

# PAKISTAN 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Pakistan is a federal republic. In May 2013 the Pakistan Muslim League-Nawaz (PML-N) party won a majority of seats in parliamentary elections, and Nawaz Sharif became prime minister for the third time. While judged to be mostly free and fair, some independent observers and political parties raised concerns about election irregularities. Asif Ali Zardari completed his five-year term as president in September 2013 and was succeeded by Mamnoon Hussain (PML-N). Orderly transitions in the military (chief of army staff) and the judiciary (Supreme Court chief justice) solidified the democratic transition. The military and intelligence services nominally reported to civilian authorities. Police generally reported to civilian authority.

The most serious human rights problems were extrajudicial and targeted killings, disappearances, torture, lack of rule of law (including lack of due process, poor implementation and enforcement of laws, and frequent mob violence and vigilante justice), and sectarian violence.

Other human rights problems included poor prison conditions, arbitrary detention, lengthy pretrial detention, a weak criminal justice system, lack of judicial independence in the lower courts, and infringement on citizens' privacy rights. Harassment of journalists continued, with high-profile attacks against journalists and media organizations. There were government restrictions on freedom of assembly and limits on freedom of movement. Government practices and certain laws limited freedom of religion, particularly for religious minorities.

Sectarian violence and discrimination against religious minorities continued. Corruption within the government and police, as well as rape, domestic violence, sexual harassment, honor crimes, other harmful traditional practices, and discrimination against women and girls remained serious problems. Child abuse and commercial sexual exploitation of children persisted. Child labor remained pervasive. Widespread human trafficking, including forced and bonded labor, continued. Societal discrimination against national, ethnic, and racial minorities persisted, as did discrimination based on caste, sexual orientation, gender identity, and HIV status. Respect for worker rights was minimal.

Lack of government accountability remained a problem, and abuses often went unpunished, fostering a culture of impunity. Authorities seldom punished government officials for human rights violations.

Violence, abuse, and social and religious intolerance by militant organizations and other nongovernmental actors contributed to a culture of lawlessness in some parts of the country, particularly in the provinces of Balochistan, Sindh, Khyber Pakhtunkhwa (KP, formerly known as the North West Frontier Province), and the Federally Administered Tribal Areas (FATA).

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary or Unlawful Deprivation of Life**

There were many reports authorities committed arbitrary or unlawful killings. Security forces reportedly committed extrajudicial killings in connection with conflicts in Balochistan, FATA, and KP (see section 1.g.).

Physical abuse while in official custody allegedly caused some deaths of persons accused of crimes. The nongovernmental organization (NGO) Society for Human Rights and Prisoners' Aid (SHARP) reported more than 400 civilian deaths after encounters with police, compared with 300 in 2013. SHARP researchers claimed most deaths took place in the provinces of Sindh and Balochistan and noted a decrease in killings in Punjab compared with previous years. Lengthy trial delays and failure to discipline and prosecute those responsible for killings contributed to a culture of impunity.

There were reports of alleged kidnapping and killing of individuals in Sindh. According to a July 5 newspaper report in *The Express Tribune*, July 4 bomb blasts killed three Jeay Sindh Muttahida Mahaz (JSMM) activists in Karachi. JSMM's leadership accused police of carrying out the attack against the activists.

Alleged politically motivated killings of Baloch nationalists continued in Balochistan and Karachi. For example, the Voice of Baloch Missing Persons (VBMP) in September compiled a list of 3,556 Baloch activists it claimed were abducted or killed since 2005. The VBMP claimed the army or security agencies killed 471 of these persons while holding them in custody.

The South Asia Terrorism Portal (SATP) reported that journalists, teachers, students, and human rights defenders also were targeted in Balochistan. According

to the SATP, at least 325 civilians were killed in Balochistan during the year, a decrease compared with 718 the previous year. According to a November report from the Balochistan Home Ministry, terrorist attacks killed 213 civilians and injured another 512 in the province, as of September.

There were reports of politically motivated killings by political factions or unknown assailants in Sindh. On March 21, *The Nation* newspaper reported that Maqsood Khan Qureshi, a senior leader of Jeay Sindh Quawi Mahaz (JSQM), was attacked and burned alive in his car in Naushahro Feroze, Sindh. According to a June 3 press release by the Human Rights Commission of Pakistan (HRCP), on May 29, armed men abducted Munir Cholyani, a JSMM activist, near Amri, Sindh. Authorities found his body later that night. According to the HRCP, a total of 2,034 persons were killed in Karachi during the first eight months of the year, including 181 victims of sectarian violence.

The provincial government and political parties in Sindh and Punjab remained targets of attack. There was a significant increase in attacks on the Awami National Party (ANP), Muttahida Quami Movement (MQM), Pakistan People's Party, and government office holders. On February 28, four unknown assailants shot two senior MQM workers as they departed from a mosque in Karachi after Friday afternoon prayers. Following the incident, MQM protesters staged a demonstration to criticize law enforcement's failure to prevent such attacks.

Targeted killings of political leaders continued in KP. On January 12, ANP leader Mian Mushtaq was shot and killed as he was traveling to Peshawar. On January 13, PML-N leader Amir Muqam survived an attack in Peshawar's Shangla District, but an improvised explosive device killed five members of Muqam's security detail. Prime Minister Sharif criticized the attack and directed the interior minister to bring the assailants to justice.

On July 11, Islamabad's Anti-terrorism Court ordered the continued detention of Tehreek-e-Taliban Pakistan (TTP) militant Hammad Adil. Adil allegedly confessed after his arrest in August 2013 to the 2011 killing of then federal minister of minority affairs Shahbaz Bhatti.

Militants and terrorist groups killed hundreds and injured thousands with bombs, suicide attacks, and other violence (see section 1.g.).

## **b. Disappearance**

There were reported kidnappings and forced disappearances of persons from various backgrounds in nearly all areas of the country. Some police and security forces reportedly held prisoners incommunicado and refused to disclose their location. Human rights organizations reported many Sindhi and Baloch nationalists as among the missing, and there were reports of disappearances in connection with ongoing conflicts in FATA and KP.

Nationalist political parties in Sindh, including the JSMM and JSQM, reported disappearances and claimed some of their members were in the custody of intelligence agencies. On July 7, Javed Noor Memon, a senior JSMM leader, returned home after seven months in captivity. He reported being abducted by men in plain clothes in November 2013 and tortured during his detention. According to the family of JSMM student activist Asif Ali Panhwar, on August 15, uniformed police and men in plain clothes arrested Panhwar in Hyderabad, Sindh. On September 22, JSMM told reporters law enforcement agencies abducted one of its leaders, Irfan Lakher, from Jamshoro, Sindh. The Asian Human Rights Commission (AHRC) alleged state security agencies arrested more than 100 nationalists from Sindh and placed them in extrajudicial detention, without formally charging them with a crime.

A July 23 article in *The Express Tribune* newspaper reported 64 missing persons cases pending before the Supreme Court. The Commission of Inquiry on Enforced Disappearances headed by Supreme Court Justice Javed Iqbal and retired law enforcement official Muhammad Sharif Virt received 1,944 missing persons cases between January 1, 2011, and June 30, 2014. The commission reviewed 744 cases, while the rest remained open.

In KP's Peshawar High Court, more than 400 habeas corpus petitions from the families of missing persons remained pending, and the court regularly conducted hearings on these cases. In December 2013 the Supreme Court disposed of a petition of 35 missing persons who disappeared from the Malakand Internment Center in KP after the courts dismissed their cases. The government explained that two of the inmates died in custody and only presented seven inmates before the Supreme Court. The court ordered the release of the remaining detainees and declared such detentions illegal. On March 19, the three-judge bench, headed by Justice Jawad Khwaja, threatened both Prime Minister Nawaz Sharif and the KP governor with a contempt of court notice if there was no progress on the cases. On March 21, Attorney General Salman Butt informed the court that the government had established a commission to determine the whereabouts of the missing detainees. The authorities had not presented the missing persons by year's end.

Beginning in 2012 the Peshawar High Court took action on its own regarding the recovery of bodies packed in sacks, i.e., “body bag” cases, which the court determined in 2013 to be “extrajudicial killings.” There were new reports of body bag cases during the year. Media reported April 29 that police discovered the bodies of two young men in body bags in the Regi Area of Peshawar. Police confirmed the victims were tortured before they were killed and stuffed into the bags. On May 13, police recovered the bodies of a man and woman dumped in a drainage ditch in Peshawar’s Hayatabad area, noting the bodies bore torture marks. Police launched an investigation into the killings.

Exact figures on the number of missing persons released by authorities during the year were not available. While the Peshawar High Court occasionally received notification a detainee had returned home, detainees themselves did not appear before the high court to identify their captors following their release. Without this evidence, the courts threw out the relevant petitions of cases where the detainees were no longer in custody.

The Peshawar High Court continued to press the federal and KP governments to reveal the whereabouts of missing persons. According to *The Express Tribune* newspaper, Justice Miankhel ordered the government on April 17 to provide a detailed list of persons being held in internment centers, as well as the number of detainee cases pending before the court. The high court also directed the government to prepare a list of missing persons not in official custody, and a list of persons who had died in custody, as well as information on released detainees. During the year the KP government submitted at least four reports to the high court containing names of missing persons detained in internment centers. The lists reported 970 missing persons linked to internment centers in KP and FATA, as well as 20 missing persons who were eventually released to police or civilian authorities.

Government and NGO statistics on the number of persons who disappeared in Balochistan continued to diverge. NGOs compiled a list of 3,356 Baloch whom security agents allegedly abducted or killed while in custody. The VBMP claimed the total number of persons who have disappeared could be above 19,000. Meanwhile, the government reported only 194 families had come forward with detailed information on their missing relatives as of July. According to the Interior Ministry’s Home Department, law enforcement authorities had recovered more than 612 bodies in Balochistan since 2010, many belonging to missing Baloch political workers. The VBMP claimed to have records of 455 tortured bodies

dumped in Balochistan during the year and of 435 missing persons. Official Home Ministry of Balochistan figures indicated only 164 dead bodies had been recovered in Balochistan during the year.

In January two mass graves were found in Tutak, a town in Balochistan's Khuzdar District. At least 17 bodies were recovered from the graves. Authorities had not determined all of the victims' identities by year's end. After a six-month investigation by a judicial commission, the panel's report did not establish who was responsible; however, it ruled out the involvement of the military and intelligence agencies. Politicians and human rights activists alleged severe intimidation of witnesses and members of the judicial commission in the case.

On March 18, Zahid Baloch, the chairman of the Baloch Students Association Azad (BSO-A), was abducted from Quetta, Balochistan. BSO-A members alleged law enforcement personnel were responsible and launched a countrywide protest, including a 46-day hunger strike in Karachi. Zahid's whereabouts remained unknown at year's end.

A government task force formed in 2013 to establish a national policy on missing persons and to monitor pending cases did not publish the mandated national policy. The task force, along with special commissions, claimed eight of 194 missing persons had been recovered and dismissed 43 cases as not fulfilling the criteria of missing persons. The commission reportedly continued to investigate 71 cases.

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

Although the constitution prohibits torture and other cruel, inhuman, or degrading treatment, the law has no specific section against torture. It prohibits "hurt" but does not mention punishing perpetrators of torture. There are no legislative provisions specifically prohibiting torture. There were reports security forces, including the intelligence services, tortured and abused individuals in custody.

According to the AHRC, the absence of proper complaint centers and a particular section in the criminal code to define and prohibit torture contributed to such practices. The AHRC maintained the government undertook no serious effort to make torture a crime, and the state provided impunity to the perpetrators, who were mostly police or members of the armed forces.

SHARP reported police tortured persons in more than 7,800 cases, compared with 7,200 cases in 2013. Torture occasionally resulted in death or serious injury and was often underreported. SHARP and other human rights organizations reported acts they cited as torture included beating with batons and whips, burning with cigarettes, whipping the soles of feet, prolonged isolation, electric shock, denial of food or sleep, hanging upside down, and forced spreading of the legs with bar fetters.

There were reports police personnel employed cruel and degrading treatment and punishment. On June 1, multiple media outlets reported a case in which police in Bahawalpur, Punjab, chopped off the left hands of two men accused of stealing electrical wire and appliances after they refused to confess to the thefts. A police spokesperson denied the victims' claims of abuse and countered their dismemberment was a result of a botched suicide attempt. Police announced they were investigating two officers allegedly involved in the incident and had suspended five others, including the station's chief.

On July 8, *Dawn News* reported police raided a private torture cell allegedly operated by Daska City police. The officers who uncovered the cell released three men; their families claimed Daska City officers extorted them for thousands of dollars to prevent further torture of their loved ones. As a result of this discovery, authorities suspended two Siakolt police officers from duty, and the Daska City police registered criminal cases against five of their colleagues.

The practice of collective punishment continued in FATA and Provincially Administered Tribal Areas (PATA). In 2011 the Frontier Crimes Regulation (FCR) was amended to exempt women over age 65 and children below age 16 from collective punishment. Collective punishment is applied incrementally, starting with the first immediate male family members, followed by the subtribe, and continuing outward. Although this reduces its scope, the FCR assigns collective punishment without regard to individual rights. Human rights NGOs expressed concern about the concept of collective responsibility, as authorities used it as a pretext to detain members of fugitives' tribes, demolish their homes, confiscate or destroy their property, or lay siege to a fugitive's village pending his surrender or punishment by his own tribe in accordance with local tradition.

