



# THE STATE OF HUMAN RIGHTS IN PAKISTAN - 2008

<i>Introduction</i> .....	2
<i>The dismissal of General Musharraf</i> .....	2
<i>The lawyers' movement</i> .....	3
<i>The human rights situation</i> .....	3
1- <i>The right to life</i> .....	6
2- <i>Religious freedom and minorities</i> .....	8
3- <i>The rights of women</i> .....	10
4- <i>Honour Killings and the Jirga</i> .....	14
5- <i>Disappearances and arbitrary arrest</i> .....	17
6- <i>Police and custodial torture</i> .....	21
7- <i>Children's rights:</i> .....	24
8- <i>The movement for judicial independence</i> .....	27
9- <i>Freedom of the press</i> .....	29
10- <i>Military operations</i> .....	31



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## INTRODUCTION

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The year started violently under General Musharraf's military regime, particularly for lawyers, political workers and civil society activists. Musharraf was sworn in for a second presidential term on November 29, 2007 under emergency rule, which he then lifted on December 15, 2007. Benazir Bhutto, former prime minister and the chairperson of the then-running Pakistan Peoples Party (PPP), was assassinated on December 27, 2007. General elections of the legislative assembly were then postponed (from January 8 until February 18) by the military regime, on the pretext of a crisis in law and order. About 80 persons were killed in riots following the assassination, mostly in crossfire between the police and citizens.

The year started with widespread confusion about whether elections would be held, due to a series of delays from the Musharraf government. A wave of bomb blasts at that time also slowed political mechanisms. However the general elections were eventually held and a good turnout was recorded. The elections were also relatively free and fair thanks to pressure from political parties, civil society and from forces outside of the country. In the run up to the elections, assertive action by the people and party members prevented much engineering of the vote, despite the administration's refusal to replace the long-serving chief election commissioner, who had tried and failed to deny the vote to about 380 million people. Finding results of the election very much against him, Musharraf handed power to the elected representatives two months later, after considerable bargaining with individual party members.

Under the new civilian coalition government – largely built from Bhutto's Pakistan People's Party and Nawaz Sharif's Pakistan Muslim League there has been much more focus on the democratic functioning of the parliament by the representatives of the people. The new government started proceedings by including all the parties in the political process, showing tolerance and restraint. Unfortunately NS pulled out of the coalition in August in disagreement over the issue of Pakistan's deposed judges, who the PPP have not sufficiently reinstated.

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## THE DISMISSAL OF GENERAL MUSHARRAF

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General Musharraf, who had awarded himself with another term after declaring a state of emergency (November 3, 2007), was democratically dismissed by the new government according to the constitution. Finding that his options were few – pressure from his allies in the army and overseas yielded little success – Musharraf resigned before being officially impeached. The strategy of the government proved a peaceful and democratic way to handle a man who was on the road to becoming a military dictator. The people of Pakistan have shown their resilient and determined struggle to oust the dictator, General (Ret.) Pervez Musharraf from the post of president. This completely non-violent struggle of various sections of society which included lawyers, judges, the ordinary folk, the media as well as the legislators is a clear example of the development of democracies on the basis of consensus. In the recent years there was clear consensus that the people did not want a military regime but instead a democratic government. Even the support that the military dictator received from the super powers did not deter the people of Pakistan from pursuing their desire to see the end of militarism. It is a sad reflection on some democracies in developed countries that they failed to support the people in their struggle for democracy and instead supported a military general. That notwithstanding, the people have been able to push back the military agenda.



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## THE LAWYERS' MOVEMENT

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The lawyers' movement for the independence of the judiciary has continued in spite of the new government's illegal, unconstitutional handling of the situation. Many judges, including Chief Justice Iftikhar Choudhry, were removed from their positions under emergency rule and have yet to be reinstated. On the first anniversary of emergency rule lawyers held country-wide protests against the suspension of the constitution. The government took the law in to its own hands, charging more than 100 lawyers with agitation and suspending the licenses of more than five office bearers in various high court bar associations, including the presidents of the Peshawar and Multan high courts bar associations. The new government is resisting its duty to reinstate Chief Justice Choudhry, claiming that the lawyer's movement has started to take violent shape. Lawyers in various cities have locked judges inside the court rooms.

