

# PAKISTAN 2020 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Pakistan is a federal parliamentary republic. In 2018 the Pakistan Tehreek-e-Insaf party won the most National Assembly seats in the general elections, and the party's leader, Imran Khan, became prime minister. While independent observers noted technical improvements in the Election Commission of Pakistan's management of the polling process itself, observers, civil society organizations, and political parties raised concerns regarding pre-election interference by military and intelligence agencies that created an uneven electoral playing field. Some political parties also alleged significant polling day irregularities.

Police have primary domestic security responsibility for most of the country. Local police are under the jurisdiction of provincial governments. Paramilitary organizations--including the Frontier Corps, which operates in Balochistan and Khyber Pakhtunkhwa, including the former Federally Administered Tribal Areas, and the Rangers, which operate in Sindh and Punjab--provide security services under the authority of the Ministry of Interior. The Frontier Corps' primary mission is security of the Pakistan-Afghanistan border, and the Corps reports to the Ministry of Interior in peacetime and the army in times of conflict. The military is responsible for external security but plays a role in domestic security, including as the lead security agency in many areas of the former Federally Administered Tribal Areas. While military and intelligence services officially report to civilian authorities, the military and intelligence services operate independently and without effective civilian oversight. Members of the security forces committed numerous abuses.

Significant human rights issues included: unlawful or arbitrary killings by the government or its agents, including extrajudicial killings; forced disappearance by the government or its agents; torture and cases of cruel, inhuman, or degrading treatment or punishment by the government or its agents; arbitrary detention; harsh and life-threatening prison conditions; political prisoners; politically motivated reprisal against individuals located outside the country; arbitrary or unlawful government interference with privacy; serious restrictions on free expression, the

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press, and the internet, including violence against journalists, unjustified arrests and disappearances of journalists, censorship, and site blocking; government interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization laws; severe restrictions of religious freedom; restrictions on freedom of movement; corruption within the bureaucracy; lack of investigation of and accountability for violence against women; unlawful recruitment and use of child soldiers by nonstate militant groups; trafficking in persons; crimes involving violence or threats of violence targeting members of racial and ethnic minorities; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons by nonstate actors; the existence or use of laws criminalizing consensual same-sex sexual conduct between adults; restrictions on workers' freedom of association; and the use of the worst forms of child labor.

There was a lack of government accountability, and abuses often went unpunished, fostering a culture of impunity among 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, although to a lesser extent than in previous years, consistent with an overall decline in terrorist activity. Military, police, and law enforcement agencies continued to carry out 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. As of December, terrorism fatalities stood at 499, compared with 365 total fatalities in 2019, according to the South Asia Terrorism Portal, a database compiled by the public interest advocacy organization Institute for Conflict Management, which 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**

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There were numerous reports the government or its agents committed arbitrary or unlawful killings. Security forces reportedly committed extrajudicial killings in connection with conflicts throughout the country (see section 1.g.). Government entities investigate whether security force killings were justifiable and whether to pursue prosecutions via an order either from the inspector general of police or through the National Human Rights Commission.

On August 13, Frontier Corps soldiers in Turbat, Balochistan, shot Karachi University student Hayat Baloch in what his family claimed was an extrajudicial killing. Local police launched an investigation and arrested a Frontier Corps soldier following protests in several cities of Balochistan and in Karachi. On July 13, a young man named Ahsanullah Bakhsh was found dead inside a police station in Kharan, Balochistan, where police had held him for interrogation in a murder case. Bakhsh's family claimed police were responsible for the death, while police claimed Bakhsh committed suicide. Protests took place on July 15-16 outside the Press Club and Deputy Commissioner's Office in Kharan, with protesters demanding a probe into the death of Bakhsh. The deputy commissioner promised to hold an impartial inquiry into the case, and six police officials were suspended for negligence.

Pakistan Tahafuz [Protection] Movement (PTM) activist Arif Wazir was shot by unidentified actors outside his home in South Waziristan on May 1 and died hours later in an Islamabad hospital. Wazir, a prominent tribal figure and Pashtun rights leader, had recently been released from jail for speeches critical of the Pakistani military establishment when he made a March visit to Afghanistan.

A cross-fire incident between Pakistani and Afghan forces on July 30 near the Chaman border crossing in Balochistan resulted in several civilian casualties, according to Afghan officials. In a July 31 statement, the Pakistani Ministry of Foreign Affairs stated Pakistan's military returned fire in self-defense after "Afghan forces opened unprovoked fire on innocent civilians gathered towards Pakistan's side of the international border." The crossfire incident followed violent protests on July 30, when the paramilitary Frontier Corps reportedly opened fire on protesters who had been trying to enter the recently reopened Chaman border crossing.

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

There were numerous reports of fatal attacks against police and security forces. On February 18, at least one police officer was killed and two were wounded after an improvised explosive device (IED) hit a police vehicle en route to provide security to a polio vaccination team in the northwestern portion of the country. On May 18, unknown assailants targeted a Frontier Corps vehicle with IEDs, killing six army soldiers in Mach, Balochistan.

Militants and terrorist groups killed hundreds and injured hundreds more with bombs, suicide attacks, and other violence. Casualties decreased compared with previous years (see section 1.g.).

On October 27, a bomb detonated at a seminary in Quetta, killing eight individuals, including six students, and injuring more than 100 others. No group claimed responsibility for the attack.

### **b. Disappearance**

Kidnappings and forced disappearances of persons took place in nearly all areas of the country. Some officials from intelligence agencies, police, and other security forces reportedly held prisoners incommunicado and refused to disclose their location. The independent nongovernmental organization (NGO) Human Rights Commission of Pakistan (HRCP) estimated at least 2,100 political dissenters and rights activists were missing in the country, although the actual number may be higher.

On June 16, authorities acknowledged Khyber Pakhtunkhwa human rights defender Idris Khattak had been held incommunicado by law enforcement since November 2019. Khattak, whose work monitored human rights violations in and the former Federally Administered Tribal Areas (FATA), disappeared after his car was stopped by security agents in Khyber Pakhtunkhwa. In June authorities admitted they had him in custody and planned to charge him under the 1923 Official Secrets Act, a British-era law that could result in a lengthy prison term or the death sentence.

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Human rights organizations reported some authorities disappeared or arrested Pashtun, Sindhi, and Baloch human rights activists, as well as Sindhi and Baloch nationalists without cause or warrant. Some children were also detained in an effort to put pressure on their parents. Activists claimed 500 Sindhis were missing, with more than 60 disappearing in 2020 alone.

On August 10, unknown actors kidnapped Sarang Joyo, a university professor and Sindh human rights activist, from his home in Karachi. Joyo's wife alleged that uniformed and plainclothes police officers were responsible for his enforced disappearance. Joyo reappeared after six days and was admitted to a hospital showing signs of torture. Journalists, lawyers, and other activists were similarly abducted by unknown actors and released within days of their abduction during the year, including journalists Matiullah Jan, Bilal Farooqi, and Ali Imran; former journalist Sajid Gondal; and lawyer Muhib Leghari. Civil society alleged security forces perpetrated the disappearances.

On June 17, Asif Husain Siddiqui, a worker of the Muttahida Qaumi Movement-London, was found shot dead in Karachi, after being missing for several days.

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

Although the constitution prohibits torture and other cruel, inhuman, or degrading treatment, the penal code has no specific section against torture. The penal code prohibits criminal use of force and assault; however, there were reports that security forces, including the intelligence services, tortured and abused individuals in custody.

Human rights organizations claimed that torture was perpetrated by police, military, and intelligence agency members, that they operated with impunity, and that the government lacked serious efforts to curb the abuse.

On June 24, a video of three police officers abusing and stripping a man naked at a police station in Peshawar went viral on social media. In January the inspector general of Sindh, Kaleem Imam, claimed some officers of the Counterterrorism Department (CTD) were involved in extortion and wrongful confinement. He

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claimed some senior CTD officials had encouraged these officers, rather than punishing them, for such abuses.

Media and civil society organizations reported cases of individuals dying in police custody allegedly due to torture. On July 9, the body of a prisoner, Peeral Khaskheli, was found in a police lock-up in Sanghar, Sindh. His family claimed police were responsible for the death, while police claimed the deceased committed suicide.

According to the *Conduct in UN Field Missions* online portal, there was one allegation submitted in February of sexual exploitation and abuse by a Pakistani peacekeeper deployed to the African Union-UN Hybrid Operation in Darfur, allegedly involving rape of an adult. As of October, the Pakistani government was investigating the allegation.

There were reports police personnel employed cruel and degrading treatment and punishment. The HRC reported police committed “excesses” in at least 29 cases as of September 24, killing 14 persons and injuring 23. Multiple sources reported police abuse was often underreported.

Impunity was a significant problem in the security forces due to politicization, corruption, and a lack of effective mechanisms to investigate abuses. The government provided limited training to increase respect for human rights by security forces.

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

Conditions in some civilian prisons and military detention centers were harsh and life threatening due to overcrowding, inadequate food and medical care, and unsanitary conditions.

**Physical Conditions:** Prison conditions often were extremely poor.

Overcrowding remained a serious problem, largely due to structural issues in the criminal justice system that led to a high rate of pretrial detention. According to prison authorities, as of August the total nationwide prison population stood at 82,139 in 116 prisons across the country. The designed capacity of these prisons is 64,099, putting the occupancy at 28 percent above capacity.

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Inadequate food and medical care in prisons continued to cause chronic health problems. Malnutrition remained a problem, especially for inmates unable to supplement their diets with help from family or friends. In many facilities the 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. Prisoners with disabilities usually lacked adequate care. Representatives of Christian and Ahmadi Muslim communities claimed prison inmates often subjected their members to abuse and violence in prison. Civil society organizations reported prison officials frequently subjected prisoners accused of blasphemy violations to poor prison conditions. NGOs reported 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, in view of the likelihood that prisoners accused of blasphemy would face threats from the general prison population.

Authorities held female prisoners separately from men. Nevertheless, despite the passage of the Transgender Persons (Protection of Rights) Act 2018, which provides for separate places of confinement, NGOs reported prison officials held transgender women with men, and the men harassed the transgender women. Balochistan had no women's prison, but authorities confined women in separate barracks from male convicts.

Due to lack of infrastructure, prison departments often did not segregate detainees from convicted criminals.

Prison officials kept juvenile offenders in barracks separate from adults. According to the Society for the Protection of the Rights of the Child, prisoners and prison staff subjected children to rape and other forms of violence.

Although the Islamabad High Court decided to release vulnerable, pretrial, or remand detainees during the COVID-19 pandemic, the Supreme Court overturned the ruling on March 30, halting the detainees' release.

**Administration:** An ombudsman for detainees maintained a central office in Islamabad and offices in each province. Inspectors general of prisons irregularly

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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. There were reports, however, that prisoners refrained from submitting complaints to avoid retaliation from jail authorities. The law also provides for visitation privileges, but overcrowding and lack of adequate visitor facilities in some prisons restricted detainees' ability to receive visits. In most cases authorities allowed prisoners to observe their religious traditions.

A total of 548 (519 Sindh, 29 Punjab) prisoners under trial detained for petty or minor offenses were released on the orders of two provincial high courts during the COVID-19 pandemic.

**Independent Monitoring:** International organizations responsible for monitoring prisons reported difficulty accessing some detention sites, in particular those holding security-related detainees. Authorities did not allow international organizations access to detention centers in areas most affected by violence in Khyber Pakhtunkhwa, the former FATA, and Balochistan. 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:** During the year Punjab, Sindh, and Khyber Pakhtunkhwa's prison departments continued construction of their own prison academies, focusing on modern prison management techniques that promote human rights and counter violent extremism.

### **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 or her arrest or detention in court, but authorities did not always observe these requirements. Corruption and impunity compounded this problem.



