not able to provide detailed reporting on Balochistan based Hazaras who reside outside of Quetta, the overall security situation outside of Quetta is more severe than within Quetta (see [Security Situation](#)). Outside of Balochistan, smaller but significant populations reside in major urban centres such as Karachi. Hazaras in urban centres other than Quetta tend not to live in enclaves, to reduce the risk of ethnic profiling, discrimination and attack.

3.29 Shi'a Hazaras have faced official and societal discrimination in Pakistan. Militant Sunni groups such as LeJ (see [Security Operations](#)) have targeted Hazaras in Pakistan for their sectarian affiliation.

3.30 The Hazara community in Quetta lives in two main areas, Hazara town and Mariabad: Mariabad is located to the east of Quetta near the Pakistan air force base, and Hazara town to the west, near the cantonment and the Benazir hospital. The government provides some security to Hazara enclaves. The paramilitary Frontier Corps (see [Police, Frontier Corps and Rangers](#)) maintains checkpoints on roads leading to Hazara town in Quetta, and search people on entry and exit. Sources report Frontier Corps are known to routinely discriminate against and harass Hazaras at checkpoints. Human Rights Watch has reported that retired members of the Frontier Corps describe Hazaras as agents of Iran and untrustworthy. International media report Hazaras fear security forces operating checkpoints in Balochistan as they may be involved in attacks against the community.

3.31 Government forces also provide security for Shi'a religious processions (see [Shi'a](#)). Local sources attribute much of the improvement in the security situation for Hazaras, including in Hazara Town and Mariabad in Quetta, to measures taken by the community to protect itself, rather than an increase in support from security forces or a change in intent from militant groups. Local sources claim the Quetta police have released individuals accused of killing Hazara in the military cantonment in Quetta.

3.32 Although improved security measures by the community and general improvements in the security situation in Pakistan have led to a steady decrease in successful attacks, a large number of official and non-government interlocutors report that Hazaras in Quetta continue to face significant risk of violence. Local media claim that security threats and government restrictions mean they are unable to report accurately on Hazara security in Balochistan.

3.33 Following a spate of attacks against Hazaras and Christians in Quetta in the first quarter of 2018, the independent HRCP issued a statement highlighting 'the alarming spike in violence that has shot through Quetta.' The HRCP raised 'extreme concern over the continuing violence in Quetta - much of which systematically targets members of religious minorities - and the lack of an effective and sustained response from the state.'

3.34 An NCHR official report released in March 2018 stated terrorism-related incidents in Quetta between January 2012 and December 2017 had killed 509 Hazaras and injured 627. These figures are likely to understate actual casualties. The Hazara community claims that, between 1 January 2017 and 30 April 2018, 17 attacks had killed 29 and injured 18 Hazaras. Seven of these attacks, killing nine and injuring five, occurred between 1 January and 29 April 2018. Community statistics accord with international media reports, which note between March and mid-April 2018, at least seven people were killed in five attacks against Hazara Shi'a in Quetta.

3.35 Local sources consider the road from Quetta airport to the city and Double Road to be dangerous for all travellers, regardless of ethnicity. Local sources, including from the Hazara community, consider Giant Road to be dangerous for both Hazaras and Frontier Corps. Militants have targeted Shi'a pilgrims on the road through Balochistan during pilgrimage to Iran and Iraq and Hazara Shi'a are easier targets because of their distinctive appearance. Local sources claim that government security for Shi'a undertaking religious pilgrimage (see [Shi'a](#)) is more readily available for non-Hazara Shi'a, and the government provides escorts for Hazaras only every couple of months.

3.36 Hazaras report the security situation in Quetta has become so restrictive and the likelihood of attack so high, that they are reluctant to travel outside of or between the two enclaved areas, including for basic services, such as food, education, health care and employment. Consequently, Hazaras have access only to services within enclave walls. Community representatives claim the government does not maintain the basic facilities that exist and that their operations depend on staffing by Hazaras living within the enclaves. The Hazara community also relies heavily on a small number of Hazara vendors who risk their own security to move limited food supplies into Hazara enclaves.

3.37 Historically, the government of Balochistan was the main employer of Hazaras in Quetta. Hazaras now decline jobs for fear of movement. Hazaras claim they are denied private employment opportunities on the basis that they cannot travel safely to work in the city. Hazara youth, like other young people in Pakistan, need to move for employment. Many Hazaras in Quetta provide services to their own community within their enclaves; others attempt to move to other cities across Pakistan to work.

3.38 Hazaras claim that there are two government colleges within the enclaves, open to all children, offering the equivalent of Australian year six to 12, and that no universities are located in the enclaves. DFAT is unable to verify these claims. Hazaras seeking education outside the enclaves face a high risk of discrimination and violence. The high frequency of attacks against Hazaras, such as on 4 October 2016 when

a gunmen attacked a bus in Quetta, killing at least four Hazara women, have led many education and health facilities in Quetta to deny Hazaras access to transportation or attendance, in order to protect non-Hazaras clients and students. Many Hazaras now refuse to take the bus to attend university outside of Hazara enclaves due to increased fear in the wake of attacks on transportation.

3.39 Hazaras claim that Hazara town has one hospital and one government hospital clinic, both staffed by Hazara doctors. Members of the community who can afford it travel to Karachi for treatment; those who cannot risk the journey for treatment in Quetta outside Hazara enclaves. Hazaras claim a private charity ambulance provides emergency transport in and out of Hazara town, but abductions of ambulance workers have led Hazaras to fear travel in the ambulance. DFAT is unable to verify these claims.

3.40 Hazara youth understand the risks of illegal migration, but are increasingly frustrated by the security situation. The enclaves have limited entertainment options. Community leaders are concerned that long-term exposure to security threats is creating psychological issues for Hazara youth.

3.41 Hazaras claim access to services, including mobile SIM cards and internet connections, within the enclaves does not require formal documentation, such as a passport or CNIC (see [Documentation](#)). However, travel in and out of, or between, the enclaves, involves document checks that can serve to block access to services. While most Hazaras in Pakistan can obtain formal identification such as CNICs, Hazaras claim the National Database and Registration Authority (NADRA) officials have at times caused delays for Hazaras applying for official documentation. Hazaras have suffered lethal attacks outside the NADRA office in Quetta, located outside the enclaves, while trying to obtain passports and CNICs. As a result, many Hazaras do not feel safe leaving the enclave to apply for documentation.

3.42 Hazara children born in Pakistan are entitled to Pakistani citizenship. Hazara arrivals from Afghanistan typically do not have citizenship, but have access to immigration cards, which provide some rights such as access to drivers' licences (see [Afghan Refugees](#)).

3.43 Notwithstanding the risk of obtaining documentation, Hazaras that can afford to leave Quetta do so. Outside Balochistan, Hazaras report finding it safer to live separately amongst the general community than to relocate to live near other Hazaras, where they can be easily profiled and targeted. Hazaras' preferred options for internal relocation are, in order, Lahore, Karachi and Islamabad. Hazaras report that the few Hazara enclaves in Karachi, such as Mungo Pir, are unsafe and have only arisen out of necessity where poorer Hazaras have had to pool resources.

3.44 While living in ethnically diverse locations such as Karachi affords increased security, Hazaras still experience societal discrimination and security threats. Some Hazara members of the military employ measures to reduce their profile, such as varying daily travel routes and times, changing vehicles and avoiding the use of military vehicles.

3.45 DFAT is aware of reports that NADRA officials have refused to amend CNICs of Hazaras attempting to relocate within Pakistan, thus preventing them from applying for a passport, which must be obtained at the place of residence. Hazaras who have a high-level advocate can overcome such official barriers. NADRA refusal to change a CNIC address can also limit access to education, as school enrolment also requires local residence.

3.46 DFAT assesses that Hazaras in Pakistan who remain inside Hazara enclaves in Quetta do not face societal discrimination. Outside the Hazara enclaves in Quetta, Hazaras face a moderate risk of societal discrimination, including by government officials and security forces, in the form of obstruction at checkpoints, denial of or delay in access to identity documentation, employment and services. However, DFAT assesses such discrimination reflects individual prejudice rather than systematic and/or formal official discrimination.

3.47 DFAT assesses that Hazaras face a high risk of violence from sectarian militants because of their religious beliefs. Hazaras face a higher risk than other Shi'a due to their distinct appearance and to segregation.

Significant security measures taken by Hazara communities partly mitigate the risk of violence in the Hazara enclaves, but Hazaras moving out of the enclaves, within and outside of Balochistan, face a high risk of societal discrimination and violence. Due to this risk, DFAT assesses undocumented Hazaras living in Balochistan are likely to experience difficulty travelling outside of Quetta-based enclaves to gain access to official documentation, or government health and education services.

3.48 While DFAT assesses Hazaras do not typically require official documentation to access non-government, Hazara community-run health and education services located within Quetta-based enclaves, DFAT notes Hazaras describe these facilities as basic, and thus travel outside of the enclaves is required to access government-run primary health, emergency care and education services.

Afghan Refugees

3.49 Pakistan is host to approximately 1.4 million registered Afghan refugees and an estimated one million unregistered Afghans, some displaced for nearly 40 years. In 2007, Pakistan, Afghanistan and the UNHCR signed a tripartite agreement, which gave Afghan refugees the right to register and obtain a Proof of Registration (PoR) Card, identifying them as Afghan refugees eligible for protection and support through UNHCR under Pakistan refugee laws.

3.50 Approximately 2.2 million Afghan refugees have been issued PoR cards since 2006. As at 31 May 2018, 1,394,630 PoR cardholders remained in Pakistan.

3.51 According to UNHCR, 60 per cent of Pakistan's POR, cardholders reside in Khyber Pakhtunkhwa, and the provincial government claims 60 per cent of POR cardholders in Khyber Pakhtunkhwa (around 500,000) are aged between 18 and 24 years. UNHCR can provide PoR holders with financial assistance for repatriation, access to UNHCR refugee camps, enrolment in UNHCR schools and access to health services provided by UNHCR. However, due to resource constraints, many of these facilities have become enmeshed with existing education, health, and housing infrastructure in Khyber Pakhtunkhwa, causing Afghan refugees to compete with the host population for resources. Thus while basic water and sanitation, and health and education facilities exist, they are not adequate to service the population, and many refugees live in self-built mud huts.

3.52 Some schools do not teach in widely spoken Afghan languages such as Pashtun and Dari. Many Afghan children either work or attend *madrassas*, which provide food and shelter as well as an education. DFAT is aware of reports that Afghan POR cardholders have refused to attend Pakistani hospitals for fear of discrimination. While PoR card holders can obtain a mobile SIM card, they cannot use the PoR card to obtain a drivers licence or open a bank account.

3.53 In 2016, about 600,000 Afghans were returned, in a process criticized as abusive by Human Rights Watch. According to Amnesty International, the flow of Afghans seeking asylum continued in 2017, albeit at a slower pace than 2016. Around 59,000 registered Afghan refugees involuntarily returned to Afghanistan in 2017, compared to over 380,000 involuntary returns in 2016.

3.54 Large numbers of Afghan refugees have been encouraged to return to Afghanistan since Operation Zarb-e-Azb, Radd ul-Fasaad and the NAP. However, due to the deteriorating security situation in Afghanistan, the number of refugees electing to return has declined in 2018. Some returnees to Afghanistan have reported continuing lack of security, and a lack of schools, clean water and shelter in allocated settlement areas. Such reports are discouraging others from returning to Afghanistan. DFAT is aware of reports that Afghans born in Pakistan find it difficult to relocate to Afghanistan due to discrimination and language and literacy issues. DFAT is also aware of reports that Afghans who have studied in Pakistan may be better placed than others to obtain a government or banking sector job on return. DFAT is unable to verify these reports.

3.55 OCHA reports 9,486 registered Afghan refugees and 19,859 undocumented Afghans returned between January and July 2018. Returns remains a relatively small number overall in proportion to the 1.4 million refugees who remain in Pakistan. Most voluntary returnees are Pashtun Afghans from the former FATA and Khyber Pakhtunkhwa. Very few Afghan Hazaras have returned.

3.56 DFAT understands that by February 2018, the government had asked an estimated 8000 Afghans across three villages along the CPEC route to relocate back to Afghanistan (see [Economic Overview](#)) CPEC is also displacing Afghan refugees in Manshera.

3.57 The 2430-kilometre Durand line between Pakistan and Afghanistan remains permeable despite increased fencing and border management systems. There are eight formal border crossings jointly managed by the Afghan and Pakistan governments, as well as many informal crossings. DFAT understands border fencing prompted over 4000 Afghans based in Pakistan to apply for passports, cross, then return to Pakistan.

3.58 The Pakistan government is working to improve documentation for Afghans. In February 2017, the federal cabinet adopted the *Comprehensive Policy on Voluntary Repatriation and Management of Afghan Nationals*. UNHCR's 2918-19 report on the Solution Strategy for Afghan Refugees notes the key elements of the policy are: voluntary repatriation of refugees in safety and dignity; extension of the validity of PoR cards and enactment of national refugee legislation; improved border management; a flexible visa regime for PoR card holders; and registration and documentation of undocumented Afghans.

Afghan Citizenship Card (ACC)

3.59 In 2017, the government also launched a six-month programme to register undocumented Afghans, including with a new Afghan Citizenship Card (ACC). The ACC is a temporary identity document for Afghans who do not possess other forms of identification, and who are not seeking refugee registration. The ACC provides legal protection from arbitrary arrest, detention or deportation under the Foreigner's Act, 1946. ACCs are not a replacement for PoR cards, which provide evidence of humanitarian status. PoR card holders were excluded from registering for an ACC.

3.60 Any self-declared Afghan can apply for an ACC. DFAT understands the process to obtain an ACC involved joint registration with NADRA and the Afghan Ministry of Refugees and Repatriation (MORR). NADRA and MORR representatives staff 22 registration offices across Pakistan. NADRA perform biometric verification and take photographs and fingerprints, and then cross check applicants across existing identification databases (CNIC and PoR card). MORR interviews applicants. ACCs are issued once both the Pakistan and Afghan governments are satisfied regarding an applicant's Afghan identity. ACCs have the following characteristics:

- the applicant's name, date and place of birth and family details.
- an identification number consisting of two alpha digits followed by eleven numeric digits.
- a family Identification number consisting of one alpha digit followed by eleven numeric digits. This is the same for all members of a family.
- all children under the age of five are listed on the rear of their parent's ACC.
- all children over the age of five were eligible to receive their own ACC.
- text on reverse of card: This card is exclusively issued to undocumented Afghan Citizens living in Pakistan. The card holder is liable to obtain passport/travel documents from the Government of Afghanistan.'

3.61 By the time the ACC program closed for registration in January 2018, NADRA had received 878,604 applications from 233,366 families. By 11 May 2018, 320,000 Afghans residing in Pakistan had received their cards. The government had issued 10,613 ACC by 2 March 2018.

3.62 Approximately 6000 POR cardholders were denied ACC cards after biometric checks. Of the 878,604 ACC applicants, 15 per cent were likely to be rejected due to conflicting POR card status or fraudulent applications. Single males under 18 years were refused registration under the ACC program.

3.63 Approved applicants receive a No Objection Certificate (NOC, also referred to as a ‘token’) while awaiting their ACC. DFAT understands that only the ACC breadwinner will be permitted to remain in Pakistan, and familial dependants will be expected to return to Afghanistan, despite being listed on the back of the ACC.

3.64 In February 2018, the government extended POR validity until 30 June 2018, mirroring the expiry of the ACC cards. It also requested a new plan to return Afghan refugees involving continued but incentivised returns and the possibility of a change in status to a student or work visa. ACC and PoR card holders were approved as temporary residents in Pakistan until 30 September 2018. As at the time of publishing, the government continues to explore options for displaced Afghans living in Pakistan, and options for registering undocumented individuals.

3.65 Many Afghan refugees in Pakistan, predominantly in Hazara town, Quetta, (see [Hazaras](#)) still do not hold either an ACC or PoR card but may hold a *tazkira* or UNHCR registration documents. DFAT is aware of reports that some undocumented Afghans refused to register for an ACC for fear of mistreatment by the government. Numbers of arrests of POR cardholder were low prior to December 2017, although numbers increased in the lead up to the elections in July 2018. Nine POR cardholders were arrested in December 2017, compared with an average of 39 arrests per week in January and February 2018. Khyber Pakhtunkhwa province has a separate refugee police division. DFAT is aware of reports of disappearances of Afghans in Pakistan, especially Khyber Pakhtunkhwa, and increased police detention of Afghan refugees in the wake of the APS attack (see [Security Operations](#)).

3.66 DFAT understands applicants can apply for *tazkiras* at the Afghan Consulate in Quetta, however they are issued in Kabul and applicants are required to travel to Kabul to collect them. While DFAT is aware of anecdotal evidence that it may be possible, in limited circumstances, to collect *Tazkiras* from the Afghan Consulate in Quetta (if applicants are prepared to wait a number of months), DFAT assesses this is rare.

3.67 The Afghan consulate in Peshawar can renew expired Afghan passports and issue NOCs for Afghans without documentation in order to facilitate permanent return to Afghanistan. The Afghan consulate in Quetta can only issue passports within Pakistan in emergencies, with all other applications referred to Kabul. Machine-readable passports are not issued in Pakistan. An Afghan can technically obtain a visa in Afghanistan to travel to Pakistan within 48 hours, although DFAT understands, at times, visas can be difficult to obtain.

3.68 According to Afghan government policy, a foreign woman who marries an Afghan man obtains his citizenship and can seek an Afghan passport. Children under seven may travel to Afghanistan on an NOC (without a passport), and apply for a passport in Afghanistan. Children over seven with one Afghan parent can apply for Afghan passports.

3.69 DFAT assesses that undocumented Afghan refugees in Pakistan face a high risk of official and societal discrimination, as well as harassment by security services. DFAT assesses that registered Afghans face a moderate risk of societal discrimination. Afghans of interest to the Pakistan government, irrespective of status, face a high risk of official discrimination in the form of harassment and possibly violence by security forces.

