

PAKISTAN 2017 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. On July 28, the Supreme Court disqualified Sharif from office over corruption allegations. Parliament elected Shahid Khaqan Abbasi as the new prime minister on August 1. Asif Ali Zardari completed his five-year term as president in September 2013 with Mamnoon Hussain (PML-N) succeeding him. Orderly transitions in the military (chief of army staff) and the judiciary (Supreme Court chief justice) solidified the democratic transition.

Civilian authorities generally maintained effective control over the security forces.

The most significant human rights issues included 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 with limited accountability. Additional problems were arbitrary detention; lengthy pretrial detention; a lack of judicial independence in the lower courts; governmental infringement on citizens' privacy rights; harassment of journalists, and high-profile attacks against journalists and media organizations. Government restrictions on freedom of assembly, freedom of movement, and freedom of religion and discrimination against religious minorities, and sectarian violence continued. Corruption within the government and police; lack of criminal investigations or accountability for cases related to rape, violence based on gender, gender identity and sexual orientation, sexual harassment, so-called honor crimes, and female genital mutilation/cutting remained problems. Consensual same-sex sexual conduct is a criminal offense; however, the government rarely prosecuted cases. Child labor resulting in frequent exposure to violence and human trafficking--including forced and bonded labor--persisted.

There was a lack of government accountability, and abuses often went unpunished, fostering a culture of impunity among the perpetrators, whether official or unofficial. Authorities seldom punished government officials for human rights abuses.

Terrorist violence and human rights abuses by nonstate actors contributed to human rights problems in the country. The military sustained significant campaigns against militant and terrorist groups. Nevertheless, violence, abuse, and social and religious intolerance by militant organizations and other nonstate actors, both local and foreign, contributed to a culture of lawlessness in some parts of the country, particularly in the provinces of Balochistan, Sindh, Khyber Pakhtunkhwa (KP), and the Federally Administered Tribal Areas (FATA). As of the end of October, terrorism fatalities stood at 1,084, in comparison with 1,803 fatalities in the full year 2016, according to the South Asia Terrorism Portal (SATP), a database compiled by the public-interest advocacy organization Institute for Conflict Management that collects statistics on terrorism and low intensity warfare in South Asia.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

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

Physical abuse while in official custody allegedly caused the death of some criminal suspects. Lengthy trial delays and failure to discipline and prosecute those responsible for killings contributed to a culture of impunity.

On June 27, the Frontier Corps fired into a crowd in Parachinar, Kurram Agency, killing four. The crowd was staging a sit-in, protesting the perceived failure of authorities to protect Parachinar from terrorism. Following the incident, the chief of army staff (the army's highest-ranking military official), General Qamar Javed Bajwa, personally visited Parachinar, ordered the removal of the Parachinar Frontier Corps commandant, and opened an investigation into the occurrence.

There were continued allegations of politically motivated killings in Balochistan and Sindh. On July 6, unidentified gunmen killed Balochistan National Party leader Malik Naveed Dehwar and his guard, Mohammad Zareef. On April 27, local authorities recovered the mutilated bodies of five abducted Baloch activists, including Baitullah Mehmood Baloch, a leader of the Baloch National Movement. The perpetrators were unknown.

The SATP reported that journalists, teachers, students, and human rights defenders also were targeted by state and nonstate actors in Balochistan. According to the SATP, at least 183 civilians were killed due to terrorist-related violence in Balochistan, compared with 251 in 2016.

There were reports of politically motivated killings by political factions or unknown assailants in Sindh. In July unidentified gunmen killed two Pak Sarzameen Party (PSP) activists--Abdul Hameed (alias Mulla) and Rashid Khan--in Karachi. PSP's chairman blamed the London faction of the Muttahida Qaumi Movement political party for their deaths.

The provincial governments and political parties in Sindh, Balochistan, KP, and Punjab remained targets of attack by militant and other nonstate actors.

Following its announced formation in February, the Ansar ul-Sharia Pakistan (ASP, also known as Jamaat-ul-Ansar al-Sharia Pakistan) was allegedly involved in at least seven attacks that killed a retired colonel, six police officers, and a private security guard in Sindh and a bombing that targeted security forces in Balochistan. On August 12, ASP killed Deputy Superintendent of Police (Traffic) Hanif Khan, 56, and his driver, Constable Sultan Ishtiaq, in Karachi. ASP spokesperson Abdullah Hashmi stated the attack was "revenge" for alleged torture of militants in jail. The Sindh police Counter Terrorism Department (CTD) continued to investigate the case, although no arrests had been made. Authorities claimed ASP was responsible for the attempted assassination of Sindh Assembly opposition leader Khwaja Izharul Hassan.

There were numerous reports of attacks against police. On June 23, a blast near the inspector general of police's office in Quetta killed at least 11 individuals, including seven police officers. According to Punjab provincial officials, police were the main targets of a July 24 suicide attack in Lahore that killed 26, including nine police officers.

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

b. Disappearance

There were 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.

In January, five social media bloggers disappeared, triggering a public outcry against the government, which was widely believed to be responsible for the abductions. Several weeks later, four of the five bloggers reappeared; as of December, one of the bloggers, Samar Abbas, was still missing. In October, one of the four bloggers who returned home publicly claimed he was tortured by a state intelligence agency during his disappearance.

Media reported that on December 2, Raza Khan disappeared after cohosting a small public event in Lahore to discuss issues such as the government's recent capitulation to the demands of a hardline religious group that held a weeks-long protest in Islamabad. Press reports indicated that according to a friend who also attended the meeting, the issue of the misuse of blasphemy laws was also raised. According to media reports, Khan's brother reported his disappearance to local police.

The Karachi-based political party Muttahida Qaumi Movement (MQM) alleged that the paramilitary Sindh Rangers kidnapped, tortured, and killed some of its members in security operations in Karachi. MQM claimed 21 such cases took place in July.

Human rights organizations reported many Sindhi and Baloch nationalists had disappeared. Nationalist parties in Sindh also alleged that law enforcement agencies kidnapped and killed Sindhi political activists.

Leading members of Jiye Sindh Qaumi Mahaz and Jiye Sindh Muttahida Mahaz (JSMM), prominent nationalist parties, reportedly were missing. Sindhi nationalist and political activist Dodo Chandio disappeared July 11 along with his fellow activists Mehran Chandio, Asif Buledi, Nadeem Kolachi, and Saif Jatoi. On August 5, family members of a self-exiled separatist JSMM leader, Shafi Burfat, were taken from their residence. JSMM president Qambar Shahdadkot, party member Ejaz Tunio, central committee member Sabir Chandio, and party supporters Murtaza Junejo, Hidayat Lohar, Khadim Hussain Arijo, and Mohammad Ayub Kandhro also went missing from Sindh Province. Eight advocates for the recovery of victims of involuntary disappearance in Sindh were themselves forcibly disappeared: Abbas Lund, journalist Ghulam Rasool Burfat, writer Inamullah Abbasi, Raza Jarwar, Partab Shivani, Naseer Kumbhar, Punhal Sario, and Shoaib Korejo. The last four returned home, while locations of the others remained unknown.

On June 12, police and other security agencies allegedly abducted Nasrullah Baloch, the chairman of the International Voice for Baloch Missing Persons, an activist group focused on victims of enforced disappearances in Balochistan, along with three associates, all of whom remained missing.

The Commission of Inquiry on Enforced Disappearances, headed by Supreme Court justice Javed Iqbal and retired law enforcement official Muhammad Sharif Virt, received 4,608 missing persons cases between 2011 and December 30. The commission claimed to have closed out 3,076 of those cases, while 1,532 remained open. While media and international attention focused heavily on enforced disappearances in Balochistan and Sindh, data from the commission showed the number of persons reported missing was highest in KP (751 missing), followed by Punjab (245 missing), Balochistan (98 missing), Sindh (50 missing), FATA (48 missing), the Islamabad Capital Territory (45 missing), Azad Jammu and Kashmir (AJK) (14 missing), and Gilgit Baltistan (five missing) as of July.

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

Although the constitution prohibits torture and other cruel, inhuman, or degrading treatment, the criminal code has no specific section against torture. No legislative provisions specifically prohibit torture. There were reports that security forces, including the intelligence services, tortured and abused individuals in custody.

According to the Asian Human Rights Commission, the absence of proper complaint centers and the absence of a particular section in the criminal code that defines and prohibits torture contributed to such practices. The commission maintained the government undertook no serious effort to make torture a crime and that perpetrators, mostly police or members of the armed forces, operated with impunity.

There were reports police personnel employed cruel and degrading treatment and punishment. The Human Rights Commission of Pakistan reported that police committed “excesses” in at least 114 cases as of late December, compared with more than 147 cases in 2016. Multiple sources reported that torture occasionally resulted in death or serious injury and was often underreported.

On October 11, the newspaper *Dawn* reported that Punjab Police from Bahu Chowk police station beat to death an eighth grade student, Arsalan Mushtaq, in

Jhabran Mandi. Police allegedly struck the boy's head with a pistol, bundled him into a van, and later left his body on the side of the road.

The practice of collective punishment continued in the Federally and Provincially Administered Tribal Areas (FATA and PATA), as provided for in the Frontier Crimes Regulation (FCR) of 1901, which governs FATA. In 2011 the government amended the FCR to exempt women, all individuals over age 65, and children below age 16 from collective punishment. Authorities apply collective punishment incrementally, starting with the first immediate male family members, followed by the subtribe, and continuing outward. Although this graduated approach reduces its scope, the FCR assigns collective punishment without regard to individual rights. Human rights nongovernmental organizations (NGOs) expressed concern about the concept of collective responsibility, as authorities used collective responsibility to detain members of fugitives' tribes, demolish their homes, confiscate or destroy their property, or lay siege to their villages pending surrender or punishment of the fugitives by their own tribes in accordance with local tradition. From November 2016 to June, the political administration of Mohmand Agency suspended all mining at the Ziarat marble mine due to alleged support of militants by the Safi tribe. In July the political agent of Khyber Agency suspended compensatory payments to the Sipah tribe after an attack on security forces. The political administration of South Waziristan Agency arrested and jailed 97 men including doctors, teachers, and students after a fire incident at Agency Headquarters Hospital in which two ambulances, a medical store, and National Database and Registration Authority offices were burned. The men remained in police custody despite protests and demonstrations staged by local political parties and student associations.

