

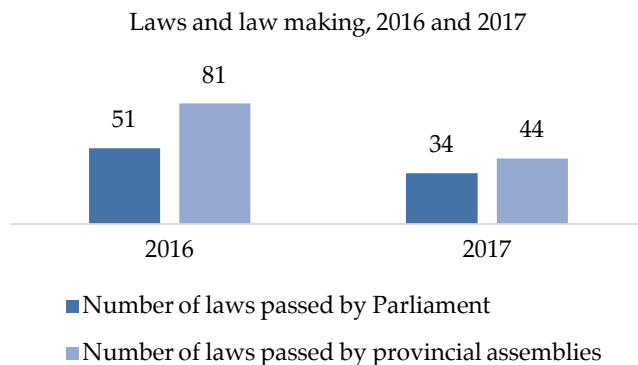


# Human Rights Commission of Pakistan

## State of Human Rights in 2017: Highlights

### Laws and law-making

- The federal parliament made a total of 34 laws in 2017, a drop from 2016 when 51 laws came into effect.
- Pakistan passed two federal acts to meet obligations under ratified international conventions—the Climate Change Act and the National Commission on the Rights of the Child Act.
- Provincial laws adopted in 2017 numbered 44—just over half of the laws enacted in 2016.
- This year, Sindh had the highest legislative output, enacting 14 laws, closely followed by Khyber Pakhtunkhwa, and then the Punjab and Balochistan.



### Administration of justice

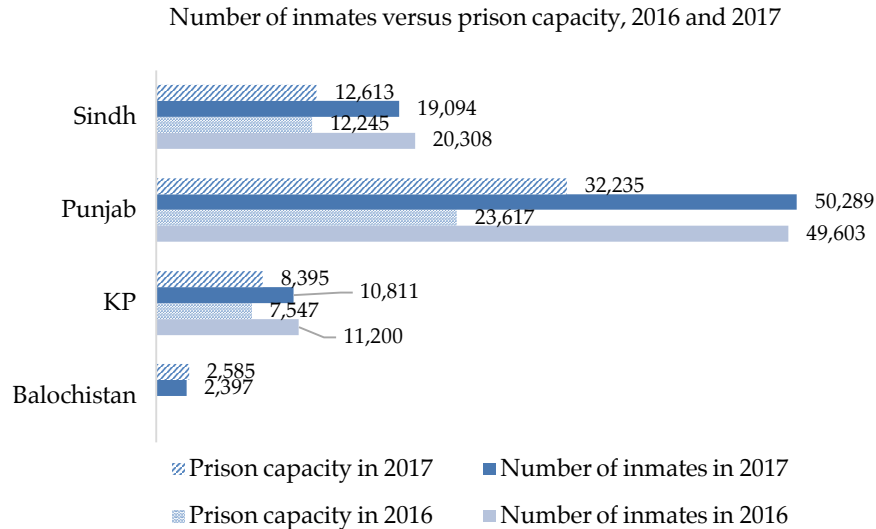
- There were 333,103 cases pending in the country's courts in 2017.
- The most significant decision by the Supreme Court held the Prime Minister of the country, Nawaz Sharif, to be disqualified on the basis of not being 'sadiq' or 'ameen' under Articles 62 and 63 of the Constitution.
- Clashes between legal practitioners and the judiciary intensified.
- The operation of the military courts was extended for a further two years through the 23rd Constitutional Amendment.
- For the first time, the 2017 national census included a category for *khawaja siras*, or transgender women, and the government issued a passport with a transgender category.

### Law and order

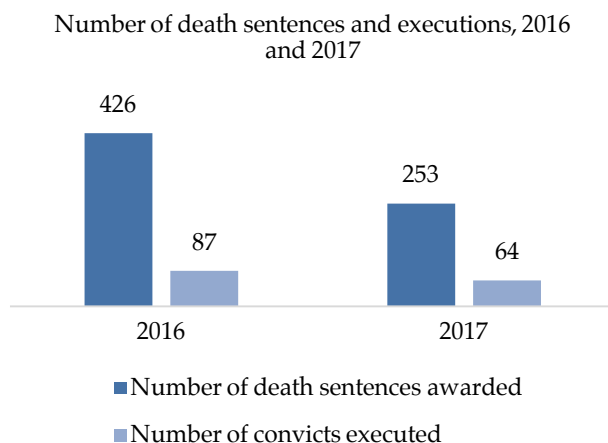
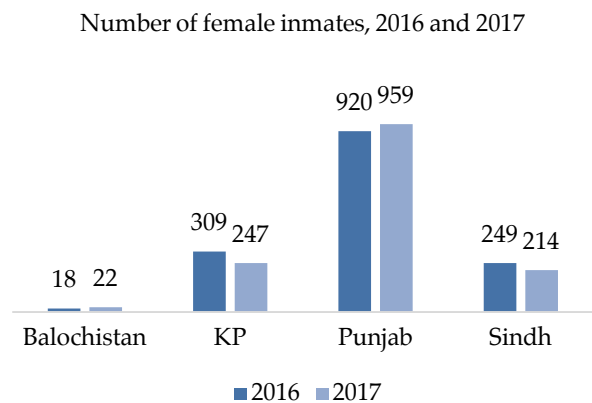
- The number of deaths linked to terrorism continued to decline, but violence against 'soft targets' such as religious minorities and law enforcement agencies increased.
- In total, more than 5,660 crimes were reported against women in Pakistan's four provinces during the first 10 months of the year.
- A study shows more Pakistanis died in incidents described as 'encounters' than in gun violence or in suicide attacks in 2017.
- In 2017, Pakistan witnessed an increase in blasphemy-related violence and mob attacks while the government continued to condone discriminatory prosecutions.
- The first death sentence for alleged blasphemy on social media was handed down to a member of the Shia community.