### **Prison and Detention Center Conditions**

Conditions in some prisons and detention centers were harsh and life threatening. Problems such as overcrowding and inadequate medical care were widespread.

Physical Conditions: Prison conditions often were extremely poor. Overcrowding was common. Provincial governments were the primary managers of prisons and detention centers.

SHARP reported 46 deaths in jails, compared with 69 in 2013. Five of the deaths occurred during pretrial detention. Police stated these deaths occurred when suspects attempted to escape, resisted arrest, or committed suicide.

Inadequate food and medical care in prisons led to chronic health problems and malnutrition for those unable to supplement their diets with help from family or friends. In many facilities sanitation, ventilation, lighting, and access to potable water were inadequate. Most prison facilities were antiquated and had no means to control indoor temperatures. A system existed for basic and emergency medical care, but bureaucratic procedures slowed access to medical care. Foreign prisoners often remained in prison long after completion of their sentences because they were unable to pay for deportation to their home countries.

Prison security remained a concern. Authorities thwarted an October attempt by militants to tunnel into Karachi's Central Prison. In a July 2013 raid on the Dera Ismail Khan prison, the TTP freed hundreds of inmates, including high-profile militants.

Religious minority prisoners generally were afforded poorer facilities than Muslims and often suffered violence at the hands of fellow inmates. Christian and Ahmadiyya Muslim communities claimed their members were more likely to be abused in prison. The Center for Legal Aid and Assistance reported conditions often were worse for those prisoners accused of blasphemy violations.

SHARP estimated the nationwide prison population at 92,000; the capacity of prisons was approximately 36,000.

Women were held separately from men in some, but not all, prisons. According to SHARP there were 1,288 women in prison at year's end, with 630 women awaiting trial.

Police often did not segregate detainees from convicted criminals. Prisoners with mental illness usually lacked adequate care, and authorities did not separate them from the general prison population.

Prison officials kept juvenile offenders in barracks separate from adults. Nevertheless, at some point during their imprisonment, officials mixed children with the general prison population. According to the Society for the Protection of the Rights of the Child (SPARC), prisoners and prison staff often subjected children to abuse, rape, and violence.

According to SPARC juvenile prisoners were held in Punjab's 29 prisons. As of December 2013 authorities detained 1,383 juveniles in the country's four provinces, with 1,246 juvenile prisoners in the trial process and 137 convicted juveniles. There were 783 juvenile prisoners in Punjab; 91 were convicted, and 692 were in the trial process. Sindh held 276 prisoners, Balochistan held 107, and KP detained 217 at the end of 2013. SPARC also reported authorities held four male prisoners under the FCR that applies to juveniles living in FATA.

SPARC stated conditions for juvenile prisoners were among the worst in the country. Many spent longer periods behind bars because they were unable to afford bail. Rather than being rehabilitated, most child prisoners reportedly became hardened criminals by spending long periods in the company of adult prisoners.

Juveniles accused of terrorism or narcotics offenses were not protected under the Juvenile Justice System Ordinance. SPARC reported officials arrested children as young as age 12 under the Antiterrorism Act on charges of terrorism. Children convicted under the act could be sentenced to death, although there were no cases in which this had occurred.

According to SHARP the government did little to improve conditions in detention facilities and failed to monitor existing conditions.

Administration: According to SHARP there was adequate manual recordkeeping on prisoners but a need for computerized records.

In the criminal justice system, sentencing alternatives come in the form of bail during pretrial, fines and probation during sentencing, and parole postsentencing. While the courts regularly used fines and bail as an alternative to sentencing nonviolent offenders, courts did not extend probation and parole as readily. There are departments to deal with probationers and parolees, but SPARC, SHARP, and other organizations noted these departments were understaffed, underfunded, and lacked material resources.

There is an ombudsman for detainees, with a central office in Islamabad and offices in each province. Inspectors general of prisons irregularly visited prisons and detention facilities to monitor conditions and handle complaints.

By law prison authorities must permit prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. According to Sharp, however, prisoners often refrained from submitting complaints to avoid confrontation, particularly if they remained in the same prison with accused jail authorities.

The constitution mandates that religious minority prisoners be given places to worship inside jails. It was unclear whether authorities implemented this provision.

Independent Monitoring: International organizations responsible for monitoring prisons reported difficulty accessing detention sites, in particular those holding security-related detainees. Authorities did not allow international organizations access to detention centers most affected by violence in KP, FATA, and Balochistan. Provincial governments in Sindh, Gilgit-Baltistan, and Pakistan-administered Kashmir, however, permitted some international organizations to monitor civil prisons. Leaders of these organizations noted that space for them to operate was becoming more restricted each year.

Authorities at the local, provincial, and national levels permitted some human rights groups and journalists to monitor prison conditions of juveniles and female inmates.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, but authorities did not always comply. Corruption compounded this problem.

On August 30, unknown men abducted Nabeel Baloch from his home in Karachi. Nabeel was the son of prominent Baloch political leader and former leader of the opposition in the Balochistan Provisional Assembly Kachkol Ali. The elder Ali alleged intelligence agencies abducted his son in retribution for his advocacy of Baloch rights. The Sindh High Court ordered that Nabeel Baloch be presented to the courts and directed Karachi's additional inspector general of police to provide details of the security operation that led to his abduction. The police failed to do so, and as of November Nabeel's whereabouts remained unknown.

## **Role of the Police and Security Apparatus**

Police have primary domestic security responsibilities for most of the country, and local police are under the Ministry of Interior. The Rangers are a paramilitary organization under the authority of the Ministry of Interior, with branches in Sindh and Punjab. The military is responsible for external security.

The FCR provides the framework for law and order in FATA, implemented through a KP political agent who reports to the president. The FCR was often criticized for several harsh provisions. In 2011 some of these provisions were amended, including banning the collective responsibility of a tribe, restricting the arbitrary nature of the powers of political agents or district coordination officers, and granting citizens the right to challenge the decisions of political agents in courts.

In lieu of police, multiple law enforcement entities operated in FATA. These entities included the following: the Paramilitary Frontier Scouts, which report to the Ministry of Interior in peacetime and the army in times of conflict; the Frontier Constabulary, which patrols the area between FATA and KP, operates in FATA, and reports to the political agent; khassadars (hereditary tribal police), which help the political agent maintain order; and lashkars (tribal militias), which are convened by tribal leaders to deal with temporary law and order disturbances.

Police effectiveness varied by district, ranging from good to ineffective. Police committed human rights abuses or were susceptible to political pressure.

Failure to punish abuses contributed to a climate of impunity throughout the country. Police and prison officials frequently used the threat of abuse to extort money from prisoners and their families. The inspectors general, district police, district nazims (chief elected officials of local governments), provincial interior or chief ministers, federal interior minister, prime minister, or courts can order internal investigations into abuses and order administrative sanctions. Executive branch and police have the authority to recommend, and the courts may order, criminal prosecution. The court system remained the only means available to investigate abuses by security forces.

In July the president signed into law the Protection of Pakistan Act of 2014 after the government and opposition passed a consensus bill in the National Assembly. The law provides law enforcement and the military with broad powers to arrest and

detain militants. It also authorizes the establishment of a separate legal infrastructure for the prosecution of persons charged with terrorism-related offenses. The law grants civilian police powers to the armed forces (when acting in aid of civilian power), and it allows law enforcement officers above the most junior grades as well as any member of the armed forces or civil armed forces to shoot a person who violates the act. Human rights groups and diplomatic missions expressed concern the act would undermine citizens' universal rights and freedoms in an effort to bolster national security. In an attempt to address concerns, legislators amended the original ordinance to reduce the time a suspect could be detained without charge (from 90 to 60 days), to require law enforcement officers to warn suspects before firing, and to make the law expire after two years, among other concessions.

During the year the government requested support for domestic security from the military. On July 24, the prime minister invoked article 245 of the constitution, calling on the military to support the civilian government to maintain law and order in Islamabad. The decision was viewed as necessary to bolster the capital's security after military operation Zarb-e-Azb raised government concerns of retaliatory attacks from militant groups. On August 8, opposition senators walked out of Parliament to protest implementation of article 245 and demanded its withdrawal on the grounds that it suspends citizens' fundamental rights. On November 19, Minister of Interior Chaudhry Nisar withdrew the military from Islamabad, including from the diplomatic enclave, the prime minister's house, and the president's house, adding that they could be called again on short notice if security threats warranted. Civilian-controlled security forces, including police rangers and frontier constabulary, continued to provide security to some areas of the city.

Police often failed to protect members of religious minorities – including Christians, Ahmadiyya Muslims, and Shia Muslims – from attacks. There were improvements, however, in police professionalism. As in previous years, the Punjab provincial government conducted regular training in technical skills and protection of human rights for police at all levels.

### **Arrest Procedures and Treatment of Detainees**

A First Information Report (FIR) is the legal basis for any arrest, initiated when police receive information about the commission of a cognizable offense. A third party usually initiates a FIR; police can initiate a FIR only for certain crimes. A FIR allows police to detain a suspect for 24 hours, after which a magistrate may

order detention for an additional 14 days if police show detention is material to the investigation. Some authorities did not observe these limits on detention. Authorities reportedly filed FIRs without supporting evidence to harass or intimidate detainees or did not file them when adequate evidence was provided unless the complainant paid a bribe.

NGOs reported individuals frequently paid bribes to visit prisoners. Foreign diplomats could meet with prisoners when they appeared in court and could usually meet with citizens of their countries in prison, although authorities sometimes delayed access.

There was a functioning bail system. SHARP and other human rights groups, however, noted some judges set bail according to a case's circumstances instead of following established procedures. Judges sometimes denied bail at the request of police or the community or upon payment of bribes. NGOs reported authorities sometimes denied bail in blasphemy cases under the premise that because defendants faced the death penalty they were likely to flee or risk public vigilantism. Antiterrorism courts had the discretion to deny bail for some charges if the court had reasonable grounds to believe the accused was guilty.

Although the government did not regularly provide legal representation for the accused, it provided state-funded legal counsel to prisoners facing the death penalty. NGOs provided legal aid in some cases. The constitution recognizes the right of habeas corpus and allows the high courts to demand a person accused of a crime be present in court. Citizens were allowed to submit habeas corpus petitions to the courts. Authorities, however, failed to present detainees according to judges' orders in many missing persons cases.

Arbitrary Arrest: There were reports police detained individuals arbitrarily to extort bribes for their release or detained relatives of wanted individuals to compel suspects to surrender.

Pretrial Detention: Police routinely did not seek a magistrate's approval for investigative detention and often held detainees without charge until a court challenged the detention. When requested, magistrates approved investigative detention without requiring justification. In cases of insufficient evidence, police requested that magistrates issue new FIRs, thereby extending detention beyond the 14-day period.

A district coordination officer has the authority to recommend preventive detention on the grounds of “maintenance of public order” for up to 90 days and may – with approval of the Home Department – extend it for an additional 90 days. By law detainees must be brought to trial within 30 days of their arrest.

In some cases trials did not start until six months after the FIR, and at times individuals remained in pretrial detention for periods longer than the maximum sentence for the crime with which they were charged. SHARP estimated 75 percent of the prison population was awaiting trial. Authorities seldom informed detainees promptly of charges against them.

Special rules apply to cases brought to court by the National Accountability Bureau (NAB), which establishes courts for corruption cases. Suspects may be detained for 15 days without charge (renewable with judicial concurrence) and, prior to being charged, may be denied access to counsel. The NAB rarely exercised this power. Offenses under the NAB are not bailable, and only the NAB chairman has the power to decide whether to release detainees.

Under the FCR in FATA, the political agent has legal authority to detain individuals preventively on a variety of grounds and may require bonds to prevent undesired activity. Indefinite detention is not allowed, and appeals may be made before the FCR tribunal. If wrongfully punished, prisoners have the right to compensation. Cases must be decided within a specified period, and arrested persons may be released on bail. Prisoners must be brought before FCR authorities within 24 hours of detention, curtailing the arbitrary right of political agents to arrest and hold persons for up to three years. The accused have the right of appeal via a two-tiered system, which starts with an appellate authority comprising a FCR commissioner and an additional judicial commissioner.

In FATA and PATA in KP, security forces may restrict the activities of terrorism suspects, seize their assets for up to 48 hours, and detain them for as long as one year without charges. Human rights and international organizations reported that authorities held indefinitely in preventive detention an unknown number of individuals allegedly affiliated with terrorist organizations, where they were tortured and abused. In many cases prisoners were held incommunicado and not allowed prompt access to a lawyer of their choice. Although these conditions were improving, family members often were not allowed prompt access to detainees.

The Actions in Aid of Civil Power Regulation of 2011 provides the military with a legal framework to operate in conflict areas. It regulates the armed forces and

provides them with legal authority to handle detainees under civilian supervision when called upon by the government. Retroactive to 2008, the regulation empowers the KP governor to direct the armed forces to intern suspected terrorists in FATA and PATA. Critics stated the regulation violates the constitution because its broad provisions to expand military authority circumvent legal due process. Others noted the regulation established a legal framework to regulate military actions in FATA and PATA where none previously existed, providing for detainee registration, a legal process for their transfer from military to civilian authorities for prosecution, and an appeals process for detainees and their relatives. Detainee transfers to internment centers continued on a regular basis.

#### **e. Denial of Fair Public Trial**

The law provides for an independent judiciary, but the judiciary often was subject to external influences, such as fear of reprisal in terrorism or blasphemy cases. The media and the public generally considered the high courts and the Supreme Court credible.