RELIGION

3.70 Article 20 of the Constitution provides that ‘subject to law, public order, and morality, —(a) every citizen shall have the right to profess, practise and propagate his religion; and (b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions’. Article 36 guarantees ‘the legitimate rights and interests of minorities, including their due representation in the

Federal and Provincial services'. The Constitution establishes Islam as the state religion (Article 2). Articles 41(2) and 91(3) of the Constitution require that the president and the prime minister be Muslim. Article 260 of the Constitution defines the term 'Muslim', and explicitly excludes from that definition several groups, including Ahmadis.

3.71 In 1979, then-president and General Zia ul-Haq, introduced The Offence of Zina (Enforcement of Hudood) Ordinance, 1979, otherwise known as the '*Hudood Ordinances*', prohibiting consumption of alcohol, sex outside marriage, and pornography. Non-Muslims are exempt from the alcohol ban. The other provisions apply to both Muslims and non-Muslims, but the testimony of a non-Muslim person is accepted only where the accused is also not Muslim.

3.72 The provisional results of the 2017 national census recorded that Muslims comprise 96.28 per cent of the population, of whom approximately 85 to 90 per cent are Sunnis and 10 to 15 per cent Shi'a, Christians comprise 1.59 per cent, Hindus 1.6 per cent, Ahmadis 0.22 per cent and others (including Sikhs, Parsis (Zoroastrians), Baha'i and Buddhists) 0.32 per cent. Many religious minority groups have told DFAT these numbers are inaccurate, and minority groups (most notably Christians) are larger than the data indicates.

3.73 Around 60 per cent of the Sunnis adhere to the Barelvi school, with a significant minority (around 35 per cent) following the Deobandi school. While both groups follow the same basic principles of Islamic theology (the Hanafi school), Deobandis have a more orthodox and conservative interpretation. A smaller number of Sunnis (around five per cent) follow the Ahl-e-Hadith (Salafi) school. According to the International Crisis Group, most Sunni militant groups in Pakistan claim to follow a form of Deobandi or Salafi Islam, including TTP, Jaish-e Mohammad and LeJ.

3.74 Most Shi'a in Pakistan follow the Twelver (*athna ashariya*) school, with smaller numbers of Nizari Ismailis, Daudi Bohras and Sulemani Bohras. Most of Pakistan's ethnic, linguistic and tribal groups include followers of Shi'a Islam.

3.75 Sufism, a mystical interpretation of Islam involving saint and shrine devotion, is widespread in South Asia, including Pakistan. Many Shi'a and Barelvi Sunnis in Pakistan venerate Sufi saints and shrines. Sufi places of worship have been common targets for sectarian attacks. Such attacks include an attack in February 2017 on the Lal Shabaz Qalandar shrine in Sindh province, which killed more than 80 people, and an ISIL-claimed suicide attack in October 2017 on a Sufi shrine in Balochistan, which killed 18 people and injured 27. Sufism is practiced openly, and shrines are plentiful and visible.

3.76 Until the 1980s, Pakistanis were less divided along sectarian lines than by ethnic, tribal and linguistic differences. However, in 1984, then-president Zia ul-Haq issued Ordinance XX of 1984 (pronounced Ordinance 20) prohibiting Ahmadis from self-identifying as Muslims (see [Ahmadis](#)). While some Shi'a supported Ordinance XX, some Sunni groups called for the government to extend the prohibition to Shi'a. The promulgation of the *zakat*, a compulsory religious tax based on Sunni law, inflamed sectarian tensions further, although Shi'a were later exempted from paying the *zakat*.

3.77 A wide range of local and international commentators reported growing religious intolerance in 2018. Political leaders are reluctant to speak against religious discrimination, and those who have spoken have faced violence (see [Blasphemy](#)). During the 2018 election campaign, political discourse became more religious, exacerbating the gap between the religious majority and minorities. Religiosity is also increasing among Pakistan's youth.

3.78 The 2018 annual report of the United States Commission on International Religious Freedom (USCIRF), which designated Pakistan as a 'country of particular concern', observed increased incitement in the media of intolerance against religious minorities. USCIRF found the government failed to provide adequate protection to religious minorities and itself perpetrated systematic and egregious violations of religious freedom. USCIRF observed that religious minorities in Pakistan, including Hindus, Christians, Sikhs, Ahmadis and Shi'a Muslims,

continued to face societal discrimination and attacks from extremist groups. USCIRF also expressed concern about the impact on religious minorities of the entry of some fundamentalist religious parties into the political arena ahead of the 2018 elections. Some local groups, noting the ambivalent position of the military, share these concerns.

3.79 While there has been a declining trend in sectarian violence since 2014, the Pakistan Institute for Peace Studies (PIPs) recorded at least six terrorist attacks deliberately targeting religious minorities in 2017, killing 13 and injuring 57 people. Four of these attacks targeted the Ahmadi community across three cities in Punjab, and one, claimed by ISIL, targeted the Christian community in Quetta. PIPS reported five incidents of faith-based mob violence in 2017 (see [Blasphemy](#)).

3.80 DFAT assesses, with the exception of the Ahmadi and Hazara communities (see [Ahmadis and Hazaras](#)), Pakistanis are generally able to practise their religion without official interference or discrimination. However, DFAT notes a trend of increased religious conservatism and intolerance towards religious minorities in Pakistan, which is likely to continue in 2019. Most religious minorities (with Ahmadi and Hazara exceptions noted above) face a moderate risk of societal discrimination and violence targeting religious ceremonies and places of worship. However, DFAT assesses that the risk of violence and societal discrimination based on religion varies across different groups and locations within Pakistan (see [Shi'a](#), [Ahmadis](#), [Christians](#) and [Hindus](#)). DFAT assesses sectarian violence disproportionately affects religious minorities in Pakistan (see [Armed Groups](#)).

Blasphemy

3.81 Blasphemy and other offences relating to religion are criminalised in Pakistan under Articles 295 and 298 of the *Pakistan Penal Code* (Act XLV of 1860). Article 295C outlaws the use of 'derogatory remarks' against the Holy Prophet. Punishment for blasphemy is death. Under Article 295B, 'defiling' a copy of the Quran is punishable by life imprisonment, and under Article 298A, defiling 'the sacred name of any wife, or members of the family, of the Holy Prophet, or any of the righteous Caliphs' carries a maximum punishment of three years in prison, which may also be accompanied by a fine. Religious conversion from Islam (apostasy), while not illegal, is often seen as blasphemous and can result in prosecution under blasphemy laws, or familial or communal violence. Article 295A prohibits insulting any religion, not just Islam, and carries a sentence of up to ten years' imprisonment, which may also be accompanied by a fine.

3.82 In 2017, the independent Human Rights Commission of Pakistan (HRCP) reported an increase in blasphemy-related violence, use of religious rhetoric, incitement of hatred, and discrimination against minority groups. The HRCP noted the government failed to repeal discriminatory laws. Local and international observers report increasing misuse of blasphemy laws, and a widening of actions considered chargeable blasphemy offences.

3.83 Although under the law, courts cannot impose a death sentence based on a police First Information Report (FIR, an initial written record of a complaint or reported crime), this occurs and judges often accept reports of blasphemy at face value. Extremist groups and individuals have targeted politicians and judges who advocate on behalf of minorities or seek to change the blasphemy laws. Former governor of Punjab, Salman Taseer, was assassinated by Mumtaz Qadri, a member of his security detail, for calling for reform of blasphemy laws. Large numbers of people protested when Qadri was executed in February 2016. The media also fears reporting on blasphemy due to the significant personal risk involved.

3.84 Individuals have used blasphemy laws to settle personal or property disputes. Following an accusation, police automatically detain the alleged blasphemer—usually in solitary confinement—ostensibly for their own safety. In 2010, a Christian woman, Ms Asia Bibi, was convicted of blasphemy and sentenced to death following

a dispute with her Muslim neighbours. In October 2014, the Lahore High Court upheld Ms Bibi's death sentence, however in October 2018, the Supreme Court of Pakistan acquitted Ms Bibi.

3.85 Communal violence also often targets those accused of blasphemy. In November 2014, a mob burned a Christian couple to death in the brick kiln where they worked as bonded labourers after they were falsely accused of throwing out pages of the Quran with their household rubbish. In November 2016, a military anti-terror court sentenced five people to death for their murder. In July 2014, an angry mob burnt several houses and vehicles in Gujranwala, eastern Punjab, killing an Ahmadi woman and two young girls, and injuring eight others. An allegedly blasphemous social media post by an Ahmadi reportedly triggered the incident. In April 2017, hundreds of university students beat and fatally shot a journalism student at a university campus in Mardan, allegedly for blasphemous social media posts. Observers note the student had criticised the university administration and actively participated in open debates. A judicial inquiry found no evidence of blasphemy.

3.86 The government has applied the blasphemy law to digital content, with at least one person in 2017 receiving a death sentence for alleged blasphemy on Facebook. Internet bloggers who criticised the military, disappeared and later emerged in police custody facing blasphemy charges. While the Islamabad High Court acquitted the bloggers, they left Pakistan fearing for their safety.

3.87 According to the USCIRF 2018 annual report, approximately 100 blasphemy cases were registered between 2011 and early 2018, and an estimated 100 people are currently serving prison sentences for blasphemy. Of the 100 people in prison, 40 face the death penalty or a life sentence. Pakistani courts have dismissed several blasphemy cases for lack of evidence. Around 95 per cent of blasphemy cases end in acquittal, although often only after extended periods of detention. DFAT is not aware of any executions of people convicted of blasphemy.

3.88 While blasphemy laws apply to both Muslims and non-Muslims, it is not culturally acceptable for religious minorities to make accusations of blasphemy in Pakistan.

3.89 While the majority of cases are brought by Muslims against Muslims, DFAT assesses implementation of laws against blasphemy, and the potential for communal violence following an accusation of blasphemy, disproportionately affect religious minorities in Pakistan.

Shi'a

3.90 Pakistani Shi'a live throughout the country in urban centres, including Karachi, Lahore, Rawalpindi, Islamabad, Peshawar, Multan, Jhang and Sargodha. While Shi'a are not a majority in any of Pakistan's four provinces, they are a majority in the autonomous region of Gilgit-Baltistan.

3.91 Significant numbers of Shi'a live in Peshawar, Kohat, Hangu and Dera Ismail Khan in Khyber Pakhtunkhwa; in Kurram and Orakzai districts in the former FATA; in and around Quetta and the Makran coastline in Balochistan; in parts of southern and central Punjab; and throughout Sindh. Although some Shi'a live in enclaves in these cities (see [Hazaras](#) and [Turis](#)), Shi'a and Sunni communities are generally well integrated.

3.92 Most Pakistani Shi'a are not physically or linguistically distinguishable from Pakistani Sunnis. NADRA collects sectarian information during the application process for identity documents, but CNICs do not identify a cardholder's religion, and passports do not distinguish between Sunni and Shi'a Muslims. Some Shi'a may be identifiable by common Shi'a names such as Naqvi, Zaidi and Jafri. Similarly, ethnic and tribal names can reveal a person's ethnicity or tribal affiliation: nearly all Hazaras and Turis are Shi'a, and significant numbers of Bangash are Shi'a.

3.93 Shi'a in Pakistan are most prominent during Shi'a religious events and pilgrimages to Iraq and Iran. Shi'a commemorate the Day of Ashura with re-enactments of the martyrdom and processions, during which Shi'a men and women dressed in black parade through the streets slapping their chests and chanting. Self-harm, such as flagellation performed during Ashura processions, can leave permanent marks. Shi'a and Sunni mosques are clearly distinguishable.

3.94 Shi'a mosques and places of worship, or *imambargahs*, feature different Muslim iconography, including the Shi'a sword, horses, images of Ali and Hussein, and 'U-shaped' crescent moons. Shi'a and Sunni mosques have different prayer times, and worshippers use different hand positions while praying. Shi'a mosques are located throughout Pakistan. Shi'a can pray in Sunni mosques and vice versa, although this rarely happens. Both sects share a number of famous religious sites, including Sufi shrines.

3.95 No legal barriers prevent marriage between Shi'a and Sunnis in Pakistan. While marriages do occur, Sunni-Shi'a marriages are becoming less common in an environment of increasing religiosity. One partner (typically the bride) usually undergoes religious conversion. DFAT is not aware of forced conversions between sects.

3.96 DFAT has no evidence of systemic discrimination against Shi'a in gaining employment in the public service, police, military or the private sector. However, some Shi'a perceive discrimination against Shi'a gaining roles at higher levels of some organisations. Overall, DFAT assesses that Shi'a who are not Hazara or Turi (see [Hazaras](#) Hazaras and [Turis](#)) generally do not face discrimination based on their religious affiliation when seeking employment. Low-level anti-Shi'a discrimination does occur at the community level, and can manifest in violence or damage to property.

3.97 Sunni and Shi'a students attend the same public and private education institutions. Students must declare their religious affiliation for entry into both public and private institutions, including universities. Religious bias in public education predominantly affects non-Muslims, but Shi'a groups have raised concerns that the public school syllabus and prescribed textbooks contain depictions of Sunni prayer rituals, and omit prominent historical Shi'a figures.

3.98 Shi'a are well represented in parliament and regularly contest elections for mainstream political parties. DFAT assesses that there are no barriers preventing Shi'a from actively participating in democratic processes in Pakistan due to their sectarian affiliation.

3.99 Sectarian violence in Pakistan has historically targeted individuals, places of worship, shrines and religious schools, however Shi'a traditionally represented a higher proportion of the casualties (see [Security Situation](#)). Shi'a continue to face a threat from anti-Shi'a militant groups, including LeJ, Sipah-e-Sahaba Pakistan (SSP), also known as Ahl-e-Sunnat-Wal-Jamaat (ASWJ), LeJ al-Alami, and other factions of the TTP. The LeJ's objective is to establish an Islamist Sunni state in Pakistan and seeks to have Shi'a declared 'non-believers' or apostates, and to eliminate other religious groups such as Jews, Christians and Hindus.

3.100 The LeJ (see [Armed Groups](#)) has claimed several attacks on Shi'a in recent years, particularly Hazaras in Quetta (see [Hazaras](#)) and other Shi'a groups in the former FATA and Karachi. In an open letter released in June 2011, LeJ leaders declared their intention to 'abolish the impure sect' of 'Shi'a and Hazara Shi'a.' According to the SATP, 114 Shi'as were killed and 308 injured across 10 attacks in 2017. The SATP reports a further five attacks between 1 January and 17 June 2018 killed seven and injured four people. LeJ and LeJ al-Alami, in conjunction with the ISIL, claimed responsibility for many of the attacks.

3.101 Travel in parts of Pakistan is dangerous for all travellers, regardless of sectarian, religious or ethnic affiliations. Shi'a are most vulnerable during large gatherings, such as Ashura processions. Heightened state protection measures during these events partly mitigate the threats associated with this greater exposure. Travellers in remote areas of Pakistan, notably Balochistan, Khyber Pakhtunkhwa and districts in the former

FATA, are also at greater risk of criminal or militant violence due to their isolation and the limited presence of security forces. Many roads fit this profile.

3.102 Shi'a in Pakistan often travel to Iran and Iraq for religious pilgrimage. Militant groups have historically targeted routes used by Shi'a pilgrims, particularly through Balochistan. In 2014, militants attacked a bus on the Quetta-Taftan highway in Mastung District, Balochistan, killing at least 29 Shi'a pilgrims and injuring 35. Militants identify Shi'a by Shi'a names displayed on CNICs, or flagellation marks from Ashura ceremonies. Hazara Shi'a are more readily identifiable due to their distinctive physical appearance (see [Hazaras](#)). Shi'a pilgrims can travel by air rather than by road, but many cannot afford to do so.

3.103 DFAT understands that the Pakistani military provides escort services for Shi'a pilgrims to protect them from attacks, significantly mitigating the risk of violence. Military escorts can be infrequent. DFAT assesses that Shi'a pilgrims travelling by road to Iran through Balochistan without military escort face a moderate risk of violence from sectarian militants.

3.104 Overall, DFAT assesses that most Shi'a in Pakistan face a low risk of sectarian violence. This risk can vary depending on geographic location and for members of specific groups (see [Hazaras](#) and [Turis](#)). High-profile Shi'a face a moderate risk of violence, as they are more likely to be targeted.

Anti-Shi'a violence

3.105 Karachi has historically experienced high levels of violence due to rival ethnic, sectarian, political, business and criminal interests. The NAP (see [Security Operations](#)) and the highly visible presence of the paramilitary Rangers, have led to a significant decrease in violence, including sectarian violence. Sunnis and Shi'a live throughout the city, although concentrations of Shi'a, particularly Harazas (see [Hazaras](#)) can be found in Abbas Town, Hussain Hazara Goth, Mughal Hazara Goth, Rizvia, Ancholi, DHA Gizri, Pak Colony and Manghopir. According to the SATP, at least two sectarian attacks targeted Shi'a in Sindh province in 2017, resulting in at least 90 deaths, while one attack causing one death occurred between 1 January and 6 May 2018. DFAT assesses that a low level of sectarian-motivated violence in Karachi exists within the context of a moderate level of overall violence. The sustainability of recent security force efforts to reduce violence in Karachi is not yet clear.

3.106 In Punjab, sectarian tensions and violence are more prevalent in the south, and in parts of Gujranwala, Sialkot and Rawalpindi. Conservative *madrassas* and militant groups are more prominent in southern Punjab, and Sunni and Shi'a communities are more segregated. Shi'a live throughout Punjab, including in Lahore. Shi'a and Sunni communities in cities are much more integrated. According to the SATP, three incidents of sectarian violence in Punjab in 2017 killed three people and injured one, and no incidents of sectarian violence occurred between 1 January and 6 May 2018. The largest sectarian attack in Punjab in 2016 targeted Christians (see [Christians](#)). While violence can occur in any part of Punjab, DFAT assesses that Shi'a in Lahore and Islamabad face a low risk of sectarian violence.

