

PAKISTAN 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Pakistan is a federal parliamentary republic. In 2018 the Pakistan Tehreek-e-Insaf (PTI) party won the most National Assembly seats in the general elections, and PTI'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 occurred.

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 (FATA), 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 continues to play a role in domestic security, including as the lead security agency in many areas of the former FATA. While military and intelligence services officially report to civilian authorities, the military and intelligence services operate independently and without effective civilian oversight.

Significant human rights issues included: unlawful or arbitrary killings by the government or its agents, including extrajudicial killings; forced disappearance; torture; arbitrary detention; arbitrary or unlawful government interference with privacy; the worst forms of restrictions on free expression, the press, and the internet, including violence against journalists, censorship, and site blocking; substantial government interference with the rights of peaceful assembly and freedom of association, such as overly restrictive nongovernmental organization (NGO) laws; severe restrictions of religious freedom; significant restrictions on freedom of movement; acts of corruption within the bureaucracy; unlawful recruitment and use of child soldiers by nonstate militant groups; trafficking in persons; crimes involving 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; and the use of forced or compulsory 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 September terrorism fatalities stood at 315, in comparison with 697 total fatalities in 2018, 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

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.).

On February 2, Pashtun Tahaffuz Movement (PTM), a social movement for Pashtun human rights based in Khyber Pakhtunkhwa (KP) and Balochistan, alleged police tortured and killed PTM activist and professor Arman Loni during a sit-in protest in Loralai, Balochistan. Pashtun political parties, including Pakhtunkhwa Milli Awami Party and Awami National Party, organized protests in Balochistan and KP in response to the killings. Abdul Qayyum Uthmankhel, head of PTM Loralai Wing and an eyewitness to Arman Loni's killing, filed charges against the assistant superintendent of police, Attaur Rehman, and the Loralai police registered the case on April 2, two months after the incident. On May 17, PTM issued a statement that paramilitary forces had kidnapped Abdul Qayyum and left him at a roadside after torturing him. On May 19, the PTM staged a sit-in protest in Balochistan's Chaman area against the incident.

In July 2018 an antiterrorism court in Karachi released on bail former senior superintendent of police in the Malir District of Karachi Rao Anwar, placing him on a no fly list while his trial is ongoing for the killing of a Pashtun man, Naqeebullah Mehsud, in what Karachi police initially claimed was a counterterror operation. The Supreme Court subsequently upheld Anwar's travel ban after he appealed to have his name removed from the no-fly list. Authorities filed murder charges in the case against 23 police officers, of whom 13 are in custody, seven have absconded, and five are on bail, including Anwar. On January 24, an antiterrorism court in Karachi declared Mehsud innocent of the terrorism charges that Anwar brought against him as superintendent of police.

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

There were numerous reports of fatal attacks against police. On January 29, three suicide bombers attacked the office of the deputy inspector general of police in Loralai, Balochistan, and killed nine individuals that included five civilian employees, three police officers, and a police recruitment candidate and injured 21 others. The attack occurred when several hundred candidates were taking a written test for recruitment into the police department. The Pakistani Taliban (Tehreek-e-Taliban Pakistan, or TTP) claimed responsibility but made no further comment.

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

b. Disappearance

There were kidnappings and forced disappearances of persons in nearly all areas of the country. As of October 1, the Commission of Inquiry on Enforced Disappearances had received 593 cases; there were 1,098 complaints in 2018. Some officials from intelligence agencies, police, and other security forces reportedly held prisoners incommunicado and refused to disclose their location.

On March 30 and April 1 respectively, unknown individuals abducted two journalists from Karachi's Shia community, Matloob Hussain Mosavi, who worked for the newspaper *Daily Jang*, and Syed Ali Mubashir Naqvi, who worked for Abb Tak news channel. In May police claimed they had arrested Mosavi and four other

persons for alleged involvement in sectarian killings. The Shia Missing Persons Relatives Committee rejected these claims and stated the suspects had been missing for months without formal charges. Both individuals' whereabouts remain unknown.

In April police released Razaqat Ali Jarwar, a senior journalist with the newspaper *Daily Koshish*, 14 months after plainclothes security forces had reportedly detained him.

In August Inter-Services Public Relations, the media wing of the Pakistan Armed Forces, confirmed that a military court sentenced an army major to a life sentence and expelled him from military service for abducting in 2016 a boy in Nushki, Balochistan, receiving a 6,864,000 Pakistani Rupees (\$44,000) ransom from the victim's family. An appeals court and Chief of Army Staff Qamar Javed Bajwa upheld the decision. The boy's captors did not release him, and his whereabouts remained unknown as of September.

Human rights organizations reported many authorities disappeared or arrested Pashtun rights activists, and Sindhi and Baloch nationalists without cause or warrant.

Authorities continued their efforts against members of PTM. Beginning in May, the director general of the Inter-Services Public Relations, Major General Asif Ghafoor, announced that PTM's "time is up." In the following months, security officials killed 13 PTM protesters during a clash at a military checkpoint in the Khar Qamar area of Waziristan. The military alleged the protesters attacked the checkpoint, but video on social media and eyewitness accounts appeared to corroborate PTM's assertion the protesters were peaceful. Following the events at Khar Qamar, the government cracked down on PTM, arresting or detaining many of the group's senior leadership as well as rank-and-file supporters. PTM activists successfully challenged dozens of arrests in court, only to have some of those arrested go missing following their release from jail. While the government agreed PTM had legitimate grievances, it contended external forces used PTM as a tool to feed ethnic divisions in the country.