On June 19, then chief justice of Pakistan (CJP) Tassaduq Hussain Jillani wrote the decision in a case regarding the 2013 All Saints Church bombing in Peshawar. In it the Supreme Court outlined a course of action to protect religious minorities from violence and discrimination, including a directive to create a national council to help safeguard minority rights. In his decision CJP Jillani ordered law enforcement agencies to register criminal cases concerning violence against minorities promptly and called for the creation of a specially trained police unit to protect minorities' places of worship. While minority groups welcomed CJP Jillani's order in favor of religious tolerance, they remained pessimistic the government would take meaningful action on the court's decision. According to November 10 media reports, the Supreme Court issued notices to Prime Minister Sharif, the provincial chief ministers and secretaries, law ministries, and other authorities reminding them to report their efforts to enforce this ruling.

There were extensive case backlogs in the lower and superior courts, as well as other problems undermining the right to effective remedy and to a fair and public hearing. Delays in justice in civil and criminal cases were due to antiquated procedural rules, unfilled judgeships, poor case-management systems, costly litigation, and weak legal education.

The jurisdiction of the Supreme Court and the high courts does not extend to several areas that operated under separate judicial systems. For example, Azad

Jammu and Kashmir (AJK) has its own elected president, prime minister, legislature, and court system. Gilgit-Baltistan also has a separate judicial system.

Many lower courts remained corrupt, inefficient, and subject to pressure from wealthy, religious, and political figures. The politicized nature of judicial promotions increased the government's influence over the court system.

Informal justice systems lacking institutionalized legal protections continued, especially in rural areas, and often resulted in human rights abuses. Feudal landlords and other community leaders in Sindh and Punjab, and tribal leaders in Pashtun and Baloch areas, at times held local council meetings (known as panchayats or jirgas), in defiance of the established legal system. Such councils settled feuds and imposed tribal penalties including fines, imprisonment, and sometimes the death penalty. Women often were sentenced to violent punishments or death for honor-related crimes. In Pashtun areas, primarily in FATA, such councils were held under FCR guidelines. Assistant political agents, supported by tribal elders of their choosing, are legally responsible for justice in FATA and conduct hearings according to their interpretation of Islamic law and tribal custom. Under the pashtunwali code of conduct, a man, his family, and his tribe are obligated to take revenge for wrongs, real or perceived, to redeem their honor.

### **Trial Procedures**

The civil, criminal, and family court systems provide for public trial, presumption of innocence, cross-examination, and appeal. There are no trials by jury. Although defendants have the right to be present and consult with an attorney, courts appoint attorneys for indigents only in capital cases. Defendants generally bear the cost of legal representation in lower courts, but a lawyer may be provided at public expense in appellate courts. Defendants may confront or question prosecution witnesses and present their own witnesses and evidence. Defendants and attorneys have legal access to government-held evidence. Due to the limited number of judges, a heavy backlog of cases, lengthy court procedures, frequent adjournment, and political pressure, cases routinely lasted for years, and defendants made frequent court appearances.

SPARC stated that juvenile prisoners were subject to a slow process due to a lack of special juvenile courts or judges and concluded a fair and just juvenile justice system did not exist.

The Antiterrorism Act allows the government to use special, streamlined courts to try persons charged with violent crimes, terrorist activities, acts or speech designed to foment religious hatred, and crimes against the state. After arrest suspects must be brought to court within seven working days, but the special courts are free to extend the period. Human rights activists criticized the expedited parallel system, charging it was more vulnerable to political manipulation.

The Federal Shariat Court (FSC) typically reviewed cases under the Hudood Ordinance – a law enacted in 1979 by military leader Muhammad Zia-ul-Haq to implement a strict interpretation of Islamic law by enforcing punishments for extramarital sex, false accusations of extramarital sex, theft, and drinking alcohol. The Supreme Court ruled that in cases in which a provincial high court decided in error to hear an appeal in a Hudood case, the shariat courts lacked authority to review the provincial high court's decision. The Supreme Court may bypass the Shariat Appellate Bench and assume jurisdiction in such appellate cases. The shariat courts may overturn legislation judged inconsistent with Islamic tenets, but such cases may be appealed to the Shariat Appellate Bench of the Supreme Court and ultimately may be heard by the full bench of the Supreme Court.

Courts routinely failed to protect the rights of religious minorities. Laws prohibiting blasphemy were used discriminatorily against Shia, Christians, Ahmadis, and members of other religious minority groups. Lower courts often did not require adequate evidence in blasphemy cases, and some accused and convicted persons spent years in jail before higher courts eventually overturned their convictions or ordered them freed.

On October 16, the Lahore High Court upheld the death sentence of Aasia Bibi, a Christian woman convicted of blasphemy in 2010. Bibi has been on death row since November 2010 after a district court found her guilty of making derogatory remarks about the Prophet Muhammad during an argument. Her lawyers submitted an appeal to the Supreme Court on November 24. (Also see the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/)).

### **Political Prisoners and Detainees**

Some Sindhi and Baloch nationalist groups claimed their members were marked for arrest and detained based on their political affiliation or beliefs. Under the 2009 Aghaz-e-Huqooqe Balochistan package, intended to address the province's political, social, and economic problems, the government announced a general

amnesty for all Baloch political prisoners, leaders, and activists in exile, as well as those allegedly involved in “antistate” activities. Despite the amnesty some Baloch groups claimed illegal detention of nationalist leaders by state agencies continued. Several of the missing persons documented by VBMP were well-known leaders of nationalist political parties and student organizations.

### **Civil Judicial Procedures and Remedies**

Individuals may petition the courts to seek redress for various human rights violations, and courts often took such actions. Individuals may seek redress in civil courts against government officials, including on grounds of denial of human rights. Observers reported that civil courts seldom, if ever, issued official judgments in such cases, and most cases were settled out of court. Although there were no official procedures for administrative redress, informal reparations were common.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The law requires court-issued search warrants for property. Police sometimes ignored this requirement and stole items during searches. Authorities seldom punished police for illegal entry. Sometimes police detained family members to induce a suspect to surrender. In cases pursued under the Antiterrorism Act, the government allowed security forces to search and seize property related to a case without a warrant.

Several domestic intelligence services monitored politicians, political activists, suspected terrorists, and the media. These services included the Inter-Services Intelligence (ISI), police Special Branch, and Military Intelligence. There were credible reports authorities routinely used wiretaps, monitored cell phone calls, intercepted electronic correspondence, and opened mail without court approval.

#### **g. Use of Excessive Force and Other Abuses in Internal Conflicts**

Militant and terrorist activity continued, and there were numerous suicide and bomb attacks in all four provinces and FATA. Militants and terrorist groups, including the TTP, targeted civilians, journalists, community leaders, security forces, law enforcement agents, and schools, killing hundreds and injuring thousands with bombs, suicide attacks, and other forms of violence. Militant and terrorist groups often attacked religious minorities. A low-intensity separatist

insurgency continued in Balochistan. Security forces reportedly committed extrajudicial killings in the fight against militant groups.

The military conducted counterinsurgency and counterterrorism operations in FATA to stem TTP militancy. On June 15, the military launched Operation Zarb-e-Azb, a comprehensive operation against foreign and local terrorists in North Waziristan, FATA. According to a September 3 Inter-Services Public Relations (ISPR) press release, the operation had to date killed more than 910 terrorists and detained another 114. On October 17, the military launched Khyber-1, an operation against terrorists in Khyber agency. According to a December 11 ISPR announcement, the military killed at least 180 terrorists and accepted the surrender of more than 400. The government also took actions to weaken terrorist ties around the country and prevent recruitment by militant organizations. For example, law enforcement agencies reported the seizure of large caches of weapons in urban areas such as Islamabad, Lahore, and Karachi. Police arrested Karachi gang members and TTP commanders who provided logistical support to militants in the tribal areas. Police arrested would-be suicide bombers in major cities, confiscating weapons, suicide vests, and planning materials.

Poor security, intimidation by security forces and militants, and the control by government and security forces over access by nonresidents to FATA impeded the ability of human rights organizations and journalists to report on potential military abuses in the region.

Political, sectarian, criminal, and ethnic violence in Karachi continued. According to the HRCP, more than 2,034 persons were killed in Karachi from January through August. The tenuous balance between political parties and the ethnic and sectarian groups they represented shifted due to significantly altered demographics in the city. The 2005 earthquake that devastated the northern part of the country and the 2010 floods in Sindh resulted in a large influx of citizens from different ethnic groups to Karachi, including Sindhi, Baloch, and Pashtun migrants. Political parties and their affiliated gangs vied for political and economic control, engaging in a turf war over “bhatta” (extortion) collection privileges and “ownership” over katchi abadis (illegal/makeshift settlements). The flashpoints of violence in Karachi were Lyari, Orangi, Katti Pahari, Qasba Colony, Pak Colony, and Shah Faisal Colony.

Killings: There were reports of civilian casualties and extrajudicial killings committed by government security forces during operations against militants.

Militant and terrorist bombings in all four provinces and in FATA also resulted in hundreds of deaths and thousands of injuries. According to the SATP, during the year terrorist and extremist attacks and operations to combat insurgency resulted in 5,496 deaths, of which 1,781 were civilians, 533 were security forces, and 3,182 were terrorists or insurgents.

Government security personnel remained a target of militant attacks. According to the SATP, militants had killed 6,005 security force personnel since 2003. Military officials often quoted a much higher number, with casualties from militant attacks in the tens of thousands over the past decade. On January 9, the TTP killed Karachi Police Chief Chaudhry Aslam and two other police officers by a suicide bomber. A TTP spokesperson claimed Aslam was targeted for carrying out operations against the militant group.

On February 16, Taliban militants confirmed they killed 23 Frontier Corps (FC) soldiers kidnapped in 2010 from the Shongari checkpoint in Mohmand Agency. Omar Khalid Khorasani, leader of TTP offshoot Jamaat-ul-Ahraar, remarked they killed the FC soldiers to avenge what he considered to be the custodial killing of Taliban fighters in various parts of the country.

On June 8, 10 heavily armed militants launched an assault on the Jinnah International Airport in Karachi. The attackers killed 28 persons, including 11 airport security guards and four Pakistan International Airline (PIA) workers. On June 25, unknown gunmen fired on a PIA flight landing in Peshawar. The attackers killed one woman and injured two others. The TTP claimed responsibility for both airport attacks.

On September 9, TTP militants attacked the Pakistan Navy Dockyard in Karachi, killing a naval officer.

On September 23, militants killed four persons and injured another 13 in a suicide bombing attack on an FC vehicle in Peshawar.

There were reports that groups prohibited by the government conducted attacks against civilians in Balochistan. Lashkar-e-Jhangvi claimed responsibility for a January 21 suicide bomb attack on a bus carrying Shia pilgrims returning from Iran. The bomb killed 24 persons and injured 40. On June 8, gunmen killed 30 Shia in Taftan, Balochistan. According to media reports, the attackers targeted hotels where Shia pilgrims were resting after returning from visiting holy sites in

Iran. The banned militant group Jaish-ul-Islam claimed responsibility for the attack.

Sectarian violence also continued throughout the country. According to the SATP, sectarian attacks from January to November resulted in the deaths of 204 individuals in 84 incidents, compared with 525 deaths in 128 incidents in 2013.

Abductions: There were reports of civilians kidnapped or taken hostage by militant groups in FATA, KP, Punjab, and Balochistan. On May 19, the Hakimullah Mehsud faction of the TTP kidnapped a Chinese tourist traveling through Dera Ismail Khan, KP. A TTP commander confirmed the group abducted the tourist to force authorities to release detained militant fighters.

On June 16, Umar Jillani, nephew of then chief justice Jillani, was kidnapped in Multan. Umar, an intelligence agency inspector, was surrounded by men on motorcycles while en route to work and forced into a car that fled the area.

At year's end former prime minister Yousuf Raza Gilani's son, Ali Haider Gilani, kidnapped by militants in 2013, had not been released.

Child Soldiers: Nonstate militant groups kidnapped boys and girls and used fraudulent promises to coerce parents into giving away children as young as age 12 to spy, fight, or die as suicide bombers. The militants sometimes offered parents money, often sexually and physically abused the children, and used psychological coercion to convince the children that the acts they committed were justified. The government operated a center in Swat to rehabilitate and educate former child soldiers.

Other Conflict-related Abuses: Militants bombed government buildings and attacked and killed female teachers and polio vaccination workers. The TTP particularly targeted girls' schools to demonstrate its opposition to girls' education; however, it also destroyed boys' schools. Military operations created hardships for the local civilian population when militants closed key access roads and tunnels and attacked communications and energy networks, disrupting commerce and the distribution of food and water.

On September 12, the military's media arm, the ISPR, announced the army had apprehended 10 Taliban militants allegedly involved in the 2012 shooting of Malala Yousafzai.

On December 16, militants attacked an army-run public school in Peshawar, killing at least 142 and injuring at least 250, most of them students. The TTP claimed responsibility for the attack and stated it was in retaliation for the military operation Zarb-e-Azb.

According to a June report by the UN Office for the Coordination of Humanitarian Assistance, militants and criminals killed 33 humanitarian workers, injured 43, and kidnapped another 17 in 2013. During the year militants killed at least 16 persons in KP/FATA in attacks against polio vaccination campaigns. On November 26, gunmen from banned militant group Jundullah claimed responsibility for killing four health workers and injuring another three in an attack on an antipolio campaign in Quetta.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The law provides for freedom of speech and press; however, threats, harassment, violence, and killings led journalists and editors to practice self-censorship.