The new government had pledged verbally and in writing to restore the judiciary when it came into power. It has been dragging its feet on the issue ever since, and at times appears to be backtracking. This response brings it closer to the country's previous dictatorial government, showing a similar lack of interest in building an independent judiciary. The coalition government had first promised to restore the judiciary within 30 days of its formation, through a resolution in the national assembly, which did not happen. It then claimed that the deposed judiciary would be restored through a constitutional package; however it is now using a form of back-door diplomacy, bargaining with the deposed judges to guarantee their 'loyalty'. After being coerced and intimidated most judges have been 're-appointed' with a new oath rather than restored to their original constitutional position. There are five judges, including deposed Chief Justice Choudhry, who have refused to bow to pressure from the new government.

The government's new policies in this matter are hardly better than those used during colonial rule, when loyalty was prized above a respect for the constitution. The lawyers' movement has been running since March, 2007. They observe weekly protests by marching (one march was several hundred miles long), boycotting the courts, and picketing outside parliament and Supreme Court buildings. In a number of cases the people have joined them, showing a growing awareness and respect for the rule of law and the supremacy of the judiciary in the country.

The government has faced defeats in the elections of different Bar associations, including Supreme court bar association, which has put the government in difficult position to get support from lawyers. In retaliation, government started squeezing lawyers through Pakistan Bar Council and offices of law ministry and Attorney general. Licenses of presidents of Peshawar high court bar association and Multan bar association were cancelled on the pretext of boycotting the courts in protest during lawyer's movement. More than 100 lawyers were booked on the charges of agitation on the first anniversary state of emergency on November 3.

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## THE HUMAN RIGHTS SITUATION

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Since coming to power the government of Prime Minister Yousaf Raza Gilani has started to sift through the backlog of cases involving human rights violations, and it had released those arrested by Musharraf's government during emergency rule. This includes the deposed judges, all the lawyers, their leaders, civil society activists and political workers.



- It is in the process of commuting the over 7,000 current death sentences and has halted executions, working against popular conservative Islamic principles. The efforts should be applauded and the government is working hard to rally support from the political parties in parliament.
- People are beginning to feel a kind of security in the military operation-ridden southern province of Balochistan, but air strikes and other forms of military activity continue in some parts, particularly Dera Bugti, Kohlo, Sui and Khuzdar. Many political workers from the area, some prominent, have been released from prison. A dialogue has been started between Baloch nationalist militant groups and the government and an atmosphere of reconciliation is starting to form.
- The issue of missing persons is yet to be addressed by the government. State intelligence agencies are independent in their working, though it is declared that they are working under the prime minister. The ISI and Military Intelligence (MI) agencies are largely responsible for the arrest and disappearance of more than 4,000 persons since the start of the 'war on terror', as reported by various nationalist groups and fundamentalist parties. In the nine months since the new government took power not more than a dozen people have resurfaced from intelligence agency custody. The interior minister has admitted that about 1,000 people are missing from Balochistan province alone.
- The issue of torture in custody is not being properly handled by the government. Torture is still considered the best way of taking confessional statements by the police and making money through bribery, and this view is not being discouraged. During the last nine months at least fifteen people have died under police interrogation. There are currently no independent procedures for looking into such cases. There is also an alarming lack of sensitivity among legal professionals, particularly the lower judiciary, regarding the use of torture. The cost of using torture as a tool of law in Pakistan is underestimated and there has been a significant lack of development in criminal law jurisprudence in the country. There are 52 torture centres in Pakistan, all under the control of the army. <http://www.ahrchk.net/statements/mainfile.php/2008statements/1574/>
- Religious minority people remain under threat from Muslim religious groups and law enforcement agencies. The blasphemy law is being increasingly used against them in ordinary feuds, and the charge carries an obligatory death sentence (though this can often be lifted with blood money). Though Muslims do fall foul of this law, Christians, Hindus and particularly the Ahmadis, a minority sect of Islam, are the main victims, and also suffer from attacks during worship, and from their daughters being abducted, forcibly married to Muslims and thus 'converted', often never to be seen again.