As of August the country had 7,009 police, military experts, and soldiers performing peacekeeping duties around the world. The United Nations reported that as of October 15 it received two allegations of sexual exploitation and abuse against Pakistani peacekeepers for one incident alleged to have occurred in September 2016, and one allegedly continuing exploitative sexual relationship that lasted from an unspecified date in 2011 to June 2012. One pending allegation reported in 2016, which allegedly involved rape of a minor by military personnel deployed to the UN Operation in Cote d'Ivoire, was still under both Pakistani government and UN investigation as of October 15.

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. The Society for Human Rights and Prisoners' Aid-Pakistan (SHARP) estimated the total nationwide prison population fluctuated between 95,000 and 107,000 while claiming that the normal capacity of prisons was approximately 36,000. The Inspector General's Office reported prison capacity of 52,784.

Provincial governments were the primary managers of prisons and detention centers.

Although quality and quantity of prison food improved, inadequate food and medical care in prisons continued to cause chronic health problems and malnutrition among inmates 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. Foreign prisoners often remained in prison long after completion of their sentences because they were unable to pay for deportation to their home countries. From January to May, 16 prisoners died in Karachi Central Prison and Malir Jail. Prison medical records listed the cause of death for the majority of the deceased as "heart failure." According to press reports and prison hospital sources, prison medical facilities are in poor condition with limited medicine available.

Prison security remained a concern. On June 14, two members of the banned Lashkar-e-Jhangvi terrorist group--Shaikh Muhammad Mumtaz and Muhammad Ahmed Khan--escaped from Karachi Central Jail and were not recaptured as of December 6. They had been arrested by the Sindh Police CTD for alleged involvement in the killings of more than 60 individuals, mainly members of the Shia community and law enforcement officials. In a follow-up investigation, CTD highlighted prison officials' fear of jihadi elements and MQM detainees, claiming they allowed prisoners to "virtually run" Karachi Central Jail.

Prisoners who were members of religious minorities generally received poorer treatment than Muslims and often suffered violence at the hands of fellow inmates. Representatives of Christian and Ahmadiyya Muslim communities claimed their members were often subjected to abuse in prison. Civil society organizations

reported prisoners accused of blasphemy violations were frequently subjected to poor prison conditions. NGOs reported that many individuals accused of blasphemy remained in solitary confinement for extended periods, sometimes for more than a year. The government asserted this treatment was for the individual's safety, given the likelihood that prisoners accused of blasphemy would face threats from the general prison population.

Authorities held female prisoners separately from men. NGOs reported transgender women were held with men and faced harassment. Balochistan had no women's prison, but women were housed in separate barracks in prisons located in Khuzdar, Gaddani, Quetta, and Loralai.

Due to lack of infrastructure, police often did not segregate detainees from convicted criminals. Prisoners with mental disabilities usually lacked adequate care.

Prison officials kept juvenile offenders in barracks separate from adults. Juveniles and adults were in close proximity when waiting for transport but were kept under careful supervision at this time. According to the Society for the Protection of the Rights of the Child (SPARC), prisoners and prison staff subjected children to abuse, rape, and other forms of violence. SPARC described conditions for juvenile prisoners as among the worst in the country.

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

There was 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 inhuman conditions. According to SHARP, however, prisoners often refrained from submitting complaints to avoid retaliation from jail authorities.

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 the AJK permitted some international organizations to monitor civil prisons, but leaders of monitoring organizations noted their operations were 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.

Improvements: Infrastructure improvements and new policies in existing prisons, along with the construction of new facilities, increased the frequency with which pretrial detainees and convicted prisoners were separated. A digitized prison management information system was operational in 20 Punjab province prisons. The government, in collaboration with the UN Office on Drugs and Crime, took steps to expand the system to an additional 24 prison facilities in Punjab.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his/her arrest or detention in court, but authorities did not always observe these requirements. Corruption and impunity compounded this problem.

Role of the Police and Security Apparatus

Police have primary domestic security responsibility for most of the country. Local police are under the jurisdiction of provincial governments. Police effectiveness varied by district, ranging from good to ineffective. The Rangers are a paramilitary organization under the authority of the Ministry of Interior, with branches in Sindh and Punjab. The Frontier Corps is the Rangers' counterpart in Balochistan and the tribal areas; it reports to the Ministry of Interior in peacetime and military in times of conflict. The military is responsible for external security but continues to play a role in domestic security.

The FCR provides the framework for law and order in FATA, implemented through appointed political agents who report to the governor of KP. The court system and judiciary do not have jurisdiction in FATA. Under the FCR, the trial by jirga (an assembly of community leaders that makes decisions by consensus) does not allow residents legal representation. If the accused is an adult man, he normally appears before the jirga in person to defend his case. Parents normally

represent their minor children, and men normally represent their female relatives. Observers often criticized the FCR for harsh provisions. In 2011 authorities amended some of these provisions, including modifying the collective responsibility of a tribe, restricting the arbitrary nature of the powers of political agents or district coordination officers, and granting citizens limited rights to challenge the decisions of political agents in a codified tribunal system.

In lieu of police, multiple law enforcement entities operated in FATA. They included the paramilitary Frontier Corps, the Frontier Constabulary, “Khasadars” (hereditary tribal police), and the FATA Levies Force--which reported to political agents (the appointed administrative heads of each tribal agency)--to help maintain order. Tribal leaders convened “lashkars” (tribal militias) to deal with temporary law and order disturbances, but they operated as private tribal militias and not as formal law enforcement entities. The military assumed interim responsibility for security from the Frontier Corps in Parachinar, Kurram Agency, FATA, on June 30, after three separate bombings killed more than 120 people. The bombings had prompted a seven-day protest against the perceived failure of the Frontier Corps to protect the citizens of Parachinar.

Failure to punish abuses contributed to a climate of impunity throughout the country. According to civil society sources, 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 officials have authority to recommend, and the courts may order, criminal prosecution. The court system remained the only means available to investigate abuses by security forces. The National Commission for Human Rights (NCHR), established in 2015, may not inquire into any complaints against intelligence agencies and must refer such complaints to the competent authority concerned. The NCHR may seek a report from the national government on any complaint made against the armed forces, and after receipt of a report, it can either end the process or forward recommendations for further action to the national government.

During the year the government continued to use the military to support domestic security. Paramilitary forces, including Rangers and the Frontier Constabulary, provided security to some areas of Islamabad and continued active operations in Karachi. On February 22, following several high-profile terrorist attacks, the military launched Operation Radd-ul-Fasaad, using expanded civilian and

paramilitary cooperation against militants throughout the country. Representing an upgraded effort to combat terrorism, the operation also included deployment of the paramilitary Ranger corps into Punjab Province.

In January 2015, in response to an attack on the Peshawar Army Public School, Parliament approved a constitutional amendment to allow military courts to try civilians on terrorism, militancy, sectarian violence, and other charges. The amendment included a provision under which the mandate of the courts to try civilians would expire in January 2017. The government, however, reauthorized the amendment, extending the mandate of the courts until January 2019. Civil society members expressed concerns about the use of military courts for trying civilian suspects, citing lack of transparency and their redundancy with the civilian judicial system.

Police often failed to protect members of religious minorities--including Ahmadiyya Muslims, Christians, Shia Muslims, and Hindus--from attacks. Mob violence often accompanied blasphemy allegations, and individuals accused of blasphemy from both majority and minority communities were killed during the year. In one high-profile case, a mob in Mardan, Khyber Pakhtunkhwa, killed university student Mashal Khan on April 13 after rumors circulated on his campus that he had committed blasphemy; police officers were present at the killing but took no action to stop it.

Shia organizations complained that the government failed to provide adequate security to pilgrims traveling through Sindh and Balochistan en route to Iran.

There were improvements in police professionalism and instances of local authorities protecting minorities from discrimination and communal violence. In August police rescued a Christian teenager accused of blasphemy from a vigilante mob in Alipur Chatha, Punjab. According to local human rights organizations, the mob was beating the accused until the police intervened and took him into protective custody while his blasphemy charges were pending.

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, but police can file FIRs on their own initiative. 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 necessary to

obtain evidence material to the investigation. Some authorities did not observe these limits on detention. Authorities reportedly filed FIRs without supporting evidence in order to harass or intimidate detainees or did not file them when adequate evidence was provided unless the complainant paid a bribe. There were reports of persons arrested without judicial authorization and individuals paying bribes to visit prisoners.

The Ministry of Interior frequently did not provide notification of the arrest of foreigners to their respective embassies or consulates. In 2015 the ministry introduced a new requirement that foreign missions request access to their arrested citizens 20 days in advance.

There was a functioning bail system. Human rights groups noted, however, that judges sometimes denied bail upon payment of bribes. NGOs reported authorities sometimes denied bail in blasphemy cases on the grounds that defendants who faced the death penalty were likely to flee or were at risk from public vigilantism. NGOs also reported that lawyers representing individuals accused of blasphemy often asked that their clients remain in custody to protect them from vigilante violence. Bail is not available in antiterrorism courts or in the military courts established under the 2015 amendment to the constitution.

The government provided state-funded legal counsel to prisoners facing the death penalty, but it did not regularly provide legal representation in other cases. The constitution recognizes the right of habeas corpus and allows the high courts to demand that a person accused of a crime be present in court. The law allows citizens to submit habeas corpus petitions to the courts. In many cases involving forced disappearances, authorities failed to present detainees according to judges' orders.