Freedom of Speech: According to the constitution, every citizen has the right to free speech, subject to “any reasonable restriction imposed by law in the interest of the glory of Islam” or the integrity, security, or defense of the country. Citizens could criticize the government publicly or privately, but criticism of the military could result in political or commercial reprisal from government entities. Blasphemy laws restricted individual rights to free speech concerning matters of religion and religious doctrine.

Press Freedoms: The independent media were active and expressed a wide variety of views, and journalists often criticized the government. The press addressed the persecution of minorities. By law the government may restrict information that might be prejudicial to the national interest. Threats and violence against journalists who reported on sensitive problems such as security force abuse occurred during the year.

There were numerous independent English, Urdu, and regional-language daily and weekly newspapers and magazines. To publish within AJK, media owners had to obtain permission from the Kashmir Council and the Ministry of Kashmir Affairs. The Ministry of Information and Broadcasting controlled and managed the country’s primary wire service, the Associated Press of Pakistan, the official

carrier of government and international news to the local media. The military had its own media and public relations, Inter-Services Public Relations. The government-owned Pakistan Broadcasting Corporation operated radio stations throughout the country. The law does not extend to FATA or PATA, and it allowed independent radio stations to broadcast there with the permission of the FATA Secretariat.

Private cable and satellite channels broadcast domestic news and criticized the government. Private radio stations existed in major cities, but their licenses prohibited news programming. Some channels evaded this restriction by discussing news in talk shows. International radio broadcasts, including the BBC, were normally available. There was complete blockage of transmissions of Indian television news channels.

Violence and Harassment: Security forces, political parties, militants, and other groups subjected media outlets, journalists, and their families to violence and harassment. Journalists were abducted. Media outlets that did not practice self-censorship were often the targets of retribution.

On January 17, armed men shot and killed in Karachi three employees of *The Express News* newspaper. The TTP claimed responsibility for the attack. The shooting was the third attack on the Express media group in a span of five months.

On April 19, unknown gunmen shot prominent television host Hamid Mir in Karachi. Mir was severely injured but survived. The attack was widely criticized and raised domestic and international awareness of violent threats to reporters.

On August 28, two armed men attacked the Quetta office of the Online International News Network, killing bureau chief Irshad Mastoi and two other employees. Mastoi also worked for ARY News and served as general secretary of the Baluchistan Union of Journalists. The attackers escaped, and no claim of responsibility was published.

According to the International Federation of Journalists, attacks killed 13 journalists during the year, and journalists also reported physical attacks, harassment, intimidation, kidnapping, or other forms of pressure. The Committee to Protect Journalists included the country in its annual “impunity index” because the government allowed deadly violence against members of the press to go unpunished.

Censorship or Content Restriction: Small, privately owned wire services and media organizations generally reported practicing self-censorship, especially in news reports involving the military. Private cable and satellite channels also reported practicing self-censorship at times. Blasphemy and anti-Ahmadi laws restricted publication on certain topics. Foreign books needed to pass government censors before they were reprinted, but there were no reports of book bans during the year. Books and magazines could be imported freely but were subject to censorship for objectionable sexual or religious content. Obscene literature, a category the government defined broadly, was subject to seizure.

There were instances in which the government fined and temporarily shut down private television channels and blocked certain media outlets from broadcasting. On June 20, the Pakistan Electronic Media Regularity Authority (PEMRA) fined and suspended the broadcast licenses for television channels ARY News and Geo Entertainment. PEMRA fined ARY 10 million rupees (\$99,000) and suspended its license for 30 days for broadcasting statements it claimed maligned the judiciary. The authority also fined Geo 10 million rupees and banned its broadcasts for 15 days for broadcasting allegedly blasphemous content in one of its shows. The broadcasters asserted media laws were vague, leading to abuse and arbitrary broadcast restrictions by PEMRA. NGO Intermedia reported state-run Pakistan Television did not operate under the purview of the law and benefitted from a monopoly on broadcast license fees. According to Freedom House, authorities used PEMRA rules to silence the broadcast media by either suspending licenses or threatening to do so.

On April 22, Defense Minister Khwaja Asif lodged a PEMRA complaint against Geo TV on behalf of the ISI, after the news agency broadcast allegations that the ISI director general orchestrated the April 19 attack on journalist Hamid Mir. The Ministry of Defense claimed Geo TV was engaging in “anti-Pakistan” behavior for broadcasting the allegations without sufficient evidence and argued that PEMRA should revoke the company’s broadcast license. Ultimately PEMRA ruled against Geo TV for “misconduct,” suspending its license on June 6 for 15 days and imposing a 10 million rupee (\$99,000) fine. In turn Geo News sued the ISI and PEMRA for defamation and requested an apology. During the dispute many local cable providers dropped Geo news channels from their services or downgraded Geo TV in their station listings.

Nongovernmental Impact: Throughout the country militants and criminal elements killed, kidnapped, beat, and intimidated journalists and their families, leading many to practice self-censorship. Militant or local tribal groups detained,

threatened, expelled, or otherwise prevented a number of reporters who covered the conflict in FATA, KP, and Balochistan.

On March 1, an antiterrorism court convicted six men for the 2011 murder of Geo TV journalist Wali Babar. On January 23, media outlets reported the TTP released a fatwa against journalists for propagating secularism and inciting persons against the militants' cause. A list of media members, including editors, journalists, and media house owners targeted by the TTP, accompanied the fatwa.

### **Internet Freedom**

There were reports the government restricted internet access and monitored internet use, e-mail, and internet chat rooms. In 2012 the government began a systematic nationwide content monitoring and filtering system that restricts or blocks "unacceptable" content, including material that is un-Islamic, pornographic, or critical of the state and military. According to Freedom House, the government justified such restrictions as necessary for security purposes. There were also reports the government attempted to control or block some websites, including extremist and proindependence Baloch sites. In its 2014 *Freedom in the World Report*, Freedom House claimed this trend affected websites as well as cell phone content. The provincial government in Balochistan blocked access to a Baloch human rights blog run by journalists. The government blocked several Baloch websites, including the English-language website *The Baloch Hal* and the website of *Daily Tawar*, a Balochistan-based newspaper.

The Prevention of Electronic Crimes Ordinance, the Electronic Transaction Act, and other laws cite a number of offenses involving the misuse of electronic media and systems and the use of such data in other crimes. The act also stipulates that cyberterrorism resulting in a death is punishable by the death penalty or life imprisonment.

The Pakistan Telecommunications Authority (PTA) is responsible for the establishment, operation, and maintenance of telecommunications and has complete control of all content broadcast over telecommunication channels. Despite a 2011 PTA ban on using virtual private networks (VPNs) and voice-over-internet protocol (VOIP), at year's end VPNs and VOIP were both accessible.

There were restrictions on internet traffic during the year. The government continued its 2012 denial of access to YouTube and BuzzFeed and restricted access to other social websites.

Internet usage was limited in the country, with approximately 20 million users, according to government statistics. According to the International Telecommunication Union, 10.9 percent of the population used the internet in 2013.

### **Academic Freedom and Cultural Events**

The government generally did not restrict academic freedom. At some universities, however, members of student organizations, typically with ties to political parties, fostered an atmosphere of intolerance or undue influence that limited the academic freedom of fellow students.

In addition to public schools, there was a large network of madrassahs under the supervision of five major governing bodies. These schools varied in their curriculum, with a focus on Islamic texts.

There was minor government interference with art exhibitions or other musical or cultural activities. The Ministry of Culture operated the Central Board of Film Censors, which previewed and censored sexual content and any content that glorified Indian heroes, leaders, or military in foreign and domestic films.

### **b. Freedom of Peaceful Assembly and Association**

The law provides for the freedoms of assembly and freedom of association, but subject to restrictions.

#### **Freedom of Assembly**

Although the constitution provides for freedom of assembly, the government placed restrictions on it. By law district authorities may prevent gatherings of more than four persons without police authorization. The law permits the government to ban all kinds of rallies and processions, except funeral processions, for security reasons.

Authorities generally prohibited Ahmadis, a religious minority, from holding conferences or gatherings.

There were several protests, strikes, and demonstrations throughout the country, both peaceful and violent. On June 17, Punjab police confronted supporters of

political party Pakistan Awami Tehreek (PAT) during a protest in the Model Town neighborhood of Lahore. Fourteen persons died and another 100 were injured in violence that included credible reports of police firing on protesters. A court-ordered investigation had not begun by year's end.

On August 14, Pakistan Tehreek-e-Insaaf (PTI) and PAT political party supporters launched dual antigovernment protests in Islamabad that continued for several months. The government had previously deployed civilian and military security forces into the city's secure area where government buildings and foreign embassies are located. On August 30, protesters clashed with police officers as they made their way to the grounds of the parliament building. Police fired rubber bullets and tear gas at the crowd during the confrontation. Three protesters died, and another 400 were injured in the chaos. On September 1, the military, without using violence, removed protesters who forced their way into the offices of the state-owned television station. The antigovernment protests were otherwise peaceful. PTI and PAT also held antigovernment rallies across Punjab and Sindh provinces between September and November without incident, including a major PTI rally on November 30 in Islamabad. Clashes between PTI and PML-N supporters at a December 8 PTI rally in Faisalabad caused the death of one PTI worker. Subsequent PTI rallies in Karachi and Lahore were relatively peaceful.

### **Freedom of Association**

The constitution provides for freedom of association subject to certain restrictions imposed by law.

The NGO Registration Policy, implemented by the Ministry of Finance Economic Affairs Division in November 2013, represented the government's efforts to increase its oversight and control over civil society. The policy requires NGOs to fully disclose activities and funding sources. This policy also directs embassies to verify the existence of foreign-based NGOs applying with the Economic Affairs Division for a memorandum of understanding to operate in the country. The government stated that these measures were needed to improve the transparency of the sprawling network of local and international NGOs and to better track the foreign funding that supports them.

### **c. Freedom of Religion**

See the Department of State's International Religious Freedom Report at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The law provides for freedom of internal movement and for uninhibited foreign travel, emigration, and repatriation, but the government limited these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, and other persons of concern.

In-country Movement: Government restrictions on access to certain areas of FATA, KP, and Balochistan, often due to security concerns, hindered freedom of movement. The government required “no objection certificates” (NOCs) for travel to areas it designated as “sensitive.”

Foreign Travel: The law prohibits travel to Israel, and the country’s passports include a statement that they are “valid for all countries except Israel.” Government employees and students must obtain NOCs from the government before traveling abroad. Authorities rarely enforced this requirement for students.

The government prohibited persons on the Exit Control List from departing the country for foreign travel. Although the list was intended to prevent persons with pending criminal cases from traveling abroad, the Ministry of Interior added names of other persons such as human rights activists or leaders of nationalist parties. Those on the list had the right to appeal to the courts to remove their names from the list.

#### **Internally Displaced Persons (IDPs)**

Both natural disasters and conflict resulted in displacement. The National Disaster Management Authority reported approximately 1.5 million persons were displaced due to monsoon floods across the country during the year.

Large population displacements also occurred as a result of militant activity and military operations in KP and FATA. Although an estimated 1.9 million persons affected by conflict returned home during the past two years, more than one million IDPs still lived with host communities, in rented accommodations, or in camps at the beginning of the year. The government and UN agencies such as the

UNHCR and the United Nations Children's Fund (UNICEF) collaborated to assist and protect those affected by conflict and to assist in their return home.

According to the FATA Disaster Management Authority, approximately 72,000 families were displaced due to military operations in North Waziristan Agency, with an additional 38,000 families displaced in the Khyber-1 Operation in Khyber Agency.

Significant numbers of displaced families remained unregistered and unaccounted for due to restrictive government registration procedures, according to the Internal Displacement Monitoring Center. Registration of women was a particular problem; in more conservative regions of the country, particularly rural areas, authorities did not uphold or enforce a woman's right to register.

The number of IDPs fluctuated due to militant activity and military operations. Those displaced by conflict generally resided with host families, in rented accommodations, or to a lesser extent, in camps. As of November the Jalozai camp in Nowshera District of KP, with 28,160 persons, hosted the largest in-camp population of persons displaced by conflict. In addition the Togh Serai camp in KP hosted 6,924 persons, and the New Durrani camp in FATA hosted 4,200 persons. The majority of IDP families living in the Jalozai camp originated from Khyber Agency, IDP families in the Togh Serai camp came from the Orakzai Agency, and families in the New Durrani camp arrived from the Kurram Agency. Large numbers of unregistered IDPs were ineligible for government-supported assistance due to their status. In some areas an estimated half of the IDP population had been displaced five years or longer, according to the Internal Displacement Monitoring Center.

The government required humanitarian organizations assisting civilians displaced by military operations to request NOCs to access Mohmand and Kurram agencies in FATA. According to humanitarian agencies and NGOs, the NOC application process was cumbersome. The government maintained IDP camps inside and near the FATA agencies where military operations took place despite access and security concerns raised by humanitarian agencies. Humanitarian agency workers providing assistance in the camps were exposed to the danger of travelling to and within FATA. UN agencies maintained access to the camps and the affected areas mainly through local NGOs.

The government facilitated voluntary returns to multiple agencies with support from the international community. As of November nearly 8,840 IDP families had returned to their homes.

