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Pakistan



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In October 1999, the elected civilian Government of former Prime Minister Mian Nawaz Sharif was overthrown in a bloodless coup led by Army Chief of Staff General Pervez Musharraf. In consultation with senior military commanders, General Musharraf designated himself Chief Executive, and suspended the Constitution, the Parliament, and the national and provincial assemblies. The office of the President, which mainly is ceremonial, was retained. In 1999 General Musharraf appointed an advisory National Security Council, which included military and civilian advisers, a civilian cabinet, and new governors to all four provinces. The government bureaucracy continued to function; however, at all levels the functioning of the Government after the coup was "monitored" by military commanders. On June 20, General Musharraf was sworn in as the country's President, after the Provisional Constitutional Order (PCO) was amended (the PCO functions in place of the country's suspended Constitution). In 2000 the Supreme Court ruled that the Musharraf Government was constitutional and imposed a 3-year deadline--starting from October 12, 1999--to complete a transition to democratic, civilian rule. Between December 31, 2000, and August 2, local elections were held in five phases on a nonparty basis; on August 14, the Government announced that elections on the national and provincial level are scheduled to take place between October 1 and 11, 2002. The Government subsequently confirmed that political parties are to be permitted to participate. However, President Musharraf announced on several occasions that he intends to remain in office after the elections are held. The constitutional mechanism allowing Musharraf to do so remains unclear. The Government has aimed to empower women by increasing women's participation in government, reserving one-third of the seats on local governing bodies for women. Electoral reforms prepared during the year included the elimination of the separate electorates system for religious minorities and the tripling of National Assembly seats reserved for women. Corruption and inefficiency remained acute, despite reforms initiated by the Musharraf government to reduce corruption; however, these reforms have had some effect on officials in higher levels government. The suspended Constitution provided for an independent judiciary; however, the judiciary was subject to executive branch and other outside influences, and inadequate funding, inefficiency, and corruption were problems. The Supreme Court demonstrated a limited degree of independence; however, the overall credibility of the judiciary remained low, and President Musharraf has taken steps to control the judiciary and to remove his Government from judicial oversight. During the year, the Government undertook a donor-funded program to reform the lower levels of the judiciary; minor improvements were evident by year's end.

The police have primary internal security responsibilities, although paramilitary forces, such as the Rangers and the Frontier Constabulary, provide support in areas where law and order problems are acute, such as Karachi and the frontier areas. Provincial governments control the police and the paramilitary forces when they are assisting in law and order operations. In 2000 the Government announced a devolution plan that included some increase in local political control of the police; the plan was implemented on August 14 but no significant improvements were reported by year's end. During some religious holidays, the regular army is deployed in sensitive areas to help maintain public order. After the coup, the army played a role in enforcing exit control restrictions at airports and border crossings. Members of the police committed numerous serious human rights abuses.

Pakistan is a poor country with great extremes in the distribution of wealth; its population is approximately 140 million. Education, especially for women, is poor; only 33 percent of the population are judged literate, even using a very low standard. Cotton, textiles and apparel, rice, and leather products are the principal exports. The economy includes both state-run and private industries and financial institutions. The suspended Constitution provided for the right of private businesses to operate freely in most sectors of the economy and there continued to be a strong private sector. The per capita annual income is approximately \$475 (PRs 30,000). During the year, the Government pursued several major economic reforms designed to alleviate poverty. In September, the Government successfully completed a 10-month Standby Agreement with the International Monetary Fund (IMF) aimed at stabilizing the economy and restoring fiscal discipline through improvements in governance. The Government also completed work on a poverty reduction strategy report that received joint IMF-World Bank approval in December. The report was the result of an 18-month consultative process between the Government, nongovernmental organizations (NGO's), civic groups, the public, and international donors that was aimed at building a framework for eliminating poverty. On the basis of the Government's commitment to eliminate poverty, on December 12 the IMF approved a \$1.3 billion, 3-year Poverty Reduction and Growth Facility program for the country that is to help the Government to complete its economic reform program. With the assistance of international donors, the Government increased funding

commitments to health, education, and rural job creation programs.

The Government's human rights record remained poor; although there were some improvements in a few areas, particularly with regard to protection of religious minorities from intimidation from extremists, serious problems remained. Citizens continued to be denied the right to change their national and provincial governments peacefully but participated in local government elections during the year that provided increased power to district mayors and councils. Police committed numerous extrajudicial killings; however, the total number of such killings has declined in recent years. In Karachi there were fewer killings between rival political factions during the year; however, there was an increase in violence and killings between rival religious sects. Police abused and raped citizens. While the officers responsible for such abuses sometimes were transferred or suspended for their actions, no officer has been convicted and very few have been arrested. The Government conducted a series of trainings for police officers in provincial capitals; in these trainings, human rights abuses committed by law enforcement officials were acknowledged openly. In Karachi there were signs of progress in redressing police excesses; however, in general police continued to commit serious abuses with impunity. Prison conditions remained extremely poor and life threatening, and police arbitrarily arrested and detained citizens. In midyear the Government undertook a major effort to curb religious extremism. Two organizations responsible for sectarian killings were banned on August 14, and by year's end, the Government had accelerated a crackdown on members of several extremist religious groups. During the year, the last remaining Sharif government leaders in custody were released; however, Mehtab Abbasi and Javed Hashmi, two senior politicians allied to Nawaz Sharif, were detained by the National Accountability Bureau and remained in custody at year's end. Supporters claimed that their arrests were politically motivated. Several major political leaders remained in exile abroad at year's end. Case backlogs led to long delays in trials, and lengthy pretrial detention is common. The judiciary is subject to executive and other outside influences, and corruption, inefficiency, and lack of resources remained problems. The Government has taken steps to control the judiciary and to remove itself from judicial oversight. Some aspects of the Government's implementation of its anticorruption campaign violated due process. In April 2000, the Sindh Court found former Prime Minister Nawaz Sharif guilty of treason and other charges; however, the court imposed a life sentence instead of the death penalty sought by the Musharraf Government. The court acquitted Sharif's six codefendants. In October 2000, the Sindh High Court upheld Sharif's conviction. In December 2000, the Government commuted Sharif's prison sentence and exiled him and 18 of his family members to Saudi Arabia for 10 years. The Government infringed on citizens' privacy rights.

The press was able to publish relatively freely; however, several journalists practiced self-censorship, especially on sensitive issues related to the military. There was no systematic harassment campaign against newspapers or commentators critical of the Government during the year; however, provincial and local governments occasionally arrested journalists and closed newspapers accused of printing offensive material. The broadcast media remain a closely controlled government monopoly. Journalists often were targets of harassment and violence by individuals and groups. The Government restricted freedom of assembly. During the year, the Government sporadically permitted several large antigovernment demonstrations; however, it prevented other protests and arrested organizers, including for security reasons. In March 2000, the Government instituted a country-wide ban on strikes, processions, and outdoor political demonstrations. The Government maintained some limits on freedom of association. The Government continued to impose limits on freedom of religion, particularly for Ahmadis. The Government also imposed limits on freedom of movement. President Musharraf has spoken out against some of the human rights abuses of the previous government; however, the Government only made minimal progress toward achieving the goals set at an April 2000 human rights conference and subsequent conferences devoted to human rights themes that were held during the year. However, progress in certain areas can only be made in the long term with significant resource commitments.

Significant numbers of women were subjected to violence, abuse, rape, and other forms of degradation by spouses and members of society. The Government publicly has criticized the practice of "honor killings" but failed to take corrective steps, and such killings continued throughout the country. Discrimination against women was widespread, and traditional social and legal constraints kept women in a subordinate position in society. Violence against children, as well as child abuse, and prostitution, remained serious problems. Female children still lag far behind boys in education, health care, and other social indices. Governmental and societal discrimination against religious minorities, particularly Ahmadis and Christians, remained a problem, and the Government failed to take effective measures to counter prevalent public prejudices against religious minorities. Religious and ethnic-based rivalries resulted in numerous killings and civil disturbances; however, President Musharraf and several cabinet ministers publicly condemned efforts by some clerics to foment hatred and announced a plan to deny the use of madrassahs (Islamic religious schools) for extremist purposes. The Government and employers continued to restrict worker rights significantly. Debt slavery persisted, and bonded labor by both adults and children remained a problem. The use of child labor remained widespread, although it generally is recognized as a serious problem, and industrial exporters have adopted a number of measures to eliminate child labor from specific sectors. Trafficking in women and children for the purposes of prostitution and bonded labor was a serious problem. Mob violence and terrorist attacks remained problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Police committed extrajudicial killings. The Human Rights Commission of Pakistan (HRCP) noted that there were 169 extrajudicial killings during the year, a decrease from the 271 extrajudicial killings reported in 2000. The police and were responsible for the deaths of a number of individuals associated with political or terrorist groups during the year.

The extrajudicial killing of criminal suspects, often while in police custody or in staged encounters in which police shoot and kill suspects, is common. Police officials generally insist that these deaths occur during attempts to escape or to resist arrest; family members and the press insist that many of these deaths are staged. Police personnel have been known to kill suspected criminals to prevent them from implicating police in crimes during court proceedings. After an attempt was made on then-Prime Minister Sharif's life in January 1999, as many as 40 Sunni Muslims associated with the Lashkar-i-Jhangvi, the group thought to be responsible for the attack, may have been killed in police encounters. In addition to killing suspects to prevent them from implicating the police in court, police reportedly killed suspected criminals to circumvent or overcome insufficient evidence, witness intimidation, judicial corruption, and, at times, political pressure. The judiciary, on the other hand, faults the police for presenting weak cases that do not stand up in court.

According to the Society for Human Rights and Prisoner's Aid (SHARP), a local NGO, 43 deaths due to police torture were reported during the year. Amnesty International (AI) estimates that at least 100 persons die from police torture each year (see Section 1.c.).

On October 9, three protesters, including a 13-year-old boy, were killed when police fired into a crowd that was attempting to attack a police station and a post office in Kuchlak. The protesters, who mainly were Afghan refugees, were protesting military action in Afghanistan. According to witnesses, the protesters were killed in an exchange of fire between police and some of the protesters. The police stated that they acted in self-defense, and that three police officers were injured in the incident. On November 9, four demonstrators, who mostly were students from a local madrassah, were killed by police in Dera Ghazi Khan, Punjab, while attempting to stop a police van carrying the leader of the Jaish-e-Mohammad (JM), a militant Sunni Muslim religious group. The police stated that they fired at the demonstrators after they attacked several policemen.

During the year, the HRCP reported disturbances at prisons by prisoners over their mistreatment by prison staff. Eleven prisoners at Adiala jail in Rawalpindi beat a police officer for not allowing their visitors to meet with them. Similar incidents were reported in Sahiwal and Faisalabad districts. There were reports that four prisoners died in a riot in a Peshawar jail in October 2000; however, prison authorities denied these reports. No disciplinary actions were taken or charges filed in connection with the incident, and the Government is unlikely to take further action.

A committee of inquiry was established in 1999 to look into the death of Pakistan Muslim League youth wing leader Qasim Khan, who died while in the custody of the Peshawar police in July 1999. However, despite requests from human rights activists, the committee did not publish its findings, and the officer who allegedly was involved in the killing retained his position. According to a member of the HRCP, Khan's family agreed to financial compensation from the police officer. Khan's family may have dropped the inquiry under pressure from the local police. Further action in this case is unlikely.

The Muttahida Quami Movement (MQM), an urban Sindh-based political party that in the past used violence to further its aims, claimed that the police specifically targeted its adherents for extrajudicial killings. Altaf Hussain established the MQM in 1984 to promote the rights of Mohajirs, the descendants of Urdu-speaking Muslims who migrated from India to Pakistan following partition in 1947. Elements of the group became involved in extortion and other forms of racketeering, and the party split into the MQM-Altaf--the original group headed by Altaf Hussain, a large breakaway group (MQM-Haqiqi), and a few smaller factions. The MQM-Altaf, in part because of its efficient organization and willingness to use violence, became the dominant political party in Karachi and Hyderabad; however, the party sent several moderate and nonviolent leaders to the suspended Parliament and the Sindh provincial assembly. Because of its past links to violent groups, the MQM-Altaf has antagonized followers, suffered violent breakaways, and continually been at odds with successive governments. The MQM-Altaf reported that 12 of its members were killed during the year, 1 while in police custody, 2 by members of the MQM-Haqiqi, and 9 by unknown assailants. The MQM-Altaf alleged that the Government may have been responsible for some of the killings by unknown assailants. In a 1999 report, the MQM listed 10 persons, mostly MQM activists, that it alleged were killed extrajudicially by Karachi police between October 1998 and March 1999. Since the coup, reports of extrajudicial killings of MQM activists have dropped sharply. However, in September 2000, two MQM activists were killed, allegedly by government forces.

Police officers occasionally are transferred or briefly suspended for involvement in extrajudicial killings. However, court-ordered inquiries into these killings have resulted in few trials and no convictions. In general police continued to commit such killings with impunity. In February 2000, two police inspectors who were charged with killing a member of the Muttahida Quami Movement in custody were denied bail after the Sindh High Court determined that they had falsified precinct records and appeared to have committed the crime. Punjabi police killed Tahir Prince in February 1999; after his mother filed a writ, the Lahore High Court ordered a case registered against two police officers, one of whom was dismissed midyear on charges of corruption.

Tahir Prince's family then accepted financial compensation and dropped the case against the two officers. There were no high profile cases of extrajudicial killing reported during the first 9 months of the year.

Police professionalism is low. New officers only receive 6 months of training, and many hires are the result of political patronage rather than merit. Salaries and benefits are inadequate. However, in August the Government introduced a comprehensive package of police reforms. Key changes include transferring oversight of district superintendents of police (DSP) (a rank roughly equivalent to a lieutenant colonel) from federally appointed district commissioners to elected district mayors; granting DSPs permission to order the use of live fire on their own authority; and the establishment of public safety commissions at the district level. Under this system, a police officer who believes that the district mayor is abusing his authority over local law enforcement will have a place to seek redress.

There were at least two high profile killings during 2000. In January 2000, unknown assailants killed the chief justice designate of the Baluchistan High Court; it is likely that the killing was a personal vendetta. In March 2000, unknown assailants killed Iqbal Raad, one of the defense lawyers for former Prime Minister Sharif. However, many observers believe that Raad's involvement in the Sharif trial was not a factor in his death. Although there were no reports of politically prominent Afghans being targeted for killings during the year, local newspapers reported that more than 10 politically prominent Afghans were killed during 2000 (see Section 2.d.). Afghans attributed some of these killings to personal rather than political disputes. The police did not arrest anyone in connection with these killings.

Politically motivated and sectarian violence continued with several persons killed during the year. On January 28, Sheikhul Hadith Maulana Inayatullah of Karachi was killed by six unidentified assailants who intercepted his van while he was traveling to his school, Jamia Farooqia, a Sunni Muslim seminary known for its strident anti-Shi'a Muslim teachings. Local commentators believe the killing to be the work of Sipah-e-Mohammad, a Shi'a Muslim extremist group. On March 1, sectarian rioting in Hangu, a small city in the North West Frontier Province (NWFP), resulted in at least 10 deaths. Prior to the riots, the Sunni Muslim extremist group Sipah-e-Sahaba Pakistan (SSP) had arranged prayer gatherings throughout the NWFP for SSP activist Haq Nawaz, who was executed on February 28 for the 1990 killing of the leader of the Iranian cultural center in Lahore. SSP activists reportedly left one of these gatherings and proceeded to Hangu's main shopping area where they shot and killed three Shi'a shopkeepers and one Sunni bystander, among others. On March 4, between 12 and 16 persons, including 2 police officers, were killed when 4 men opened fire in an Imambargah (a Shi'a mosque) in Sheikhupura. On May 18, a vehicle carrying Saleem Qadri, the leader of the Sunni Tehrik Party, and seven others, was attacked by six men with automatic weapons. Qadri and the others had been on their way to Friday prayers in Karachi. The Sunni Tehrik Party is a mid-sized Sunni Muslim extremist organization with a reputation for carrying out bombings, shootings, and other acts of violence. Local commentators speculated that rival Sunni extremist groups, including the Jaish-e-Mohammad and the SSP, may have ordered Qadri's killing. On July 26, Shaikat Raza, a Shi'a Muslim and CEO of Pakistan State Oil, was killed in Karachi, most likely by Sunni Muslim extremists. On July 28, Siddique Khan Kanju, a Shi'a Muslim and former Minister of State for Foreign Affairs, was killed in district Lodhran, Punjab, most likely by Sunni Muslim extremists. On August 27, unknown assailants shot and killed a Shi'a Muslim Deputy Superintendent of Police, Kausar Abbas Shah Gillani, in Bahawalpur, Punjab. On December 21, unknown assailants shot and killed Ehteshamuddin Haider, brother of Interior Minister Moinuddin Haider, as he left work at the Fatimid Hospital Foundation in Karachi. Some have speculated that he was killed in response to the Interior Minister's crackdown on extremist groups. A police investigation was underway but no arrests had been made in connection with the case by year's end.

On October 28, three assailants shot and killed a police officer on guard outside of St. Dominic's church in Bahawalpur during Protestant services at the church; they then entered the church, closed its doors, and began firing into the congregation. Sixteen persons were killed. Police arrested 18 members of the Jaish-i-Mohammad in connection with the massacre, although as of December none of them had been charged. Government officials stated that the investigation was ongoing at year's end.

There were numerous bombings during the year. For example, on August 20, 1 person was killed and 15 persons were injured when a bomb exploded near a communal water tap in the Dhaba Bazaar area of Lahore (see Section 1.c.). In 2000 there were many bombings throughout the country that killed more than 50 persons and injured more than 200 others. No one claimed responsibility for any of these acts; such bombings have taken place for many years.

More than 800 women were killed by family members in so-called "honor killings;" honor killings are a problem. Mehvish Miankheh, a member of an influential political family in Dera Ghazi Khan, allegedly was killed by her uncle in April. Her uncle had accused her of having an affair with the family's driver. A criminal complaint was filed against Miankheh's uncle, father, grandfather, two cousins, and two maternal uncles on July 7. All were granted prearrest bail and were not detained. In March 2000, women's rights activists told a local newspaper that the frequency of honor killings was on the rise. For example, on June 1, 2000, a man from Yar Hussain in the NWFP allegedly killed his 20-year-old daughter, Mumtaz Bibi, while she was sleeping. The father reportedly opposed his daughter's efforts to choose a spouse without parental consent (see Sections 1.f. and 5).

Tension along the line of control between Pakistan and Indian-held Kashmir was high during the year, and

there was shelling in several sectors. A senior army official in Pakistan-controlled Kashmir estimated that approximately 150 civilians were killed on the Pakistani side of the line of control.

b. Disappearance

There were credible reports of politically motivated disappearances. For example, retired Major General Anwar Sher and an Afghan aide, Abdul Qahter Shariati, disappeared in July 2000; they were active in organizing Afghans to pursue a peace process. There has been no police investigation into the disappearances. In the intra-Mohajir violence in Karachi, victims sometimes first are held and tortured by opposing groups (or, as the MQM-Altaf alleges, by security forces). Bodies of these victims, often mutilated, generally are dumped in the street soon after the victims are abducted; however, the incidence of such crimes decreased greatly during 2000.

In July 2000, a woman in Baluchistan was abducted by members of her tribe after a tribal jirga (council) forced the woman to annul her marriage. There were no new developments in the case during the year. Human rights observers state that government officials rarely get involved in tribal affairs.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The suspended Constitution and the Penal Code expressly forbid torture and other cruel, inhuman, or degrading treatment; however, police regularly torture, beat, and otherwise abuse persons. Police routinely use force to elicit confessions; however, there were fewer reports of torture by police during the year. Some human rights groups have stated that this decrease reflects the influence of army monitoring teams, who discourage the use of torture; other observers have suggested that the frequency of torture remained unchanged, but the media devoted less attention to the issue during the year. Human rights observers suggest that, because of widespread torture by the police, suspects usually confess to crimes regardless of their actual culpability; the courts subsequently throw out many such confessions. According to the Society for Human Rights and Prisoner's Aid (SHARP), a local NGO, 43 deaths due to police torture were reported during the year. AI estimates that at least 100 persons die from police torture each year. According to a 1999 Human Rights Watch report, children in detention also are subjected to torture and mistreatment.

Police personnel continued to torture persons in custody throughout the country. In May a Christian NGO in Sargodha reported that a Christian man was arrested and tortured by a police Station House Officer (SHO) who had a personal grievance against him. The man was released from custody without charges having been filed. In June 2000, a local newspaper reported that prisoners waiting to appear in court routinely are held in fetters in police vans, even on extremely hot days. According to MQM officials, police arrested more than 700 MQM members during 1999 and 2000 (see Section 1.d.); many of these persons reportedly were tortured in custody. The MQM claims that the police arrested 400 of its members during the year under the Maintenance of Public Order Act. Almost all of them had been released by year's end, but the MQM reported that a total of 500 of its members remained jailed in Karachi (including a former provincial assembly member) and another 300 were jailed in Sindh at year's end. In November 1999, Rana Sanaulah Khan, a Pakistan Muslim League (PML) member of the suspended Punjab provincial assembly, was arrested for criticizing the Musharraf Government; he reportedly was tortured in custody. No investigation was carried out regarding these cases, and the Government is unlikely to take further action.

Common torture methods include: Beating; burning with cigarettes; whipping the soles of the feet; sexual assault; prolonged isolation; electric shock; denial of food or sleep; hanging upside down; forced spreading of the legs with bar fetters; and public humiliation. Some magistrates help cover up the abuse by issuing investigation reports stating that the victims died of natural causes.

Human rights organizations and the press have criticized the provision of the Anti-Terrorist Act that allows confessions obtained in police custody to be used in "special courts," because police torture of suspects is common. Police generally did not attempt to use confessions to secure convictions under this law, and the Government agreed to amend the law after the Supreme Court in 1998 invalidated this and other sections of the Anti-Terrorist Act.

There was greater scrutiny by NGO's and the media of police behavior, including prison inspections in the Punjab and Sindh. In 2000 in Karachi the Citizens Police Liaison Committee (CPLC) brought cases against police officers who make false arrests, practice torture, or take bribes. However, a CPLC member reported that no new cases had been filed against police officers during the year. CPLC officials believed that police reforms introduced during the year (including increased oversight by elected officials) were responsible for fewer abuses. During the year, 1,888 Karachi police officers reportedly were punished for various offenses. Of these, 552 officers were discharged, 64 received compulsory retirement, and 83 were demoted or had their pay docked. Cooperation between the CPLC and the police human rights complaint cell resulted in the dismissal of 216 policemen and the demotion of or fines for 1,226 others between November 1998 and July 1999.

The Hudood Ordinances, which aimed to make the Penal Code more Islamic, provide for harsh punishments for violations of Shari'a (Islamic law), including death by stoning for unlawful sexual relations and amputation for other crimes. These so-called Hadd punishments require a high standard of evidence. In effect four adult

Muslim men of good character must witness an act for a Hadd punishment to apply. In over 20 years since the Hudood Ordinances were adopted, not a single Hadd punishment has been carried out. However, on the basis of lesser evidence, ordinary punishments such as jail terms or fines are imposed. From 1979 to 1995, more than 1 million Hudood cases were filed, and 300,000 were heard by the courts. More recent statistics are unavailable. The Hudood Ordinances are applied to Muslims and non-Muslims alike.

In March 2000, a judge sentenced two prisoners convicted of killing almost 100 children to be executed by having their bodies cut into 100 and 98 pieces, respectively, and then having the pieces dissolved in acid. Legal experts criticized the judgment as overly harsh. On October 9, one of the two defendants, Javed Iqbal, apparently committed suicide in his prison cell.

Special women's police stations have been established in response to growing numbers of complaints of custodial abuse of women, including rape. These stations are staffed by female personnel, but receive even fewer material and human resources than regular police stations. Efforts to raise funds for the stations during the year achieved minimal progress. According to the Government's Commission of Inquiry for Women, the stations do not function independently or fulfill their purpose. Despite court orders and regulations that only female officers may interrogate female suspects, women continued to be detained overnight at regular police stations and abused by male officers. Based on Lahore newspaper reports from January to May 1999, the HRCP found 11 cases of violence, rape, or torture of women in police custody. Instances of abuse of women in prisons are less frequent than in police stations. Sexual abuse of child detainees by police or guards reportedly also is a problem.