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Khyber Pakhtunkhwa's Actions (In Aid of Civil Power) Ordinance of 2019 gives the military authority to detain civilians indefinitely without charge in internment camps, occupy property, conduct operations, and convict detainees in the province solely using the testimony of one soldier. Both before and after the ordinance's passage, the military was immune from prosecution in civilian courts for its actions in the province. The ordinance also provides that the military is not required to release the names of detainees to their families, who are therefore unable to challenge their detentions in a civilian court. The provincial high court ruled the ordinance unconstitutional, but the Supreme Court suspended this ruling. The appeal remained with the Supreme Court at year's end. Pending the outcome of this appeal, the military retains control of detention centers and law enforcement activities in much of the former FATA.

On July 20, the Supreme Court ruled that the National Accountability Bureau (NAB) violated the rights to fair trial and due process in the arrest of two opposition politicians, Khawaja Saad Rafique and Khawaja Salman Rafique, who were detained by the NAB for 15 months "without reasonable grounds."

On March 12, the NAB arrested Mir Shakilur Rehman, the editor in chief and owner of the country's largest media group, the Jang, in Lahore on charges relating to a 34-year-old property transaction. The All Pakistan Newspapers Society condemned the arrest and called it an attempt by the government to silence independent media. In June the UN Working Group on Arbitrary Detention asked the government to provide detailed information on the legal grounds for the arrest and detention of Rehman, including why the charges were pressed 34 years after the alleged offense. Rehman was released on bail November 9.

In October 2019, Federal Investigation Agency officials detained Muhammad Ismail, father of rights activist and vocal critic of the country's military, Gulalai Ismail. The agency stated it detained Muhammad Ismail for "hate speech and fake information against government institutions on Facebook and Twitter." Ismail was released on bail one month later. Although a Peshawar antiterrorism court later dismissed terrorism finance charges against social media and human rights activist Gulalai Ismail and her parents on July 2 for lack of evidence, Gulalai's father announced on October 2 that new charges were introduced against them.

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

A first information report (FIR) is the legal basis for any arrest, initiated when police receive information concerning the commission of a “cognizable” offense. A third party usually initiates a FIR, but police may file FIRs on their own initiative. An 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 provided with adequate evidence unless the complainant paid a bribe. There were reports of persons arrested without judicial authorization and of individuals paying bribes to visit prisoners.

The Ministry of Foreign Affairs did not routinely provide notification of the arrest of foreigners to embassies or consulates. The government requires that foreign missions request access to their arrested citizens 20 days in advance. Many foreign missions reported that requests for access to arrested citizens were unanswered for weeks or months, and, when answered, notification of access was often not sent until the day before or the day of the proposed visit. Foreign prisoners often remained in prison long after completion of their sentences because they were unable to pay for deportation to their home countries.

A functioning bail system exists. Human rights groups noted, however, that judges sometimes denied bail until payment of bribes. NGOs reported authorities sometimes denied bail in blasphemy cases because defendants who faced the death penalty if convicted were likely to flee or were at risk from public vigilantism. Officials often simultaneously charged defendants facing lower-order blasphemy charges with terrorism offenses, which are nonbailable. NGOs also reported that lawyers representing individuals accused of blasphemy often asked that their clients remain in custody pretrial to protect them from vigilante violence.

By law, detainees must be tried within 30 days of arrest. The law provides for 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.

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The government provided state-funded legal counsel to prisoners accused of crimes for which conviction included 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.

In some instances police held detainees incommunicado.

**Arbitrary Arrest:** Reports found police arbitrarily detained individuals to extort bribes for their release or detained relatives of wanted individuals to compel suspects to surrender. Ethnic minorities and refugees in Karachi who lacked official identification documents reported arbitrary arrests and harassment by police authorities. There were also reports police, including officers from the Federal Investigation Agency (a border control, criminal investigation, counterintelligence and security agency) made arrests to extract bribes.

**Pretrial Detention:** According to provincial prison departments, as of August an estimated 68 percent of detainees were either awaiting or undergoing trial. Reports indicated prison authorities did not differentiate between pretrial detainees and prisoners being tried when collecting prison data. 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 produce sufficient evidence to try a suspect within the 14-day period, they generally requested that magistrates issue another judicial remand, thereby further extending the suspect's detention.

Some individuals remained in pretrial detention for periods longer than the maximum sentence for the crime with which they were charged. Authorities seldom informed detainees promptly of charges against them.

Special rules apply to cases brought to court by the 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

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charging. Offenses under the NAB are not bailable, and only the NAB chairperson has the power to decide whether to release detainees.

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 security forces held an unknown number of individuals allegedly affiliated with terrorist organizations indefinitely in preventive detention, where they were often allegedly tortured and abused. In many cases authorities held prisoners incommunicado, denying them prompt access to a lawyer of their choice. Family members often did not have prompt access to detainees.

### **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. Media and the public generally considered the high courts and the Supreme Court more credible, but media discussed allegations of pressure from security agencies on judges of these courts.

Extensive case backlogs in the lower and superior courts undermined the right to effective remedy and to a fair and public hearing. Given the prevalence of pretrial detention, these delays often led defendants in criminal cases to be incarcerated for long periods as they waited for their trial to be heard. Antiquated procedural rules, unfilled judgeships, poor case management, and weak legal education caused delays in civil and criminal cases. According to the National Judicial Policy Making Committee, more than two million cases were pending in the court system.

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According to the Ministry of Law and Justice, as of November there were 1.9 million backlogged civil dispute cases. In the past two years, the ministry cleared 450,000 cases through the Alternate Dispute Resolution system, most of which involved family law. A typical civil dispute case may take up to 10 years to settle, while the Alternative Dispute Resolution process may reduce this time to approximately three to five months.

Many lower courts remained corrupt, inefficient, and subject to pressure from wealthy persons and influential religious or political figures.

There were incidents of unknown persons threatening or killing witnesses, prosecutors, or investigating police officers in high-level cases.

The use of informal justice systems that lacked institutionalized legal protections continued, especially in rural areas, and often resulted in human rights abuses. Large landholders and other community leaders in Sindh and Punjab and tribal leaders in Pashtun and Baloch areas sometimes 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 May the Punjab Assembly passed the Local Government Act and the Panchayat and Village Councils Act, which together formalized a two-tier system of a directly elected town council paired with panchayats composed of the town or neighborhood's residents. The law authorizes panchayats to perform public services and any responsibilities delegated to them by the town council.

Despite the repeal of the FATA Interim Governance Regulation and the Frontier Crimes Regulations legal code in the former FATA, judgments by informal justice systems were a common practice. After the Supreme Court ruled that the way jirgas and panchayats operated was unconstitutional, the court restricted the use of these mechanisms to arbitration, mediation, negotiation, or reconciliation of consenting parties in a civil dispute. In April a jirga was formed to resolve a high-profile land dispute between two tribes on the boundary of Mohmand and Bajaur after the disputants refused to recognize a government commission on the issue.

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### **Trial Procedures**

The civil, criminal, and family court systems provide for a fair trial and due process, presumption of innocence, cross-examination, and appeal. The constitution protects defendants from self-incrimination. 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 a 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.

Police lacked training to properly handle child delinquency, and reports found cases of police brutality against juveniles. Many juveniles spent long periods behind bars because they could not afford bail. According to an NGO, juveniles are at risk for sexual and physical assault by police, adults, and other juveniles as soon as they enter the judicial system, including transportation to detention. Juveniles do not have separate facilities from adult detainees.

The law mandates the creation of juvenile courts and “juvenile justice committees,” intended to expedite the administration of justice for minors by resolving cases that involve minor offenses without resorting to formal judicial proceedings. Despite a directive that the government create these courts and committees within three months of the law’s passage in 2019, implementation has been slow. As of October the government had established three child courts in Lahore and three in Khyber Pakhtunkhwa, including one in the former FATA.

The law bans the application of the death penalty for minors, yet courts sentenced convicted children to death under the Antiterrorism Act. Furthermore, lack of reliable documentation made determining the ages of possible minors difficult.

There were instances of lack of transparency in court cases, particularly if the case involved high-profile or sensitive issues, such as blasphemy. NGOs reported the government often located such trials in jails due to concerns for the safety of

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defendants, lawyers, judges, prosecutors, and witnesses. Although these safety concerns were well founded, NGOs expressed concerns regarding transparency issues.

The Antiterrorism Act allows the government to use special, streamlined antiterrorism courts (ATCs) to try persons charged with terrorist activities and sectarian violence. In other courts, suspects must appear within seven working days of their arrest, but ATCs may extend that period. Human rights activists criticized this parallel system, claiming it was more vulnerable to political manipulation. Authorities continued to expedite high-profile cases by referring them to ATCs, even if they had no connection to terrorism. The frequent use of ATCs for cases not involving terrorism, including for blasphemy or other acts deemed to foment religious hatred, led to significant backlogs, and despite being comparatively faster than the regular court system, ATCs often failed to meet speedy trial standards.

The Federal Shariat Court (FSC) has exclusive appellate jurisdiction over all cases involving the application and interpretation of the Hudood Ordinances, 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 alcohol consumption. The FSC also has power to revise legislation it deems inconsistent with sharia law. Individuals may appeal FSC decisions to the Shariat Appellate Bench of the Supreme Court. A full bench of the Supreme Court may grant a further appeal.

Civil society groups stated courts often failed to protect the rights of religious minorities against Muslim accusers. While the numerical majority of those imprisoned for blasphemy were Muslim, religious minorities were disproportionately affected, relative to their small percentage of the population. Lower courts often failed to adhere to basic evidentiary standards in blasphemy cases, and most convicted persons spent years in jail before higher courts eventually overturned their convictions or ordered their release.

In some cases police arrested individuals after acts of vigilantism related to blasphemy or religious discrimination. In September police arrested seven persons

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in cases related to attacks on Hindu temples and properties after a Hindu teacher was accused of blasphemy in Ghotki, Sindh.

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

### **Political Prisoners and Detainees**

NAB continued to press corruption charges against opposition figures. Similar corruption charges were rarely pursued against Pakistan Tehreek-e-Insaf (PTI) party figures. On September 28, authorities arrested National Assembly opposition leader and Pakistani Muslim League (Nawaz) (PML-N) president Shehbaz Sharif on charges of accumulating assets beyond his means and money laundering.

On July 20, the Supreme Court issued a judgment criticizing the anticorruption agency NAB's imprisonment of PML-N politician brothers Saad and Salman Rafique for 14 months without charges. More broadly, the court accused the NAB of violating the fundamental principle of innocence until proven guilty and interfering in politics by detaining opposition politicians without sufficient cause and sparing the government's allies despite their own scams of "massive proportion."

Some ethnic and religious groups claimed authorities detained their members based on political affiliation or beliefs. Under the 2009 Aghaz-e-Haqooq ("beginning of the rights") Balochistan legislative package of reforms, the government announced a general amnesty for all Baloch political prisoners, leaders, and activists in exile as well as those allegedly involved in "antistate" activities. Despite the amnesty offers, illegal detention of Baloch leaders and the disappearance of private Baloch citizens continued. The federal Commission of Inquiry on Enforced Disappearances in Balochistan claimed 164 cases remained pending from 483 cases reported between March 2011 and March 2020. Nonetheless, human rights activists said the commission's numbers were unreliable and that remaining cases were higher than reported. In June the Balochistan National Party-Mengal (BNP-M) quit Prime Minister Imran Khan's parliamentary bloc over unfulfilled promises, including the government's failure to recover Baloch missing persons. BNP-M claimed only 450 of 5,128 missing



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persons had been found since 2018, and a further 1,800 disappeared during this period. In Sindh, the NGO Voice for Missing Persons of Sindh claimed that 83 persons, mostly workers of nationalist political parties, remained in security agency custody due to political affiliations.

### **Politically Motivated Reprisal against Individuals Located Outside the Country**

Journalists in exile in Europe reported targeted harassment and physical violence they believed was linked to their investigative work into the military's actions and into human rights abuses. Unknown Urdu-speaking assailants attacked blogger Ahmed Waqas Goraya in the Netherlands in February.