## Jails, prisoners and disappearances

- As at November 2017, Pakistani prisons held 82,591 prisoners (down from 84,315 in 2016). Punjab jails held 50,289 inmates against a capacity of 32,235; Sindh 19,094 against 12,613; Khyber Pakhtunkhwa 10,811 against 8,395, and Balochistan 2,397 against 2,585.



- The total number of female inmates was 1,442. Punjab held 959, Sindh 214, Khyber Pakhtunkhwa 247, and Balochistan 22.
- Pakistan courts awarded the death sentence to 253 people, including five women, in 197 different cases.
- 64 people were executed in 2017, 43 of them following convictions by military courts.



- The Commission of Inquiry on Enforced Disappearances received 868 cases in 2017, and disposed of 555.

## Freedom of movement

- Restrictions on freedom of movement continued to prevail, mainly because of poor law and order, protests and sit-ins, militancy and counterinsurgency measures.



- The Pakistani passport remained ranked as the second worst to travel on, with visa-free access to only six countries.
- The use of the Exit Control List appeared arbitrary at times, with names being freely placed on it, and sometimes removed despite allegations of corruption.

### **Freedom of thought, conscience and religion**

- A few hundred protestors held the capital and the garrison cities hostage for 23 days in November in Faizabad, Islamabad, until their demands were accepted.
- There was no abatement in violence against religious minorities, with Christians, Ahmadis, Hazaras, Hindus and Sikhs all coming under attack.
- Amendments to the Christian Marriage Act and Christian Divorce Act have been proposed as the provisions in both are outdated.
- In a landmark development, the Punjab Anand Karaj Bill 2017, seeking official registration of marriages of the Sikh community at union council level, was introduced in the Punjab Assembly in October 2017.

### **Freedom of expression**

- Use of the Internet and social media to launch character assassinations or anti-state and anti-religion accusations escalated.
- Journalists and bloggers continued to sustain threats, attacks and abductions.
- The blasphemy law is being used to coerce people into silence.
- Assaults continued on media houses, TV channel and newspaper offices, and press clubs.

### **Freedom of assembly**

- Lack of crowd management strategies and traffic control measures to deal with the proliferation of sit-ins and rallies resulted in severe disruption to daily life.
- Intolerance and extremism restricted people's right to engage in sociocultural activities.
- Section 144 was used indiscriminately to control and restrict the right to assemble in peaceful protest.

### **Freedom of association**

- Pakistan is among the countries deemed the worst in the world to work in, according to the International Trade Union Confederation (ITUC) 2017 Global Rights Index.
- The Senate Committee of the Whole passed a resolution calling for the revival of student unions in educational institutions.
- Ratification of the ILO Domestic Workers' Convention (No. 189) to facilitate the freedom of association rights of domestic workers across the provinces is still outstanding.
- The banning and restricting of international non-governmental organisations and their local partners was stepped up.

### **Political participation**

- Another elected prime minister was removed from office.



- No sooner had the new Election Act gained public approval for its provisions relating to women's enfranchisement and their participation in elections when it was flouted during local government by-elections in the Lower Dir area of Khyber Pakhtunkhwa.
- An amendment to the constitution to allow allocation of National Assembly seats based on provisional census data was adopted.

### **Women**

- Yet again, Pakistan did not fare well in its rankings in international indices measuring gender equality and women and girls' empowerment, particularly in the Global Gender Gap Report (GGGR 2017) of the World Economic Forum.
- The preliminary findings of the 2017 census show the inverse gender ratio to be unchanged since the census of 1981: Women and girls at 48.76% remain fewer than men and boys at 51.24%.
- Twelve million women voters were not yet registered in the run-up to the 2018 general elections, due to the absence of women's computerised national identity cards (CNICs), especially in remote rural areas.
- Reported cases of violence against women in 2017 were considered the tip of the iceberg, especially in rural areas, where violence against women remains largely unreported due to conservatism, illiteracy, fear of stigma, shame and dishonour, and poverty.

### **Children**

- Pakistan accounts for 10% of all newborn deaths occurring globally and is one of the five countries which account for half of infant deaths worldwide.
- In 2017, Pakistan was able to almost entirely contain the endemic transmission of polio.
- The National Commission on the Rights of Child Bill 2017, which had been pending since 2015, was finally passed into law by the National Assembly.
- Despite the enactment of a number of child protection legislations at the national and provincial level in recent years, children continued to suffer all forms of violence in 2017.
- The Senate passed the Prohibition of Corporal Punishment Act 2017 in Islamabad Capital Territory. Sindh and Gilgit-Baltistan have also passed laws specifically prohibiting this practice.