Police routinely use excessive force against demonstrators or strikers. On January 10, police used batons in a charge against members and sympathizers of the All Faiths Spiritual Movement during a protest against the blasphemy laws. Sixteen demonstrators were arrested. One protester later acknowledged that police initiated the crackdown only after issuing several verbal warnings ordering the protesters to disperse. In early June 2000, police used force to disperse a group of protesters, injuring four persons. Police accused the protesters of throwing stones and bricks at them, but some eyewitnesses alleged that the police fired without provocation. Later that month, police used batons and deployed tear gas during a rally of businessmen. In both incidents, the protesters were challenging government plans to collect sales taxes.

Police at times also beat journalists (see Section 2.a.).

Police failed in some instances to protect members of religious minorities—particularly Ahmadis and Christians—from societal attacks (see Sections 2.c. and 5).

Despite some cases during the year in which police officers were investigated or charged in connection with abuse of detainees, the failure of the Government to prosecute and to punish abusers effectively is the single greatest obstacle to ending or reducing police abuse. The authorities sometimes transferred, suspended, or arrested offending officers, but seldom prosecuted or punished them; investigating officers generally shield their colleagues. However, on May 14, the Supreme Court upheld the Lahore High Court's January 5 conviction of two government doctors for submitting false statements regarding police torture of prisoner Nadeem Iqbal. The Lahore High Court previously ordered the arrest of the police officials in charge of the Sialkot district police station where Iqbal was tortured; at year's end, three police officers had been jailed in connection with the torture of Iqbal. All three were found guilty by an internal police investigation. In February 2000, Deputy Inspector General Fayyaz Ahmed Leghari stated that in 1999 Sindh police penalized 28,000 officers for malfeasance, and discharged or compulsorily retired 1,100 out of a total provincial force of 85,000. In February 2000, two police inspectors charged with killing an MQM activist in custody in 1998 were denied bail after the Sindh High Court determined that they falsified precinct records and appeared to have committed the crime (see Section 1.a.). During the year, the two police inspectors were released on bail.

Police corruption is widespread. Police and prison officials frequently use the threat of abuse to extort money from prisoners and their families. Police accept money for registering cases on false charges and torture innocent citizens. Persons pay the police to humiliate their opponents and to avenge their personal grievances. During the year, the Government took some steps to reduce police corruption and transferred several senior police officers to other provinces to circumvent their local ties. The Government also deployed army officers to police stations.

Prior to the October 1999 coup, successive governments recruited police officers in violation of considerations of merit and the department's regulations. In some instances, recruits had criminal records. Police corruption was most serious at the level of the Station House Officer (SHO), the official who runs each precinct. In 1998 300 SHO's recruited on merit began a long-delayed special training course; the new SHO's have been hired but there has been no significant improvement in police performance. Some SHO's widely are believed to operate arrest-for-ransom operations, and establish unsanctioned police stations to collect illicit revenue. An August 2000 news report listed seven such stations in Karachi. SHO's are powerful; although no such incidents were reported during the year, some are believed to have killed superior officers who tried to stop corrupt practices in the past. Senior government officials have confirmed that police stations, and assignments therein, are sold to interested parties who then proceed to recoup their investment through illicit activities.

In August the Government implemented reforms at the local level that included taking responsibility for the

police away from the nonelected District Commissioners while granting oversight authority over the police to the newly elected district nazims (mayors) and newly organized Public Safety Commissions (that are composed of elected and nonelected members). The impact of this reform remained unclear at year's end, although some critics claim that the reforms will make it easier for politicians to order the police to intimidate and harass their political opponents. Senior government officials predict that it will take several years of sustained political and financial commitment before positive gains are achieved. Actions taken to redress police abuses often have mixed results. In urban Sindh, the CPLC committees helped to curb some excesses, but complaints of large-scale police abuses persist.

A number of bombings killed and injured many persons during the year. For example, on August 20, 1 person was killed and 15 persons were injured when a bomb exploded near a communal water tap in the Dhabhi Bazaar area of Lahore. No one claimed responsibility for the bombing; police investigated the incident, but no arrests had been made by year's end.

Prison conditions are extremely poor and life threatening. Overcrowding is widespread. According to the HRCP, there are 80,000 prisoners in jails that were built to hold a maximum of 35,833 persons. In 1999 a journalist for the Nation newspaper visited Adiala jail in Rawalpindi and reported that the prison held 4,277 prisoners but was built for 2,000. According to a February 2000 press report, Sindh provincial officials claimed that the 16 jails of Sindh province, with a total capacity of 7,759 prisoners, actually housed more than 14,000. Karachi central prison is the most overcrowded, with a population of 4,087 prisoners in a space designed for only 991; only 2 toilets are available per every 100 prisoners and the daily food budget in the lowest class of cells equals about \$.02 (Pr 1) per prisoner. The HRCP claimed that the Lahore district jail, built to house 1,045 prisoners, contains 3,200. In July 1999, the Punjab Home Department admitted before the Lahore High Court that more than 50,000 prisoners were held in Punjabi jails meant for 17,271. In the NWFP, 21 prisons with a total capacity of 7,397 prisoners housed 10,194 persons, including 485 children. Some 80 percent of prisoners are awaiting trial, mostly for petty offenses.

There are three classes (A, B, and C) of prison facilities. Class "C" cells generally hold common criminals and those in pretrial detention. Such cells often have dirt floors and no furnishings. Prisoners in these cells reportedly suffer the most abuse, including beatings and forced kneeling for long periods of time. In 1998 the Senate's Committee on Human Rights reported that at one facility in Hyderabad, 60 prisoners were confined to a space 100 feet by 30 feet with only 1 latrine. Such unsanitary conditions are common in small, poorly ventilated, and decrepit colonial-era prisons, which mainly are classified as class "C." Inadequate food, often consisting of only a few pieces of bread, leads to chronic malnutrition for those unable to supplement their diet with help from family or friends. Access to medical care is a problem. Mentally ill prisoners normally lack adequate care and are not segregated from the general prison population (see Section 5). Foreign prisoners, mostly citizens of African countries with minimal diplomatic representation, often remain in prison long after their sentences are completed because there is no one to pay for their deportation to their home country. Government officials claim that years of inadequate budgets are the reason for poor prison conditions. Conditions in "A" and "B" cells are markedly better; prisoners in these cells are permitted to have servants, special food, and satellite television. Authorities reserve "A" cells for prominent persons, including political leaders. Especially prominent individuals—including some political figures—sometimes are held under house arrest and permitted to receive visitors. "B" cells often are used for prisoners with a university education or who benefit from political connections.

Shackling of prisoners is routine. The principal of the Institute for Jail Staff Training in Lahore stated in a July 1999 press interview that fettering is the most convenient way to administer an overcrowded jail. Although fettering was banned nationally in April 2000, many prisoners continue to be fettered for administrative convenience or in an attempt to solicit bribes. The shackles used are tight, heavy, and painful, and reportedly have led to gangrene and amputation in several cases. No cases concerning the fettering of minors were reported in the press during the year.

Unlike the previous year, there were no reports of major prison riots.

Female detainees and prisoners are held separately from male detainees and prisoners. According to the Human Rights Commission of Pakistan, there were 700 women in jail in Sindh province at year's end, including 247 in Karachi Central Jail. According to the Ministry of Interior, there were 27 women in jail in Baluchistan province; 18 were awaiting the completion of trials and 9 were convicted criminals. Pretrial detainees often are not segregated from convicted criminals.

There is only one jail in each province for convicted prisoners under 21 years of age, and children frequently are incarcerated along with the general prison population, sharing prison conditions that are extremely poor. Many children in prison were born to female inmates who were sexually abused by prison guards. Punjab and Sindh provinces have laws mandating special judicial procedures for child offenders; however, in practice children and adults essentially are treated equally. According to a local NGO, an estimated 4,200 children were held in the nation's prisons at the end of 2000, some as young as 8 years old, compared with 4,000 in 1999. Imprisoned children often spend long periods of time in prison awaiting trial or a hearing before a magistrate, often in violation of the law. One child spent 3 years and 4 months awaiting trial. Children are subject to the same delays and inefficiencies in the justice system as are adults (see Sections 1.d. and 1.e.). Peshawar's jail in 1998 contained 183 children, 40 percent of whom were Afghan refugees. These prisoners were separated

from the adult prisoners. According to some estimates, there are 900 children in Karachi's central jail, in a space meant to house 300; these children are 18 and under. Human Rights Watch reports that children frequently are beaten and even tortured while in detention; usually this is done to extract confessions, but it is done also to punish or intimidate child detainees or to extort payment from their families for their release. Sexual abuse of child detainees by police or guards reportedly is a problem as well.

Courts also may order that children be sent to reform schools or various types of residential facilities, many designed to provide vocational or other training. There are two facilities—one in Karachi and one in Bahawalpur—that serve as reform schools for juvenile offenders. Juvenile offenders and, in some cases, homeless and destitute children, may be sent to these residential facilities, for terms not to exceed the amount of time until they reach majority. Conditions in these institutions reportedly are poor, similar to those found in jails. Abuse and torture of the children in such institutions is a problem; one study found that 17.4 percent of the inmates of the Youthful Offenders Industrial School in Karachi had been tortured or otherwise mistreated. Educational facilities in these institutions often are inadequate; however, during 2000 an NGO in Karachi started a school for the approximately 1 dozen children forced to live in a Karachi women's prison. Extortion on the part of the staff at such institutions reportedly is widespread; parents of inmates often are required to pay lower level staff members to visit their children or bring them food. Drug trafficking by guards and other staff also is a problem; some children reportedly have developed drug habits while in these institutions and are supplied drugs by their guards.

The Government permits prison visits by human rights monitors (see Section 1.d.). Landlords in Sindh and political factions in Karachi operated private jails (see Section 1.d.).

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention; however, the authorities do not always comply with the law and police arbitrarily arrested and detained citizens. The law permits the District Coordinating Officer (DCO) of a local district to order detention without charge for 30 days of persons suspected of threatening public order and safety. The DCO may renew detention in 30-day increments, up to a total of 90 days. Human rights monitors report instances in which prisoners jailed under the Maintenance of Public Order Act have been imprisoned for up to 6 months without charge. For other criminal offenses, police may hold a suspect for 24 hours without charge. After a prisoner appears before a magistrate, the court may grant permission for continued detention for a maximum period of 14 days if the police provide material proof that this is necessary for an investigation. The Musharraf Government created the National Accountability Bureau (NAB) and special accountability courts to try corruption cases; the National Accountability Ordinance initially permitted those suspected of corrupt practices to be detained for 90 days without charge (see Section 1.e.). In April the Supreme Court modified several provisions of the NAB ordinance. It reduced the NAB's freedom to hold suspects without charge from 90 days to 15 days, renewable with judicial concurrence. The maximum period of disqualification from political office pursuant to a corruption conviction was reduced from 21 years to 10 years, and the court required that future appointments of key NAB officials receive the Chief Justice's concurrence.

Police may arrest individuals on the basis of a First Incident Report (FIR) filed by a complainant, and have been known to file FIR's without supporting evidence. FIR's frequently are used to harass or intimidate individuals. Charges against an individual also may be based on a "blind" FIR, which lists the perpetrators as "person or persons unknown." If the case is not solved, the FIR is placed in the inactive file. When needed, a FIR is reactivated and taken to a magistrate by the police; the police then name a suspect and ask that the suspect be remanded for 14 days while they investigate further. After 14 days, the case is dropped for lack of evidence, but then another FIR is activated and brought against the accused. In this manner, rolling charges can be used to hold a suspect in custody continuously.

If the police can provide material proof that detention (physical remand or police custody for the purpose of interrogation) is necessary for an investigation, a court may extend detention for a total of 14 days. However, such proof may be little more than unsubstantiated assertions by the police. In practice the authorities do not observe fully the limits on detention. Police are not required to notify anyone when an arrest is made and often hold detainees without charge until a court challenges them. The police sometimes detain individuals arbitrarily without charge or on false charges to extort payment for their release. In Karachi small squads of police stopped taxis and delivery trucks for bribes. On October 11, a newspaper reported an incident in which a constable, Abid of Pir Wadhai police station, went to the Hotel Anarkali and asked for a room for his friend. When the hotel staff insisted that the constable present identification, the policeman allegedly arrested the hotel manager and eight other members of the hotel staff. The detainees were released after the local business community brought the abuse to the attention of a senior police official. The case later was settled out of court. Human rights monitors report that a number of police stations have secret detention cells in which individuals are kept while police bargain for their release. There also were reports that the police move prisoners from one police station to another if they suspect a surprise visit by higher authorities. Some women continued to be detained arbitrarily and sexually abused (see Sections 1.c. and 5).

The Federally Administered Tribal Areas have a separate legal system, the Frontier Crimes Regulation (FCR), which recognizes the doctrine of collective responsibility. Authorities are empowered to detain fellow members of a fugitive's tribe, or to blockade a fugitive's village, pending his surrender or punishment by his own tribe in accordance with local tradition (see Section 1.f.). The Government continued to exercise such authority during

the year. In March 2000, two persons from Mullah Said village were arrested under the FCR following a shooting incident in which some persons from the village fired on residents of neighboring Badan village. The two later were released.

The police also have been known to detain persons as a result of personal vendettas. Following an August 2000 house robbery in a Christian neighborhood in Islamabad, police reportedly arrested residents of the neighborhood and extorted bribes from them in exchange for their release.

The law stipulates that detainees must be brought to trial within 30 days of their arrest. However, in many cases, trials do not start until 6 months after the filing of charges. In 1998 the HRCP estimated that there were almost as many individuals awaiting trial in jails as there were prisoners serving sentences. According to the chief justice of the Lahore High Court, there were more than 500,000 civil and criminal cases backlogged in the province's subordinate court system as of April 1999. In 1999 in 62 Lahore city courts, 7,000 prisoners were awaiting trial in 6,000 cases; in 3,500 of these cases, the police had not even brought a "challan," or indictment, to the court. Sindh Government officials reported in February 2000 that 11,945 of the 14,219 prisoners in Sindh jails were awaiting trial. The Government justified the creation of antiterrorist courts by citing the large number of murder and other cases that are clogging the regular court system (see Section 1.e.). The antiterrorist courts reportedly sentenced 32 persons to death and 15 persons to life imprisonment during 2000.

Persons in jail awaiting trial sometimes are held for periods longer than the sentence that they would receive if convicted. Court officials report that each judge reviews between 70 and 80 cases per day, but that action is taken on only 3 or 4 each week. According to the Pakistan Law Commission, as of September, there were 121,839 cases pending at the High Court level in Punjab, 127,019 in Sindh, 97,000 in NWFP, and 29,000 in Baluchistan. There were 10,515 cases pending in the Supreme Court as of September 30. According to the press, the Lahore High Court had 64,427 cases pending at year's end. Clogged lower courts exacerbate the situation; the majority of cases in the High Courts consist of appeals of lower court rulings. Once an appeal reaches the High Court, there are further opportunities for delay because decisions of individual judges frequently are referred to panels composed of two or three judges. There continued to be charges that magistrates and police, under pressure from provincial and federal officials to achieve high conviction rates, persuade detainees to plead guilty without informing them of the consequences. Senior government officials acknowledged during the year that this was a problem. Politically powerful persons also attempt to influence magistrates in their decisionmaking, sometimes threatening to transfer magistrates to other assignments.

In July 1999, press reports noted that hundreds of prisoners remained in the Karachi Central Prison after the completion of their sentences. The Sindh Home Department stated that at least 10 percent of prisoners awaiting trial in Karachi Central Prison had no access to free legal aid or the possibility of bail, even if qualified. Reporters interviewing male prisoners in one cellblock discovered that 16 percent of them were not represented by attorneys. As of March 1999, 6,000 cases awaited trial in 62 Lahore courts, with 7,000 prisoners awaiting a court date. In 3,500 of these cases, the police have not yet submitted a "challan," or indictment.

Asif Zardari, husband of former Prime Minister Benazir Bhutto, has waited for more than 4 years for the start of his trial on charges of killing his brother-in-law, Murtaza Bhutto. Charges first were filed against Zardari in 1997 and transferred successively to two courts, where several judges refused to preside. By the end of 1999, only 2 of 223 witnesses had been heard. In April 1999, Zardari was tried and convicted separately on corruption charges. On April 6, the Supreme Court overturned his conviction on corruption charges. In December Zardari received bail but was not released; the NAB ordered his continued detention on suspicion of corruption.

The Government permits visits to prisoners and detainees by human rights monitors, family members, and lawyers (see Section 1.c.), with some restrictions. In some cases, authorities refuse family visits and, in some police stations, persons must pay bribes to see a prisoner. Foreign diplomats may meet with prisoners when they appear in court, but generally are refused permission for prison visits. Local human rights activists report few restrictions to their access to prisons, even though the Government has continued to deny prison visits by the ICRC.

The Government sometimes used preventive detention, mass arrests, and excessive force to quell protests or civil unrest and to prevent political meetings. On a number of occasions, police arrested persons prior to demonstrations under the Criminal Procedures Code ban (see Section 2.b.). These arrests were carried out under Section 16 of the Maintenance of Public Order Act, which prohibits speech that "causes or is likely to cause alarm to the public." On January 10, police used batons against members and sympathizers of the All Faiths Spiritual Movement during a protest against the blasphemy laws (see Section 1.c.). Sixteen demonstrators were arrested.

In January five members of the pro-Nawaz Sharif faction of the Pakistan Muslim League claimed to have been detained by the Government for between 12 and 36 hours. They accused the Government of preventing them from attending an important meeting of their party's leadership. On January 31, police in Lahore arrested 29 female activists from the Pakistan Peoples Party, along with 6 children accompanying them. In such cases, female demonstrators usually are detained for only a few hours. In this case, while the children were released quickly, the protesters were held for over 1 week with ordinary criminals before their release. In late February, the police arrested approximately 500 SSP activists in Jhang and Faisalabad districts, after SSP activist Haq

Nawaz Jhangvi was sentenced to death for his role in a killing in 1990 (see Section 5), in order to keep members of the extremist group SSP from protesting the sentence; most later were released. Between March 20 and 23, police detained 253 senior leaders and workers of the Alliance to Restore Democracy (ARD) to prevent them from attending an opposition rally in Lahore scheduled for March 23 (Pakistan Day). Some ARD leaders also reportedly were forced to leave Lahore prior to the rally. Persons who attempted to approach the site of the rally on March 23 were prevented from doing so by the police, who at times beat would-be participants. Half of the leaders and workers were released on April 2; the rest were released by mid-April. On April 27, the Government prevented several thousand members of a radical Islamic political group, Tehrik-e-Nifaz-e-Shariat Muhammadi (Movement for the Observance of Islamic Law), from holding a rally calling for Shari'a to be applied in Malakand division. On May 1, the Government sealed all ARD offices and arrested 479 ARD activists in Karachi to prevent any ARD political activity that day. Local government officials refused a request by representatives of the HRCP to visit the party activists that were detained. All but 29 of the ARD activists were released by May 31; the remaining 29 were released after serving 30-day sentences. Several hundred SSP and Tehrik-e-Jafria members were arrested in August; most reportedly were released within a few days or a few weeks.

The Government detained several high-profile businessmen in connection with President Musharraf's anticorruption campaign in 2000; however, there were no such arrests during the year. In May 2000, armed gunmen seized Amin Lakhani, a leading Karachi businessman. Several days later, the NAB admitted that it authorized Lakhani's seizure. Lakhani was held without charge for several weeks and questioned about his financial affairs. In May 2000, Lakhani's brother, Sultan Lakhani, also was seized and was released after several weeks of captivity.

During the year, 29 journalists reportedly were arrested. The police arrested approximately 150 journalists during a peaceful protest in April 2000. After September 11, several journalists attempting to travel into Afghanistan reportedly were detained.

Persons occasionally are detained arbitrarily because of disputes with powerful or well-connected persons. According to one NGO, during the year, a man named Shafiq was detained by the Joharabad police on charges of stealing the dog of an influential member of the community. He later was released after the intervention of community elders. The NGO asserts that the actual reason for Shafiq's arrest was his refusal to sell land at the request of the influential person.

The Musharraf Government detained without warrants and without charges several dozen political figures, military officers, government administrators, and Sharif family members following the 1999 coup. Many of the officials who were arrested following the coup were held incommunicado. At year's end, all of them had been released. Former Advisor for Sindh Affairs Ghous Ali Shah was released on bail on August 20 but remained under investigation for corruption. Former Petroleum Minister Chaudhry Nisar Ali Khan was released on August 22 and Former Minister of Finance Ishaq Dar was released on August 28. However, Mehtab Abbasi and Javed Hashmi, two senior politicians allied with Nawaz Sharif, were detained by the NAB during the year and remained in custody at year's end.

Several key figures among those initially arrested without charge, including former Prime Minister Nawaz Sharif, were held in connection with the "hijacking" in October 1999 of the civilian airliner carrying General Musharraf back from a conference in Sri Lanka; Nawaz Sharif reportedly denied permission for the plane to land in Karachi. This event, along with Sharif's summary replacement of General Musharraf with the Director General of the Inter-Services Intelligence Directorate, led to the 1999 coup. In the weeks following Sharif's arrest, he was detained without charge and denied access to counsel and family members. A First Incident Report was filed on November 10, 1999, which charged Sharif with attempted murder, hijacking, and criminal conspiracy. Former Sharif advisor Ghous Ali Shah, former Pakistan International Airlines chairman Shahid Khaqan Abbasi, former Director of Civil Aviation Aminullah Chaudhary, and former Inspector General of Police Rana Maqbool were charged along with Sharif. The accused were to be tried before an antiterrorist court. In November 1999, three other individuals—former Punjab chief minister Shahbaz Sharif, former senator Saifur Rehman, and former secretary to the Prime Minister Saeed Mehdi—were named codefendants in the case. Following Anti-Terrorist Act charges, the formal filing of charges against Nawaz Sharif occurred in December 1999. Sharif was convicted and sentenced to life imprisonment in April 2000 (see Section 1.e.). His six codefendants were acquitted; however, Saifur Rehman and Saeed Mehdi still were in custody at year's end on a maintenance of public order charge. In December 2000, the Government commuted former Prime Minister Nawaz Sharif's prison sentence and exiled him and 18 of his family members to Saudi Arabia for 10 years. The Government confiscated assets belonging to the Sharif family. They also had to agree to withdraw from politics while in exile. Some observers claimed that the Government exiled Sharif in order to remove him from politics and to reduce the power and influence of the opposition.

Many persons apprehended by the NAB (see Section 1.e.) remained in detention past the ordinance's stipulated 90 days detention without charge. Siddiq ul-Farooq, a former press secretary to Nawaz Sharif, was arrested under the NAB in October 1999 and held without charge until May 2000; he was released from custody during the year. In April 2000, Mian Manzoor Wattoo, the former Punjab Chief Minister and head of his own PML faction, became the first senior politician to receive a jail term in a corruption case. In late 1999, MQM leader and former mayor of Karachi Dr. Farooq Sattar was arrested by order of the NAB, removed from his home, and held in an unfurnished cell. In July 2000, Sattar was convicted on a widely disputed corruption charge. Also in July 2000, former Prime Minister Nawaz Sharif was sentenced to 14 years' imprisonment and

banned from holding political office on the basis of a corruption conviction. Most observers reported that Sharif's trial was fair; however, they believe the Government's decision to pursue the corruption case was politically motivated.

Hundreds of MQM activists and legislators (including former Sindh Minister of Labor Shoaib Bokhari) were arrested in 1998 and remained in custody at year's end; some of these activists are being held without charge. According to MQM officials, police have arrested more than 700 MQM officials during the past 3 years (see Section 1.c.). Some of these activists were released during the year. However, on April 19, the Government arrested MQM Senator Aftab Shaikh.

Women frequently are charged under the Hudood Ordinances for sexual misconduct, such as adultery. A Hudood law meant to deter false accusations is enforced weakly, and one human rights monitor claimed that 80 percent of adultery-related Hudood cases are filed without supporting evidence. In 1998 approximately one-third of the women in jails in Lahore, Peshawar, and Mardan were awaiting trial for adultery; that percentage likely remains accurate. Most women tried under the ordinance are acquitted, but the stigma of an adultery charge alone is severe. Men accused of rape sometimes are acquitted and released while their victims are held for adultery or fornication. The Commission of Inquiry for Women has recommended that the Hudood laws be repealed as they are based on an erroneous interpretation of Shari'a (see Section 5).