### **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 issued judgments in such cases, and most cases were settled out of court. Although there were no procedures for administrative redress, informal reparations were common. Individuals and organizations could not appeal adverse decisions to international human rights bodies, although some NGOs submitted human rights "shadow reports" to the United Nations 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, law enforcement agencies have additional powers, including of search and seizure without a warrant.

Several domestic intelligence services monitored politicians, political activists, suspected terrorists, NGOs, employees of foreign entities, and media professionals.

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These services included the Inter-Services Intelligence, Police Special Branch, the Intelligence Bureau, and Military Intelligence. Credible reports found that authorities routinely used wiretaps, monitored cell phone calls, intercepted electronic correspondence, and opened mail without court approval. There were credible reports the government used technology to arbitrarily or unlawfully surveil or interfere with the privacy of individuals. The government also used technologies and practices, including internet and social media controls, blocking or filtering of websites and social media platforms, censorship, and tracking methods.

### **g. Abuses in Internal Conflict**

The military and paramilitary organizations conducted multiple counterinsurgency and counterterrorism operations to eradicate militant safe havens. The military's Operation Radd-ul-Fasaad, launched in 2017, continued throughout the year. Radd-ul-Fasaad is a nationwide counterterrorism campaign aimed at consolidating the gains of the 2014-17 Operation Zarb-e-Azb, which countered foreign and domestic terrorists in the former FATA. Law enforcement agencies also acted to weaken terrorist groups, arresting suspected terrorists and gang members who allegedly provided logistical support to militants. In raids throughout the country, police confiscated caches of weapons, suicide vests, and planning materials. Police expanded their presence into formerly ungoverned areas, particularly in Balochistan, where military operations had become normal, although such operations often were unreported in the press.

Poor security, intimidation by both security forces and militants, and control by government and security forces over limiting access to nonresidents to Balochistan and the former FATA impeded the efforts of human rights organizations to provide relief to victims of military abuses and of journalists to report on any such abuses.

Militants carried out numerous attacks on political party offices and candidates.

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. On August 14, Syed Mohammad Ali Rizvi, a traffic policeman from the Shia community, was killed in Karachi in an alleged sectarian

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attack. On July 22, police arrested five Lashkar-e-Jhangvi militants, who allegedly planned to target police and other law enforcement officials in Karachi.

**Killings:** There were reports government security forces engaged in extrajudicial killings during operations against suspected militants throughout the country.

There were numerous media reports of police and security forces killing terrorist suspects in “police encounters.” The trial against Rao Anwar, accused of the extrajudicial killing of Naqibullah Mehsud in a staged counterterror operation in 2018, continued at year’s end.

Security forces in Balochistan continued to disappear pretrial terror suspects, along with human rights activists, politicians, and teachers. The Baloch Human Rights Organization noted 45 individuals had disappeared and that assailants had killed 15 persons in seven districts in July alone.

There were numerous reports of criminal suspects killed in exchanges with police and the military. For example, counterterrorism police raided a militant hideout in the eastern part of the country on July 31, resulting in a shootout that killed five members of separatist group Baloch Republican Army.

Militants and terrorist groups, including the Tehrik-i-Taliban in Pakistan (TTP), Lashkar-e-Jhangvi, and the Islamic State Khorasan Province targeted civilians, journalists, community leaders, security forces, law enforcement officers, and schools, killing and injuring hundreds with bombs, suicide attacks, and other forms of violence. Throughout Khyber Pakhtunkhwa and the newly merged districts, there continued to be attacks by militant groups on security forces, tribal leaders, and civilians. Militant and terrorist groups often attacked religious minorities. On January 10, a suicide blast at a mosque in Quetta killed 15 individuals, including Deputy Superintendent of Police Haji Amanullah, and injured 21. On May 18, six Frontier Corps soldiers were killed in an IED blast in Mach, Balochistan. The United Baloch Army claimed responsibility for the May 18 attack. According to media reports, the Islamic State also claimed responsibility for the attack. On June 29, four members of the Baloch Liberation Army attacked the Stock Exchange in Karachi, killing two guards and a police officer and wounding seven others before being shot and killed. On August 10, Jamatuul Ahrar, a TTP splinter group,

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claimed responsibility for a bombing that killed five individuals and injured 20 by targeting a vehicle of the Antinarcotics Force in Chaman, Balochistan. A low-intensity separatist insurgency continued in Balochistan. Security forces reportedly committed extrajudicial killings in the fight against militant groups.

**Child Soldiers:** Nonstate militant groups recruited 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 that the acts they committed were justified. The government operated a center in Swat, Khyber Pakhtunkhwa, to rehabilitate, educate, and reintegrate former child soldiers.

**Other Conflict-related Abuse:** In January unidentified gunmen on motorcycles shot and killed two female polio immunization campaign workers in Swabi, Khyber Pakhtunkhwa. In February a bomb killed a police officer assigned to protect a team administering polio vaccine to children in Kolochi, Khyber Pakhtunkhwa.

The TTP particularly targeted girls' schools to demonstrate its opposition to girls' education but also destroyed boys' schools. Militants closed key access roads and tunnels and attacked communications and energy networks, disrupting commerce and the distribution of food and water; military operations in response also created additional hardships for the local civilian population.

## Section 2. Respect for Civil Liberties, Including

### a. Freedom of Expression, Including for the Press

The law provides for freedom of expression, including for the press, but there were constitutional restrictions. In addition, threats, harassment, abductions, violence, and killings led journalists and editors to practice self-censorship. Government failure to investigate and prosecute attacks on human rights defenders and peaceful protesters led to de facto restrictions on freedom of assembly and association.

**Freedom of Speech:** 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

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with foreign states, public order, decency or morality.” The law permits citizens to criticize the government publicly or privately, but court decisions interpreted the constitution as prohibiting criticism of the military and judiciary. Such criticism may result in legal, political, or commercial reprisal. Blasphemy laws restrict individual rights to free speech concerning matters of religion and religious doctrine. According to the penal code, the punishments for conviction of blasphemy include the death sentence for “defiling the Prophet Muhammad,” life imprisonment for “defiling, damaging, or desecrating the Quran,” and 10 years’ imprisonment for “insulting another’s religious feelings.” The courts enforced the blasphemy laws, and although authorities had not executed any person for committing blasphemy, allegations of blasphemy often prompted vigilantism and mob lynching. The government restricted some language and symbolic speech based on hate speech and terrorism provisions.

On July 29, Tahir Naseem was shot and killed inside a Peshawar courtroom while on trial for blasphemy. An estimated 5,000 to 7,000 persons spread across multiple rallies in Peshawar demonstrated on July 31 in support of the accused murderer of Tahir Naseem, juvenile Faisal Khan. Protesters called for his immediate release and condemned the government for prosecution. Weekend sermons warned worshippers “not to trust the judiciary after the Asia Bibi [blasphemy] case,” and “We need to take these [blasphemy] matters in our own hands.” Police officers, in a photograph widely circulated on social media, posed for a “selfie” with the accused killer. Naseem’s family alleged that he had a mental disability.

**Freedom of Press and Media, Including Online Media:** Threats, harassment, and violence against journalists who reported on sensitive issues such as civil-military tensions or abuses by security forces occurred with increasing frequency during the year. Both the military, through the director general of the Inter-Services Public Relations, and government oversight bodies, such as the Pakistan Electronic Media Regulatory Authority (PEMRA), enforced censorship. By law the government may restrict information that might be prejudicial to the national interest. During the year the government gained additional legislative authority to restrict information it deems “prejudicial” to the national interest. Authorities used these laws to prevent or punish media criticism of the government and armed

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forces. To publish within Pakistan-administered Kashmir, media owners had to obtain permission from the Kashmir Council and the Ministry of Kashmir Affairs, and journalists had to depend largely on information provided by the government and military. There were limitations on transmission of Indian media content. Journalists also protested their inability to report freely on rights violations and forced disappearances in Balochistan, the Pashtun movement's activities and protests, and the military's involvement in business enterprises. In January the Ministry of Information Technology and Telecommunication approved the Citizen's Protection (Against Online Harm) Rules to regulate content on social media platforms. In October the government used those rules to briefly ban the TikTok application, lifting the ban once the application's company agreed to block users who upload unlawful content. Rights activists reported the government contacted Twitter and asked them to take down accounts of activists deemed problematic.

Journalists alleged PEMRA issued editorial directives to television stations, and media outlets claimed the government pressured stations to halt broadcasting of interviews with opposition political party leaders. In March the Committee to Protect Journalists reported PEMRA contacted cable distributors throughout the country and ordered them to stop transmitting Geo TV or switch its broadcasts to higher channels that are harder for viewers to find. This action followed the arrest of parent company Jang Media Group's CEO and editor in chief.

The Islamabad office of Radio Mashaal, the Pashto language service of Radio Free Europe, which the Interior Ministry closed in 2018, remained closed at the end of the year.

**Violence and Harassment:** Security forces, political parties, militants, and other groups subjected media outlets, journalists, and their families to threats and harassment. Female journalists in particular faced threats of sexual violence and harassment, including via social media, where they had a particularly strong presence. Security forces allegedly abducted journalists. Media outlets that reported on topics authorities viewed as sensitive were often the targets of retribution. Additionally, journalists working in remote and conflict-ridden areas lacked basic digital and traditional security skills, which increased pressure to self-censor or not cover a story.

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According to observers, journalists were subjected to a variety of pressure tactics, including harassment and intimidation. Assailants killed journalists during the year, but it was unclear whether their journalism was the motive for the killings. On July 23, two gunmen in Balochistan's Barkhan city shot and killed senior reporter Anwar Jan Khetran of the daily newspaper *Naveed-e-Pakistan* as he was on his way home. On February 17, Aziz Memon, a reporter for the Sindhi television channel KTN News and Sindhi-language *Daily Kawash* newspaper was found dead. Prior to his death, Memon reported threats against him by the opposition Pakistan Peoples Party and local police. Police reported three of five suspects were in police custody as of February 26. In May a joint investigation team concluded that his death was premeditated murder. On June 16, unknown individuals stabbed and killed Muhammad Bilal Khan, an independent journalist who ran a YouTube channel.

Journalists were also subject to enforced disappearances and arrests. On July 21, a journalist and outspoken critic of the military establishment, Matiullah Jan, was kidnapped by heavily armed men in Islamabad and released 12 hours later. The abduction was caught on closed-circuit television cameras, images from which were shared widely on social media. The Committee to Protect Journalists said Jan was among the journalists the army accused of sharing antistate remarks on social media in 2018. On September 4, Sajid Gondal, a former journalist and a joint director of Pakistan's Securities and Exchange Commission, disappeared after being "kidnapped by unidentified persons;" on September 8, Gondal tweeted that he had returned home safely. On September 12, police charged another journalist, Asad Ali Toor, with allegedly spreading "negative propaganda against the state, Pakistani institutions and the Pakistan Army," citing the Pakistan Electronic Crimes Act.

Journalists Saeed Ali Achakzai and Abdul Mateen Achakzai alleged, according to Committee to Protect Journalists reporting, that agents of the Balochistan Levies, a paramilitary gendarmerie that operates as a primary security agency in the province, detained them on June 19 without charges, held them for two days, and beat them. On June 8, the journalists had reported on poor conditions at a COVID-19 quarantine center.

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**Censorship or Content Restrictions:** Media organizations generally engaged in self-censorship, especially in reporting news regarding the military, religious extremism, and abuse of blasphemy laws; journalists stated they were under increased pressure to report the predetermined narrative during the year, and PEMRA issued editorial directives to media outlets. For example, some stated they were pressured to publish or broadcast military statements or rebuttals of stories that reflected badly on government officials prominently in their newspapers and news bulletins.