3.107 Balochistan has historically suffered from ethno-sectarian tensions and politically motivated violence, including violence from an active separatist movement. There is a large Hazara Shi'a population in Quetta, the provincial capital, which has historically been a target for sectarian violence (see [Hazaras](#)). Militants also target Shi'a travelling through Balochistan to the Iranian border (see [Shi'a](#)). The number of casualties from sectarian violence in Balochistan has fallen since the introduction of the NAP and Operation Zarb-e-Azb (see [Security Operations](#)). According to the SATP, six incidents of sectarian violence in Balochistan in 2017 killed 38 people and injured 37, and four incidents of sectarian violence between 1 January and 6 May 2018 killed six people and injured two. DFAT assesses that Balochistan has a low level of sectarian violence, within the context of a moderate level of overall violence. Shi'a do not face a higher risk of violence because of their sectarian affiliation, with the exception of the visually distinct and geographically segregated Hazara Shi'a who face higher risk (see [Hazaras](#)).

3.108 The population of Khyber Pakhtunkhwa is mostly Pashtun and predominantly Sunni. Most Shi'a live in Hangu, Kohat, Peshawar and Dera Ismail Khan. Most Shi'a in Peshawar are long-term residents of the Old City, while many Shi'a in Hangu, Kohat and Dera Ismail Khan are Turi or Bangash Shi'a from Kurram and Orakzai agencies. Similar to other parts of Pakistan, Khyber Pakhtunkhwa has seen a significant reduction in militant violence in recent years. According to the SATP, one incident of sectarian violence in 2017 killed three people, and no incidents of sectarian violence occurred between 1 January and 6 May 2018. Overall, DFAT assesses that Khyber Pakhtunkhwa has a low level of sectarian violence, within the context of a moderate level of militant and criminal violence across the province.

3.109 Most Shi'a in districts in the former FATA live in Kurram and Orakzai agencies. Shi'a comprise around 40 per cent of the population of Kurram Agency; Upper Kurram Agency is estimated to be around 80 per cent Shi'a, while central and lower Kurram Agency is majority Sunni. Most Shi'a in Kurram Agency are from the Turi tribe, particularly in Parachinar (see [Turis](#)). The Bangash tribe is around 40 per cent Shi'a, and lives mainly in Orakzai Agency as well as parts of Khyber Pakhtunkhwa such as Kohat, Hangu and Peshawar.

3.110 Despite a relative decline in violent incidents, violence across the former FATA is still widespread and sectarian attacks can be lethal. According to the SATP, two incidents of sectarian violence in the former FATA in 2017 killed 92 people and injured 300, while no incidents of sectarian violence occurred between 1 January and 6 May 2018. In 2017, militants carried out several attacks in the Shi'a-majority city of Parachinar.

- On 21 January 2017, a bomb exploded in a crowded market, killing 25 people and injuring dozens more. Lashkar-e Jhangvi (LeJ) and the TTP claimed responsibility, saying they were responding to the death of LeJ leader Asif Chotu and support by Shi'a for Syrian president Bashar al-Assad. According to Pakistani news outlets, this was the fourth time militants had targeted the same area of Parachinar in recent years.
- On 31 March 2017, a suicide attack on a Shi'a imambargah killed at least 24 people and injured 100. Jamaat-ul-Ahrar claimed responsibility.
- On 24 June 2017, two bombs detonated in a market busy with people preparing for Eid celebrations, killing 72 people and injuring more than 200. LeJ Al-Alami claimed responsibility for the attack.

3.111 DFAT assesses that Shi'a in the former FATA face a low risk of sectarian violence, within the context of a moderate level of militant and criminal violence across the region. While attacks against civilians can occur in any part of the former FATA, DFAT assesses that the risk of sectarian violence for civilians in Kurram Agency, particularly in Parachinar, is higher than in other parts of the former FATA.

3.112 Approximately two million people live in Gilgit-Baltistan, a sparsely populated autonomous region in the north. The population comprises Shi'a (approximately 39 per cent), Ismaili Shi'a (18 per cent), Sunnis (27 per cent), and Nurbakshis, who adhere to a Sufi tradition combining aspects of Shi'a and Sunni theology (16 per cent). The mountainous terrain, sparse (and majority Shi'a) population, and the fact that communities tend to live in isolation from each other mean that Gilgit-Baltistan has fewer violent incidents than other regions in Pakistan. DFAT is not aware of any sectarian attacks taking place in Gilgit-Baltistan between 1 January 2017 and 6 May 2018. However, Gilgit-Baltistan's economy is less advanced and it can be hard for people of any faith, especially youth, to secure employment.

Ahmadis

3.113 Ahmadiyya is a religious movement based on Islam founded in the Punjab in the late 1800s by Mirza Ghulam Ahmad. Ahmadis consider themselves Muslims, follow the teachings of the Quran, and believe Ghulam Ahmad was the Mahdi (a prophet who would appear at the time of the second coming of Jesus Christ, and fill the world with justice and equality prior to the Day of Judgement). Sunni and Shi'a Muslims believe the Prophet Muhammad was the last of the prophets, and many consider Ahmadis heretics.

3.114 Ahmadis are not readily identifiable by their appearance, language or names. Many Ahmadis do not publicly identify for fear of persecution, maintain a low profile in the community to avoid societal discrimination and violence, and refuse to take part in the census. Estimates of the number of Ahmadis in Pakistan range between 500,000 and 4 million. Media articles on the national census reported 167,000 Ahmadis in Pakistan.

3.115 Most Ahmadis live in Punjab. Rabwah, Punjab is considered the Pakistan headquarters of the Ahmadi community (population is around 95 per cent Ahmadi). According to the UK Home Office, the main population centres for Ahmadis in Pakistan, aside from Rabwah, are Sialkot, Quetta, Multan, Rawalpindi, Karachi, Lahore and Faisalabad. Pakistan's Ahmadi community is relatively well educated and prosperous, and community leaders are very active political and diplomatic lobbyists. Many Ahmadis live overseas and the community has an active diaspora in Australia. Leaders of the movement, including the current Supreme Head, Hazrat Mirza Masroor Ahmad, have resided in the UK since 1984.

3.116 Ahmadis face high levels of official discrimination in Pakistan and are not able to practise their religion freely. In 1974, the Pakistan government amended the Constitution to state explicitly that Ahmadis were considered non-Muslims. In 1984, the government of General Muhammad Zia ul-Haq promulgated Ordinance XX, which banned Ahmadis from: publicly practising their faith; using non-Ahmadi mosques or public prayer rooms for worship; using Islamic texts for their prayers; performing the Muslim call to prayer; producing, publishing or disseminating religious materials; using the traditional Islamic greeting in public; seeking converts; and publicly quoting from the Quran. Ordinance XX also banned Ahmadis from identifying or 'posing' as Muslims.

3.117 In practice, the community reports Ahmadis can be charged for using the standard Islamic greeting or naming their child Muhammad. Punishment for Ordinance XX offences is up to three years' imprisonment and a fine. Ahmadis are exempt from the 2.5 per cent *zakat* deductions on personal income mandatory for Muslims in Pakistan.

3.118 In 2018, the government asked Princeton University economist, Dr Atif Mian to step down from the prime minister's Economic Advisory Council following mounting pressure from religio-political parties against the appointment of Dr Mian, who is an Ahmadi.

3.119 In 2017, Police prosecuted 77 Ahmadis under anti-Ahmadi legislation, and nine Ahmadis were in prison on faith-related charges in 2017. Ahmadis claim prosecutors and judges discriminate against community members by trying them under blasphemy laws, which carry more severe sentences than Ordinance XX offences. Retired Captain Muhammad Safdar, former prime minister's son in law and a member of then-ruling PML-N, also accused Ahmadis of acting against the country's interests in 2017. Safdar called for action against the Ahmadi community, and stated Ahmadis were 'a threat to this country, its Constitution and ideology'.

3.120 Community representatives claim police arrested four Ahmadis in May 2014 for allegedly tearing an anti-Ahmadiyya poster. Police failed to intervene when a student from a local *madrassa* fatally shot one of the detainees in police custody inside the police station. Following a request from a local politician, the High Court revised the charges against the three surviving detainees to a more serious one of insulting the Holy Prophet, for which they subsequently received death sentences. The three remain in prison and the community continues to advocate for their release.

3.121 Two police FIRs, dated 1989 and 2018, are currently listed against the entire Ahmadi community. The second FIR, issued during an Ahmadi festival on 23 March 2018, ordered Ahmadis not to look happy in public, distribute sweets or wear new clothes. DFAT is aware of reports of: police entering Ahmadi places of worship to dismantle minarets (symbols of Islamic mosques) and removing Arabic inscriptions of Islamic texts from the walls; mobs setting fire to Ahmadi places of worship, desecrating graves and disinterring remains; and

authorities handing over Ahmadi places of worship to non-Ahmadi groups, and closing down Ahmadi publications.

3.122 On 5 December 2016, officers from the counter terrorism department of the Punjab police raided Ahmadi headquarters in Rabwah, arresting four Ahmadis on suspicion of publishing banned magazines. One security guard was reportedly beaten during the raid. On 12 December 2016, a crowd of around 1,000 people attacked an Ahmadi place of worship in Chakwal, burning religious books and other items. One Ahmadi man died from cardiac arrest during the attack, while a stray bullet killed one non-Ahmadi man. The Ahmadiyya mosque in Dulmial, District Chakwal remains locked.

3.123 The UK Home Office reports that authorities are using anti-terror legislation to ban and seize Ahmadi publications as 'hate literature'. The legislation allows security officials to arrest suspected authors and distributors of 'hate literature' without notice and without access to bail. The penalty is five years' imprisonment. A ban on the written works of Ghulam Ahmad continued in 2018, as did a publishing ban on the Ahmadiyya daily 'The Alfaz' and community periodicals 'Ansarullah', 'Misbah', 'Khalid', 'Tashheez' and 'Tahrik Jadid.'

3.124 Ahmadis can face difficulties when applying for or requesting changes to official documentation. When Ahmadis register for a CNIC, they sign as Muslim by default on the CNIC form. However, after marriage Ahmadis must update their marital status on their CNIC, requiring presentation of a marriage certificate. Although the government recognises Ahmadi marriage certificates as legal, presentation of the Ahmadi marriage certificate by a person registered as Muslim on a CNIC can lead to claims of apostasy. Community members claim that, in one case, an Ahmadi seeking to change his CNIC was threatened with apostasy charges and paid a bribe equivalent to AUD 20,000 to rectify the 'administrative error' on his registration. Ahmadis report similar problems when seeking amendments to Pakistan Origin Card (see **Other Forms of Identification**). In 2018, Justice Shaukat Aziz Saddiqui asked NADRA to provide the court with all private CNIC data for all Ahmadis, and ordered NADRA not to change any Ahmadi's religion on their CNIC without a court order. Justice Saddiqui also asked NADRA to publish a list of Ahmadis, especially those in government positions.

3.125 DFAT is aware of claims that census officials in 2017 officially recorded some Ahmadi families in Lahore as Muslims, and later accused them of apostasy. Ahmadis applying for passports can avoid apostasy accusations by marking their religion as 'other', rather than 'Muslim'.

3.126 Ahmadis wishing to vote must register on a separate Ahmadi list, which specifies they are not Muslim. Other religious groups such as Christians do not face the same restrictions. In the lead-up to the 2013 elections, many Ahmadis refused to register and were unable to vote. Applications for official documentation, including passports and CNICs, contain information about religious affiliation, and people who identify as Muslim have to explicitly denounce Ghulam Ahmad as a false prophet and Ahmadiyya followers as non-Muslims. If unwilling to sign, Ahmadis are unable to access a passport to travel to complete the Hajj.

3.127 In October 2017, the government passed an amendment to the *Elections Act*, changing the language of the electoral oath by replacing the words 'I solemnly swear' with 'I believe' in a proclamation of Muhammad as the religion's last prophet. This facilitated Ahmadis' ability to vote. The law removed the requirement for Ahmadis to register separately and placed them on joint lists prepared by NADRA. The change caused public outcry, and prompted large demonstrations and accusations the government was weakening its stance on Ahmadis. Protesters, led by the conservative Tehreek-e-Laibbak Pakistan (TLP), protested in Islamabad stating the change was blasphemous and anti-Ahmadi material circulated in the media. Following community pressure, the government cited clerical error and quickly restored the earlier wording to the oath in the *Elections Act, 2017*, and revised the electoral law to reincorporate Ahmadi registration requirements. The government also declared 2018 'The Year of Awareness of End of Prophethood'. The AJK Provincial Assembly passed a resolution to incorporate the federal government's anti-Ahmadi laws into the provincial interim constitution.

3.128 The protest over the language of the electoral law language reflects the sensitivity of Islam in Pakistan and the growing support base of political Muslim groups, including those with extremist ideologies or connections. Many local and international observers say that heightened religiosity in the 2018 election campaign has increased societal discrimination against Ahmadis, which may manifest in more violence. Human rights advocates and Ahmadis alike considered the situation for Ahmadis in 2018 was worse than ever before. As Pakistan has transitioned to democracy, the situation for Ahmadis has worsened.

3.129 Violence against Ahmadis by militant groups has been relatively rare in recent years. This partly reflects a general improvement in the security situation, the relatively high socio-economic status of many Ahmadis, and the difficulty of identifying Ahmadi solely from their appearance. Nonetheless, violent attacks on Ahmadis can and do occur. Unknown gunmen killed three Ahmadis in separate sectarian attacks in Punjab between March and May 2017, and half (three out of a total six) of total faith-based violent incidents across Pakistan in 2018 targeted the Ahmadi community (see [Security Situation](#)). Media reports anti-Ahmadi group, Aalami Majlis Tahaffuze Khatme Nabuwat (AMTKN), is one of the main banned organisations involved in attacks and threats against, and the killing of Ahmadis, both in Pakistan and overseas (United Kingdom). Media reports allege MTKN is also active in its efforts to advocate for more restrictions on the Ahmadi community in Pakistan.

3.130 The problems faced by Ahmadis in nominating their religion create administrative problems accessing many services. Ahmadi students have to register as Muslim or non-Muslim for their high school examinations. In Rabwah, students can elect to register with the Aga Khan Examination Board instead, which does not require a declaration of religion. Ahmadis in government schools and in other cities do not have this option. Ahmadis seeking to open bank accounts face similar registration issues, although many Ahmadis in Pakistan do have bank accounts.

3.131 Ahmadis claim to face significant employment discrimination. Most Ahmadis do not declare their religion in the workplace, as those discovered face hostility and discrimination, including dismissal. Non-Ahmadi parents discriminate against Ahmadi teachers and pupils in schools. Ahmadi patients can also face discrimination when obtaining medical treatment.

3.132 Government policy restricts Ahmadis joining government service, and imposes career ceilings for those who do obtain public sector jobs. In the military, which is widely regarded as the most meritocratic institution in Pakistan, Ahmadis face an 'unwritten' promotion ceiling at brigadier level.

3.133 Public advocates for the Ahmadi community face significant risk of violence; although the community claims some political leaders privately support them.

3.134 Ahmadis report they feel safest in Rabwah, although an Ahmadi who had drawn adverse official or societal attention would not be safe there. Ahmadis face the highest risk of discrimination and violence in rural villages where no extended Ahmadi community exists, although the security of individuals largely depends on the attitude of the local cleric. Ahmadis report the highest levels of discrimination in rural areas in Punjab. After Punjab, Ahmadis consider Karachi to be the most dangerous location.

3.135 Human rights groups consider Ahmadis to be the most vulnerable group in Pakistan, due to legal discrimination and growing religious intolerance. DFAT assesses that Ahmadis in Pakistan face a high risk of official discrimination, which affects their ability to practise their religion freely and limits the extent of their political and social engagement. DFAT assesses that Ahmadis face a high risk of societal discrimination and violence, which intensified in late 2017 and increased in 2018 as a result of the major Khatm-e-Nabuwat protests at the end of 2017 and the 2018 election.

Christians

3.136 The 2017 national census recorded that 1.6 per cent of the population, an estimated 3.3 million people, identify as Christians. Christian groups in Pakistan have told DFAT this number is inaccurate, and the community is larger. Most Christians live in Punjab, with sizeable populations in Sindh, Islamabad and Khyber Pakhtunkhwa. Most Christians are descendants of low-caste Hindus who converted during the British era. While a small number of Christians are relatively prosperous, Christians are the most economically vulnerable group in Pakistan and face significant social prejudice and class discrimination.

3.137 In 2018, Christian support group, Open Doors, ranked Pakistan fifth (out of fifty) most difficult country to be a Christian on its World Watch List. Many Pakistanis refer to Christians as '*bhangi*' meaning dirty or sweepers. In 2018, politician Arif Abbasi reportedly referred to Christians as '*churna*' in a National Assembly debate (meaning low-caste, but also with connotations of cleaning/sanitation work). Some advertisements for low-status work ask for Christian applicants only. Many Christians are bonded labourers with little education and thus limited access to legal remedies. Christians are also disproportionately represented in blasphemy cases (see [Blasphemy](#)).

3.138 Pakistan law does not restrict Christians from practising their religion, although some face difficulties in establishing new places of worship. *Sharia* law protects Christians as 'people of the Book', but these protections are rarely observed in practice. There are three Christians in the National Assembly, two in the Senate, seven in the Punjab Provincial Assembly and one in the Sindh Assembly. There are no Christians in the Balochistan or Khyber Pakhtunkhwa Assemblies. The 2018 USCIRF annual report notes no substantive progress on the Christian Marriage and Divorce Bill, originally proposed in 2012.

3.139 Militant groups target Christian individuals, churches, residences or other places where Christians congregate. A suicide bomber attacked a park in Lahore on Easter Sunday in 2016, killing 74 people—including many women and children. Jamaatul Ahrar claimed responsibility for the attack, and said it deliberately targeted Christians. Christians tend to live in concentrated areas or enclaves, which mitigates their risk of societal discrimination but increases their vulnerability to violence.