On May 14, security forces arrested Muhammad Naseem and his fiancée, Hani Gul, without a warrant. Gul attested that security forces blindfolded her and drove her to an undisclosed detention center where she was beaten and forced to confess affiliation with the Baloch Liberation Front, a claim she has since denied. Naseem likely remained in detention and his location was unknown to date. Gul alleged

that officials harassed and intimidated her to withdraw her subsequent case regarding Naseem's illegal detention from the Sindh High Court.

The Commission of Inquiry on Enforced Disappearances received 6,372 missing persons cases between 2011 and September 30. The commission had closed 4,140 of those inquiries, while 2,232 remained open.

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.

According to the Committee against Torture of the UN Office of the High Commissioner for Human Rights, in 2017 there were reports that state officials and forces practiced torture on a widespread scale. Human rights organizations noted the government's lack of serious efforts to curb the use of torture and claimed that perpetrators--mostly police, military, and intelligence agency members--operated with impunity.

Media and civil society organizations reported cases of individuals dying in police custody allegedly due to torture in Punjab Province in August and September. In Lahore on August 26, officials of the anticorruption department unearthed a torture cell allegedly operated by the Gujjarpura station house officer and three constables that kept suspects in custody on the pretext of interrogation. Officials recovered six men from the cell, but one later died from injuries sustained during torture. According to media, the abductors chained and abused the prisoners every night to coerce their families to pay money for their release. The Punjab Inspector General of Police opened investigations into these cases and arrested some of the police officers involved, although the status of the cases was unclear at year's end.

On September 1, in Faisalabad a Punjabi man named Salahuddin Ayubi, who, according to his family, had a mental illness, died in police custody after a video showing him making faces at a security camera while robbing an automated teller machine (ATM) went viral. National media shared camera footage from the ATM, and photos purporting to show torture marks on Ayubi's body circulated on social media. Authorities filed murder charges in the Lahore High Court against City A-

Division's Station House Officer Mehmoodul Hassan and investigation officers Subinspector Shafaat Ali and Assistant Subinspector Matloob Hussain. The investigation was ongoing, according to media reports.

There were reports police personnel employed cruel and degrading treatment and punishment. The Human Rights Commission of Pakistan reported that police committed "excesses" in at least 82 cases as of September 2, killing 29 persons and injuring 38. Multiple sources reported that police excesses were often underreported.

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 the Federal Ombudsman, as of November the total nationwide prison population stood at 77,275 in 114 prisons across the country. The capacity of these prisons is 57,742, putting the occupancy rate at 130 percent over capacity.

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 that prison inmates often subjected their members to abuse and violence in prison. Civil society organizations reported that prison officials frequently subjected prisoners accused of blasphemy violations to poor prison conditions. NGOs reported that many individuals accused of blasphemy remained in solitary confinement for extended periods, sometimes for more than a year. The government asserted this treatment was for the individual's safety, 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 that 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.

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 abuse, rape, and other forms of violence.

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

By law prison authorities must permit prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhuman conditions. 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.

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 most affected by violence in KP, 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 KP's Prison Departments continued construction of their own prison academies, focusing on modern prison management techniques that promote human rights and counter violent extremism. The Prison Department of Sindh laid the foundation and erected the structure for the student accommodations of its prison academy; the academy is constructed to

impart modern prison management techniques that promote human rights and counter violent extremism. Twenty-three prisons in Punjab transitioned from their paper files system to a modern, computerized database that enables prison officials to more safely, securely, and accurately track prisoners. The Prison Management Information System database also enables the separation of high-threat prisoners from petty offenders and vulnerable groups in the country's overcrowded prisons.

In June the Sindh Provincial Assembly passed the Prison Act of 2019, the first update since the Prison Act of 1894. The law provides inmates with access to schools and colleges, improved medical care, enhanced family visitation rights, and the provision of television, computers, and air conditioning in correctional facilities. Sindh Province was the first and only province to have revised the Prison Act.

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.

On August 5, the KP provincial government issued the Actions (In Aid of Civil Power) Ordinance of 2019 (AACP) as a response to the Peshawar High Court's 2018 ruling that struck down the FATA Interim Governance Regulation (FIGR) and previous legislation that applied only to the former FATA. The ordinance gives the military authority to operate not only in the former FATA but also in KP as a whole. Under the AACP, the military may indefinitely detain civilians without charge in internment camps, occupy property, conduct operations, and convict detainees 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 AACP 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. A provincial appeals 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. The government contends that the ordinance is necessary to preserve law and order while it builds up the capacity of the provincial police force to take over for the military during the ongoing merger between the former FATA and KP.

On October 24, Federal Investigation Agency (FIA) officials detained Muhammad Ismail, father of rights activist and vocal critic of the country's military, Gululai Ismail. The FIA stated it detained Muhammad Ismail for "hate speech and fake information against government institutions on Facebook and Twitter." On November 25, the Peshawar High Court issued an order granting conditional bail to Muhammad Ismail, after which he was released from detention.