There were no reports of involuntary returns. Although government authorities encouraged IDPs to return to officially cleared areas, the vast majority of displaced families were unable or unwilling to go home. This was due to what many families regarded as inadequate compensation and assistance for returnees, persistent insecurity, and damaged housing. Once evacuated, IDPs received immunizations, with many of the children receiving them for the first time in five years. The state and relief organizations placed special emphasis on polio, as many IDP children were vulnerable to the disease due to the Taliban-imposed ban on immunizations. Many families delayed their return to gain regular access to health care. For IDPs who were unwilling or unable to return, the government coordinated support with the UNHCR and other international organizations. The World Food Program distributed food rations to IDPs displaced by conflict and also provided rations to IDPs for six to nine months upon their return to their areas of origin.

### **Protection of Refugees**

Access to Asylum: No legislation provides for asylum or refugee status. The country lacks a legal and regulatory framework for the management of refugees and migration. Although asylum seekers and refugees are not excluded from provisions of law regarding illegal entry and stay, the government in most cases provided protection against the expulsion or involuntary repatriation of registered refugees to countries where their lives or freedom would be threatened. The country cooperated with the UNHCR in managing an Afghan refugee population estimated at 1.61 million, including providing protection, assistance, and voluntarily repatriation. As of December, 12,649 individuals returned to Afghanistan. In 2013, 31,224 persons returned to Afghanistan, and 449,520 returned in 2005. The pace of voluntary repatriation was slow over the past two years due to volatile security in Afghanistan and uncertainty over employment opportunities and provision of social services in that country.

The two voluntary repatriation centers that operated during the year were in Quetta and Peshawar. The Ministerial Committee on Refugees adopted measures to document unregistered Afghans and to provide them with identification cards. Afghan refugees are not afforded Pakistani citizenship.

The UNHCR renewed 1.19 million proof-of-registration (PoR) cards for Afghans during the year. The PoR cards – official documents held by registered refugees that allowed them to remain legally in the country – were to expire at the end of 2012, but a July 2013 cabinet decision extended the validity of PoR cards to December 2015 and renewed the Tripartite Agreement between the governments of Pakistan and Afghanistan and the UNHCR to consult on and resolve refugee problems. In August 2013 the cabinet announced the formation of a ministerial committee, headed by the Ministry of States and Frontier Regions, charged with overseeing the implementation of the “National Policy on Management and Repatriation of Afghan Refugees Beyond 30 June 2013.” The international community viewed the extension of the PoR cards through December 2015 as a commitment to respect voluntary repatriation. Beginning January 2015 Afghans holding expired cards will no longer be considered persons of concern to the UNHCR.

The government generally abstained from forcibly returning Afghans with PoR cards, and during the year the UNHCR received reports of only 17 deportations of PoR cardholders, who reportedly returned and joined their families in Pakistan after their deportation. According to the UNHCR, authorities deported 24 persons who held PoR cards during the year; however, in many of these cases the individuals did not present their cards or authorities doubted their veracity. As of October the UNHCR border monitors recorded the deportation of 5,701 unregistered Afghans (3,315 at the Chaman border in Balochistan and 2,386 at the Torkham border.)

Nearly one-third of registered Afghans lived in one of the 76 refugee villages. The remaining two-thirds lived in host communities, whether in rural or urban areas. The majority of this population came from five provinces in Afghanistan: Nangarhar, Kabul, Kunduz, Logar, and Paktia.

Refugee Abuse: Police in many cases demanded bribes from refugees. There were firsthand accounts of members of the intelligence services harassing refugees. There were also many reports of extortion of refugees who participated in the UNHCR’s voluntary repatriation process and received repatriation grants. These equaled approximately 21,260 to 26,575 rupees (\$210-\$265), depending on the length of the journey and the amount of cash assistance per family member upon return to Afghanistan.

Refugees faced societal discrimination and abuse from local communities, whose members resented economic competition and blamed refugees for high crime rates

and terrorism. Single women, woman-led households, and children working on the streets were particularly vulnerable to abuse and trafficking.

Although there were no travel restrictions on Afghan refugees, the local police in KP and Balochistan arrested or detained Afghans, particularly when they traveled from one city to another.

Employment: Refugees were not allowed to work legally, but many worked as day laborers or in informal markets. Local employers often exploited refugees in the informal labor market. Refugee women and children were particularly vulnerable, accepting underpaid and undesirable positions in workplaces.

Access to Basic Services: Afghan refugees could avail themselves of the services of police and courts, but some, particularly the poor, were afraid to do so. Any refugee registered with both the UNHCR and the government-run “Commissionerate” of Afghan Refugees was, in theory, able to obtain admission to public education facilities after filing the proper paperwork. Most registered Afghans attended private Afghan schools or schools sponsored by the international community. Afghan refugees received health services at all government health facilities without discrimination. There were no reports of refugees denied access to a health facility because of their nationality. In many instances local governments determined which rights and services Afghan refugees could use.

There were a number of Afghan private schools, including those funded by foreign assistance, but Afghan children usually were able to attend the country’s primary schools. For older students, particularly in refugee villages, access to education remained difficult. Afghans who grew up in in the country needed a student visa to attend universities, but they qualified for student visas on the basis of their PoR cards. Afghan students were eligible to seek admissions to Pakistani public and private colleges and universities, and the government issued 7,000 scholarships to Afghan students in the public colleges and universities.

Durable Solutions: The Refugee Affected and Hosting Areas program is a joint initiative among the government, United Nations, and implementing partners under the framework of the UN Solutions Strategy for Afghan Refugees. It was launched in 2012, and the government extended the initiative to the entire country in 2013.

The government did not accept refugees for resettlement from other countries and did not facilitate local integration. While the government had no system to confer refugee status or asylum, it generally abstained from forcibly returning foreigners

with asylum certificates or refugee cards granted by the UNHCR, which had responsibility for determining refugee status in the absence of government procedures.

### **Stateless Persons**

Statelessness continued to be a problem. There is no national legislation on statelessness, and the government does not recognize the existence of stateless persons. International and national agencies estimated there were possibly thousands of stateless persons as a result of the 1947 and 1971 breakups of India and Pakistan, and of Pakistan and Bangladesh, respectively.

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

The constitution provides the majority of citizens with the ability to change their government through free and fair elections, and citizens generally exercised this right. Gilgit-Baltistan, AJK, and FATA have different political systems. Of these areas, only FATA had representation in the national parliament.

Residents of FATA are represented in the national parliament but do not have a voice in federal decision making over the tribal areas, an authority that belongs to the president. Tribal residents do not have the right to change their local government because unelected civilian bureaucrats nominally ran the tribal agencies. The elected councils in FATA, set up to provide local representation within the tribal areas, did not have an active role in governing the tribal areas. Through the 2011 Extension of the Political Parties Order 2002 to the Tribal Areas, the government allowed political parties to operate freely in FATA. Political observers credited this order with laying the foundation for a more mature political system in the tribal agencies. In the 2013 national elections, voter turnout was low in some tribal agencies where military operations were a common occurrence. Some IDPs had difficulty casting their vote because of security concerns.

AJK has an interim constitution, an elected unicameral assembly, a prime minister, and a president elected by the assembly. AJK residents can change their government through the right to vote and generally exercised this right, but the federal government controlled and influenced the structures of the AJK government and its electoral politics. The military also retained a guiding role on politics and governance. Those who did not support AJK's accession to Pakistan

were barred from the political process, government employment, and educational institutions.

## **Elections and Political Participation**

Recent Elections: In May 2013 the country held national elections that resulted in a PML-N majority government led by Prime Minister Nawaz Sharif. In September 2013 Mamnoon Hussain replaced Asif Ali Zardari as president.

For the May 2013 elections, the Election Commission of Pakistan (ECP) accredited approximately 43,000 domestic observers, the majority of whom were from the Free and Fair Election Network. The EU, Democracy International, the Aurat Foundation, and the National Democratic Institute were among the many groups that observed the election. The government permitted all existing political parties to contest the elections. Although several boycotted, the largest parties participated. Election observers generally considered the elections a success, despite terrorist violence and some procedural problems. Voter turnout was high, with the chief election commissioner initially claiming that 60 percent of eligible voters participated in the elections. The International Foundation for Electoral Systems reported a 54 percent voter turnout, and Gallup Pakistan indicated a 55 percent turnout. Political analysts credited greater participation by women and young adult voters for the high turnout rate. The elections marked a democratic milestone: For the first time since independence in 1947 one elected government peacefully completed its five-year term and transferred power to another civilian government. While judged to be mostly free and fair, some independent observers and political parties raised concerns about some election irregularities. In one district (Dera Ismail Khan), polling was postponed for security reasons.

The International Foundation for Electoral Systems noted weak formal adjudication of challenges of disputed election results and also the high courts' failure to meet statutorily prescribed deadlines for adjudication in the majority of cases.

In 2013 local government elections were scheduled to be held for the first time since 2002. Balochistan was the only province to complete the first phase of local elections in 2013. Political observers cited confusion over a Supreme Court directive that provincial governments devolve their delimitation powers to the ECP as the reason for local election postponements in KP, Punjab, and Sindh. On March 19, the Supreme Court ordered Islamabad and the provinces to pass legislation granting the ECP greater control over local body elections and set a

November 15 deadline for provinces to delimit their constituencies in preparation for local government elections. Local governments did not take action on this order by the deadline.

Political Parties and Political Participation: There were few restrictions on political parties. In most areas there was no interference with the rights to organize, run for election, seek votes, or publicize views. In Balochistan there were reports security agencies and separatist groups harassed local political parties, such as the Balochistan National Party and the Balochistan Student Organization.

Participation of Women and Minorities: While no laws prevent women from voting, cultural and traditional barriers in tribal and rural areas impeded some women from voting. There are 60 seats in the National Assembly reserved for women. These seats were apportioned on the basis of total votes secured by the candidates of each political party contesting elections. Of the 758 seats in provincial assemblies, 129 were reserved for women. One-third of the seats in local councils were reserved for women. Women participated actively as political party members, but they were not always successful in securing leadership positions within parties, with the exception of the women's wing. There were women serving in the federal cabinet, including Minister of State for Information Technology and Telecommunications Anusha Rehman Khan and Minister of State for National Health Services, Regulations, and Coordination Saira Afzal Tarar.

The government requires voters to indicate their religion when registering to vote and requires Ahmadis to declare themselves as non-Muslims. Since Ahmadis consider themselves Muslims, they were unable to vote if they did not comply.

The constitution reserves four seats in the Senate for religious minorities, one for each of the four provinces. These seats are filled through indirect elections held in the provincial assemblies. Ten national assembly seats are reserved for members of religious minorities. The seats are apportioned to parties based on the percentage of seats each won in the assembly. Minorities held 23 reserved seats in the provincial assemblies: eight in Punjab, nine in Sindh, three in KP, and three in Balochistan.

Women and minorities are allowed to contest unreserved seats.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices. Corruption was pervasive in politics and government, and various politicians and public office holders faced allegations of corruption, including bribery, extortion, cronyism, nepotism, patronage, graft, and embezzlement.

Corruption: Corruption within the lower levels of police was common. An April report by Transparency International noted the major causes of corruption were lack of accountability and low salaries. Some police charged fees to register genuine complaints and accepted bribes for registering false complaints. Bribes to avoid charges were commonplace.

Anecdotal reports persisted about corruption in the judicial system, including reports of small-scale facilitation payments requested by court staff. Lower courts reportedly remained corrupt, inefficient, and subject to pressure from higher-ranking judges as well as prominent, wealthy, religious, and political figures.

The NAB serves as the highest-level anticorruption organization, with a mandate to eliminate corruption through awareness, prevention, and enforcement. The NAB launched a series of high-profile corruption inquiries against politicians and government officials. On September 19, an accountability court acquitted Prime Minister Sharif and his brother, Punjab Chief Minister Shahbaz Sharif, on charges related to money laundering and illegal asset ownership. The judge dismissed the charges as politically motivated when handing down the decision. On September 30, the NAB chairman launched a probe against former National Assembly member Firdous Ashiq Awan, Senator Azam Khan Hoti, National Assembly member Rana Muhammad Ishaq, and others on charges of misappropriation of funds and cheating the public.

The 2007 National Reconciliation Ordinance provides an amnesty mechanism for public officials accused of corruption, embezzlement, money laundering, murder, and terrorism between January 1, 1986, and October 12, 1999. In 2009 the Supreme Court declared the ordinance null and void and reopened all 8,000 cases against those who received amnesty, including the president, ministers, and parliamentarians. When former president Zardari lost his immunity after leaving office in 2013, the government reopened five corruption cases against him in 2013, with the NAB leading the prosecution. On May 25, the National Accountability Court in Islamabad acquitted Zardari on corruption charges related to a polo ground construction project. After the acquittal Zardari continued to contest in court the four remaining NAB cases against him.

In January KP enacted a law for establishing an independent accountability commission; however, the commission did not begin to function by year's end. Another newly enacted law (the Pakhtunkhwa Right to Public Services Act) was intended to oversee the performance of public servants in the province. In line with this measure, a public servant who failed to provide public services expected within a stipulated period of time was subject to disciplinary proceedings and punishment, including a fine.