Journalists reported regular denial of permission to visit conflict areas or being required to travel with a military escort while reporting on conditions in conflict areas. They reported pressure to produce articles with a military viewpoint. Other reporting tended to be relatively objective with a focus on facts rather than analysis, which journalists generally regarded as risky. Both local and foreign journalists complained of harassment and intimidation by government officials. Blasphemy and anti-Ahmadi laws restricted publication on certain topics. Government censors reviewed foreign books before they allowed reprinting. Imported movies, books, magazines, and newspapers were subject to censorship for objectionable sexual or religious content. Obscene literature, a category the government defined broadly, was subject to seizure. In September, 50,000 copies of well-known journalist Sohail Warraich's collection of columns published in *Jang* were removed from book stalls.

The government fined private television channels for alleged violations of the "code of ethics" and for showing banned content. Authorities reportedly used PEMRA rules to silence broadcast media by either suspending licenses or threatening to do so, or by reassigning the cable channel number of a targeted outlet without notice so that its programming would be hard or impossible to find on most televisions. Many outlets resorted to self-censorship, particularly when reporting on religious or security issues. The Central Board of Film Censors previewed and censored sexual content and any content that glorified Indian heroes, leaders, or military figures in foreign and domestic films.

The government continued to use network access as a tool to exert control over media outlets. Media outlets seen as supportive of the PML-N faced distribution disruptions.



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The Jang/Geo media group, the country's largest media house, also reportedly faced harassment and newspaper distribution blockages. Unidentified individuals reportedly pressured newspaper vendors not to distribute the Urdu-language *Jang* newspaper and its sister English language paper *The News* and discouraged advertisers from advertising with the Jang/Geo group's outlets. Cable operators dropped the Geo news channel from their cable systems or repeatedly changed its assigned channel. PEMRA shut down Geo TV and 24 News, citing problems with their licenses. Both channels, which were critical of the government, were immediately reinstated by the courts. Journalists suspected a political motive behind the government's actions. Mir Shakil-ur-Rehman, owner and editor in chief of Jang/Geo News, spent eight months in legal custody over a 34-year-old property case before being granted bail on November 9. Many journalists considered Rehman's charges as a deliberate government intimidation tactic.

Media outlets reported the government increasingly used the infrastructure of the media system, as well as government advertising, which makes up a large portion of media revenue, to suppress information deemed threatening. The economic constriction caused by COVID-19 decreased private revenue further, rendering outlets more dependent on government advertisement. A new policy that would allow media outlets to tap into subscription revenues was stalled in a Supreme Court battle. The government pressured distributors into restricting distribution or changing channels of outlets deemed problematic, incentivizing media companies to censor their content. Media houses also reportedly fired outspoken journalists deemed to be a threat to their revenues or continued ability to operate. In July the only Balochi television channel, Vash, was closed due to nonpayment of dues after its finances suffered because of federal and provincial authorities' refusal to grant advertisements and associated revenue to the channel.

**Libel/Slander Laws:** Defamation and blasphemy are treated as criminal offenses. Blasphemy is punishable ranging from a two-year imprisonment to death. In Peshawar, the Awami National Party chairman filed a civil case accusing a political rival and three newspapers of defamation in 2019. The case remained pending.

**National Security:** Some journalists asserted authorities cited laws protecting national security to censor and restrict media distribution of material that criticized

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government policies or military or public officials, or that described the country's security situation in a negative light. The Electronic Media (Programs and Advertisements) Code of Conduct included a clause that restricted reporting in any area where a military operation was in progress.

**Nongovernmental Impact:** Nonstate actor violence against media workers decreased, but an environment where militant and criminal elements were known to kill, abduct, assault, and intimidate journalists and their families led journalists, particularly in the tribal areas of Khyber Pakhtunkhwa and Balochistan, to self-censor.

### Internet Freedom

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.

The government uses a systematic, nationwide content-monitoring and filtering system to restrict or block "unlawful" content, including material it deems un-Islamic, pornographic, or critical of the state or military forces. The restrictive 2016 Prevention of Electronic Crimes Act gives the government sweeping powers to censor content on the internet, which authorities used as a tool for the continued clampdown on civil society.

The government blocked websites because of allegedly anti-Islamic, pornographic, blasphemous, or extremist content. The PTA's Web Analysis Division is ultimately responsible for reviewing and reporting blasphemous or offensive content for removal, while the Federal Investigation Agency is responsible for possible criminal prosecution. The PTA closely coordinated with other ministries in its enforcement efforts. There were also reports the government attempted to control or block websites that advocated Baloch independence and that the government used surveillance software. There was poor transparency and accountability surrounding content monitoring, and observers believed the government often used vague criteria without due process.

Authorities, particularly in the military, increasingly sought to restrict online space to silence dissidents and curtail content deemed critical of the military. According

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to Freedom House's *2020 Freedom of the Net* report, authorities disrupted telecommunication services during protests, elections, and religious and national holidays, often citing security concerns.

In November the government published the Removal and Blocking of Unlawful Content Rules 2020--formerly referred to as the Citizen's Protection (Against Online Harm) Rules--that codifies standards and powers given to authorities to remove and block content that the government determines negatively impacts "the glory of Islam; the integrity, security and defense of Pakistan; public order; and decency and morality." Industry observers contended these standards were poorly defined, opaque, and often arbitrarily used by the PTA or security services, particularly for content they believed critical of the government. Observers noted that proving defamation, for example, was based on clearly defined legal parameters, while the government often demanded removal of content critical of the government or key officials based on its own extrajudicial determination. Under the new regulations, social media and other internet companies must monitor, remove, and block unlawful content as determined by authorities.

The regulations require companies to comply with these demands within 24 hours, or within six hours in emergency cases determined by the PTA according to broad criteria. Furthermore, the regulations require social media companies to implement mechanisms to prevent uploading or live streaming of certain content and to publicize their community guidelines, which include provisions that prohibit users from uploading religiously, culturally, or politically sensitive content. Due to the lack of clarity, social media companies may feel obligated to remove content from their platforms fearing punishment, which includes sanctions and possible bans. The new regulations also require companies to provide law enforcement any data it deems relevant in unencrypted form. Technology firms resisted the requirement to establish a physical presence in Pakistan due to fear their employees could be used as leverage in potential content monitoring disputes.

By law, if an account is under suspicion, the social media company is bound to provide authorities account data. Many social media users were critical of the new law, describing it as "dictatorial" in nature.

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The PTA also continued to try to control social media and video-streaming services such as YouTube, Twitter, and TikTok. The PTA asked YouTube “to immediately block vulgar, indecent, immoral, nude, and hate speech content for viewing in Pakistan.” Although the PTA claimed its intentions were to stop the spread of pornography and vulgar content, users alleged it was actively targeting critics of government policies, especially those critical of the army. Internet service providers also claimed the PTA wanted to regulate political voices that spread what it deems indecent content. Online users continued to report they feared increasing censorship trends.

In October the PTA banned the Chinese video-sharing application TikTok for failing to monitor and regulate what certain citizens contended was immoral and indecent content. The PTA reinstated TikTok after the company agreed to add control measures to respond more quickly to public and government requests to remove content.

In September the PTA blocked access to five popular dating/live-streaming applications, including Tinder, Tagged, Skout, Grindr, and SayHi, on the pretext they were streaming immoral and indecent content. The law prohibits homosexuality and extramarital relationships. The PTA noted the five companies failed to respond to its directive within the stipulated time frame, the duration of which was unclear. Despite continuing engagement with some of these dating websites, the bans remained in place under the pretense that the applications were only used to facilitate what authorities viewed as immoral activities.

In August and again in September, more than 150 female journalists and several of their male counterparts signed two petitions to raise awareness about the “vile and vicious attacks” by individuals affiliated with the government, political parties, and their social media followers. The statement lamented unfounded accusations by government officials and politicians from all parties that the journalists were peddling fake news. The journalists also noted they were routinely accused of serving political agendas and of being on the payroll of opposition parties. In particular they reported being harassed if they were critical of the government.

In their petitions the journalists alleged that online harassment and vilification campaigns had made it difficult for them to carry out their professional duties.

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Female journalists complained that frequent harassment was instigated by government officials and then amplified by Twitter accounts believed to be affiliated with the ruling party. The journalists also alleged they encountered coordinated social media campaigns to harass, discredit, and intimidate them. Male journalists whose reports raised questions about the government's performance and the increasing role of security institutions in matters of state, corruption, and accountability were also subjected to online campaigns by trolls allegedly operated by political parties and powerful state institutions, including the army. Journalists continued to face online threats, organized vilification campaigns, and character assassination, and were commonly portrayed as “anti-Pakistan” or paid agents. In September, three journalists, including former PEMRA chairman Absar Alam, were charged with sedition for allegedly using derogatory language online against the prime minister and the armed forces.

Long-term communications shutdowns were imposed in rural areas of the former FATA as well as Balochistan, where several districts had reportedly had no mobile internet service since 2017. Others insisted connectivity was hampered by lack of infrastructure, poor internet, and slow service, often provided by the military-operated Special Communication Organization (SCO) in certain regions.

According to media reports, some residents of the former FATA did not understand the seriousness of the COVID-19 pandemic because internet shutdowns had limited relevant news distribution. Journalists claimed that some residents, as of mid-March, had never heard of the coronavirus.

On April 14, the Islamabad High Court ordered the PTA to immediately restore 3G/4G internet service in the former FATA. The decision followed days of protests where students, fearing they would miss online education, demanded providers restore 3G/4G access. Users alleged that despite court orders, SCO enjoyed a monopoly and failed to provide better internet in the area, violating their rights.

On April 24, Prime Minister Khan announced a “track and trace system” for coronavirus cases using a terrorist surveillance system managed through Inter-Services Intelligence, which rights activists worried could lead to increased use and operability of the surveillance system, which was often used to track

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dissidents. Some medical professionals, however, supported the system's capacity to track the pandemic's spread.

On June 8, the PTA issued a public notice requiring individuals to register their virtual private networks with the telecommunications authority. Civil society expressed fears that such registrations would increase authorities' monitoring capabilities and limit personal privacy.

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

The government interfered with academic freedom by restricting, screening, and censoring certain cultural events with perceived antistate content. The government interfered with art exhibitions as well as musical and cultural activities. Holding such an event requires a government-issued permit, which the government frequently withheld.

### **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**

Although the former FATA is now under the same legal framework as the rest of the country, civil and military authorities continued to impose collective punishment through the West Pakistan Maintenance of Peace Order and Section 144 of the criminal code. These statutes effectively allow authorities to continue the long-standing practice of suspending the right to assemble or speak in the newly merged areas. 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 Ahmadi Muslims from holding conferences or gatherings. Ahmadis cited the refusal of local authorities to reopen Ahmadi mosques damaged by anti-Ahmadi rioters in past years as evidence of the continuing severe conditions for the community.

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During the year the PTM mobilized its predominantly ethnic Pashtun supporters to participate in sit-ins and demonstrations to demand justice and to protest abuses by government security forces. Following the government's pledge to take a harder line against the PTM in 2019, the number of protests and rallies fell across the country. PTM activists continued to operate, although under much greater scrutiny after the arrest of most of the movement's key leaders.

On February 10, police in Loralai, Balochistan, registered a case against 13 PTM activists for alleged hate speech. Police stated PTM activists chanted slogans against the security forces during a procession marking the first anniversary of the death of PTM activist Arman Loni in Loralai.

On January 26, police arrested Manzoor Pashteen, a PTM leader, on allegations of sedition. Pashteen was released on February 26.

On February 25, the Sukkur chapter of the religious party Jamiat Ulema-i-Islam-Fazl (JUI-F) announced its intentions to disrupt Sukkur's women's freedom march on March 8. According to JUI-F, the march promoted vulgarity and was "against" Islamic values, the constitution, and local culture. Sindh police arrested assailants, including JUI-F's leader, Maulana Abdul Majeed Hizravi, intending to disrupt the marches. According to authorities, the individual incited violence, leading some to pelt the marchers with stones. Many politicians, including those from mainstream parties, condemned women's marches for being counter to Islam and traditions. The Karachi marchers called for equal opportunities and an end to violence against women, as well as transgender and nonbinary persons. In Sukkur marchers demanded an end to honor killings and the jirga tribal justice system.

