

# PAKISTAN 2019

The authorities intensified their crackdown on the right to freedom of expression. Enforced disappearances remained pervasive, with no one held accountable for them. The government failed to uphold its commitments to legislate against torture and enforced disappearances. Violence against women and girls remained widespread. Parliament blocked attempts to restrict child marriage. Religious minorities continued to be prosecuted under blasphemy laws and attacked by non-state actors. The fight for climate justice took to the streets, with popular mobilizations in major cities calling on the government to show leadership both at home and abroad for one of the world's most climate-vulnerable countries. Air pollution reached hazardous levels in major cities, posing risks to people's rights to health, life and, in the case of children, education.

## Background

The military tightened its control over the economy, foreign policy and national security, shrinking space for civil society to promote and defend human rights. Several members of the political opposition were imprisoned on what they say are politically-motivated charges, raising fair trial concerns.

Climate change and its impact on Pakistan featured more prominently in public discourse. In May, an estimated 1,500 farmers walked 140 km from the Indus Delta region to Thatta, Sindh, demanding that the government declare a water shortage emergency and take steps to address land erosion. Pakistan's agricultural economy continues to be vulnerable to climate change. This vulnerability has direct impact on the rights to water and food of millions around the country.

There were large scale peaceful demonstrations throughout the year in support of the rights of women, students, Kashmiris, and against enforced disappearances.

## Enforced disappearances

The victims of enforced disappearances included political activists, students, journalists, human rights defenders and Shi'a Muslims, particularly in Sindh and Balochistan provinces. In January, Ahmad Mustafa Kanju, an activist from Rahim Yar Khan in Punjab province was disappeared from his home. In March, two journalists from Karachi were disappeared for a month. In October, engineering graduate Suleman Farooq Chaudhry disappeared from near Islamabad. In November, human rights defender and former Amnesty International consultant Idris Khattak was disappeared near Swabi in Khyber Pakhtunkhwa province. In December, lawyer Shafiq Ahmed was disappeared for 17 days, during which he was tortured. There were also hundreds of disappeared people released throughout the year. Two of those released were subsequently charged and prosecuted for possessing weapons.

The risk of enforced disappearance was heightened in Khyber Pakhtunkhwa province with the promulgation of the Khyber Pakhtunkhwa Actions (in Aid of Civil Power) Ordinance, 2019. The ordinance gives security agencies a range of abusive powers, including the power to detain people without trial or charge on vaguely defined grounds. The detainees are to be kept at internment centres in the province, where other victims of disappearances have also been kept. The ordinance is being challenged in the Supreme Court of Pakistan.

## Freedoms of expression, assembly and association

Political activists and journalists were targeted and charged under draconian laws, including the Prevention of Electronic Crimes Act (PECA), the Anti-Terrorism Act, and sections of the penal code on sedition and defamation. The government curtailed media freedoms and media workers reported that they were experiencing a growing culture of censorship, coercion and harassment by the authorities.

In February, the Federal Investigative Agency (FIA) launched an investigation into journalists and members of political parties after they changed their social media profile images to that of the murdered Saudi Arabian journalist, Jamal Khashoggi, as a protest against Saudi Arabia's Crown Prince Mohammed bin Salman's official visit to the country.

In April, the FIA charged journalist Shahzeb Jillani with "cyberterrorism" and hate speech for allegedly defamatory comments on social media. In May, a Karachi court quashed the charges citing lack of evidence.

Also in April, Shafique Ahmed, a lawyer from Okara, faced charges under PECA and for defamation for "spreading false and abusive information" and for uploading "defamatory posts against Agencies of Pakistan".

The authorities intensified a crackdown on the Pashtun Tahaffuz Movement (PTM), which campaigns against human rights abuses – arresting and arbitrarily detaining dozens of its supporters, subjecting them to surveillance, intimidation, prosecution and threats of violence.

In January, PTM activist Alamzaib Khan was detained by the police at gunpoint in Karachi and charged with "rioting" and "inciting hatred" for his peaceful participation in a demonstration. In September, he was released after the Supreme Court granted him bail. In February, Arman Luni, a PTM activist from Balochistan, died after being beaten by police officers following his participation in a peaceful protest in the Lorelai district.

Gohar Wazir, a journalist for the Khyber News TV station, was arrested in May in the city of Bannu in Khyber Pakhtunkhwa Province for interviewing Mohsin Dawar, a parliamentarian and PTM supporter.