3.140 Since 2013, police have provided additional security to major churches during religious services. This has reduced, but not eliminated, the risk of violence. Police also provide some protection to Christian enclaves in major cities, to complement the community's own security arrangements. In September 2016, four suicide bombers attempted to attack a Christian enclave on the outskirts of Peshawar in Khyber Pakhtunkhwa province. Security forces intervened and engaged the militants in a gun battle. The militants detonated suicide vests, killing a civilian security guard. Jamaatul Ahrar claimed responsibility.

3.141 Community members claim that police have, on occasion, not responded adequately to attacks on Christians. In December 2017, ISIL claimed responsibility for a suicide attack on the Bethel Memorial Methodist Church in Quetta, killing nine worshippers and injuring at least 35. Four hundred worshippers were attending a service, but Christians claim no police were in the area, which was unusual. The US Department of State's 2017 Country Report on Human Rights Practices also reported that police often fail to protect religious minorities, including Christians.

3.142 ISIL also claimed responsibility for second attack against the Christian community on 2 April 2018, in which gunmen killed four members of a Christian family.

3.143 DFAT assesses that Christians face a low level of official discrimination and a moderate level of societal discrimination. DFAT further assesses that Christians face a moderate risk of societal violence and sectarian violence. DFAT assesses implementation of laws against blasphemy, and the potential for communal violence following an accusation of blasphemy disproportionately affect religious minorities, including Christians, in Pakistan (see [Blasphemy](#)).

Hindus

3.144 According to the 2017 census, 1.6 per cent of the population, or just over 3.3 million people, are Hindu. Most Hindus live in largely self-contained communities in Sindh. Hindus face similar issues in relation to blasphemy and education as other religious minorities (see [Blasphemy](#)), and are also affected by prevailing community attitudes to India and the state of the bilateral relationship.

3.145 Living in largely self-contained communities mitigates a certain degree of societal discrimination; however, affluent higher caste Hindus benefit more than poorer castes. Hindus in Karachi are safer in wealthier areas such as Defence and Clifton, but poorer Hindus are unable to live in these areas.

3.146 DFAT is not aware of any regional issues facing the Hindu community in central Sindh. In upper Sindh, criminals protected by tribal laws target Hindus as a socially vulnerable group, not because of their religion. Increased religious conservatism among majority Muslims in lower Sindh have increased discrimination and violence against Hindus. Most Hindus in lower Sindh live in Tharparker and Umarkot (whose populations are an estimated 70 and 80 per cent Hindu, respectively). Tharparker is vulnerable to drought and poverty.

3.147 While so-called ‘honour killings’ are a national issue (see [Women](#)). ‘Honour killing’ of Hindu women is more commonly seen in instances where a woman is a victim of a forced marriage and attempts to escape (see [Women](#)). Young Hindu women in rural Sindh can also risk ‘honour killings’ if they have a relationship with someone against their family’s wishes.

3.148 Hindus report no specific problems with access to health and education services. The Benazir Income Support Programme (BISP) has encouraged Hindu women to obtain CNICs to enable them to claim BISP benefits. Like other religious minorities, Hindus report being denied senior government, police and military roles. DFAT is aware of claims that Hindus using social media have received death threats, and of security force harassment of Hindus living on the border with India. DFAT is unable to verify these claims.

3.149 Local and international observers report that kidnapping, ransom and forced conversion of Hindu girls in lower Sindh is common, particularly in poorer communities lacking education and an understanding of religious rights. Kidnapped girls are often married and forcibly converted to Islam, after which their husbands’ families and communities prevent them from reverting to Hinduism. Reverting to Hinduism can also lead to accusations of blasphemy (see [Blasphemy](#)). Families pressure girls to say they converted by choice and the court system fails to intervene. Poor Hindu families, driven by economic imperatives, may also pressure their daughters to stay with their husbands’ families.

3.150 In February 2017, parliament passed the *Hindu Marriage Act (2017)*, covering Islamabad Capital Territory, Balochistan, Khyber Pakhtunkhwa and Punjab. The Act recognises Hindu marriages for the first time in Pakistan’s history and provides an avenue to apply family law in line with the Hindu religion. Sindh had already enacted its own law in 2016, which did not include provisions against forced conversion. These laws were passed in an attempt to curb forced marriage and conversion of Hindu women and girls, which disproportionately affects the Hindu community. In 2018, however, Sindh passed the *Sindh Hindu Marriage (Amendment) Bill 2018* allowing Hindu women to remarry and banning underage marriage.

3.151 Numbers of *madrassas* in Tharparker are reportedly increasing, with a view to religious conversion. *Madrassas* appeal to poorer families by offering food and shelter as well as education (see [Education](#)). Anecdotal reports suggest an increase in violence and targeted conversion has led to increased migration of Hindus from upper and lower Sindh to India.

3.152 Hindu girls also face risk of trafficking, sometimes linked to conversion and forced marriage, although this is not always the case. Domestic trafficking, as well as international trafficking, is common and does not only affect Hindu girls (see [Women](#) and [Conditions for Returnees](#)). DFAT is aware of reporting that trafficking is increasing in severity in southern Punjab.

3.153 Human rights groups report that Hindus and other poor minorities face difficulties in securing land rights. Human rights advocates report an increase in complaints against developers allegedly appropriating Hindu community graveyards, temples and agricultural land with no legal recourse for affected individuals.

3.154 DFAT assesses that Hindus face a low risk of official and societal discrimination, and a low risk of societal violence based on religion. Discrimination, harassment and violence against Hindus is linked to the state of the Pakistan-India bilateral relationship.

POLITICAL OPINION (ACTUAL OR IMPUTED)

3.155 Pakistani politics encompasses a broad range of political, ethnic and religious groups. Members of minority groups do not face formal restrictions to participation in the federal or provincial parliaments, but informal barriers exist. The ten seats reserved for non-Muslim minorities and 60 seats reserved for women in the National Assembly are allocated to political parties based on proportional representation. Some ethnic and religious minorities are elected to the national and provincial parliaments in open seats.

3.156 Members of religious minority groups and women holding reserved seats tend to engage selectively on policies. Religious minority members were not involved in the parliamentary negotiations that led to the passage of the 18th Constitutional Amendment in 2009-10, nor did they participate in framing the National Action Plan (NAP – see [Security Operations](#)) in 2015, nor the 2017 electoral reform laws. Critics claim that influential political families often place compliant daughters in reserve seats for women, in place of better-qualified representatives. Critics of seats reserved for minorities (including from within minority communities) claim that the individuals selected to hold these seats are not effective advocates for their communities. Members of the Christian community, in particular, argue the number of minorities in the country is higher than the government reports, and reform is needed to bring the system closer to proportionate representation.

3.157 Freedom of expression is enshrined in the Constitution of Pakistan, but is subject to ‘reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence.’ The breadth of these caveats considerably undermines the constitutional guarantee.

3.158 While the space for freedom of expression is shrinking in Pakistan (see [Media](#)), people commonly display their political affiliation with posters/bunting on their cars or homes, and political protests are common. Political protests have led to violent clashes between protesters and police. In November 2018, the TLP led violent protests against the acquittal of Asia Bibi (see [Blasphemy](#) and [Christians](#)). In February and April 2018, a series of Pashtun protests against extra-judicial killing occurred in Peshawar and Lahore; these protests have since transformed into a broader fight for ethnic minority rights in Pakistan. In November 2017, Islamist groups organised a large-scale sit-in in Islamabad to protest proposed changes to the electoral oath (see [Ahmadis](#)). In October 2016, supporters of Imran Khan’s PTI clashed with police in Rawalpindi, after defying a ban on public gatherings which targeted a large PTI protest that was subsequently cancelled. In 2014, the PTI held a prolonged, several month, sit-in in Islamabad, claiming fraud in the 2013 elections. While the protest was largely peaceful, three protesters were killed and several hundred injured in clashes with police on 30 August 2014 as the protesters entered the grounds of the parliament building.

3.159 Politically motivated violence also occurs across Pakistan, and tends to be most prevalent in Karachi and Balochistan. Terrorists sought to attack political leaders and workers on 24 occasions in 2018 (compared to 13 attacks in 2017). 16 of the 24 attacks, which were conducted by the TTP and ISIL, were responsible for the total death toll of political leaders and workers, killing 218 and injuring 394 people. Nevertheless, while

there was a spike in deaths around the 2018 election, since Operation Zarb-e-Azb, Radd-ul-Fasaad and the NAP (see [Security Operations](#)), violence by groups linked to political parties has generally reduced.

Pakistan Tehreek-e-Insaf (PTI)

3.160 PTI is a centrist political party led by former cricketer Imran Khan. Formed in 1996, PTI is Pakistan's third-largest party and currently leads a coalition government in Khyber Pakhtunkhwa. PTI has frequently criticised what it describes as the systemic exploitation, corruption and prejudice in Pakistan's politics. Unlike most other major parties in Pakistan, PTI has not engaged in political violence outside of minor altercations with security forces during otherwise peaceful protests. PTI won the largest number of seats in the 2018 national elections (see [Recent History](#)).

3.161 Politically motivated violence against PTI members has occurred, but is rare. In August 2016, gunmen fired at a car carrying two PTI leaders in Karachi. Neither was injured in the attack. In November 2014, three gunmen opened fire on PTI members during a procession in Gharmala village, Punjab, injuring ten PTI members. In 2013, three gunmen on motorcycles fired into a PTI office in the Jalojai refugee camp near Peshawar, killing one PTI member and injuring five others.

3.162 DFAT assesses that PTI members face a low risk of violence based on party affiliation.

Mutahidda Qaumi Movement (MQM)

3.163 MQM is a Karachi-based secular political party which advocates the rights of 'Mohajirs', or Urdu-speaking Muslim migrants (and descendants) from India. MQM also has power bases in Hyderabad and Nawabshah districts, Sindh. Prior to the July 2018 general election, MQM exercised considerable political influence in Sindh holding 50 seats in the 167-seat Provincial Assembly of Sindh. Its influence has diminished in the wake of the general election: it now holds 21 seats in the Provincial Assembly. It remains a political force, but leadership and faction conflicts have affected performance. MQM's representation of Karachi's Urdu-speaking community often brings it into conflict with the Sindh-based Pakistan People's Party and Pashtun parties.

3.164 In 2013, the Rangers – a federal, paramilitary force - (see [Police, Frontier Corps and Rangers](#)) commenced operations in Karachi that significantly reduced political violence. MQM leaders claim the Rangers disproportionately targeted MQM, affecting over 500 families since 2013. MQM claims that, since 2013, over 140 of its members were subject to enforced disappearances and over 100 to extra-judicial killings. MQM further claims that government forces detained more than 1000 of its members in the same period. MQM reports a decrease in numbers of new enforced disappearances in the context of an increase in enforced disappearances across Pakistan.

3.165 While numbers are difficult to verify, reports indicate the Rangers killed many MQM members during operations against alleged violence and extortion. In August 2016, the Rangers announced they had apprehended 848 assassins affiliated with MQM 'militant wings' since September 2013. The Rangers claimed that 654 of those arrested were responsible for more than 80 per cent of all targeted killings in Karachi and Hyderabad. MQM suspects have reportedly confessed to involvement in 5,863 incidents of targeted killings.

3.166 Militant groups such as the TTP have periodically attacked MQM members because of their secular ideology, but such attacks have been much less frequent in recent years. Anti-MQM sentiment is also connected to allegations that MQM has links with Indian intelligence. The level of anti-MQM rhetoric, discrimination and violence reflects popular perceptions of the Pakistan-India bilateral relationship.

3.167 In August 2016, the controversial exiled leader of the MQM, Altaf Hussain, made an address from London to MQM supporters on a hunger strike in Karachi. Altaf allegedly urged supporters to attack media outlets that did not give MQM sufficient media coverage. Following the speech, a group of MQM supporters attacked an ARY News office. The attack and subsequent violent clashes with police killed one person and injured several others. Rangers sealed MQM's offices in Karachi, launched a treason case against Altaf, and arrested five MQM leaders in Karachi.

3.168 Anti-Pakistan rhetoric in Altaf's speech led to senior MQM leaders to declare they would no longer answer to Altaf and run the movement from Pakistan. The party split into two factions, one loyal to Altaf Hussain's leadership from London (MQM-London, or just MQM) and one led by Pakistan-based party officials (MQM-Pakistan). The government formally recognised MQM-Pakistan (MQM-P) and its former leader, Farooq Sattar. Sattar was replaced by Khalid Maqbool Siddiqui as the leader of MQM-P in February 2018.

3.169 DFAT assesses that MQM members face a low risk of violence from militant groups and criminal elements in Karachi, and that this risk has significantly reduced since security operations began in 2013. DFAT assesses that MQM members who are associated with (or perceived to be associated with) political violence and/or criminal activities face a moderate risk of violence from security forces.

Awami National Party (ANP)

3.170 ANP is a Pashtun nationalist, secular political party that promotes opposition to the TTP, with headquarters in Peshawar, Khyber Pakhtunkhwa. ANP's major support bases are in Khyber Pakhtunkhwa and Balochistan. ANP formed in 1986 as a successor to the National Awami Party, and served in several national and provincial coalition governments in the 1990s. Between 2008 and 2013, the ANP governed Khyber Pakhtunkhwa province and was a junior partner in the federal coalition government with the Pakistan People's Party.

3.171 Like other parties in Pakistan, the ANP can be affected by politically motivated violence. It is also the target of violence from militant groups. The ANP is anti-Taliban, and TTP militants have attacked ANP members due to its secular ideology, support for the military and counter-insurgency operations in the former FATA and Khyber Pakhtunkhwa, and work to improve the Pakistan-Afghanistan bilateral relationship. ANP claims to have lost 1000 members to acts of terrorism. However restrictions on media reporting in the former FATA and Khyber Pakhtunkhwa (see [Media](#)) may mean some incidents—particularly those involving low-level officials—are not reported.

3.172 In July 2018, a suicide bomb attack at an election rally in Peshawar wounded at least 69, and killed at least 20 people, including prominent local ANP politician Haroon Bilour. Bilour was a Provincial Assembly candidate for the July 25 2018 general elections. His father, Bashir Bilour, a prominent ANP politician, was also killed by a suicide bomber in 2012. The ANP was the target of TTP attacks during lead up to the May 2013 elections. Many of the party's leading candidates restricted their electioneering to their houses or via Skype. On 11 April 2016, militants killed an ANP leader in Swat, Khyber Pakhtunkhwa.

3.173 In 2018, ANP Pashtuns were also involved in large-scale demonstrations coordinated by PTM (see [Pashtuns](#)) seeking protection against state oppression and human rights abuses against Pashtuns in the tribal regions of Pakistan.

3.174 DFAT assesses that ANP members face a moderate risk, and ANP leaders face a moderate to high risk of terrorist related violence based on ANP's opposition to the TTP. Discrimination and violence against ANP members can also be affected by popular perceptions of the Pakistan-Afghanistan bilateral relationship (see assessments under [Pashtuns](#) and [Afghan Refugees](#)).

GROUPS OF INTEREST

Civil Society Organisations

3.175 Human rights activists and journalists reporting on human rights issues face significant risk of harassment. Restrictions on civil society organisations have also significantly reduced the space for civil society in Pakistan.

3.176 Under the *Societies Registration Act* (1860), NGOs must register with the government to operate in Pakistan. The government has periodically used the registration process to control NGO activity, claiming national security grounds and the need to curb foreign interference.

3.177 On 25 May 2015, the government notified all international NGOs operating without a No Objection Certificate (NOC) to cease operations in Pakistan immediately. On 11 June 2015, the government forcibly closed Save the Children's Islamabad office and seized its assets, claiming foreign interference. Following pressure from the international community, on 1 October 2015, the government introduced a new registration policy for international NGOs.

3.178 Under the policy, international NGOs must register with and obtain permission from Ministry of Interior (MoI) to operate in Pakistan. A multi-agency committee reviews registration applications, and MoI has the power to cancel or deny the registration of any NGO deemed not to be acting in Pakistan's strategic, security, economic, or national interest. The MoI's application of the policy has restricted operations in more sensitive geographic areas, and limited the activities of civil society actors on sensitive issues.

3.179 Between the introduction of the new system and November 2018, 66 INGOs were approved, approximately 25 still await an outcome, and 44 have been unsuccessful. 18 of the 44 who were unsuccessful have subsequently closed operations in Pakistan, followed failed appeals. NGOs claim security officials have harassed staff, including through surveillance and personal threats. MoI has cancelled visas of international staff, and closed down offices in Islamabad and the provinces.

3.180 A separate policy governing domestic NGOs requires organisations to register with the government before using foreign funding, services, and goods, and to obtain authorisation to work in defined geographical areas. Security services have harassed domestic NGOs with foreign connections.

3.181 Non-government health workers face a moderate risk of violence from militant groups, particularly those involved in polio vaccination programs (see [Health](#); again partly due to the bin Laden raid). While attacks on health workers, NGOs, human rights activists and civil society actors can occur in any part of Pakistan, attacks are more common in areas where the security is worse, including Khyber Pakhtunkhwa, the former FATA and Balochistan. Harassment and monitoring by security forces can occur anywhere across the country.

Human Rights Organisations

3.182 Activists who are critical of the government or who travel to sensitive areas are also subject to additional scrutiny by the authorities. Activists, especially human rights activists, may also be subject to physical and electronic surveillance by authorities and/or subject to harassment and violence. While DFAT is unable to verify reports that security forces have harassed family members of human rights activists, including with violence, the US State Department 2017 Pakistan Human Rights Report states 'security forces, political parties, militants, and other groups subjected media outlets, journalists, and their families to violence and harassment (see [Media](#)).

3.183 Human rights organisations also face risks of violence from militant groups when activities threaten the militants' interests. The TTP has banned polio vaccinations and regularly carries out attacks on polio

workers, as does ISIL, claiming they are a western plot to sterilise Muslims. Militant groups killed more than 100 people in attacks on polio workers between December 2012 and September 2016. Attacks continued in 2017 and 2018.

3.184 DFAT assesses that human rights activists and civil society actors who criticise the government and military, or who work on topics deemed sensitive, face a moderate to high risk of official discrimination including harassment and violence by security forces. DFAT assesses human rights activists face a moderate to high risk of harassment and violence from militant groups.