A history of murder: political and religious activists killed during the past months in city Karachi, where the ruling coalition has government

- Balochistan National Party-Mengal (BNP-M) Karachi President Zahid Baloch was murdered on the evening of Saturday 01 November, 2008, at Petal Wali Gali, Purana Golimar, in Karachi.
- A total 34 workers of the Mohajir Qaumi Movement-Haqiqi were killed in separate incidents of target killings in different areas of Karachi, such as Nazimabad, Landhi, Saudabad, the Korangi Industrial Area, Azizabad, Brigade, Korangi, Jamshed Quarters, Malir, Sharifabad, Garden, Gulshan, and Liaquatabad. There are clear 'no go' areas for activists of MQM Haqiqi, and the Altaf group is murdering their way through leaders and workers one by one.
- A total of 11 workers of the Pakistan Peoples Party (the ruling party), including its top leader Khalid Shahenshah (an eye witness of Benazir Bhutto's assassination) and Ejaz Qureshi were killed in separate incidents in the different areas of the city, such as Gulshan-e-Iqbal Town, Saeedabad, Korangi, Ranchorline, Garden, Nabi Bux, Pakistan Bazaar, Sharah-e-Noor Jahan, Zaman Town, Clifton, Kalakot, Baldia Town and Sohrab Goth.
- Saif-ur-Rehman, aged 33, a resident of Street No 22, Model Colony, Karachi, who ran a printing press in the Nazimabad area was allegedly murdered in day light by armed guards of MQM, a coalition party in the government, after leaving home for Nazimabad on November 3, 2008.
- Seminary teacher, Shahzaib Alam, a Pesh Imam of the Jama Masjid Siddiqe Akbar, Shamsul Haq, and two men praying at the mosque, Mohammad Kamal and Abdul Malik were brutally murdered on October 28, 2003.
- Four unidentified men, riding on two motorcycles, opened fire near Nagan Chowrangi (Nov 02, 2008) on 40 year-old Ghulam Mohammed left Fatima Colony in Sipah-e-Sahaba Pakistan (SSP) President District Central in Sir Syed police limits, after he offered prayers at the Siddiq-i-Akber Mosque.
- The PMLN party's Sindh Vice-President Tariq Khan and another leader were killed in New Town and Model Colony, respectively.
- A Jamaat e Islami leader was killed in the Al-Falah area.
- A leader of JSQM, Dil Murad, (known as Dilbar Mirani) was killed in Chakra Goth at Korangi.
- A leader of the Jamiat Ulema Islam (JUI), a religious cum political party, Sardar Shah was killed in Orangi. There is a long list of JUI leaders and workers killed so far.
- A leader of the former ruling party during General Musharraf rule (PML-Q) was killed in Taimooria.



## 1-THE RIGHT TO LIFE

On July 2, 2008, in a heartening step, the federal cabinet of Pakistan announced that it would commute current death sentences into life imprisonment, suggesting that debates on abolition may be possible in the coming year. However the party has been very slow to start implementing the decision through legislation; at least four inmates have been hanged in the period since and black warrants continue to be served. Pakistan executes the most people in the world each year after China, Iran and Saudi Arabia. There are more than 7,200 people on death row, including 41 women and two children, and many have not received a fair trial. Although the Pakistan Juvenile Justice System Ordinance was extended to apply nationwide in 2004, implementation remains limited. Pakistan is one of just five countries in the world that have executed a minor/juvenile offenders in the last couple of years; in one known case Mutabar Khan was hung on June 13, 2006 for a crime committed when he was 16, and authorities of another jail, Mach Central Jail, have acknowledges holding two juvenile offenders on its death row. Often, after years of trial a defendant will have trouble convincing the judge that he or she was actually underage when they broke the law.