On July 30-31, four individuals were killed and 28 wounded in clashes between security forces and protesters. The protesters had been calling on the government to reopen the Afghanistan border crossing, closed as a COVID-19 restriction, in Chaman. The crossing is central for trade, commerce, and the passage of daily wage-laborers in Balochistan.

On November 5, a Punjabi farmer died at a Lahore hospital due to injuries he received when police used tear gas and water cannons to disperse protesters partially blocking traffic in southern Lahore two days earlier, media reported.

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Media sources indicated approximately 100 protesters participated in the November 3 protest, which was the latest in a series of smaller rallies triggered by the government's inability to control wheat prices ahead of the planting season.

### **Freedom of Association**

The constitution provides for freedom of association subject to certain restrictions imposed by law. The government maintains a series of policies that steadily eroded the freedom of international nongovernmental organizations (INGOs) and domestic NGOs to carry out their work and access the communities they serve. INGOs, UN organizations, and international missions generally must request government permission in the form of no-objection certificates (NOCs) before they may conduct most in-country travel, carry out certain project activities, or initiate projects. For some UN organizations implementing projects through the government, project NOCs are not required, although if they partner with local organizations, these entities must obtain project NOCs. Some UN organizations worked around NOCs by signing memoranda of understanding with the Khyber Pakhtunkhwa provincial government departments for certain projects.

Slow government approvals of NOC requests, insecure financial sustainability, and operational uncertainty significantly constrained INGO activity. The onerous NOC requirements, frequent and arbitrary requests for information from the security apparatus, as well as periodic harassment, impeded project operations, particularly in areas that could greatly benefit from support, such as the newly merged districts.

INGOs faced additional barriers to fundraising, opening bank accounts, obtaining tax-exempt status from the Federal Board of Revenue as well as visa denials for international staff and consultants. The online registration protocol, adopted in 2015, made the process for obtaining registration more laborious, less transparent, and ultimately elusive for many INGOs. Registration requires extensive documentation, including financial statements, a detailed annual budget, and a letter outlining donor support, among many other requirements. Organizations were subject to constant investigation and harassment by the security apparatus and other government offices during and after the registration process. Organizations



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targeted often included those that focus on topics the government deems sensitive, such as democracy promotion, press freedom, religious freedom, and human rights.

In 2019 a total of 20 INGOs whose applications for registration were denied by the Ministry of Interior in 2018 appeared before an interagency committee to appeal those initial rejections. At the hearings the reasons for the original rejections were not disclosed, nor did the INGOs receive a clear explanation of actions they could take to restore their legal standing. In February the Interior Ministry invited nine INGOs, eight of which had previously been denied registration, to reapply. As of September the ministry had not announced final decisions on the appeals. As NOCs were difficult to obtain in certain provinces without an approved registration, this protracted process hindered implementation and monitoring of activities, even for INGOs that had initiated the new registration process.

INGOs without valid registration status, however, found it increasingly difficult to develop long-term strategies and plans and attract funding from international organizations, governments, and other funding partners. The lack of transparency and unpredictability of the registration process and operational constraints caused some INGOs to withdraw their registration applications and terminate operations. In cases where INGOs secured registration, they still faced staffing limitations and government interference in their programmatic activities and memoranda of understanding with local partners.

The government at both the federal and provincial levels similarly impeded foreign-funded local NGOs through a separate registration regime, NOCs, and other requirements. Authorities require domestic NGOs to obtain NOCs 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, the government often denied their requests for NOCs, and they faced regular government monitoring and harassment. In March the Ministry of Interior and the Ministry of Finance’s Economic Affairs Division, which oversees registration for domestic NGOs, eased requirements for registered domestic and international NGOs engaged in COVID-19 relief activities.

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Under directives from federal institutions on security and financial oversight, the Sindh government introduced measures governing registration renewals of NGOs. In August a group of NGOs challenged the Sindh Charities Registration and Regulation Act of 2019 through a petition at the Sindh High Court. The petition argued the government was curbing freedom of association beyond what was permissible under the constitution. It further argued the purpose of the law was not to regulate NGOs but to incapacitate and debilitate them. NGO representatives reported increased government restrictions and harassment by security agencies resulted in major NGOs reducing staff and activities.

### c. Freedom of Religion

In 2018, 2019, and 2020, the Department of State designated Pakistan as a Country of Particular Concern under the 1998 International Freedom Act, as amended, for having engaged in or tolerated particularly severe violations of religious freedom. See the Department of State's *International Religious Freedom Report* at <https://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. On January 20, a Hazara Baloch lawyer and human rights activist, Jalila Haider, was detained by the Federal Investigation Agency at Lahore Airport and prevented from flying to the United Kingdom to attend a conference on feminism. According to Haider, her name was on the no-fly list because of her “antistate activities.”

**In-country Movement:** Government restrictions on access to certain areas of the former FATA and Balochistan, often due to security concerns, hindered freedom of movement. The government required an approved NOC for travel to areas of the country it designated “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 those wishing to be listed as Muslims must swear they believe Muhammad is the final prophet and

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denounce the founder of the Ahmadi movement as a false prophet. Ahmadi representatives reported authorities wrote the word “Ahmadi” in 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,” but according to civil society, authorities also included human rights defenders and critics of the government and military on the list. Those on the list have the right to appeal to the courts to have their names removed.

**Exile:** The government refused to accept the return of some Pakistanis deported to Pakistan from other countries. The government refused these deportees entry to the country as “unverified” Pakistani citizens, alleging some passports issued by Pakistani embassies and consulates abroad were fraudulent.

### **e. Status and Treatment of Internally Displaced Persons**

Large population displacements have occurred since 2008 because of militant activity and military operations in Khyber Pakhtunkhwa and the former FATA. Returns continued amid improved security conditions. The government and UN agencies such as the Office of the UN High Commissioner for Refugees (UNHCR), UNICEF, and UN World Food Program collaborated to assist and protect those affected by conflict, who generally resided with host families, in rented accommodations, or to a lesser extent, in camps. Several internally displaced persons (IDP) populations settled in informal settlements outside of major cities, such as Lahore and Karachi.

The government required humanitarian organizations assisting civilians displaced by military operations to request no-objection certificates to access all districts in the former FATA. According to humanitarian organizations and NGOs, the certificate application process was cumbersome, and projects faced significant

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delays. The government maintained IDP camps inside and near former FATA districts where military operations took place, despite access and security concerns raised by humanitarian organizations. Humanitarian organization workers providing assistance in the camps faced danger when travelling to and within the former 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 Khyber Pakhtunkhwa where regular access to health care, education, and other social services was available. For IDPs who were unwilling or unable to return, the government coordinated support with the United Nations and other international organizations.

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.

### **f. Protection of Refugees**

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to at least 1.4 million IDPs, 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 through June. On June 30, the POR cards expired, and as of December, the PTI-led government declined to decide on the extension, despite its previous trend of granting longer-term extensions. The government issued a notice in June directing agencies and departments to ensure that no harassment or adverse action be taken against POR cardholders until the

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federal cabinet made a formal decision. The country also hosted approximately 878,000 Afghans with Afghan Citizen Cards but did not grant them refugee status. The government typically extended the validity of the Afghan Citizen Cards in short increments but allowed these cards to expire on June 30.

Due to COVID-19, there were significantly fewer arrests than in previous years, but there continued to be reports provincial authorities, police, and host communities harassed Afghan refugees. UNHCR reported that from January to August there were 370 arrests and detentions of refugees.

**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 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 Afghan refugees 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 health facilities because of their nationality. In 2019 the government permitted Afghan refugees to open bank accounts using their POR cards.

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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. Access to schools, however, was on a space-available basis as determined by the principal, and most registered Afghan refugees attended private Afghan schools or schools sponsored by the international community. For older students, particularly girls in refugee villages, access to education remained difficult. Afghan refugees were able to use POR cards to enroll in universities, although there were reports that some universities refused to enroll holders of the cards following their expiration in June 2020. 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 Pakistani citizenship to the children of Afghan refugees, but it established a parliamentary committee to evaluate the possibility of extending citizenship to Pakistani-born children of refugees and stateless persons.

### **g. 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 because of the 1947 partition of India and Pakistan and the 1971 partition of Pakistan and Bangladesh. UNHCR estimated there were sizable populations of Rohingya, Bihari, and Bengalis living in the country, a large percentage of whom were likely stateless, although comprehensive data was lacking.

## **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 and the Azad Kashmir area have

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political systems that differ from the rest of the country, and neither have representation in the national parliament.

### **Elections and Political Participation**

**Recent Elections:** In July 2018 the country held direct elections that resulted in a PTI-majority national government led by Prime Minister Imran Khan. EU observers assessed voting was “well conducted and transparent” but noted “counting was sometimes problematic.” Civil society organizations and political parties raised concerns regarding pre-election interference, including restrictions on freedom of expression, allegedly creating an uneven electoral playing field.

In September 2018 the Electoral College (made up of the members of both houses of Parliament, and of the provincial assemblies) held presidential elections and selected PTI member Arif Alvi to succeed Mamnoon Hussain of the PML-N. Following the passage of the 25th amendment merging the former FATA with the rest of Khyber Pakhtunkhwa in 2019, the government held special elections that gave residents of the former FATA representation in the Khyber Pakhtunkhwa provincial assembly for the first time in their history. Politically, the only remaining hurdle for full integration of the former FATA with Khyber Pakhtunkhwa is elections for local leaders.

On November 15, Gilgit-Baltistan held legislative assembly elections. According to unofficial results, the PTI won 10 of 24 total seats, a sufficient number for the party to form a government. The elections, originally scheduled for August, had been delayed several months due to the COVID-19 pandemic. The opposition parties, PML-N and PPP, complained of alleged “rigging” of the election, although Free and Fair Election Network’s CEO described the elections as “free and fair.”

**Political Parties and Political Participation:** There were no reports of restrictions on political parties participating in elections, except for those prohibited due to terrorist affiliations.

On October 15, opposition parties alleged authorities arrested more than 400 party workers prior to a large demonstration in Gujranwala on October 16. Muttahida Qaumi Movement-Pakistan complained police and other security agencies arrested its workers by claiming it to be part of a verification process. In May the

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government banned Sindhi nationalist political party Jeay Sindh Qaumi Mahaz, Arisar. The NGO Human Rights Commission of Pakistan and other rights organizations expressed concern over the ban saying the government must distinguish between political parties and terrorist organizations before banning any of them. The Muttahida Qaumi Movement-London alleged that security forces abducted its members and others expressing support for their founder, Altaf Hussain.

Khyber Pakhtunkhwa police charged local leaders of the opposition group Pakistan Democratic Movement with violating the province's epidemic control law for their role in organizing the November 22 antigovernment rally in Peshawar after the district administration had denied the group's district-level leaders permission for the rally over COVID-19 concerns.

Judges ordered media regulatory agencies to enforce constitutional bans on content critical of the military or judiciary, compelling media to censor politicians' speeches and election-related coverage deemed "antijudiciary" or "antimilitary." Organizations that monitor press freedom reported direct pressure on media outlets to avoid content regarding possible military influence over judicial proceedings against politicians and to refrain from reporting on PML-N leaders in a positive way. In most areas there was no interference with the right of political parties and candidates to organize campaigns, run for election, or seek votes. In Balochistan, however, there were reports that security agencies and separatist groups harassed local political organizations, such as the Balochistan National Party and the Baloch Students Organization.

**Participation of Women and Members of Minority Groups:** The Elections Act of 2017 stipulates special measures to enhance electoral participation of women, religious minorities, transgender persons, and persons with disabilities. By law women must constitute 5 percent of party tickets, and if less than 10 percent of women vote in any constituency, authorities may presume that the women's vote was suppressed, and the results for that constituency or polling station may be nullified. The government enforced the law for the first time in Shangla, Khyber Pakhtunkhwa, when the Election Commission canceled the district's 2018 general election results after women made up less than 10 percent of the vote.