During 2000 authorities released from prison thousands of persons convicted of petty crimes who were being held despite the fact that their prison terms had expired. In January 2000, authorities released 12,000 prisoners convicted of petty crimes. In an October 2000 news report, a senior official in the Ministry of Interior stated that 47,000 persons who were jailed for minor offenses were released in 2000. The Punjab Department of Jails reportedly released 15,000 prisoners who were convicted of petty crimes in 2000. During the year, the Government released an undisclosed number of prisoners (estimated to be in the hundreds) to commemorate the Islamic holiday of Eid-ul-Azha.

Private jails exist in tribal and feudal areas. Human rights groups alleged that as many as 50 private jails, housing some 4,500 bonded laborers, were being maintained by landlords in lower Sindh (see Section 6.c.). Some prisoners reportedly have been held for many years. In the five districts of upper Sindh, landlords have defied the courts and police by holding tribal jirgas, which settle feuds, award fines, and even sentence persons to the death penalty in defiance of provincial laws. In January 2000, a newspaper reported that 56 landless agricultural workers escaped from a private jail in Sanghar district, Sindh. The landlord reportedly had forced them to work without wages for several years (see Section 6.c.). In March 2000, the Lahore High Court ordered the release of 24 brick kiln workers, including 10 women and children. According to press accounts, the laborers were kept in chains, were not compensated for their work, and were beaten frequently. Press reports indicate that there were similar numbers of bonded laborers freed during the year.

e. Denial of Fair Public Trial

The suspended Constitution provided for an independent judiciary; however, in practice, the judiciary remains subject to executive branch and other outside influences, and despite the Musharraf Government's pledge to respect the independence of the judicial system, it has taken steps to control the judiciary and to remove the Government from judicial oversight. Provisional Constitution Order Number 1, issued in October 1999, provided that all courts functioning at the time of the coup would continue to operate, but that no court would have the power to issue orders against General Musharraf or any person exercising powers or jurisdiction under his authority. The decree effectively removed the actions of the Musharraf Government from judicial oversight. President Musharraf further undermined the independence of the judiciary when he ordered that all Supreme Court, Shari'a Court, and Provincial High Court justices take an oath to uphold the PCO that brought the military into power. Low salaries, inadequate resources, heavy workloads, corruption, and intimidation by political and religious pressure groups contributed to judicial inefficiency, particularly in the lower courts.

In January 2000, days before the Supreme Court was due to begin hearings on the legitimacy of the 1999 coup, President Musharraf ordered all Supreme Court, Shari'a court, and provincial High Court justices to take an oath committing themselves to uphold the PCO, which suspended the Constitution and legislative bodies and prohibited the superior courts from making any decision against the Chief Executive "or any person exercising powers or jurisdiction under his authority." Six Supreme Court justices, including the Chief Justice, and nine provincial High Court justices resigned in protest; however, 85 percent of the affected justices agreed to swear allegiance to the PCO. As a result of this decree, government directives and ordinances under the PCO no longer are subject to judicial review. Some government officials claimed that President Musharraf issued this decree due to concerns that judges were being bribed to rule against the Government in the court challenges to the military takeover. Many persons criticized this requirement, stating that it effectively ended the role of the judiciary as an independent body.

The judicial process continued to be impeded by bureaucratic infighting, inactivity, and the overlapping jurisdictions of the different court systems. Heavy backlogs that severely delayed the application of justice remained, due to scores of unfilled judgeships and to archaic and inefficient court procedures. The politicized appointment process held up the promotion of many lower court judges to the High Courts. Although the higher level judiciary is considered competent and generally honest, there were widespread reports of corruption among lower level magistrates and minor court functionaries. Nonetheless, the new Supreme Court at times

demonstrated a limited degree of independence. For example, in May 2000, in a unanimous decision, the Supreme Court upheld the legality of the coup on the grounds of state necessity; however, the court ordered the Musharraf Government to hold national elections no later than 90 days after October 12, 2002. The decision also affirmed the Supreme Court's continued right of judicial review, ruled that it was legal for the Musharraf Government to amend the Constitution as long as the amendments do not change the basic character of the Constitution, and reserved the right to review the military's performance, the continued necessity of the Emergency Proclamation, and the PCO. Many observers criticized the Supreme Court decision as vague and contradictory. The Government respected this ruling during the year. On August 14, the Government announced that national and provincial elections were to take place between October 1 and October 11, 2002 (see Sections 2.b. and 3). In April the Supreme Court also modified several provisions of the NAB ordinance, and the Government respected the amended provisions during the year. Despite these decisions, the overall credibility of the judiciary remained low.

The judicial system involves several court systems with overlapping and sometimes competing jurisdictions. There are civil and criminal systems with special courts for banking, antinarcotics, and antiterrorist cases, as well as the federal Shariat court for certain Hudood offenses. The appeals process in the civil system is: Civil court, district court, High Court, and the Supreme Court. In the criminal system, the progression is magistrate, sessions court, High Court, and the Supreme Court.

The civil judicial system provides for an open trial, the presumption of innocence, cross-examination by an attorney, and appeal of sentences. Attorneys are appointed for indigents only in capital cases. There are no jury trials. Due to the limited number of judges, the heavy backlog of cases, lengthy court procedures, and political pressures, cases routinely take years, and defendants must make frequent court appearances. Cases start over when an attorney changes. Under both the Hudood and standard criminal codes, there are bailable and nonbailable offenses. According to the Criminal Procedures Code, the accused in bailable offenses must be granted bail, and those charged with nonbailable offenses should be granted bail if the alleged crime carries a sentence of less than 10 years. Many accused, especially well-connected persons who are made aware of impending warrants against them, are able to obtain prearrest bail, and thus are spared arrest and incarceration.

Double jeopardy applies to those convicted of possessing narcotics because of a federal Shariat court ruling that customs and narcotics cases be initiated separately. During the year, the Lahore High Court ordered the release of eight prisoners, including five foreign nationals, who had served their sentences under the Customs Act and were awaiting trial for a narcotics charge arising out of the same incident. The court noted that the law did not allow punishment twice for the same offense. A February 2000 ruling by the Lahore High Court forbidding a second trial was ignored by an April 2000 sessions court decision in Lahore, which sent the accused back to prison for the second time on the same narcotics conviction.

The judiciary has argued that it has failed to try and convict terrorist suspects in a timely manner because of poor police casework, prosecutorial negligence, and the resulting lack of evidence. In response to this problem, the Anti-Terrorist Act was passed; special antiterrorist courts began operations in 1997. The antiterrorist courts, designed for the speedy punishment of terrorist suspects, have special streamlined procedures; however, due to the continued intimidation of witnesses, police, and judges, the courts initially produced only a handful of convictions. Under the Act, terrorist killings are punishable by death and any act, including speech, intended to stir up religious hatred, is punishable by up to 7 years' rigorous imprisonment. Additional offenses that can be tried under the Anti-Terrorist Act include acts to outrage religious feelings; efforts to "wage war against the state;" conspiracy; acts committed in abetting an offense; and kidnapping or abduction to confine a person. Cases are to be decided within 7 working days, but judges are free to extend the period of time as required. Trials in absentia initially were permitted, but later were prohibited. Appeals to an appellate tribunal also were required to take no more than 7 days, but appellate authority since has been restored to the High and Supreme Courts, under which these time limits do not apply. Under the Anti-Terrorist Act, bail is not to be granted if the court has reasonable grounds to believe that the accused is guilty. Many of the more controversial amendments to the Anti-Terrorist Act adopted under the Nawaz Sharif Government were not enforced during the year.

On June 20, the Musharraf Government approved an amendment to the Anti-Terrorist Act. The new ordinance defines terrorism as "the use or threat of action where the use, or threatened use, is designed to coerce and intimidate or overawe the Government or the public or a section of the public or community or sect or create a sense of fear or insecurity in society; and the use or threat is made for the purpose of advancing a political, religious, ideological, or ethnic cause."

Leading members of the judiciary, human rights groups, the press, and politicians from a number of parties expressed strong reservations about the antiterrorist courts, charging that they constitute a parallel judicial system and could be used as tools of political repression. Government officials and police believed that the deterrent effect of the Act's death penalty provisions contributed to the reduction in sectarian violence after its passage. The antiterrorist courts also are empowered to try persons accused of particularly "heinous" crimes, such as gang rape and child killings, and several persons have been tried, convicted, and executed under these provisions. In 1997 cases filed under Section 295 (a) of the Penal Code, one of the so-called blasphemy laws (see Section 2.c.), were transferred to the antiterrorist courts. Human rights advocates feared that if blasphemy cases were tried in the antiterrorist courts, alleged blasphemers, who in the past normally were granted bail or released for lack of evidence, likely would be convicted, given the less stringent rules of

evidence required under the Anti-Terrorist Act.

The Musharraf Government created by ordinance a special antiterrorist court in Sindh presided over by a High Court justice rather than a lower level judge, as is usually the case. The amended provision permits the High Court justice to "transfer...any case pending before any other special court...and try the case" in his court. Supporters of Nawaz Sharif maintained that these changes were designed to help the Musharraf Government prosecute Sharif. The trial of Nawaz Sharif and six codefendants on charges of hijacking was the most widely publicized case tried by an antiterrorist court. No cases tried by an antiterrorist court received similar publicity during the year. In April 2000, Sharif was found guilty of hijacking and terrorism and sentenced to two terms of life imprisonment (to be served consecutively), an unspecified fine, 5 years' rigorous imprisonment in lieu of nonpayment of the fine, forfeiture of all property, and a fine to compensate the 198 passengers and crew of the flight. The judge ruled that there was insufficient evidence to arraign Sharif on four offenses related to "waging war against the state" and criminal conspiracy; the charges were dropped. His six codefendants were found not guilty, and all six were released during the year.

Diplomatic observers who attended the Sharif trial concluded that the trial generally was fair, open, and transparent. The defendants were given free choice of and ready access to counsel. Diplomats and the media were granted free daily trial access and newspapers frequently reported on defense attorneys' criticism of President Musharraf and the army. Nawaz Sharif and his defense counsel expressed "full confidence" in the court. The prosecution appealed the codefendants' acquittals and Sharif's life sentences, arguing for the death penalty, and the defense appealed Sharif's conviction in the Sindh High Court in another trial that courtroom observers considered free and fair. In October 2000, the appeals court upheld Nawaz Sharif's convictions for hijacking and terrorism but combined them into one offense. The court also denied the prosecution appeal to upgrade Sharif's sentence to the death penalty, reduced the amount of property forfeiture, and affirmed the antiterrorism court's acquittals of the six codefendants.

The Musharraf Government in 1999 created by ordinance the National Accountability Bureau (NAB) and special accountability courts to try corruption cases. The NAB was created in part to deal with as much as \$4 billion (approximately PRs 208 billion) that is estimated to be owed to the country's banks (all of which are state-owned) by debtors, primarily from among the wealthy elite. The Musharraf Government stated that it would not target genuine business failures or small defaulters and does not appear to have done so. The NAB was given broad powers to prosecute corruption cases, and the accountability courts were expected to try such cases within 30 days. As originally promulgated, the ordinance prohibited courts from granting bail and gave the NAB chairman sole power to decide if and when to release detainees. In April the Supreme Court modified several provisions of the NAB ordinance. It reduced the NAB's freedom to hold suspects without charge from 90 days to 15 days, renewable with judicial concurrence. The maximum period of disqualification from political office pursuant to a corruption conviction was reduced from 21 years to 10 years, and the Court required that future appointments of key NAB officials receive the Chief Justice's concurrence.

The ordinance also allows those suspected by the State Bank of Pakistan of defaulting on government loans or of corrupt practices to be detained for 15 days without charge (renewable with judicial concurrence) and, prior to being charged, does not allow access to counsel. During 2000 many persons who were apprehended under the NAB ordinance remained in detention without charge for longer than 90 days (see Section 1.d.). In accountability cases, there is a presumption of guilt, and conviction under the ordinance can result in 14 years' imprisonment, fines, and confiscation of property. Those convicted also originally were disqualified from running for office or holding office for 10 years. In August 2000, the Government announced that persons with a court conviction would be barred from holding party office.

The Musharraf Government denied press reports that it had decided not to pursue accountability cases against active members of the military or the judiciary; however, no serving members of the military or the judiciary have been charged by the NAB. Nonetheless, in May former Chief of the Naval Staff Mansoor ul-Haq was charged with corruption under the NAB ordinance. In June 2000, the Government announced that NAB had arrested 132 persons to date; 82 persons were in detention, 53 of the 82 were held in judicial lockups, and 29 others were in the NAB's custody. During the year, Jehangir Badr, Chaudhary Pervez Elahi, Sheikh Rashid, Mehtab Abbasi, and Javed Hashmi were arrested by the NAB. A published list of persons charged with corruption by the NAB included former Prime Ministers Nawaz Sharif and Benazir Bhutto.

The Hudood ordinances criminalize nonmarital rape (see Section 5), extramarital sex (including adultery and fornication), and various gambling, alcohol, and property offenses. Offenses are distinguished according to punishment, with some offenses liable to Hadd, or Koranic, punishment (see Section 1.c.), and others to Tazir, or secular punishment. Although both types of cases are tried in ordinary criminal courts, special, more stringent rules of evidence apply in Hadd cases; Hadd punishments are mandatory if there is enough evidence to support them. Hadd punishments regarding sexual offenses are most severe for married Muslims; for example, if a married Muslim man confesses to rape or there are four adult male Muslim witnesses to the act, the accused must be stoned to death; if the accused rapist is not Muslim or married, if he confesses, or if the act is witnessed by four adult males (not all Muslim), the accused must be sentenced to 100 lashes with a whip, and such other punishment, including death, as the court may deem fit. The testimony of four female witnesses, or that of a rape victim alone, is insufficient to impose Hadd punishments. If the evidence falls short of Hadd criteria, then the accused may be sentenced to a lesser class of penalties (Tazir). Since it is difficult to obtain sufficient evidence to support the Hadd punishments, most rape cases are tried at the Tazir level, under which sentences may be imposed up to 25 years in prison and 30 lashes. No Hadd punishment ever has been

applied in the more than 20 years that the Hudood ordinances have been in force. For Tazir punishments, there is no distinction between Muslim and non-Muslim offenders. Under Tazir the evidentiary requirement for financial or future obligations is for two male witnesses or one male and two female witnesses; in all other matters, the court may accept the testimony of one man or one woman (see Section 5).

The federal Shariat court and the Shari'a bench of the Supreme Court serve as appellate courts for certain convictions in criminal court under the Hudood ordinances. The federal Shariat court also may overturn any legislation judged to be inconsistent with the tenets of Islam. However, these cases may be appealed to the Shari'a bench of the Supreme Court. In two areas of the NWFP—Malakand and Kohistan—the Government in 1999 announced plans to implement Shari'a law by regulation and by ordinance, respectively. In September 1999, the NWFP assembly passed a bill that incorporated the Kohistan ordinance into law (see Section 2.c.). In May 2000, the governor of the NWFP reportedly affirmed to the media his plan to implement Shari'a in Malakand division. However, no information was given as to when the plan would enter into force. The Government made no effort to enforce its commitments during the year, despite renewed demonstrations advocating the implementation of Shari'a law in May.

Appeals of certain Hudood convictions involving penalties in excess of 2 years' imprisonment are referred exclusively to the Shariat courts and are heard jointly by Islamic scholars and High Court judges using ordinary criminal procedures. Judges and attorneys must be Muslim and must be familiar with Islamic law. Within these limits, defendants in a Shariat court are entitled to the lawyer of their choice. There is a system of bail.

The Penal Code incorporates the doctrines of Qisas (roughly, an eye for an eye) and Diyat (blood money). Qisas is not known to have been invoked; however, Diyat occasionally is applied, particularly in the NWFP, in place of judicial punishment of the wrongdoer. Only the family of the victim, not the State, may pardon the defendant. The Hudood, Qisas, and Diyat ordinances apply to ordinary criminal courts and Shariat courts. According to Christian activists, if a Muslim kills a non-Muslim, he can redress the crime by paying Diyat to the victim's family; however, a non-Muslim who kills a Muslim does not have the option of paying and must serve a jail sentence or face the death penalty for his crime. Failure to pay Diyat in noncapital cases can result in indefinitely extended incarceration, under Section 331 of the Diyat ordinance. Some persons remain in prison after completion of their terms for failure to pay Diyat.

Administration of justice in the FATA normally is the responsibility of tribal elders and maliks, or leaders. They may conduct hearings according to Islamic law and tribal custom. In such proceedings, the accused have no right to legal representation, bail, or appeal. The usual penalties consist of fines, even for murder. However, the Government's political agents, who are federal civil servants assigned to tribal agencies, oversee such proceedings and may impose prison terms of up to 14 years. Paramilitary forces under the direction of the political agents frequently conduct punitive actions during enforcement operations. For example, in raids on criminal activities, the authorities have damaged surrounding homes as extrajudicial punishment of residents for having tolerated nearby criminal activity (see Section 1.f.).

In remote areas outside the jurisdiction of federal political agents, tribal councils occasionally levy harsher, unsanctioned punishments, including flogging or death by shooting or stoning. On July 16, the HRC reported the execution by tribal leaders of an Afghan man accused of murder. The tribesmen reportedly condemned the accused without due process and executed him by blindfolding him and shooting him in front of a crowd. The Government has made no efforts to investigate the incident, and is unlikely to do so.

Another related form of rough justice operating in the NWFP, particularly in the tribal areas, is the concept of Pakhtunwali, or the Pakhtun Tribal Code, in which revenge is an important element. Under this code, a man, his family, and his tribe are obligated to take revenge for wrongs—either real or perceived—to redeem their honor. More often than not, these disputes arise over women and land, and frequently result in violence (see Section 5).

Several senior officials in the judiciary participated in an Asian Development Bank-funded judicial reform program that began in April; the program was designed to improve the quality of the lower level judiciary. In December several local courts reported minor improvements due to the reforms, such as a faster rate of processing cases.

There are limited numbers of political prisoners; there probably were less than 50 political prisoners in custody at year's end. Sections of the Penal Code directly target members of the Ahmadi faith; according to Ahmadi sources, approximately 200 Ahmadis have been incarcerated under these provisions since their inception. Several minority religious groups argue that other sections of the Penal Code—particularly the related blasphemy laws—are used in a discriminatory fashion by local officials or private individuals to punish religious minorities. In April 2000, the Government announced its intention to require that deputy commissioners review all blasphemy cases prior to the filing of a FIR; however, the Government reversed this decision in May 2000 due to intense pressure from some Islamic groups (see Section 2.c.). The Government took no steps to amend the blasphemy laws during the year (see Section 2.c.).

Some political groups also argue that they are marked for arrest based on their political affiliation (see Section 1.d.). The MQM in particular has argued that the Government used antiterrorist court convictions in Sindh to silence its activists.

The Government permits visits to prisoners by human rights monitors, family members, and lawyers.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Government infringes on citizens' privacy rights. The Anti-Terrorist Act allowed police or military personnel acting as police to enter and to search homes and offices without search warrants, and to confiscate property or arms likely to be used in an alleged terrorist act (which is defined very broadly). This provision never was tested in the courts. While the Anti-Terrorist Act was suspended partially in 1998, the Government promulgated new antiterrorist ordinances in October 1998, April 1999, and in August. The purpose of the newest ordinance is to strengthen the power of the judiciary to prosecute terrorism cases. Under the ordinances, many blasphemy cases now are tried by antiterrorist courts. By law the police need a warrant to search a home, but not to search a person. Despite this law, police have entered homes without a warrant and sometimes stole valuables during searches. In the absence of a warrant, a policeman is subject to charges of criminal trespass. However, police seldom are punished for illegal entry.

The Government maintains several domestic intelligence services that monitor politicians, political activists, suspected terrorists, and suspected foreign intelligence agents. Credible reports indicate that the authorities routinely use wiretaps and intercept and open mail. In 1997 the Supreme Court directed the Government to seek its permission before carrying out wiretapping or eavesdropping operations; however, the judiciary's directive has been ignored widely. No action was taken during the year on the case of 12 government agencies accused of tapping and monitoring citizens' phone calls, which has been pending since 1996, and no additional action the case was expected.

Provincial governments sometimes forcibly moved landless laborers from their temporary camps. For example, in October 2000 local government officials forcibly moved 900 persons who had been freed from bonded labor from their temporary camps in Sikandarabad in Kotri district.

Civil marriages do not exist; marriages are performed and registered according to one's religion. Upon conversion to Islam, the marriages of Jewish or Christian men remain legal; however, upon conversion to Islam, the marriages of Jewish or Christian women, or of other non-Muslims, that were performed under the rites of the previous religion are considered dissolved (see Section 2.c.).

While the Government generally does not interfere with the right to marry, the Government on occasion assists influential families to prevent marriages they oppose. For example, in July 1999, police in Mirpurkas District, Sindh, raided the home of Javed Dal, who had eloped with his cousin, and arrested his family members as hostages. His wife's father, Somar Dal, used his influence as a member of the Sindh National Front Executive Committee to instigate the arrests, which were carried out without warrants. The Government also fails to prosecute vigorously cases in which families punish members (generally women) for marrying or seeking a divorce against the wishes of other family members. During the year, Kausar of Tala Gang, District Chakwal, and Tahira of Simly Dam, District Islamabad were attacked physically by their families, according to a local NGO. In June 2000, Mumlikat Bibi was killed in her parents' home in the village of Yar Hussain in the NWFP. Her father, who reportedly opposed Bibi's efforts to choose a spouse without parental consent, was accused of being the culprit (see Section 5); his trial was ongoing at year's end.

The Frontier Crimes Regulation, the separate legal system in the FATA, permits collective responsibility, and empowers the authorities to detain innocent members of the suspect's tribe, or blockade an entire village (see Section 1.d.). In past years, the Government demolished the homes of several alleged criminals, as well as the homes of those who reportedly tolerated nearby criminal activity. During the year, the authorities in several Federally Administered Tribal Areas reported that tribal councils ordered the demolition of up to a few dozen homes. In December 1999, a Shariat court established by the Tehrik-i-Tulaba, an extremist group in Orakzai Tribal Agency, fined six alleged accomplices to a killing, and burned down their homes as punishment.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The suspended Constitution provided for freedom of speech and of the press, and citizens generally are free to discuss public issues; however, some journalists practice a degree of self-censorship. The Musharraf Government did not attempt to exercise direct control over views expressed in the print media. Newspaper editorials and commentators increasingly are critical of the Government; however, direct criticism of the military and judiciary is rare. Following the September 11 terrorist attacks in the United States, the Ministry of Information directed the media to avoid direct criticism of the United States or of the Government's cooperation in combating terrorism. However, despite restrictions imposed on the electronic media, foreign journalists operating in the country were permitted to broadcast stories without obtaining prior clearance from the Ministry of Information (unlike in the past). Investigative journalism is rare; instead, the press acts freely to publish charges and countercharges by named and unnamed parties and individuals representing competing political and social interests. Both governmental and nongovernmental entities sometimes pay for favorable media coverage.

Prior to the 1999 coup, any person deemed to have damaged the Constitution, including the publication of statements against the spirit of the Constitution, could be prosecuted for treason. However, prosecutions under this provision were rare. The suspended Constitution also prohibited the ridicule of Islam, the armed forces, or the judiciary. The Penal Code mandates the death sentence for anyone defiling the name of the Prophet Muhammad, life imprisonment for desecrating the Koran, and up to 10 years in prison for insulting another's religious beliefs with the intent to outrage religious feelings (see Section 2.c.). The Anti-Terrorist Act stipulates imprisonment with rigorous labor for up to 7 years for using abusive or insulting words, or possessing or distributing written or recorded material, with the intent to stir up sectarian hatred. No warrant is required to seize such material.

In March 2000, police in Hyderabad registered criminal cases against Kulsoom Nawaz and 15 other PML leaders for making "provocative" speeches at a party convention held the previous day. No further action was taken on these cases during the year.

In August the Government amended the Anti-Terrorist Act to ban the extremist Lashkar-i-Jhangvi and the Sipah-e-Mohammad (see Sections 2.b. and 2.c.); the amendments also made any person who printed, published, or disseminated any material from these organizations subject to 6 months' imprisonment.

Publications and journalists can be charged under the blasphemy laws for insulting the religion of others or for directly or indirectly defiling the Prophet Muhammad or the Koran (see Section 2.c.).