Financial Disclosure: The country has many laws regarding the disclosure of assets and liabilities of civil servants and elected officials. According to the 1976 Representation of People Act and the 1964 Government Servants Conduct Rules, members of parliament and civil servants must declare their assets. Ministers are also regulated by the Representation of People Act and are obligated to declare their assets, as well as the assets and liabilities of their spouses and dependent children. Failure to disclose this information may lead to their disqualification from public office for 10 years. Heads of state, in contrast, are not required to declare their income and assets. The assets of judges, generals, and high-level officials were often concealed from the public.

Under the Efficiency and Disciplinary Rules of 1973, an official must face an inquiry if accused of corruption or financial irregularities. If the inquiry results in a derogatory finding, the accused official faces criminal charges under the National Accountability Ordinance. Under this ordinance a person convicted of corruption faces a prison term of up to 14 years, a fine, or both. The government may appropriate any money, property, or other assets obtained by corrupt means.

According to the Representation of People Act, political parties and politicians must file annual financial accounting reports and declare their assets and liabilities. This provision was not fully implemented and was often disregarded by lawmakers. It is the duty of the ECP to verify that political parties and politicians make their financial information publically available; however, politicians and political parties generally failed to do so in a timely manner. The ECP temporarily suspended 253 parliamentarians for failing to disclose their financial assets by the October 15 deadline. All but three were reinstated by year's end.

Public Access to Information: The law allows any citizen access to public records held by a public body of the federal government, including ministries, departments, boards, councils, courts, and tribunals. It does not apply to government-owned corporations or provincial governments. Bodies subject to the law must respond to

requests for access within 21 days. Certain records are restricted from public access, including classified documents, those deemed harmful to a law enforcement case or an individual, or those that would cause grave and significant damage to the economy or the interests of the nation. NGOs criticized the ordinance for having too many exempt categories and for not encouraging proactive disclosure.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Some groups that implicated the government, military, or intelligence services in problems and that worked on issues related to IDPs and conflict reported faced restrictions on their operations. Very few NGOs had access to KP, FATA, and certain areas in Balochistan. International staff members of organizations faced delays in the issuance of visas. In some cases the government had yet to approve international NGOs' applications for renewed memoranda of understanding, required after November 2013, which hindered their ability to carry out projects.

Security threats were a problem for NGO workers due to instability in FATA and KP, and organizations that promoted women's rights faced particular challenges.

Government Human Rights Bodies: The Senate and National Assembly Standing Committees on Law, Justice, Minorities, and Human Rights held hearings on a range of problems, including honor crimes, police abuses in connection with the blasphemy law, and the Hudood Ordinance. The committees served as useful forums in which to raise public awareness of such problems, but their conclusions generally adhered to government policy. The committees did not do more than conduct broad oversight. The 2012 National Commission for Human Rights Bill authorized the establishment of an independent committee, the National Commission on Human Rights; however, the government had not yet constituted the commission. In May the Ministry of Law and Justice began the process for forming the commission by presenting a list of nine council member candidates for the prime minister's consideration. This process continued in July when Prime Minister Sharif and Opposition Leader Syed Khurshid Ahmed Shah submitted the names of two retired judges and a female civil rights leader for consideration by a parliamentary committee to become the commission chairperson.

In August 2013 the government merged the Ministry of Human Rights and the Ministry of Law and Justice to create the Ministry of Law, Justice, and Human Rights. Civil society groups lobbied the new government to reestablish an independent ministry of human rights; however, its status remained unchanged at year's end.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution provides for equality for all citizens and broadly prohibits discrimination based on race, religion, caste, residence, or place of birth. There was, however, significant societal and governmental discrimination based on each of these factors.

### **Women**

Rape and Domestic Violence: Rape is a criminal offense, with punishment that ranges from a minimum of 10 to 25 years in prison and a fine to the death penalty. The penalty for gang rape is death or life imprisonment, but sentences were often less severe. Although rape was frequent, prosecutions were rare. According to data presented by the Ministry of Interior to the Senate, there were no rape convictions in the country over the past five years. Spousal rape is not a crime.

As in previous years, the government did not effectively enforce the Women's Protection Act of 2006. The act brought the crime of rape under the jurisdiction of criminal rather than Islamic courts. By law police are not allowed to arrest or hold a female victim overnight at a police station without a civil court judge's consent. The law requires a complaint to be made directly to a sessions court, a trial court for heinous offenses. After recording the victim's statement, the sessions court judge officially lodges a complaint, after which police may then make arrests. While this procedure was meant to eliminate police and societal abuses, NGOs reported it created other barriers for rape victims who could not afford to travel to or access the courts. Rape was a severely underreported crime.

The NGO War Against Rape (WAR) 2013 fact sheet stated that 772 FIRs for sexual assault were registered throughout the country and noted that official numbers "represented the tip of the iceberg." In Karachi only 109 FIRs were registered in 2013. WAR data collected from Karachi's three major government hospitals indicated that 370 medical exams were conducted in sexual assault cases during the same period. Police records showed that of the 109 FIRs in Karachi registered in 2013, only 73 cases had been presented in the courts, while 26 cases

(24 percent of the total) had been disposed of under Classification A, indicating the police investigation found insufficient evidence for the case to proceed or that the accused had absconded. At the end of 2013, 62 of the 109 reported sexual cases remained under investigation. WAR noted that the disparity between the number of cases reported to police and the number of medical exams conducted in sexual assault cases reflected survivors' unwillingness to engage the justice system or their inability to lodge a complaint with police.

In 2010 the FSC declared several clauses of the Women's Protection Act un-Islamic and unconstitutional. The verdict sought to reinstate certain provisions of the 1979 Hudood Ordinance and expand the FSC's jurisdiction in cases of adultery and false accusations of adultery. A reinstatement of these provisions could permit the use of adultery charges against women in cases of rape, as occurred in the past. In 2011 the federal government appealed the FSC's decision to the Supreme Court, which had not set a hearing date by year's end. In September 2013 the nongovernmental Council of Islamic Ideology, which advises parliament and the prime minister, rejected the Women's Protection Act, saying it was contrary to the spirit of the Quran and sharia.

There were no reliable national, provincial, or local statistics on rape due to underreporting and a lack of any centralized law enforcement data collection system. The Aurat Foundation reported 1,172 women were raped between January and September, with 1,090 cases in Punjab, 73 in Sindh, five in KP, and four in Balochistan. According to the HRCP's 2013 report, 2,576 cases of rape were registered in Punjab in 2013 – the highest among all provinces.

According to the Aurat Foundation and others, prosecutions of reported rapes were rare. Police and NGOs reported false rape charges sometimes were filed in different types of disputes, reducing the ability of police to identify legitimate cases and proceed with prosecution. NGOs reported police were at times implicated in rape cases. NGOs also alleged police sometimes abused or threatened victims, demanding they drop charges, especially when police received bribes from suspected perpetrators or the perpetrators were influential community leaders. Some police demanded bribes from victims before registering rape charges, and investigations were sometimes superficial. While the use of post-rape medical testing increased during the year, medical personnel in many areas did not have sufficient training or equipment, which further complicated prosecutions. Extrajudicial resolutions to rape accusations were common, with a victim often forced to marry her attacker.

No specific federal law prohibits domestic violence, which was widespread. Husbands reportedly beat and occasionally killed their wives. Other forms of domestic violence included torture, physical disfigurement, and shaving the eyebrows and hair off women's heads. In-laws abused and harassed the wives of their sons. Dowry and family-related disputes sometimes resulted in death or disfigurement by burning or acid.

On February 2, Balochistan's Provincial Assembly passed the Domestic Violence (Prevention and Protection) Bill, which criminalizes many forms of domestic violence, apart from physical abuse, which is already covered under the penal code. Balochistan's domestic violence law largely follows the legislation that the Sindh Assembly passed in 2013.

According to Aurat Foundation statistics for 2013, there were reports that 1,425 women were killed, 2,026 were abducted, 498 were victims of domestic violence, 38 were sexually assaulted, 43 were victims of acid attacks, 42 were victims of burning, and 668 reportedly committed suicide. Aurat reported 7,852 cases of violence against women in 2013. The foundation attributed reductions in reporting due to a declining law and order situation in Sindh and Balochistan.

Women who tried to report abuse faced serious challenges. On June 9, *Dawn* newspaper reported the suspension of three police officials in Kirana, Punjab, for mishandling a rape case that resulted in the victim committing suicide. When the victim went to the police station to file a complaint, officers declined to lodge a FIR. The victim committed suicide shortly after her visit to the police station, and according to *Dawn* newspaper, the police officers entered a backdated FIR to conceal their negligence.

Police and judges were sometimes reluctant to take action in domestic violence cases, viewing them as family problems. Instead of filing charges, police typically responded by encouraging the parties to reconcile. Authorities usually returned abused women to their abusive family members.

To address societal norms that disapprove of victims who report gender-based violence and abuse, the government established women's police stations, staffed by female officers, to offer women a safe haven where they could safely report complaints and file charges. Men were also able to utilize these police stations. Women's police stations struggled with understaffing and limited equipment. Training of female police and changing cultural assumptions of male police also remained challenges. Due to restrictions on women's mobility and social pressures

related to women's public presence, utilization of women's police centers was limited, but NGOs and officials reported that use was growing and more centers were needed.

The government operated the Crisis Center for Women in Distress, which referred abused women to NGOs for assistance. A total of 26 government-funded Shaheed Benazir Bhutto centers for women across the country provided women with legal aid, medical treatment, and psychosocial counseling. These centers served women who were victims of exploitation and violence. Victims later were referred to a "darul aman," or shelter house, and approximately 200 such homes for abused women and children had been established with funds from the Provincial Women Development Department. These shelter homes provided shelter and access to medical treatment. According to NGOs the shelters did not offer other types of assistance to women, such as legal aid or counseling, and primarily served as half-way homes for women awaiting trial for zina (i.e., adultery), even though they were the victims of rape and domestic abuse. Government centers lacked sufficient space, staff, and resources. In some cases women were reportedly abused at the government-run shelters and found their movements severely restricted, or they were pressured to return to their abusers.

Female Genital Mutilation/Cutting (FGM/C): There is no specific law that addresses FGM/C. The practice was not a widespread problem.

Other Harmful Traditional Practices: At times women were victims of various types of societal violence and abuse, including honor killings, forced marriages, imposed isolation, and being used to settle tribal disputes. There were cases in which husbands and male family members treated women as chattel.

A 2004 law on honor killings and the 2011 Prevention of Anti-Women Practices Act criminalize acts committed against women in the name of traditional practices. Despite these laws hundreds of women reportedly were victims of honor killings. Many cases went unreported and unpunished. The practice of "karo-kari" or "siyah kari" – a premeditated honor killing that occurs if a family, community, tribal court, or jirga determines that adultery or some other "crime of honor" occurred – continued across the country. Karo-kari derives from "black male" (karo) and "black female" (kari), metaphoric terms for someone who has dishonored the family or is an adulterer or adulteress. In many cases the male involved in the alleged "crime of honor" is not killed but allowed to flee.

Human rights groups criticized the federal law banning honor killings because it allows the victim or the victim's heirs to negotiate physical or monetary restitution with the perpetrator in exchange for dropping charges.

On May 27, Farzana Iqbal's male family members killed her outside the Lahore High Court for choosing a "love marriage" without her parents' consent. According to media reports, Farzana's family shot her and then used bricks from a nearby construction site to kill her. The medical examination confirmed that she died from severe head wounds. The attack on Farzana sparked domestic and international outrage. On November 19, a court delivered a death sentence to four men involved in the attack.

Police in Sindh established karo-kari cells with a toll-free telephone number in the districts of Sukkur, Ghotki, Khairpur, and Nausharo Feroze for persons to report karo-kari incidents. Because honor crimes generally occurred within families, many went unreported. Police and NGOs reported increased media coverage enabled law enforcement officials to take some action against a limited number of perpetrators.

The practice of cutting off a woman's nose or ears, especially in connection with honor crimes, was frequently reported, but authorities often did not take action to combat the practice.

The practice of buying and selling brides also continued in rural areas, although prohibited by law. Many tribes, communities, or families practiced sequestering women from all contact with men other than their relatives. Despite prohibitions on handing over women as compensation for crimes or as a resolution of a dispute (also known as "vani" or "swara"), the practice continued in Punjab and KP. In rural Sindh landowning families continued the practice of "marriage to the Quran," forcing a female family member to stay unmarried to avoid division of property. Property of women married to the Quran remained under the legal control of their fathers or eldest brothers, and such women were prohibited from contact with any man older than age 14. These women were expected to stay in the home and not contact anyone outside their families.

According to an April 28 *Dawn* newspaper report, a local jirga in Battagram, KP, ordered the marriage of an eight-year-old girl to a 26-year-old man to settle a dispute between two families regarding an extramarital affair. The police made 13 arrests after the victim's uncle lodged a FIR against members of the jirga and the cleric who officiated the marriage.

The 2011 Prevention of Anti-Women Practices Amendment Act criminalizes and punishes giving a woman in marriage to settle a civil or criminal dispute; depriving a woman of her rights to inherit movable or immovable property by deceitful or illegal means; coercing or in any manner compelling a woman to enter into marriage; and compelling, arranging, or facilitating the marriage of a woman with the Quran, including forcing her oath on the Quran to remain unmarried or not to claim her share of an inheritance.

The 2010 Acid Control and Acid Crime Practice Bill makes maiming or killing via corrosive substance a crime and imposes stiff penalties against perpetrators. As with other laws, these measures are not applicable to FATA and PATA unless the president issues a notification to that effect.

There were numerous acid attacks on women across the country, with few perpetrators brought to justice. There was a rash of acid attacks in Balochistan that disfigured 12 women over a 10-day period.