Many, among the 7,200 on death row, are also there as a result of the blasphemy law (see Religious Freedom). This is a crime that carries an obligatory death sentence but for which evidence is often tenuous and the law is often used in disputes over property or for political or personal vengeance.

**A HISTORY OF DISSENT** : The death penalty has been debated before in Pakistan. In the seventies Prime Minister Zulfiqar Ali Bhutto commuted all death sentences to life imprisonment and he extended a life sentence to 25 years accordingly. Yet he was himself hung in a coup, the penalty was reintroduced and the life sentence has been 25 years ever since. A decade and a half later his daughter Benazir Bhutto kept all but a handful of those sentenced from the gallows while she was prime minister. Suggestions to commute or abolish the sentence in Pakistan are met with strong pressure from religious groups, who claim that the death penalty is according to the fundamental principles of Islam. Earlier this year the cabinet tried to commute the death sentences but was impeded by conservative religious party members, along with Chief Justice Abdul Hameed Dogar who intervened with *suo moto* action. It should be noted that the chief justice of Pakistan's Supreme Court, Dogar, was not elected, but was appointed by former President Musharraf during emergency rule.

**NO ACCESS TO A FAIR TRIAL** : Corruption throughout the legal system along with the widespread use of torture in police custody, means that many innocent people are on Pakistan's death row. Whether innocent or not, many of the accused do not receive a fair trial.

Zulfiqar Ali, 38, has been on death row for more than a decade and was scheduled to be hung in October despite the commutation announcement. Ali comes from a poor family and was unable to afford legal representation so he tried to mount his own defense, even though he can't speak English. Requests for clemency were denied by the President, but at the eleventh hour, Ali was given a fifteen day stay. The stay has so far been extended, but no legal solution has been looked into regarding his unfair trial.



Under Islamic Sharia law a murderer can be pardoned by a victim's relatives, usually after a blood money payment called diyat, and the courts will often urge family members to resolve matters on the side; it's what many human rights NGOs call the 'privatisation of justice' and tends to give the wealthy a certain impunity. Because of diyat it is suspected that death penalties are dealt out more freely because judges assume a settlement will be found. However in the case of 23 year-old inmate Umer Khan, a black warrant was issued in October 2008, even though the victim's family had pardoned him in writing before the court on May 9, 2007, after the payment of blood money. Fortunately Khan received a stay on the final day.

**Human rights movement is heartened by the stay of execution given to a young man on death row**

The AHRC wishes to thank President Asif Ali Zardari for staying the execution of Mr. Umer Khan, due to be hanged on October 29, 2008 at Mian Wali Prison, Punjab province. Mr. Khan has been given a two-month stay. In a previous statement the AHRC reported that Khan (23) paid more than one million rupees (US\$ 16,500) as diyat to the mother, wife and children of the murdered man, Mr Mumtaz Ullah Khan. This payment was made before the District and Session court and also before the Anti Terrorist court of Sargodha district. The family then pardoned Umer Khan in writing before the court on May 9, 2007, and the judge has also made a note of this in his decision. However the government refused to withdraw the case. In light of this development, the AHRC wish to remind President Zardari of his government's repeated promise to commute Pakistan's death sentences to life imprisonment, and that, due to widespread judicial corruption and the inability of the courts to guarantee a fair trial, the death penalty in Pakistan should be abolished.

URL: <http://www.ahrchk.net/statements/mainfile.php/2008statements/1750/>

In October 2008 President Zardari instructed approximately 400 condemned prisoners in Adiala Jail, Rawalpindi, Punjab province to be shifted from death cells to ordinary barracks, and some 250 condemned prisoners to be similarly relocated in Hyderabad, Sindh province. This suggests that further positive action is imminent and the government, in its political expediency, taking time to commute death sentences in to life imprisonment under the tremendous pressure from religious parties and the chief justice Dogar, appointed by former president general Musharraf during rule of emergency.

