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COUNTRY SUMMARY

Pakistan

2009 was another tumultuous year in Pakistan. The security situation significantly worsened, with bombings and targeted killings becoming a daily fact of life even in the country's biggest cities. Over two million people were displaced during major fighting between government forces and the Taliban. The economy suffered severe setbacks, food prices skyrocketed, and there were chronic shortages of energy and food. A re-assertive military publicly undermined the civilian government in the areas of national security, foreign policy, and human rights. President Asif Ali Zardari's government, initially keen to promote human rights, made some headway but then lost momentum as it tried and largely failed to deal with these issues.

Ongoing rights concerns include the breakdown of law enforcement in the face of acts of terrorism across the country, the failure of the judiciary to transform its newfound independence into non-partisan dispensation of justice, continuing torture and mistreatment of terrorism and other criminal suspects, unresolved enforced disappearances of terrorism suspects and opponents of the previous military government, military abuses in operations in the tribal areas and Swat, and discriminatory laws against and mistreatment of religious minorities and women.

Militant Attacks, Counterterrorism, and Enforced Disappearances

Pakistan was rocked by a spate of suicide bombings, armed attacks, and killings in 2009 by Taliban and al Qaeda militants and their affiliates that targeted civilians, the political elite of the country, educational institutions, hospitals, marketplaces, and even the visiting Sri Lankan cricket team. The capital, Islamabad, its twin city Rawalpindi, and the provincial capitals of Lahore and Peshawar were repeatedly sites of attacks. Armed groups also continued to recruit and use children, including for suicide attacks.

The government's response to militant attacks routinely violated basic rights. Suspects were frequently detained without charge or, if charged, were often convicted without a fair trial. Hundreds were detained in a country-wide crackdown on militant groups, particularly in the conflict zones in Swat and the tribal areas, but only a handful of the most prominent were charged. Many suspects were detained in two different military facilities in Swat, one in the

Khyber agency of the tribal areas, and at least one more in Northwest Frontier Province. At this writing, the military had not allowed independent monitors access to most of these detainees.

Pakistan's Interior Ministry has estimated that 1,100 people were “disappeared” under the military regime of Gen. Pervez Musharraf. It is impossible to ascertain the precise number because of the secrecy surrounding counterterrorism operations, but this number is almost certainly an underestimate. The Zardari administration promised to resolve these cases, but it has made negligible progress. Pakistan has yet to sign the international treaty banning enforced disappearances.

In October 2009 the government amended the country's anti-terrorism laws through presidential ordinance to further curtail the legal rights of terrorism suspects. Under the ordinance, suspects can be placed in “preventive detention” for a period of 90 days without benefit of judicial review or the right to bail. Confessions made before the police or military are now deemed admissible as evidence despite the fact that torture by Pakistan's police and the military's intelligence services continues to be routine. That same month the leak of a video showing the military torturing terrorism suspects in the presence of police officials in Swat sparked widespread revulsion.

Security Operations and Displaced Persons

The Taliban and other militant groups conducted numerous attacks on the Pakistani military, including targeted killings of military personnel. In October Taliban militants attacked the General Headquarters of the Pakistan Army and took senior military officers hostage.

Since September 2008 the United States' aerial drones are believed to have carried out dozens of missile attacks on suspected militant hideouts in Pakistan's tribal areas, killing hundreds of civilians in addition to alleged militants, and prompting allegations that US attacks have violated the laws of war. The areas of the attacks are generally inaccessible to independent monitors, making it difficult to assess the allegations. In October 2009 United Nations Special Rapporteur on Extrajudicial Executions Philip Alston reported to the UN General Assembly that the US government's failure to respond to specific questions about the drone attacks fanned perceptions that the US was “carrying out indiscriminate killings in violation of international law.”