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Cultural and traditional barriers in tribal and rural areas impeded some women from voting. Authorities used quotas to assure a minimum level of participation of women in elected bodies. There are 60 seats in the National Assembly and 17 seats in the Senate reserved for women. Authorities apportioned these seats based on total votes secured by the candidates of each political party that contested the elections. Women and minorities also may contest directly elected seats, but both women and minorities struggled to be directly elected outside of the reserved seats. Authorities reserved for women 132 of the 779 seats in provincial assemblies and one-third of the seats on local councils. Women participated actively as political party members, but they were not always successful in securing leadership positions within parties, apart from women's wings. Women served in the federal cabinet.

The law 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. Ahmadis are required to either swear Muhammad was the final prophet of Islam and denounce the Ahmadi movement's founder, or declare themselves as non-Muslims, in order to vote. Ahmadis consider themselves Muslims, and many were unable to vote because they did not comply.

### **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. 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.

The National Accountability Bureau (NAB) serves as the highest-level anticorruption authority, with a mandate to eliminate corruption through awareness, prevention, and enforcement. The NAB and other investigative

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agencies, including the Federal Board of Revenue, the State Bank of Pakistan, the Antinarcotics Force, and the Federal Investigation Agency, conduct investigations into corruption, tax evasion, and money laundering.

**Corruption:** On August 27, Fact Focused, a local media outlet, released an expose on retired lieutenant general Asim Saleem Bajwa, alleging he had amassed a family fortune linked to his promotions in the military. In response, Bajwa resigned as special advisor to the prime minister on information and broadcasting, although he remained chairman of the China-Pakistan Economic Corridor Authority.

On July 27, transporter groups involved in Afghanistan-Pakistan trade protested, temporarily blocking the Torkham highway in Landi Kotal leading to the Torkham border crossing. The protests were directed at local Khyber District police and Khyber Pakhtunkhwa officials, asking them to address alleged bribery and extortion, allegedly perpetrated by self-proclaimed union representatives of transporters or other private criminal gangs, at truck parking lots in Bara, an area 30 miles from Torkham, where trucks were directed to park and wait for their turn to cross the border. Civil society actors estimated 800-1,000 trucks routinely waited in these Bara parking lots--a result of backlogs caused when COVID-19 restrictions and clearing procedures slowed border-crossing traffic.

The government continued its corruption investigations and prosecutions of opposition political party leaders during the year, with high-profile actions brought against former prime minister Nawaz Sharif and former president Asif Ali Zardari, and senior members of other opposition parties, including JUI-F. Opposition parties alleged these prosecutions selectively targeted their leadership.

Reports of corruption in the judicial system persisted, including reports that court staff requested payments to facilitate administrative procedures. 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

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lead to their disqualification from public office for five years. Heads of state, in contrast, are not required to declare their income and assets. Judges, generals, and high-level officials often concealed their assets from the public. In Khyber Pakhtunkhwa, media proactively reported on the financial disclosures of legislators and provincial officials.

Political parties and politicians must file annual financial accounting reports declaring their assets and liabilities. The government has not fully implemented the law, 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**

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, however, particularly those whose work revealed shortcomings or misdeeds of the government, military, or intelligence services, or that worked on issues related to conflict areas or advocacy. 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 not to use terms the government finds controversial--such as countering violent extremism; peace and conflict resolution; IDPs; reproductive health; and lesbian, gay, bisexual,

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transgender, or intersex (LGBTI) persons--in their annual reports or documents. The agreement also prohibits NGOs from employing individuals of Indian or Israeli nationality or origin. Few NGOs had access to certain parts of Khyber Pakhtunkhwa, the former 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. The first commission's term expired in June 2019, and authorities had not established a second commission as of September. A stand-alone 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.

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

#### **Women**

**Rape and Domestic Violence:** Rape is a criminal offense, with punishment for conviction that ranges from a minimum of 10 to 25 years in prison and a fine, to the death penalty. The penalty for conviction of gang rape is death or life imprisonment. The law does not explicitly criminalize spousal rape and defines rape as a crime committed by a man against a woman. Although rape was frequent, prosecutions were rare. The law provides for collection of DNA evidence and includes nondisclosure of a rape victim's name, the right to legal representation of rape victims, relaxed reporting requirements for female victims, and enhanced penalties for rape of victims with mental or physical disabilities.

The government did not effectively enforce the 2006 Women's Protection Act, which brought the crime of rape under the jurisdiction of criminal rather than Islamic courts. The law prohibits police from arresting or holding 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 tries heinous offenses. After recording the victim's statement, the sessions court judge files a complaint, after which police may make arrests. NGOs reported the procedure created

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barriers for rape victims who could not travel to or access the courts. NGOs continued to report that rape was a severely underreported crime.

The Punjab Protection of Women against Violence Act provides legal protections for domestic abuse victims, including judicial protective orders and access to a new network of district-level women's shelters. Centers provide women a range of services including assistance with the completion of first information reports regarding the crimes committed against them, first aid, medical examinations, posttrauma rehabilitation, free legal services, and a shelter home. The Punjab government funds four women's career centers in Punjab universities, 12 crisis centers that provide legal and psychological services to women, and emergency shelters for women and children. The Punjab government established 16 women's hostel authority in 12 districts to assist women in finding safe, affordable, temporary lodging while looking for work. They also established 68 additional day-care centers, bringing the total to 137 by year's end. The provincial government also launched other economic empowerment programs, including the Punjab Small Industry cooperation Development Bank and the Kisan Ki Beti project, which aim to improve living standards of rural women through skill development.

Lahore uses a special court designed to focus exclusively on gender-based violence (GBV) crimes. The Lahore Gender-Based Violence Court receives the most serious cases in the district, such as aggravated rape, and offers enhanced protections to women and girls.

Khyber Pakhtunkhwa lacks a comprehensive law addressing domestic violence.

There were no reliable national, provincial, or local statistics on rape due to underreporting and no centralized law-enforcement data collection system.

Prosecutions of reported rapes were rare, although there were reports that prosecution rates increased in response to police capacity building programs and public campaigns to combat the lack of awareness regarding rape and GBV. 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 sometimes

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accepted bribes from perpetrators, abused or threatened victims, and demanded victims drop charges, especially when suspected perpetrators were influential community leaders. Some police demanded bribes from victims before registering rape charges, and investigations were often superficial. Furthermore, accusations of rape were often resolved using extrajudicial measures, with the victim frequently forced to marry her attacker. Women who reported or spoke up against violence against women often faced pushback and harassment, including by police officials, which, according to civil society, discouraged victims from coming forward.

In the early morning of September 9, two men broke into the vehicle of a woman who, with her two children, had stalled on the road outside of Lahore. The men robbed the family and then raped the woman in front of her children. The woman was initially blamed by a top police official, who, based on his comments, implied the victim had been out too late at night. Police later apprehended one of the suspects.

The use of rape medical testing increased, but medical personnel in many areas did not have sufficient training or equipment, which further complicated prosecutions. Most victims of rape, particularly in rural areas, did not have access to the full range of treatment services. There were a limited number of women's treatment centers, funded by the federal government and international donors. These centers had partnerships with local service providers to create networks that delivered a full spectrum of essential services to rape victims.

No specific federal law prohibits domestic violence, which was widespread. Police may charge acts of domestic violence as crimes pursuant to the penal code's general provisions against assault and bodily injury. Provincial laws also prohibit acts of domestic violence. Forms of domestic violence reportedly included beating, physical disfigurement, shaving of women's eyebrows and hair, and--in extreme cases--homicide. Dowry and other family-related disputes sometimes resulted in death or disfigurement by burning or acid.

Women who tried to report abuse often faced serious challenges. Police and judges were sometimes reluctant to act in domestic violence cases, viewing them as family problems. Instead of filing charges, police often responded by

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encouraging the parties to reconcile. Authorities routinely returned abused women to their abusive family members. Government officials reported a 25 percent increase in domestic violence incidents during COVID-19 lockdowns in eastern Punjab.

To address societal norms that disapprove of victims who report GBV, the government established women's police stations, staffed by female officers, to offer women a safe place to report complaints and file charges. There was an inadequate number of women's police stations, and they faced financial shortfalls and appropriate staffing shortages.

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. Officials later referred victims to *dar-ul-amans*, shelter houses for abused women and children, of which there were several hundred around the country. The *dar-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, but who in fact were victims of rape or other abuse.

Government centers lacked sufficient space, staff, and resources. Many overcrowded *dar-ul-amans* did not meet international standards. Some shelters did not offer access to basic needs such as showers, laundry supplies, or feminine hygiene products. In some cases individuals reportedly abused women at the government-run shelters, and staff severely restricted women's movements or pressured them to return to their abusers. There were reports of women exploited in prostitution and sex trafficking in shelters. Some shelter staff reportedly discriminated against the shelter residents, assuming that if a woman fled her home, it was because she was a woman of ill repute.

**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 Dawoodi

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Bohras spoke publicly and signed online petitions against the practice. Some other isolated tribes and communities in rural Sindh and Balochistan also reportedly practiced FGM/C.

**Other Harmful Traditional Practices:** Women were victims of various types of societal violence and abuse, including so-called honor killings, forced marriages and conversions, imposed isolation, and 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 officials allowed the male involved in the alleged “crime of honor” to flee. Because these crimes generally occurred within families, many went unreported. Police and NGOs reported increased media coverage enabled law enforcement officers to take some action against these crimes.

In May, three men killed two teenage sisters in North Waziristan, Khyber Pakhtunkhwa, after a video showing them kissing a man circulated online. According to media reports, police arrested the victims’ father and brother for the crime and later apprehended a third suspect. They also arrested the 28-year-old man in the video, whose life was also in danger under tribal custom, on the grounds of “vulgarity.” Police conducted a swift investigation, over objections of tribal leadership and local elected officials. As of September the cases were pending with the trial court.

A Sindh police study publicized in February stated 769 persons, including 510 women, were victims of so-called honor killings in Sindh between 2014 and 2019. According to the report, police brought charges in 649 cases the courts awarded sentences in 19 cases, while the accused in 136 cases were acquitted; as of September, 494 cases were still pending trial. The conviction rate stood at 2 percent against the acquittal rate of 21 percent. On June 27, police found the mutilated body of a 24-year old woman named Wazeera Chacchar, who was stoned to death in a so-called honor killing case in Jamshoro, Sindh. Her post mortem



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report revealed she was gang raped before being killed and was pregnant at the time of the incident. Her father alleged her husband was behind the killing.

The law makes maiming or killing using a corrosive substance a crime and imposes stiff penalties against perpetrators. There were reports that the practice of disfigurement--including cutting off a woman's nose or ears or throwing acid in their face, in connection with domestic disputes or so-called honor crimes--continued and that legal repercussions were rare.

The 2016 Sindh Hindu Marriage Act and the 2017 Hindu Marriage Act (applying to all other provinces) codify the legal mechanisms to formally register and prove the legitimacy of Hindu marriages. The 2017 Hindu Marriage Act allows for the termination of the marriage upon the conversion of one party to a religion other than Hinduism. Some activists claimed the latter provision weakens the government's ability to protect against forced marriage and conversion. The 2016 Sindh Hindu Marriage Act also applies to Sikh marriages. The Punjab Sikh Anand Karaj Marriage Act 2018 allows local government officials to register marriages between a Sikh man and Sikh woman solemnized by a Sikh Anand Karaj marriage registrar.

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 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.

On October 8, the minister of religious affairs banned the use of dowry, with the exception of bridal clothing and bedsheets.

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**Sexual Harassment:** Although several laws criminalize sexual harassment in the workplace and public sphere, the problem was reportedly widespread. The law requires all provinces to have provincial-level ombudsmen. All provinces and Gilgit-Baltistan had established ombudsmen. During the year the Khyber Pakhtunkhwa Assembly passed its provincial law for the prevention of the harassment of women.