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. A FIR allows police to detain a suspect for 24 hours, after which a magistrate may order detention for an additional 14 days if police show detention is necessary to obtain evidence material to the investigation. Some authorities did not observe these limits on detention. Authorities reportedly filed FIRs without supporting evidence in order to harass or intimidate detainees or did not file them when 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. 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 to protect them from vigilante violence. Bail is not available in antiterrorism courts.

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. NGOs reported that on August 10, Karachi police arrested a local newspaper editor, who had been covering police corruption and organized crime, and held him for three days barring outside communication. His family did not know of his whereabouts during this period.

Arbitrary Arrest: Reports found that 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. They reported police, including officers from the Federal Investigation Agency, a border control, criminal investigation, counterintelligence and security agency, made the arrests to extract bribes.

Pretrial Detention: According to provincial prison departments, as of August an estimated 62 percent of detainees were either awaiting or undergoing trial. Reports indicated that 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.

By law detainees must be tried within 30 days of arrest. There were exceptions: a district coordination officer has authority to recommend preventive detention on the grounds of "maintenance of public order" for up to 90 days and may--with approval of the Home Department--extend it for an additional 90 days.

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 National Accountability Bureau (NAB), which investigates and prosecutes corruption cases. The NAB may detain suspects for 15 days without charge (renewable with judicial concurrence) and deny access to counsel prior to charging. Offenses under the NAB are not bailable, and only the NAB chairperson has the power to decide whether to release detainees.

In KP (including the former FATA), security forces may restrict the activities of terrorism suspects, seize their assets for up to 48 hours, and detain them for as long as one year without charges. Human rights and international organizations reported that security forces held an unknown number of individuals allegedly affiliated with terrorist organizations indefinitely in preventive detention, where they were often tortured and abused. In many cases authorities held prisoners incommunicado, denying them prompt access to a lawyer of their choice. Family members often 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. On September 11, Chief Justice Asif Saeed Khosa warned that public perceptions of selective accountability in high-profile corruption cases had grown and should be addressed.

Extensive case backlogs in the lower and superior courts undermined the right to effective remedy and to a fair and public hearing. Antiquated procedural rules,

unfilled judgeships, poor case management, and weak legal education caused delays in civil and criminal cases. According to Chief Justice Khosa, 25 percent of judgeships were vacant in March. Khosa further stated that 1.9 million cases were pending in the judicial system, of which an estimated 40,000 were pending in the Supreme Court. In February Khosa said the Supreme Court would increase its use of video links to hear testimony and reduce delays of trial. The Lahore High Court took steps to improve judicial efficiency. In 2017 the court's chief justice introduced legal reforms intended to reduce strikes and formalized an alternate dispute resolution (ADR) system. As of February, 36 ADR centers across Punjab Province received 30,688 references out of which 14,239 references were successfully mediated while mediation failed in 4,296 cases.

In April the Federal Judicial Academy hosted a National Judicial Conference on Expeditious Justice, announcing a "model court" project initiated across the country. At the direction of the Chief Justice of the Supreme Court of Pakistan, the government established so-called model courts in each province to focus solely on backlogs of murder and narcotics cases, many decades old. Officials instructed judges presiding over these model courts to conduct trials on a day-to-day basis, until they cleared the case backlogs. The government established 116 model courts throughout the country (36 in Punjab, 27 in Sindh, 27 in Khyber Pakhtunkhwa, 24 in Balochistan, and two in the Islamabad Capital Territory).

According to the Ministry of Law and Justice, as of June, there were 1.8 million backlogged civil dispute cases. In the past two years, the ministry has cleared 450,000 cases through the ADR system, most of which involve family law. A typical civil dispute case may take up to 10 years to settle, while the ADR process may reduce this time to approximately three to five months. The jurisdiction of the Supreme Court and the high courts does not extend to the Azad Kashmir area (AK), which has its own elected president, prime minister, legislature, and court system. On January 17, the Supreme Court ruled it had jurisdiction over the Gilgit-Baltistan courts and residents of Gilgit-Baltistan could appeal their courts' decisions in the Supreme Court. Before this judgment, Gilgit-Baltistan also had a separate judicial system.

Many lower courts remained corrupt, inefficient, and subject to pressure from wealthy persons and influential religious or political figures. The Supreme Court overturned several criminal convictions on grounds of false testimony. In a March judgment against a police officer whose 2007 false testimony in a criminal case led to the execution of an innocent man, the Supreme Court ruled penalties for perjury would apply in criminal cases.

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 assemblies (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. In May there were unconfirmed media reports a panchayat in Gujrunwala (Punjab) ordered or permitted the gang rape of a woman whom the panchayat found guilty of illicit relations with a man.

Despite the repeal of the FIGR and the Frontier Crimes Regulations legal code, in the former FATA, such judgments are a common practice. On January 16, the Supreme Court ruled that the way jirgas and panchayats operated was unconstitutional and violated the country's international human rights commitments. The court restricted the use of these informal justice mechanisms to arbitration, mediation, negotiation, or reconciliation of consenting parties in a civil dispute.

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.

The Society for the Protection of the Rights of the Child noted police lacked training to properly handle child delinquency, and cited reports 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.

In May Parliament passed the Juvenile Justice System Act, replacing the 2000 Juvenile Justice System Ordinance. The act 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, implementation has been slow. As of September the government had established three child courts in Lahore and two in Khyber Pakhtunkhwa. On June 19, Chief Justice Khosa stated the government should establish child courts in every district. Civil society groups working on the issue welcomed this commitment but cautioned that the government should phase the implementation to afford effective and sustainable child courts, with juvenile needs in mind.