The 2012 National Commission on the Status of Women Bill provides for the commission's financial and administrative autonomy to investigate violations of women's rights. According to women's rights activists, however, the commission lacked resources and remained powerless.

Sexual Harassment: Although the 2010 Criminal Law Amendment Act and the Protection Against Harassment of Women at Workplace Act criminalize sexual harassment in the workplace and public sphere, the problem was widespread. Since 2011 the office resolved 185 of 188 cases, and the remaining three were under review. The law requires all provinces to establish provincial-level ombudsmen. Sindh was the first province to do so, appointing a provincial ombudsman in 2012. Punjab province and administrative district Gilgit-Baltistan also established an ombudsman. Neither Balochistan nor KP had an ombudsman. Press reports indicated harassment was especially high among domestic workers and nurses.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of children, but they often lacked the information and means to do so. Couples and individuals did not have the right to attain the highest standard of reproductive health, free from discrimination, coercion and violence. Young girls and women were especially vulnerable to problems related to sexual and reproductive health and reproductive rights. They often lacked information and

means to access care. According to a survey by the Women's Empowerment Group released during 2013, only 25 percent of adolescents were aware of their sexual and reproductive rights. Spousal opposition also contributed to the challenges women faced in obtaining contraception or delaying pregnancy. Access by women, particularly in rural areas, to health and reproductive rights education remained difficult due to social constraints. For these same reasons data collection was also difficult.

According to the National Institute of Population Studies' *2012-2013 Demographic and Health Survey*, 27 percent of women received no prenatal care. The report showed a substantial improvement in the proportion of mothers receiving antenatal care over the prior 13 years, increasing from 43 percent in 2001 to 73 percent in 2013. The survey also revealed that skilled health-care providers delivered 52 percent of births and that 48 percent of births took place in a medical facility.

According to UNICEF's *2014 State of the World's Children Report*, the maternal mortality rate was 86 deaths per 1,000 live births in 2012, a rate attributed to lack of information and services. Few women in rural areas had access to skilled attendants during childbirth, including essential obstetrics and postpartum care. According to UNICEF the situation for mothers and children was hindered by deteriorating security, which caused displacement and affected access to medical services, especially in KP and FATA.

According to 2013 UNAIDS statistics, 68,000 persons had HIV, including 19,000 women; 2,200 persons died due to AIDS in 2013.

Discrimination: Women faced legal and economic discrimination. The law prohibits discrimination on the basis of sex, but authorities did not enforce it. Women faced discrimination in family law, property law, and the judicial system. Family law provides protection for women in cases of divorce, including requirements for maintenance, and sets clear guidelines for custody of minor children and their maintenance. Many women were unaware of these legal protections or unable to obtain legal counsel to enforce them. Divorced women often were left with no means of support, as their families ostracized them. Women are legally free to marry without family consent, but women who did so frequently were ostracized or faced becoming victims of honor crimes.

The 2011 Prevention of Anti-Women Practices Act makes it illegal to deny women inheritance of property by deceitful means. Female children are entitled to one-

half the inheritance of male children. Wives inherit one-eighth of their husband's estate. Women often received far less than their legal entitlement. Women faced significant discrimination in employment and frequently were paid less than men for similar work.

## **Children**

Birth Registration: Citizenship is derived by birth in the country, although for children born abroad after 2000, citizenship may be derived by descent if either the mother or the father is a citizen and the child is registered with the proper authorities (see section 2.d.). Reporting of births is voluntary, and records are not kept uniformly, particularly in rural areas. While the government reported more than 75 percent of the population was registered, observers believed actual figures were lower. Public services, such as education and health care, were available to children without a birth certificate.

Education: The constitution mandates compulsory education provided free by the government to all children between the ages of five and 16. Government schools often charged parents for the cost of books, uniforms, and other materials. Parents of lower economic means sometimes chose to send children to madrassahs, where they received free room and board, or to NGO-operated schools.

The most significant barrier to girls' education was the lack of access. Public schools, particularly beyond the primary grades, were not available in many rural areas, and those that existed were often too far away for a girl to travel unaccompanied. Despite cultural beliefs that boys and girls should be educated separately after primary school, the government often failed to take measures to provide separate restroom facilities or separate classrooms, and there were more government schools for boys than for girls. The attendance rates for girls in primary, secondary, and post-secondary schools were lower than for boys. In addition certain tribal and cultural beliefs often prevented girls from attending schools.

Medical Care: Boys and girls had equal access to government facilities, although families were more likely to seek medical assistance for boys.

Child Abuse: Child abuse was widespread. Young girls and boys working as domestic servants were abused, beaten, and forced to work long hours by employers, who in some cases were relatives. Many such children were trafficking

victims. While there was no official count of street children, SPARC estimated there were 1.5 million.

The penal code defines statutory rape as sexual intercourse with a girl younger than age 16. The punishment for rape is death or 10 to 25 years' imprisonment and a fine. Gang rape is punishable by death or life imprisonment.

Early and Forced Marriage: Despite legal prohibitions, child marriages occurred. The law sets the legal age of marriage at 18 for men and 16 for women and prescribes punishment for violators of imprisonment for up to a month, a fine of 1,000 rupees (\$9.90), or both.

Many young girls and women were victims of forced marriages arranged by their families. Although forced marriage is a criminal offense and many cases were filed, prosecution remained a problem. In 2012 the Family Planning Association of Pakistan estimated that child marriages constituted 30 percent of marriages. In rural areas poor parents sometimes sold their daughters into marriage, in some cases to settle debts or disputes.

In March the Council of Islamic Ideology declared the marriage laws to be un-Islamic and noted they were "unfair and there cannot be any legal age of marriage." The council stated that Islam does not prohibit underage marriage since it allows the consummation of marriage after both partners reach puberty.

In April Sindh became the first province to pass a law penalizing anyone who contracted a marriage with a child under age 18 (as well as those who facilitated such marriages). There were no reports authorities prosecuted any cases under the law.

Female Genital Mutilation/Cutting (FGM/C): There is no specific law that addresses FGM/C. The practice was not a widespread problem.

Other Harmful Traditional Practices: Children were subjected to harmful traditional practices such as "swara," the use of women to settle disputes and debts.

Sexual Exploitation of Children: The 1961 Suppression of Prostitution Ordinance and the penal code protect children from sexual exploitation. Authorities did not regularly enforce these laws. Child pornography is illegal under obscenity laws. Children were sold into prostitution. Socioeconomic vulnerabilities led to the sexual exploitation of children, including trafficking for sexual exploitation. Many

children, including trafficking victims, engaged in forced begging at bus terminals and on the side of the road and experienced sexual and physical abuse.

Infanticide or Infanticide of Children with Disabilities: According to the Edhi Foundation, its staff recovered more than 1,300 dead infants in 2013. By law anyone found to have abandoned an infant may be jailed for seven years, while anyone guilty of secretly burying a child may be imprisoned for two years. Murder is punishable by life imprisonment, but the crime of infanticide was rarely prosecuted.

Displaced Children: According to the NGO BeFare, children displaced by military operations faced difficulty in accessing education and psychological support. SPARC and other child rights organizations expressed concern that children displaced by flooding and conflict were vulnerable to child labor abuses as some families relocated to urban areas. Doctors working in IDP camps reported difficulty in treating the large influx of patients, including children and elderly persons, because they were especially sensitive to disease, malnutrition, and other health conditions. Poor hygiene and crowded conditions found in the IDP communities forced some children to endure skin rashes, gastroenteritis, and respiratory infections. The government provided polio vaccinations to many displaced children who were not inoculated, since they came from areas where militant groups banned vaccination campaigns.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see the Department of State's report at [travel.state.gov/content/childabduction/english/country/pakistan.html](http://travel.state.gov/content/childabduction/english/country/pakistan.html).

### **Anti-Semitism**

There is one known Jewish person in Pakistan. Anti-Semitic sentiments were widespread in the vernacular press. Hate speech broadcast by traditional media and through social media derogatorily used terms such as "Jewish agent" and "Yahoodi" to attack individuals and groups.

### **Trafficking in Persons**

See the Department of State's Trafficking in Persons Report at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **Persons with Disabilities**

The law provides for equality of the rights of persons with disabilities, but provisions were not always implemented. After dissolution of the former Ministry of Social Welfare and Special Education in 2011, its affiliated departments – including the Directorate General for Special Education, National Council for the Rehabilitation of the Disabled, and National Trust for the Disabled – were handed over to the Capital Administration and Development Division. The special education and social welfare offices, which devolved to the provinces, are responsible for protecting the rights of persons with disabilities.

In the provinces social welfare departments worked for the welfare and education of persons with disabilities. In Sindh the minister for bonded labor and special education is mandated to address the educational needs of persons with disabilities. According to the Leonard Cheshire Foundation, most children with disabilities did not attend school; at the primary level, 50 percent of girls and 28 percent of boys with disabilities were out of school. At the higher education level, Llama Iqbal Open University, the University of the Punjab, and Karachi University had departments that provided special education.

The government's 2003 National Disability Policy declared the federal capital and provincial capitals as disability-friendly cities and granted permission to persons with disabilities to take central superior service exams to compete for entry to the civil service. It also established 127 special education centers in main cities. Employment quotas at the federal and provincial levels require public and private organizations to reserve at least 2 percent of jobs for qualified persons with disabilities. This right was only partially implemented due to a lack of adequate enforcement mechanisms. Families cared for most individuals with physical and mental disabilities.

Organizations that refused to hire persons with disabilities could choose to pay a fine to a disability assistance fund. This obligation was rarely enforced. The National Council for the Rehabilitation of the Disabled provided job placement and loan facilities, as well as subsistence funding. There were no legal restrictions on the rights of persons with disabilities to vote or participate in civil affairs. Voting was challenging for persons with disabilities, however, because of severe difficulties in obtaining transportation and access to polling stations.

## **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

Consensual same-sex sexual conduct is a criminal offense; however, the government rarely prosecuted cases. The penalty for same-sex relations is a fine, two years' to life imprisonment, or both. Lesbian, gay, bisexual, and transgender (LGBT) persons rarely revealed their sexual orientation or gender identity. No laws protect against discrimination on the basis of sexual orientation or gender identity. Discrimination against LGBT persons was widely acknowledged privately, but insufficient data existed for accurate reporting, due in part to severe societal stigma and fear of recrimination for those who came forward. In September 2013 the PTA blocked the country's first online platform for the LGBT community to share views and network.

Society generally shunned transgender persons, eunuchs, and intersex persons, collectively referred to as "hijras," who often lived together in slum communities and survived by begging and dancing at carnivals and weddings. Some also were involved in prostitution. Local authorities often denied hijras places in schools or admission to hospitals, and landlords often refused to rent or sell property to them. Hijras were often denied their fair share of inherited property. A 2012 Supreme Court ruling recognizes hijras as a "third gender" and allows them to obtain accurate national identification cards. Because of the ruling, hijras fully participated in the May 2013 elections for the first time as candidates and voters.

Violence continued against LGBT persons. In April police arrested a Lahore paramedic who confessed to killing three gay men whom he met on gay websites. Authorities suspended one senior officer allegedly involved in the attack, and the police department launched an investigation. On May 10, a group of men attacked and gang-raped a transgender woman in Karachi. Activists claimed police refused to conduct a thorough investigation despite having photographic evidence and contact information for one of the accused assailants. According to media reports, a transgender woman died in police custody after her arrest on October 23 in Bhawalpur. Police officials claimed the victim's death was an accident related to her attempt to escape, but members of the transgender community claimed the arresting officers beat her.

### **HIV and AIDS Social Stigma**

Societal attitudes toward HIV-positive individuals were changing, but discrimination persisted. Cases of discrimination often went unreported due to the stigma faced by HIV/AIDS patients. In addition to operating treatment centers, the National Aids Control Program held rallies and public campaigns and spoke in

mosques about birth control and AIDS awareness. The government established 13 HIV treatment and care centers nationwide, which provided comprehensive HIV-care services.

### **Other Societal Violence or Discrimination**

Societal violence due to religious intolerance remained a serious problem. Occasionally, there were reports of mob violence against religious minorities.

On November 4, a mob of approximately 1,500 persons in Kasur attacked a Christian couple and then threw them into a brick kiln for allegedly committing blasphemy. The media, government, and civil society organizations claimed the brick kiln owner accused the couple of desecrating a Quran after they failed to repay a loan. Police arrested 48 suspects and filed cases against 468 others for the killing of the Christian couple. Political and religious leaders criticized the attack, with both the prime minister and the Punjab chief minister calling for justice for the victims. On December 16, the Supreme Court rejected the police report on the incident as incomplete and ordered action against police present when the attack occurred for negligence.

Members of the Hazara ethnic minority, who are Shia, continued to face discrimination and threats of violence in Quetta, Balochistan. According to press reports and other sources, they were unable to move freely outside of Quetta's two Hazara-populated enclaves. Consumer goods in those enclaves were available only at inflated prices, and Hazaras reported an inability to find employment or pursue higher education. They also alleged government agencies discriminated against Hazaras in issuing identification cards and passports. To avoid sparking violent incidents, Shia religious processions were confined to the Hazara enclaves. Anti-Shia graffiti was common in Quetta. In March Ahle-Sunna-wa-Jamaat held a major rally in Quetta and another in October, in Islamabad, where large crowds chanted anti-Shia slogans.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The vast majority of the labor force was under the jurisdiction of provincial labor laws. In 2010 the 18th amendment to the constitution devolved labor legislation and policies to the four provinces. It stipulated that laws would remain in force "until altered, repealed, or amended by the competent authority," i.e., the

provincial governments. Provinces implemented their own Industrial Relations Acts (IRAs) in 2011. Parliament passed a new IRA in 2012, which took International Labor Organization (ILO) conventions into account but applied them only to the Islamabad Capital Territory and trade federations that operated in more than one province. Most of the labor force was not covered by any federal labor regulations of any kind. Punjab's IRA, for example, violates ILO conventions because it bans unions in companies with 50 or fewer employees.