Pakistan recently signed the International Covenant of Civil and Political Rights (ICCPR) and ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) of the UN. In article 6(1) the ICCPR states that "every human being has the inherent right to life". However life in Pakistan can be taken by the government for a wide array of offences, from extra-marital sex to drug trafficking, many of them introduced during military dictator Zia-ul-Haq's 'Islamisation' drive. According to article 6 (1) Pakistan should abolish the death penalty; at the very least those in power must revise the list of crimes met with death. In order to prevent the execution of innocent Pakistanis an extensive rehaul of Pakistan's judicial system is necessary, plus the strategic abolition of custodial torture. People are still being executed despite the current government's stance, suggesting that the real decision-making machinery does not lie with the elected government. Those that were elected must take a strong position against the religious right, and move to join Pakistan with the majority of the developed world in abolishing the death penalty.



## 2- RELIGIOUS FREEDOM AND MINORITIES

Religious freedom in Pakistan remains tremendously restricted. Those that belong to religious minorities are second-class citizens and struggle to enjoy the rights of mainstream or orthodox Muslims. Local governments also tend to court popularity by cracking down on minorities in their areas, often referring to an old blasphemy law created in colonial times. The law originally banned insults directed against any religion, but in 1986 General Zia-ul-Haq altered it to apply only to Islam. The Federal Sharia Court then made execution a mandatory sentence for blasphemy during Nawaz Sharif's term as prime minister. The law is most often activated to discriminate against Christians and those of the Islam-based Ahmadi sect (which was declared non-Muslim in 1974 under the Pakistan constitution). Religious hatred can still be openly stoked in Pakistan without punishment.

The blasphemy law: Despite calls for the abolition of blasphemy laws from inside and outside of the country, the Pakistan government has yet to take any genuine steps to do so. Meanwhile, many citizens are being arrested, prosecuted and even killed under the law. In many cases it is used to settle personal vendettas or to grab land. Just as it continues to cause destructive tension between the country's mainstream Muslims and Pakistanis of other faiths, the law is also being used to stoke the power of religious conservatives, who can wield it against liberals.

One example took place in April 8, 2008 when Jagdesh Kumar, a 27 year-old Hindu, had his eyes gauged out before being fatally beaten at work by Muslim co-workers, who accused him of blasphemy. It was revealed later that he was in love with a Muslim girl who reciprocated his feelings. The murder took place in view of the police and the management of the factory in which he worked, and to date, no official inquiries have been initiated.

**BELEAGUERED AHMADIS:** While in power, President General Musharraf issued an order calling for Ahmadi sect members to be listed separately in the electoral system – a discriminatory action that singled them out for further attacks. In 2004 a Pakistan political party, the Muttahida Majlis-e-Amal (MMA), filed a motion to demand a debate on the government's deletion of religious information from electronic passports, claiming that the removal was an Ahmadi conspiracy to get around a ban on non-Muslims entering Mecca. Since 1984 (when statistics were first compiled) around 93 Ahmadis have been killed for their allegiance to their sect, which is based on the tenets of Islam. Four have been killed so far this year.

Christians feel increasingly terrorized in Pakistan and are the targeting for kidnapping and lynching, with churches often burned or damaged. Hindus are also being targeted in revenge for the continuing conflict over Kashmir.





**ALL TALK, NO ACTION** : In its pledge to be re-elected to the Human Rights Commission in 2006 Pakistan noted that it is a part of all major global initiatives in promoting intercultural dialogue and harmony to facilitate universal respect of all human rights in all societies and cultures. It observed that, according to its constitution, minorities should enjoy equal rights and participate in mainstream politics both through joint electorates, and through the 5% of seats reserved for them in the parliament and other elected bodies. Articles 9 to 29 of its constitution enshrine the promotion of human dignity, fundamental freedoms and human rights and the equal status of the followers of all religions. They prohibit discrimination on account of religion, race, caste or creed.

