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Amnesty International Report 2017/18 - The State of the World's Human Rights - Pakistan

The crackdown on freedom of expression intensified. The Prevention of Electronic Crimes Act, 2016 was used to intimidate, harass and arbitrarily detain human rights defenders for online comments. Enforced disappearances were widespread; impunity was prevalent. Blasphemy-related violence claimed the life of a student, triggering rare condemnation from the government. Large demonstrations took place in support of blasphemy laws, which were used to convict people expressing opinions online. Journalists were attacked by unidentified assailants. Minorities continued to face discrimination in the enjoyment of economic and social rights. Attempts to restrict child marriage were blocked by Parliament. Killings of women continued in so-called “honour” crimes, despite the 2016 law criminalizing the practice.

BACKGROUND

The Supreme Court disqualified Prime Minister Nawaz Sharif from office in July for failing to disclose a source of foreign income. Following his resignation, the government's authority progressively weakened as members of the Sharif family and ministers in the government became the subject of fresh corruption probes. The Minister for Law and Justice resigned in November after weeks of protests in which he was accused of blasphemy. The military took an increasing lead on foreign policy, national security and daily governance ahead of elections due by August 2018.

Tensions endured between India and Pakistan against the backdrop of firing from both sides across the Line of Control that divides the disputed territory of Kashmir. Relations with Afghanistan deteriorated as the two countries accused each other of using their territory as a launching pad for armed attacks. Under its new South Asia policy, the USA singled out Pakistan as a source of instability in Afghanistan, raising the prospect of a rupture in relations. Turning away from the West, Pakistan drew closer to China with the expansion of the China-Pakistan Economic Corridor, a multi-billion dollar infrastructure project.

Pakistan was elected to the UN Human Rights Council in October. Pakistan's human rights record was examined by UN bodies during the year: the Committee on Economic, Social and Cultural Rights, the Human Rights Committee and under the UPR process.

Freedom of expression

Attacks on freedom of expression continued, particularly against those posting comments online. In January, five bloggers who made anonymous online comments said to be critical of the military were subject to enforced disappearances. Four of the bloggers were later released; two of them later said they had been tortured while in military intelligence custody; the fifth remained disappeared. The draconian Prevention of Electronic Crimes Act of 2016 was used to carry out a number of arrests throughout the year including, in June, the arrest of journalist Zafarullah Achakzai, a reporter for the newspaper Daily Qudrat. Over subsequent weeks, supporters of different political parties were arrested for social media posts critical of the authorities. No action was taken against social media accounts belonging to armed groups that incited discrimination and violence.

People were prosecuted after being accused, particularly over social media, for alleged breaches of vague and broad blasphemy laws, which criminalized peaceful expression if deemed to offend religious sensibilities. In June, Taimoor Raza was sentenced to death by an anti-terrorism court in Punjab, southern province, for allegedly blasphemous posts on Facebook. In September, Nadeem James, a Christian, was sentenced to death by a court in Gujrat city for sharing a “blasphemous” poem over WhatsApp.

Accusations of committing blasphemy triggered the execution-style killing of Mashal Khan, a university student, in Mardan city. In April, a mob of students stormed his hostel, stripped him naked and beat him repeatedly before shooting him. Then Prime Minister Nawaz Sharif vowed to take action against those who “misuse” the blasphemy laws. Six days later, a “faith healer” accused of blasphemy was similarly killed by three attackers inside his home in Sialkot city. Two days after that, a mob in Chitral city attacked a man accused of blasphemy, injuring police officers trying to protect him. In May, a 10-year-old boy was killed and five others were injured as a mob in Hub town in Balochistan tried to attack Prakash Kumar, a Hindu, for allegedly posting an offensive image online.

Senior government officials exacerbated tensions around blasphemy-related offences. In March, then Interior Minister Nisar Ali Khan deemed so-called blasphemers “enemies of humanity”. In February and March, the Islamabad High Court ordered the removal of allegedly blasphemous content online and directed the government to initiate proceedings against people responsible for uploading them.

Human rights defenders

Bloggers, journalists, lawyers, activists and other human rights defenders faced harassment, intimidation, threats, violence and enforced disappearance. The five bloggers who were forcibly disappeared and activists who campaigned for their release were subject to a smear campaign accusing them of being “blasphemers”, “anti-

Pakistan”, “anti-Army” and “anti-Islam”. Human rights defenders criticized on television and on social media faced death threats, forcing some to self-censor and to seek protection for their physical safety.

In May, Rana Tanveer, a journalist covering abuses against religious minorities, found death threats sprayed on his home in Lahore city. A few weeks later, he was knocked off his motorbike and severely injured after a car deliberately crashed into him. In September, Matiullah Jan, a journalist who had regularly been critical of the military's interference in politics, was attacked by men on motorbikes who hurled a large piece of concrete at the car in which he was travelling with his children, shattering the windscreen. In October, Ahmad Noorani, an outspoken political journalist, was attacked by men on motorbikes who stopped his car and beat him, including with iron rods. At the end of the year no one was known to have been held accountable for any of these attacks.