The role of the federal government to provide for compliance with ILO conventions remained unclear in the wake of devolution. The only federal government body with any authority over labor issues was the Ministry of Human Resource, Development, and Overseas Pakistanis, whose role was limited to compiling statistics to demonstrate compliance with ILO conventions. At year's end the government had yet to respond with specific progress reports on compliance by the various provinces. The ILO noted the passage of provincial IRAs governing labor relations took place without tripartite consultation or resolution of problems in the former federal legislation, including the inability of agricultural workers to form worker associations. At the provincial level, collective bargaining rights excluded banking and financial sector workers, forestry workers, hospital workers, self-employed farmers, and persons employed in an administrative capacity or managerial capacity.

Without any federal-level legislation or federal-level entity responsible for labor, the continued existence of the National Industrial Relations Commission remained in question, and there was no government representative to respond to or negotiate with international labor bodies or to provide for compliance with international norms. The federal IRA 2012 stipulates that the commission may adjudicate and determine industrial disputes within the Islamabad Capital Territory to which a trade union/federation of trade unions is a party and any other industrial dispute determined by the government to be of national importance. This provision does not provide a forum specifically for interprovincial disputes but appears to allow for the possibility such a dispute could be resolved in the commission.

The role of the federal government in labor issues was unclear at year's end. It lacked a strong coordination role and provided no minimum standards for acceptable labor practices. Observers noted effective enforcement of treaty requirements would be difficult in such an ambiguous regulatory environment.

Worker organizations noted capacity and funding for labor relations implementation at the provincial level was limited, and there was controversy over

the federal government's decision to maintain control of the Workers Welfare Fund and Employees Old Age Benefits Institution.

State administrators, government and state enterprises, workers in export processing zones, and public sector workers were prohibited from collective bargaining and striking, but labor groups reported the law was not applied during the year. The provincial IRAs also address and limit strikes and lockouts. For example, the KP IRA specifies that when a "strike or lockout lasts for more than 30 days, the government may, by order in writing, prohibit the strike or lockout" and must then refer the dispute to a labor court.

Unions were able to organize large-scale strikes, but police often broke up the strikes and employers used them to justify dismissals. Marches and protests also occurred regularly despite the repercussions, although police often arrested union leaders and occasionally charged them under antiterrorism and antistate laws. Violence and other freedom of association problems persisted throughout the year.

In 2009 the Sindh High Court struck down the long-standing practice of regulating labor through finance bills. This ruling cast into doubt the validity of minimum wage laws and mandatory contributions to employee benefit funds. Resolution of this ambiguity remained a top priority for labor leaders during the year.

Other federal laws define illegal strikes, picketing, and other types of protests as "civil commotion," which carries a penalty of up to life imprisonment. The law also states that gatherings of four or more persons may require police authorization, a provision authorities could use against trade union gatherings, since the federal government has authority on criminal matters.

Labor groups, international organizations, and NGOs expressed concern about the devolution of laws, noting that certain labor issues – including minimum wages, worker rights, national labor standards, and observance of international labor conventions – should remain within the purview of the federal government. Observers also raised concerns about the provinces' varying capacity and commitment to adopt and enforce labor laws.

Labor leaders also stressed the need for legislation to cover the rights of workers in the informal and agricultural sectors. The majority of factory workers were employed as contract labor with no benefits beyond basic wages and no long-term job security, even if they remained with the same employer for years. Factory managers were often unable to ascertain the identity of fire or other work-related

accident victims because these individuals generally did not appear in official records.

Litigation continued over the 2012 fire at a Karachi textile factory that killed 259 persons. Labor advocates complained many families had not received their promised compensation and that the factors that led to the tragedy – most notably a fraudulent safety certification and inadequate fire safety measures – existed at many other companies.

Enforcement of labor laws remained weak, in large part due to lack of resources and political will. Most unions functioned independently of government and political party influence. Labor leaders raised concerns about employers sponsoring management-friendly worker unions, i.e., “yellow unions,” to prevent effective unionization.

There were no reported incidents of the government dissolving a union without due process. Unions could be administratively “deregistered,” however, without judicial review.

Labor NGOs assisted workers by providing technical training and capacity-building workshops to strengthen labor unions and trade organizations. They also worked with established labor unions to organize informal workers and advocated for policies and legislation to improve the rights, working conditions, and well-being of workers, including laborers in the informal sector. NGOs also collaborated with provincial governments to provide agricultural workers, brick kiln workers, and other vulnerable workers with national identification so workers could connect to the country’s social safety net and access the benefits of citizenship (e.g., voting, health care, education, etc.).

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor, cancels all existing bonded labor debts, forbids lawsuits for the recovery of such debts, and establishes the district vigilance committee system to implement the act. The ILO, however, noted that federal and provincial acts prohibit employees from leaving their employment without the consent of the employer, since doing so would subject them to penalties of imprisonment that could involve compulsory labor.

The government did not enforce federal law largely due to lack of political will and the reported complicity and involvement by officials in trafficking, as well as

technical flaws in the law, federal and local government structural changes, and a lack of budget implementation. Gaps also remained in the legislative framework, since the country had not introduced its draft antitrafficking bill in the National Assembly or Senate. As a result, when law enforcement officers registered bonded labor offenses, they did so under other sections of the penal code, including kidnapping and illegal confinement. Resources, inspections, and remediation were inadequate, and penalties – including a 50,000 rupees (\$495) fine and/or two to five years' imprisonment – were insufficient to deter violations.

The use of forced and bonded labor was widespread and common in many industries across the country. NGOs estimated nearly two million persons were in bondage, primarily in Sindh and Punjab, but also in Balochistan and KP. A large proportion of bonded laborers were low-caste Hindus, as well as Christians and Muslims with lower socioeconomic backgrounds. Bonded labor was common in the agricultural sector, including the cotton, sugarcane, and wheat industries, and in the brick, coal, glass, and carpet industries. Bonded laborers often were unable to determine when their debts were fully paid, in part because contracts were rare, and employers were able to take advantage of bonded laborers' illiteracy to alter debt amounts or the price laborers paid for seed and fertilizer. In some cases landowners restricted laborers' movements with armed guards or sold laborers to other employers for the price of the laborers' debts.

Boys and girls also were bought, sold, rented, or kidnapped to work in illegal begging rings, domestic servitude, or agriculture as bonded laborers (see section 7.c.). Illegal labor agents charged high fees to parents with false promises of decent work for their children and later exploited them by subjecting the children to forced labor in domestic servitude, unskilled labor, small shops, and other sectors.

Some bonded laborers returned to their former status after they were freed, due to a lack of alternative employment options. Ties between landowners, industry owners, and influential politicians hampered effective elimination of the problem. For example, some local police were unable to pursue landowners or brick kiln owners effectively because they believed higher-ranking police, pressured by politicians or the owners themselves, would not support their efforts to carry out legal investigations.

The KP, Punjab, and Sindh ministries of labor registered brick kilns and their workers to regulate the industry better and provide workers access to labor courts and other services. Officials claimed they took steps to register brick kilns, but the

exact number of registrations was not available. The Punjab Department of Labor ran a project to combat bonded labor in brick kilns by helping workers obtain national identity cards and interest-free loans; the department also opened schools at brick kiln sites.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The constitution expressly prohibits the employment of children below age 14 in any factory, mine, or other hazardous site. For children over 14, the law limits a child's workday to seven hours, including a one-hour break after three hours of labor, and sets permissible times of day for work and time off. Children are not allowed to work overtime or at night and should receive one day off per week. In addition the law requires employers to keep a register of child workers for labor inspectors to verify. These prohibitions and regulations, however, did not apply to family businesses or government schools.

The law prohibits the exploitation of children younger than age 18 and defines exploitative entertainment as all activities related to human sports or sexual practices and other abusive practices. Parents who exploit their children are liable under the law. The law makes bonded labor of children punishable by up to five years in prison and 50,000 rupees (\$495) in fines. The government considered four occupations and 34 processes illegal for children, including street vending, surgical instrument manufacturing, deep-sea fishing, leather manufacturing, brick making, soccer ball production, and carpet weaving. Despite this, there were reports of children working in all these areas.

The passage of the 18th Amendment dissolved the federal Ministry of Labor and Manpower, resulting in the devolution of labor issues to the provinces. Coordination of child labor problems at the national level remained ineffective. Labor inspection was carried out at the provincial rather than national level, which contributed to uneven application of labor law. Enforcement efforts were not adequate to meet the scale of the problem. Inspectors had little training and insufficient resources and were susceptible to corruption. Labor inspections became even less frequent after devolution, with no floor for the minimum frequency of inspections. Authorities allowed NGOs to perform inspections without interference, and SPARC noted officials usually cooperated with its visits.

Authorities often did not impose penalties on violators; when they did, the penalties were not a significant deterrent. For example, while authorities obtained hundreds of convictions for violations of child labor laws, the fines were too low to deter future violations.

Due to weak government enforcement of child labor laws, child labor remained pervasive. NGOs and government sources noted that the 2010 and 2011 floods were devastating for children and resulted in the destruction of schools and dire financial conditions that compelled families to put children to work. According to the HRCP and SPARC, there were 11 to 12 million child laborers, many of them in agriculture and domestic work. The HRCP estimated that half of these children were under age 10.

Approximately 70 percent of nonagricultural child labor took place in small workshops, complicating efforts to enforce child labor laws, since by law inspectors may not inspect facilities employing fewer than 10 persons.

Employers and families forced children to work in brick kiln, glass bangle, and carpet-weaving industries, as well as in agriculture, as part of fulfilling their families' debt obligation to landowners or brick kiln owners. UNICEF estimated the number of children working in brick kilns at 250,000. In 2012 researchers estimated there were approximately two million bonded laborers, many of whom included entire families with children. Children also reportedly worked in the production of incense, cotton, wheat textiles, tobacco, sugarcane, gemstones, and in stone crushing.

Poor rural families sometimes sold their children into domestic servitude or other types of work, or they paid agents to arrange for such work, often believing their children would work under decent conditions. Some children sent to work for relatives or acquaintances in exchange for education or other opportunities ended up in exploitative conditions or forced labor.

Children also were kidnapped or sold into organized begging rings, domestic servitude, and child prostitution.

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment or Occupation**

While regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status, the government did not effectively enforce those laws and regulations.

Discrimination with respect to employment and occupation occurred based on these factors.

#### **e. Acceptable Conditions of Work**

The minimum wage for unskilled workers was 12,000 rupees (\$118) per month, except in Balochistan and KP, where it was 15,000 rupees (\$148) per month. On June 10, the federal government raised the minimum wage for unskilled workers from 10,000 rupees (\$99) to 12,000 rupees (\$118) per month. While authorities increased the minimum wage in the annual budget, both federal and state governments also must issue required notifications for such increases to go into effect. Significant sectors of the labor force – including those in the informal sector, domestic servants, and agricultural workers – were not covered by minimum wage laws.

The law provides for a maximum workweek of 48 hours (54 hours for seasonal factories) with rest periods during the workday and paid annual holidays. Additional benefits required under the labor code include official government holidays, overtime pay, annual and sick leave, health care, education for workers' children, social security, old age benefits, and a workers' welfare fund.

These regulations do not apply to agricultural workers, workers in factories with fewer than 10 employees, domestic workers, or contractors. In addition such workers do not have the right to access “worker courts” to seek redress of grievances and were otherwise extremely vulnerable to exploitation. The inapplicability of many labor laws and the lack of enforcement by the government gave employers in many sectors relative impunity with regard to working conditions, treatment, work-hours, and pay.

Provincial governments have primary responsibility for enforcing national labor regulations. Enforcement was ineffective due to limited resources, corruption, and inadequate regulatory structures. In Sindh provincial policies against surprise inspections severely limited effective enforcement. In Punjab routine factory labor inspections were replaced by a self-declaration system whereby factory owners posted declarations about workplace safety, health, and wage issues in their

factories. Factories were then chosen at random for inspection, but declarations were not mandatory, and there were no penalties for not complying with the self-declaration policy. Balochistan and KP allowed surprise inspections. Many workers remained unaware of their rights, especially in the informal sectors. Given the serious restrictions on labor inspections and the impact of limited resources and corruption, inspections and penalties were insufficient to deter violations of labor laws.

Health and safety standards were poor in all sectors. There was a serious lack of adherence to mine safety and health protocols. For example, many mines had only one opening for entry, egress, and ventilation. Workers could not remove themselves from dangerous working conditions without risking loss of employment. Informal sector employees faced multiple precarious situations, particularly in less visible areas such as domestic work. There were no official statistics on workplace fatalities and accidents during the year.

The country's failure to meet international health and safety standards raised doubts abroad as to its reliability as a source for imports. The Sindh government consulted with the ILO to develop a program to improve its labor standards and laws in an attempt to regain its status as an export source.