Provincial and local governments occasionally arrested journalists and closed newspapers accused of printing offensive material, but this was not a widespread practice. On January 29, the Government closed the Frontier Post, an English-language daily based in Peshawar, and arrested five members of its staff after the Frontier Post published a letter to the editor that contained derogatory characterizations of the Prophet Muhammad. Most of the staff later were released on bail, and the paper was permitted to reopen after a period of several months. However, the paper's presses were burned by a mob on January 30, reportedly while the police stood by and did little to stop it. On June 4, local authorities in Abbotabad, NWFP, sealed the office and printing press of Mohasib, a local daily, and arrested the newspaper's resident editor, shift manager, and sub-editor under section 295(c), one of the blasphemy laws. The authorities accused the newspaper of committing blasphemy by having published an article arguing that it is not compulsory in Islam for men to grow beards. Local government officials defied an order from the provincial government to release the newspaper employees stating that such a move would spark unrest. On October 6, all of those arrested were released and Mohasib was permitted to resume publication.

The State no longer publishes daily newspapers; however, the Ministry of Information controls and manages the country's primary wire service, the Associated Press of Pakistan (APP). The APP is both the Government's own news agency and the official carrier of international news to the local media. The few small privately owned wire services usually are circumspect in their coverage of sensitive domestic news and tend to follow a government line.

Privately owned newspapers freely discuss public policy and criticize the Government. They report remarks made by opposition politicians, and their editorials reflect a wide spectrum of views. Local police, political parties, ethnic, sectarian, and religious groups, militant student organizations, and occasionally commercial interests exert undue pressure on newspapers to carry their statements or press releases. Such pressure is a common feature of journalism; among extreme groups it can include physical violence, the sacking of offices, the intimidation or beating of journalists, and interference with the distribution of newspapers. In July the Bureau Chief of the Hyderabad newspaper Ummat, Abdul Hafeez Abid, was attacked and injured by armed assailants while leaving his office. On December 8, approximately 12 persons, 6 of whom carried guns, beat 2 members of the staff of Ummat; they also destroyed office equipment. The motive for these attacks remained unknown at year's end. A police investigation of the Ummat incidents was ongoing at year's end. At times landlords and their agents, who have become accustomed to terrorizing with impunity the ordinary citizens living on their lands, retaliate against journalists who report on their actions. Journalists working in remote areas can expect more difficulties from local authorities and influential individuals than their urban counterparts. However, violence against and intimidation of journalists is a nationwide problem.

The Government occasionally denies visas to journalists who are from India or are of Indian descent.

The broadcast media are mainly government monopolies directed by the Pakistan Broadcasting Corporation and Pakistan Television (PTV). Domestic news coverage and public affairs programming on these media are controlled closely by the Government and traditionally reflect its views. One private radio station, one television broadcaster, and a semi-private cable television station are licensed under special contractual arrangements with the Government. The semi-private television station, Shalimar Television Network (STN), occasionally has been closed due to disputes with the Ministry of Information and to financial difficulties. None of these stations is permitted to produce news and public affairs programming; the private television station rebroadcasts or simulcasts the regular PTV evening news. The Shalimar Television Network also rebroadcasts PTV news, in addition to current affairs programming from foreign broadcasters, such as the British Broadcasting Corporation. While the STN routinely censors those segments considered to be socially or sexually offensive, rarely, if ever, are foreign news stories censored for content. The Ministry of Information exercises some

influence over broadcasting by restricting government advertising. It also monitors advertising on all broadcast media, editing or removing advertisements deemed morally objectionable.

In 1999 the Secretary for Information was quoted in the press as stating that additional private television and radio channels would soon be licensed, echoing a pledge made by President Musharraf. However, by year's end, no such licenses had been granted. Satellite dishes readily are available on the local market and are priced within reach of almost everyone with a television set—well into the lower-middle classes. South Asian satellite channels (usually India-based) have become important sources of news and popular entertainment.

The competitive nature of politics helps to ensure press freedom since the media often serve as a forum for political parties, commercial, religious, and various other interests to vie with and criticize each other publicly. Although the press rarely criticizes Islam as such, leaders of religious parties and movements are not exempt from public scrutiny and criticism. After September 11, several newspapers published letters to the editor that were critical of religious parties that continued to express support for the Taliban. Sufi Mohammad, the leader of a prominent political Islamic group, was criticized for his role in encouraging teenage boys to fight for the Taliban.

The press traditionally has avoided negative coverage of the armed forces, and the Office of Inter-Services Public Relations (ISPR) has held press coverage of military matters under close restraint. Officially the ISPR closely controls and coordinates the release of military news and access to military sources. In the past, detailed public discussion of the military as an institution was hampered severely since any published discussion, let alone criticism, of the defense budget was proscribed by law. However, after the 1999 coup, journalists reported no attempts by the ISPR agencies to influence editorial content. In 1997 the code of silence was undermined to a limited degree when a National Assembly committee discussed defense appropriations and corruption in defense contracts in open session, thereby making possible (and legal) newspaper coverage of defense appropriations and corruption in defense contracts. Discussion of the defense budget continued during the year, especially in the English-language press. Personnel changes among senior army officers also were discussed widely in the press, and newspapers published calls for extending the accountability process to include former military officers. In May the press gave extensive coverage to the arrest of former Chief of the Naval Staff Mansoor ul-Haq on corruption charges. Although many journalists chose to exercise self-censorship regarding the military during the year, the Government permitted significant criticism of retired military officials. President Musharraf was the subject of intense and public criticism during the year.

Government leaks are not uncommon, but are managed carefully, and often are made to underpaid journalists who are on the unofficial payrolls of competing interests. Reports of intimidation, heavy-handed surveillance, and legal action to quiet the unduly curious or nondeferential reporter were common in the past, but these reports have declined significantly since the coup. However, during the year, 29 journalists were arrested. The Government has considerable leverage over the press through its substantial budget for advertising and public interest campaigns and its ability to enforce regulations. Human rights groups, journalists, and opposition figures accused the Government of attempting to silence journalists and public figures; however, there had been fewer such complaints since the coup. In July 2000, the Government ended its monopoly of newsprint supply and did not initiate new efforts to collect back taxes from selected newspapers. In August 2000, the Government announced a draft ordinance for freedom of information, which would require every government office to designate a freedom of information officer who would be responsible for providing replies to written applications within 21 days. However, the act excludes all classified documents and does not define what constitutes classified information. By year's end, this ordinance had not been enacted. In December 2000, the Government declassified the Hamoodur Rahman Commission Report, which criticizes the conduct of political and military leaders during the 1971 war with India.

On March 28, unknown assailants attacked a prominent journalist, Shakil Shaikh, while he was driving his car in Islamabad. Shaikh was detained for several hours, severely beaten, and then released. No one has claimed responsibility and police officials have yet to identify any suspects.

In early October, Abu Bakar Siddique, a freelance journalist reporting on the influx of Afghan refugees into the country, was detained by the Government without charge and remained incommunicado as of mid-October. The Government also reportedly prevented some foreign journalists from entering Afghan refugee camps for a brief period in late September and early October. According to press reports, in November two British journalists were expelled, allegedly for being involved in activities that defamed the country.

According to one NGO, journalist Hayat Ullah, who worked for the newspaper Ausaf, was warned by a Political Agent in the FATA not to publish any more stories that showed the weakness of the local administration, ordered to apologize, and ordered to submit future articles to the authorities for approval. In June Ullah began to report on local tribal clashes without official approval. On July 5, Ullah was threatened with arrest, and on July 24, he was notified that his arrest was imminent. Ullah reportedly went into hiding. An arrest warrant under the Frontier Crimes Regulation reportedly was made out against him. On July 26, a relative of Ullah's was arrested and told he would be released only after Ullah turned himself in. Ullah's relative was released after local protests against his detention.

Foreign books must pass government censors before being reprinted. Books and magazines may be imported

freely, but likewise are subject to censorship for objectionable sexual or religious content. In September the Government censored an article in Newsweek magazine concerning the case of Dr. Younis Shaikh, who was arrested on blasphemy charges in October 2000 and sentenced to death in August (see Section 2.c.). However, the Government permitted the publication of the same article in a Pakistani magazine.

Dance performances, even classical performances, are subject to protest by certain religious groups. Obscene literature, a category broadly defined by the Government, is subject to seizure. Dramas and documentaries on previously taboo subjects, including corruption, social privilege, narcotics, violence against women, and female inequality, are broadcast on television; however, some sensitive series have been canceled before being broadcast.

The Government generally respects academic freedom. The atmosphere of violence and intolerance fostered by student organizations, typically tied to political parties, continued to threaten academic freedom, despite the fact that a 1992 Supreme Court ruling prohibits student political organizations on campuses. On some university campuses, well-armed groups of students, primarily from radical religious organizations, have armed clashes with and intimidate other students, instructors, and administrators over issues such as language, syllabus contents, examination policies, grades, doctrines, and dress. These groups frequently facilitate cheating on examinations, interfere with the hiring of staff, control who is admitted to the universities, and sometimes also control the funds of the institutions. Such control generally is achieved through a combination of protest rallies, control of the campus media, and threats of mass violence. At Punjab University, the student wing of the political party Jaamat-i-Islami (a conservative Islamic group) has attempted to impose its self-defined code of conduct on teachers and students by threatening to foment unrest on campus if its demands are not met.

b. Freedom of Peaceful Assembly and Association

The suspended Constitution provided for freedom "to assemble peacefully and without arms subject to any reasonable restrictions imposed by law in the interest of public order;" however, while the Government until March 2000 generally permitted peaceful assembly, it later imposed significant restrictions on this right. Since 1984 Ahmadis have been prohibited from holding any conferences or gatherings (see Section 2.c.). Throughout the year, the Government occasionally interfered with large rallies, which were held by all political parties. In March 2000, the Musharraf Government enacted an ordinance banning all public political gatherings, processions, and strikes held outdoors. Government officials claimed that the ban was enacted as a safety measure for the visit of an official head of state; however, the ban remained in place at year's end, although the Government stated in August that it would lift the ban 90 days before national elections which are to take place no later than October 12, 2002. During the year, the ban was enforced unevenly. Some groups circumvented the ban by meeting in private homes while using loudspeakers to carry the proceedings to supporters outdoors. The Government approved some public political gatherings, including a meeting in March of those Pakistan Muslim League members willing to reject publicly former Prime Minister Nawaz Sharif as their party leader. During the first half of April, the Government permitted a 3-day conference organized by the Deobandi Muslim political party Jamiat-Ulema-Islami (JUI). Several speakers at the conference made anti-Western political declarations. On September 14, the HRCP published a complaint on behalf of 150 teachers in Lahore who were charged by police with batons for holding a rally to protest their grievances against the Government.

District magistrates occasionally exercised their power under the Criminal Procedures Code to ban meetings of more than four persons where demonstrations seemed likely to result in violence. During the year, police made preventive arrests of political party organizers prior to announced demonstrations (see Section 1.d.). For example, between March 20 and 23, police arrested senior leaders and hundreds of workers of the Alliance to Restore Democracy to prevent them from attending a rally in Lahore scheduled for March 23 (Pakistan Day). They were released after being held for up to 1 month. On April 27, the Government prevented several thousand members of an Islamist group, Tehrik-e-Nifaz-e-Shariat Muhammadi from holding a rally calling for imposition of Shari'a law in Malakand division. Hundreds of party workers affiliated with the Alliance to Restore Democracy were arrested in Karachi in an attempt to prevent a political rally on May 1. Most were released after several days of detention.

The MQM has been harassed in its regular political activities, especially by the Sindh police. Police frequently arrested PML leaders and supporters in order to prevent planned demonstrations during the year; the HRCP noted that all public PML demonstrations in Karachi were prevented, except for meetings at the party's headquarters (see Section 1.d.). On April 18, police arrested approximately 200 MQM and Jiye Sindh Qaumi Mahaz (JSQM, a Sindhi nationalist political party) members during a day of sometimes violent demonstrations (up to 30 vehicles reportedly were set on fire) to protest the interdiction of a peaceful rally on April 16.

In August 1999, the Sharif Government issued an ordinance related to the antiterrorist courts (see Section 1.e.). One section of the ordinance made "illegal strikes, go-slows, (or) lock outs" punishable by up to 7 years' imprisonment and a fine. A wide spectrum of opposition groups opposed this measure, fearing that it would be used to silence legitimate dissent. The antiterrorist courts did not invoke this ordinance during the year or in 2000.

Police sometimes used excessive force against demonstrators. On January 10, police used batons against

members and sympathizers of the All Faiths Spiritual Movement during a protest against the blasphemy laws. Sixteen demonstrators were arrested. One protester later acknowledged that police initiated the crackdown only after issuing several verbal warnings ordering the protesters to disperse (see Section 1.c.).

The authorities sometimes prevented leaders of politico-religious parties from traveling to certain areas if they believed their presence would increase sectarian tensions or cause public violence (see Section 2.d.).

The suspended Constitution provided for freedom of association subject to restriction by government ordinance and law; however, the Government limited this right in practice. NGO's are required to register with the Government under the "Cooperative Societies and Companies" Ordinance of 1960. NGO's usually register through the Ministry of Social Welfare and must submit to a 6-month probationary period during which the Government tracks their activities. NGO's are required to submit a progress report after the completion of this period, and then they are registered formally. No prominent NGO reported problems with the Government over registrations during the year.

Beginning in midyear, the Government undertook a major effort to curb religious extremism. On August 14, the Musharraf Government banned two small extremist sectarian organizations, the Lashkar-i-Jhangvi and Sipah-e-Mohammad, which had committed acts of anti-Shi'a or anti-Sunni violence in the past (see Section 2.c.).

c. Freedom of Religion

The suspended Constitution provided for freedom of religion, and stated that adequate provisions shall be made for minorities to profess and practice their religions freely; however, the Government limits freedom of religion. The country is an Islamic republic in which approximately 95 percent of the population is Muslim. The majority of the population is Sunni Muslim, but an estimated 15 percent of the population is Shi'a. The suspended Constitution required that laws be consistent with Islam and imposed some elements of Koranic law on both Muslims and religious minorities. In July 2000, President Musharraf amended the PCO in order to incorporate the Islamic provisions of the suspended Constitution, which include the definition of "Muslim" and "non-Muslim" and procedures regarding Shariat courts. While there is no law establishing the Koranic death penalty for apostates (those who convert from Islam), social pressure against apostasy is so powerful that most such conversions take place in secret. Reprisals and threats of reprisals against suspected converts are common. Members of religious minorities are subject to violence and harassment, and police at times refuse to prevent such actions or to charge persons who commit them.

All citizens, regardless of their religious affiliation, are subject to certain provisions of Shari'a. In the Malakand division and the Kohistan district of the NWFP, ordinances require that "all cases, suits, inquiries, matters, and proceedings in the courts shall be decided in accordance with Shari'a." These ordinances define Shari'a as the injunctions found in both the Koran and the Sunna (tradition) of the Prophet Mohammed. Islamic law judges, with the assistance of the Ulema (Islamic scholars), under the general supervision of the Peshawar High Court, try all court cases in the Malakand Division and the Kohistan District. Elsewhere in the country, partial provisions of Shari'a apply. For example, police are authorized to arrest or fine Muslims who eat or smoke in public places during Ramadan.

The blasphemy laws refer to Sections 295, 296, 297, and 298 of the Penal Code and address offenses relating to religion. Section 295(a), a colonial-era provision, originally stipulated a maximum 2-year sentence for insulting the religion of any class of citizens. In 1991 this sentence was increased to 10 years. In 1982 Section 295(b) was added, which stipulated a sentence of life imprisonment for "whoever willfully defiles, damages, or desecrates a copy of the holy Koran." In 1986 during the martial law period, another amendment, Section 295(c), established the death penalty or life imprisonment for directly or indirectly defiling "the sacred name of the Holy Prophet Mohammed." In 1991 a court ruled invalid the option of life imprisonment for this offense. Section 296 outlaws voluntary disturbances of religious assemblies and Section 297 outlaws trespassing on burial grounds. Section 298(a), another colonial-era provision, forbids the use of derogatory remarks about holy personages. Personal rivals and the authorities have used these blasphemy laws, especially Section 295(c), to threaten, punish, or intimidate Ahmadis, Christians, and even orthodox Muslims. No person has been executed by the State under any of these provisions; however, some persons have been sentenced to death, and religious extremists have killed persons accused under the provisions. The blasphemy laws also have been used to "settle scores" unrelated to religious activity, such as intrafamily or property disputes.

Due to increasing local and international pressure to repeal or modify the blasphemy laws, President Musharraf announced a proposal in April 2000 to modify the administration of the laws so that complainants would have to register new blasphemy cases with the local deputy commissioners instead of with police officials. The goal of the proposed change was to reduce the number of persons who are accused wrongly under the laws; however, many religious minority representatives stated that this suggested administrative change would have done little to protect members of their communities from being charged under the blasphemy laws. Other observers believed that the changes could have led to a reduction in the overall number of cases filed under the blasphemy laws. Religious and sectarian groups mounted large-scale protests against the proposed change, and some religious leaders stated that if the laws were changed, even just procedurally, persons would be justified in killing blasphemers themselves. In May 2000, in response to increasing pressure and threats, Musharraf abandoned his proposed reforms to the blasphemy laws. In July 2000, the Government incorporated the Islamic provisions of the suspended Constitution into the Provisional

Constitutional Order, including the clause declaring Ahmadis to be non-Muslims.

According to Ahmadi sources, four Ahmadis were charged under Section 295(b) and four Ahmadis were charged under Section 295(c) of the blasphemy laws during the year. For example, on April 29, four Ahmadis, including Abdul Majeed, president of the local Ahmadi community, were charged with blasphemy for constructing minarets and the Mihrab of an Ahmadi mosque. In October 2000, police arrested Nasir Ahmad of Rajanpur district under Section 295(b) for allegedly defiling a copy of the Koran. Ahmad remained in custody and his trial had not been concluded at year's end.

On January 11, seven Christian evangelists and their pastor were arrested for distributing religious literature and showing a film entitled "Who Is Jesus?" in a largely Christian neighborhood in Jacobabad. On April 1, police registered a blasphemy case against Pervez Masih, a Christian teacher in Sialkot District, Punjab. Masih, who owns a private school, was arrested under section 295(c) of the Penal Code and placed in Sialkot District jail where he remained at year's end. Christian leaders allege that the case was filed at the behest of Mohammad Ibrahim, a Sunni Muslim educator who owned a rival school in the same village. In May 2000, a lower court in Sialkot district, Punjab, sentenced two Christian brothers to 35 years' imprisonment each and fined them each \$1,500 (PRs 75,000). The brothers were convicted of desecrating the Koran and blaspheming the Prophet Mohammed; both cases were registered by an ice cream vendor who allegedly fought with the brothers after he asked them to use their own dishes, stating that his were reserved for Muslim customers. Lawyers for the brothers filed an appeal in the Lahore High Court that was to be heard in January; however, the hearing was rescheduled for February 2002 after the judge in the case retired. The two brothers remained in detention at year's end. On May 2, 2000, Augustine Ashiq Masih was charged with blaspheming the Prophet in Faisalabad. According to press reports, Masih converted to Islam, married a Muslim woman, and then converted back to Christianity, which angered local Muslims who brought the charges against him. Ayub Masih (detained since 1996) was convicted of blasphemy for making favorable comments about Salman Rushdie, the author of the controversial book, "The Satanic Verses," and was sentenced to death in April 1998. Ayub's family and 13 other landless Christian families were forced from their village in 1996 following the charges, and he survived an attempt on his life in 1997, when he was shot at outside of the courtroom while on trial. The Lahore High Court upheld the conviction and death sentence during the year. At year's end, the case was on appeal to the Supreme Court.

Police also arrest Muslims under the blasphemy laws; government officials maintain that about two-thirds of the total blasphemy cases that have been brought to trial have affected Muslims. In October 2000, police arrested Dr. Younis Shaikh on blasphemy charges after he allegedly made remarks offensive to Islam and to the Prophet Mohammad during a lecture. He was denied bail, sentenced to death, and fined \$1,580 (PRs 100,000) by a sessions court on August 18. His case was under appeal at year's end. In August 2000, Abdul Hasnain Muhammad Yusuf Ali was given a death sentence and 35 years' imprisonment by a Lahore court after being convicted under Sections 295(a), 295(c), and 298 for defiling the name of the Prophet Muhammad. Some of Ali's supporters claim that he was being persecuted for his allegedly unorthodox Islamic beliefs. In August 2000 Abdul Hasnain Muhammad Yusuf Ali, a Sufi Muslim, was convicted of blasphemy under Sections 295(a) and 295(c) for defiling the name of the Prophet Muhammad. A Lahore court sentenced Ali to death. In February 2000, Muhammad Younis was sentenced to 13 months in jail in Multan for uttering derogatory remarks about the companions of the Prophet Mohammad. In 1998 a Shi'a Muslim, Ghulam Akbar, was convicted of blasphemy for allegedly making derogatory remarks about the Prophet Mohammed in 1995. He was sentenced to death, the first time a Muslim had been sentenced to death for a violation of the blasphemy law. The case remained under appeal at year's end.

When blasphemy and other religious cases are brought to court, extremists often pack the courtroom and make public threats about the consequences of an acquittal. As a result, judges, magistrates, and even defense lawyers often continue trials indefinitely, and the accused is burdened with further legal costs and court appearances. The accused often are denied requests for bail on the grounds that their lives would be at risk from vigilantes if released. Many judges also try to pass such cases to other jurists; some judges reportedly have handed down guilty verdicts to protect themselves and their families from religious extremists. In June 2000, a prominent Christian-affiliated NGO that is active in defending those accused of violating the blasphemy laws received a series of death threats.

Beginning in midyear, the Government undertook a major effort to curb religious extremism and address the intimidation of religious minorities. On August 14, the Government banned two groups, the Shi'a Muslim-based Sipah-e-Mohammad Pakistan and the Sunni Muslim-based Lashkar-e-Jhangvi, that had claimed responsibility for acts of sectarian violence in the past. During the following week, the Government arrested several hundred activists belonging to two larger sectarian organizations, the Sipah-e-Sahaba Pakistan and the Tehrik-e-Jafria Pakistan. On August 20, the Sindh provincial government announced a ban on fundraising activities by certain militant religious groups. On August 22, the police raided more than 50 offices, mosques, and madrassahs in Karachi in connection with the ban. More than 250 persons were detained temporarily in the raids. By year's end, the Government had accelerated its crackdown against members of several extremist groups.

The suspended Constitution protects religious minorities from being taxed to support the majority religion; no one may be forced to pay taxes for the support of any religion other than his own. For example, Sunni Muslims are subject to the "zakat," a religious tax of 2.5 percent of their income; however, Shi'a Muslims and other religious minorities do not pay the "zakat."

Permission to buy land comes from one municipal bureaucracy, and permission to build a house of worship from another. For all religious groups, the process appears to be subject to bureaucratic delays and requests for bribes.

Separate categories exist for different religions in the administration of specific religious sites. Hindus and Sikhs, because of population shifts that occurred between India and Pakistan after partition, come under the auspices of the Evacuee Property Board, which is located in Lahore and is empowered to settle disputes regarding Hindu and Sikh property. However, Hindus and Sikhs also may settle such disputes in civil courts. Christian churches are free to take their disputes over religious property and management to the courts. Some minorities have expressed displeasure over government management of religious property. In Sindh Muslim mosques and shrines come under the purview of the Aqaf Administration Department, a branch of the provincial government devoted to the upkeep of shrines and mosques, facilities for pilgrims, and the resolution of disputes over possession of a religious site. In both Sindh and Baluchistan, the Government has provided funds for the upkeep and repair of the Hindu Gurumander temple in Karachi, and funded the repair of Hindu temples damaged by Muslim rioters protesting the destruction of the Babri mosque by Hindu mobs in Ayodhya, India, in 1992.

The Government designates religion on passports, and to get a passport citizens must declare whether they are Muslim or non-Muslim. Muslims also must affirm that they accept the unqualified finality of the prophethood of Mohammed and declare that Ahmadis are non-Muslims. In 1999 the Sharif Government removed colonial-era entries for "sect" from government job application forms to prevent discrimination in hiring. However, the faith of some, particularly Christians, often can be ascertained from their names.

