

Pakistan

Political turmoil and instability engulfed Pakistan after Nawaz Sharif stepped down as prime minister in July after a five-member Supreme Court bench disqualified him based on investigations into corruption allegations.

Although Pakistan witnessed fewer attacks by Islamist militants than in previous years, scores of people were killed in attacks primarily targeting law enforcement officials and religious minorities.

Security forces remained unaccountable for human rights violations and exercised disproportionate political influence over civilian authorities, especially in matters of national security and counterterrorism. In March, parliament passed a constitutional amendment reinstating secret military courts to try terrorism suspects for another two years. Security forces were implicated in enforced disappearances and extrajudicial killings throughout the country.

The government muzzled dissenting voices in nongovernmental organizations (NGOs) and media on the pretext of national security. Militants and interest groups also threatened freedom of expression.

Women, religious minorities, and transgender people faced violent attacks, discrimination, and government persecution, with authorities failing to provide adequate protection or hold perpetrators accountable. The inclusion of the transgender population in the 2017 census and the first-ever proposed transgender law were positive developments.

The human rights crisis in Balochistan continued with reports of enforced disappearances and extrajudicial killings of suspected Baloch militants. Baloch nationalists and other militant groups continued attacking non-Baloch civilians.

Afghan refugees in Pakistan continued to face pressure from government authorities to return, although the number of repatriations decreased significantly from 2016.

Freedom of Expression and Attacks on Civil Society

Journalists increasingly practiced self-censorship after numerous attacks by security forces and militant groups in retaliation for critical articles. Media outlets remained under pressure to avoid reporting on or criticizing human rights violations during counterterrorism operations. The Taliban and other armed groups threatened media outlets and attacked journalists and activists because of their work.

In January, security forces abducted five men—Salman Haider, Waqas Goraya, Aasim Saeed, Ahmed Raza Naseer, and Samar Abbas—who were vocal critics of militant religious groups and Pakistan’s security establishment. Four were released after three weeks of public protests. Samar Abbas remained forcibly disappeared at time of writing.

In May, the Federal Investigation Agency’s (FIA) counterterrorism wing summoned Taha Siddiqui, a journalist and the bureau chief for World Is One News (WION), for questioning about opinions expressed in his journalism. The same month, the FIA arrested six people for making “blasphemous” comments on the internet, and the interior minister announced new rules that can severely restrict online anonymity. According to media reports, the FIA interrogated at least 40 people for making comments criticizing the military on the internet, and seized their computers and phones for forensic evaluation.

In August, plainclothes men accompanied by police officials picked up Punhal Sario, a human rights activist and campaigner for victims of enforced disappearances; Partab Shivani, a teacher and activist; Naseer Kumbhar, a writer; and Muhammad Umar, a political party worker, from different cities in Sindh province. The same month, security forces raided the home of Amar Sindhu, a well-known poet in Sindh province. Sario returned home in October.

Human Rights Watch received several credible reports of intimidation, harassment, and surveillance of various NGOs by government authorities. The government used the

“Regulation of INGOs in Pakistan” policy to impede the registration and functioning of international humanitarian and human rights groups.

In July, after its review of Pakistan, the United Nations Committee on Economic, Social and Cultural Rights said it is “deeply concerned at repeated reports of abduction, killings and intimidation of human rights defenders, particularly those fighting for economic, social and cultural rights, allegedly committed in some cases by State agents, including members of military intelligence services.”

Freedom of Religion and Belief

At least 19 people remained on death row in 2017 after being convicted under Pakistan’s draconian blasphemy law, and hundreds awaited trial. Most of those facing blasphemy are members of religious minorities—including Aasia Bibi, the first woman to face a potential death sentence for blasphemy—and are often victimized by these charges due to personal disputes.