Defenders continued to be subjected to enforced disappearances, but some also reappeared. Raza Khan, a Lahore-based peace activist, was subjected to an enforced disappearance in December. Punhal Sario, a campaigner against enforced disappearances in Sindh province, went missing in August. He returned home in October. Zeenat Shahzadi, the first female journalist to be forcibly disappeared, was found near the Afghanistan border in October, 26 months after she went missing in Lahore. She disappeared again in November; her whereabouts remained unknown at the end of the year. In October and November, dozens of Sindhi and Baloch defenders were subjected to enforced disappearances by Pakistani security forces. Some returned to their homes days later, but others remained missing at the end of the year.

Space for civil society continued to shrink as the Interior Ministry used broad powers to undermine the ability of human rights defenders and NGOs to work independently. In November, the Ministry of the Interior ordered 29 international NGOs to halt their operations and leave the country within days.

Economic, social and cultural rights

Around 58% of households were food insecure, according to the National Nutrition Survey, and an estimated 44% of children remained underdeveloped or short for their age. The percentage was significantly higher in Federally Administered Tribal Areas and Balochistan.

The government failed to take action against those who held people in bonded labour in rural areas. The 1992 Bonded Labour Abolition Act was still not adequately enforced; reasons included a lack of clarity regarding the law on the part of lower court judges and lack of action by police when complaints were filed.

In its 2017 review, the UN Committee on Economic, Social and Cultural Rights noted that more than 73% of workers, a majority of them women, were in the informal economy with no labour or social protection. The Committee called on Pakistan to address the gender pay gap, which rose from 34% in 2008 to 39% in 2015. The Committee also noted an urgent need to increase spending in the social sector, especially for health and education. It further stated that adequate steps must be taken to reduce the gap between girls and boys in enrolment for education.

Rights of lesbian, gay, bisexual, transgender and intersex people

In an historic advance for LGBTI rights, the government recognized those who wished to register as a “third gender” on national identity cards. Transgender people were recognized for the first time in the national census, on the orders of the Lahore High Court.

Despite this symbolic victory, transgender people continued to suffer harassment and violent attacks. In August, a 25-year-old transgender woman called Chanda was shot dead in Karachi. In September, five men broke into a house rented by a group of transgender women in Karachi city and subjected them to sexual violence, including the gang rape of two of the women.

Women’s rights

Key legislation to protect women’s rights failed to be passed and existing legislation was not enforced. The draft Sindh Criminal Law (Protection of Minorities) that criminalized forced conversions of women from religious minority groups remained unratified. A bill that would have equalized the age of consent to marriage for men and women by raising the minimum age of marriage for girls from 16 to 18 was blocked by the upper house of Parliament.

Violence against women and girls

Violence continued against women and girls, including killings by relatives committed in the name of so-called “honour”. In Khyber Pakhtunkhwa northwest province, 94 women were murdered by close family members. In several cases, there was a failure to conduct investigations and hold the perpetrators accountable.

Parallel and informal justice systems continued to undermine the rule of law and to issue unjust “verdicts” that punished women and girls. In July, a village council in Multan district ordered and carried out the rape of a teenage girl in “revenge” for a crime allegedly committed by her brother. In August, the bodies of a teenage couple in Karachi were exhumed to reveal evidence of electric shocks. The couple had been sentenced to death by a jirga (tribal council). In September, a man in Peshawar city killed his two daughters because he suspected they had boyfriends.

The 2016 law, which brought the penalties for so-called “honour” crimes in line with murder, proved ineffective. The law, which provides for the death penalty, allows the judge to decide whether the crime was “honour-based”. In some cases in 2017, the accused successfully claimed another motive and was pardoned by the victim’s family under qisas and diyat laws, which allow for “blood money” and forgiveness instead of punishment.

Refugees and asylum-seekers

The expulsion of Afghan refugees continued, albeit at a far slower rate. According to UNHCR, the UN refugee agency, 59,020 registered Afghan refugees were involuntarily returned to Afghanistan, compared to more than 380,000 in 2016 (the mass deportations triggered by escalating tensions between the Pakistani and Afghan governments). More than 2 million Afghans remained at risk of being forcibly returned as their legal residency status was due to expire at the end of the year.

Police and security forces

The mandate of military courts to try civilian “terrorism” suspects was extended for a further two years. Reports continued that security forces were involved in human rights violations, including torture and other ill-treatment, arbitrary detention, extrajudicial executions and enforced disappearances. Impunity remained in the absence of independent, impartial mechanisms to investigate and bring perpetrators to justice. While the number of attacks by armed groups fell in 2017, scores of people died in bombings that targeted the security forces, religious minorities and others.

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Austrian Red Cross

Austrian Centre for Country of Origin and Asylum Research
and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

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