Both the act and the previous 2000 Juvenile Justice System Ordinance ban the application of the death penalty for minors, yet courts sentenced convicted children to death under the Antiterrorism Act. Furthermore, lack of documentation made determining the ages of possible minors difficult. In April the Sindh Provincial Government established 172 juvenile courts in the province under the 2018 Juvenile Justice System Act by designating all district and session judges and additional judges of Sindh as juvenile courts.

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 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 are free to extend that period. Human rights activists criticized this parallel system, charging 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 nonterrorism cases, 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.

Through March the government utilized military courts to try civilians on terrorism and related charges. Trials in military courts were not public. On March 31, the constitutional amendment establishing and empowering these military courts expired by virtue of a sunset clause. Parliament failed to enact legislation extending the military courts' jurisdiction. At least one news outlet reported 185 cases were pending at the time of expiration of the courts' jurisdiction.

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 of Pakistan. 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.

On January 29, the Supreme Court upheld its landmark 2018 ruling overturning the conviction of Asia Bibi, a Christian woman sentenced to death for blasphemy in 2010. On May 7, Bibi left the country because death threats from the

antiblasphemy group Tehreek-e-Labaik Pakistan and others made it unsafe for her to remain.

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

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. On June 28, Balochistan Province Home Minister Mir Ziaullah Langove claimed that as many as 200 missing persons had returned to their homes in the province since January. The NGO Voice for Baloch Missing Persons, however, could only confirm 100 persons had returned home between January and June. In July, reports indicated 12 more missing persons returned to their homes in various areas of Balochistan, although the practice of disappearing persons for political dissent continued, with some contacts noting it had escalated across the province.

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. These services included the Inter-Services Intelligence, Police Special Branch, the Intelligence Bureau, and Military Intelligence. Credible reports found authorities routinely used wiretaps, monitored cell phone calls, intercepted electronic correspondence, and opened mail without court approval.

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 2014-2017 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 have become normal although such operations often go 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.

On May 26, security forces fired on PTM protesters, including two parliamentarians, in North Waziristan, killing at least 13 and injuring dozens. Authorities arrested both members of Parliament following the incident and

accused them of leading an assault on a military checkpoint. Video of the incident released on social media appears to corroborate the PTM contention that protests were peaceful until police fired on protesters; traditional media and politicians remained mostly silent. Authorities released the two parliamentarians on bail after nearly four months in jail; however, they still face capital charges in relation to the military's claim that PTM protesters assaulted security officers.

Militants and terrorist groups, including the 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. Militant and terrorist groups often attacked religious minorities. On February 18, unidentified assailants shot and killed Pak Sarzameen Party (PSP) leader Abdul Habib in Karachi. On June 29, a suicide motorcycle gunman killed Awami National Party (ANP) Peshawar district president Sartaj Khan. His killing followed two separate bombings in the former FATA that failed to kill two other senior ANP leaders. On August 3, unidentified assailants killed Muhammad Abdul Hayee Jatoi, a local leader of Jamiat Ulema-e-Islam-Fazal, and his son in Quetta, Balochistan. On August 15, unknown assailants killed Khalilur Rehman, a 38-year-old PTI worker in Karachi. Rehman also served as the Orangi town bureau chief for the weekly newspaper *Tribal Times*, based in the former FATA. On August 16, a timed device detonated in a Quetta mosque frequented by members of the Afghan Taliban, killing Hafiz Ahmadullah, brother of Afghan Taliban leader Haibatullah Akhundzada, and three others. A low-intensity separatist insurgency continued in Balochistan. Security forces reportedly committed extrajudicial killings in the fight against militant groups.

Militants carried out numerous attacks on political party offices and candidates, including assaults leading up to the July 20 special elections in the former FATA.

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. In February the Sindh Rangers, a paramilitary force technically under the army's control and operating under a mandate renewed every 90 days by the provincial government, announced the arrest of eight suspected hitmen involved in attacks on Muttahida Qaumi Movement-Pakistan (MQM-P) and PSP workers.

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

January 19, the Punjab Police Counterterrorism Department (CTD) reportedly shot and killed a couple and their teenage daughter in what the CTD labeled an “intelligence-based operation.” The Punjab law minister reportedly lamented the “collateral damage” and promised that the Punjab government would bear the education expenses of the family’s surviving children.

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 assailants had killed 15 persons in seven districts in July alone.

On April 12, a blast at a vegetable market in Quetta targeting the Shia Hazara population, killed 20 and injured at least 48. Frontier Corps paramilitary soldiers--assigned to guard the Hazara shoppers--were among those killed and wounded. On August 6, a blast targeting the Shia Hazara community in Quetta killed one person and injured 10. ISIS claimed responsibility for the attack.

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

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 April armed assailants shot and killed a police officer assigned to protect a team administering the polio vaccine to children in Bannu, Khyber Pakhtunkhwa. The same week, an assailant in Lahore stabbed and injured two workers while they administered the polio vaccine to children. On April 24, unidentified suspects killed a female antipolio immunization campaign worker and injured another one in Chaman, Balochistan. The suspects fled the scene after shooting the two workers. Authorities suspended the vaccination campaign in the area after the incident.