In 2017, Pakistan witnessed an increase in blasphemy-related violence while the government continued to encourage discriminatory prosecutions and other forms of discrimination against vulnerable groups by failing to repeal discriminatory laws and using religious rhetoric inciting hatred against minority groups. In March, the interior minister described blasphemers as “enemies of humanity,” and stated he would take the issue to its “logical conclusion” in taking action against them.

In April, a mob dragged Mashal Khan, a 23-year-old student at a university in Mardan, Khyber Pakhtunkhwa province, from his dormitory and shot him dead over accusations that he made blasphemous remarks against Islamic injunctions. In May, a 10-year-old boy was killed when a mob tried to storm a police station in Balochistan to attack a man held on blasphemy charges.

The Pakistan Telecommunication Authority (PTA) sent out a mass text message in May to millions of users informing them that uploading and sharing blasphemous content is a punishable offense, and asking them to report such content.

In June, an counterterrorism court in Punjab province sentenced Taimoor Raza to death for committing blasphemy on Facebook. He was arrested in 2016 after a debate over Islam on Facebook with a man who later turned out to be a counterterrorism agent.

Provisions of Pakistan's penal code that perpetuate discrimination against members of the Ahmadi religious community remained unchanged: the code explicitly prohibits Ahmadis from "indirectly or directly posing as a Muslim," declaring or propagating their faith publicly, building mosques or referring to them as such, or making public calls to prayer.

Militant groups targeted Shia and followers of Sufi Islam. In February, a suicide attack on the shrine of Lal Shahbaz Qalandar in Sehwan, Sindh, claimed by the extremist group Islamic State (also known as ISIS), killed at least 88 people and injured hundreds.

In a positive development, parliament in March passed the Hindu Marriage Act, the country's first ever federal law recognizing and regulating marriages of the members of the minority Hindu community by allowing Hindu marriages to be registered.

Women's and Children's Rights

Violence against women and girls—including rape, "honor" killings, acid attacks, domestic violence, and forced marriage—remained a serious problem. Pakistani activists estimate that there are about a 1,000 "honor" killings every year.

In June, a tribal council (jirga) in Khyber agency ordered the "honor" killing of Nagma, a 13-year-old girl, for "running away with men." Parliament had passed in February a controversial bill giving legal cover to tribal and village councils.

The Khyber Pakhtunkhwa draft domestic violence bill received wide public criticism for exempting parents and spouses when they use "corrective measures" against female family members, raising the concern that it will legitimize some forms of domestic violence. At least 180 cases of domestic violence were reported in Khyber Pakhtunkhwa province in 2017, including 94 women murdered by close family members.

Women from religious minority communities were particularly vulnerable. A report by the Movement for Solidarity and Peace in Pakistan found that at least 1,000 girls belonging to Christian and Hindu communities are forced to marry Muslim men every year. The government failed to act to stop such forced marriages.

Child marriage remained a serious concern, with 21 percent of girls in Pakistan marrying before the age of 18, according to the United Nations Children's Fund (UNICEF).

Attacks on schools and the use of children in suicide bombings by the Taliban and affiliated armed extremist groups continued during the year.

Over 5 million primary-school-age children are out of school, most of them girls. Human Rights Watch research found girls miss school for reasons including lack of schools, costs associated with studying, child bearing, and gender discrimination.

In June, the UN Committee on Economic, Social and Cultural Rights invited Pakistan to endorse the Safe Schools Declaration, which proposes steps to protect schools from attacks and military use during wartime. Pakistan has not yet endorsed the declaration.

Sexual Orientation and Gender Identity

Violent attacks on transgender and intersex women in Pakistan continued in 2017, with unidentified assailants frequently targeting those involved in activism. In August, unknown gunmen shot dead a transgender woman in Karachi.

In a series of steps toward legally recognizing gender identity, the first bill safeguarding the rights of transgender persons was introduced in parliament in August. The 2017 national census included for the first time a category for Khawaja Siras, or transgender women. However, many transgender rights activists disputed the government figures claiming it underrepresented the transgender population. In June, the Pakistan government issued the first passport with a transgender category.