### **Labour**

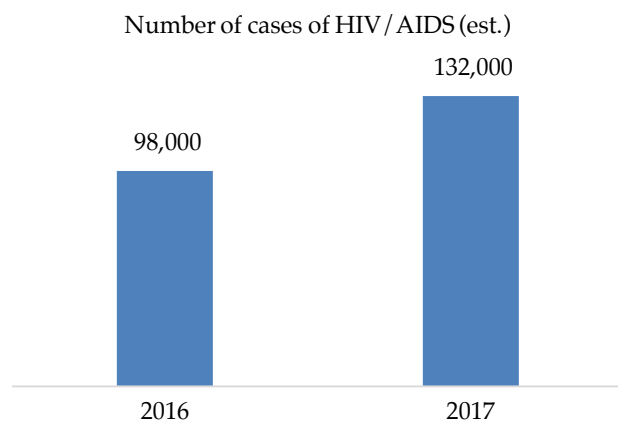
- The labour force continues to be denied fundamental rights of association and collective bargaining rights. According to estimates, currently only 1-3% of labour is organised under trade unions in Pakistan.
- Legislation on occupational safety and health facilities awaits adoption. During 2017, more deaths were reported from coal mines in Balochistan, where occupational safety and health facilities are negligible.
- Reports of abuse of domestic child workers continue while adoption of a law to protect their rights is still outstanding.
- Implementation of international ILO and UN conventions and covenants relating to labour standards and human rights is an ongoing problem in Pakistan.

## Education

- With Pakistan due to report on the Sustainable Development Goals to the UN in 2018, the country is no nearer to meeting the deadline of 2030 for ensuring that all children receive primary education.
- Pakistan still has the most absolute number of children out of school anywhere in the world, with 5.6 million out of primary schools and around 5.5 million out of secondary schools.
- In the financial year 2017/18, authorities in Pakistan again failed to fulfil their promise of allocating at least 4–6% of their GDP and at least 15–20% of the total public expenditure for the education sector.
- The GGGR 2017 showed that Pakistan continues to rank as the second worst country—143 out of 144 countries—with a score of 0.546 on a scale where zero denotes gender inequality and one represents parity.
- Parents were again compelled to protest against illegal and unrealistic increases in fees by private educational institutions.
- Entry test results for admissions to medical universities and colleges in the Punjab had to be cancelled after a leak of the question papers was exposed.

## Health

- The World Health Organisation (WHO) suggests the outlay on health should be 6% of the national GDP, and in Pakistan it has remained at less than 1%.
- There has been investment in the health sector over the years, but the rate of progress is lower than most other countries, with the disease pattern heavily dominated by malnutrition and poor dietary practices.
- According to WHO, Pakistan is ranked fifth among high-burden countries worldwide and accounts for 61% of the TB burden in the WHO Eastern Mediterranean region.
- The prevalence of thalassaemia and HIV/AIDs has increased, as many as 35.5 million adults in Pakistan are diabetic, and the country has the world's second highest prevalence of hepatitis C, second only to Egypt.



## Housing and public amenities

- A World Bank report estimated the housing shortage in Pakistan to be up to 10 million units and the deficit continues to grow, particularly in the urban areas.
- Development authorities have had to step up their efforts to control illegal housing schemes across the country.
- Collapsing structures caused numerous deaths due to lack of safety standards and controls in housing construction.

## Environment

- The Pakistan Climate Change Act 2017 was passed to meet Pakistan’s obligations under international conventions relating to climate change and its effects.
- Pakistan features in the high-risk category of countries considered to be most vulnerable to climate change.
- Pakistan still has the world’s fourth highest rate of water use and the Pakistan Council of Research in Water Resources (PCRWR) recently issued a stark warning that the country was on track to run out of water by 2025. Despite this, Pakistan still lacks a Water Policy to ensure coordinated planning and implementation. A policy was drafted in 2002, but never approved.
- Pakistan has one of the highest deforestation rates in Asia, a major factor in climate change.
- The average air pollution in Pakistan’s major cities is reported to be about four times higher than the WHO limits.
- According to a WHO report, only 36% of the Pakistani population on average, including 41% in urban areas and 32% in rural areas, has access to safe drinking water in the country.

## Refugees

- Official estimates put the number of Afghan nationals in Pakistan at over 2.5 million, including 1.4 million registered Afghan refugees. There are at least one million undocumented Afghan nationals residing in the country.
- According to UNHCR, a little over 50,000 refugees repatriated to Afghanistan by the end of the year—a steep decline in the number of refugees opting to go back to Afghanistan as compared to the previous year.
- In February 2017, the federal government announced a policy that extended the stay of Afghan refugees until 31 December 2017 (which was later extended by 30 days to January 2018).
- Afghan nationals in Pakistan continued to bear the brunt of deteriorating relations between Afghanistan and Pakistan in 2017.
- No progress was in evidence in ending the predicament of a quarter of a million Pakistanis stranded in Bangladesh.