Arbitrary Arrest: There were reports police arbitrarily detained individuals to extort bribes for their release or detained relatives of wanted individuals to compel suspects to surrender. Ethnic Rohingya in Karachi who lacked official identification documents reported arbitrary arrests and harassment by police authorities.

Pretrial Detention: Police sometimes held persons in investigative detention without seeking a magistrate's approval and often held detainees without charge until a court challenged the detention. Magistrates generally approved investigative detention at the request of police without requiring justification. When police did not develop sufficient evidence to try a suspect within the 14-day

period, they generally requested that magistrates issue new FIRs, thereby further extending the suspect's detention.

By law detainees must be brought to trial within 30 days of arrest. There were exceptions: a district coordination officer has 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.

In some cases trials did not start until six months after a 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 that more than 70 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 investigates and prosecutes corruption cases. The NAB may detain suspects for 15 days without charge (renewable with judicial concurrence) and deny access to counsel prior to charging. 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 preventively individuals on a variety of grounds and may require bonds to prevent undesired activities. Indefinite detention is not allowed, and detained persons may appeal to the FCR tribunal. Prisoners have the right to compensation for wrongful punishment. Cases must be decided within a specified period, and authorities may release arrested persons on bail. Regulations require prisoners to be brought before FCR authorities within 24 hours of detention, which curtails the ability of political agents to arbitrarily arrest and hold persons for up to three years. The accused have the right of appeal under a two-tiered system, which starts with an appellate authority consisting of an FCR commissioner and an additional judicial commissioner.

In FATA, PATA, and 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 an unknown number of individuals allegedly affiliated with terrorist organizations indefinitely in preventive detention, where they were often tortured and abused. In many cases authorities held prisoners incommunicado,

denying them prompt access to a lawyer of their choice. Family members often were not allowed prompt access to detainees.

The 2011 Actions in Aid of Civil Power Regulation (retroactive to 2008) provides the military legal authority to detain suspected terrorists in FATA and PATA when called upon by the civilian government. Critics stated the regulation violates the constitution because of its broad provisions expanding military authority and circumventing legal due process. Under the regulation, detainee transfers to internment centers continued on a regular basis.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: There were reports of persons arrested or detained who were not allowed to challenge in court the legal basis or nature of their detention, obtain relief, or receive compensation.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but according to NGOs and legal experts, the judiciary often was subject to external influences, such as fear of reprisal from extremist elements in terrorism or blasphemy cases and public politicization of high-profile cases. Civil society organizations reported judges were reluctant to exonerate individuals accused of blasphemy, fearing vigilante violence. The media and the public generally considered the high courts and the Supreme Court credible.

Extensive case backlogs in the lower and superior courts, together with other problems, undermined 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, and weak legal education. In Punjab, lawyers' strikes added to delays. From September 2016 to March, lawyers observed 1,474 strikes in 36 districts of Punjab, which severely hampered the functioning of the courts. The Lahore High Court took steps to improve judicial efficiency. The court's chief justice introduced legal reforms intended to reduce strikes and formalized an alternate dispute resolution (ADR) system. The court established 36 ADR centers, which received 3,883 references in six months and resolved 2,497 cases by August.

The jurisdiction of the Supreme Court and the high courts does not extend to several areas that operated under separate judicial systems. For example, the 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 persons and influential religious or political figures.

There were instances in which unknown persons threatened and/or killed witnesses, prosecutors, or investigating police officers in high-level cases. According to press reports, a suicide bomber on February 15 targeted a van carrying four judges in Peshawar, KP. The attack killed the vehicle's driver and injured the four judges.

Informal justice systems lacking institutionalized legal protections continued, especially in rural areas, and often resulted in human rights abuses. Landlords and other community leaders in Sindh and Punjab and tribal leaders in Pashtun and Baloch areas at times held local council meetings (panchayats or jirgas) outside the established legal system. Such councils settled feuds and imposed tribal penalties, including fines, imprisonment, and sometimes the death penalty. These councils often sentenced women to violent punishment or death for so-called honor-related crimes. 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 conducted hearings according to their interpretation of Islamic law and tribal custom.

Trial Procedures

The civil, criminal, and family court systems provide for a fair trial and due process, 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 must 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. 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 reported that adjudication of cases involving juveniles was slow due to a lack of special juvenile courts or judges. It concluded that a fair and just juvenile justice system did not exist. Many juveniles spent long periods behind bars

because they could not afford bail. According to SPARC, rather than being rehabilitated, child prisoners often became hardened criminals after spending long periods in the company of adult prisoners.

The Juvenile Justice System Ordinance, which outlines the treatment of juveniles in the justice system, does not apply to juveniles accused of terrorism or narcotics offenses. SPARC reported that, in the past, officials arrested children as young as 12 on charges of terrorism under the Antiterrorism Act. Children convicted under the act could be sentenced to death. There were numerous cases of individuals on death row having been convicted of, and/or tried for, crimes they allegedly committed while under the age of 18. Lack of documentation continued to be a problem for verifying questions of legal age. Civil society sources reported that, while they had no official reports of juvenile inmates on death row, they could not rule out the possibility. Different courts made different decisions as to what was “adequate” proof of age.

There were instances of lack of transparency in court cases, particularly if the case dealt with high-profile or sensitive issues. NGOs reported the government often located trials in jails because of security concerns, which extended to defendants, lawyers, judges, prosecutors, and witnesses. NGOs expressed concerns regarding the security of jail trials and the lack of privacy for defendants to consult with a lawyer.

The Antiterrorism Act allows the government to use special, streamlined antiterrorism courts (ATCs) to try persons charged with violent crimes, terrorist activities, acts or speech designed to foment religious hatred, and crimes against the state. In other courts, suspects must be brought to court within seven working days of their arrest, but the ATCs are free to extend the period. Human rights activists criticized the expedited parallel system, charging it was more vulnerable to political manipulation. In 2014, after a judge’s ruling that the Antiterrorism Act had been incorrectly applied, authorities returned 15 percent of cases initially brought to ATCs to regular courts, according to Punjab’s prosecutor general. NGOs reported that if a case needed to be expedited due to the egregious nature of the crime or political pressure, it was often sent to an ATC rather than through the regular court system. Others commented that, despite being comparatively faster than the regular court system, the ATCs often failed to meet speedy trial standards and had significant case backlogs.

The government continued to utilize military courts to try civilians on terrorism and related charges. Trials in military courts are not public (see section 1.d.).

The Federal Shariat Court typically reviewed cases prosecuted 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 punishing extramarital sex, false accusations of extramarital sex, theft, and drinking alcohol. Should a provincial high court decide to hear an appeal in a Hudood case, the Shariat Court lacks 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 Federal Shariat Court may overturn legislation judged inconsistent with Islamic tenets, but such decisions 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. Courts discriminatorily used laws prohibiting blasphemy against Shia, Christians, Ahmadis, and members of other religious minority groups. Lower courts often did not require adequate evidence in blasphemy cases, and some convicted persons spent years in jail before higher courts eventually overturned their convictions or ordered them freed.

In 2015 the Supreme Court suspended the death sentence of Asia Bibi, a Christian woman convicted of blasphemy in 2010, pending its decision on her appeal. Bibi had been on death row since 2010 after a district court found her guilty of making derogatory remarks about the Prophet Muhammed during an argument. Her lawyers appealed to the Supreme Court in 2014. The appeal was due to be heard in October 2016 but was delayed after one member of the three-judge bench recused himself. The court did not set a date for the next hearing.

In February 2016 authorities executed Mumtaz Qadri, who was convicted of killing then governor of Punjab Salmaan Taseer after Taseer had publicly called for a presidential pardon for Asia Bibi.

Also see the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

Political Prisoners and Detainees

Some Sindhi and Baloch nationalist groups claimed that authorities marked their members for arrest and detained them based on their political affiliation or beliefs. Under the 2009 Aghaz-e-Haqooq ("beginning of the rights") Balochistan

legislative “package” of reforms (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. In 2015 the federal and Balochistan provincial governments jointly announced a new peace package called “Pur Aman Balochistan” (“peaceful Balochistan”), intended to offer cash and other incentives for “militants” who wished to rejoin mainstream society. Despite the amnesty offers, some Baloch groups claimed that illegal detention of nationalist leaders by state agencies continued. Several of the missing persons documented by the Voice for Baloch Missing Persons 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. Individuals and organizations could not appeal adverse decisions to regional human rights bodies, although some NGOs submitted human rights “shadow reports” to the EU and other international actors.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law requires court-issued warrants for property searches. Police sometimes ignored this requirement and on occasion reportedly stole items during searches. Authorities seldom punished police for illegal entry. Police at times 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, NGOs, employees of foreign entities, and media. These services included the Inter-Services Intelligence, police Special Branch, the Intelligence Bureau, 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. Abuses in Internal Conflict

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 Pakistani Taliban (Tehreek-e-Taliban Pakistan, or TTP), Lashkar-e-Jhangvi, and the Islamic State Khorasan Province (ISIS-K) 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 multiple counterinsurgency and counterterrorism operations to eradicate militant safe havens. In 2014 the military launched Operation Zarb-e-Azb, an operation against foreign and domestic terrorists in FATA. The operation continued until February, when the military replaced it with Operation Radd-ul-Fasaad, a nationwide counterterrorism campaign aimed at consolidating Zarb-e-Azb's gains. The government also acted throughout the country to weaken terrorist groups and prevent recruitment by militant organizations. For example, law enforcement agencies reported seizures of large caches of weapons in urban areas such as Islamabad, Lahore, and Karachi. Police arrested Karachi gang members and TTP commanders who allegedly 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 both security forces and militants, and control by government and security forces over access by nonresidents to FATA impeded the efforts of human rights organizations to provide relief to victims of military abuses and efforts of journalists to report on any such abuses.