On April 13, 2009, President Zardari signed an ordinance imposing Sharia (Islamic law) in the Swat Valley and adjoining areas as part of a deal with the Pakistani Taliban. This

effectively empowered the Taliban to impose its authority in the areas, which it did through summary executions, including beheadings, of state officials and political opponents, public whippings, and large-scale intimidation of the population. Responding to domestic and international outrage, on May 7 the government reversed course and declared an end to the deal, vowing to “eliminate” the Taliban. The ensuing military operation triggered a massive displacement crisis as some two million civilians fled the fighting to adjoining districts.

While Pakistan forces succeeded in driving Taliban fighters from Swat’s towns, civilians said that the Pakistani army often gave no, or insufficient, advance warning of attacks, forcing residents to flee their homes under crossfire. After the end of the active phase of the military operation, Swat remained largely closed to independent monitors and journalists, with sporadic access limited to Mingora, the valley’s largest town. Reports surfaced of extrajudicial executions in Swat by the army, tribal militias acting in support of the state, and the Taliban.

In October Pakistan’s military began a fresh offensive in the South Waziristan agency of the tribal areas, considered a hotbed of Taliban and al Qaeda militancy. At this writing, well over 200,000 civilians had fled South Waziristan, some alleging discrimination, house demolitions, and arbitrary detentions by the military. The area was closed to journalists and human rights monitors, so it was not possible to verify this information.

Independence of the Judiciary

After initially resisting, the government in March 2009 restored to office ousted Supreme Court Chief Justice Iftikhar Chaudhry. Many other justices and judges dismissed by Musharraf were also restored in 2009. Subsequently, the Supreme Court declared illegal all appointments made by Musharraf to the judiciary and overturned earlier rulings declaring opposition party leader Nawaz Sharif ineligible to hold public office.

In 2009 Pakistan’s senior judiciary became fully independent of the legislature and the executive, a major victory for the “lawyers’ movement” which had formed in opposition to Musharraf’s sacking of the chief justice and other judges and imposition of constitutional amendments. In November, under severe pressure from human rights groups and the families of the “disappeared,” the Supreme Court resumed hearings into the arbitrary detention and enforced disappearance of terrorism suspects and others by Pakistan’s military and its intelligence services.

Balochistan

The Zardari government took a major step forward by acknowledging that human rights violations against the Baloch, including the “disappearance” of hundreds of people, took place during Musharraf’s military government. However, the military has blocked attempts by the government to locate the victims and continues to exercise sway over the province through its intelligence agencies. Targeted killings by Baloch nationalists of non-Baloch settlers in the province spiked sharply in 2009, while reports of torture and arbitrary detention of Baloch nationalists at the hands of the military’s intelligence agencies continued. In October, Shafiq Ahmed Khan, the provincial education minister, was shot dead. Baloch nationalists claimed responsibility.

Women’s and Girls’ Rights

Violence and mistreatment of women and girls, including rape, domestic violence, and forced marriage, remain serious problems.

In an important step forward, Pakistan’s parliament unanimously passed legislation in November to amend Section 509 of the Pakistan Penal Code (PPC) in order to penalize sexual harassment of women at any public or private workplace, or in public spaces. The changes to the PPC are already in effect and are expected to become part of a more comprehensive anti-sexual harassment bill pending in parliament at this writing. In another significant move, the National Assembly passed the Domestic Violence (Prevention and Protection) Bill in August 2009. The law seeks to prevent violence against women and children through quick criminal trials and a chain of protection committees and protection officers.

Attacks on Education

The Taliban destroyed hundreds of schools in Swat and parts of the tribal areas under their control. Schools in Pakistani cities received threats from militants throughout the year and had to frequently shut down. In October twin suicide attacks at the International Islamic University in Islamabad resulted in the deaths of nine students, mostly women targeted in the women’s cafeteria on campus.

Treatment of Minorities

Discriminatory laws and violence against religious minorities also continued to be a serious concern. Pakistan’s infamous “Blasphemy Law” remained in place and religious minorities continued to be targeted under it.

