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While some legislative progress was made, freedom of expression and dissent continued to be restricted through new laws and harsher punishments. Police used excessive force against protesters. Accountability for enforced disappearances remained elusive, despite the government taking some steps to criminalize the practice. A series of highly publicized cases highlighted the ongoing problem of violence against women. Thousands of people were made homeless following forced evictions.

Background

The Senate unanimously passed the Prevention of Torture and Custodial Death Bill, an overdue but encouraging step for the campaign to criminalize torture. The Supreme Court banned the death penalty for prisoners with mental health disabilities.

There remained a strong emphasis on tackling climate change, with Pakistan hosting the 2021 virtual World Environment Day. Prime Minister Khan continued to prioritize climate change mitigation both domestically and in foreign policy, and the development of a National Adaptation Plan was announced. Other existing adaptation and mitigation measures continued, including a mass tree planting drive, protection of wetlands, expanding mangrove forest cover, an electric vehicle policy and a “green Eurobond” to finance dam construction. However, the country’s most climate-vulnerable populations did not seem to benefit from these measures, and assistance to cope with extreme weather remained elusive. Pakistan fulfilled its commitment to submit its updated and enhanced National Determined Contributions ahead of the 26th Conference of the Parties (COP26), stating the intention to cut Pakistan’s carbon emissions by 50% by 2030. While a welcome development, no civil society groups were consulted in the decision-making process.

The unfolding crisis in neighbouring Afghanistan brought new security implications for Pakistan, with the rise of Taliban-affiliated armed groups in Pakistan. Pakistan closed its borders to Afghans travelling without documents following an influx of refugees.

Freedom of expression

Restrictions on the right to freedom of expression intensified, with journalists and human rights defenders coming under increased scrutiny.

Retired Professor Muhammad Ismail was detained in February, following the cancellation of his bail. He was targeted by the authorities in connection with his daughter’s human rights advocacy. Despite his ill health, hearings to grant him bail were repeatedly delayed until he was released in April.

Journalist Absar Alam was shot and injured outside his home in April. Although the government was quick to denounce the attack, the investigation remained ongoing at the end of the year.

In May, three men, at least one of whom was armed, broke into the home of journalist Asad Toor and physically attacked him. Days after the attack, he was summoned for questioning by the Federal Investigation Agency for “defaming” Pakistan. Journalist Hamid Mir was taken off the air by his broadcaster – allegedly because of pressure from the state – after he called for accountability for Asad Toor’s attack. The Minister of Information, Fawad Chaudhry, tweeted that the government had nothing to do with the decision.

In September, the Pakistan Media Development Authority Ordinance was proposed, which effectively enabled press censorship by bringing all media under one regulator, granting the government unchecked powers to punish journalists through steep fines, special “media tribunals” and appointing government officials to key positions. Petitions were filed in the Islamabad High Court against the draconian Removal and Blocking of Unlawful Online Content (Procedure, Oversight and Safeguards) Rules – legislation which would censor online content. Consultations with civil society did not lead to meaningful changes and the rules were enacted. Social media app TikTok was blocked by the Pakistan Telecommunication Authority three times during the year after the High Courts of Peshawar and Sindh imposed bans for “vulgarity”.

Freedom of religion and belief

Blasphemy cases continued to be registered against the beleaguered Ahmadi Muslim community in Pakistan, putting them at risk of danger or even the death penalty. At least 10 places of worship for Ahmadi Muslims were desecrated – often by the police or with their acquiescence. In January, the Pakistan Telecommunications Authority banned access to the US-based website trueislam.com, which documents the activities of the Ahmadi community in the USA – part of a broader pattern of discrimination and state overreach, which has included issuing notices to Google and Wikipedia to remove “sacrilegious content”. There were sporadic reports of Ahmadi graves being desecrated. In June, a group of men prevented the burial of an Ahmadi woman in a local graveyard in the city of Sheikhpura.