Political, sectarian, criminal, and ethnic violence in Karachi continued, although violence declined and gang wars were less prevalent than before security operations in the city. Natural disasters and instability caused by terrorist activity and military operations elsewhere in the country motivated ongoing relocation of citizens from different ethnic groups--including Sindhi, Baloch, and Pashtun migrants--to Karachi. This trend continued to shift the balance among political parties and the ethnic and sectarian groups they represented. Political parties and

their affiliated gangs continued to vie for political and economic control, engaging in a turf war over bhatta (extortion) collection privileges and “ownership” over katchi abadis (illegal/makeshift settlements).

Killings: There were reports that government security forces caused civilian casualties and engaged in extrajudicial killings during operations against militants. Security forces killed militants throughout the country. There were numerous media reports of police and security forces killing terrorist suspects in “police encounters.” Some observers believed security forces orchestrated at least some of these killings.

The TTP faction Jamaat-ur-Ahrar claimed responsibility for a suicide bomb attack near the Punjab Provincial Assembly in Lahore on February 13 that killed 13 individuals and injured more than 80. The militant faction said the attack was the beginning of a new campaign of violence against the government, security forces, the judiciary, and secular political parties.

On July 24, at least 26 individuals died and 58 were injured in a suicide explosion in Lahore. Officials stated the attack targeted a group of police. According to provincial authorities, at least nine of those killed were police officers. The TTP claimed responsibility for the blast.

ISIS-K claimed responsibility for several attacks in Balochistan and Sindh. On February 17, ISIS-K claimed responsibility for killing at least 75 persons and injuring more than 200 others, when a suicide bomber detonated at the Lal Shahbaz Qalandar shrine in Sindh.

Sectarian violence also continued throughout the country. NGOs differed in their definitions of sectarian violence, leading to differences in accounting for the number of attacks and deaths. According to SATP, 15 sectarian attacks from January to mid-December resulted in the deaths of 229 individuals, compared with 132 deaths in 31 incidents in 2016. Kurram Agency, FATA, which is the only part of FATA that has a majority Shia population, was the target of three separate bombings that claimed the lives of more than 120 individuals. On January 21, a bomb was detonated in a vegetable market in Parachinar, the capital of Kurram Agency, killing 25; Lashkar-e-Jhangvi and the TTP claimed responsibility. On June 23, twin blasts hit the Turi Market in central Parachinar, killing 72. Lashkar-e-Jhangvi claimed the attack. On October 10, a suicide bomber killed at least 24 worshippers at a shrine in Balochistan.

Multiple Ahmadiyya community members died in what appeared to be targeted killings. Unknown gunmen killed three Ahmadis in three separate attacks on March 30, April 7, and May 3.

Abductions: There were reports militant groups kidnapped or took civilians hostage in FATA, KP, Punjab, Sindh, and Balochistan. The Islamic State claimed responsibility for the May 24 abduction and killing of two Chinese nationals from Quetta.

Physical Abuse, Punishment, and Torture: Nonstate militant groups targeted noncombatants and killed civilians in various incidents across the country.

Child Soldiers: Nonstate militant groups kidnapped boys and girls and used fraudulent promises to coerce parents into giving away children as young as 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 the acts they committed were justified. The government operated a center in Swat to rehabilitate and educate former child soldiers.

Other Conflict-related Abuse: The terrorist groups TTP, Lashkar-e-Jhangvi, and related factions bombed government buildings and attacked and killed female teachers and polio vaccination workers. During the year there were two reported cases of fatal attacks against health-care workers associated with a polio vaccination campaign. Both incidents took place in KP, the first on May 24 in Bannu and the second on July 2 in Peshawar. The TTP particularly targeted girls' schools to demonstrate its opposition to girls' education but 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.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law provides for freedom of speech and press, but there were constitutional restrictions. In addition, threats, harassment, violence, and killings led journalists and editors to practice self-censorship.

Freedom of Expression: The constitution provides for the right to free speech and the press, subject to “any reasonable restriction imposed by law in the interest of the glory of Islam” or the “integrity, security, or defense of Pakistan, friendly relations with foreign states, public order, decency or morality.” The law permits citizens to criticize the government publicly or privately, but criticism of the military could result in political or commercial reprisal. Blasphemy laws restrict individual rights to free speech concerning matters of religion and religious doctrine. The government restricted some language and symbolic speech based on “hate speech” and “terrorism” provisions.

Press and Media Freedom: Independent media were active and expressed a wide variety of views, and journalists often criticized the civilian portions of 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, harassment, and violence against journalists who reported on sensitive issues such as civil-military tensions or abuses by security forces occurred during the year.

There were 455 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 office, Inter-Services Public Relations. The government-owned Pakistan Broadcasting Corporation and Pakistan Television Corporation broadcast television programs nationwide and operated radio stations throughout the country. In FATA and PATA, authorities allowed independent radio stations to broadcast with the FATA secretariat’s permission.

The Pakistan Electronic Media Regulatory Authority (PEMRA) licensed 89 private domestic and 22 foreign television channels; many of the channels were critical of the government. There were 143 commercial FM radio stations, but their licenses prohibited news programming. Some channels evaded this restriction by discussing news in talk-show formats. International radio broadcasts, including the BBC, were normally available. PEMRA imposed a blockage of transmissions of Indian television news channels until July 17, when the federal Lahore High Court lifted the ban.

PEMRA continued to enforce a ban on criticism of the judiciary and armed forces as proscribed in the constitution. PEMRA issued editorial directives to television stations during the year and authorized its chairman to shut down any channel found in violation of the PEMRA code of conduct, primarily with regard to prohibiting telecasts of protests that might instigate sectarian violence. PEMRA also maintained its ban on radio outlets broadcasting any Indian media content. Outlets continued to defy the ban, and most FM radio channels aired popular Indian songs.

Violence and Harassment: Security forces, political parties, militants, and other groups subjected media outlets, journalists, and their families to violence and harassment. Female journalists in particular faced threats of sexual violence and harassment, including via social media. Security forces allegedly abducted journalists. Media outlets that did not practice self-censorship were often the targets of retribution. Additionally, journalists working in remote and conflict-ridden areas lacked basic digital security as well as traditional security skills, which placed additional pressure to self-censor or not cover a story.

According to the International Federation of Journalists, state and nonstate actors killed, physically attacked, harassed, intimidated, and kidnapped journalists and subjected them to 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.

In January unidentified attackers shot and killed Muhammad Jan of the *Daily Qudrat* newspaper while on a motorbike in Kalat, Balochistan. The Lahore-based *Express Tribune* reported that journalist Rana Tanveer suffered a broken leg after he was struck by a car on June 9. He had previously received death threats from unidentified sources for covering stories about religious minorities. On June 21, the University of Agriculture Faisalabad’s private security guards beat journalists from news channel Samaa TV, who had arrived to cover a student-related incident. The journalists had been refused entry but were filming from outside the university when the guards attacked them. University guards also attacked journalists from other television channels who arrived to support their fellow reporters. Also on June 21, in Islamabad, madrassa students attacked a Din News television reporter and cameraman filming what appeared to be electricity theft by the madrassa. The seminary students beat the news team and pelted them with stones.

Censorship or Content Restrictions: Small, privately owned wire services and media organizations generally reported that they engaged in self-censorship,

especially in reporting news about the military forces. Journalists reported regular denial of official permission to visit conflict areas or having to be escorted either by members of the military or by militants in order to report on conditions in conflict areas. The result was pressure to produce final articles that were slanted toward the military or militant viewpoint, depending upon the escort. Other reporting tended to be relatively objective and only focused on events, rather than deeper analysis, which journalists generally regarded as risky. Observers perceived that foreign journalists had more autonomy to write about issues and to be under less scrutiny by the government. Private cable and satellite channels also reported that they censored themselves at times. Blasphemy and anti-Ahmadi laws restricted publication on certain topics. Foreign books needed to pass government censors before they could be reprinted, but there were no reports of books being banned during the year. Imported books and magazines were subject to censorship for objectionable sexual or religious content. Obscene literature, a category the government defined broadly, was subject to seizure.

The government fined private television channels for alleged violations of the “code of ethics” and for showing banned content on-screen. According to Freedom House, authorities used PEMRA rules to silence broadcast media by either suspending licenses or threatening to do so.

National Security: Some journalists asserted authorities cited laws protecting national security to censor and restrict media distribution of material that criticized government policies or military or public officials. The 2015 *Electronic Media (Programs and Advertisements) Code of Conduct* included a clause that restricted reporting in any area that was part of a military operation in progress.

Nongovernmental Impact: Militant and criminal elements killed, kidnapped, beat, and intimidated journalists and their families, leading many to censor their reporting.

Internet Freedom

Since 2012 the government has implemented a systematic, nationwide content-monitoring and filtering system to restrict or block “unacceptable” content, including material that is deemed un-Islamic, pornographic, or critical of the state or military forces. According to Freedom House, the government justified such restrictions as necessary for security purposes. There also were reports the government attempted to control or block some websites, including sites the government deemed extremist and sites that advocated for Baloch independence.

There was decreasing transparency and accountability surrounding content monitoring, and the government often used vague criteria without due process. In its *Freedom in the World Report* for 2017, Freedom House claimed that more than 200,000 (down from 400,000 in 2016) websites were banned in the country because of their allegedly anti-Islamic, pornographic, or blasphemous content. The report noted restrictive laws governing the use of the internet and stated that civil society organizations faced a continuing clampdown. 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.

In March the government petitioned Facebook and Twitter to identify Pakistanis worldwide who are found posting material considered offensive to Islam so that local authorities could prosecute them or pursue their extradition on charges of blasphemy, which could result in a death sentence.