However from the cases above, and the lack of support lent to investigate them, it is clear that much of this is mere posturing. Two years later the Universal Periodic Review has recommended that Pakistan remove restrictions on freedom of religion or belief and amend legislation that discriminates against persons belonging to minorities. It urges the authorities to effectively protect and satisfy the unimpeded exercise of freedom of religion of non-Muslim citizens and the repeal of laws discriminating against non-Muslims.

The government is responsible for the education of its people, and it must show much more interest in the promotion of rights education among minority Pakistanis, and the promotion of sensitivity and respect toward those of non-Muslim faiths among mainstream Muslims. Those who commit crimes motivated by religious hate must be clearly and justly punished, and minority peoples in Pakistan must be assured of their right to a free, fair investigation of rights violations. Government workers need to set a strong example themselves; an investigation must be set up to gauge and combat the extreme religious prejudice found throughout the police, political parties and the judiciary. The blasphemy law can no longer be used as tool of the orthodox and it must be withdrawn.

## **THE ABDUCTION AND FORCED CONVERSION OF GIRLS FROM MINORITY RELIGIOUS GROUPS**

: It has become a common practice in Pakistan for some Muslim seminaries are encouraging the young men to convert non Muslim minorities to Islam. The young people generally kidnap the young girls of non Muslims and rape them. In cases where they are later arrested by the police, they produce a certificate issued by any Muslim seminary that the kidnapped girls have adopted Islam and that they married the girls. Many of these girls are minor. However, the courts generally do not consider this fact and simply accept the certificate as legitimate. Christians in Pakistan, feel increasingly terrorized. They are facing rising incidences of churches being burned or damaged, and the targeting of Christians for kidnapping and lynching.

In some cases, such as that of Saba and Aneela which went through the Lahore High Court from July 2008, young girls are kidnapped and forcibly converted for marriage. In this case custody was granted to the kidnapper of the older girl (13), and the forced marriage was upheld. Muhammad Arif, Amjad Ali and Muhammad Ashraf kidnapped the girls resident of Chak No. 552/TDA Chawk Sarwar Shaheed, district Muzaffargarh on June 26, 2008. The minors were kidnapped when they were on their way to their uncle's residence. The accused claimed that the girls had converted to Islam and the elder sister married Amjad Ali.



### 3-THE RIGHTS OF WOMEN

The stance of the newly-elected government bodes a little better for the future of women in Pakistan, with President Zardari posturing as pro-woman. He himself was married to a former president, Benazir Bhutto. There are 72 women in the National Assembly and more prominent positions are being held now by women than ever before, including the speaker of the National Assembly, the federal minister for information and a number of deputy and provincial positions. None of these women wear hijab, suggesting progressiveness in the parties who have elected them.

Certain pro-women policies are also being implemented, for example, in the case of land distribution in the Lower Sindh, plots will be registered in the name of the woman in each family unit. The current government has spoken of creating more employment opportunities and of loan programs for women, but has not yet acted in this respect, and in terms of what still needs to be done the proposals are minor.

As a legacy of the last president, Pervez Musharraf, there is a 33% quota in all electorate forums for women at local body level, but too few are being permitted to fill this as a result of social pressure. The number stands at 17.5% in the National Assembly. However these women are not directly elected, they are merely placed into the positions by their party, which limits their value as political figures. Critics complain of nepotism.

Middle-class women generally have more social and economic freedom in Pakistan, but in rural and tribal areas an estimated 12.5 million women are still denied the right to vote. Many have little or no independence on any level. The advances at the top need to be taken into the villages and onto the street and practically enforced. Businesses and local authorities such as the police and judiciary remain profoundly male-oriented.