Media

3.185 Pakistan has a vibrant media with large number of independent broadcast, print and electronic outlets. Media regularly report criticism of the government, politicians and political parties, the judiciary and the military. However, the operating environment for journalists reporting on sensitive topics is challenging. The media faces intimidation and violence and comes under intense pressure to avoid sensitive topics (see harassment by security forces, [Human Rights Organisations](#)).

3.186 Article 19 of the Constitution guarantees freedom of the press, 'subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence'.

3.187 The Pakistan Electronic Media Regulatory Authority regulates the activities of television and radio stations, and the Press Council of Pakistan regulates print media. Media content is regularly censored to remove 'obscenities' and to discourage the publication of sensitive information, particularly in relation to national security issues. Under the *Prevention of Electronic Crimes Act* (2016) the Pakistan Telecommunications Authority undertakes intermittent internet filtering to block sites containing information considered offensive, injurious to Islam, or a risk to national security. Amnesty International's 2017/2018 Pakistan Report states the *Prevention of Electronic Crimes Act* (2016) was 'used to intimidate, harass and arbitrarily detain human rights defenders for online comments' (see social media - below).

3.188 Reporters Without Borders (RSF) ranked Pakistan 139 out of 180 countries in its 2018 Press Freedom Index, between India (138) and Thailand (140). RSF claims Pakistan is one of the world's most dangerous places for journalists. A bombing in Quetta in 2013 that killed three journalists remains one of the ten deadliest attacks on journalists in the last ten years. Nine terrorist attacks against journalists in 2017 killed four and injured ten, compared to two attacks in 2016. Of the nine attacks, three were by Baloch insurgents in Balochistan, while the TTP and aligned militants claimed six.

3.189 RSF reported that journalists are often the targets of physical violence, abduction or intimidation by the intelligence services and the military. Female journalists, in particular, have faced threats of sexual violence and harassment, including via social media' (see [Media](#))

3.190 The HRCP reported in 2017 that journalists practised self-censorship for fear of attack by security forces and militant groups. HRCP reports the government pressured journalists to avoid all reporting on counter-terrorism operations in 2017.

3.191 Journalists covering security issues receive threats from militants, Taliban and government officials, whereas journalists covering other issues do not. Media sources claim journalists self-censor for fear of enforced disappearance. Issues subject to self-censorship extend to corruption in development projects, in case the project in question has military links. The government and the military restrict physical access to the former FATA, border areas of Khyber Pakhtunkhwa and parts of Balochistan, and access to information in those areas.

3.192 According to RSF, in the first five months of 2018, one journalist was killed and two imprisoned for their reporting. RSF data do not include deaths or detentions of journalists unrelated to journalism, or where the link has not been confirmed. Five bloggers disappeared in 2017 after publishing content critical of the government and military. The bloggers were subsequently released, some fled the country and reported torture and detention by state intelligence agencies. The military and Intelligence services have denied involvement.

3.193 The government has also engaged in direct censorship of media organisations. On 29 January 2018, the Ministry of Interior forcibly closed Mashaal radio on the recommendation of Inter-Services Intelligence (ISI, see [Military and Intelligence Services](#)). Mashaal radio was a Pashtun language station linked to US-funded Radio Free Europe, which launched in 2010 to counter a growing number of Islamic extremist radio stations in Khyber-Pakhtunkhwa and the former FATA. ISI claimed the station aired programs supporting hostile foreign interests that were against the interests of Pakistan. Geo TV, a significant cable operator, took several channels off the air in March 2018, allegedly after military pressure. The channels were restored in April 2018, reportedly after the owners agreed to stop favourable coverage of the then governing PML-N. Dawn, a national newspaper founded in the British era by Pakistan's founder Mohammed Ali Jinnah, had its distribution banned in military cantonments throughout the country in May 2018, allegedly after publishing an editorial on the rift between the military establishment and the PML-N. The military has denied involvement in both these cases.

3.194 Journalists say self-censorship extends to social media, as does pressure from authorities. Pressure not to post on social media extends to specific local issues, in one case reportedly in relation to water and electricity problems at a local school, although DFAT is unable to verify this claim. The *Prevention of Electronic Crimes Act* (2016), more commonly known as the Cyber Crimes Act, and *Anti-Terrorism Act* (1997) (and 2013 amendments) include provisions, which potentially limit free speech. The *Prevention of Electronic Crimes Act* (2016) criminalizes hate speech, and in some instances classifies it as cyber terrorism, which may trigger the *Anti-Terrorism Act* (1997). Media and RSF have criticised the *Prevention of Electronic Crimes Act* (2016) for its poorly defined terms and broad language, which leaves it open for interpretation and manipulation. They have also highlighted scope for misuse of the Act to target journalists, whistleblowers. For example, Article 10A cites hate speech as a crime punishable by up to seven years in prison, and defines hate speech broadly as any information, which advances or is likely to advance inter-group hatred. The Act also gives the government broad power to block or remove online material and limit free speech against: the integrity, security or defence of Pakistan or any part thereof; friendly relations with foreign states; public order; decency or morality; speech related to contempt of court; the commission of or incitement to an offence; and the modesty and the dignity of natural persons.

3.195 Advocacy groups express concern that many young people posting views on social media may not be aware of the risk of breaching these laws. DFAT is aware of reports that authorities have traced social media accounts through photographs posted on line and subsequently detained or shamed the authors of posts criticising the government or military. DFAT is unable to verify these reports. While social media has increased transparency at mass level, individuals remain at risk.

3.196 Journalists also self-censor reporting on sensitive religious issues, and Shi'a and other religious minority journalists experience similar pressure from security agencies as other journalists when reporting on topics of sensitivity, and additionally face religious based threats and harassment.

3.197 While journalists in Pakistan face a high risk of official discrimination in the form of censorship pressure and harassment, and potential violence for publishing critical or sensitive articles, DFAT assesses journalists mitigate this risk to moderate levels through self-censorship. DFAT assesses journalists face a moderate risk of societal violence when specific groups (including militant and armed groups) deem their reporting

unfavourable. DFAT assesses that people who post articles on social media criticising the security forces or armed groups face a moderate risk of official discrimination and societal violence.

Women

3.198 Article 25 (2) of the Constitution prohibits ‘discrimination on the basis of sex,’ subject to a caveat enabling the state to make laws to “‘protect women and children.’ Pakistan has undertaken several international commitments to gender equality and women’s human rights, including the Beijing Platform for Action, the Convention on the Elimination of all forms of Discrimination Against Women, the Millennium Declaration and the Millennium Development Goals. Pakistan has had a female head of government (Benazir Bhutto, although Bhutto’s rise to power is more a result of Pakistan’s dynastic political system – inherited power – than an example of women’s empowerment) and women sit in the parliament. However, the majority of women in parliament are in ‘reserved seats;’ only eight women were directly elected in the 2018 general election. Some women have attained senior positions in public life. Such women are not, however, representative of the status of women in Pakistan, particularly those who are not from wealthy and prominent families.

3.199 According to the World Economic Forum’s 2017 Global Gender Gap Report, Pakistan ranked 143 out of 144 countries, behind Syria (142) and ahead of Yemen (144), for female economic participation and opportunity, educational attainment, health and survival and political empowerment. Observation of the *purdah* (literally ‘curtain’, a practice of segregating women from unrelated men) restricts women’s personal, social and economic activities outside the home. Many women in Pakistan live separately from men, particularly from men outside their families, and face significant cultural and legal barriers to access basic rights, freedom and protection. While many women participate actively in society in large urban centres such as Lahore, Karachi or in Islamabad, conservative societies outside urban centres observe *purdah* rigorously. This has practical implications for travel beyond the home, including for health services or to obtain humanitarian support during conflict.

3.200 Provincial governments implemented some measures in 2018 and 2017 that will benefit women:

- Sindh operationalised the Sindh Provincial Commission on the Status of Women, and passed the Sindh Hindu Marriage (Amendment) Bill (2018) allowing Hindu women to remarry and banning underage marriage;
- Balochistan legislated to create a provincial commission on the Status of Women;
- the Khyber Pakhtunkhwa assembly introduced a women’s anti-harassment bill;
- Pakistan’s first Violence Against Women Centre opened in Multan, under the Punjab Women Protection Authority Act (2017); and
- the Punjab police created a new post of ‘Additional Inspector-General, Women’s Protection, and launched the Punjab Women Development Policy (2018) to eradicate all explicit and implicit gender discrimination across all spheres of society.

3.201 Overall implementation of gender-based legislation lags, and the HRCP reported little substantive progress in 2017 on the rights of women and girls, particularly for females living in rural areas or settlements, those from religious minority or lesbian, gay, bisexual, transgender and intersex (LGBTI) communities, and those living with a disability.

3.202 Religious based parties and the CII (see [Human Rights Framework](#)) blocked a draft bill to raise the legal age of marriage for girls from 16 to 18 years, to equal that for boys, and parliament failed to make progress on two bills relating to domestic violence, and Christian marriage and divorce (see [Christians](#)). However, a

draft bill considering the legal age of marriage for girls from 16 to 18 years was reintroduced in the Punjab Assembly again in 2018.

3.203 Women and girls in Pakistan are subject to rights based violations such as, but not limited to, gender based violence including (so called) honour killings and acid attacks, cruel, inhumane and degrading treatment by traditional justice systems called *jirgas* (see [Cruel, Inhuman or Degrading Treatment or Punishment](#) , early and forced marriage (see [Children](#) and [Hindus](#)), kidnapping and bonded labour. Although the Sindh High Court declared *jirgas* illegal in 2004, confirmed by the Supreme Court in 2005, they continue to operate. *Jirga* verdicts can include honour killings, mutilation, and *badal-e-sulah*, where girls and young women are given away to settle blood feuds or land disputes among men. Family members carry out honour killings against relatives perceived to have brought dishonour on the family by refusing an arranged marriage, forming a romantic attachment not approved by the family or, in the case of girls, for dress or behaviour deemed insufficiently modest. While young men can be targets of honour killing, most victims are female. HRCP reported in 2017 that local authorities cooperate in enforcing *jirga* verdicts, and that many heads or members of *jirgas* are elected members of local government, provincial assemblies or federal parliament.

3.204 In July 2017, a village council in Multan ordered and carried out the rape of a teenage girl as punishment for a crime allegedly committed by her brother. In August 2017, the exhumed bodies of a teenage couple in Karachi showed evidence of electric shocks. The couple had received a death sentence from a *jirga*. Amnesty International reported a lack of enforcement in 2017 and 2018 of legislation passed in October 2016 that mandated imprisonment for convicted murderers in honour killing cases. Prior to the October 2016 passage of the *The Criminal Law (Amendment) (Offences in the name or pretext of Honour) Act* (2016), the law allowed perpetrators of honour killings to be released if forgiven by the victim's family. Proponents of reform had noted that perpetrators were usually senior members of the victim's family. Traditional laws of compensation for physical harm or property damage (*qisas* and *diyat*) continue to permit agreements between the two parties, based on forgiveness, compensation or other forms of settlement, which often work against the interests of women.

3.205 The government tabled two draft laws on FATA reforms: The first, titled 'Tribal Areas Rewaj Bill 2017,' accused of being 'FCR/1901 by a new name,' (see [Political System](#)) and sanctioning *jirgas* and other anti-female traditions in the name of reform, was only shelved following significant advocacy efforts. The second, a new Bill for Alternate Dispute Resolution, also included provisions for legalising the systems of *jirgas* and *panchayats*, and extending out of court 'settlements' to both civil and criminal matters. Advocacy led to the deletion of references to *jirgas*, however, a request to omit criminal and family law cases from the purview of the Bill was not accepted and the law was enacted in 2017.

3.206 HRCP observes a lack of political will to enforce legislation protecting the rights of women, reflecting cultural attitudes and lack of capacity in the police force and among others involved in the investigation and prosecution of gender-based crimes. A female Minister for Human Rights, Dr Shireen Mazari has been in office since August 2018. However, generally, the limited voice of women in the National Assembly and provincial assemblies hampers progress, despite powerful advocates. Politicians and members of the judiciary have reportedly received death threats for attempting to reform the law or to introduce legislation to support women's rights.

3.207 The HRCP 2017 annual report notes an increase in reported violence against women and girls in 2017 compared to 2016, with 10,552 incidents. The number included 3,495 incidents of rape, 2,493 incidents of domestic violence (of which 1,266 were fatal) and 309 honour killings. These figures include only those cases formally reported to authorities, so are likely to understate the actual incidence of violence, particularly in relation to honour killings.

3.208 Police lack capacity to process cases and handle evidence in cases of rape and domestic violence. Cultural attitudes towards acceptability of violence also affect both investigations and the willingness of

victims to report. The small number of women police officers also likely contributes to under-reporting. Successful prosecutions are rare. Some victims choose to report to the media or local politicians, rather than the police. In 2016, the US State Department reported allegations that police pressured rape victims to drop charges, particularly when the accused had bribed the police officer. While more common in tribal districts, rape cases can be referred to *jirgas*. In 2016, the UK Home Office also reported some female victims of rape were ordered to marry their attackers. Marital rape is not a crime under Pakistani law.

3.209 The CII (see [Human Rights Framework](#)) has also opposed measures such as the *Women's Protection Act* (2006), which repealed parts of the *Hudood Ordinances* (see [Religion](#), [Corporal Punishment](#) and [People who identify as LGBTI](#)). The Act prevents rape victims being charged with adultery, and strengthened rules governing prosecutions in cases involving sexual assault. The CII has also opposed provincial legislation such as the *Punjab Protection of Women against Violence Act* (2016), which criminalises domestic violence and stalking, protects victims while a case is investigated, and provides for civil remedies. The CII has recommended that husbands be allowed to beat their wives 'lightly' under the law. Despite CII opposition, both the 2006 and 2016 legislation were passed.

3.210 Women living with disabilities are also more vulnerable to physical, emotional, psychological and verbal violence. DFAT is aware of 'carer marriages' occurring, where women are married to someone with a disability in order to care for them. Women may also be married in order to care for a disabled and/or older wife, or to provide a 'fresh face' for the family.

3.211 Many women fleeing violence relocate to Karachi after leaving their families. Karachi, Islamabad and Lahore are preferred over smaller cities, Karachi in particular for Pashtun women. Reintegration for victims depends on the strength of the family, and availability of safe networks and friends. Significant stigma and risk to personal safety attaches to leaving a family, irrespective of violence. Women face significant economic barriers to leaving the family, and often need assistance with shelter and livelihoods. State-run women's shelters (*darul aman*) require a court order to enter and leave, and commonly return women to the original violent setting. While private and NGO-run shelters exist, they are unable to meet demand.

3.212 In 2017, the UN Committee on Economic, Social and Cultural Rights review of Pakistan's progress report found the gender pay gap in Pakistan had risen from 34 per cent in 2008 to 39 per cent in 2015. Most women who work outside the home are in the informal sector, mostly in agriculture in rural areas or working as domestic helpers in urban areas, with limited labour rights and social protection.

3.213 Pakistan has not ratified ILO Convention 177 on Home-Based Work. Despite legislation to abolish bonded labour, HRCP reported that women and girls, especially those belonging to religious minorities, continued to work in bonded, forced and slave labour in 2017. Many bonded workers are employed in the brick kiln industry, agriculture and in domestic work (see [Children](#)). The alleged torture in 2018 of a ten-year-old maid, Tayyaba Bibi, by the former judge who employed her received significant media attention domestically and internationally.

3.214 Militant groups such as the TTP have also attacked women and girls, particularly female teachers and girls attending school, due to ideological opposition to female education. The 2012 shooting of Nobel Peace Laureate Malala Yousafzai while she was travelling on a school bus in Swat was a direct response to a series of media interviews in which she argued that girls had a right to education and condemned the TTP. Attacks on girls' schools continue, particularly in the former FATA, Khyber Pakhtunkhwa and Balochistan, and a significant attack occurred against 12 schools in Gilgit Baltistan in August 2018.

3.215 DFAT assesses that women and girls who are not from wealthy and prominent families face a high level of official discrimination, in the form of a lack of legislative protection against societal violence and ineffective enforcement of laws that exist. Women face significant legal discrimination on issues such as inheritance, property rights, family law, and civil and traditional judicial processes.

3.216 DFAT assesses that women and girls in Pakistan face a high risk of societal discrimination and violence, particularly domestic violence, because of their sex. Women who are economically disadvantaged, culturally or geographically isolated are particularly vulnerable, and lack access to support services.

People who identify as LGBTI

3.217 Sex between men is illegal in Pakistan. Section 377 of the Penal Code outlaws consensual ‘carnal intercourse against the order of nature with any man, woman or animal’, punishable by prison sentences ranging from two years to life. Uncertainty around the definition of ‘carnal intercourse’ makes it unclear whether this provision applies to sexual relations between women. Section 377 has rarely been enforced, although police reportedly threaten men with prosecution as a means of extracting a bribe. DFAT is aware of reports of lesbian women living together discretely without risk; local sources say less societal shame is associated with having a lesbian child than a daughter having sex with a male out of wedlock, although stigma remains common.

3.218 While sex between males is common, homosexual identity is not. Strong and widespread cultural, religious and social intolerance of homosexuality means it is not widely discussed or acknowledged in Pakistan. 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. In April 2014, Muhammed Ejaz, a man from Lahore, killed three gay men he met online. He reportedly told police he wanted to send a message about the evils of homosexuality. Several community organisations in major urban centres provide medical and support services to the LGBTI community. The ‘taboo’ nature of same-sex activity results in a lack of investment in treatment options for HIV/AIDS in Pakistan (see [Health](#)).

3.219 People identifying as LGBTI from wealthy and influential families in large urban centres face less discrimination and violence than poor people in rural areas. Nonetheless, even wealthy individuals face high levels of discrimination, and their families often force them into a heterosexual marriage to preserve the family’s reputation and social standing.