On June 10, an antiterrorism court sentenced Taimoor Raza, a 30-year-old Shia man, to death for making allegedly blasphemous posts on Facebook, which observers noted was the first time a court handed down a death sentence specifically for committing blasphemy on social media.

The government enforced the 2016 Prevention of Electronic Crimes Act, which many critics claimed contained overly broad and vague definitions of what constituted online speech deemed suitable for removal and/or criminal charges. On June 25, a journalist was arrested by armed men at his house in Quetta and subsequently was handed over to the Federal Investigation Agency (FIA) and charged under the Prevention of Electronic Crimes Act for allegedly posting “illegal material” on social media. Digital rights activists expressed serious concerns about the law’s potential to curb freedom of expression, particularly on social media. The law states that the government will establish special tribunals for cybercrimes, but it remained unclear how the courts would enforce and interpret the bill.

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.

NGO and internet-freedom observers reported that the government intensified its surveillance of activists and journalists online, resulting in disappearances of numerous social media activists. In May the FIA informed media outlets it was investigating as many as 200 social media accounts on charges of "spreading negative material against the army and other institutions." There were also reports that the government used surveillance software.

According to the PTA, as of November there were approximately 50 million broadband subscribers, representing approximately 24.5 percent internet penetration.

Academic Freedom and Cultural Events

The government generally did not restrict academic freedom but screened and censored cultural events. There was government interference with art exhibitions, musical, and cultural activities. All such events require a government-issued permit (a "no objection certificate") in order to be held. 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 figures in foreign and domestic films.

b. Freedoms of Peaceful Assembly and Association

The constitution and laws provide for the freedoms of peaceful assembly and association, but these freedoms were subject to restrictions.

Freedom of Peaceful Assembly

By law district authorities may prevent gatherings of more than four persons without police authorization. The law permits the government to ban all rallies and processions, except funeral processions, for security reasons.

Authorities generally prohibited Ahmadis, a religious minority, from holding conferences or gatherings. Ahmadis cited a December 2016 Punjab provincial

police raid on the Ahmadiyya Muslim Community headquarters in Rabwah as evidence of worsening conditions for the community. In May an antiterrorism court sentenced two Ahmadis who were arrested during the raid to three years in prison.

Several protests, strikes, and demonstrations, both peaceful and violent, took place throughout the country. The government generally prevented political and civil society groups of any affiliation from holding demonstrations in Islamabad's red zone, a restricted area that includes a diplomatic enclave and federal government buildings, citing security restrictions that limit all public rallies and gatherings in the area.

Freedom of Association

The constitution provides for freedom of association subject to certain restrictions imposed by law. The government maintained a series of policies that steadily eroded the freedom of international nongovernmental organizations (INGOs) to access the communities they serve. For many project activities, INGOs must request government permission in the form of no-objection certificates. INGOs, UN organizations, and international missions are required to obtain such certificates before they can conduct most in-country travel or initiate new projects.

In 2015 the government adopted a new online registration regime for INGOs. The process entails extensive document requirements, multiple levels of review, and constant investigations by security and other government offices. On November 27, the government sent letters rejecting registration to certain INGOs. The letters required the named INGOs to close operations within 60 days. The letter offered an appeals process, but the guidelines and criteria were opaque, according to INGOs. As of December 15, at least 17 INGOs had received a rejection letter. No-objection certificates were hard to obtain in certain provinces without an approved registration, thus hindering implementation and monitoring of activities, even for INGOs that had initiated the registration process. INGOs also faced an uptick in visa denials for international staff. The unpredictability of the registration process caused at least one INGO to withdraw its registration application and terminate operations in the country.

The government at both the federal and provincial levels similarly restricted the access of foreign-funded local NGOs through a separate registration regime, no-objection certificates, and other requirements. Authorities required NGOs to obtain no-objection certificates before accepting foreign funding, booking facilities

or using university spaces for events, or working on sensitive human rights issues. Even when local NGOs receiving foreign funding were appropriately registered, their certificates were denied. Furthermore, domestic NGOs with all required certificates faced government harassment.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

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.

Abuse of Migrants, Refugees, and Stateless Persons: The government provided temporary legal status to approximately 1.4 million Afghans formally registered and holding proof of registration (PoR) cards. In February the federal cabinet approved: 1) the extension of PoR cards in two one-year increments, with the first increment valid through December 31; 2) the creation of specific visa categories for Afghans, such as investment, skilled and unskilled labor, student, medical, and spousal visas with a path to naturalization; 3) support for a national refugee law; and 4) the documentation of undocumented Afghans in the country. An estimated 600,000 undocumented Afghans migrants resided in the country.

There were reports of harassment and extortion of Afghan refugees by provincial authorities, police, and host communities. UNHCR reported that, from January to October, there were 3,345 arrests and detentions of refugees. All those arrested were released, 76 percent without charges, often following the intervention of UNHCR or its implementing partners. Arrests spiked in February, with the highest number of refugee arrests and detentions countrywide during any single month in the previous two years, largely due to security operations such as Radd-ul-Fasaad, initiated by the government in the wake of terrorist attacks early in the year.

Harassment of Afghan refugees decreased during the year, although individual cases of harassment persisted. Refugee accounts of harassment ranged from public protests against the presence of Afghan refugees by local communities to individual stories of harassment by law enforcement officials.

In-country Movement: Government restrictions on access to certain areas of FATA, KP, and Balochistan, often due to security concerns, hindered freedom of movement of persons. The government required an approved no-objection certificate for travel to areas of the country 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.” Passport applicants must list their religious affiliation and, if Muslims, affirm a declaration that the founder of the Ahmadiyya movement was a false prophet. Ahmadi representatives reported the word “Ahmadi” was written on their passports if they refused to sign the declaration. According to policy, government employees and students must obtain no-objection certificates from the government before traveling abroad. Authorities rarely enforced this requirement for students, however.

The government prohibited persons on an exit control list from departing the country. The stated purpose of the list was to prevent departure from the country of “persons involved in antistate activities, terrorism, or related to proscribed organizations and those placed on the orders of superior courts.” Those on the list had the right to appeal to the courts to have their names removed.

Exile: During the year the government refused the return of immigrants deported from Europe. One European mission reported several deportees were refused entry as unidentifiable Pakistani citizens, despite having passports issued by Pakistani embassies abroad. Some NGOs commented the government increased restrictions on the issuance of identity and proof of nationality documents, such as passports, from its missions abroad.

Internally Displaced Persons (IDPs)

Large population displacements continued as a result of militant activity and military operations in FATA. A total of 5.3 million residents of FATA were displaced since 2008, some of them multiple times. Of those, approximately five million had returned as of the end of October. The government and UN agencies such as UNHCR, UNICEF, and the UN World Food Program (WFP) collaborated

to assist and protect those affected by conflict. 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 had been vulnerable to the disease due to the Taliban-imposed ban on immunizations in their home regions. In some areas an estimated 50 percent of the IDP population had been displaced five years or longer, according to the Internal Displacement Monitoring Center. Those displaced by conflict generally resided with host families, in rented accommodations, or to a lesser extent, in camps. Several IDP populations settled in informal settlements outside of major cities, such as Lahore and Karachi.

The return of IDPs displaced by Operation Zarb-e-Azb in North Waziristan Agency, Operations Khyber I, II, III, and IV in Khyber Agency, and other military activities continued. According to the UN Office for the Coordination of Humanitarian Affairs, 329,012 families had returned to FATA and 32,469 families remained displaced as of October 31. Since 2015, 90 percent of the total IDP population had returned to FATA. As of September 27, 66 to 94 percent of IDPs had returned to their home province.

The government required humanitarian organizations assisting civilians displaced by military operations to request no-objection certificates to access all agencies in FATA. According to humanitarian agencies and NGOs, the certificate application process was cumbersome and projects faced significant delays in their start-up. 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 danger when travelling to and within FATA. UN agencies maintained access to the camps and the affected areas mainly through local NGOs.

There were no reports of involuntary returns. Many IDPs reportedly wanted to return home, despite the lack of local infrastructure, housing, and available service delivery and the strict control that security forces maintained over returnees' movements through extensive checkpoints. Other IDP families delayed their return or chose some family members to remain in the settled areas of KP where regular access to health care, education, and other social services were available. For IDPs who were unwilling or unable to return, the government coordinated support with the United Nations and other international organizations. The WFP distributed a monthly food ration to IDPs in KP displaced by conflict and continued to provide a six-month food ration to IDPs who returned to their areas of origin in FATA.

Despite large-scale recurring displacements of individuals due to natural disasters and disruptions caused by terrorist activities and counterterrorist operations, the government had not adopted specific legislation to tackle internal displacement problems. In addition, the National Disaster Management Act of 2010 does not provide any definition of IDPs or their rights.

Protection of Refugees

Refoulement: There were no reported cases matching the legal definition of refoulement.

Access to Asylum: The law does not provide for granting asylum or refugee status. The country lacks a legal and regulatory framework for the management of refugees and migration. The law does not exclude asylum seekers and refugees from provisions regarding illegal entry and stay. In the absence of a national refugee legal framework, UNHCR conducted refugee status determination under its mandate, and the country generally accepted UNHCR decisions to grant refugee status and allowed asylum seekers (who were still undergoing the procedure) as well as recognized refugees to remain in the country pending identification of a durable solution.

Employment: There is no formal document allowing refugees to work legally, but there is no law prohibiting refugees from working in the country. Many refugees worked as day laborers or in informal markets, and local employers often exploited refugees in the informal labor market with low or unpaid wages. Women and children were particularly vulnerable, accepting underpaid and undesirable work.

Access to Basic Services: One-third of registered Afghans lived in one of 54 refugee villages, while the remaining two-thirds lived in host communities in rural and urban areas and sought to access basic services in those communities. Afghan refugees could avail themselves of the services of police and the courts, but some, particularly the poor, were afraid to do so. There were no reports of refugees denied access to a health facility because of their nationality.