In May, a crowd of people violently attacked a police station in the capital, Islamabad, in an attempt to lynch a man accused of blasphemy, who was already in police custody. An eight-year-old Hindu boy was charged with blasphemy in August for urinating in a Madrassah library, where religious texts were stored. Following the charge, locals attacked and destroyed a Hindu temple in the same area. The child was detained for a week before charges against him were dropped. Authorities restored the temple within a week. A video of a man bullying a boy from the Hindu community went viral in July, which led to a swift intervention from President Alvi, leading to the arrest of the suspected perpetrator.

After several delays, the Lahore High Court acquitted Christian couple Shagufta Kausar and Shafqat Emmanuel in June. The couple had been on death row for seven years on false blasphemy charges. Their acquittal followed nationwide protests held by religious political group Tehreek-e-Labaik Pakistan (TLP); a continuation of demonstrations that began in November 2020. Authorities arrested the TLP leader, Saad Rizvi, and the ensuing violence resulted in the deaths of four police officers and hundreds injured, and led to the group being banned. On 18 April, the TLP took six police officers hostage in Lahore to pressure the government into releasing Saad Rizvi.

There were continued reports of forced conversions to Islam of young Hindu and Christian girls. The Ministry of Human Rights drafted an Anti-Forced Conversion Bill, but this was rejected by a parliamentary body in October.

Freedom of assembly

Protests were violently dispersed. In January, students protesting in-person exams during the Covid-19 pandemic were met with excessive force and five of the leaders were held incommunicado for five days. In March, Aurat March, the country’s largest women’s movement, faced hostility and threats from various actors, including private citizens, journalists, political parties and an armed group, who opposed Aurat March’s work defending women’s rights. Following the movement’s fourth annual International Women’s Day march, videos of the event were doctored by non-state actors to levy blasphemy allegations against the organizers and participants. This resulted in threatening letters being sent to Aurat March from armed groups. In August, Aurat March’s chapter in the city of Faisalabad was barred by the authorities from holding a protest calling for justice for the murder of Noor Mukkadam (see below), citing Covid-19 restrictions.

Excessive use of force

Law enforcement agencies cracked down on demonstrations by the Pashtun Tahaffuz Movement, which campaigns against the racial profiling, discrimination and extrajudicial executions of Pashtuns. In April, scores of protesters were injured and at least one killed in the town of Janikhel.

In August, police used excessive force against health workers and students protesting a new qualification exam in Lahore. At least 20 of the participants were injured. During the protests, an unidentified spray was deployed by the police, which acted as a skin irritant and caused respiratory and vision difficulties.

Sexual and gender-based violence

A series of cases of sexual and gender-based violence were reported, underscoring the lack of protection for women and igniting renewed calls for redress, accountability and reform. In June, months after the assault took place, a video surfaced of business owner Usman Mirza harassing a woman and her partner, threatening her with gang rape if she did not have intercourse in front of him. He was arrested and charged, along with his six accomplices.

In July, Quratul Ain was murdered by her husband in front of her four children in the city of Hyderabad. A week later, Zahir Jaffer was arrested for the murder of Noor Mukkadam, whom he had held hostage at his home for more than 36 hours. Forensic investigations found that he had tortured, raped and shot Noor Mukkadam before beheading her. Countrywide protests called for accountability, which remained elusive particularly for wealthy perpetrators and those with political connections.

The lack of accountability was exemplified by the shortening of the prison sentence for Shah Hussain from five years to three years and six months. He had been imprisoned for stabbing Khadija Siddiqui in the neck 23 times in 2016 after she rejected his advances.

In February, a transgender woman, Paras, began receiving threatening messages from a man she had rejected, and later from his friends as videos of her began to be shared widely. The man forced her to record a video of herself asking for his forgiveness at his feet. The Human Rights Commission of Pakistan drew attention to her case, prompting the accused to be arrested for criminal intimidation. He was released on bail; no trial had been scheduled by the end of the year.