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

Freedom of Expression: The constitution provides for the right to free speech and the press, subject to “any reasonable restriction imposed by law in the interest of the glory of Islam” or the “integrity, security, or defense of Pakistan, friendly relations with foreign states, public order, decency or morality.” The law permits citizens to criticize the government publicly or privately, but court decisions have 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 have not executed any person for committing blasphemy to date, allegations of blasphemy have often prompted vigilantism and mob lynchings. The government restricted some language and symbolic speech based on hate speech and terrorism provisions.

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 during the year. Both the military, through the Director General--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. Authorities used these laws to prevent or punish media criticism of the government and armed forces. To publish within

Pakistan-controlled Kashmir, media owners had to obtain permission from the Kashmir Council and the Ministry of Kashmir Affairs. There were limitations on transmission of Indian media content. In February the Ministry of Information introduced restrictions to control “hate speech” including in social media. Rights activists reported the government had contacted Twitter asking them to take down accounts of activists deemed problematic.

Media outlets claimed the government pressured stations into halting broadcasting of interviews with opposition political party leaders. On July 1, former president Asif Zardari of the opposition Pakistan Peoples Party was seconds into an exclusive interview with a leading television news anchorperson, Hamid Mir of GEO-TV, when two stations simultaneously cut short their broadcasts. On July 11, an interview with opposition leader Maryam Nawaz of the Pakistan Muslim League (Nawaz) (PML-N) on Hum News was cut short. On July 26, television outlets halted live coverage of opposition leader Bilawal Bhutto Zardari’s speech at a party rally in Karachi attended by approximately 20,000 supporters.

PEMRA issued editorial directives to television stations during the year and authorized its chairperson to shut down any channel found in violation of the PEMRA code of conduct, primarily with regard to prohibiting telecasts of protests that might instigate violence. Starting in 2018 the Interior Ministry shut down the Islamabad office of Radio Mashaal, the Pashto language service of Radio Free Europe. The Ministry based its decision on an intelligence report claiming Radio Mashaal radio programs were “against the interests of Pakistan and in line with a hostile intelligence agency’s agenda.” The ban remained in effect at year’s end.

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 have a particularly strong presence. Security forces allegedly abducted journalists. Media outlets that reported on topics authorities view 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.

According to sources, journalists were subjected to a variety of pressure tactics, including harassment and intimidation. The Committee to Protect Journalists did not confirm any targeted killings of journalists during the year. Assailants killed journalists during the year, but it was unclear whether their journalism was the

motive for the killings. On May 4, an assailant killed Awaz Ali Sher Rajpar, a journalist affiliated with Sindhi daily *Awami*, in an attack on the Pad Eidan Press Club in Naushehro Feroze, Sindh. Rajpar had unsuccessfully requested police protection after a suspect in a corruption case threatened him because of his reporting of local corruption. Police arrested Rajpar's first cousin, and authorities attributed his death to a family dispute.

On February 9, authorities arrested Rizwan-ur-Rehman Razi, a television journalist for *Din News*, for “defamatory and obnoxious posts” on his Twitter account against the “judiciary, government institutions and intelligence agencies.” Observers of the arrest allege authorities beat Razi.

Censorship or Content Restrictions: Media organizations generally engaged in self-censorship, especially in reporting news regarding the military; journalists stated they were under increased pressure to report the predetermined narrative during the year. 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 deeper 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, but there were no reports of the government banning books during the year. 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.

The government fined private television channels for alleged violations of the “code of ethics” and for showing banned content on-screen. Authorities reportedly used PEMRA rules to silence broadcast media by either suspending licenses or threatening to do so, or by without notice reassigning the cable channel number of a targeted outlet 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.

The Jang/Geo media group 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.

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. Media houses, acting as a government-influenced media syndicate, fired outspoken journalists deemed to be a threat. The government pressured distributors into restricting distribution or changing channels of outlets journalists deemed problematic, incentivizing media companies to censor their content.

National Security: Some journalists asserted authorities cited laws protecting national security to censor and restrict media distribution of material that criticized government policies, or military or public officials. The 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 there is a history of militant and criminal elements killing, abducting, assaulting, and intimidating journalists and their families.

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.

Since 2012 the government has implemented a systematic, nationwide content-monitoring and filtering system to restrict or block "unacceptable" content, including material that it deems un-Islamic, pornographic, or critical of the state or military forces. The restrictive 2016 Prevention of Electronic Crimes Act (PECA) gives the government sweeping powers to censor content on the internet, which

authorities used as a tool for the continued clampdown on civil society. In March the FIA registered a case against senior journalist Shahzeb Jilani in Karachi under the PECA, accusing him of “defamatory remarks against the respected institutions of Pakistan” and cyberterrorism. Jilani alleged law enforcement agencies were directly involved in kidnapping citizens. In May a Karachi court dismissed charges against him, declaring the FIA failed to produce substantial proof against him.

The government blocked websites because of allegedly anti-Islamic, pornographic, blasphemous, or extremist content. The Ministry for Religious Affairs is responsible for reviewing and reporting blasphemous or offensive content to the PTA for possible removal, or to the Federal Investigative Agency for possible criminal prosecution. There were also reports the government attempted to control or block websites that advocated Baloch independence. There were reports 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.

According to *Coda Story*, an online news platform, the country acquired the services of a Canada-based company to help build a nationwide “web monitoring system” that employs Deep Packet Inspection to monitor communications and record traffic and call data on behalf of the PTA.