3.220 The government formally recognises people identifying as transgender as ‘third gender.’ The *Transgender Persons Protection of Rights Act* (2018) gives individuals identifying as transgender full access to rights and documentation such as national identity cards, driver’s licenses and passports, in accordance with their self-perceived gender. The Act provides for inheritance laws to apply according to an individual’s self-perceived gender as marked on their CNIC. A biological male who self-identifies as female will therefore lose some inheritance and property rights. Transgender Muslims may not undertake Hajj (pilgrimage to Mecca), and a biological male who elects for an ‘X’ CNIC or passport may lose his inheritance under *sharia*.

3.221 Many transgender individuals live together in poorer communities within large urban centres. The US State Department reported in 2016 that many transgender people earned their income by begging or dancing at carnivals and weddings. Such work is highly visible and workers are vulnerable to physical and sexual violence.

3.222 In January 2018, the Khyber Pakhtunkhwa government distributed health care *Sehat Insaf* (also referred to as *Sehat Sahulat*) card to members of the transgender community in Peshawar, which entitles the holder to PKR 540,000 (AUD 5,900) per person per year of health services at public and private sector hospitals free of charge. However, later media reports the Sehat Insaf cards are inactive and do not work when submitted in the hospital for treatment due to a lack of funds attached to the cards. Transgender people are eligible for assistance under the Benazir Income Support Scheme (BISP). Notwithstanding government support, transition health care remains poorly regulated, posing a risk to individuals. DFAT is aware of reports of illegal gender reassignment surgery supported by unregulated hormone drugs.

3.223 State-run women's shelters (see [Women](#)) accept women only on a court order, and will not admit transgender women. Informal shelters exist within the LGBTI community, at the homes of community members. The transgender community claims that male rape, including rape of male children, is common in Khyber Pakhtunkhwa (see [Children](#)). In one case, the community claimed a young Afghan male raped by 14 men was denied access to a shelter, as he was 'not a child.' DFAT is also aware of, but cannot verify, a report that 15 people raped a transgender person for 35 consecutive days and then killed the victim. In January 2018, media reported that nine people raped an 18-year-old transgender person in Peshawar. According to the media report, the victim requested a medical examination, but police failed to register a FIR of the incident and to organise an examination. Human rights advocacy groups, particularly in Khyber Pakhtunkhwa, report many attacks on the transgender community and its property, including abuse in police custody.

3.224 In 2009, the Supreme Court called for improved police response to cases involving the transgender community. Violent attacks in Khyber Pakhtunkhwa on activists for transgender rights, and on people identifying as transgender and intersex spiked in 2016. Transgender advocacy groups report more than 50 transgender people were killed in Pakistan in 2015 and 2016. In September 2016, the National Commission for Human Rights called on the government to investigate attacks against the community.

3.225 Transgender advocacy groups say the community is especially vulnerable to targeting by organised criminal gangs. They report that at least 44 cases currently before the courts relate to gangs specifically targeting the transgender community for extortion or murder.

3.226 Given social stigma associated with homosexuality in Pakistan, advocacy efforts on behalf of the LGBTI community generally advance under the umbrella of the transgender community. Those that advocate for the LGBTI community are also vulnerable to attack. LGBTI advocacy groups claim the Taliban beheaded LGBTI human rights activists in 2013. They further claim the Taliban captured LGBTI activists and held them for a year in 2014; and captured other LGBTI activists and held them for 75 days in 2017. An LGBTI event hosted by the US Embassy in Islamabad in 2011 led to protests from religious groups and the broader community. Since then, international sources note LGBTI groups have participated in and supported several low-key LGBTI events in Pakistan.

3.227 DFAT assesses that LGBTI people face a high risk of official and societal discrimination. The lack of media reporting on violence against LGBTI people reflects in part a lack of recognition of LGBTI issues in Pakistan, and in part the efforts of LGBTI people to conceal their sexual orientation or gender identity. DFAT assesses that openly LGBTI people and advocates for LGBTI rights face a high risk of societal violence.

Children

3.228 Pakistan ratified the Convention on the Rights of the Child on 12 November 1990. However, instances of child rights violations are significantly under reported in Pakistan. The National Assembly passed the *National Commission on the Rights of the Child Act* in September 2017, to establish a National Commission for the Rights of the Child. Neither a commission nor formal system for review had been established by August 2018.

3.229 The legal age of majority is 18, with the exception of marriage. Early and forced marriage—marriage involving a male under the age of 18 years or a female under the age of 16 years—is illegal under the *Child Marriage Restraint Act* (1929). However, in January 2019, a legislative panel of the Upper House of Parliament approved a draft *Child Marriage Restraint (Amendment) Bill (2018)* to raise the minimum age of marriage to 18 years, with a view to presenting it to parliament and the federal cabinet in 2019. UNICEF estimates approximately three per cent of girls are married before the age of 15, and 21 per cent before the age of 18. Child marriage is more common in rural areas.

3.230 In February 2017, parliament amended the Penal Code to increase the punishment for child marriage to five to ten years in prison and a fine of up to PKR 1 million (AUD 9,912). In May 2017, the National Assembly rejected for the second time amendments to the *Child Marriage Restraint Act* (1929) to increase the legal age for marriage from 16 to 18 for both sexes nationwide. The CII argued laws restricting the minimum age of marriage were ‘un-Islamic’, and advocated allowing children to marry at any age provided they had attained puberty. However, in 2018, a new child marriage bill was introduced into the Punjab Assembly. In 2014, Sindh passed a law setting the age of marriage at 18 for both men and women. In 2015, Punjab increased the penalties for those found guilty of arranging or conducting child marriages, however, it did not raise the age of marriage to 18.

3.231 Sexual relations outside of marriage are prohibited under the 1979 *Hudood Ordinances*. Considerable social stigma attaches to children born out of wedlock, who are called *harami*, or forbidden under Islam. Without a father’s name, such children have no rights to inheritance and cannot be registered with NADRA unless formally under state guardianship in an orphanage. The European Asylum Support Office and media report on a societal practice of killing of illegitimate children after birth in Pakistan.

3.232 Child shelter and orphanage services exist, such as the Child Protection and Welfare Bureaus in Punjab, and Child Protection Units in Sindh. Nevertheless, UNICEF estimates that only 33.6 per cent of children under five are registered (59.3 per cent in urban areas and 22.8 per cent in rural areas). Child rights advocate say such shelters take custody only of children who are considered ‘destitute and neglected.’ Shelters in Punjab provide basic psychological services, education and legal aid. In Sindh, shelters lack designated staff and the funding to function appropriately.

3.233 *Sharia* does not permit customary adoption. Section 4A of the *Guardians and Wards Act* (1890) allows an adult to obtain temporary custody of a child or to become a legal guardian or warden by court order.

3.234 Both girls and boys are also subject to abuse such as rape and domestic violence. Sexual abuse of children is widespread, not only young girls, but also customary male rape of young boys, particularly in Khyber Pakhtunkhwa and the tribal districts (see [People who identify as LGBTI](#)). Honour killings and acid attacks against girls are also common (see [Women](#)).

3.235 Kasur, Punjab, has witnessed increased reports of the exploitation and murder of children in recent years. Sahil, an NGO specialising in the sexual abuse of children, reported in the first six months of 2017 there were 129 cases of child assault reported in Kasur, 34 of which were abductions and 23 were rapes. 720 incidents in total were reported in Kasur in the three years prior to January 2018. In 2015, reports that a gang in Kasur had organised sexual exploitation and filming of approximately 300 children over a period of ten years sparked large-scale protests across the country. The alleged patron of the gang, Malik Saeed, was an MP in the former ruling Pakistan Muslim League-Nawaz. Saeed is accused of protecting the gang and financing their bail.

3.236 The Kasur incident prompted the *Criminal Law Amendment Act* (2016), which criminalised child sexual abuse and child pornography for the first time through the insertion of sections 292(B) and 377(A) into the Penal Code. The provisions do not allow charges to be dropped on negotiation with victims’ families. Offences under the provisions are not eligible for bail, and are punishable with prison sentences of up to seven years, and/or fines of up to PKR 500,000 (AUD 5,500). The Asia Foundation estimates there has been an increase in the number of child abuse cases reported since 2016 amendment, currently eleven cases per day in 2018.

3.237 In February 2018, an anti-terrorism court also charged Imran Ali with four counts of the death penalty, one life term, a seven-year jail term and PKR 4.1 million in fines, for the kidnap, rape and murder of six-year-old Zainab Amin in Kasur. The Supreme Court rejected Ali’s appeal against the death penalty. Zainab’s case was the 12th incident in Kasur within a ten-kilometre radius over a 12-month period.

3.238 There is inadequate monitoring of children in conflict with the law, and children at risk of physical, psychological or economic abuse. In May 2018, the government passed the *Juvenile Justice System Act* (2018), which addressed some shortcomings in the *Juvenile Justice System Ordinance*, (2000). The Act defines a child as a person who has not attained the age of eighteen, and has provisions for the right to legal assistance, disposal of cases through diversion, and for special handling of the apprehension, investigation and incarceration of female juveniles. The Act also prohibits the arrest of a child under preventive detention laws and provisions of chapter VIII of the Code of Criminal Procedure.

3.239 Nevertheless, justice system facilities available to support the Act are limited. According to child rights advocacy groups, Pakistan has no juvenile courts and only two juvenile prison facilities, located in Faisalabad and Bahawalpur. Juvenile prisons are generally not as overcrowded as adult prisons (see [Detention and Prison](#)). Children not in the two juvenile prisons are detained within adult prison facilities, and treated as adults (see [Detention and Prison](#)). The maximum legal penalty a child can receive is a life sentence; only military courts can sentence a person under 18 years to the death. However, as many as 10 per cent of prisoners on death row are children under the age of 18.

3.240 Amnesty International has reported that multiple minors have been charged with blasphemy (see [Blasphemy](#)). These include Salamat Masih (11 years old) of Gujranwala, Rimsha Masih (13) of Islamabad, Nabil Chohan (16) of Kasur, Ryan Stenton (16) of Karachi and Aqib Saleem (15), an Ahmadi of Gujranwala. Amnesty claims Nabil Chohan has been in jail for two years without access to a lawyer of his choice. DFAT is aware of cases in Pakistan of minors being unable to prove their status due to absent documentation (missing birth certificates), which has resulted in some cases in their being tried as adults.

3.241 On 17 December 2014, the government ended a six-year unofficial moratorium on the death penalty for prisoners convicted of terrorism-related offenses. In March 2015, executions recommenced for other capital offenses, including murder, rape, treason, and blasphemy (see [Death Penalty](#)). Since 2015, authorities have executed several individuals aged below 18 when they allegedly committed capital offences. Amnesty International's 2017 Global Report on Death Sentences and Executions noted juveniles remain on death row, for crimes including economic crimes, such as corruption, and drug-related offences. In June 2015, UN OHCHR estimated approximately 800 of the more than 8,000 people on death row in Pakistan were under 18 at the time of offence.

3.242 Pakistan has ratified International Labour Organization (ILO) Conventions 138 and 182 on the minimum age and the worst forms of child labour. Article 11(3) of the Constitution prohibits the employment of children under 14 in any factory or mine or any other hazardous employment. In May 2015, Khyber Pakhtunkhwa passed the *Khyber Pakhtunkhwa Prohibition of Employment of Children Act* (2015), limiting the employment of children aged 12 and above to two hours of light work a day alongside a family member or is part of training. In January 2016, Punjab also passed the *Punjab Prohibition of Child Labour at Brick Kilns Ordinance* (2016), which prohibits the employment of children under 14 at brick kilns. Islamabad Capital Territory, Punjab, Khyber Pakhtunkhwa, Balochistan and Sindh also have a range of legislation targeting the elimination of child labour, protection of children and young persons in place.

3.243 Aside from these provisions, child labour is legal, and labour laws do not apply to labour in the home. This is against the backdrop of over 25 million boys and girls between the ages of five and 16 estimated to not be attending school in 2018 (see [Education](#)). Child rights advocacy groups claim most districts have, on average, only one labour inspector to enforce and monitor child labour laws, leading to severe lack of implementation. The ILO estimated in 2015 that 3.4 million children aged between 10 and 17 were engaged in child labour, and according to national statistics, approximately 13 per cent of children aged between 10 and 14 were engaged in employment. These estimates are likely to understate actual numbers. The 2016 Global Slavery Index estimates that over two million people, including children, are trapped in slavery in Pakistan, most due to debt bondage.

3.244 The impact of security on the rights of the child is also significant. Threats to and attacks against children and educational facilities are common (see [Education](#), [Security Operations](#) and [Hazaras](#)). Since 2014, militants have attacked more than 550 schools in the former FATA alone, and the TTP and other extremist groups continue to use child suicide bombers. Ethnic minority children also face security risks when travelling to school (see [Hazaras](#) and [Christians](#)).

3.245 DFAT assesses that, while juvenile status alone is not a determinant of risk, children, especially but not only young girls, face a moderate risk of domestic and societal violence in Pakistan. Economically disadvantaged, culturally and geographically isolated, disabled, illegitimate or orphaned children are particularly vulnerable, and lack adequate access to support services and state protection. DFAT assesses children who are victims of violence can face a moderate risk of official discrimination in the form of state failure to prosecute offenders, and a high level of societal discrimination in the form of a lack of familial support to report violence.

4. COMPLEMENTARY PROTECTION CLAIMS

ARBITRARY DEPRIVATION OF LIFE

4.1 Reports of both militants and security forces carrying out extra-judicial killings and enforced disappearances are regular and common. Such reports became more frequent during Operation Zarb-e-Azb and Radd ul-Fasaad, and continued in 2018. In addition to deaths attributable to Pakistan security forces and insurgent, sectarian and criminal groups, US military drone strikes targeting the Haqqani Network, TTP and ISIL killed 30 and injured four suspected militants in the former FATA in 2017. The Bureau of Investigative Journalism estimates that 430 US military drone strikes in Pakistan killed up to approximately 4026 people (including up to 969 civilians) between 2004 and December 2018.

Extra-Judicial Killings

4.2 Article 9 of the Constitution provides that ‘no person shall be deprived of liberty save in accordance with law’. Under Article 3 (1) and (2) (a) of the *Protection of Pakistan Act* (2014), officers in the security forces can lawfully shoot on sight a person who is committing or is likely to commit a ‘scheduled offence’ (such as bombings or killings committed as an act of insurrection against Pakistan, cyber and internet crimes, and crimes against ethnic, religious and political groups or minorities). They may also shoot on sight to prevent death or grievous hurt, provided the decision to shoot is a last resort and does not cause more harm than is necessary.

4.3 Pakistan’s police forces do not publish statistics on the number of ‘police encounters’, many of which are fatal. Human Rights Watch claims police often set up ‘encounter killings’. The 2017 HRCP annual report says the practice of extra-judicial killings in the form of ‘police encounters’ has become institutionalised, occurs with impunity, and is viewed by police as an effective and legitimate way of dispensing justice.

4.4 The HRCP reports 2095 ‘police encounters’ occurred between 2013 and March 2018, of which 85 encounters occurred in 2018. The 85 incidents in 2018 resulted in 50 deaths, 31 escapes, two FIRS and four formal arrests. HRCP estimates more Pakistanis died in incidents described by law enforcement agencies as ‘encounters’ than in either gun violence or suicide attacks in 2017: 495 people died in such encounters compared with 399 killed by gun violence, 298 by suicide attacks, and 144 by bomb explosions. In 2016, the US State Department also reported evidence of extra-judicial killings by security forces across Pakistan.

Deaths in Custody

4.5 According to media monitoring conducted by the HRCP, 20 prisoners died in Pakistan’s prisons during 2018 (compared to 34 in 2017). Of the reported deaths, 14 in 2017 and 13 in 2018 were caused by illness. DFAT is aware many of Pakistan’s prisons are overcrowded, in poor repair, and access to medical services can be limited. Torture by prison officials reportedly caused the deaths of five prisoners in 2017 and one in 2018. The reported deaths include 13 detainees in 2017 and four in 2018 who were under trial at the time of their deaths. The figures are drawn from media reporting and are likely to understate actual numbers.

ARBITRARY ARREST AND DETENTION

4.6 The *Protection of Pakistan Act* (2014) provides powers to hold detainees without charge for up to 90 days. Officials can withhold the location of detainees in the interests of security. The Act reverses the presumption of innocence by placing the onus on those charged under the Act to prove their innocence.

4.7 Following the adoption of the *21st Amendment* and amendments to the *Army Act* (1952), military courts were given jurisdiction to try civilians who claim to, or are known to, belong to 'any terrorist group or organisation using the name of religion or a sect,' and carrying out acts of violence and terrorism (see [Military and Intelligence Services](#) and [Judiciary](#)). Acts of violence and terrorism include: attacking military officers or installations; possessing, storing or transporting explosives, firearms, suicide jackets or other articles; using or designing vehicles for terrorist attacks; causing death or injury; creating terror or insecurity in Pakistan; and waging war against the state. Suspects tried by military courts remain in military custody at all times. In the absence of adequate safeguards and independent review mechanisms in military proceedings, high confession rates observed in the military court system raise questions regarding coercion and torture.

Enforced or Involuntary Disappearances

4.8 Pakistan is not a party to the UN International Convention for the Protection of All Persons from Enforced Disappearance, despite recommendations by the Senate's Standing Committee on Human Rights. In its 2017 annual report, the HRCP recorded disappearances of bloggers, activists and journalists from all parts of Pakistan. In 2016, the US State Department reported 'kidnappings and forced disappearances of persons from various backgrounds in nearly all areas of the country.' On 12 May 2017, the UN Committee against Torture also raised concern regarding the significant number of cases of extra-judicial executions by police, military, paramilitary and security services involving torture and enforced disappearances in Pakistan.

4.9 Reliable data on the number of enforced disappearance cases are difficult to obtain, and estimates from official, non-government and international organisations vary considerably. Pakistan Senate Standing Committee on Human Rights minutes spanning 2012 to 2014 cite direct involvement of the military and security agencies in enforced disappearances, and the need to reform legislation to resolve lack of government oversight of security agencies.