In April, parliament passed the Domestic Violence (Prevention and Protection) Bill 2021. However, in July, an adviser to the Prime Minister, Babar Awan, asked for the bill to be reviewed by the Council of Islamic Ideology – an advisory body – to allay the concerns of conservative parties about the law being misaligned with Pakistan’s “social values”. The government denied any official request had been made, and any feedback provided by the Council was not made public. The draft legislation was referred back to parliament, after the review of the Senate Standing Committee on Human Rights, where it remained pending.

Enforced disappearances

Thirteen families seeking information on their loved ones’ whereabouts were met by the Minister of Human Rights in April, followed by a meeting with Prime Minister Khan, who publicly assured them that information would be provided. In July, the Prime Minister also met with Amina Masood Janjua, a long-time campaigner against enforced disappearances. Days later, two formerly disappeared men were freed, including Hasan Qambrani whose release came one year after his abduction by intelligence agencies.

In June, a bill proposing amendments to the Pakistan Criminal Penal Code to criminalize enforced disappearances was presented before parliament by the Ministry of Human Rights. It was sent to the Standing Committee on Interior in the National Assembly, which sent problematic feedback distinguishing between a “legal” and “unlawful” disappearance. The most recent amendment bill did not meet the minimum requirements of international law. Civil society groups reported that they had not been consulted on the proposed bill. Just weeks after the bill was presented, political activist Seengar Noonari was abducted by law enforcement agencies for protesting against alleged illegal land grabs. He was released without charge and returned to his family after a five-week disappearance.

Younis Anwar, general secretary of the Gwadar Fisherfolk Alliance, was abducted allegedly by security agencies in August, days before protests were held in Islamabad by families of victims of enforced disappearance.

In December, there were unconfirmed reports of Idris Khattak being declared guilty of espionage after a secret trial by a military court. He had been abducted by state authorities in November 2019 and remained imprisoned in Adiala Jail, Rawalpindi. His family had no information about the status of his case or sentencing.

Also in December, Prime Minister Khan met with the family of missing journalist Mudassar Naru after a vigorous online campaign, and ordered a “complete report” of his whereabouts.

Forced evictions

Thousands were left homeless in the city of Karachi after houses in the Gujjar Nala neighbourhood were razed by the Karachi Metropolitan Corporation. The state offered no resettlement plan nor compensation, and media reports estimated that the forced evictions put 21,000 children out of school. The Supreme Court rejected a petition from activists calling on it to stop the demolitions. There were also reports of some anti-demolition organizers being abducted or arrested.

Workers’ rights

The Senate Standing Committee on Human Rights unanimously approved the Islamabad Capital Territory Domestic Workers Bill 2021, which ensures protection and welfare, including set working hours, entitlement to leave and a minimum wage for domestic staff. The sector was previously almost entirely unregulated, leaving domestic workers with little to no protection against abuse.

Right to health

Covid-19 remained a serious concern in Pakistan’s overcrowded prisons. The provincial government of Sindh released 64 prisoners as a preventative measure, but appeared to be the only province to do so. Prison authorities in Punjab and Khyber Pakhtunkhwa stopped reporting infection numbers in prisons.

Pakistan’s Covid-19 vaccine uptake was bolstered by penalties for the unvaccinated in August, including blocked cell phone service, and barred access to most public spaces and public transport. Access to vaccines was subject to vaccine availability which, owing to donations from China and the COVAX initiative, remained steady. Vaccines were reportedly administered to prisoners as a priority group.

Refugees’ and migrants’ rights

After the fall of the Afghan capital, Kabul, in August, thousands of Afghan people fled to Pakistan to escape the newly-installed Taliban regime. More than 2,400 people were illegally deported back to Afghanistan, according to media reports, although the authorities did grant some visas to legally exit the country. Authorities cited a lack of additional capacity in existing refugee camps, and Pakistan’s national security adviser stated at a press conference that “Pakistan is in no condition to accept any more refugees”.

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