"Islamiyyat" (Islamic studies) is compulsory for all Muslim students in state-run schools. Students of other faiths are not required to study Islam but are not provided with parallel studies in their own religions. In practice many non-Muslim students are compelled by teachers to complete the Islamiyyat. An education policy announced by the Government in 1998 included provisions for increased mandatory Islamic instruction in public schools; however, the Musharraf Government has not pursued this policy.

The Ahmadis are subject to specific restrictions under law. A 1974 constitutional amendment declared Ahmadis to be a non-Muslim minority because, according to the Government, they do not accept Mohammed as the last prophet of Islam. However, Ahmadis regard themselves as Muslims and observe Islamic practices. In 1984 the Government inserted Section 298(c) into the Penal Code, prohibiting Ahmadis from calling themselves Muslim and banning them from using Islamic words, phrases, and greetings. The constitutionality of Section 298(c) was upheld in a split-decision Supreme Court case in 1996. The punishment for violation of this section is imprisonment for up to 3 years and a fine. Four Ahmadis were charged with violations of Section 298(c) during the year. The Government and anti-Ahmadi religious groups have used this provision extensively to harass Ahmadis. Ahmadis suffer from various restrictions of religious freedom and widespread societal discrimination, including violation of their places of worship, being barred from burial in Muslim graveyards, denial of freedom of religion, speech, and assembly, and restrictions on their press. Several Ahmadi mosques remained closed. Since 1984 Ahmadis have been prohibited from holding conferences or gatherings (see Section 2.b.). Ahmadis are prohibited from taking part in the Hajj (the annual Muslim pilgrimage to Mecca). Some popular newspapers publish anti-Ahmadi "conspiracy" stories, which contribute to anti-Ahmadi sentiments in society.

The Government distinguishes between Muslims and non-Muslims with regard to politics and political rights. Furthermore, according to the suspended Constitution, the President and the Prime Minister must be Muslim. The Prime Minister, federal ministers, and ministers of state, as well as elected members of the Senate and National Assembly (including non-Muslims) must take an oath to "strive to preserve the Islamic ideology, which is the basis for the creation of Pakistan" (see Section 3). In national and local elections, Muslims vote for Muslim candidates by geographic locality while non-Muslims must vote for at-large non-Muslim candidates. Legal provisions for minority reserved seats do not include the Senate and the Federal Cabinet. The Government began conducting a series of elections at the local level in December 2000 that was completed on August 14. The elections were held on the basis of separate electorates and entitled non-Muslims to vote only for minority candidates while Muslims were entitled to vote for Muslim council members in addition to reserved seats for Muslim women and agricultural laborers. Government officials claimed that this is an affirmative measure designed to guarantee minority representation. Opponents of separate electorates, including the majority of religious minority leaders, claimed that the system partially disenfranchises them by severing the relationship between Muslim elected officials and non-Muslim constituents. During the year, few non-Muslims were active in the country's mainstream political parties because of limitations on their ability to run for elective office under the separate electorates system. However, the NRB prepared electoral reforms during the year that include the elimination of the separate electorates system for religious minorities. At year's end, Ahmadi leaders continued to discourage Ahmadis from registering to vote, since they would be required to register as non-Muslims. Christian and Hindu minority leaders have conducted a partially successful boycott of the elections to protest the separate electorates structure. Christian Organizations for Social Action in Pakistan, a coalition of Christian NGO's who have pooled their resources to lobby for the restoration of joint electorates, petitioned President Musharraf in October 2000 requesting a dialog between the Government and minority leaders on the separate electorates controversy. The Government has not acknowledged receiving the petition.

Civil marriages do not exist; marriages are performed and registered according to one's religion. Upon conversion to Islam, the marriages of Jewish or Christian men remain legal; however, upon conversion to Islam, the marriages of Jewish or Christian women, or of other non-Muslims, that were performed under the rites of the previous religion, are considered dissolved. Children born to Jewish or Christian women who convert to Islam after marriage are considered illegitimate only if their husbands do not also convert, and if women in such cases do not separate from their husbands. Children of non-Muslim men who convert are not considered illegitimate.

In December 1999, the Supreme Court ruled that all forms of interest (riba) are un-Islamic and directed the Government to implement an interest-free banking and financial system by June. On June 14, the Shari'a Appellate Bench of the Supreme Court extended for 1 year the deadline for implementation of this judgment.

President Musharraf and members of his staff apparently consulted with religious minorities on some of his initial cabinet appointments. According to minority community members, the Government made efforts to seek minority input into decision-making and offered some religious minorities cabinet positions. Prior to December, when the President hosted a Christmas dinner and prominent Christian leaders were invited to take part in some televised debates on politics, religious minorities reported less interaction with the Government during the year and less responsiveness to their demands.

Discriminatory religious legislation has added to an atmosphere of religious intolerance, which has led to acts of violence directed against minority Muslim sects, as well as against Christians, Hindus, and members of Muslim offshoot sects, such as Ahmadis and Zikris (see Section 5). The Government does not encourage sectarian violence; however, there were instances in which the Government failed to intervene in cases of societal violence directed at minority religious groups. The lack of an adequate government response contributed to an atmosphere of impunity for acts of violence and intimidation committed against religious minorities. Parties and groups with religious affiliations target minority groups.

The predominantly Ahmadi town and spiritual center of Chenab Nagar (formerly known as Rabwah) in Punjab often has been a site of violence against Ahmadis (see Section 5).

In December 1999, several hundred persons looted and burned property in Haveli Lakha, Okara district, Punjab, which belonged to Mohammad Nawaz, a local Ahmadi leader accused of planning to build an Ahmadi house of worship. A neighbor reportedly incited the incident by accusing Nawaz of building the house of worship after the two were involved in a property dispute. Nawaz, a doctor, reportedly intended to build a free clinic next to his home. The mob destroyed the clinic and looted and burned Nawaz's home. According to Ahmadi sources, the police arrived at the scene, but did nothing to stop the crowd. At year's end, neither the neighbor nor anyone in the crowd had been arrested or questioned in connection with the incident, and police took no steps to find or return any of Nawaz's property. However, Nawaz and his two sons were arrested and charged with blasphemy. Several days later, they were released on bail; the blasphemy case against them remained pending at year's end. Three other Ahmadis in Haveli Lakha also were charged with blasphemy in connection with the incident, even though they were not in town at the time; the case against them was dismissed for lack of evidence.

Sectarian violence and tensions continued to be a serious problem throughout the country (see Section 5). More than 300 persons died in incidents of sectarian violence in Punjab in the last 4 years, according to one credible newspaper report. Another newspaper reported that more than 2,000 persons have died in sectarian violence since 1981. Sectarian violence, which had decreased markedly after the October 1999 coup, rose steadily during the first 9 months of the year, but decreased again after September 11. On January 28, Sheikhul Hadith Maulana Inayatullah of Karachi was killed by six unidentified assailants who intercepted his van while he was traveling to his school, Jamia Farooqia, a Sunni Muslim seminary known for its strident anti-Shi'a Muslim teachings. Local commentators believe the killing to be the work of Sipah-e-Mohammad, a Shi'a Muslim extremist group. The killing may have been ordered to avenge the killing of Agha Sultani, an Iranian Shi'a teacher who was killed in Karachi by unknown assailants on January 20. Sectarian rioting in Hangu, a small city in the NWFP on March 1 resulted in at least 10 deaths. The Sunni Muslim extremist group Sipah-e-Sahaba Pakistan arranged prayer gatherings throughout the NWFP for SSP activist Haq Nawaz, who was executed on February 28, for the 1990 killing of the leader of the Iranian cultural center in Lahore. SSP activists reportedly left one of these gatherings and proceeded to Hangu's main shopping area where they shot and killed three Shi'a shopkeepers and one Sunni bystander, among others. On May 18, a vehicle carrying Saleem Qadri, the leader of the Sunni Tehrik Party, and seven others, was attacked by six men with automatic weapons. Qadri and the others had been on their way to Friday prayers in Karachi. The Sunni Tehrik Party is a mid-sized Sunni Muslim extremist organization with a reputation for committing bombings, shootings, and other acts of violence. Local commentators speculated that rival Sunni extremist groups including the JM and SSP may have ordered Qadri's killing. Leaders of the SSP have claimed that Shi'a extremists were responsible. On August 27, unknown assailants killed a Shi'a Muslim Deputy Superintendent of Police, Kausar Abbas Shah Gillani, in Bahawalpur, Punjab.

Antiterrorist courts also handed down convictions against several individuals accused of sectarian violence. In April 2000, an antiterrorist court in Rawalpindi sentenced 23 persons to life imprisonment for their role in leading a procession of persons that burned a Shi'a mosque in 1996. In July 2000, an antiterrorist court in

Gujranwala convicted 2 men for reportedly killing a Shi'a senior police officer; however, the men later were released.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights; however, the Government limits them in practice. The Government at times prevents political party leaders and religious leaders from traveling to certain parts of the country (see Section 2.b.). Travel to Israel is prohibited by law, but some citizens may visit Israel without penalty by not getting their passports stamped by the Government of Israel. Government employees and students must obtain "no objection" certificates before travelling abroad, although this requirement rarely is enforced against students.

Citizens regularly exercise the right to emigrate. However, an Exit Control List (ECL), which is made public but is revised constantly, is used to prevent the departure of wanted criminals and individuals under investigation for defaulting on loans, corruption, or other offenses. At the end of 1999, the HRCP estimated that there were more than 5,000 entries on the ECL, including 400 PML leaders, all 45 MQM legislators and their family members, 20 journalists, and as many as 3,000 alleged bank defaulters. Soon after it came to power, the Musharraf Government increased the use of the ECL, reportedly to prevent those suspected of loan defaults or corruption from leaving the country. The focus apparently was on potential loan defaulters as part of the Musharraf Government's emphasis on accountability. However, according to the Government, there were approximately 2,650 names on the ECL at year's end. No judicial action is required to add a name to the ECL; those named have the right to appeal to the Secretary of Interior and, if refused, to the Advocate General of the senior judiciary. In practice courts have directed the Government to lift restrictions on some politicians on the ECL. For example, Benazir Bhutto, former Prime Minister and leader of the PPP, was placed on the ECL and was prevented from leaving the country in December 1998. Bhutto was allowed to leave later that month following a court order to lift the travel restrictions against her.

The law does not provide for the granting of refugee or asylum status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, nor has the Government adopted domestic legislation concerning the treatment of refugees or the granting of asylum status. In December 1999, the office of the U.N. High Commissioner for Refugees (UNHCR) noted a change from the practice of granting "prima facie" status to all Afghans in the country; under the current policy, the Government treats all undocumented Afghans as aliens under the Foreigners Act, making them potentially subject to deportation. However, in practice the Government has allowed the vast majority of the Afghans who have entered the country to remain. The fear of large numbers of new refugees trying to enter the country coupled with absence of legalized asylum framework and the sharp economic competition with host communities led to a more restrictive admissions policy and a deterioration in protection for many refugees.

The Government generally cooperates with the UNHCR and other humanitarian organizations in assisting registered refugees. First asylum has been provided to refugees from Afghanistan since 1979, when several million Afghans fleeing occupation by forces of the former Soviet Union entered the country. During the year, the Government and the UNHCR agreed upon a system for the joint screening of a limited number of Afghan refugees at three refugee camps in the NWFP (New Jalozai, Nasir Bagh, and New Shamshatloo), under which individual refugee status determinations could be made using a more broad definition of "refugee" than that used in the 1951 Convention or its 1967 Protocol (which included persons fleeing generalized violence and conflict as well as those fleeing persecution). Persons found to have a valid claim were given temporary asylum. After September 11, this program was suspended and the Government stated that it would accept no new Afghan refugees. However, on November 3, President Musharraf announced that limited numbers of "vulnerable" Afghan refugees would be allowed to enter the country, including injured persons, unaccompanied minors, the elderly, and those from drought-affected areas of Afghanistan; adherence to this policy fluctuated through year's end. Refugees that do not fit into this category still are denied entry to the country. The Government refers to refugees who entered the country after September 11 as "externally displaced persons" and works with the UNHCR to provide services to them. The Government deported some persons without notifying UNHCR officials. However, the Government sometimes allowed the UNHCR to attempt to find solutions other than deportation for refugees, such as arranging for resettlement in a third country. The number of Afghans who entered the country after September 11 is difficult to estimate accurately, but it is believed that between 160,000 and 200,000 refugees entered the country through monitored border crossings in the NWFP and Baluchistan. There remain an estimated 1.5 million Afghan refugees in the country who have been granted first asylum, and live in refugee camps (mainly in the NWFP and Baluchistan). There also are an estimated 1.4 million unregistered Afghans in urban areas throughout the country, including in Peshawar, Quetta, Islamabad, Rawalpindi, and Lahore.

Many Afghan refugees continue to live and work in the country, and are self-supporting and live outside of refugee camps, usually in urban or semi-urban areas. This has resulted in some hostility among local communities whose residents resent the economic competition and believe that the refugees contribute to high crime rates. Conditions for refugees outside of the camps often are worse than for those in the camps. Refugees outside of the camps also face harassment by the police, especially in Peshawar, Islamabad, and Rawalpindi. Single women, female-headed households, and children who work on the streets face particular security problems.

Most refugee camps are well established, and living conditions resemble those in neighboring villages, even

though most direct assistance to the camps ended in the early 1990's. Most recent arrivals have gone to urban areas like Peshawar or Quetta, but some have settled in the new Akora Khattak camp, the Shamshatoo camp, the New Shamshatoo camp, and the New Jalozai camp. Conditions for newly arrived Afghans generally are worse than conditions in the well-established camps. For example, sanitation, health care, shelter, and fresh water are continuing problems in the new camps. Some of the most recent arrivals still reside in makeshift tents. During the year, conditions in the New Jalozai camp were poor; early in the year, after new arrivals no longer were transferred to the New Shamshatoo camp from New Jalozai, severe overcrowding was a problem (at one point the camp housed approximately 60,000 persons). In November and December, the Government and the UNHCR opened several new camps to house the most recent arrivals from Afghanistan, to relieve overcrowding at New Jalozai, and to accommodate undocumented refugees from Quetta and Peshawar. These new camps were located near the Afghan border in the Federally Administered Tribal Areas, which posed some difficulties for access by the UNHCR and NGO's providing aid. By year's end, more than 100,000 refugees were housed in the new refugee camps. After the fall of the Taliban government, it is estimated that more than 46,000 Afghans returned to Afghanistan. Refugees in the 20-year-old Nasir Bagh camp faced eviction during the year because the owners of the land the camp was located on planned to proceed with the construction of a housing development. Some residents returned to Afghanistan voluntarily; others were relocated to other camps. The September deadline for the eviction passed without incident; by year's end, the Government had taken no action in connection with the eviction.

The Government occasionally harasses refugees and threatens them with deportation, and harassment and threats of deportation of Afghan refugees increased during the year. Officials in the NWFP reportedly rounded up male Afghans from markets or other areas where they congregated to find work. There were frequent reports of instances in which police demanded bribes from Afghans and threatened them with deportation if they did not pay. It is unknown how many Afghans may have been deported in this manner during the year. Complaints were made with the State and Frontier Regions Ministry, the Interior Ministry, and the NWFP provincial government that such summary deportations did not comply with the law. The refugee community expressed increasing fear of deportation, and cited this fear as the reason why more male family members remained at home, thus reducing family income. For example, authorities in Quetta detained a number of newly arrived Afghans, mostly non-Pashtun minorities, with plans to deport them. Local officials tricked one group of newly arrived refugee families into boarding a convoy of trucks that transported them to Afghanistan involuntarily by telling them that the trucks were going to take them to the New Shamshatoo refugee camp. The UNHCR protested this action and temporarily ceased to participate in the joint screening process. The UNHCR resumed the joint screening process after receiving assurances from the Government that it would not carry out further illegal deportations. According to AI, there was one report of the forced return of a person to a country where he feared persecution during 2000. Professor Mohammad Rahim Elhan, a prominent Afghan scholar who had accused the Government of interfering in the internal affairs of Afghanistan, was deported against his will to Afghanistan in June 2000. However, he subsequently was permitted to reenter the country.

The Government cooperated with the UNHCR to support voluntary repatriations to rural areas of Afghanistan considered to be safe. A number of families from the Nasir Bagh and Jalozai camps volunteered for and were assisted by the UNHCR in voluntary repatriation to Afghanistan during the year. The UNHCR estimated that approximately 35,000 Afghans voluntarily returned to Afghanistan to Pakistan between November 1 and year's end. In 1999 approximately 92,000 Afghans returned to their home country. Afghan refugees have limited access to legal protection and depend on the UNHCR and group leaders to resolve disputes among themselves and with the Government. In the past, police sometimes attempted to prevent Afghan nationals from entering cities, and there were reports that some have been forced back into refugee camps. During the year, there were reports that the Government closed some Afghan schools and cracked down on unlicensed medical practitioners that treat mostly Afghans.

Most able-bodied male refugees have found at least intermittent employment; however, they are not covered by local labor laws. NGO's and private entities provided women and girls with better education and health care than is available in Afghanistan. However, Afghan women working for NGO's were targets for occasional harassment and violence by conservatives and Taliban sympathizers.

Several prominent Afghans also reportedly have been the targets of harassment and violence from Taliban supporters and conservatives in the refugee community. According to newspaper reports, at least 10 Afghans were killed during 2000, reportedly for their political views. In June 2000, unknown gunmen injured Mohammad Enam Wak at his home in Peshawar. Wak wrote a book calling for a federal system of government in Afghanistan. In July 2000, an Afghan leader, Haji Jan Mohammad, whose name reportedly appeared on a Taliban hit list, was killed by unknown assailants. Police investigations of these killings were perfunctory; there were no arrests or convictions in any case.

The resettlement of Biharis continued to be a contentious issue. The Biharis are Urdu speakers from the Indian state of Bihar who went to East Pakistan--now Bangladesh--at the time of partition in 1947. When Bangladesh became independent in 1971, the Biharis sought resettlement in Pakistan. However, approximately 250,000 Biharis remain in refugee camps in Bangladesh. While the Mohajir community--descendants of Muslims who immigrated to Pakistan from India after partition--supports their resettlement, the Sindhi community opposes it. In 1993 the Government flew 342 Biharis to the country and placed them in temporary housing in central Punjab. No further resettlement has occurred.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens continued to be denied the right to change their national and provincial governments peacefully, but participated in local government elections during the year that provided increased power to district mayors and councils. In October 1999, the elected civilian Government of former Prime Minister Mian Nawaz Sharif was overthrown in a bloodless coup led by Army Chief of Staff General Pervez Musharraf. In consultation with senior military commanders, General Musharraf designated himself Chief Executive. The Constitution and representative bodies, including the National Assembly, the Senate, and the provincial assemblies, were suspended indefinitely. The office of the President, which was mainly ceremonial, was retained. President Musharraf appointed an advisory National Security Council, which included both military and civilian advisers, a civilian cabinet, and new governors to all four provinces. The government bureaucracy continued to function; however, at all levels, the functioning of the Government after the coup was "monitored" by military commanders. On June 20, President Musharraf issued an amendment to the existing Provisional Constitutional Order that allowed him to become President and formally dissolved the National Assembly, the Senate, and the provincial assemblies. The same day, Musharraf was sworn in as President. Several newspapers stated that President Rafiq Tarar was forced to resign from office.

The Musharraf Government pledged to return the country to a democracy; however, President Musharraf stressed his priority first to build a strong economic and political foundation in order to avert another bout of "sham" democracy. President Musharraf pledged to abide by a May 2000 Supreme Court ruling that mandates that national elections be held no later than 90 days after October 12, 2002. Between December 31, 2000, and August 2, local elections were held in five phases on a nonparty basis. On August 14, Musharraf announced that national and provincial elections are scheduled to be held between October 1 and October 11, 2002. The Government subsequently confirmed that political parties are to be permitted to participate. However, President Musharraf announced on several occasions that he intends to remain President after the elections are held. The constitutional mechanism for doing so remained unclear at year's end. The Government established the National Reconstruction Bureau (NRB) to develop political reforms and a framework for elections. During the year, the NRB prepared electoral reforms that include the elimination of the separate electorates system for religious minorities (see Section 2.c.) and the tripling of National Assembly seats reserved for women. Although many persons welcomed these changes, the major political parties continued to call for national elections to be held immediately and for the return of exiled political leaders.

Citizens' right to change their government also was restricted by the executive's strong influence on the judiciary. In January 2000, President Musharraf ordered all of the justices in the country to swear to uphold his PCO, and not to make any decision against the Chief Executive or any person exercising powers or jurisdiction under his authority; as a result, government directives and ordinances under the PCO no longer are subject to judicial review (see Section 1.e.).

National elections for national and provincial assemblies last were held in February 1997. Election observers concluded that the elections generally were free and fair. Nawaz Sharif's Pakistan Muslim League won a majority of seats and formed a government. Elections for local government bodies were held in Punjab in May 1998. Elections were held in Baluchistan in March 1999, and a chairman was named in August. Elections have not been held in the two other provinces, NWFP and Sindh, since 1993, when local governing bodies were dissolved by a caretaker government because of corruption charges. Local government elections were postponed indefinitely in the NWFP and Sindh. Sindh was under Governor's rule from November 1998 until the October 1999 coup. In October 1999, Musharraf suspended the local and provincial governments; the provinces are ruled by governors appointed by President Musharraf.

During the year, President Musharraf focused on the need to reduce the power of the central Government by devolving power to the local level. Between December 31, 2000, and August 14, elections for local government assemblies were held in the country's 97 districts. Directly elected union councilors formed an electoral college to elect a district mayor (nazim) and members of district council. According to local and international election observers, the elections generally were free and fair. However, the Government was accused by some political parties of intervening in several mayoral races to ensure that the pro-Musharraf candidates were elected. Such government pressure was most evident in Lahore and Rawalpindi. For example, Sarfraz Abbas Khan, the Federal Minister for Refugee Affairs, was accused of purchasing votes to influence one district nazim election in the NWFP; however, the candidate he supported did not win. There were no complaints that pressure and vote buying changed the outcome of the elections. Religious minority leaders called for a boycott of the polls to protest the retention of separate electorates, and the boycott partially was successful. In February the Government modified laws governing local elections to permit minorities to vote for district and township mayoral positions on a joint-electoral basis. Critics of the plan claimed that the Government hopes to use local elections to dissipate pressure for a return to democracy at the national level. According to Human Rights Watch, in July the Government barred 25 candidates from the Jammu and Kashmir Liberation Front (JKLF) from running in assembly elections in the Pakistan-held part of the disputed territory after they refused to sign declarations pledging support for the accession of Kashmir to Pakistan. Several dozen persons who supported JKLF reportedly were arrested during protests over elections. In June 2000, the Government announced a number of measures designed to make the electoral commission independent of government control, including granting the commission full financial autonomy; however, the commission does not appear to be more autonomous than previously.

The Musharraf Government did not ban political parties, and the parties active prior to the coup, including the Pakistan Muslim League (which was led by former Prime Minister Nawaz Sharif) continued their activities. The

Government has confirmed that political parties are to be permitted to participate in the 2002 elections. However, the Government arrested hundreds of persons in opposition political parties during the year (see Sections 1.d. and 2.b.), in some cases to prevent them from attending political gatherings. In January five members of the pro-Nawaz Sharif faction of the Pakistan Muslim League claimed to have been detained by the Government for between 12 and 36 hours. They accused the Government of preventing them from attending an important meeting of their party's leadership. On January 31, police in Lahore arrested 29 female activists from the Pakistan Peoples Party, along with 6 children accompanying them. The children were released quickly, but the protesters were held for over 1 week with ordinary criminals before their release. Between March 20 and 23, police detained 253 senior leaders and workers of the Alliance to Restore Democracy (ARD) to prevent them from attending an opposition rally in Lahore scheduled for March 23 (Pakistan Day). They were released after being held for up to 1 month. On May 1, the Government sealed all ARD offices and arrested 479 ARD activists in Karachi to prevent any ARD political activity that day. All but 29 of the ARD activists were released by May 31; the remaining 29 were released after serving 30-day sentences. In March 2000, President Musharraf issued an ordinance banning all political gatherings held outdoors (see Section 2.b.). The ban remained in effect at year's end. The National Accountability Ordinance prohibits those convicted of corruption under the NAB from holding political office for 10 years (see Section 1.d.). In August 2000, the Government amended the Political Parties Act to disqualify automatically anyone with a court conviction from holding party office. Legal observers expressed concern over the concentration of power in the NAB, the fact that NAB chairmen have all been members of the military, and the presumption of guilt in accountability cases.