4.10 The government's Commission of Inquiry on Enforced Disappearances reported that, at the end of 2015, it had received 1,390 cases of alleged disappearance, all of which remained outstanding. The commission claims it received 868 new disappearance cases in 2017 and disposed of 555. The number of new cases had increased from 649 in 2015 and 728 in 2016. DFAT understands the Commission has not initiated criminal proceedings against any perpetrators involved in enforced disappearances.

4.11 In July 2018, the UN Working Group on Enforced or Involuntary Disappearances reported more than 700 pending cases from Pakistan, involving bloggers, journalists, students, peace activists and human rights defenders. Members of political parties, particularly MQM, are among the disappeared. The UN has noted its concern that military courts have allegedly convicted at least five missing persons whose cases were under investigation by the Commission of Inquiry on Enforced Disappearances.

4.12 In May 2016, MQM submitted to the Supreme Court a list of 171 missing party workers, including 100 workers who disappeared in the first four months of 2016. In 2017, an increased number of bloggers and online reporters went missing and remain unaccounted. Reports indicate increased disappearances of Afghans in Pakistan, especially in Khyber Pakhtunkhwa, however DFAT is unable to verify numbers. Disappearances in which security force involvement is suspected disproportionately affect critics of the security establishment.

DEATH PENALTY

4.13 Under Pakistani law, 27 offences can attract the death penalty, including aggravated murder, murder, other offenses resulting in death, terrorism-related offences (including hijack), rape, kidnapping, drug trafficking, adultery, blasphemy, treason and military offenses. More than 8,000 people are currently on death row in Pakistan. An estimated 501 people have been executed since an unofficial moratorium on executions was lifted in December 2014, 43 of whom were processed through the military courts, however only twenty-five people were executed for offences related to terrorism. Pakistan's courts issued 248 death sentences in 2017. Pakistan executed 64 in 2017, 43 of whom were processed through the military courts, however only 14 were accused of terrorism related offences. At least 14 people were executed between 1 January and October 24 2018. Death row prisoners reportedly constitute over 10 percent of the prison population in Pakistan. On average, death row inmates in Pakistan spend 10 years in incarceration before they are executed, usually by hanging. This can also be much lengthier, with some prisoners known to spend more than 18 years behind bars. In at least one case, a judicial backlog took so long to clear by the time the man's appeal was successfully granted, he had already been executed.

4.14 Pakistan has executed people who were under 18 at the time their crime was committed (see Children), and people suffering from mental illness. However, according to Human Right's Watch, a prisoner with schizophrenia, due to be executed in November 2017, had their execution suspended by court order while a medical board was ordered to assess his mental health, and in April 2018, the Supreme Court also reviewed the death sentences of two other prisoners with psychosocial disabilities on death row.

4.15 The UK Home Office reported in 2016 that many death penalty trials did not meet international standards for fairness and due process. Military courts, which in 2017 processed increased numbers of capital cases not related to terrorism, are not bound by the same due process requirements as civilian courts.

4.16 While DFAT is unaware of any executions of people convicted of blasphemy since executions recommenced in 2014 (and noting the recent acquittal of Ms Asia Bibi, see [Blasphemy](#)), around 40 people convicted of blasphemy remain on death row and courts continue to apply the death penalty in blasphemy cases (see [Blasphemy](#)).

TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

4.17 Article 14(2) of the Constitution prohibits the use of 'torture for the purpose of extracting evidence'. Pakistan ratified the UN Convention Against Torture in 2010. However, Pakistan has not yet passed legislation criminalising torture nor providing for punishments for the perpetrators of torture.

4.18 Reports of the security forces, including the intelligence services, torturing people held in their custody are widespread. On 12 May 2017, the UN Committee against Torture reported in its concluding observation on Pakistan that it found widespread practice of torture by police, the military, and intelligence agencies, particularly to obtain confessions.

4.19 The Commission found evidence that the military, paramilitary and intelligence (see [Police, Frontier Corps and Rangers](#), and [Military and Intelligence Services](#)) had used torture without facing punishment, and expressed concern that extra-judicial executions and enforced disappearances may also have involved torture. The Committee reported inadequate investigation of reports of torture by the state, military, paramilitary and security services. It noted that counter terrorism legislation, particularly the Anti-Terrorism Act, eliminated legal safeguards against torture contained in other legislation relating to persons deprived of their liberty.

4.20 In October 2018, five police officers were suspended from service following post-mortem confirmation that they had tortured a man, Ghulam Murtaza, while in detention. Police denied the allegations, and said Murtaza, taken into custody in connection with a kidnap case, had suffered a cardiac arrest. In May 2016, Aftab Ahmad, a member of MQM, died in the custody of the paramilitary Rangers in Karachi. Authorities initially attributed his death to a heart attack; photos later emerged of his body showing signs of severe beating. The Director General of the Rangers admitted that Ahmad had been tortured in the Rangers' custody. Five Rangers were suspended pending the outcome of an inquiry into the incident. According to the Asian Human Rights Commission, around 80 per cent of prisoners in police custody were tortured in 2015. Reports of sexual abuse are widespread, including claims that prison guards have sexually abused a large proportion of female prisoners.

4.21 Under the *Hudood* Ordinances, individuals accused of theft, alcohol consumption or sex outside of marriage may be sentenced to flogging, whipping, death by stoning, or having limbs amputated. However, DFAT understands stoning has never been officially utilised since its legislative introduction in 1990. Militants and community-based traditional justice systems (*jirgas* and *panchayat*) administer punishment for offences such as spying, theft, adultery and perjury (see [Women](#) and [Political System](#)). *Jirgas* are commonly used in tribal and rural areas. Punishments can include death by stoning, amputations, and 'blackening' of faces with ink as a form of public humiliation.

Corporal Punishment

4.22 Inconsistencies exist concerning the definition of a child in federal, provincial and territorial law, and between secular and *sharia* law. Under *sharia* law, children are subject to punishment under the *Hudood* Ordinances, including amputation, whipping, stoning (see [Children](#)).

4.23 While the degree of formal application of *Hudood* Ordinance punishments are unknown, cultural application of violence is common and corporal punishment is pervasive in Pakistan. In December 2018, Sindh police arrested a Quran teacher from Hyderabad after a video depicting the man whipping and threatening to kill several children who had not attended class surfaced online. In 2014, UNICEF found 81 per cent of children surveyed in Punjab and Sindh had experienced violent disciplining over a one-month period.

4.24 In its 2016 concluding observations on the review of the fifth periodic report of Pakistan's implementation of commitments to the Convention on the Rights of the Child, the UN Committee on the Rights of the Child concluded that corporal punishment was applied to children in all settings. DFAT assesses the situation remains unchanged in 2019.

5. OTHER CONSIDERATIONS

STATE PROTECTION

5.1 Pakistan's formal legal framework provides for state protection of people's property, lives, places of worship and religious beliefs. However, DFAT assesses that state protection in Pakistan is limited due to resource shortages, corruption, socio-economic factors at the individual level, and political will.

5.2 Despite measures introduced to curb violence across the country under the NAP—strengthened powers for military and paramilitary security forces and the establishment of military courts—successful prosecution for politically motivated or sectarian violence is rare. This is due in part to ineffective police investigations, forensics, prosecution and judicial legal understanding, and in part to threats levied against judges, lawyers and witnesses and their families. The measures introduced under the NAP were intended to be temporary, to allow time for reform of the justice system. Significant reforms to the justice system have not yet occurred.

Military and Intelligence Services

5.3 According to the 2018 Global Fire Power Index, the nuclear-armed Pakistan Armed Forces ranked 17th most powerful military in the world out of 136 countries, ahead of the DPRK (18) and after Israel (16). The defence budget is approximately USD 7 billion and the military has a total personnel pool of 919,000, of whom 637,000 are in active service and 282,000 in reserve).

5.4 Domestic and international observers see the military as one of the most capable organisations in Pakistan. It holds considerable power and dominates foreign and security policy. Military personnel are well paid and a career in the military is highly regarded, not only because of the benefits, but also due to the high social standing and connections afforded to military personnel. Pakistanis regard those that work in the military as less corrupt than in other professions.

5.5 The Joint Chiefs of Staff Committee (JCSC), comprising the Chairman Joint Chiefs, the Chief of Army Staff, the Chief of Air Staff, the Chief of Naval Staff, the Commandant Marines and the Commander of the Special Plans Division, leads the Pakistan Armed Forces. The JCSC also oversees the Directors General of Inter-Services Public Relations (ISPR) and Inter-Services Intelligence (ISI). ISI reports directly to the prime minister, who appoints a Director General from the military intelligence services, usually the army. However, in practice ISPR and ISI report to COAS. Many ISI staff are on secondment from the army, navy and air force, but it also hires civilians. The prime minister is responsible for the civilian and police intelligence services, the Intelligence Bureau (IB) and the Federal Investigation Agency (FIA). ISI, IB and the FIA are distinct from the military's own intelligence arms, Military Intelligence, Naval Intelligence and Air Intelligence.

5.6 The military has periodically interrupted civilian rule. In 1977 General Muhammad Zia ul-Haq led a coup to overthrow and later execute, prime minister Zulfikar Ali Bhutto. Zia served as president of Pakistan until his death in 1988, when the Pakistan People's Party (PPP), led by Bhutto's daughter, Benazir Bhutto, won national elections. Benazir was dismissed from office in 1990 under allegations of corruption, returned to

power from 1993 until 1996, and went into exile in 1998. In 1999, a subsequent coup, led by then Chief of Army Staff General Pervez Musharraf, overthrew the second PPP government. Benazir returned to contest elections in 2007, but was assassinated at a campaign rally. Al-Qaeda claimed responsibility for the assassination, however many Pakistanis consider either Musharraf or her husband, former president Asif Zardari responsible for her death. Musharraf resigned from the presidency in 2008, to avoid impeachment by the PPP-led parliament, and was later charged with complicity in Benazir Bhutto's assassination. Musharraf is now in exile in London. Benazir's widower, Zardari, became president from 2007 until 2013. After his presidency, Zardari became active in PPP, ultimately becoming PPP Chairman in 2015, and contesting the 2018 general election with his son Bilawal Bhutto Zardari.

5.7 Reporters Without Borders describes the Pakistan military as a 'deep state' with allies in the judiciary, and as an unseen decision-making entity that imposes its will outside civilian authority and does not tolerate independent journalism. The UN Committee Against Torture has found the security forces, including the military and intelligence services, to have been involved in human rights violations, including torture and other ill-treatment, arbitrary detention, extra-judicial executions and enforced disappearances (see [Torture](#)). Local human rights organisations claim the security forces exert disproportionate influence over the executive and judiciary on matters of counter-terrorism and security. The UN has recommended that Pakistan take legislative and administrative measures to limit the role of the military in the civilian domain.

5.8 The Human Rights Watch 2018 World Report claimed that in 2017, Pakistan continued to lack independent, impartial mechanisms to investigate and deliver justice. As of August 2017, military courts had convicted at least 274 civilians, allegedly including children, in secret proceedings and sentenced 161 civilians to death. A December 2018 statement released by Inter-Services Public Relations (ISPR), the military's media wing, later stated the government had referred 717 cases to the military courts since their establishment. The government extended the mandate of military courts to try civilians for terrorism related offences for a further two years in January 2017.

5.9 Military courts lack transparency, and civilians appearing before a military court are not afforded the same rights of due process as those appearing before civilian courts (see [Judiciary](#) and [Arbitrary Arrest and Detention](#)). Military action to restrict freedom of speech, including threats to media and other dissenting voices, were also reportedly justified on national security grounds in 2017 (see [Media](#)) and in 2018 in the lead up to the general election. Local sources report that a zero-tolerance approach by the military towards terrorism has led to greater numbers of civilian prosecutions through the military courts (see [Death Penalty](#)).

Police, Frontier Corps and Rangers

5.10 Federal and provincial police services have primary responsibility for law enforcement, supported by other law enforcement agencies, including IB and the FIA (see [Military and Intelligence Services](#)) and the National Counter Terrorism Authority (NACTA). Provincial and autonomous regional authorities are directly responsible for law and order, and the federal government has jurisdiction over police in Islamabad and security forces in the former FATA. According to the International Crisis Group, the number of police in Pakistan increased from 220,000 to 430,000 over the decade to 2015. In 2018, the total police force was estimated at 530,000.

5.11 The effectiveness of provincial police forces in Pakistan and the challenges faced by these forces vary. However, overall, police capacity in Pakistan is limited, due to lack of resources, poor training, insufficient and outmoded equipment, and competing pressures from superiors, political actors, security forces and the judiciary. Sectarian violence and domestic terrorism diverts resources from community 'policing' to a more incident response and security/guarding role. Popular perception of high levels of police corruption is widespread. Overall, public perception of police is low.

5.12 Police are poorly paid and face poor working conditions, high personal security risks, and decreasing resources. Individual police officers often augment their salaries with bribes. In some provinces, police claim stations operate 24 hours a day, often with only eight to 16 staff per station. Police and government officers are often targeted for attack and militant groups often explicitly target police. This has a significant disruptive impact physically, mentally, and on resources and agency focus. In Khyber Pakhtunkhwa, the provincial police force recently bullet proofed over 500 vehicles and raised apartment buildings after losing 21 officers in 2017. The Khyber Pakhtunkhwa police force has lost approximately 1500 officers between 2006 and 2016.

5.13 There are no centralised or national law enforcement databases or criminal records, which leads to unreliable accuracy of enquiries and inability to track or locate offenders. Provincial police forces operate independently, with no nationwide coordination or training standards. Provincial forces often act competitively in cross-provincial investigations, impeding effectiveness. The Police Act (2002) sought to reform the police by formalising oversight by public representatives and an independent prosecution service. Parliament diluted these provisions in a series of amendments to the Act in 2004.

5.14 In addition to the province-based police forces, several paramilitary forces operate in Pakistan. These groups include the Pakistan Rangers, which operate predominantly in Punjab and Sindh provinces. The Rangers are notionally under the authority of the Ministry of the Interior, but are headed by an army general and are in practice under the control of the military. The Rangers undertake border security operations along the Indian border, as well as internal law and order operations. The Frontier Corps perform a similar role to the Rangers in western border regions, including Balochistan, Khyber Pakhtunkhwa and the former FATA.

5.15 The UN, Human Rights Watch and Amnesty International have reported on widespread human rights violations, including torture and other ill-treatment, arbitrary detention, extra-judicial executions and enforced disappearances by the police, Rangers and Frontier Corps (see [Arbitrary Deprivation of Life](#)).

Judiciary

5.16 The Supreme Court of Pakistan sits at the apex of Pakistan's judicial system, followed by five provincial and regional high courts and numerous district courts. Judicial proceedings are usually conducted in Urdu, and stenographers transcribe into English. Supreme Court judgments are published in English.

5.17 The Constitution guarantees the independence of the judiciary. In the lead up to the 2018 general elections, there were widespread claims of military interference/collusion with the Supreme Court to destabilise the then Pakistan Muslim League-Nawaz government, calling this independence into question.

5.18 Pakistan has a range of other formal and informal judicial bodies. Although subordinate to the Supreme Court, the Federal *Sharia* Court (FSC) is a parallel court responsible for ensuring laws are consistent with Islamic principles (see [Religion](#)). The FSC has jurisdiction to examine the judgements of lower courts in *hudood* cases, which arise from the *Hudood* Ordinances governing Muslim behaviour (see [Cruel, Inhuman or Degrading Treatment or Punishment](#)).

5.19 Defendants in criminal trials before civilian courts are entitled to the presumption of innocence and are allowed legal representation. Legal representation is usually self-funded. Judicial practice in Pakistan tends to favour witness testimony over forensic or other types of evidence. Pakistan abolished trial-by-jury in the 1960s. Defendants (including civilians) appearing before military courts (such as the Anti-Terrorism Court) do not enjoy the same due process as those appearing before civilian courts.

5.20 Residents in tribal areas may seek justice through traditional dispute resolution systems, including local committees or *jirgas* made up of tribal elders, as an alternative to formal justice mechanisms (see [Political System](#) and [Cruel, Inhuman or Degrading Treatment or Punishment](#)). The CII (see [Religion](#)) is also influential with the power to review legislation, and can make recommendations for legislative reform.

5.21 Pakistan's anti-terrorism courts preside over cases involving offences under the Anti-Terrorism Act. In January 2015, as part of the NAP (see [Security Operations](#)), the National Assembly amended the *Pakistan Army Act* (1952) and Article 175 of the Constitution to allow cases involving civilian terror suspects to be heard by military courts, with a two-year sunset clause. In August 2015, the Supreme Court upheld the constitutionality of these amendments. Between January 2015 and January 2017, military courts reportedly sentenced around 161 people to death for terrorism-related offences. In March 2017, the parliament extended the courts' jurisdiction over civilians for a further two years. Under the military court system, civilian defendants are not permitted to hire their own lawyers and have no right to appeal, the media are not able to observe proceedings, and military tribunal judges are not required to provide reasons for verdicts (see [Military and Intelligence Services](#) and [Arbitrary Arrest and Detention](#)). The tenure of the military courts is due to expire in March 2019. As at January 2019, it remains unclear whether the tenure of the military courts will be extended or not.

5.22 The judicial system is overburdened with a backlog of cases. DFAT is aware of cases where accused people have spent two decades in pre-trial detention only to be acquitted by the Supreme Court because of a lack of evidence. Local sources claim media pressure is often required to resolve pending cases.

5.23 Local and international observers report corruption in the judicial system, as well as intimidation of judges, particularly in religiously sensitive cases, such as those involving blasphemy. DFAT is aware of reports of military pressure on Supreme Court judges following judicial involvement in disappearance cases and other cases affecting military interests.

Detention and Prison

5.24 Conditions in adult detention and prison facilities in Pakistan do not meet international standards due to under-resourcing, overcrowding and poor sanitary conditions.