Academic Freedom and Cultural Events

The government generally did not interfere with academic freedom but restricted, screened, and censored 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.

On October 27, Karachi authorities shut down the art installation “Killing Fields of Karachi,” which featured 444 small concrete tombstones that each represented an alleged victim of former police officer Rao Anwar, who has been accused of being directly or indirectly involved in the killings of 444 persons in police encounters. The installation also included a documentary featuring the father of Naqeebullah Mehsud, who died in an allegedly fake police encounter that Anwar orchestrated.

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 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 longstanding 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 ongoing severe conditions for the community.

During the year 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 PTM, 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.

Freedom of Association

The constitution provides for freedom of association subject to certain restrictions imposed by law. The government maintained a series of policies that steadily eroded the freedom of international nongovernmental organizations (INGOs) and domestic NGOs to carry out their work and access the communities they serve. INGOs, UN organizations, and international missions 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. Slow government approvals to NOC requests, financial sustainability, and operational uncertainty significantly constrained INGO activity.

The government adopted a new online registration regime and a more restrictive operating agreement for INGOs in 2015. The registration process entails extensive

document requirements, multiple levels of review, and constant investigations and harassment by the security apparatus and other government offices. In April, 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. The hearings did not provide the reasons for the original rejections to the INGOs, nor an opportunity to discuss how to adjust their programs to secure a successful appeal. The ministry has not announced the final decisions on the appeals.

The years of uncertainty regarding registration status negatively impacted even those INGOs that had not received final rejection notices. Those INGOs without a clear registration status found it difficult to develop long-term plans and attract long-term funding and must rely on local partners or centrally managed funding from their overseas headquarters. They faced additional barriers to fundraising, opening bank accounts, and obtaining tax-exempt status from the Federal Board of Revenue. No-objection certificates were hard to obtain in certain provinces without an approved registration, thus hindering implementation and monitoring of activities, even for INGOs that had initiated the new registration process. In cases where INGOs secured registration, they still faced staffing limitations and government interference in their programmatic activities and memoranda of understanding (MOUs) with local partners. INGOs also faced an uptick in visa denials for international staff and consultants. The lack of transparency and unpredictability of the registration process caused some INGOs to withdraw their registration applications and terminate operations in the country.

The government at both the federal and provincial levels similarly restricted the access of foreign-funded local NGOs through a separate registration regime, no-objection certificates, and other requirements. Authorities required NGOs to obtain no-objection certificates before accepting foreign funding, booking facilities or using university spaces for events, or working on sensitive human rights issues. Even when local NGOs receiving foreign funding were appropriately registered, the government often denied their requests for no-objection certificates. Domestic NGOs continued to face regular government monitoring and harassment, even if in possession of all required certifications.

c. Freedom of Religion

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.

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

In-country Movement: Government restrictions on access to certain areas of the former FATA and Balochistan, often due to security concerns, hindered freedom of movement. The government required an approved no-objection certificate 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 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 prevented departure from the country of “persons involved in antistate activities, terrorism, or related to proscribed organizations and those placed on the orders of superior courts.” Those on the list had the right to appeal to the courts to have their names removed.

Exile: 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 unidentifiable Pakistani citizens, despite having passports issued by Pakistani embassies abroad.

e. Internally Displaced Persons

Large population displacements have occurred since 2008 because of militant activity and military operations in KP and the former FATA. Returns continued amid improved security conditions. According to the UN Office for the Coordination of Humanitarian Affairs, 29,000 of the total 5.3 million affected residents remained displaced as of May. The government and UN agencies such as UNHCR, UNICEF, and the 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 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 KP where regular access to health care, education, and other social services were available. For IDPs who were unwilling or unable to return, the government coordinated support with the United Nations and other international organizations. The UN World Food Program distributed a monthly food ration to IDPs in KP displaced by conflict and continued to provide a six-month food ration to IDPs who returned to their areas of origin in the former FATA.

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

f. Protection of Refugees

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 cards. In June the PTI-led government continued its trend of granting longer-term extensions, approving a one-year extension through June 30, 2020. The country also hosts 878,000 Afghans with Afghan Citizen Cards but does not grant them refugee status. The government typically extends the validity of the Afghan Citizen Cards in short increments. In October the government granted a two-month extension through the end of the year.

Although fewer in number than in previous years, there were reports provincial authorities, police, and host communities continued to harass Afghan refugees. UNHCR reported that from January to October there were 1,234 arrests and detentions of refugees. UNHCR reported arrests and detentions were down 63 percent through September.

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

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

Access to Basic Services: One-third of registered 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 February

the government permitted Afghan refugees to open bank accounts using their proof of registration cards.

The constitution stipulates free and compulsory education for all children between ages 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 proof of registration cards to enroll in universities. 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 did establish 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. In addition, UNHCR estimated there were sizable populations of Rohingya, Bihari, and Bengali living in the country, a large percentage of whom were likely stateless.

Section 3. Freedom to Participate in the Political Process

The constitution provides the majority of citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Gilgit-Baltistan and AK have 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 KP Province, on July 20, the government held special elections. These elections gave residents of the former FATA representation in the KP provincial assembly for the first time in their history. Politically, the only remaining hurdle for full integration of the former FATA with KP is elections for local leaders.