Attacks on religious and social minorities continued. In August, seven Christians were burnt alive and 18 others injured and at least 50 houses set on fire by a mob accusing the victims of blasphemy in the town of Gojra in Punjab province. Though federal authorities reacted promptly and an inquiry recommended the suspension of police officials accused of negligence, the incident sparked renewed controversy about Pakistan's blasphemy laws. The Ahmadi religious community also continued to be targeted under blasphemy laws and was threatened by extremist militant groups that regard Ahmadis as heretics to Islam.

In a positive development, Pakistan's Supreme Court ruled in July that *hijras* (male-to-female transgender individuals) must receive equal protection of the law and directed federal and provincial government welfare programs to provide financial support to the *hijra* community.

In a significant move, Pakistan's government allocated US\$425 million to launch the Benazir Income Support Program—the country's first social protection program that aims to provide income support to the poorest 15 percent of the population.

Media Freedom

Nationally, there has been a marked decrease in government-sponsored attacks on and intimidation of journalists since the Zardari government assumed office. However, journalists continue to face pressure and threats from elements of Pakistan's intelligence apparatus and non-state actors, including the Taliban, who repeatedly have threatened journalists and television stations in the country. Taliban intimidation was particularly high in 2009 in the tribal areas and the Malakand division. In September Afghan journalist Janullah Hashimzada was murdered in Pakistan, allegedly by Afghan Taliban. In July the homes of two journalists, Behroz Khan and Rehman Buner, from the Buner Valley in Malakand division, were destroyed by the Taliban in response to their reporting.

In Balochistan the Pakistani military continued to intimidate and muzzle the press. It forced the closure of Urdu-language daily *Asaap* in August. In February, Jan Muhammad Dashti, owner and editor-in-chief of *Asaap*, was shot and seriously wounded. In April a correspondent on the English-language daily *Baluchistan Express* was killed. In August the staff of the *Baluchistan Express* and the Urdu-language daily *Azadi*, were threatened, and their staff intimidated and questioned by paramilitary forces. Balochistan provincial officials said that they are unable to prevent the military, which was implicated in the above incidents, from committing such abuses.

Death Penalty

Pakistan's prime minister announced in June 2008 that more than 7,000 inmates on death row in Pakistan would have their sentences commuted. To date, there has been no movement on the commutations. However, while at least 15 executions took place in Pakistan in 2008, none have been reported in the country in 2009.

Key International Actors

The United States remained the key external actor in Pakistan. Anti-US sentiment deepened markedly in Pakistan in 2009 due to perceived US violations of Pakistani sovereignty through aerial drone strikes in the tribal areas that killed hundreds of civilians and persistent rumors, denied by Pakistani authorities, that personnel from the private military company Xe Services (Blackwater) are conducting covert operations in Pakistan. Substantial sections of Pakistani society, particularly opinion makers and the media, blamed US behavior for the surge in militant attacks in the country, even as they expressed broad support for the government's fight against the Taliban and affiliated groups.

However, a significant shift from past US practice of focusing only on counterterrorism and supporting Pakistan's military at the cost of democracy and constitutional rule was also in clear evidence. The US became the largest bilateral assistance provider to Pakistan in the aftermath of the massive displacement caused by the Swat operation in May. In September, the Friends of Democratic Pakistan forum, co-chaired by Presidents Obama and Zardari and the United Kingdom Prime Minister Gordon Brown, held its first summit in New York. The meeting pledged to provide concrete economic and political support to strengthen democratic governance and the rule of law.

In October President Obama signed into law the Enhanced Partnership with Pakistan Act, promising US\$7.5 billion in non-military aid over five years. However, in a public attempt to destabilize the elected government, the Pakistani military led a nationalist backlash, publicly rebuking the government for not opposing conditions relating to military conduct that it said compromised Pakistan's national security.

A three-member United Nations Inquiry Commission began its investigation into the 2007 assassination of former prime minister Benazir Bhutto.