The constitution stipulates free and compulsory education for all children between the ages of five and 16, regardless of their nationality. Any refugee registered with both UNHCR and the government-run Commissionerate of Afghan Refugees was, in theory, admitted to public education facilities after filing the proper paperwork. In practice access to schools was on a space-available basis as determined by the

principal, and most registered Afghans attended private Afghan schools or schools sponsored by the international community. For older students, particularly girls in refugee villages, access to education remained difficult. Afghans who grew up in Pakistan needed student visas to attend universities, but they qualified for student visas based on their PoR cards. Afghan students were eligible to seek admission to Pakistani public and private colleges and universities.

Durable Solutions: The government did not accept refugees for resettlement from other countries and did not facilitate local integration. The government does not accord Afghan refugees Pakistani citizenship.

The Ministry of States and Frontier Regions and Ministry of the Interior's National Database and Registration Authority (NADRA) signed a memorandum of understanding (MOU) on May 11 to document unregistered Afghans in the country. The MOU established 21 documentation centers in areas with high concentrations of unregistered Afghans. Under the MOU, NADRA agreed to issue new identity cards, called Afghan citizen cards (ACCs), over a period of six months. According to UNHCR, the ACCs provided undocumented Afghans legal protection from arbitrary arrests, detention, or deportation under the Foreigner's Act and would "allow Afghans to stay in Pakistan for the time being." If cardholders leave the country, they relinquish their status. After the documentation period concludes at the end of January 2018, only new births to existing ACC cardholders will be recorded. Any undocumented Afghans encountered in the country after the registration period would be vulnerable to detention and deportation under the Foreigners Act.

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 partitions of India and Pakistan and of Pakistan and Bangladesh, respectively. In addition, UNHCR estimated there were 300,000 Rohingya living in the country, a large percentage of whom were believed to be stateless.

Section 3. Freedom to Participate in the Political Process

The constitution provides the majority of citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on

universal and equal suffrage. Gilgit-Baltistan, the AJK, FATA, and PATA have political systems that differ from the rest of the country. FATA and PATA had representation in the national Parliament; Gilgit-Baltistan and the AJK did not.

Despite their representation in the national Parliament, FATA residents do not have a voice in federal decisions regarding the tribal areas; authority in FATA resides with the president. Tribal residents do not have the right to change their local government because unelected civilian bureaucrats nominally run the tribal agencies under the 1901 FCR, as amended in 2011. No local government elections have ever been held in FATA, even as the country's other provinces elected local representatives. 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, and there was a continuing internal debate over the possibility of FATA's integration into KP Province to normalize its administration.

the AJK has an interim constitution, an elected unicameral assembly, a prime minister, and a president elected by the assembly. In 2016 the AJK held legislative assembly elections that resulted in a Pakistan Muslim League-Nawaz (PML-N)-majority government. Media reported that local observers concluded the elections were largely peaceful and free of allegations of vote rigging; the AJK election commission deployed an additional 32,000 law enforcement officers to maintain law and order. Some AJK political leaders reported an increased military presence on election day. The federal government, including the military, controlled and influenced the structures of the AJK government and its electoral politics. Authorities barred those who did not support the AJK's accession to Pakistan from the political process, government employment, and educational institutions.

Elections and Political Participation

Recent Elections: In 2013 the country held national elections that resulted in a PML-N-majority government led by Prime Minister Nawaz Sharif. In 2013 Mamnoon Hussain succeeded Asif Ali Zardari as president. On July 28, the Supreme Court disqualified Sharif from office over corruption allegations. Parliament elected Shahid Khaqan Abbasi as the new prime minister on August 1. Asif Ali Zardari completed his five-year term as president in 2013 with Mamnoon Hussain (PML-N) succeeding him. According to Article 41 of the constitution, the Electoral College (made up of the members of both houses of parliament, and of the provincial assemblies) selects the country's president by secret ballot in a

special session that is held between 30 and 60 days prior to the expiration of the sitting president's five-year term.

In the most recent general elections in 2013, the Election Commission of Pakistan 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 to observe the election. The government permitted all existing political parties to contest the elections, although several smaller parties boycotted the polling. Election observers generally considered the elections a success, despite terrorist violence and some procedural problems.

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, however, there were reports security agencies and separatist groups harassed local political organizations, such as the Balochistan National Party and the Baloch Students 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. Authorities widely used quotas to assure a minimum female presence in elected bodies. There are 60 seats in the National Assembly reserved for women. Authorities apportioned these seats on the basis of total votes secured by the candidates of each political party that contested the elections. Authorities reserved 129 of the 758 seats for women in provincial assemblies and one-third of the seats in local councils. Women participated actively as political party members, but they were not always successful in securing leadership positions within parties, with the exception of women's wings. Women served in the federal cabinet.

The comprehensive Elections Act 2017, which was passed on October 2 and replaced eight older laws, stipulates special measures to enhance electoral participation of women, religious minorities, transgender persons, and persons with disabilities. Under the new law, women must constitute 5 percent of party tickets, and if less than 10 percent of women vote in any constituency, it will be presumed that the women's vote was suppressed and the results for that constituency or polling station may be nullified. The law provides for mail-in voting for persons with disabilities. It requires expedited issuance of identification cards (which also

serve as voter identification cards) for non-Muslims, transgender persons, and persons with disabilities.

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

The constitution reserves four seats in the Senate, one for each of the four provinces, for religious minorities, defined by the government as “non-Muslim.” These seats are filled through indirect elections held in the provincial assemblies. Ten National Assembly seats are reserved for members of religious minorities. The authorities apportioned seats to parties based on the percentage of seats each won in the assembly. Minorities held 22 reserved seats in the provincial assemblies: eight in Punjab, nine in Sindh, two in KP, and three in Balochistan. Some members of religious minority communities criticized the system of minority representation, whereby minority representatives at the provincial and federal levels are appointed by their political parties to reserved seats; they stated this system resulted in minority representatives serving the interests of their political parties rather than of minority communities.

Women and minorities may contest unreserved seats.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, but the government generally did not implement the law effectively, and officials frequently engaged in corrupt practices. As in previous years, 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: In November 2016 the Supreme Court convened a special bench to investigate allegations of corruption levelled against then prime minister Sharif and members of his family. The charges stemmed from allegations related to the 2016 “Panama Papers” leaks, which named Pakistanis having off-shore banking accounts, according to the International Consortium of Investigative Journalists. On July 28, the Supreme Court disqualified then prime minister Sharif from his National Assembly seat, prompting him to resign as prime minister the following day. The court also ordered the National Accountability Bureau (NAB) to prosecute the prime minister, members of his family, and the sitting finance

minister. The trials before a national accountability court began in September and continued at year's end.

The NAB serves as the highest-level anticorruption authority, with a mandate to eliminate corruption through awareness, prevention, and enforcement. The NAB and other investigative agencies, including the Federal Board of Revenue, the State Bank of Pakistan, and the Federal Investigation Agency, conduct investigations into corruption, tax evasion, and money laundering.

Corruption within the lower levels of the police force was common. 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.

Financial Disclosure: By law, members of Parliament, civil servants, and ministers must declare their assets. Elected officials must also disclose their spouses' and dependent children's assets. Failure to disclose this information may lead to their disqualification from public office for five 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.

Political parties and politicians must file annual financial accounting reports declaring their assets and liabilities. The law was not fully implemented, and lawmakers often disregarded it. It is the duty of the Election Commission of Pakistan to verify that political parties and politicians make their financial information publicly available; the commission posts a list of parliamentarians' assets annually.

Under the efficiency and disciplinary rules, an official must face an inquiry if accused of corruption or financial irregularities. A person convicted of corruption faces a prison term of up to 14 years, a fine, or both, and the government may appropriate any assets obtained by corrupt means.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Although some domestic and international human rights groups operated without significant government restriction, investigating and publishing their findings on human rights cases, the government increasingly restricted the operating ability of NGOs. Some groups that implicated the government, military, or intelligence services in misdeeds or worked on issues related to IDPs, conflict areas, or advocacy reported their operations were at times restricted. These groups faced numerous regulations regarding travel, visas, and registration that hampered their efforts to program and raise funds. International staff members of organizations, including those from the few successfully registered INGOs, continued to face delays or denials in the issuance of visas and no-objection certificates for in-country travel. The domestic NGO registration agreement with the government requires NGOs to “not use controversial terms like Peace and Conflict Resolution, IDPs, etc. in your annual reports or any other documents/correspondence/agreements.” Very few NGOs had access to KP, FATA, and certain areas in Balochistan.

Government Human Rights Bodies: The 2012 National Commission for Human Rights Bill authorized the establishment of an independent committee, the National Commission on Human Rights, and an independent Ministry of Human Rights was reconstituted in 2015. The Senate and National Assembly standing committees on law, justice, minorities, and human rights held hearings on a range of human rights problems, including honor crimes, police abuses in connection with the blasphemy law, and the Hudood Ordinance.

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

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. Although rape was frequent, prosecutions were rare. Spousal rape is not a crime. In 2016 Parliament passed a new antirape law that provides for collection of DNA evidence and includes nondisclosure of a rape victim’s name, the right to legal representation of rape victims, and enhanced penalties for rape of victims with mental or physical disabilities.

As in previous years, the government did not effectively enforce the 2006 Women’s Protection Act. 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 victim to complain directly to a sessions court, which is considered 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. NGOs reported the procedure created barriers for rape victims who could not afford to travel to or access the courts. Rape was a severely underreported crime.

In 2016 the provincial government of Punjab passed the Punjab Protection of Women against Violence Act to provide greater legal protections for domestic abuse victims, including judicial protective orders and access to a new network of district-level women's shelters, the first of which was inaugurated in Multan in March. The center provided women a range of services including assistance with the completion of first information reports (FIRs) regarding the crimes committed against them, first aid, medical examinations, post-trauma rehabilitation, free legal services, and a shelter home.