5.25 The US State Department has described the conditions in some prisons as 'harsh and life threatening' due to 'overcrowding and inadequate medical care'. Sources report all prisons in Pakistan, except some in Balochistan, are overcrowded. The US State Department reported in 2016 that more than 100,000 people were in detention facilities with a combined capacity of around 36,000. DFAT understands 12 to 15 people often occupy a 6x8 metre to 6x10 metre cell designed for three people, and that each cell generally contains one open toilet, which is cleaned once every 24 hours. Nevertheless, DFAT also understands that since the moratorium on the death penalty was lifted after the APS attack, the government has been executing the backlog of prisoners on death row.

5.26 While DFAT understands prison conditions have improved over the last decade, hygiene and family meetings remain inadequate. Children born in prison are required to remain in prison.

5.27 Plans for water filtration in prisons remain unimplemented and prisoners drink contaminated water. Medical visits generally occur only twice a year and no allied health services, such as psycho-social support. Pakistan's adult and juvenile prisons lack teachers and education programs, legal assistance, and on-site medical services. Prisoners are sent to local hospitals should treatment be required.

5.28 Pakistan has limited facilities for juvenile offenders, many of whom are incarcerated with adults (see [Children](#)). Sources report sexual violence, especially towards juvenile males, is common in the prison system, and HIV afflicts many prisoners (see [Health](#)).

5.29 Local sources report the existence of so called 'death cells,' akin to solitary confinement. DFAT is aware of reports of individuals confined in death cells for four decades. Local sources also claim that prisoners with money and influence can have a very comfortable life in prison and, in some cases, can serve a sentence in

their own home. Other sources claim that influential convicted criminals have organised for other individuals to serve their sentences.

5.30 The UK Home Office estimated that, in April 2015, around 70 per cent of detainees were awaiting trial. Organisations working with prisoners claim up to 80 per cent of prisoners are likely innocent.

INTERNAL RELOCATION

5.31 Article 15 of the Constitution guarantees the right to freedom of movement in Pakistan. Internal migration is widespread and common.

5.32 Large urban centres such as Karachi, Islamabad and Lahore have ethnically and religiously diverse populations, and offer some anonymity for people fleeing violence by non-state actors (see relevant sections). DFAT assesses that groups facing official discrimination (see relevant sections) will face discrimination in all parts of the country.

TREATMENT OF RETURNEES

Exit and Entry Procedures

5.33 Under Article 2 of the *Exit from Pakistan (Control) Ordinance* (1981), the Pakistan government can prevent any person, including those with valid travel documentation, from leaving the country. Pakistani citizens require a valid passport to enter or exit Pakistan under Articles 3 and 4 of the *Passports Act* (1974). Under Articles 4 and 6, attempting to enter or depart Pakistan without valid documentation or on fraudulent documentation is also punishable with up to three years' imprisonment, a fine, or both. Those suspected of human trafficking or people smuggling may be prosecuted under the *Prevention of Trafficking in Persons Act* (2018) and/or the *Prevention of Smuggling of Migrants Acts* (2018). These laws safeguard the rights of victims of human trafficking and smuggled migrants, and empower law enforcement agencies to effectively prosecute the organised gangs perpetuating and benefitting from these crimes.

5.34 The government maintains an exit control list (ECL), and can prevent those whose names appear on the list from leaving the country, including those wanted for criminal offences. People can be placed on the list for a range of reasons. In 2016, journalist Cyril Almeida was also reportedly placed on the exit control list following publication of a story he wrote on a rift between the government and the military establishment, but had his name removed a few days later. The ECL is highly politicised; sitting governments can and have frequently placed their political rivals on the list. However, in some instances, including the case of Asia Bibi, the Supreme Court has ruled against placement on the ECL (see [Christians](#) and [Blasphemy](#)).

5.35 Pakistan and Afghan citizens are required to present their passports with valid visas for movement across the Pakistan-Afghan border. The length of the border and the rugged terrain mean that, in practice, undocumented movement is common. Pakistan citizens of Shi'a-majority Kurram Agency have historically transited through Afghanistan to reach Khyber Pakhtunkhwa (Peshawar) to avoid militant groups in Kurram and Orakzai agencies. Such movement has become more difficult following the fencing of the border.

5.36 IOM is working with the government to build border management capacity. At present, DFAT understands the government has the capacity to collect data, but lacks capacity to adequately process and analyse. The government created a new Readmissions Case Management System (RCMS), a digital platform which sending countries can use to lodge readmissions applications, with a view to improving transparency

and accountability. The RCMS is envisioned as a shared digital platform on which all agencies can simultaneously view real time data. It has been piloted with ten EU countries, however it is not yet complete.

Conditions for Returnees

5.37 DFAT understands the Ministry of Overseas Pakistanis is drafting a policy for lawful and illegitimate returnees. In practice, returnees tend to leave Pakistan on valid travel documents and therefore do not commit immigration offences under Pakistan law. Those who return voluntarily and with valid travel documentation are typically processed like any other citizen returning to Pakistan.

5.38 The government issues 'genuine returnees' with temporary documents when they arrive. A genuine returnee is defined as someone who exited Pakistan legally irrespective of how they entered destination countries. Those who are returned involuntarily or who travel on emergency travel documents are likely to attract attention from the authorities upon arrival. MOI will interview failed returnees and release them if their exit was deemed to be legal, but may detain those deemed to have departed illegally. People suspected of or charged with criminal offences in Pakistan are likely to face questioning on return, irrespective of whether they departed legally or not.

5.39 DFAT understands that people returned to Pakistan involuntarily are typically questioned upon arrival to ascertain whether they left the country illegally, are wanted for crimes in Pakistan, or have committed any offences while abroad. Those who left Pakistan on valid travel documentation and have not committed any other crimes are typically released within a couple of hours. Those found to have contravened Pakistani immigration laws are typically arrested and detained. These people are usually released within a few days, either after being bailed by their families or having paid a fine, although the law provides for prison sentences. Those wanted for a crime in Pakistan or who have committed a serious offence while abroad may be arrested and held on remand, or required to report regularly to police as a form of parole.

5.40 Local NGOs consider it likely that returnees who left illegally would be placed on a list similar to the ECL. Former Minister for Interior Chaudhry Nissar tightened entry controls for asylum seekers from Nepal, Afghanistan and other source countries he claimed were linked with criminal elements, and placed individuals on FIA watch lists. DFAT understands that, as a result, only Pakistani returnees are now accepted at immigration. NGOs report that Afghan returnees are sent back to Afghanistan if they try to enter Pakistan as returnees. DFAT understands that if a returnee has mixed Afghan Pakistan family history, that individual will require clear documentation to enter Pakistan. If documentation is considered inadequate, those with ambiguous origins will be processed and deported as Afghans.

5.41 Returnees are responsible for arranging their own onward transportation from their point of entry into Pakistan. Voluntary returnees may be eligible for assistance from IOM and/or domestic NGOs. In the past, NGOs working with returnees had assistance in the secure area prior to immigration. Since Operation Zarb-e-Azb (see [Security Operations](#)), NGOs can provide support only after entry into Pakistan. Involuntary returnees are not eligible for reintegration assistance.

5.42 NGOs report that Islamabad airport provides the most reliable standard of processing by FIA and relevant authorities. DFAT understands FIA and other authorities have detained returnees for several hours in Karachi airport, at times without citing a reason.

5.43 NGOs report that a significant number of protection claims are lodged in Gujrat, Gujranwala, Mandi Baha Uddin, Jhelum, Gujar Khan, Kharian and Sialkot. People smugglers are known to run organised operations in these locations. Local sources say that, as a result of the organised migration crime syndicates, almost all youth residing in these areas state their life goal is to raise the estimated USD 15,000 to USD 20,000 fee to catch a boat to claim protection overseas.

5.44 Returnees are typically able to reintegrate into Pakistani community without repercussions stemming from their migration attempt, although involuntary returnees who took on debt to fund their migration attempt tend to face a higher risk of financial hardship and familial shame. NGOs report that less than 0.5 per cent of returnees do not reintegrate and seek to go abroad again to seek asylum.

5.45 DFAT assesses that returnees to Pakistan do not face a significant risk of societal violence or discrimination as a result of their attempt to migrate, or because of having lived in a western country. Nevertheless, DFAT notes societal or official discrimination or violence can still occur due to the reason they attempted to migrate ([Security Situation](#), [Race/Nationality](#), [Religion](#), [Political Opinion \(Actual or imputed\)](#), [Groups of Interest](#)).

DOCUMENTATION

5.46 The most reliable forms of documentation in Pakistan are passports and Computerised National Identity Cards (CNICs), predated by the MNIC (Manual National identity Card), and to be replaced by the SNIC (Smart National Identity Cards). Other common forms of identification include domicile, birth, death and marriage certificates. Drivers' licences are generally considered a less reliable form of identification.

5.47 The Directorate General of Immigration and Passports issues passport documentation and NADRA issues CNICs and SNICs. Both these bodies are within MoI, and both have offices across the country. All adult Pakistan citizens (males and females over the age of 18) are eligible to apply for passports and CNICs. The Pakistan government has dual nationality arrangements with 16 countries. Pakistanis living overseas have the option to register with the government as non-resident 'Overseas Pakistanis.'

Birth and Death Certificates

5.48 Birth certificates in Pakistan can be issued by NADRA, local government bodies (union councils) or hospitals. Hospital birth certificates are automatically issued to children born in hospitals, however no central database exists for these certificates and no automatic registration process captures the many babies who are not born in a hospital. While technically compulsory, in practice large numbers of births are not registered. According to the most recent available data from UNICEF, only 34 per cent of children under the age of five in Pakistan had their births officially registered between 2013 and 2015. School records and matriculation certificates are often used in lieu of birth certificates.

5.49 NADRA birth certificates are uniform across the country, but other types of certificates are not. NADRA certificates are fully computerised and contain a complete birth record in both English and Urdu. NADRA certificates and local government certificates should be stamped and signed by local government officials.

5.50 DFAT understands that children born in Pakistan to Afghan refugee parents receive Pakistan birth certificates with the assistance of UNHCR. These certificates can be either NADRA certificates or certificates issued by non-government health organisations, which are generally accepted as genuine documents in Pakistan and Afghanistan. NADRA has issued 1.1 million birth certificates to Afghan children born in Pakistan.

5.51 NADRA issues fully computerised death certificates containing relevant information in English and Urdu. Older, handwritten death certificates issued by union councils also exist.

Computerised and Smart National Identity Cards (CNICs and SNICs)

5.52 CNICs and SNICs are the most common form of identification in Pakistan. They are required to obtain a passport or drivers' licence, engage in formal employment, register as a voter, access services such as bank accounts, obtain a SIM card, open new water, electricity or gas accounts, purchase land or vehicles, and to gain entry to a higher college or university. NADRA began a program in 2012 to replace all CNICs with SNICs, with a view to completion by 2020. However, as SNICs are more expensive than CNICs and are linked to other basic services such as bill payment, mail and taxation, many Pakistanis are not obtaining SNICs. CNICs and SNICs both remain valid.

5.53 To obtain a CNIC or SNIC, applicants need to submit the CNIC or MNIC number of a blood relative along with their own birth certificate, school, university certificate or citizenship certificate. An applicant who was previously registered and had a MNIC is only required to submit the original or a copy of their MNIC. An applicant who has turned 18 and holds a child registration certificate (CRC) must submit the CRC or a copy.

5.54 All applicants seeking a CNIC for the first time are required to present themselves in person at any NADRA registration centre to submit their paperwork, have their photograph taken, and provide their signature and an impression of their thumb. Illiterate applicants are not required to provide schooling or age verification information. Lost or stolen CNICs can be replaced by applying for a replacement card on the NADRA website. Anecdotally, some CNIC applicants have advised they have been required to travel to a NADRA office in the location they are domiciled, however this is not reflected in official policy as advised by NADRA.

5.55 Applicants from the former FATA and some parts of Khyber Pakhtunkhwa and Balochistan must have their applications counter-signed by a Deputy Commissioner. The impact of the 2018 FATA Interim Government Regulation (see [Political System](#)) on the requirement for counter-signature by Deputy Commissioners, if any, is unknown at the time of publishing.

5.56 CNICs record the following information about the holder: legal name; gender (male, female or transgender); father's name (or husband's name for a married female); identification marks; date of birth; CNIC number; family registration ID number; current address; permanent address; date of issue; date of expiry; signature; photo; and thumbprint. CNICs do not display information on the holder's religion, but NADRA collects this information during the application process. CNICs are valid for five or ten years; CNICs issued to citizens over the age of 65 are valid for life.

5.57 SNICs contain similar information to CNICs, and have a smart chip containing biometric information and a number of additional security features. While the document itself is highly secure, rigorous identity checks are not undertaken in the issuance process for SNICs.

5.58 There is no standard time frame for CNIC renewal, which is determined by. NADRA confirmed it is based on a confidential internal algorithm based on a person's age, mental status and other characteristics. CNICs are linked to mobile numbers and biometrics. NADRA can block a CNIC, POR card or ACC (see **Afghan Refugees**) for suspicious use. DFAT understands individuals have found it impossible to reverse a decision to block a card, and blocking is a precursor to cancelling a card.

Passports

5.59 Pakistan issues machine-readable ordinary, official and diplomatic passports. These passports contain a number of biometric and security features, including the holder's photograph and fingerprint information, and watermarks. Passports contain information about the holder's religion. DFAT understands the government had aimed to replace all manual passports by November 2015, and that manual passports are no longer issued.

5.60 All Pakistan citizens are eligible to apply for a passport. Generally, the only supporting documentation required to obtain a passport is the applicant's CNIC. Pakistan diplomatic missions in other countries, including Australia, can issue passports to Pakistan citizens.

5.61 The government issued its first transgender passport in 2017, which indicates gender with an 'X' (see [People who identify as LGBTI](#)).

Marriage Certificates

5.62 Marriage certificates (for Muslims, called *nikah namas*) are common identification documents. *Nikah namas* contain the signatures of the bride and groom, two witnesses and a marriage officiator. They are typically handwritten in Urdu. *Nikah namas* are registered with the local council. NADRA then issues a fully computerised marriage registration certificate, with information in both Urdu and English. NADRA also issues a family registration certificate.

5.63 Religious leaders of non-Muslim groups can issue marriage certificates for their communities. Christian marriages are generally registered with local authorities, though procedures for marriage documentation can vary. A new law for the registration of Hindu marriages passed in 2017 (see [Hindus](#)). DFAT understands that the government accepts unofficial marriage documents issued by local Ahmadi offices as evidence of marriage, although Ahmadis can face difficulty updating their CNIC after marriage (see [Ahmadis](#)), or when seeking to update National Identity Cards for Overseas Pakistanis (NICOPs).

Other Forms of Identification

5.64 NADRA issues identification documentation for Pakistanis living abroad in the form of the NICOP. NADRA also issues Pakistan origin cards providing expatriate Pakistanis with visa-free entry, indefinite stay rights, exemption from foreigner registration requirements, property rights and the right to open a bank account.

5.65 NADRA issues child registration certificates (CRCs) as identity documents for children under the age of 18. Children under ten years of age do not require supporting documentation to obtain a CRC, but those over the age of ten are required to provide a copy of a birth certificate or school record.

5.66 NADRA issues family registration certificates (FRCs), which contain information on each family member. New FRCs are issued upon marriage, and amended upon the birth of a child.

5.67 A domicile certificate is a document containing information about a person's place and date of birth. These certificates are legally obtainable only by people resident in Pakistan, but are easy to obtain illegally. NADRA or the deputy commissioner of a district can issue domicile certificates. Between 2002 and 2009, local governments also issued domicile certificates.

5.68 Police issue documentation containing information about a person's criminal record. Officials typically check with local police from the applicant's district before issuing the certificate. However, Pakistan has no centralised criminal database, and police clearance certificates often do not contain an accurate record of the applicant's criminal history. An applicant who has committed a crime in one district may be able to obtain a police clearance certificate from another district.

5.69 POR and ACC cards (See [Afghan Refugees](#)) are valid forms of identification for Afghans living in Pakistan. It is not possible to concurrently hold a POR card and an ACC, nor an ACC and a CNIC (or SNIC). As at February 2018, NADRA confirmed 500,000 ACC cards had been issued.

PREVALENCE OF FRAUD

5.70 CNICs, SNICs and passports contain a number of security features, which have reduced the incidence of document fraud. Authorities have put in place measures to combat the fraudulent issuance of documents, and can cancel fraudulent CNICs.

5.71 Document fraud is widespread for forms of documentation not issued by a competent central authority such as NADRA. Due to the relative ease in acquiring fraudulently obtained genuine documents, such documents are common in Pakistan and are generally preferred over counterfeit documents, as they are difficult to detect. Fraudulently obtained genuine documents, such as CNICs and passports, can be obtained with fraudulent (altered or counterfeit) feeder documents. Types of documents historically found to be fraudulent in Pakistan include, but are not limited to, documents regarding academic qualifications such as degrees and transcripts, bank statements, agreements, references, and ownership deeds.

5.72 Union councils and NADRA can verify fraudulent documents, although detection is difficult where genuine documents were obtained with fraudulently altered or counterfeited primary documents. NADRA now issues birth certificates, but fraudulently obtained, fraudulently altered or counterfeit certificates are still possible as long as hospitals retain the authority to issue birth certificates.

5.73 FIRs use standard forms with the relevant information written in by hand, and are relatively simple to counterfeit. Reports exist of police accepting bribes to verify fraudulent FIRs. DFAT does not consider the existence of an FIR to constitute evidence that the events described in the FIR actually occurred.

5.74 Fraudulently altered or counterfeit school records, birth certificates, death certificates, medical records, bank records and other documents are common. Local sources report instances where influential people have paid news organisations to publish false stories.

5.75 As self-declaration as an Afghan is the only requirement to apply for an ACC, it is possible for an individual not in either the NADRA or MORR databases to fraudulently obtain an ACC (see [Afghan Refugees](#)).

5.76 Corruption is also common (see [Corruption](#)), however in August 2015, the FIA reportedly investigated allegations of NADRA officials issuing fake CNICs to militants in return for bribes as low as USD 100. Since then, MoI has increased its oversight of NADRA and implemented tough measures against fraud within NADRA. DFAT assesses that government efforts have reduced the incidence of bribery and fraud, but have not eliminated it.