Because of a longstanding territorial dispute with India, the political status of the northern areas—Hunza, Gilgit, and Baltistan—is not resolved. As a result, more than 1 million inhabitants of the northern areas were not covered under the suspended Constitution and have had no representation in the federal legislature. An appointed civil servant administers these areas; an elected Northern Areas Council serves only in an advisory capacity and has no authority to change laws or to raise and spend revenue. In May 1999, the Supreme Court directed the Government to act within 6 months to give the northern areas an elected government with an independent judiciary. In November 1999, the Musharraf Government permitted previously scheduled elections to take place in the northern areas; independents and candidates from the PML, the PPP, and the Tehrik-e-Jafria Pakistan won seats.

The right of citizens to change their government also has been restricted at the provincial level by the Government's failure to release the 1998 census figures and by the likely underestimation of the population of Sindh. Held after a delay of 7 years, the national census was postponed repeatedly due to pressure from ethnic groups and provincial officials who feared diminished representation and access to federal funds. The 9.26 million census figure for Karachi, revised to 9.8 million in a February 2000 report, is estimated to be 3 to 5 million short of the actual figure.

The percentage of women in government and politics does not correspond to their percentage of the population. Six women held seats in the suspended 217-member National Assembly, up from 4 seats in the previous Parliament. Thirty-five women, more than ever before, campaigned for seats in the 1997 national elections. The Parliamentary Commission on the Status of Women in Pakistan recommended reserving one-third of seats in all elected bodies for women. The Musharraf Government set aside one-third of the seats in the local council elections for female candidates. During the year, the NRB prepared electoral reforms that include the tripling of National Assembly seats reserved for women. According to the Election Commission, 2,621 women competed for 1,867 reserved seats at the district level, less than two candidates for every seat. In some districts, social and religious conservatives prevented women from becoming candidates; however, in several districts, female candidates were elected unopposed. Women participate in large numbers in elections, although some are dissuaded from voting by family, religious, and social customs. In two districts of the NWFP, conservative religious leaders lobbied successfully to prevent women from contesting elections or casting ballots. According to Human Rights Watch, female voters were threatened and intimidated from voting and running for office by conservative religious activists prior to the March 21 and July 2 local elections in parts of the NWFP. President Musharraf appointed a woman to his National Security Council and three women to his Cabinet. Provincial governors appointed by President Musharraf also have named women to serve in provincial cabinets.

The percentage of religious minorities in government and politics does not correspond to their percentage of the population. The Government distinguishes between Muslims and non-Muslims with regard to politics and political rights (see Section 2.c.). Furthermore, according to the suspended Constitution, the President and the Prime Minister must be Muslim. The Prime Minister, federal ministers, and ministers of state, as well as elected members of the Senate and National Assembly (including non-Muslims) must take an oath to "strive to preserve the Islamic ideology, which is the basis for the creation of Pakistan." Under the electoral system, minorities vote for reserved at-large seats, not for nonminority candidates who represent actual constituencies. The Musharraf Government had abandoned a plan to abolish the separate electorate system due to pressure by some Muslim political groups, but during the year prepared electoral reforms that included the elimination of the separate electorates system for religious minorities. With separate electorates, representatives have little incentive to promote their minority constituents' interests. Many Christian activists state that separate electorates are the greatest obstacle to the attainment of Christian religious and civil liberties. Ahmadi leaders encourage their followers not to register as "non-Muslims," so most Ahmadis are unrepresented completely. In the National Assembly, Christians hold four reserved seats; Hindus and members of scheduled castes another four; Ahmadis one; and Sikhs, Buddhists, Parsis, and other non-Muslims one. Each of the four categories is maintained on a separate electorate roll, and minorities cannot cast votes for the Muslim constituency seats.

Under Article 106 of the suspended Constitution, minorities also had reserved seats in the provincial assemblies. The 1997 general election report stated that each Christian National Assembly member represents 327,606 persons; each Hindu and scheduled castes member, 319,029; the Sikh, Buddhist, Parsi, and other non-Muslim member, 112,801; and the Ahmadi member 104,244. These figures significantly understated the population of most of the minority groups because they are based on 1981 census figures. According to a local magazine, there are approximately 3 million Christians, 2.7 million Hindus, and several hundred thousand Ahmadis in the country. The Government disputed these figures; however, by year's end, the 1998 census figures for religious minorities had not been published.

The percentage of tribal persons in government and politics does not correspond to their percentage of the population. The 1997 elections for the eight National Assembly members from the FATA, for the first time, were conducted on the basis of universal adult franchise. Prior to 1997, in keeping with local traditions, tribal leaders, or maliks, appointed in the governor's name by the central Government's political agents in each agency, elected the FATA National Assembly members. In accordance with the Government's general ban on political party activities in the FATA, candidates were not allowed to register by political party, and political party rallies were not allowed. However, several political parties did campaign covertly. Tribal members, including large numbers of women in some areas, registered to vote despite campaigns by some tribes against their participation. However, on election day far fewer registered women than registered men actually voted.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operate without government restriction, investigating and publishing their findings on human rights cases; however, they are required to be licensed. Government officials generally are cooperative and responsive to their views. Human rights groups report that they generally have good access to police stations and prisons. The Government has provided protection to human rights lawyers defending accused blasphemers following threats and attacks on the lawyers by religious extremists. One Christian human rights organization complained in January and in April of harassing visits and telephone calls by government officials after it hosted a dinner for two members of the U.S. Commission on International Religious Freedom in December 2000. The government officials, who presented identification, made repeated requests for information about the NGO's contacts with foreign individuals and organizations. In early June, the Human Rights Commission of Pakistan called on the Government to end the harassment of HRCF employees by lower level functionaries. The HRCF also accused Government officials of launching tax investigations against HRCF employees who had been critical of Government policies.

The Musharraf Government made some attempts to ease some of the previous government's restrictions on NGO's. President Musharraf appointed several persons with prominent NGO backgrounds to his Cabinet, and many NGO workers reported a smooth working relationship with the Government during the year. The new government in Punjab under President Musharraf also lifted the previous ban on NGO registration (see Section 2.b.).

International human rights observers were permitted to visit the country and travel freely. Several international organizations, many focused on refugee relief, maintained permanent offices in the country, although some reported difficulty in securing visas for their foreign staff.

The Ministry of Human Rights, established in 1995, is a department within the Ministry of Law, Justice, Human Rights, and Parliamentary Affairs. Some 125 employees staff the department, which is headquartered in Islamabad and has four regional offices. The department set up a "fund for women in distress and detention" and a "relief and revolving fund" for victims of human rights violations. Because of its limited budget, the department operated primarily on a case-by-case basis but sought help from donor agencies for projects to build institutional capacity and human rights awareness. The department finalized and began limited implementation of a reform program for jails in 2000, and during the year, it increased its capacity to collect and catalog reports of human rights abuses. However, the department is not viewed as effective by human rights observers. The Government has failed to take follow-up action on the 1997 report of the Commission of Inquiry for Women.

In April 2000, the Government organized a conference on human rights and pledged to take "small but meaningful steps" including: An 8-month public relations campaign on human rights themes; requiring deputy commissioners to move female burn victims to hospitals; banning the use of fetters in prisons and jails (see Section 1.c.); ordering deputy commissioners to review all blasphemy cases prior to the filing of a FIR; creating a commission for police reforms; releasing 20,000 prisoners from jail; calling for a Commission on the Status of Women; and changing the law so that women married to foreign husbands can claim citizenship for their children. The Government subsequently took no apparent steps to organize the public relations campaign and backtracked on having deputy commissioners review blasphemy cases (see Section 2.c.). However, the Government made some limited progress towards achieving the other goals. The Lahore High Court ordered local jail authorities to remove all fetters (see Section 1.c.); in 2000 the Government reportedly released 47,000 prisoners who were convicted of petty crimes and who already had served their prison terms; the Government inaugurated a National Commission on the Status of Women in September 2000; and in late April President Tarar issued an amendment ordinance to the citizenship law to enable women married to foreigners to claim

citizenship for their children (see Section 5).

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The suspended Constitution provided for equality before the law for all citizens and broadly prohibited discrimination based on race, religion, caste, residence, or place of birth; however, in practice there is significant discrimination based on these factors.

Women

Domestic violence is a widespread and serious problem. Human rights groups estimate that anywhere from 70 to 90 percent of women are victims of domestic violence at the hands of their husbands, in-laws, or other relatives. The Progressive Women's Organization (PWO) reported in 1999 that one out of every two women is the victim of mental or physical violence. The Parliamentary Commission of Inquiry for Women reported that violence against women "has been described as the most pervasive violation of human rights" in the country, and it called for legislation clearly stating that domestic violence against women is a criminal offense. Husbands are known to kill their wives even for trivial offenses. In 1999 the Pakistan Peace Coalition surveyed 1,000 women in 10 communities in rural Punjab; 82 percent of the respondents reported that they feared violence from their husbands over trivial matters. While abusers may be charged with assault, cases rarely are filed. Police usually return battered women to their abusive family members. Women are reluctant to file charges because of societal mores that stigmatize divorce and make women economically and psychologically dependent on their relatives. Relatives also are reluctant to report abuse to protect the reputation of the family. There are no specific laws pertaining to domestic violence, except for the Qisas and Diyat ordinances (see Section 1.e.), which rarely are invoked and may privatize the crime. However, Qisas and Diyat cannot be invoked where the victim is a direct lineal descendant of the perpetrator. Police and judges tend to see domestic violence as a family problem, and are reluctant to take action in such cases. Thus it is difficult for women to obtain relief from the justice system in cases of domestic violence.

The Shirkat Gah Women's Resource Center in Karachi published a report in 1999 that summarized reports in the English language press about violence against women between 1993 and 1998. Even though it limited itself to reports of violence by close male relatives, Shirkat Gah documented 535 women who were killed or who committed suicide during the period; 95 of these women were killed or committed suicide after they expressed interest in marrying a man of their own choice.

During the year, the press reported on hundreds of incidents of violence against women and drew attention to the killings of married women by relatives over dowry or other family-related disputes. Most of the victims were burned to death, allegedly in kitchen stove accidents; some women reportedly were burned with acid. During the year, 471 dowry deaths were reported, but according to one NGO, only 60 to 70 percent of such cases are reported. During 2000 593 burn cases were recorded in Lahore newspapers; cases were registered in 74 percent of these incidents but suspects were arrested in only 10 percent of the cases. Human rights monitors assert that many cases are not reported by hospitals and that, even when they are, the police are reluctant to investigate or file charges. Furthermore, human rights monitors agree that most "stove deaths" in fact are killings based upon a suspicion of illicit sexual relationship or upon dowry demands. Increased media coverage of cases of wife burnings, spousal abuse, spousal killing, and rape has helped to raise awareness about violence against women. By year's end, there was no progress in the 1998 case of Shahnaz, who died after her husband poured gasoline on her and set her on fire. The police registered a case against her husband and three in-laws. As of September 30, the husband and in-laws remained in custody after the court rejected their appeal for bail. Two new cases that were reported by an NGO during the year involved the deaths of Kausar of Tala Gang, District Chakwal, and Tahira of Simly Dam, District Islamabad.

A crisis center for women in distress was opened in 1988 by the Progress Women's Association (PWA) in Rawalpindi. After several years of lobbying the Government, in 1997 the Government opened a center in Islamabad with the assistance of the PWA and other local NGO's. The center offers legal and medical referrals from volunteer doctors and lawyers, counseling from trained psychologists, and a hotline for women in distress. During 2000 the crisis center served 75 women. A second crisis center in Vehari, in southern Punjab, opened in 1998.

Rape is a pervasive problem. The HRCP estimates that at least eight women, five of them minors, are raped every day, and more than two-thirds of those are gang-raped. The law provides for the death penalty for persons convicted of gang rape. No executions have been carried out under this law and conviction rates remain low because rape, and gang rape in particular, commonly is used by landlords and criminal bosses to humiliate and terrorize local residents. It is estimated that less than one-third of all rapes are reported to the police. Police rarely respond to and sometimes are implicated in these attacks (see Section 1.c.).

According to a police official, in most rape cases the victims are pressured to drop charges because of the threat of Hudood adultery or fornication charges against them if they cannot prove the absence of consent. All consensual extramarital sexual relations are considered violations of the Hudood Ordinances, and carry Hadd (Koranic) or Tazir (secular) punishments (see Section 1.e.). Accordingly, if a woman cannot prove the absence of consent, there is a risk that she may be charged with a violation of the Hudood ordinances for fornication or adultery. The Hadd—or maximum punishment for this offense—is public flogging or stoning; however, for Hadd

punishments to apply, especially stringent rules of evidence are followed. Hadd punishments are mandatory if evidentiary requirements are met; for sexual offenses, four adult male Muslims must witness the act or the alleged perpetrator must confess. For non-Muslims or in cases where all of the 4 male witnesses are not Muslim, the punishment is less severe. The testimony of four female witnesses, or that of the victim alone, is insufficient to impose Hadd punishments; therefore, even if a man rapes a woman in the presence of several women, he cannot be subjected to the Hadd punishment. If Hadd punishment requirements are not met, the accused may be sentenced to a lesser class of penalties (Tazir); in practice most rape cases are tried at this level. Under Tazir a rapist may be sentenced to up to 25 years in prison and 30 lashes. No Hadd punishment has been applied in the more than 20 years that the Hudood ordinances have been in force. For Tazir punishments, there is no distinction between Muslim and non-Muslim offenders.

In 1998 approximately one-third of the women in jails in Lahore, Peshawar, and Mardan were awaiting trial for adultery; that percentage likely remains accurate. According to an HRCP lawyer, the Musharraf Government has brought fewer charges against women under the Hudood Ordinance than were brought in the past, and the courts have shown greater leniency toward women in their sentences and in the granting of bail. On August 1, a government official stated that the majority of women in prison were there on murder charges, and asserted that the number of cases filed under the Hudood Ordinances was exaggerated. In cases where a woman wishes to bring rape charges, she will have trouble bringing her attacker to justice. According to AI, men accused of rape sometimes are acquitted and released, while their victims are held on adultery charges.

According to Human Rights Watch, women face difficulty at every level of the judicial system in bringing rape cases. Police are reluctant to take the complaint and sometimes are abusive toward the victim; the courts do not have consistent standards of proof as to what constitutes rape and what corroboration is required; and judges, police, and prosecutors are biased against female rape victims, tending towards a presumption of female consent and the belief that women lie about such things. Judges on the whole reportedly are reluctant to convict; however, if there is some evidence, judges have been known to convict the accused of the lesser offense of adultery or fornication (consensual sex). Human Rights Watch also reported that women face problems in the collection of evidence; that the doctors tasked to examine rape victims often believe that the victims are lying; that they are trained insufficiently and have inadequate facilities for the collection of forensic evidence pertaining to rape; that they do not testify very effectively in court; and that they tend to focus on the virginity status of the victim, and, due either to an inadequate understanding of the need for prompt medical evaluations or to inadequate resources, often delay the medical examinations for many days or even weeks, making any evidence that they collect of dubious utility. Medical examiners and police personnel sometimes are abusive physically or verbally during these exams, especially in cases where a woman is charged with adultery or fornication (for which an exam may be requested) and does not wish to be examined (such women, despite the fact that by law they should not be examined without their consent, have been examined, and even have been beaten for their refusal to be examined). Police and doctors often do not know that a woman must consent to this type of exam before it can be performed, and judges may not inform women of their right to decline. If they report rape to the police, women's cases often are delayed or mishandled, and women frequently are harassed by police or the alleged perpetrators to drop the case. Police sometimes accept bribes from the accused rapist to get the victim to drop a case; however, in other cases, police will request bribes from the victim to pursue the case against the accused rapist. Police tend to investigate the cases poorly, and may not inform women of the need for a medical exam or may stall or block women's attempts to obtain one.

The Parliamentary Commission of Inquiry for Women criticized Hudood Ordinances relating to extramarital sex and recommended that they be repealed asserting that they are based on an erroneous interpretation of Shari'a. The Commission charged that the laws on adultery and rape have been subject to widespread misuse, with 95 percent of the women accused of adultery being found innocent either in the court of first instance or on appeal. However, the Commission pointed out that, by that time, the woman may have spent months in jail, suffered sexual abuse at the hands of the police, and seen her reputation destroyed. According to one human rights monitor, 80 percent of adultery related Hudood cases are filed without supporting evidence. The Commission found that the main victims of the Hudood Ordinances are poor women who are unable to defend themselves against slanderous charges. These ordinances also have been used by husbands and other male family members to punish their wives and female relatives for reasons having nothing to do with sexual propriety, according to the Commission. One NGO run by a prominent human rights activist reported that 262 women were on trial for adultery in Lahore as of May. An additional 33 were awaiting trial and 26 had been convicted under the Hudood Ordinances. At the end of 2000, 511 women were awaiting trial for adultery under the Hudood Ordinance in Lahore; 400 in Peshawar; and 300 in Mardan.

Marital rape is not a crime. The Hudood Ordinances abolished punishment for raping one's wife. However, the Commission of Inquiry for women has recommended reinstating penalties for marital rape. Marriage registration (nikah) sometimes occurs years before a marriage is consummated (rukhsati). The nikah (unconsummated) marriage is regarded as a formal marital relationship, and thus a woman or girl cannot be raped by a man to whom her marriage is registered, even if the marriage has not yet been entered into formally. Maulvi Qari Mohammad Sharif, a cleric, was granted bail and pardoned by President Rafiq Tarar in late December 2000. Sharif had been convicted of marital rape and mutilating his wife in a highly publicized case in 1994. Sentenced to 30 years imprisonment, the punishment was reduced on appeal to 10 years before he was released. Government officials declined to comment on the rationale for Sharif's pardon.

There are numerous reports of women killed or mutilated by male relatives who suspect them of adultery. Few such cases are investigated seriously and those who are arrested often are acquitted on the grounds that they

were "provoked," or for a lack of witnesses. While the tradition of killing those suspected of illicit sexual relations in so-called "honor killings," in order to restore tribal or family honor, applies equally to offending men and women, women are far more likely to be killed than men. The PWO estimated that as many as 300 women are killed each year by their husbands or family, mostly as a result of "honor killings," known as "karo/kari" (or adulterer/adulteress) in Sindh. More than 800 women were killed by family members in so-called "honor killings" during the year. In March 2000, women's rights activists told a local newspaper that the frequency of honor killings was on the rise. By the end of 2000, the PWO had collected data on 369 honor killings. The problem is believed to be even more extensive in rural Sindh. "Karo/kari" killings are common in rural Sindh and Baluchistan. The HRCP reported an average of 30 killings per month for the first half of 2000. Tribal custom among the Baluch and the Pathans sanctions such killings. The Commission of Inquiry for Women has rejected the concept of "honor" as a mitigating circumstance in a murder case and recommended that such killings be treated as simple murder. Women who are the victims of rape may become the victims of their families' vengeance against the victims' "defilement." The Government has failed to take action in honor killing cases, particularly when influential families are involved. Mehvish Miankhel, a member of an influential political family in Dera Ghazi Khan, allegedly was killed by her uncle in April. Her uncle had accused her of having an affair with the family's driver. A criminal complaint was filed against Miankhel's uncle, father, grandfather, two cousins, and two maternal uncles on July 7. All were granted prearrest bail and were not detained. In December 2000, Khalida was killed by her uncle and other relatives who accused her of having illicit relations with Momin Gorchani. Khalida's relatives also injured Momin's father and another one of his relatives. Police arrested one person in connection with the murder. In June 2000, a man from Yar Hussain in the NWFP allegedly killed his 20-year-old daughter, Mumilkat Bibi, while she was sleeping. The father reportedly opposed his daughter's efforts to choose a spouse without parental consent. AI also reported that if an accused adulteress is killed, and the adulterer manages to escape this fate, he may be required under the karo/kari tradition to compensate the family of the accused adulteress; sometimes, a woman from the adulterer's family is given compensation to repair the honor of the adulteress' family.

Female genital mutilation (FGM), which is condemned widely by international health experts as damaging to both physical and psychological health, is practiced by the Bohra Muslims. There are an estimated 100,000 Bohra Muslims in the country; the Bohra observe a form of Shi'a Islam that was practiced in medieval Cairo. There were no available statistics on the extent to which the Bohra practice FGM; however, the practice of FGM in the Bohra community reportedly has declined in the last few years.

In December 2000, speakers at a seminar stated that large numbers of working women face discrimination and sexual harassment. Women routinely are denied equal opportunities for promotion, pay, and benefits. Additionally women in some sectors are denied days off and overtime benefits.

Trafficking in women also is a serious problem (see Section 6.f.).

Significant barriers to the advancement of women begin at birth. In general female children are less valued and cared for than are male children. According to a U.N. study, girls receive less nourishment, health care, and education than do boys. In February 2000, Dr. Sher Shah Syed, of the Pakistan National Forum on Women's Health in Karachi, reported that the maternal mortality rate is 600 per 100,000 pregnancies; this figure contradicts the Government's figure of 300 per 100,000 pregnancies. At Karachi's civil hospital, the maternal mortality rate was 2,257 per 100,000 in 1999. According to a 1996 report by the Islamabad-based Human Development Center, only 16 women are economically active for every 100 men.

Discrimination against women particularly is acute in rural areas. In some areas of rural Sindh and Baluchistan, female literacy rates are 2 percent or less. A survey of rural females by the National Institute of Psychology found that 42 percent of parents cited "no financial benefit" as the reason they kept their daughters from attending school, and sent their sons instead. Similarly a study by the NWFP directorate of primary education concluded that most girls in rural areas do not go to school because they have to look after the household while their mothers help in the fields. In Karachi only 28 percent of girls completing matriculation (10th grade) exams in science during the year would be able to find places in government-run colleges, as opposed to 83 percent of boys passing the same tests. In Baluchistan conditions are much worse, with only 2 percent of the province's women having received any formal education. Education activists have noted that many parents would like to educate their daughters; however, many parents reportedly chose not to send their daughters to school due to the poor quality of instruction and the lack of facilities.

Although a small number of women study and teach in universities, postgraduate employment opportunities for women largely remain limited to teaching, medical services, and the law. Nevertheless an increasing number of women are entering the commercial and public sectors.

Human rights monitors and women's groups believe that a narrow interpretation of Shan'a has had a harmful effect on the rights of women and minorities, as it reinforces popular attitudes and perceptions and contributes to an atmosphere in which discriminatory treatment of women and non-Muslims is accepted more readily.

Both civil and religious laws theoretically protect women's rights in cases of divorce, but many women are unaware of their rights, and often the laws are not observed. One NGO reported that legal literacy is constrained by the lack of laws printed into local languages. Judicial reforms begun in April with foreign funding included plans to publish laws in Urdu, which is understood by the majority of citizens; some laws had been

published in Urdu as of year's end. The Parliamentary Commission of Inquiry for Women has recommended that marriage registration (nikahnama) be obligatory and that women, as well as men, have the right to initiate divorce proceedings. It also has called for the punishment of those who coerce women or girls into forced marriages. A husband legally is bound to maintain his wife until 3 months after the divorce. A father is bound to maintain his children until they reach the age of 14 for males, or 16 for females. However, the legal process is so complicated and lengthy that it can take years for the children to get maintenance.

In inheritance cases women generally do not receive—or are pressed to surrender—the share of the inheritance they legally are due.

In rural areas, the practice of a woman "marrying the Koran" still is accepted widely if the family cannot arrange a suitable marriage or wants to keep the family wealth intact. A woman "married to the Koran" is forbidden to have any contact with males over 14 years of age, including her immediate family members. Press reports indicate that the practice of buying and selling brides still occurs in parts of the NWFP and the Punjab.

A special three-member bench of the Lahore High Court upheld in 1997 the federal Shariat Court's ruling that a Muslim woman can marry without the consent of her wali (guardian—usually her father). However, in practice social custom dictates that couples are to marry at the direction of family elders. When this custom is violated, especially across ethnic lines, violence against the couple may result, and the authorities generally fail to prosecute such cases vigorously.

Civil marriages do not exist; marriages are performed and registered according to one's religion. Upon conversion to Islam, the marriages of Jewish or Christian men remain legal; however, upon conversion to Islam, the marriages of Jewish or Christian women, or of other non-Muslims, that were performed under the rites of the previous religion are considered dissolved (see Section 2.c.). Children born to Jewish or Christian women who convert to Islam after marriage are considered illegitimate only if their husbands do not also convert, and if women in such cases do not separate from their husbands. Children of non-Muslim men who convert are not considered illegitimate.