In the same month, Mohsin Dawar and Ali Wazir, another parliamentarian and PTM supporter, were detained after they led a procession to the Khar Kamar area of North Waziristan, a district of the Khyber Pakhtunkhwa Province. At least 13 people, were killed, including three PTM supporters, when the procession was fired upon. The authorities severed phone and internet lines for days in the area after the incident. They were released on bail in September.

Gulalai Ismail, a woman human rights defender who campaigned against violence against women and enforced disappearances, was charged with sedition, terrorism and defamation in May. In August, she fled to the USA. Her family continued facing intimidation by the law enforcement authorities. A police case on terrorism charges was filed against Gulalai and her parents, Muhammad and Uzlifat Ismail in July. In October, a hate speech and cyber terrorism case was filed against Muhammad Ismail under PECA and he was arrested.

In November, a police case of sedition was registered against 17 students of the Sindhi ethnic minority for protesting peacefully against water shortage in Jamshoro, Sindh.

## **Violence against women, girls and transgender individuals**

Violence against women and girls continued including abduction, physical assault, rape and murder. In June, the Supreme Court's Chief Justice announced the establishment of 1,016 courts to hear domestic violence cases.

In June, a 19-year-old transwoman Maya was shot dead by her father in Naushehra, Khyber Pakhtunkhwa. At least four other transwomen were killed in 2019. Two transwomen were also shot and seriously injured in June in Khyber Pakhtunkhwa.

In September, a court denied Qandeel Baloch's parents permission to forgive their son for her murder under a 2016 law, which prevents perpetrators from being granted a pardon for crimes committed in exchange for "blood money". Qandeel Baloch was killed in 2016 by her brother, who said she had brought "dishonour" on their family. Her brother has been sentenced to death.

## **Children's rights**

Reports of sexual abuse and violence against children were widespread. In July, the Human Rights Ministry began a country-wide awareness campaign for "prevention of child sexual abuse".

In October, Sohail Ayaz a convicted sexual predator from the UK was arrested in Peshawar for sexual abuse of 30 minors. Ayaz had been working as a consultant with the provincial government of Khyber Pakhtunkhwa for three years since his return to Pakistan.

In May, Parliament's lower house blocked a bill to raise the minimum age at which girls can marry to 18 years in line with the minimum marriage age for men.

The provincial government of the Punjab province passed a domestic workers protection act in January prohibiting employment of minors under 15 in households. However, children continued to be hired as domestic labour across Pakistan.

## **Freedom of religion or belief**

The blasphemy laws continued to be used to persecute individuals and enable human rights abuses in Pakistan. Armed groups carried out attacks on religious communities, and sectarian organizations incited hatred against religious minority groups with impunity. In September, Nautan Lal, a school principal in Ghotki was charged with blasphemy after a mob, riled up by a religious leader, vandalized a local Hindu temple and attacked properties owned by the Hindu community.

In May, Asia Bibi, a Christian woman who spent eight years on death row on a false charge of blasphemy, was finally allowed to leave the country with her family. In January, the Supreme Court upheld the decision to acquit her, sparking demonstrations by armed groups. In December, Junaid Hafeez, a professor accused of blasphemy, was sentenced to death by a court in Multan. He has been imprisoned since 2013, spending much of that time in solitary confinement.

Non-state actors continued to attack individuals belonging to religious minority groups. In April, a suicide bombing claimed by the armed group calling itself the Islamic State targeted the Shi'a Hazara community in Quetta, Balochistan, killing at least 20 people. Women and girls from Christian,

Hindu and Sikh communities faced a series of abuses, including forced conversions, particularly in Sindh province.

## **Right to health**

In November and December, air pollution levels became hazardous in major Pakistani cities, particularly Lahore. Schools were forced to close for at least three days. There was a sharp rise in respiratory illnesses. The government announced it would take special measures to address the crisis, including improving fuel quality and transitioning to electric vehicles.

## **Workers' rights**

Adequate protection of workers, passage of legislation and implementation across provinces remained a concern by labour activist and unions in various sectors, including the informal labour sector.

According to the Coal Miners Association, dozens of coal miners were killed in work accidents because of a lack of sufficient protective equipment, dated work techniques and mine collapse incidents. The Human Rights Commission of Pakistan's fact-finding report in August 2019, found that miners faced a range of issues, including obstacles to unionizing, life-threatening diseases and hazardous working conditions.

Bonded labour continued across the country in agricultural sectors and brick-kilns despite legislation banning the cruel practice since 1992.

Domestic work, part of the informal labour sector was brought under the ambit of law in the Punjab province through the Domestic Workers Act in January.