Meesha Shafi and eight others accused pop singer Ali Zafar of sexual harassment in 2018. He denied the accusations and filed suit against the women. In September the accusers were charged with defamation; if convicted, they faced up to three years in prison.

**Reproductive Rights:** Couples and individuals have the right to decide the number, spacing, and timing of children, but often lacked access to information and the means to make informed decisions. Couples and individuals did not have the ability to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. The government provided regular access to sexual and reproductive health services for survivors of sexual violence. All sexual violence cases reported in a public facility are also reported to the police. Survivors of sexual violence are provided with a clinical exam and treatment; female survivors are offered emergency contraceptives. Other services provided to survivors of sexual violence vary by province. During the year the Lahore High Court declared virginity tests illegal and of no forensic value in cases of sexual violence.

Young girls and women were especially vulnerable to problems related to sexual and reproductive health and reproductive rights, and often lacked information and means to access care. Spousal opposition also contributed to the challenges women faced in obtaining contraception or delaying pregnancy. Women, particularly in rural areas, faced difficulty in accessing education on health and reproductive rights due to social constraints, which also complicated data collection.

The Khyber Pakhtunkhwa Provincial Assembly passed the Khyber Pakhtunkhwa Reproductive Healthcare Rights Bill in July 2020, requiring the provincial government to provide reproductive healthcare information, to provide quality

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family planning services including short-term, long-term, and permanent methods of contraception, and to enable local access to contraceptives. The Sindh Assembly passed the Sindh Reproductive Healthcare Rights Bill in November 2019 to strengthen access to rural health centers and family planning resources, and to reduce the complications related to pregnancy and childbirth.

According to the most recent UN research, the maternal mortality ratio was 140 deaths per 100,000 live births in 2017, a rate attributed to a lack of health information and services. Few women in rural areas had access to skilled attendants during childbirth, including essential obstetric and postpartum care. UNICEF estimated that direct and indirect effects of COVID-19 led to a 14.5 percent increase in child mortality and a 21.3 percent increase in maternal mortality in 2020.

According to the National Institute of Population Studies' *2017-18 Demographic and Health Survey*, 86 percent of women received prenatal care. UNICEF data stated that skilled healthcare providers delivered 71 percent of births in 2019. The World Health Organization, citing 2010-2018 data, reported an adolescent birth rate of 46 per 1,000 women aged 15-19 years.

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

**Discrimination:** Women faced legal and economic discrimination. The law prohibits discrimination based on sex, 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. Many women were unaware of these legal protections or were unable to obtain legal counsel to enforce them. Divorced women often were left with no means of support, as their families ostracized them. Women are legally free to marry without family consent, but society frequently ostracized women who did so, or they risked becoming victims of honor crimes.

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

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than their legal entitlement. In addition, complicated family disputes and the costs and time of lengthy court procedures reportedly discouraged women from pursuing legal challenges to inheritance discrimination. During the year Khyber Pakhtunkhwa passed a law for the protection of women's inheritance rights and appointed a female independent ombudsperson charged with hearing complaints, starting investigations, and making referrals for enforcement of inheritance rights.

Media reported that imams and other marriage registrars illegally meddled with *nikah namas*, Islamic marriage contracts that often detail divorce rights, to limit rights of women in marriage. In other instances, women signing the contracts were not fully informed of their contents.

During the year civil society actors reported that only 7 percent of women had access to financial inclusion services in Pakistan and that women had limited access to credit.

### Children

**Birth Registration:** Citizenship is generally derived by birth in the country, although children born abroad after 2000 may derive their citizenship by descent if either the mother or the father is a citizen and the child is registered with the proper authorities. Children of refugees and stateless persons do not derive citizenship by birth.

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

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

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secondary, and postsecondary schools were lower than for boys. Additionally certain tribal and cultural beliefs often prevented girls from attending schools.

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

**Child Abuse:** In March the government passed the Zainab Alert Law, which criminalizes child abuse and mandates life imprisonment for individuals convicted of 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. In the first six months following its passage, 1,489 cases were registered under the new law; however, there were fewer than 20 prosecutions.

An employer and his wife confessed to beating an eight-year-old girl, their illegally employed domestic servant, on May 31. She died of her injuries the following day. The employer claimed they had beaten her for having released their pet parrots. The Rawat police station FIR recorded that the girl had injuries on her face, hands, legs, legs, thighs--indicating potential sexual assault--and below her rib cage.

Many such children were human trafficking victims. In some circumstances trafficked children were forced to beg to gain money for their employers.

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.

**Child, 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. According to UNICEF, 21 percent of girls were married by the age of 18. The 2014 Sindh Child Marriage Restraint Act sets 18 as the legal age of marriage for both girls and boys in Sindh Province. A 2017 amendment to the penal code substantially increased punishment for conviction of violating the law. A convicted individual may be imprisoned for up to 10 years and no less than five

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years (up from imprisonment of up to one month) and may also be fined up to one million Pakistani rupees (\$6,430), up from 1,000 Pakistani rupees (six dollars). At times men would evade Sindh child marriage law by traveling to a different province for the marriage.

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.

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, in many filed cases prosecution remained limited.

On January 15, Mehek Kumari, 15-year-old Hindu girl, went missing and later appeared in a video with Ali Raza, a Muslim man. In the video the couple claimed they had both willingly married and that Kumari had voluntarily converted to Islam. In February Kumari retracted her video statement, indicating Raza had forced her to convert, and requested to be returned to her family. In response to the retraction, some radical clerics called for the girl to face the death penalty. Later in the month a court in Jacobabad ruled that the marriage between Kumari and Raza was illegal under the 2013 Sindh Child Marriage Restraint Act, which states children cannot marry until they reach 18.

A 13-year-old Christian girl from Karachi, identified as Arzoo Raja, was allegedly abducted, forcibly converted to Islam, and married to a 44-year-old man on October 13. The Sindh High Court, on October 27, upheld the validity of Raja’s marriage, citing the marriage certificate that indicated Raja was age 18 and ruling Raja had converted to Islam and married of her own free will. Following petitions by human rights groups to enforce the provisions of the 2013 Sindh Child Marriage Restraint Act, which imposes restrictions on underage marriage, on November 2, the Sindh High Court ordered the arrest of the husband and ordered Raja to be placed in a shelter pending an investigation.

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**Sexual Exploitation of Children:** Various local laws exist to protect children from child pornography, sexual abuse, seduction, and cruelty, but federal laws do not prohibit using children for prostitution or pornographic performances, although child pornography is illegal under obscenity laws. Legal observers reported that authorities did not regularly enforce child protection laws. For example, according to media reports, a seminary teacher, Ghulam Abbas Sehto, was accused of molesting a 12-year-old boy at a mosque but granted bail after arrest. In a separate rape allegation against Sehto, no action was taken because no official complaint was made.

**Infanticide or Infanticide of Children with Disabilities:** Parents occasionally abandoned unwanted children, most of whom were girls. 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. Conviction of 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 formerly displaced by military operations to access education or psychological support upon their return to former conflict areas. Nonetheless, the Khyber Pakhtunkhwa government reconstructed some of the 1,800 schools in the former FATA districts, where large numbers of internally displaced persons had returned. The government prioritized rehabilitating schools and enrolling children in these former conflict areas, and the overall number of out-of-school children decreased, according to international organizations.

**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 <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases>.

### Anti-Semitism

Most of the historic Jewish community has emigrated. Anti-Semitic sentiments were widespread in the vernacular press. Hate speech used by some politicians

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and broadcast in some print media and through social media used derogatory terms such as “Jewish agent” to attack individuals and groups or referred to “Zionist conspiracies.”

### **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law provides for equal rights for persons with disabilities, and provincial special education and social welfare offices are responsible for protecting the rights of persons with disabilities; nonetheless, authorities did not always implement its provisions. Each province has a department or office legally tasked with addressing the educational needs of persons with disabilities. Despite these provisions, most children with disabilities did not attend school, according to civil society sources.

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. Access to polling stations was challenging for persons with disabilities because of severe difficulties in obtaining transportation. The Elections Act 2017 allows for absentee voting for persons with disabilities. In order to register for an absentee ballot, however, persons with disabilities were required to obtain an identification card with a special physical disability symbol. According to disability rights activists, the multistep process for obtaining the special identification symbol was cumbersome and challenging.

In June the NGO HRCP condemned the government’s decision to abolish the 2 percent public and private company employment quota for persons with disabilities



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by deleting Section 459 of the Companies Act of 2017. The Ministry of Human Rights explained that the deletion of this section from the Companies Act would not jeopardize the job-quota guarantee. Disability rights groups criticized the hasty manner in which the ordinance was promulgated, without stakeholder feedback and parliamentary debate and oversight.

In July the Supreme Court ordered the federal and provincial governments to facilitate jobs, transport, housing, and access at public places for persons with disabilities. It also asked the government to advertise vacant posts for disability employment and ensure successful candidates were appointed against regional quotas. In another verdict in August, the Supreme Court ordered the federal and provincial governments to discontinue the use of words “disabled,” “physically handicapped,” and “mentally retarded” in official correspondence, since these words offend the dignity of persons with disabilities.

On March 17, Fayyaz ul Hassan, provincial minister of Punjab for information and culture, called persons with disabilities “punishment” for parents. He claimed that traders who unethically hoard coronavirus response equipment would be punished by having children with disabilities.

### **Members of National/Racial/Ethnic Minority Groups**

Some Sindhi and Baloch nationalist groups claimed that authorities detained their members based on political affiliation or belief. Nationalist parties in Sindh further alleged that law enforcement and security agencies kidnapped and killed Sindhi political activists. Pashtuns accused security forces of committing extrajudicial killings, disappearances, and other human rights abuses targeting Pashtuns.

On May 29, a mob in Quetta’s Hazara town killed a young Pashtun man and seriously injured two others. Accounts varied regarding the cause of the attack. According to one version, the Pashtun men were harassing Hazara women, while another attributed the violence to a monetary dispute. Authorities arrested 12 suspects for their alleged involvement in the attack.

Sectarian militants continued to target members of the Hazara ethnic minority, who are largely Shia Muslim, in Quetta, Balochistan. Hazaras also continued to face discrimination and threats of violence. According to press reports and other

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sources, Hazara were unable to move freely outside of Quetta's two Hazara-populated enclaves. Community members complained that increased security measures had turned their neighborhoods into ghettos, resulting in economic exploitation. Consumer goods in those enclaves were available only at inflated prices, and Hazaras reported an inability to find employment or pursue higher education.

On March 25, the Balochistan chief secretary announced, that these two enclaves, Hazara-town and Marribad, were to be sealed off in light of the COVID-19 pandemic, alleging that residents of the enclaves had contracted the virus in greater numbers. Although no Hazara government employee had at the time tested positive for COVID-19, according to media sources, he further furloughed all Balochistan government "staff ... belong(ing) to the Hazara tribe." Hazaras, who are largely Shia, were harassed online by social media users who referred to the virus as the "Shia virus" and alleged that Hazara migrants from Iran had introduced the virus to the country.

Community members also alleged government agencies discriminated against Hazaras in issuing identification cards and passports. Authorities provided enhanced security for Shia religious processions but confined the public observances to the Hazara enclaves.

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

Consensual same-sex sexual conduct is a criminal offense. The penalty for conviction of 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 in the public sphere. There were communities of openly transgender women, but they were marginalized and were frequently the targets of violence and harassment.

Violence and discrimination continued against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons. The crimes often went unreported, and police generally took little action when they did receive reports.

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In 2019 the inspector general of police announced that the government would provide 0.5 percent of the office jobs in the Sindh police force to members of the transgender community. In May, Rawalpindi police launched a pilot project to protect transgender individuals. The project, called the Tahafuz Center, opened on May 12, and included the first transgender victim-support officer, also a member of the transgender community.