The value of women's testimony is not equal to that of a man's in certain court cases tried under the Hudood Ordinances or before a Federal Shariat Court (see Section 1.e.).

Women's organizations operate primarily in urban centers. Many concentrate on educating women about existing legal rights. Other groups concentrate on providing legal aid to poor women in prison who may not be able to afford an attorney.

During the year, the Government held elections and installed local governments where women compose one-third of the members. Federal Ministers, especially the Minister for Women's Development, have continued to speak out against "honor killings" at public seminars and symposiums. In late April, President Tarar issued an amendment ordinance to the citizenship law to enable women married to foreigners to claim citizenship for their children.

Children

The Government, through its laws and programs, does not demonstrate a strong commitment to children's rights and welfare. There is no federal law on compulsory education, and neither the federal nor provincial governments provide sufficient resources to assure universal education. The education system is in disarray, with studies showing that only 65 to 70 percent of children under the age of 12 are enrolled in school, less than half of whom actually complete primary school. A reported 10,000 schools have closed in recent years due to a lack of teachers. There was a reported decline in student enrollment in Sindh province from 3.19 million to 3.08 million between 1998 and 1999. During this period, an average population growth rate of 3 percent would have added 20 percent to the number of primary school age children. Even in relatively prosperous Karachi, enrollment figures are low. M.I. Memon, the late head of the Board of Intermediate and Secondary Education in Karachi, estimated in 1998 that only 1.1 million of Karachi's school-age children actually were attending school: 500,000 in the public schools; 500,000 in private schools; and 100,000 in madrassahs (Islamic religious schools). Since the lowest estimate of school age children in Karachi—the wealthiest and most developed city in the country—is 4 million, it would appear that no more than 27.5 percent of school age children were attending school. Even those children who go to school are not assured of being able to read and write. According to UNICEF figures, a nationwide sample of children in grade five revealed that only 33 percent could read with comprehension, while a mere 17 percent were able to write a simple letter. Development experts point to a number of factors for the poor state of public education, including the low percentage of gross national product devoted to education and inefficient and corrupt federal and provincial bureaucracies. Those fortunate enough to pursue higher education often face inordinate delays in receiving the results of final exams. In March 2000, candidates for civil engineering degrees received results of the 1996 annual examinations. In 1999 one member of the Prime Minister's education task force estimated that up to 50 percent of the education budget is "pilfered."

Information about progress in educating girls is contradictory. A survey found that the enrollment rate for girls under age 12 was 65 percent, which was less than that of boys (75 percent), but considerably was higher than

the 1990 figure of 50 percent. Since official government figures count at most 1.5 million school-age children in public and private schools and madrassahs in Karachi (of an estimated 4 million or more between the ages of 5 and 14), enrollment figures of 65 and 75 percent are difficult to substantiate. In all of Sindh province, a 14 percent jump in the number of girls in Sindh's primary schools in the 1992-98 period placed female enrollment in 1998 at only 35 percent. Similarly the female literacy rate has doubled during the past two decades, although, at roughly 27 percent, it is just over half that of males. However, an Oxfam report released in March 1999 stated that the proportion of girls enrolled in school fell by 10 percent in the first half of the 1990's and one doctor claimed in a February press report that the average time girls spend in school nationwide is 0.7 years.

Education is a provincial responsibility. In 1998 the government of Punjab, the country's most populous province, began an ambitious program to improve the quality of its educational system. A comprehensive survey was performed to identify school buildings that were being misused as well as the large numbers of teachers and administrators who were not performing their duties or even showing up for work. Administrative action against these "ghost schools" began, and the Government was better placed to ensure that its education budget was not misused. The Punjab government also worked closely with both international and local NGO's to improve primary and secondary education. However, no legal action was taken against those found responsible for the misuse of government property. In August a former provincial official reported that a survey revealed that half of the third grade teachers at one school in Punjab did not know their multiplication tables. Nevertheless, the official claimed the Punjab government refused to dismiss unqualified teachers.

On August 18, the Government passed a law regulating madrassahs under a voluntary registration program that included the setting up of model schools, the setting of teacher training standards, and the standardization of the curricula in participating schools to include general education subjects. A board was to be set up to enforce the regulations, oversee participating schools, and control all internal and external funding for participating schools.

Health care services, like education, remained seriously inadequate for the nation's children. Children suffer a high rate of preventable childhood diseases. According to the National Institute of Child Health Care, more than 70 percent of deaths between birth and the age of 5 years are caused by easily preventable ailments such as diarrhea and malnutrition. Public health administration suffers from poor management, lack of accountability, unreliable or falsified statistics, and lack of cooperation among agencies. The problems associated with polio are illustrative. According to the World Health Organization (WHO), in 1997 91 percent of confirmed polio cases in the eastern Mediterranean region were in Pakistan (1,147). The WHO and the Center for Disease Control reported in 1999 that the full (three-dose) course of oral polio vaccine had been given to only 57 percent of children in Punjab, 50 percent in the NWFP, 42 percent in Sindh, and 22 percent in Baluchistan. However, even the high number of reported polio cases may be too low, and the reported protection rate may be too high. Public health professors at a Karachi medical school report that vaccines frequently are degraded by poor storage, and that vaccination rates are inflated. In 1999 the English-language newspaper Dawn reported that doctors in Sindh had persuaded the Sindh health department to order a halt to the reporting of polio cases; however, polio cases were reported during the year. Doctors are required by law to vaccinate all children under 5 years old within a 1.2 mile range (3 miles in rural areas); however, they reportedly have taken steps to avoid the responsibility. Although the Government has undertaken six national immunization days since 1994, a Center for Disease Control official who observed a 1999 polio immunization campaign in Quetta, the capital of Baluchistan, reported that vaccination teams had no maps, census data, or plans. Since 2000 the Government has conducted a well-publicized campaign to encourage polio vaccinations. According to the Ministry of Health, 31 million children had been vaccinated for polio by year's end. The International Labor Organization (ILO) reports that 8 percent of children suffer from iron deficiency and 30 to 40 percent of children in the country suffer from stunted growth. According to a family-planning NGO, up to 50 percent of children are born iodine-deficient, resulting in high rates of mental retardation.

Children sometimes are kidnaped to be used as forced labor, for ransom, or to seek revenge against an enemy. In September 2000, an antiterrorist court in Karachi convicted five men for kidnaping the 15-year-old son of a businessman in January 2000; three of the five defendants were sentenced to death. In rural areas, it is a traditional practice for poor parents to give children to rich landlords in exchange for money or land, according to human rights advocates. These children frequently are abused by these landlords and held as bonded laborers for life. Landlords also have been known to pay impoverished parents for the "virginity" of their daughters, whom the landlords then rape. Incidents of rape are common. A 1996 survey conducted in Punjab showed that 40 percent of reported rape victims were minors, with the youngest victim in the study only 8 years old. A UNICEF-sponsored study of Punjab found that 15 percent of girls reported having been abused sexually. Sexual abuse of boys is more common in segments of society where women and girls traditionally remain within the home. According to a local NGO, 459 boys and 615 girls were reported to have been sexually abused during the year.

A newspaper reported that there were 1,025 incidents of sexual abuse of children between January and September 2000; in the majority of cases, children were abused by acquaintances. There were credible reports of boys being sexually abused in a jail located in Punjab province in 2000. At a May 2000 conference in Karachi on trafficking in women, speakers claimed that more than 15,000 child sex workers were operating in Lahore and other cities. NGO's estimated that this number remained stable or increased slightly during the year. Child prostitution involving boys and girls widely is known to exist but rarely is discussed. All forms of prostitution are illegal, and a person who abducts a child under the age of 10 and commits sexual assault may

be sentenced to death. The Shabab-i-Milli, the youth wing of the Jaamat-i-Islami party, launched a campaign in May 2000 to combat child prostitution by raising public awareness of the problem. The Commission of Inquiry for Women has observed that child sexual abuse is a subject that "has been virtually ignored," and called for a public education campaign on the subject, including introducing it into school curriculums and training nurses and doctors in how to handle such cases.

In the aftermath of a September 2000 prison riot in Hyderabad, military personnel discovered that adult prisoners abused sexually about 50 imprisoned minors. The Government did not take action by year's end, nor is it likely to take action, against prison officials for permitting the abuse. According to a 1999 Human Rights Watch report, children in detention also are subjected to torture and mistreatment.

Children's rights theoretically are protected by numerous laws that incorporate elements of the U.N. Convention on the Rights of the Child. However, the Government frequently fails to enforce these laws.

In July 2000, the Government passed the Juvenile Justice System Ordinance. The ordinance abolished the death penalty for minors under 18 years of age, mandates that the Government provide children with legal assistance, prohibits children from being tried for crimes with adults, and prohibits the proceedings of juvenile courts from being published.

According to press reports, there are several madrassahs where children are confined illegally and kept in unhealthy conditions, and there were reports of the abuse of children studying at madrassahs during the year. Sexual abuse of boys is believed widely to occur at some madrassahs.

Trafficking in children is a serious problem (see Section 6.f.).

Child labor is a significant problem (see Section 6.d.). Many children begin working at a very early age. At the age of 5 or 6, many female children assume responsibility for younger siblings.

Persons with Disabilities

There are no laws requiring equal accessibility to public buildings for persons with disabilities. The vast majority of persons with physical and mental disabilities are cared for by their families. However, in some cases these individuals are forced into begging; organized criminal "beggarmasters" skim off much of the proceeds. Parents reportedly have given children as offerings to Baba Shah Dola, a shrine in Punjab where the children reportedly are deformed intentionally by clamping a metal form on the head that induces microcephalitis. Some human rights organizations asked local authorities to investigate this practice; however, there have been no investigations. There is a legal provision requiring public and private organizations to reserve at least 2 percent of their jobs for qualified persons with disabilities. Organizations that do not wish to hire persons with disabilities instead can give a certain amount of money to the government treasury, which goes into a fund for persons with disabilities. This obligation rarely is enforced. The National Council for the Rehabilitation of the Disabled provides some job placement and loan facilities.

Mentally ill prisoners normally lack adequate care and are not segregated from the general prison population (see Section 1.c.).

Religious Minorities

Government authorities afford religious minorities fewer legal protections than are afforded to Sunni Muslim citizens. Members of religious minorities are subject to violence and harassment, and police at times refuse to prevent such actions or to charge persons who commit them.

Sectarian violence between Sunni and Shi'a Muslims continued to be a serious problem throughout the country (see Section 2.c.). According to the Citizens' Police Liaison Committee, a Karachi-based civic group, 34 Shi'a Muslims and 15 Sunni Muslims died as a result of sectarian violence during the year. In Punjab in particular, a deadly pattern of Sunni-Shi'a violence in which extremists killed persons because of their membership in rival sectarian organizations, or simply for their religious identification, continued. In January Syed Ameer Hussain Lak, a teacher and an official for the Tehrik-e-Jafria, was shot and killed by motorcycle gunmen while he was on his way to school in Sardarpur village, Punjab. There were no arrests in connection with the case, and it was unlikely that any further action would be taken in connection with the case. On January 28, Sheikhul Hadith Maulana Inayatullah of Karachi was killed by six unidentified assailants who intercepted his van while he was traveling to his school, Jamia Farooqia, a Sunni Muslim seminary known for its strident anti-Shi'a teachings. Three other clerics were killed on the same day. Local commentators believe the killing to be the work of Sipah-e-Mohammad, a Shi'a Muslim extremist group, and say it may have been ordered to avenge the killing of Agha Sultani, an Iranian Shi'a teacher who was killed in Karachi by unknown assailants on January 20. Following the killing of Inayatullah and three other clerics, a combination of police, paramilitary, and military forces were dispatched in an attempt to control a mob of Sunni Muslim students that reacted to the killing by setting several vehicles and businesses on fire. Several police officers were beaten severely by students. Violence in Punjab has prompted the Government on several occasions to round up hundreds of members of religious extremist groups and students at religious schools (madrassahs) believed to be terrorist recruiting

centers and training grounds. Between February 18 and February 23, four Shi'a Muslims were killed in Gujranwala, Faisalabad, and Chiniot in Punjab province. Five suspects were arrested and the Shi'a extremist group Tehrik-e-Jafria Pakistan publicly accused the Sipah-e-Sahaba Pakistan of responsibility for the killings.

On March 1, sectarian rioting in Hangu, a small city in the NWFP, resulted in at least 10 deaths. The Sunni Muslim extremist group SSP had arranged prayer gatherings throughout the NWFP for SSP activist Haq Nawaz Jhangvi, who was executed on February 28 for the 1990 killing of the leader of the Iranian Cultural Center in Lahore. SSP activists reportedly left one of these gatherings and proceeded to Hangu's main shopping area where they shot and killed three Shi'a shopkeepers and one Sunni passerby (see Section 1.a.). This resulted in additional violence between armed Sunni and Shi'a extremist groups and police sources report that mortars, rockets, and other heavy weapons were used. On March 4, between 12 (according to local government officials) and 16 persons (according to a member of a Shi'a political party), including two policemen, were reported killed when four armed men opened fire at an Imambargah (Shi'a mosque) and the local grain market of Sheikhpura (see Section 1.a.). The police arrested two suspects, one of whom is alleged to be a member of the Sunni extremist group Lashkar-e-Jhangvi. On March 12, at least 9 persons were killed and 11 others were injured when gunmen opened fire inside of a Sunni mosque in Lahore. Some speculated that the attack was committed in retaliation for the March 4 killing of Shi'as in Sheikhpura. On May 18, a vehicle carrying Saleem Qadri, the leader of the Sunni Tehrik Party, and seven others, was attacked by six men with automatic weapons. Qadri and others had been on their way to Friday prayers in Karachi. The Sunni Tehrik Party is a mid-sized Sunni Muslim extremist organization with a reputation for carrying out bombings, shootings, and other acts of violence. Local commentators speculated that rival Sunni extremist groups including the JM and SSP may have ordered Qadri's murder. Leaders of the SSP have claimed that Shi'a extremists were responsible.

Several incidents of sectarian violence between rival Sunni and Shi'a groups typically occur during Muharram, the time when Shi'a Muslims mourn the deaths of the Prophet Mohammed's nephew, Ali and Ali's son Hussain. Government efforts to stem a wave of sectarian violence in the weeks leading up to Muharram, including mass arrests of those suspected of participating in sectarian violence and a public call for religious leaders to enforce a code of conduct, resulted in fewer deaths during Muharram compared with 2000.

Antiterrorist courts handed down convictions against several individuals accused of sectarian violence during the year; however, government authorities did not detain suspects in many other cases of sectarian violence.

Ahmadis often are targets of religious intolerance, much of which is instigated by organized religious extremists. Ahmadi leaders charge that militant Sunni mullahs and their followers sometimes stage marches through the streets of Rawalpindi, a predominantly Ahmadi town and spiritual center in central Punjab. Backed by crowds of 100 to 200 persons, the mullahs purportedly denounce Ahmadis and their founder, a situation that sometimes leads to violence. The Ahmadis claim that police generally are present during these marches but do not intervene to prevent trouble (see Section 2.c.). Ahmadi leaders continue to express concerns about government efforts to inculcate intolerance. Senior government officials regularly make disparaging remarks about Ahmadis in public, and government-sponsored text books have been revised in recent years to remove all references to the contributions made by Ahmadis to society.

In October 2000, two assailants opened fire on an Ahmadi mosque in Ghatialian in Sialkot district, killing four Ahmadis and one Sunni Muslim. Three suspects were arrested; however, no formal charges were filed by year's end. On November 10, 2000, a mob composed of a cleric's followers killed five Ahmadis in Takht Hazara, Sarghoda district, following a clash between a group of Ahmadis and a Sunni Muslim cleric. Police detained 25 persons for questioning and imprisoned 13 others in connection with the killings; however, no charges had been filed against any of the suspects by year's end.

On August 26, a mob attacked an Ahmadi place of worship in Sheikhpura; instead of attempting to intervene, police reportedly placed 28 Ahmadis in protective custody during the incident. The 28 Ahmadis later were released but no action was taken against the alleged perpetrators.

In July 2000, in response to pressure from some Muslim groups, the Government incorporated the Islamic provisions of the suspended Constitution into the Provisional Constitutional Order, including the clause declaring Ahmadis to be non-Muslims (see Section 2.c.). Ahmadis suffer from harassment and discrimination and have limited chances for advancement into management levels in government service. Although Ahmadis serving in the bureaucracy used to report few problems with their advancement and ability to serve in senior positions, in the past few years Ahmadis claim that even the rumor that someone may be an Ahmadi or have Ahmadi relatives can stifle opportunities for employment or promotion. Ahmadi students in public schools are subject to abuse by their non-Ahmadi classmates, and the quality of teachers assigned to predominantly Ahmadi schools by the Government generally is poor. However, most Ahmadis are home-schooled or go to private Ahmadi-run schools. Young Ahmadis complain of difficulty in gaining admittance to good colleges and consequently having to go abroad for higher education. Certain sections of the Penal Code discriminate against Ahmadis (see Section 2.c.), particularly the provision that forbids Ahmadis from "directly or indirectly" posing as Muslims. Armed with this vague wording, mullahs have brought charges against Ahmadis for using standard Muslim salutations and for naming their children Mohammed.

Other religious minority groups also experience considerable discrimination in employment and education. In

the country's early years, minorities were able to rise to the senior ranks of the military and civil service. Today many are unable to rise above mid-level ranks. The Government claims that officers in the military are promoted strictly on merit, and there are two active duty generals who are members of religious minorities. The lack of religious minorities at higher levels of the military partially may be due to the limited number of minorities who opt for a career in the armed forces.

Discrimination in employment reportedly is common. Christians in particular have difficulty finding jobs other than menial labor, although Christian activists say the employment situation has improved somewhat in the private sector. Christians are overrepresented in the country's most oppressed social group—that of bonded laborers. Like Ahmadis many Christians complain about the difficulty that their children face in gaining admission to government schools and colleges, a problem they attribute to discrimination. Many Christians continue to express fear of forced marriages between Muslim men and Christian women, although the practice is relatively rare. During the year, a 15-year-old girl near Sheikhpura reportedly was kidnapped and forced to marry a Muslim man. The perpetrators allegedly bribed the police not to investigate, and even though the girl was ordered returned to her parents, the police did not execute this order. Reprisals against suspected converts to Christianity occur, and a general atmosphere of religious intolerance has led to acts of violence against religious minorities (see Section 2.c.).

On October 28, three assailants shot and killed a police officer on guard outside of St. Dominic's church in Bahawalpur during Protestant services at the church; they then entered the church, closed its doors, and began firing into the congregation. Sixteen persons were killed. Police arrested 18 members of the Jaish-i-Mohammad in connection with the massacre, although as of December none of them had been charged. Government officials stated that the investigation was ongoing at year's end. On March 12, men broke into the Lourdes Convent and attacked Sister Christine, a 78-year-old nun; she died in a nearby hospital a few days later. The perpetrators of the attack were Muslims who previously had accused Sister Christine of proselytizing. Police officials have not arrested anyone in connection with this attack, reportedly due to the lack of suspects. Human rights observers believe that the authorities have shelved the case indefinitely. In May 2000, five masked men stopped a factory bus in Ferozwala on which female factory employees were traveling and raped six to eight Christian girls who were passengers; the assailants reportedly spared the two Muslim passengers on the bus. Initially police officials urged the girls to report that they were robbed, not raped; however, when the Christian Liberation Front complained to government officials, the officials immediately registered the cases as rape cases, arrested three suspects, and promised to investigate police behavior. The suspects were charged under the Hudood Ordinances and were scheduled to stand trial in September 2000. However, one of the suspects was released for lack of evidence. As of early October, a Sessions Court in Lahore was hearing the case. Local observers asserted that the alleged rapists have been attempting to pressure the victims' families to withdraw the case.

There are restrictions on certain testimony in court by non-Muslims (see Section 1.e.).

Although there are few Jewish citizens in the country, anti-Semitic sentiments appear to be widespread, and anti-Semitic and anti-Zionist press articles are common.

Section 6 Worker Rights

a. The Right of Association

The Industrial Relations Ordinance (IRO) permits industrial workers to form trade unions subject to major restrictions in some employment areas. However, the International Confederation of Free Trade Unions (ICFTU) reports that the IRO only covers companies that employ 50 or more persons, and that companies sometimes subdivide their workforces into artificial subsidiaries (while keeping them all on the same premises) to avoid falling under the IRO. The Essential Services Maintenance Act (ESMA) covers the state administration, government services, and state enterprises such as oil and gas production, electricity generation and transmission, the state-owned airline, the national railroad, and ports. Workers in these sectors are allowed to form unions. However, the ESMA sharply restricts normal union activities, usually prohibiting, for example, the right to strike in affected organizations. A worker's right to quit also may be curtailed under the ESMA. For each industry subject to the ESMA, the Government must make a finding, renewable every 6 months, on the limits of union activity. There is no provision allowing agricultural workers or teachers to unionize as they are not defined as "an industry." Water and power workers may engage in "responsible trade unionism."

According to government estimates, union members make up approximately 10 percent of the industrial labor force and 3 percent of the total estimated work force. Unions claim that the number of union members is underestimated. Contract labor continues to flourish, undercutting the power of the unions and exploiting workers who are willing to work on temporary contracts with fewer benefits and no job security.

Legally required conciliation proceedings and cooling-off periods constrain the right to strike, as does the Government's authority to ban any strike that may cause "serious hardship to the community" or prejudice the national interest. The Government also may ban a strike that has continued for 30 days. Strikes are rare. When they occur, they usually are illegal and short. The Government regards as illegal any strike conducted by workers who are not members of a legally registered union. Police do not hesitate to crack down on worker

demonstrations. The law prohibits employers from seeking retribution against leaders of a legal strike and stipulates criminal penalties for offenders. The courts may imprison employers for violating this prohibition, but they are more likely to fine them. The law does not protect leaders of illegal strikes. There were no strikes during the year, and some labor leaders attribute this to the ban on strikes by large unions, such as Pakistan Railways and Pakistan International Airways. The ICFTU reported that during the year the Government also suspended union activities, including canceling collective bargaining agreements and closing union offices, at PIA. In May and June 2000, there were strikes by small and large businessmen throughout the country to protest the Government's efforts to collect taxes.

In 1997 the Cabinet passed an amendment to the IRO which states that: 1) Only employees of the represented industry can hold office in a trade union; and 2) if trade unions form a federation, the federation cannot bargain with individual employers; each component union has to bargain for itself. The first provision disadvantages smaller unions, which may not have enough officers capable of bargaining. The second provision is an attempt to weaken the power of the federations. This amendment has been challenged by the trade unions and, as a result, has not yet come into force. Late in 1997, the Prime Minister announced the Government's investment policy, under which, in order to improve working relations among employees and employers, trade union activity would be industry-based and not factory-based. This policy also decrees that, in order to check the growth of trade unions, unions receiving less than 20 percent of the votes in a referendum are to be dissolved automatically and their registrations canceled. No action has been taken to implement these elements of the investment policy.

The ILO has stated repeatedly that the country's law and practice violate the Government's commitments under ILO Convention 87. The ILO has urged the Government to lift prohibitions against union activity with respect to teachers, radio, television, railway, forestry, hospital, banking, and other government employees, as well as to rescind the existing ban on strikes. The ILO also expressed concern about the practice of artificial promotions that exclude workers from the purview of Convention 111. In response to a government request, the ILO has provided technical assistance to help bring the country's labor laws into conformity with the ILO's conventions. However, no legislative remedies have been applied.

Unions may belong to federations, and there are eight major federations. The Government permits trade unions across the political spectrum. While many unions remain aloof from politics, some are associated with political parties. Unions associated with opposition parties are allowed to carry on their activities freely.

The United States revoked Generalized System of Preferences (GSP) trade benefits in 1996 for certain goods, such as leather sporting goods, surgical instruments, and hand-loomed carpets, due to failure to make progress on various worker rights issues including child labor (see Section 6.d.).