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.

According to the Aurat Foundation and others, prosecutions of reported rapes were rare. Police and NGOs reported individuals involved in other types of disputes sometimes filed false rape charges, 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. The use of post-rape medical testing increased, but medical personnel in many areas did not have sufficient training or equipment, which further complicated prosecutions. Accusations of rape were often resolved using extrajudicial measures, with the victim often forced to marry her attacker.

No specific federal law prohibits domestic violence, which was widespread. Forms of domestic violence reportedly included beating, physical disfigurement, shaving of women's eyebrows and hair, and--in the most extreme cases--homicide. In-laws abused and harassed the wives of their sons. Dowry and other family-related disputes sometimes resulted in death or disfigurement by burning or acid.

Women who tried to report abuse faced serious challenges. 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 routinely 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. These women's police stations, however, struggled with understaffing and limited equipment.

The government continued to operate the Crisis Center for Women in Distress, which referred abused women to NGOs for assistance. Numerous government-funded Shaheed Benazir Bhutto Centers for Women across the country provided legal aid, medical treatment, and psychosocial counseling. These centers served women who were victims of exploitation and violence. Victims later were referred to dar-ul-amans, shelter houses for abused women and children, of which there were several hundred around the country. The dal-ul-amans also provided access to medical treatment. According to NGOs, the shelters did not offer other assistance to women, such as legal aid or counseling, and often served as halfway homes for women awaiting trial for adultery, even though they were the victims of rape and domestic abuse.

Government centers lacked sufficient space, staff, and resources. Conditions in many dar-ul-amans did not meet international standards. Many were severely overcrowded with, in some cases, more than 35 women sharing one toilet. Few shelters offered access to basic needs such as showers, laundry supplies, or feminine hygiene products. In some cases, women were reportedly abused at the government-run shelters, found their movements severely restricted, or were pressured to return to their abusers.

There were some reports of women being trafficked and prostituted out of shelters. Shelter staff reportedly sometimes discriminated against women in shelters; they assumed that if women fled their homes, it was because they were women of ill repute. In some cases, women were reportedly abused at the government-run shelters, found their movements severely restricted, or were pressured to return to their abusers.

Female Genital Mutilation/Cutting (FGM/C): No national law addresses the practice of FGM/C. According to human rights groups and media reports, many Dawoodi Bohra Muslims practiced various forms of FGM/C. Some other isolated tribes and communities in rural Sindh and Balochistan also practiced FGM/C. Some Dawoodi Bohras spoke publicly and signed online petitions against the practice.

Other Harmful Traditional Practices: At times women were victims of various types of societal violence and abuse, including so-called honor killings, forced marriages and conversions, imposed isolation, and being used as chattel to settle tribal disputes.

A 2004 law on honor killings, the 2011 Prevention of Antiwomen Practices Act, and the 2016 Criminal Law Amendment (Offenses in the Name or Pretext of Honor) Act criminalize acts committed against women in the name of traditional practices. Despite these laws, hundreds of women reportedly were victims of so-called honor killings, and many cases went unreported and unpunished. In many cases, the male involved in the alleged “crime of honor” is not killed but allowed to flee. In October 2016 the government passed the anti-honor-killing law, closing the loophole that allowed perpetrators in “honor killings” to go free if the victim’s family pardoned the perpetrator.

Because honor crimes generally occurred within families, many went unreported. Police and NGOs reported that increased media coverage enabled law enforcement officials to take some action against a limited number of perpetrators. In July 2016 social media celebrity Fouzia Azeem (better known as Qandeel Baloch) was killed by her brother at their family home in southern Punjab. The brother said she had shamed the family with her “liberal” lifestyle. The government charged Baloch’s brother and accomplices with her murder, which made the state a party in the case and barred the family from “forgiving” the brother and setting him free, a common outcome in these types of killings.

The practice of cutting off a woman’s nose or ears, especially in connection with honor crimes, was reported, and legal repercussions were rare.

In March, Parliament passed the federal Hindu Marriage Act. The national law codifies the legal mechanisms to register Hindu marriages and to prove the legitimacy of Hindu marriages under the law. While leaders in the Hindu community generally saw the legislation as a positive step toward preventing forced marriages of Hindus to Muslims, the law contains one controversial

provision allowing for the termination of the marriage upon the conversion of one party to a religion other than Hinduism. A similar provision was included in Sindh's 2016 Hindu Marriage Act.

The 2011 Prevention of Antiwomen Practices Amendment Act criminalizes and punishes the giving of 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 to take an oath on the Quran to remain unmarried or not to claim her share of an inheritance. Although prohibited by law, these practices continued in some areas.

The law makes maiming or killing using a corrosive substance a crime and imposes stiff penalties against perpetrators. As with other laws, these measures are not applicable in 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.

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 several laws criminalize sexual harassment in the workplace and public sphere, the problem was widespread. Laws require all provinces to establish provincial-level ombudsmen. Sindh was the first province to do so in 2012. Punjab Province and administrative district Gilgit-Baltistan also established ombudsmen.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The law prohibits discrimination based on sex in general, but authorities did not enforce it. Women also faced discrimination in employment, 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.

The law entitles female children to one-half the inheritance of male children. Wives inherit one-eighth of their husbands' estates. Women often received far less than their legal entitlement.

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.).

Education: The constitution mandates compulsory education, provided free of charge by the government, to all children between the ages of five and 16. Despite this provision, government schools often charged parents for books, uniforms, and other materials.

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

Child Abuse: Child abuse was widespread. Employers, who in some cases were relatives, abused young girls and boys working as domestic servants by beating them and forcing them to work long hours. Many such children were trafficking victims.

Local authorities subjected children to harmful traditional practices, treating girls as chattel to settle disputes and debts.

In 2016 the government updated its definition of statutory rape and expanded the previous definition, which was sexual intercourse with a girl younger than 16, to include boys.

Early and Forced Marriage: Despite legal prohibitions, child marriages occurred. Federal law sets the legal age of marriage at 18 for men and 16 for women. The 2014 Sindh Child Marriage Restraint Act sets 18 as the legal age of marriage for both girls and boys in Sindh Province. A February amendment to the federal 1929 Child Marriage Restraint Act substantially increased punishment for violators of the law. Under the amendment, violators may be imprisoned for up to 10 years

and no less than five years (up from imprisonment of up to one month), and may also be fined up to one million rupees (\$9,000), up from 1,000 rupees (nine dollars).

In 2014 the Council of Islamic Ideology declared child 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. Decisions of the Council are nonbinding.

According to a 2017 nationally representative Gallup survey, 24.7 percent of women were married before the age of 18. In rural areas, poor parents sometimes sold their daughters into marriage, in some cases to settle debts or disputes. Although forced marriage is a criminal offense and many cases were filed, prosecution remained limited.

Sexual Exploitation of Children: In 2016 Parliament amended the criminal code to protect children further from specific crimes of child pornography, sexual abuse, seduction, and cruelty. The 1961 Suppression of Prostitution Ordinance and portions of the penal code are intended to protect children from sexual exploitation though socioeconomic vulnerabilities led to the sexual exploitation of children, including sex trafficking, and authorities did not regularly enforce these laws. Child pornography is illegal under obscenity laws.

Infanticide or Infanticide of Children with Disabilities: By law anyone found to have abandoned an infant may be imprisoned for seven years, while anyone guilty of secretly burying a deceased child may be imprisoned for two years. Murder is punishable by life imprisonment, but authorities rarely prosecuted the crime of infanticide.

Displaced Children: According to civil society sources, it was difficult for children displaced by military operations to access education or 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.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

There is a very small Jewish population in the country. 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” 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/.

Persons with Disabilities

The law provides for equal rights for persons with disabilities, but authorities did not always implement its provisions. After the Ministry of Social Welfare and Special Education was dissolved in 2011, its affiliated departments--including the Directorate General for Special Education, the National Council for the Rehabilitation of the Disabled, and the National Trust for the Disabled--were transferred 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 Sindh the law mandates the minister for bonded labor and special education to address the educational needs of persons with disabilities. According to civil society sources, most children with disabilities did not attend school.

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. Authorities only partially implemented this requirement due to lack of adequate enforcement mechanisms.

Organizations that did not wish to hire persons with disabilities could instead pay a fine to a disability assistance fund. Authorities rarely enforced this obligation. The National Council for the Rehabilitation of the Disabled provided job placement and loan facilities as well as subsistence funding. Voting was challenging for persons with disabilities, however, because of severe difficulties in obtaining transportation and access to polling stations. The Elections Act 2017, however, allows for mail-in voting for persons with disabilities. In addition, the

Election Commission of Pakistan issued a directive for 2018 general election polling stations to be installed on ground floors when possible and to be equipped with ramps in order to facilitate access for persons with disabilities.

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, male transgender, and intersex persons rarely revealed their sexual orientation or gender identity. There were communities of openly transgender women, but they were marginalized and were frequently the targets of violence and harassment. Transgender women were marginalized and were frequently the targets of violence and harassment. No laws protect against discrimination on the basis of sexual orientation or gender identity. In 2013 the Pakistan Telecommunications Authority blocked the country's first online platform for the LGBTI community to share views and network, but social media pages working on LGBTI rights and related issues continued to function.

Violence and discrimination continued against LGBTI persons. Police generally refused to take action on cases involving members of the LGBTI community. In Karachi, Sindh police were slow or reluctant to pursue crimes committed against transgender women, including in the cases of an August 30 killing and two separate gang rapes in September. Outreach by NGOs in KP, in contrast, improved interactions between police and the transgender community there.