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. Judges ordered media regulatory agencies to enforce constitutional bans on content critical of the military or judiciary, compelling media to censor politicians’ speeches and elections-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 security agencies and separatist groups harassed local political organizations, such as the Balochistan National Party and the Baloch Students Organization.

Participation of Women and Minorities: 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.

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 have struggled to be directly elected outside of the reserved seats. Authorities reserved 132 of the 779 seats for women 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 provides for mail-in voting for persons with disabilities. It requires expedited issuance of identification cards (which also serve as voter identification cards) for non-Muslims, transgender persons, and persons with disabilities.

The government requires voters to indicate their religion when registering to vote. 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.

Corruption: 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 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 within the lower levels of the police force was common. Some police charged fees to register genuine complaints and accepted bribes for registering false complaints. Bribes to avoid charges were commonplace.

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.

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. Opposition parties alleged these prosecutions selectively targeted their leadership.

Financial Disclosure: By law members of Parliament, civil servants, and ministers must declare their assets. Elected officials must also disclose their spouses' and dependent children's assets. Failure to disclose this information may lead to their disqualification from public office for five years. Heads of state, in contrast, are not required to declare their income and assets. Judges, generals, and high-level officials often concealed their assets from the public.

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; lesbian, gay, bisexual, 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 KP, 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, and authorities had not established a second commission as of September. A standalone 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 are rare. The Criminal Law (Amendment) (Offense of Rape) Act of 2016 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 for 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 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, post-trauma 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. In March the Punjab government established a women's hostel authority to assist women in finding safe, affordable, temporary lodging while looking for work.

Lahore uses a specialty 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 girl.

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 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.

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 encouraging the parties to reconcile. Authorities routinely returned abused women to their abusive family members.

To address societal norms that disapprove of victims who report 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 some 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.

Media reported that Pakistani women and girls were trafficked to China, some as child brides. On December 5, the Associated Press reported that Pakistani investigators had compiled a list of up to 629 girls and women being trafficked to China but that officials with connections to China hindered efforts to investigate the trafficking. The embassy of China in Islamabad denied the reports.

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 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 that increased media coverage enabled law enforcement officers to take some action against these crimes. Media reported that assailants

killed 78 persons, including 50 women, in “honor” killings in the first six months of the year.

In February Zulfiqar Wassan killed a 14-year-old girl, Rimsha Wassan, in Khairpur, Sindh. After police apprehended Wassan, they discovered that he was involved in three other “honor” killing cases. On July 1, police arrested a man and several of his family members in Multan, Punjab, after the man reportedly shot and killed his wife, their two children, and six of her family members as revenge for his wife’s suspected affair. The District Police Officer reported that the man was unrepentant for what was “clearly an honor killing.” As of September the cases were pending with the trial court.

There were reports that the practice of disfigurement, including cutting off a woman’s nose or ears or throwing acid in the face, in connection with domestic disputes or so-called honor crimes, continued and 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 weaken 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. In March a local jirga gave a seven-year-old girl as compensation for an honor killing case in Pano Aqil, Sindh. Police recovered the girl after a video showing her crying for justice went viral.

The law makes maiming or killing using a corrosive substance (such as acid) a crime and imposes stiff penalties against perpetrators. There were numerous acid attacks on women across the country, with few perpetrators brought to justice.

The 2012 National Commission on the Status of Women Bill provides for the commission's financial and administrative autonomy to investigate violations of women's rights.

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. The Sindh, Punjab, Khyber Pakhtunkhwa Provinces and Gilgit-Baltistan Province had established ombudsmen. On April 1, Balochistan appointed advocate Sabira Islam as the first provincial ombudsperson.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

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.

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

Children

Birth Registration: Citizenship is derived by birth in the country, although 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.

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.

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

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

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

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

Early and Forced Marriage: Despite legal prohibitions, child marriages occurred. Federal law sets the legal age of marriage at 18 for men and 16 for women. The 2014 Sindh Child Marriage Restraint Act sets 18 as the legal age of marriage for both girls and boys in Sindh Province. A 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 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).

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 and in many filed cases, prosecution remained limited.

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.

Infanticide or Infanticide of Children with Disabilities: Parents occasionally abandoned unwanted children, most of which 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 KP government has reconstructed some of the 1,800 schools in the former FATA districts, where large numbers of internally displaced persons have 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.html>.

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 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.

The Sindh Provincial Assembly implemented new procedures regarding the Sindh Empowerment of Persons with Disabilities Act of 2018, including the issuance of special identity cards to persons with disabilities to provide for legal protections. On November 9, the Sindh Provincial Assembly approved an amendment to the Motor Vehicles Ordinance of 1965 that allows individuals with hearing disabilities to obtain drivers licenses and waived license fees.

On August 8, the Gilgit Baltistan Assembly approved the Disability Act 2019 Gilgit Baltistan.

National/Racial/Ethnic Minorities

Some Sindhi and Baloch nationalist groups claim that authorities detain their members based on political affiliation or belief. Nationalist parties in Sindh further allege that law enforcement and security agencies kidnap and kill Sindhi political activists.