Pakistan's penal code continued to criminalize same-sex conduct, placing men who have sex with men and transgender women at risk of police abuse and other violence and discrimination.

Terrorism and Counterterrorism

In its efforts to tackle security threats from armed extremists, security forces committed serious violations during counterterrorism operations, including torture, enforced disappearances, and extrajudicial killings. Suspects were frequently detained without charge or tried without proper judicial process. Counterterrorism laws also continued to be misused as an instrument of political coercion and to silence dissenting voices.

In March, parliament reinstated secret military courts empowered to try civilians after the term for military courts ended in January 2017. Pakistan human rights groups said that many defendants facing military courts were secretly detained and tortured to coerce confessions. Several remain forcibly disappeared. Authorities do not allow independent monitoring of military court trials. The Pakistan government failed to sufficiently investigate and prosecute allegations of human rights violations by security forces.

In 2017, the practice of enforced disappearances targeting suspected militants—previously restricted to the conflict areas of Balochistan, Federally Administered Tribal Areas (FATA), and Khyber Pakhtunkhwa—became a nationwide policy with the targeting of bloggers and activists all over Pakistan.

Refugees

Some of the 80,000 Afghans returning from Pakistan in the first eight months of the year reported that Pakistani police continue to extort money from registered and undocumented Afghans in Pakistan. In July, the authorities began to register some of the estimated 1 million unregistered Afghans in Pakistan, although the purpose was not clear, leading to fears authorities might deport them.

The uncertain residency status of Afghan refugees in Pakistan encouraged police harassment, threats, and extortion, particularly in Khyber Pakhtunkhwa, which hosts the majority of the Afghan population in the country. According to the International

Organization for Migration (IOM), 82,019 refugees and undocumented Afghans returned or were deported to Afghanistan between January and August 2017.

Death Penalty

At least 44 people on death row were executed in 2017, of whom 37 were executed after convictions by military courts.

Key International Actors

In June, the Committee against Torture (CAT), in its concluding observations on Pakistan's compliance with commitments made under the Convention against Torture, called on the Pakistani government to prohibit the use of torture by law enforcement agencies and impartially investigate allegations of widespread torture.

In July, the UN Human Rights Committee, in its concluding observations on Pakistan's compliance and implementation of commitments made under the International Covenant on Civil and Political Rights (ICCPR), called on the Pakistani government to "review its legal provisions relating to freedom of expression ... with a view to putting in place effective oversight mechanisms and procedural safeguards and bringing them in line with Article 19 of the Covenant."

The committee recommended, among other things, criminalizing enforced disappearances, reinstating the moratorium on death penalty, reviewing and reforming legislation governing military courts, prohibiting torture, and reviewing the vague legislation and policies governing the functioning of NGOs in Pakistan.

Pakistan's volatile relationship with United States, its largest development and military donor, deteriorated amid signs of mistrust. In August, US President Donald Trump accused Pakistan of failing to counter terrorist threats, and even actively fostering militant groups involved in attacks on civilian and military targets in Afghanistan. Pakistan denied the accusations. Later in August, the US administration notified Congress of its decision to provide US\$255 million in military assistance to Pakistan, contingent on the government cracking down on internal terror networks.

Pakistan and China deepened extensive economic and political ties, and work continued on the China-Pakistan Economic Corridor, a long-term project consisting of construction of roads, railways, and energy pipelines.

In July, the European Union Foreign Affairs Council welcomed several positive measures taken by Pakistan, but also raised several concerns, including the death penalty; trial of civilians by military courts; inadequate protection for juveniles in the criminal justice system; the discrimination faced by minorities; misuse of blasphemy laws; lack of freedom of religion or belief; and restrictions on freedom of speech, particularly for journalists and activists, and related to NGO registration.

Historically tense relations between Pakistan and India showed no signs of improvement in 2017, with both countries accusing each other of facilitating unrest and militancy.