According to a wide range of LGBT NGOs and activists, society generally shunned transgender women, eunuchs, and intersex persons, collectively referred to as "hijras"--a word some transgender individuals view as pejorative, preferring the term "khwaja serra"--who often lived together in slum communities and survived by begging and dancing at carnivals and weddings. Some also were prostitutes. Local authorities often denied transgender individuals places in schools or admission to hospitals, and landlords often refused to rent or sell property to them. Authorities often denied transgender individuals their share of inherited property. A 2012 Supreme Court ruling recognizes transgender persons as a "third gender" and allows them to obtain accurate national identification cards. Because of the ruling, in 2013 transgender individuals were able to participate in elections for the first time as candidates and voters.

HIV and AIDS Social Stigma

The country continued to have a concentrated HIV epidemic with an estimated prevalence among the general population at less than 0.1 percent. Estimates indicated that 93 percent of those living with HIV were in two provinces: Punjab (50 percent) and Sindh (43 percent). The epidemic was concentrated among key populations, primarily injecting drug users. For all key populations, stigma and discrimination by the general population and by health-care providers in particular remained a significant barrier to treatment access.

Other Societal Violence or Discrimination

Societal violence due to religious intolerance remained a serious problem. There were occasionally reports of mob violence against religious minorities, including Christians, Ahmadiyya Muslims, Hindus, and Shia Muslims.

Members of the Hazara ethnic minority, who are Shia Muslim, continued to face discrimination and threats of violence in Quetta, Balochistan. At least 13 Hazara Shia were killed in targeted attacks throughout the year. For example, on July 19, unidentified gunmen killed a Hazara Shia family of four travelling from Quetta to Karachi. According to press reports and other sources, Hazaras 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 causing violent incidents, authorities confined Shia religious processions to the Hazara enclaves.

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. The 2010 18th constitutional amendment, which devolved labor legislation and policies to the four provinces, stipulated that existing national laws would remain in force “until altered, repealed, or amended” by the provincial governments. Provinces implemented their own industrial relations acts in 2011. In 2012 Parliament passed a new industrial relations act that took International Labor Organization (ILO) conventions into account but applied them only to the Islamabad Capital Territory and to trade federations that operated in more than one

province. Most of the labor force was not covered by federal labor regulations of any kind.

The role of the federal government remained unclear in the wake of devolution. The only federal government body with any authority over labor issues was the Ministry of Overseas Pakistanis and Human Resource Development, whose role in domestic labor oversight was limited to compiling statistics to demonstrate compliance with ILO conventions. At the provincial level, laws providing for collective bargaining rights excluded banking and financial-sector workers, forestry workers, hospital workers, self-employed farmers, and persons employed in an administrative 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. The 2012 Federal Industrial Relations Act 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 that the commission could resolve such a dispute.

Worker organizations noted the limited capacity and funding for labor relations implementation at the provincial level, and there was controversy over the federal government's decision to maintain control of the Workers Welfare Fund and Employees Old Age Benefits Institution as opposed to devolving it to the provinces.

The law prohibits state administrators, workers in state-owned enterprises, and export processing zones, and public-sector workers from collective bargaining and striking, but labor groups reported the law was not applied during the year. Provincial industrial relations acts also address and limit strikes and lockouts. For example, the KP act 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, although police often arrested union leaders and occasionally

charged them under antiterrorism and antistate laws. Violence and other problems involving freedom of association persisted throughout the year.

Federal law defines 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.

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 or only-on-paper worker unions--so-called yellow unions--to prevent effective unionization.

There were no reported cases 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 workers in the informal sector and advocated 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 they could connect to the country’s social safety net and access the benefits of citizenship (such as voting, health care, and education).

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 a district “vigilance committee” system to implement the law. Federal and provincial acts, however, 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.

Lack of political will, the reported complicity of officials in trafficking, technical flaws in the law, federal and local government structural changes, and a lack of

funds contributed to the failure of authorities to enforce federal law relating to forced labor. Gaps also remained in the legislative framework. Consequently, when law enforcement officers registered bonded labor offenses, they often did so under other sections of the penal code, including kidnapping and illegal confinement. Resources, inspections, and remediation were inadequate, and penalties under federal law--including a 50,000-rupee (\$450) fine, two to five years' imprisonment, or both--were insufficient to deter violations.

The use of forced and bonded labor was widespread and common in several industries across the country. NGOs estimated that 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 reportedly present in the agricultural sector, including the cotton, sugarcane, and wheat industries, and in the brick, coal, and carpet industries. Bonded laborers often were unable to determine when their debts were fully paid, in part because contracts were rare, and employers could 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. The government of Punjab funded the Elimination of Child Labor and Bonded Labor Project, which aimed to rehabilitate bonded laborers working in brick kilns, increase law enforcement and service provider capacity, and promote integration and coordination of government responses.

Boys and girls also were bought, sold, rented, or kidnapped to work in illegal begging rings, as domestic servants, or in 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 did not 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 reportedly worked to register brick kilns and their workers in order to regulate the industry more effectively and provide workers access to labor courts and other services. According to ILO officials, the KP and Punjab provincial governments have registered nearly all brick kilns in their provinces and Punjab has completed digital mapping of the kilns. The Punjab Department of Labor continued its project to combat child and bonded labor in brick kilns by helping workers obtain national identity cards and interest-free loans and providing schools at brick kiln sites. Since its 2014 launch, the project has reportedly succeeded in removing nearly 90,000 children from work in brick kilns and enrolling them in school.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ and the Department of Labor's Findings on the Worst Forms of Child Labor at www.dol.gov/ilab/reports/child-labor/findings.

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. The national law for the employment of children sets the minimum age for hazardous work at 15, an age not in compliance with international standards. The national law establishes 15 as the minimum age for employment, although the law's age limit does not extend to informal employment. 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. The law does not allow children to work overtime or at night, and it specifies they should receive one day off per week. Additionally, the law requires employers to keep a register of child workers for labor inspectors to verify. These prohibitions and regulations, however, do not apply to home-based businesses.

On January 26, Sindh Province adopted the Prohibition of Employment of Children Bill that bars children under 15 from employment and establishes 19 as the minimum age for employment in hazardous work. It penalizes perpetrators with six months' imprisonment and a fine of 50,000 rupees (\$450) or, in the case of dangerous workplaces, three years' imprisonment and a fine of 100,000 rupees (\$900). Other provinces also passed legislation during the year on child labor and child protection, and all four provinces dedicated resources to address child labor practices.

Federal law prohibits the exploitation of children younger than 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 legally liable. The law makes bonded labor of children punishable by up to five years in prison and 50,000 rupees (\$450) in fines. The government prohibited the employment of children under 15 in hazardous work, including four occupations and 34 processes, such as street vending, surgical instrument manufacturing, deep-sea fishing, leather manufacturing, brick making, soccer ball production, and carpet weaving. Despite these restrictions, there were reports of children working in all these areas.

Coordination of responses to child labor problems at the national level remained ineffective. As a result of devolution, 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 that 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, with many children working in agriculture and domestic work.

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 kilns and in the 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. In 2012 researchers estimated there were 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, and 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 in exploitative conditions or forced labor.

Children also were kidnapped or sold into organized begging rings, domestic servitude, militants and gangs, and child sex trafficking.

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

d. Discrimination with Respect to Employment and Occupation

While regulations prohibit discrimination in employment and occupation regarding race, sex, gender, disability, language, 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 based on these factors persisted. The nature of penalties for violations was insufficient to deter violations.

e. Acceptable Conditions of Work

The 2010 passage of the 18th amendment to the constitution dissolved the federal Ministry of Labor and Manpower, resulting in the devolution of labor issues to the provinces. Labor groups, international organizations, and NGOs remained critical of the devolution, contending 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. Some international organizations observed that the devolution gave responsibility to the provincial authorities, and they noticed some improvements in labor practices, including inspections.

In July 2016 the government raised the minimum wage for unskilled workers from 13,000 rupees (\$118) to 14,000 rupees (\$127) per month, and all provincial governments' budgets were required to follow that directive. 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. Minimum wage laws did not cover significant sectors of the labor force, including workers in the informal sector, domestic servants, and agricultural workers.

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. The majority of factory workers, however, were employed as contract laborers with no benefits beyond basic wages and no long-term job security, even if they remained with the same employer for years.

These regulations do not apply to agricultural workers, workers in factories with fewer than 10 employees, domestic workers, or contractors. Workers in these types of employment also lack 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 of employees, 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 Punjab, a system whereby owners voluntarily posted their own declarations about workplace safety, health, and wage conditions in their factories replaced routine inspections. Officials then chose factories at random for inspection. Balochistan and KP allowed surprise inspections. Many workers, especially in the informal sector, remained unaware of their rights. Given the serious restrictions on labor inspections and the effect 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. 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. Factory managers were often unable to ascertain the identity of fire or other work-related accident victims because these individuals were contract workers and generally did not appear in official records. In November 2016 an estimated 20 individuals died and more than 50 others were injured in an explosion and fire at a ship-breaking facility in Gadani, Sindh. From 2016 to August 2017, at least seven workers died in Gadani due to poor safety standards at ship-breaking facilities there. Three workers died and a fourth was critically injured on September 23 after falling into a chemical tank at a factory in Karachi. Eight coal miners were killed in three separate incidents in Balochistan in September, and labor leaders reported 80 coal miners were killed annually due to poor safety standards.

The country's failure to meet international health and safety standards raised doubts abroad as to its reliability as a source for imports. On November 18, however, the provincial government of Sindh enacted a comprehensive occupational health and safety law that the government developed in consultation with the ILO.

Following the 2012 fire at a Karachi textile factory that killed 259 workers, some labor advocates complained that many families had not received their promised compensation. In September 2016 the ILO, together with the factory owner and trade union representatives, concluded a victim compensation arrangement, including \$5.15 million in long-term financial assistance to those affected by the fire. Labor activists asserted that, due to poor implementation of existing laws, many factors that led to the tragedy--most notably a fraudulent safety certification and inadequate fire safety measures--continued to exist at many other companies.