On February 6, a local government chairperson, Abdul Rahim Shah, shot Sindhi political activist Irshad Ranjhani on a road in Karachi. Shah claimed he shot at Ranjhani in self-defense during an armed robbery attempt. A former police

officer, Riaz Hussain, denied Ranjhani timely access to medical care, which led to his death. The video of the incident showed police officers interrogating and mistreating an injured Ranjhani while in custody. On February 11, police arrested Shah and suspended Riaz Hussain for delaying medical treatment by taking the victim to a police station rather than a hospital for urgent medical care. In April police and other witnesses told a court that police allowed Shah to shoot Ranjhani in the head for a fifth time during transit from the police station to the hospital.

Sectarian militants continue to target members of the Shia Hazara minority in Quetta, Baluchistan. As a result they are largely confined to two Hazara-populated enclaves, which significantly restricts their ability to move freely, find employment, and pursue higher education.

Acts of Violence, Discrimination, 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 go unreported, and police generally take little action when they do receive reports. On April 1, Inspector General of Police (IGP) announced that the government would provide 5 percent of the office jobs in the Sindh police force to members of the transgender community. On April 13, unidentified assailants stabbed and killed a 30-year-old transgender person in Karachi. Her death followed the death and apparent torture on March 26 of an elderly member of the transgender community. Outreach by NGOs in KP, however, improved interactions between police and the transgender community there. A local NGO reported that prison officials in KP house transgender prisoners separately, and that the provincial government formed a jail oversight committee to improve the prison situation. Local NGOs working in the Islamabad Capital Territory and Punjab have 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. In 2018 Parliament passed the landmark Transgender Persons (Protection of Rights) Act, which 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, and prohibits harassment of transgender persons, and outlaws discrimination against them in employment, housing, education, healthcare, and other services. There is no such law, however, protecting 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.

HIV and AIDS Social Stigma

The country continued to have a concentrated HIV epidemic 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 living with HIV in particular remained a significant barrier to treatment access. An estimated 14 percent of persons living with HIV know their status, and approximately one tenth of them were on antiretroviral treatment, according to the Joint UN Program on HIV/AIDS. Transgender advocacy organizations and activists report that HIV is 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 ongoing instances of targeted killings and enforced disappearances in limited parts of the country.

Members of the Hazara ethnic minority, who are Shia Muslim, continued to face discrimination and threats of violence in Quetta, Balochistan. According to press

reports and other sources, Hazaras 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. They 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.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

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.

In July the Balochistan High Court ordered the cancellation of the registration of all trade unions formed by government employees, ruling that such workers are not allowed to form a union under the Balochistan Industrial Relations Act of 2010. The registrar of Balochistan trade unions thereafter cancelled 62 trade unions' registration. The affected unions' appeal at the Supreme Court was pending at year's end.

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 KP Act specifies that when a “strike or lockout lasts for more than 30 days, the government may, by order in writing, prohibit the strike or lockout” and must refer the dispute to a labor court.

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. In March and May, Sindh schoolteachers and nurses staged protests against recruitment and promotion rules. Police used force against the protest, causing injury to dozens of protesters, and arresting several of them. On July 17, police beat and used water cannons to halt a public protest by nurses from public sector hospitals across Sindh for increased salaries and better facilities. Police detained 20 protesters but released them later. 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).

b. Prohibition of Forced or Compulsory Labor

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

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 KP. A large proportion of bonded laborers were low-caste Hindus as well as Christians and Muslims with lower socioeconomic backgrounds. Bonded labor was reportedly present in the agricultural sector, including the cotton, sugarcane, and

wheat industries, and in the brick, coal, and carpet industries. Bonded laborers often were unable to determine when their debts were 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.

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 27 district vigilance committees charged with overseeing bonded labor practices, only seven had held meetings as of July.

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 KP, Punjab, and Sindh ministries of labor reportedly worked to register brick kilns and their workers in order to regulate the industry more effectively and provide workers access to labor courts and other services.

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

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 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 15, which does not comply with international standards. Provincial laws in KP, Punjab, and Sindh set the minimum age for hazardous work at 18 or 19, meeting international standards. 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 15, but 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.

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.

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

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.

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 exceeds its definition of the poverty line income for an individual, which is 9,300 Pakistani Rupees (\$60) per month.

The minimum wage is 15,000 (\$96) 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, and both federal and provincial governments issued notifications for such increases to go into effect. Minimum wage laws did not cover significant sectors of the labor force, including workers in the informal sector, domestic servants, and agricultural workers; and 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 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 lack 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-person 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.

In September the government of Punjab Province exempted factories in the province from labor law inspections. Punjab has approximately two thirds of the country's textile factories.

In December the Sindh Assembly passed the Sindh Women Agriculture Workers Bill, which recognized 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, and access to social security and credit, among other protections.

The provincial government of Sindh Province enacted a comprehensive occupational health and safety law in 2017, but it had not been implemented by year's end. Similar legislation is absent in other provinces. In September the Punjab government enacted the Medical Teaching Institute (Reform) Ordinance, which amended several existing pieces of healthcare legislation and instituted boards of governors composed of private sector professionals for state run teaching hospitals.

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 March 9, six workers died when a construction lift buckled, causing the work crew to fall from the 13th floor of a 23-story building under construction in Karachi. According to reports, the lift and trolley did not comply with workplace standards. Labor rights activists observed that workers often have to work in dangerous conditions and the private sector construction companies failed to provide workers with health and safety facilities. On July 14, nine coal miners died in the collapse of a coalmine triggered by an electrical fire, with only one worker rescued two days after the incident. According to news reports, 164 miners died in Balochistan's mines in 2018.