In 1994 a government task force on labor recommended improvements on worker rights problems, which formed the basis for the development of a new government labor policy. The Government has not approved the new policy; however, it has implemented two components of the proposed policy: Improvements in the workers' welfare fund and increases in social security benefits for workers. Federations are free to affiliate with international federations and confederations. Pakistani trade unions belong to the ICFTU and to secretariats affiliated with the ICFTU.

b. The Right to Organize and Bargain Collectively

The right of industrial workers to organize and freely elect representatives to act as collective bargaining agents is established in law. In general legal unions have the right to bargain collectively. However, the many restrictions on forming unions (see Section 6.a.) preclude collective bargaining by large sections of the labor force. For example, agricultural workers are not provided with the right to strike, to bargain collectively, or to make demands on employers. The National Bank of Pakistan Employees' Union filed suit against the Government for implementing a banking companies ordinance that prohibited union activities in banks during working hours and allowed only current bank employees to serve as bank trade union officials. Labor unions report that workers are given artificial promotions (such as a new title with no salary increase) to make them ineligible for union membership. This practice is prevalent in the financial sector, particularly among foreign banks.

The ESMA also restricts collective bargaining. For each industry subject to the ESMA (see Section 6.a.), the Government must make a finding, renewable every 6 months, on the limits of union activity. In cases in which the Government prohibits collective bargaining, special wage boards decide wage levels.

The special wage boards are established at the provincial level and are composed of representatives from industry, labor, and the provincial labor ministry, which provides the chairman. Despite the presence of labor representatives, unions generally are dissatisfied with the boards' findings. Disputes are adjudicated before the National Industrial Relations Commission. A worker's right to quit also may be curtailed under the ESMA. Dismissed workers have no recourse to the labor courts.

The IRO prohibits antiunion discrimination by employers. Under the law, private employers are required to reinstate workers fired for union activities. However, in practice, such redress has not been available to

workers, because workers usually do not pursue redress through the courts due to the fact that the legal system is slow, prohibitively expensive, and often corrupt.

The ESMA exempts export promotion zones (EPZ's) from the IRO's granting of workers the right to form trade unions. There is only one EPZ, in Karachi, with nearly 6,000 employees, according to government sources. In 1996 the Cabinet decided to withdraw these exemptions beginning in January 2000; however, the Government stated that it will honor agreements with investors regarding the exemptions, and it made no effort to lift the restrictions as of year's end.

c. Prohibition of Forced or Compulsory Labor

The suspended Constitution and the law prohibit forced labor, including forced labor by children; however, the Government does not enforce these prohibitions effectively. Critics argue that the ESMA's limitation on worker rights, especially the right to quit, constitutes a form of compulsory labor. The ILO has objected to this violation of Convention 29. The Government has responded that the maintenance of essential services is required for the defense and security of the country, and that continued reviews have limited these services to a few core areas such as electricity generation and distribution, and air and sea ports.

The Bonded Labor System (Abolition) Act of 1992 (BLAA) outlawed bonded labor, canceled all existing bonded debts, and forbade lawsuits for the recovery of existing debts. The act makes bonded labor by children punishable by up to 5 years in prison and up to \$900 (PRs 50,000) in fines. However, provincial governments, which are responsible for enforcing the law, have failed to establish enforcement mechanisms. Strong social ties between employers and public officials at the local level further undercut the law's effectiveness. In addition the law is written in English and frequently is incomprehensible to persons it is intended to protect. Some provincial laws appear to violate the BLAA. For example, the Sindh Tenancy Act empowers a landlord to detain an indebted tenant, or a tenant's family member if the tenant flees, until the debt is repaid. Despite the fact that national law prohibits bonded labor, courts in Sindh often uphold the Sindh Tenancy Act. It also reportedly is common in Sindh for local officials to inform landlords of pending court decisions that will require the liberation of bonded laborers, enabling the landlords to relocate the workers prior to the judgment and thus avoid the requirement to free them. In January 2000, a newspaper reported that 56 landless agricultural workers escaped from a private jail in Sanghar district, Sindh. The landlord reportedly had forced them to work without wages for several years. In April 2000, President Musharraf announced that approximately \$1,700,000 (PRs 100,000,000) had been designated to fight bonded labor; the promised funds were received by the Ministry of Labor early in the year. In September the Government announced a plan to eradicate bonded labor in the brick kiln and agriculture sectors, which included the establishment of rehabilitation centers to advise and educate liberated bonded laborers.

There is a reasonable basis to believe that handmade bricks and hand-woven wool carpets are produced with forced or indentured child labor. Illegal bonded labor is widespread. It is common in the brick, glass, and fishing industries and is found among agricultural and construction workers in rural areas. A 1998 study by a trade federation reported that more than 200,000 families work in debt slavery in the brick kiln industry, and there are reports that this figure has grown with the arrival of Afghan refugees to the country. The Government undertook a survey of bonded labor during the year that was to be completed in 2002. Bonded laborers often are drawn from the lowest rungs of society and are unskilled, low-caste, and often non-Muslim. The Bonded Labor Liberation Front (BLLF) is an NGO that advocates for the rights of bonded laborers and provides a safe haven and educational and vocational training for those who have escaped their bondage. The BLLF states that it freed 820 bonded brick kiln workers (including 351 children) in 1999. Bonded labor, including bonded child labor, reportedly is used in the production of carpets for export under the peshgi system, by which a worker is advanced money and raw materials for a carpet he promises to complete. The lack of education among bonded laborers deprives them of the ability to perform the necessary calculations to know when they have paid their debts to bondholders. Bonded laborers who escape often face retaliation from former employers. In March 2000, the Lahore High Court ordered the release of 24 brick kiln workers, including 10 women and children. According to press accounts, the laborers were kept in chains, were not compensated for their work, and were beaten frequently. Press reports indicate that there were similar numbers of bonded laborers freed during the year. Others return to their former status after being freed because they lack the education, money, and mobility to seek a different livelihood. Although the police arrest violators of the law against bonded labor, many such individuals bribe the police to release them. Conservative estimates put the number of bonded workers at several million. The Government disputes that peshgi workers are "bonded" or "forced" laborers and argues that they are "contract laborers" who negotiate a salary advance in a free and open market.

There are reports that children in juvenile detention facilities are required to work. Children at the Karachi Central Jail, who were imprisoned for crimes they committed, were detained with their parents, or were born in jail, reportedly are involved in woodcrafts and television repairs. Verifying these reports is difficult because of limited outside access to the jail.

Children sometimes are kidnaped to be used for forced labor. According to 1996 ILO estimates, 3.3 million children between the ages of 5 and 14 (approximately 8 percent of this population group) are "economically active." Of these, approximately two-thirds work in agriculture. Seventy percent of working children have the status of "unpaid family helpers." Many observers believe that the ILO estimates understate the true

dimensions of the problem. Observers also believe that the incidence of bonded labor among such children is significant, but there are no reliable figures available on this.

Human rights groups report that as many as 50 private jails housing some 4,500 bonded laborers were maintained by landlords in rural Sindh (see Section 1.d.).

The suspended Constitution and the law prohibited slavery. However, in remote areas of rural Sindh, bonded agricultural labor and debt slavery have a long history. Landlords have kept entire families in private prisons and sold families to other landlords.

Trafficking in children is a significant problem in Punjab and Sindh, where young boys are trafficked to the Persian Gulf to work as domestic servants and camel jockeys (see Section 6.f.). Some boys, usually between the ages of 6 and 9, are taken to countries in the Persian Gulf to serve as camel jockeys.

d. Status of Child Labor Practices and Minimum Age for Employment

The Government has adopted laws and promulgated policies to protect children from exploitation in the workplace; however, enforcement of child labor laws is lax and child labor is a serious problem. The suspended Constitution prohibits the employment of children aged 14 years and under in factories, mines, and other hazardous occupations. The Employment of Children Act prohibits the employment of children under age 14 in certain occupations and regulates their conditions of work. Under this law, no child is allowed to work overtime or at night. Penalties for the violation of the act include fines of up to \$300 (PRs 20,000) or 1 year in prison. As of year's end, no one has ever received the maximum penalty. Child labor is common and results from a combination of severe poverty, employer greed, and inadequate enforcement of laws intended to control it. In May 2000, the Government, in conjunction with the ILO, issued a national policy and action plan to combat child labor. Its three principal goals are: To eradicate immediately the worst forms of child labor, to progressively eliminate all remaining forms of child labor, and to ensure at least a primary education and vocational training for the targeted children. According to the plan, funding is to be provided by the federal and provincial governments and "international donors." In April the Ministry of Labor received \$1,700,000 (PRs 1,000,000,000) to fund the national child labor action plan. A board was formed to launch projects to combat child labor, and provincial governments were asked to submit proposals during the year.

Children in juvenile detention facilities reportedly are required to work; children at the Karachi Central Jail, who are imprisoned for crimes they have committed, were detained with their parents, or were born in jail, reportedly are involved in woodcrafts and television repairs (see Section 6.c.). Verifying these reports is difficult due to limited outside access to the jail.

In 1996 the Government announced the results of its first comprehensive child labor survey conducted with the assistance of the ILO's International Program for the Elimination of Child Labor (ILO-IPEC). According to the survey, 8.3 percent (or between 3.3 and 3.6 million) of children between the ages of 5 and 14 worked. The child labor force was found to be predominantly male (73 percent) and rural (71 percent). Approximately 60 percent of child labor in the country occurred in Punjab. Some 45.8 percent of child laborers worked 35 hours or more per week and 12.6 percent worked 56 hours or more. The majority (67 percent) of child laborers worked in agriculture, forestry, hunting, and fishing industries; 11 percent in the manufacturing sector, 9 percent in wholesale and retail, and 8 percent in social and personal services. In occupational terms, craft and related trade work accounted for approximately 19 percent of child laborers, while 71 percent worked in unskilled jobs.

Only the Government and exporters regard the ILO survey as an accurate measurement of the incidence of child labor. Many observers believe that it understates the problem, and give higher estimates of as many as 20 million child laborers. A 1997 survey by the Pakistan Institute of Labor Education and Research indicated that in one-fourth of 187 Karachi households, the eldest child worker (below the age of 14) provided more than 40 percent of household income. A recent ILO survey indicated that agriculture is the largest child labor industry; followed by the informal sector, which includes domestic work, street vending, illegal work, and family businesses; hazardous work, such as the leather, surgical instruments, and brick kiln industries ranked third. The report also noted that when programs are developed to eliminate child labor in one industry, parents often shift their children to work in other industries.

A survey conducted by the Human Rights Commission of Pakistan published in June 1999 noted that there are approximately 4,000 children working in auto workshops in the Mardan district of the NWFP. The report stated that most of the children were between the ages of 3 and 8. During a press conference in February 2000, the president of the Punjab Laborers Front stated that 100,000 children between the ages of 5 and 12 years were working in more than 4,500 brick kilns in Punjab. The ILO, the Ministry of Labor, and the Federal Bureau of Statistics were scheduled to conduct a new survey during the year in more than 30,000 households; this survey is to include the agricultural sector and rural areas where the worst forms of child labor often occur. The survey is expected to be completed in 2002.

Child labor, mostly female, is common in the carpet industry, much of which is family-run. Carpet manufacturers, along with the ILO-IPEC, have established a program to eliminate child labor from the industry.

through monitoring and rehabilitation, and monitoring and rehabilitation continued throughout the year. By year's end, 285 informal education centers had been set up. Of the 9,519 children enrolled in the centers at year's end, 8,114 were active in the carpet industry and 1,405 were working siblings. During the year, 30 new rehabilitation centers, capable of serving 950 children, were added to the existing 153 rehabilitation centers. The ILO runs a program that aims to decrease child labor in the carpet industry by promoting educational opportunities for children. Its efforts have been extremely successful, and as a result, the demand for enrollment in public schools far exceeds the capacity of existing schools.

Although surgical instrument manufacturers have acted to remove child laborers from their factories, child labor still occurs at rudimentary offsite filing and polishing centers run by subcontractors for low-end items. Almost all children working in the surgical instrument industry are male. According to the ILO and the Punjab Welfare Department, children constitute about 15 percent of the work force in the surgical instrument industry in Sialkot; 3,200 of these children are estimated to be under age 14. According to a June 1999 report issued by Public Services International, the average age of children in the surgical instrument industry is 12. Children in the surgical instrument industry are prone to injuries from machinery and burns from hot metal, as well as respiratory illnesses from inhaling poisonous metal dust. The successful efforts to eliminate child labor in other industries have not been mirrored in the surgical instrument industry.

Child labor is not regarded as a particular problem in the textile and apparel industries, but no specific studies of this sector have been performed. In October 2000, Fayyaz Ahmad, a child worker in a textile mill, died as a result of injuries he sustained when his clothing became entangled in machinery.

In response to international criticism, the Government has begun to push provincial authorities to enforce child labor laws. However, enforcement of these laws remains a problem. There are few child labor inspectors in most districts, and the inspectors often have little training and insufficient resources. They reportedly also are corrupt. By law inspectors also may not inspect facilities that employ less than 10 persons; most child labor occurs in facilities smaller than this. Hundreds of convictions are obtained each year for violations of child labor laws, but low fines levied by the courts—ranging from an average of \$6 (PRs 364) in the NWFP to an average of \$110 (PRs 7,280) in Baluchistan—are not a significant deterrent. The Employment of Children Act allows for fines of up to \$275 (PRs 18,200). Penalties often are not imposed on those found to be violating child labor laws.

Soccer ball manufacturers, importers, the ILO, and UNICEF have implemented a plan to eliminate child labor from the soccer ball industry. This project, based in Sialkot, monitors the production of soccer balls at established stitching centers, and set up as many as 185 rehabilitation centers to educate former child laborers and their younger siblings. At the end of 2000, there were 153 rehabilitation centers, and an additional 70 centers were projected to be established during the next 2 years. In addition the project sought to identify unemployed adults, especially women, from the families of former child stitchers to take up stitching work and replace lost income. Women initially were reluctant to move from their homes to stitching centers. To this end, it began to establish small, home-based stitching centers in individual villages; by the end of 2000, it had set up 358 home-based centers and 146 larger centers for female stitchers. By year's end, the number of home-based centers had increased to 360, larger centers to 186, and combined centers to 64. The ILO monitors more than 1,200 stitching centers. Saga Sports, which also manufactures soccer balls, has built modern community-based facilities in 10 villages with a high percentage of family stitching operations. The facilities contain workspace for stitchers as well as dining areas, childcare centers, recreation areas, and medical clinics. Each facility also has its own water system, waste disposal system, generator for electricity, and transportation system. Meals, childcare, medical services, and use of the facilities are provided for free to workers and their families; use of non-production areas is allowed to all community members. These centers reportedly have created approximately 6,000 jobs, 400 to 500 of which are held by women. During 2000 Saga Sports became the first industry in Sialkot to permit freedom of association. By the end of 2000, more than 6,000 children had been removed from employment in the soccer ball industry. In February the International Labor Organization, which monitors more than 90 percent of export production, reported that it had found no evidence of children working in any of the registered stitching centers, and that it found no unregistered centers. Despite the success of these programs, exporters of soccer balls from Sialkot state that implementing child labor reforms has increased their production costs, making their products less competitive in the world market.

Under a memorandum of understanding with the Government, the ILO/IPEC program in the country is involved with other child labor projects. Projects in Sialkot include one in the surgical instruments industry and one in the nonformal (nonexporting) sectors. The ILO works with the Government, employers, workers, and NGO's to pursue the Government's policy and plan of action for child labor. The Government established 30 rehabilitation centers (50 are planned) for former child laborers through the Pakistan Bait-ul-Mal, the Government's social welfare fund. Each center educates 120 children. The ILO created a similar program in conjunction with the European Union, specifically targeting child bonded laborers, and during the year the Government took charge of 18 centers begun by the European Union. In 1998 the ILO and the Swiss Agency for Development and Cooperation (SDC) launched a large project to combat child labor and child abuse in the NWFP. This program, which targets children in the automobile repair sector, aims to provide children with vocational training and informal education. During the year, this project was extended through 2005. It has targeted assistance to 720 children; so far, it has provided informal education to 160 children and pre-vocational training to 393 others.

The Child Care Foundation of Pakistan, a national NGO, was established in 1996 with support from the Ministry of Commerce. Other NGO's, such as the Pakistan Bait-ul-Mal, conduct programs to end child labor. Bait-ul-Mal, with funding from the Government and international organizations, operates 33 education centers for children known collectively as the National Center for the Rehabilitation of Child Labor. Parents of working children are offered compensation of \$5 per month (PRs 300), plus a small daily stipend of about \$0.08 (PRs 5) in exchange for sending their children to school. Children in the centers receive free schooling, uniforms, books, and meals. However, many children apparently do not remain there for more than a year; the schools often are in areas far from their clients. The Bunyad Literacy Community Council and Sudhaar also run schools focusing on children who work in the soccer ball and carpet industries; their programs aim to transition children out of working and into mainstream schooling. Other local NGO's, such as the Society for the Protection of the Rights of the Child, are working to eliminate child labor.

On August 15, the Government ratified ILO Convention 182 on the worst forms of child labor.

The law prohibits forced and bonded child labor; however forced child labor is a problem (see Section 6.c.).

While the Government does not recruit children to serve in the armed forces, nongovernmental groups such as the Tehrik-e-Nifaze-e-Shariat-Muhammadi have recruited teenagers to fight alongside the Taliban in Afghanistan.

e. Acceptable Conditions of Work

Federal statutes applicable throughout the country govern labor regulations. The minimum wage for unskilled workers is \$30 (PRs 1,976) per month, with only slightly higher minimum rates for skilled workers. It applies only to industrial and commercial establishments employing 50 or more workers and not to agricultural or other workers in the informal sectors. The minimum wage usually does not provide a decent standard of living for a worker and family.

Federal law provides for a maximum workweek of 48 hours (54 hours for seasonal factories) with rest periods during the workday and paid annual holidays. These regulations do not apply to agricultural workers, workers in factories with fewer than 10 employees, and contractors. Large numbers of workers do not enjoy these benefits. Many workers are unaware of their rights because of their lack of education.

Additional benefits required by the Federal Labor Code include official government holidays, overtime pay, annual and sick leave, health and safety standards in the workplace, health care, education for workers' children, social security, old age benefits, and a worker's welfare fund. Employees earning more than \$47 (PRs 3,120) per month do not receive these benefits.

The provinces have been ineffective in enforcing labor regulations because of limited resources, corruption, and inadequate regulatory structures. In general health and safety standards are poor. Although organized labor presses for improvements, the Government has done little and its efforts to enforce existing legal protection are weak. There is a serious lack of adherence to mine safety and health protocols. For example, mines often only have one opening for entry, egress, and ventilation. Workers cannot remove themselves from dangerous working conditions without risking loss of employment.

On April 30, the Government announced a labor reforms package. The package includes the introduction of voluntary group insurance, expansion of existing low-cost housing projects, an increase in monetary compensation for death or disability, and an increase in old age pensions. Government officials stated that progress in implementing the reform package was made by year's end. Labor leaders continued to criticize the reform package as too limited in scope.

f. Trafficking in Persons

There are no specific domestic legal provisions dealing with trafficking in persons, although the suspended Constitution and various laws deal with certain elements of trafficking; trafficking in persons, especially in women, is a serious problem. The law prohibits the trafficking of women under age 21 into the country for sexual purposes and kidnapping, and the suspended Constitution prohibits slavery and forced labor. Trafficking in women is protected by powerful criminal interests and operates relatively openly. The Government has done little to stem the flow of women trafficked into the country or to help victims of trafficking. For example, despite the estimated thousands of women involved, only 88 cases were registered in Sindh between 1990 and 1999. Of the 260 men and 110 women arrested, 87 were charged and only 7 were sentenced. The Government does not provide direct assistance to victims but does provide legal assistance and funding for NGO's that assist victims.

Pakistan is a source, transit, and destination country for trafficking in women and children for sexual exploitation, but more significantly, for use as bonded labor. Thousands of women are trafficked into the country every year, mainly from Bangladesh. Smaller numbers of Burmese, Sri Lankan, Indian, Afghan, and

Central Asian women also are trafficked into the country and some Pakistani women are trafficked overseas, mainly to Afghanistan or Saudi Arabia to work as prostitutes or domestic workers. East Asian and Bangladeshi women are trafficked through the country en route to other destinations. Trafficking in women has occurred for decades; there likely are several hundred thousand trafficked women in the country. A Karachi-based NGO estimates that 100 to 150 women who are trafficked into the country each day from Bangladesh are sold for domestic labor throughout the country and for prostitution in Karachi; other estimates state that approximately 50 women are trafficked into the country per day. Press reports indicate that the buying and selling of brides persists in parts of the NWFP and Punjab.

Trafficking victims usually are deceived with false prospects of marriage or offers of legitimate jobs in the country. Traffickers also use force, abduction, threats, and coercion to entice and control trafficking victims. Traffickers generally are affiliated with powerful criminal interests. There have been some reports of lower level official complicity and corruption with regard to trafficking. The border police, immigration officers, customs officials, police, and other officials (including members of the judiciary), reportedly sometimes facilitate trafficking in return for bribes.

Trafficking victims do not have legal residency and, if found by the authorities, are detained, arrested, and prosecuted for violation of immigration laws or of the Hudood ordinances. The Hudood ordinances criminalize extramarital sexual relations and place a burden on female rape victims because testimony of female victims and witnesses carry no legal weight. If a woman brings charges of rape to court and the case cannot be proved, the court automatically takes the rape victim's allegations as a confession of her own complicity and acknowledgment of consensual adultery (see Section 5). These laws discourage trafficking victims from bringing forward charges. Without money to pay for bail, trafficking victims often are bailed out by their pimps, who require them to return to prostitution. Small numbers of escaped victims of trafficking end up in shelters run by NGO's that assist trafficking victims, but most do not because there are few such shelters available. Many women who are not bailed out are not repatriated. Since most Bangladeshi women arrive without documentation, the Bangladesh High Commission will not take responsibility for them, and they remain confined to women's shelters. Some have been repatriated at the expense of individuals who discover them and pay for their return home. The Commission of Inquiry for Women drew attention to the problem of "enforced prostitution and trafficking in women," noting that women are the victims of exploitation by police and pimps, and should be treated with compassion. One NGO, Lawyers for Human Rights and Legal Aid (LHRLA), has reported extensively on trafficking and has provided documentation of the problem; several other NGO's occasionally work on the issue. Lawyers for Human Rights and Legal Aid and the Society for Human Rights and Prisoner's Aid run specific programs to assist trafficking victims, and a few other local NGO's also assist trafficking victims on a smaller scale.

Prices for trafficked women start at approximately \$550 (PRs 30,000) but can go as high as approximately \$5,000 (PRs 260,000). Physical beauty and educational level are major factors in determining prices. Some women sold in shops in Karachi reportedly are sent to Persian Gulf countries, where they are slaves; women sent to rural Pakistan reportedly are de facto slaves. Buyers in such shops reportedly purchase women for purposes of labor or sex; some are married to their buyers.

Young boys are trafficked to the Persian Gulf to work as camel jockeys; reports estimate that there are between several hundred and a few thousand boys between the ages of 3 and 10 working as camel jockeys, mostly in the United Arab Emirates (UAE). Most are from Punjab or Sindh. There are approximately 1,000 such children in Qatar, and there are reports of such children in Saudi Arabia. Dera Ghazi Khan in Punjab is a center for trafficking in children, and is a major source of children trafficked as camel jockeys. The majority of these boys are sent to the Gulf countries by their parents, landless agricultural workers who receive either a monthly sum of money or a lump sum for their child's labor. Parents occasionally also accompany their children to the Persian Gulf. However, a significant minority of these children are abducted by traffickers in the country and sent abroad without the knowledge of their parents. The boys generally are sent to the Gulf countries under the passports of women posing as their mothers. The conditions such children live under often are poor, and many children reportedly are injured or maimed while racing camels. The children reportedly do not receive proper medical care or schooling, and deliberately are underfed to keep them as light as possible. When they become too old to race, they are sent back to the country and left to fend for themselves. In February 2000, the district administration in Multan approached the Pakistan Ambassador to the UAE for the return of two children reportedly sold to a UAE citizen for approximately \$400 (PRs 20,000) each, and the federal investigation agency filed charges against four residents of Multan who were involved in the deal. As of year's end, there was no report on the return of the boys. Within the country, children sometimes are kidnaped to be used as forced labor, for ransom, or to seek revenge against an enemy (see Section 6.c.). In rural areas, it is a traditional practice for poor parents to give children to rich landlords in exchange for money or land, according to human rights advocates. These children frequently are abused by these landlords and held as bonded laborers for life.

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