In July a video was shared online that depicted men in Rawalpindi assaulting a group of transgender women, who were held at gunpoint and raped after being forced to strip. A local NGO reported that prison officials in Khyber Pakhtunkhwa housed transgender prisoners separately and that the provincial government formed a jail oversight committee to improve the prison situation. Khyber Pakhtunkhwa police stations began offering a dedicated intake desk for transgender persons along with addition of transgender rights education in police training courses. Local NGOs working in the Islamabad Capital Territory and Punjab conducted transgender sensitization training for police officers.

According to a wide range of LGBT NGOs and activists, society generally shunned transgender women, eunuchs, and intersex persons, 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 their share of inherited property and admission to schools and hospitals. Property owners frequently refused to rent or sell property to transgender persons. The 2018 landmark Transgender Persons (Protection of Rights) Act addresses many of these problems. The law accords the right of transgender individuals to be recognized according to their “self-perceived gender identity,” provides for basic rights, prohibits harassment of transgender persons, and outlaws discrimination against them in employment, housing, education, health care, and other services. No such law, however, protects the rights of lesbian, gay, or bisexual individuals.

A 2012 Supreme Court ruling allows transgender individuals to obtain national identification cards listing a “third gender.” Because national identity cards also serve as voter registration, the ruling enabled transgender individuals to participate in elections, both as candidates and voters.

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

A concentrated HIV epidemic persisted among injecting drug users, while the estimated prevalence in the general population was less than 0.1 percent. The epidemic was concentrated among injecting drug users (21 percent). Stigma and discrimination by the general population and by health-care providers against persons with HIV in particular remained a significant barrier to treatment access. An estimated 14 percent of persons with HIV knew their status, and approximately one-tenth of them were on antiretroviral treatment, according to the 2018 Joint UN Program on HIV/AIDS report. Transgender advocacy organizations and activists reported that HIV was particularly prevalent in their community, with little medical help.

### **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, Ahmadi Muslims, and Hindus. Shia Muslim activists reported continuing instances of targeted killings and enforced disappearances in limited parts of the country.

Women's rights groups faced threats of violence from religious groups. On February 25, the political party JUI-F threatened to disrupt the Sukkur's women's (Aurat) march on March 8, saying the march promotes vulgarity and is against Islamic values. The march was held amid strict government security, but many NGOs did not participate in the event after receiving direct threats. In Islamabad several individuals were injured after men hurled bricks and stones at the women during the march.

## **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 responsibility for labor legislation and policies to the four provinces, stipulated that existing national

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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 an 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.

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 government 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 or 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.

The law prohibits state administrators, workers in state-owned enterprises, and export-processing zones, and public-sector workers from collective bargaining and striking. Nevertheless, state-owned enterprises planned for privatization faced continuous labor strikes. Provincial industrial relations acts also address and limit strikes and lockouts. For example, the Khyber Pakhtunkhwa 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 refer the dispute to a labor court. The government did not effectively enforce applicable laws, and the

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penalties were not commensurate with those for other laws involving denials of civil rights, such as discrimination.

Federal law defines illegal strikes, picketing, and other types of protests as “civil commotion,” which carries a penalty if convicted of up to life imprisonment. The law also states that gatherings of four or more persons may require police authorization, which is a provision authorities could use against trade union gatherings. Unions were able to organize large-scale strikes, but police often broke up the strikes, and employers used them to justify dismissals. On April 6, Balochistan police used physical force against protesters and arrested more than a dozen doctors in Quetta who were protesting the unavailability of personal protective equipment in provincial hospitals in wake of COVID-19. The protest came a day after 13 doctors tested positive for COVID-19 in the provincial capital. Marches and protests also occurred regularly, although police sometimes arrested union leaders.

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 regarding 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 wellbeing 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). The government

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announced a program to create as many as 60,000 jobs planting trees for workers impacted by the COVID-19 pandemic.

### **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. The ILO raised concerns, however, that laws prohibiting some workers in essential services from leaving their employment without the consent of the employer allowed for criminal penalties that included prison labor.

The law defines trafficking in persons as recruiting, harboring, transporting, providing, or obtaining another person (or attempting to do so) through force, fraud, or coercion for the purpose of compelled labor or commercial sex. The penalty for conviction of trafficking in persons is sufficient to deter violations. With regard to sex trafficking, however, by allowing for a fine in lieu of imprisonment, these penalties were not commensurate with those for other serious crimes, such as rape. Lack of political will, the reported complicity of officials in labor trafficking, as well as federal and local government structural changes, contributed to the failure of authorities to enforce federal law relating to forced labor. Resources, inspections, and remediation were inadequate.

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 Khyber Pakhtunkhwa. 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 paid in full, 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 goods they acquired from their employers. In some cases landowners restricted laborers’ movements with armed guards or sold laborers to other employers for the price of the laborers’ debts.

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Ties among 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. Some bonded laborers returned to their former status after authorities freed them, due to a lack of alternative employment options. In Sindh, the landmark Bonded Labor Act of 2015 has no accompanying civil procedure to implement the law. Of the 29 district vigilance committees charged with overseeing bonded labor practices, only 11 had held meetings as of July, but lack of quorum and representation from government agencies and civil society organizations made them largely inoperative.

Boys and girls were bought, sold, rented, or kidnapped to work in illegal begging rings, as domestic servants, or as bonded laborers in agriculture and brickmaking (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.

The government of Punjab funded the Elimination of Child Labor and Bonded Labor Project, under which the Punjab Department of Labor worked to combat child and bonded labor in brick kilns. They did this by helping workers obtain national identity cards and interest-free loans and providing schools at brick kiln sites. On March 29, the Lahore High Court ordered the labor secretary to enact measures to pay the school fees of children working in brick kilns. On July 1, the Punjab government issued a notification that set brick kiln laborers' wages, as well as conditions of overtime work and paid holidays. The Khyber Pakhtunkhwa, 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. In Khyber Pakhtunkhwa, kilns with fewer than 10 employees do not qualify as "factories," so many employed fewer than 10 workers to avoid registration.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/> and the Department of Labor's



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*Findings on the Worst Forms of Child Labor at*

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

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

The law does not prohibit all of the worst forms of child labor. The federal government prohibited child domestic labor and other hazardous labor via an amendment to the Child Employment Act 1991 on July 30, which covers the Islamabad Capital Territory but requires the same amendment be passed by each province to be adopted. No province had adopted similar legislation as of October 19. The constitution expressly prohibits the employment of children younger than 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 14, which does not comply with international standards. Provincial laws in Khyber Pakhtunkhwa, Punjab, and Sindh set the minimum age for hazardous work at 18, meeting international standards. Balochistan's cabinet approved the Balochistan Employment of Children Prohibition and Regulation Bill 2020 in September, providing protections for children, setting the minimum age for hazardous work at 14 years, and setting the minimum age for coal mining at 15 years. In May the Punjab government announced the first phase of the Punjab Domestic Workers Act 2019, which prohibits hiring a child younger than 15 as a domestic worker. Despite these restrictions, there were nationwide reports of children working in areas the law defined as hazardous, such as leather manufacturing, brick making, and deep-sea fishing.

By law the minimum age for nonhazardous work is 14 in shops and establishments and 15 for work in factories and mines. The law does not extend the minimum age limit to informal employment. The law limits the workday to seven hours for children, 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 inspection purposes. These national prohibitions and regulations do not apply to home-based businesses or brickmaking.

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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.

Child labor remained pervasive, with many children working in agriculture and domestic work. There were also reports that small workshops employed a large number of child laborers, which complicated efforts to enforce child labor laws. 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, militant groups and gangs, and child sex trafficking. Media reported that due to COVID-19 effects, more children were dropping out of school and that many children turned to the workforce to lessen the economic burden their parents experienced due to the pandemic. The NGO Society for the Protection of the Rights of the Child claimed that more than 12 million children were forced to practice child labor.

Coordination of responses to child labor problems at the national level remained ineffective. Labor inspection was the purview of provincial rather than national government, 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. Authorities registered hundreds of child labor law violations, but they often did not impose penalties on violators; when they did, the penalties were not a significant deterrent. Authorities generally allowed NGOs to perform inspections without interference.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods/>.

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

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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. Women constituted only 24 percent of the labor force despite representing 50 percent of the population. The Special Economic Zones Act of 2012 provides for limited protections, and the status of national laws dealing with labor rights, antidiscrimination, and harassment at the workplace remained ambiguous. Penalties were not commensurate with laws related to civil rights, such as election interference.

### **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. Some 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 regarding the provinces' varying capacity and commitment to adopt and enforce labor laws. Some international organizations, however, observed that giving authority to provincial authorities led to improvements in labor practices, including inspections, in some provinces.

The minimum wage as set by the government exceeded its definition of the poverty line income for an individual, which was 9,300 Pakistani rupees (\$60) per month. The minimum wage was 17,500 (\$106) rupees per month. The minimum wage was greater than the World Bank's estimate for poverty level income. Authorities increased the minimum wage in the annual budget in 2019, and both federal and provincial governments implemented the increase. Minimum wage laws did not cover significant sectors of the labor force, including workers in the informal sector, domestic servants, and agricultural workers; enforcement of minimum wage laws was uneven.

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. The

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labor code also requires time off on 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. Many 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 many years. Furthermore, these national regulations do not apply to agricultural workers, workers in establishments with fewer than 10 employees, or domestic workers. Workers in these types of employment also lacked the right to access labor courts to seek redress of grievances and were extremely vulnerable to exploitation. The industry-specific nature of many labor laws and the lack of government enforcement 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. The number of labor inspectors employed by the provincial governments is insufficient for the approximately 64 million persons in the workforce. Many workers, especially in the informal sector, remained unaware of their rights. Due to limited resources for labor inspections and corruption, inspections and penalties were insufficient to deter violations of labor laws. Minimum wages and labor law disputes are settled by internal dispute resolution mechanisms as opposed to being dealt with national courts, further contributing to corruption. Penalties were not commensurate with those for similar crimes, such as fraud.

The 2019 Sindh Women Agriculture Workers Bill recognizes the rights of women who work in farming, livestock, and fisheries. The law provides for minimum wages, sick and maternity leave, set working hours, written work contracts, the right to unionize, collective bargaining, and access to social security and credit, among other protections.

The comprehensive occupational health and safety law enacted by Sindh Province in 2017 had not been implemented by year's end. In February the Sindh cabinet allowed the Labor Department to appoint inspectors under the law, but as of November no health and safety inspectors had been appointed. Similar legislation was absent in other provinces. In September the Punjab government enacted the

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Medical Teaching Institute (Reform) Ordinance, which amended several existing pieces of health-care legislation and instituted boards of governors composed of private sector professionals for state-run teaching hospitals.

On July 6, the Sindh government released a 26-page Joint Investigation Team report of the 2012 Baldia factory fire that claimed the lives of 260 workers. The team reported that the fire was an act of terrorism, not an accident. The investigators revealed in the report that the factory had been set aflame over nonpayment of an extortion scheme. Two persons were convicted in September.

Nationwide, health and safety standards were poor in multiple sectors. The country's failure to meet international health and safety standards raised doubts abroad as to its reliability as a source for imports. 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, such as domestic and home-based workers, were particularly vulnerable to health and safety issues. There were no 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 records.

On September 7, at least 24 workers were killed when a marble mine collapsed in Mohmand, Khyber Pakhtunkhwa. Labor rights activists observed that workers often had to work in dangerous conditions and that private-sector mining companies failed to provide workers with health and safety facilities. According to the Pakistan Mine Worker Federation's statistics, 186 coal miners died across the country in 2019. On April 14, two coal miners were killed after a trolley hit them inside a coal mine in Harnai, Balochistan. On March 20, seven coal miners were killed and three others injured in a gas explosion in a mine in Degari, Balochistan. The government did not effectively enforce occupational safety and health laws; penalties for violations of such laws were not commensurate with those for crimes like negligence.