**VIOLENCE AGAINST WOMEN**: Incidences of violence against women remain very high, and not enough is done to discourage them. One recent report\* (\*Policy and data monitor on violence against women' from the Aurat Foundation) shows a sharp increase in acts of aggression against women in the second quarter of 2008. The report announced cases of violence to be up to 1,705, compared with 1,321 between January and March. Of these cases, the largest portion (20.9%) was for the murder of women, the second largest was bodily assault (11.4%) and honour killings were at 7.9%. Suicide and sexual assault statistics are also high. There were 107 cases of rape reported in this period, 66 of which were gang rape (up from 19). However statistics vary. Pakistan's Additional Police Surgeon (APS) Dr Zulfiqar Siyal recently announced that on average 100 women are raped every 24 hours in Karachi city alone. However a tedious, inefficient medical and judicial system, with few women working in either, discourages most women (up to 99.5%, says Siyal) from reporting abuse and subjecting themselves to more unwelcome male attention and further potential assault.



## RAPE AND SEXUAL HARASSMENT IN POLICE CUSTODY:

This remains a big problem and few cases result in prosecution. According to a report by Human Rights Watch, ('Double Jeopardy, police abuse of women') "more than 70 percent of women in police custody experience physical or sexual abuse at the hands of their jailers. Reported abuses include beating and slapping; suspension in mid-air by hands tied behind the victim's back; the insertion of foreign objects, including police batons and chilli peppers, into the vagina and rectum; and gang rape. Yet despite these alarming reports, to our knowledge not a single officer has suffered criminal penalties for such abuse, even in cases in which incontrovertible evidence of custodial rape exists". According to the same report, a senior police officer claimed: "in 95 percent of the cases the women themselves are at fault." If the mindset among the authorities is not challenged, little change can be expected to be seen in the general public.

On March 14, 2008, a 17 year-old girl was abducted by police officials and kept for almost 16 days in private custody where she was raped and tortured to make her confess to involvement in the murder of her fiancée. Her elder sister was also brought in and held naked for three days to increase the pressure. The perpetrator was a Sub Inspector, who detained the girl outside of the police station until March 29 before she was produced before the first class magistrate for judicial remand.

In January 2007 a 15-year-old girl, Ms. Asma Shah of Layyah, Punjab province, was gang-raped by more than a dozen attackers in Punjab province, yet after she filed a complaint, politicians and police continually coerced her to withdraw it. The persons who helped her file the case were allegedly attacked by the relatives of the perpetrators. Although the court ordered inquiries into the case twice, police were resistant; they claimed that the alleged perpetrators were innocent before any move was made to collect statements from the victim and witnesses.

In one case in April 2007 it was reported that female opposition council members of the Karachi city government were attacked and threatened with rape by council members of the Muttehda Qoumi Movement (MQM), a member of the ruling alliance in General Musharraf's government and the ruling party of the City District Government Karachi (CDGK). Sindh police refused to register case against the ruling party council members and instead registered cases of hooliganism.

Cases of domestic violence are so commonplace that most go unreported – there are still no laws to protect women from it. However in the last quarter of 2008 a domestic violence bill was given to legislators, in the expectation that it will be passed. A harassment bill has been passed by the cabinet and waits with the committee. Similar bills were drafted by Musharraf's government, but polarisation and infighting among parties prevented many practical bills being passed. However rural or tribal areas continue to restrict the freedom of women to the extreme, and 'honour killings' continue, and remain mostly uninvestigated and unpunished (see Honour Killings below). These largely take place in the north of the country.



In August 2007 a pregnant woman was severely beaten by the police and later raped repeatedly in public by her cousin in Punjab province, Pakistan, for secretly marrying and living with a man other than the one her parents had chosen for her. The husband was charged with her abduction, and the woman was punished publicly by being raped by the man she had been instructed to marry. She has since been detained at this man's house and was forced to abort the foetus that was conceived during the rape. The legal counsel of her original husband has claimed that the case records had been filed or burned, and the case has been unnecessarily delayed

## WOMEN AT A DISADVANTAGE IN SCHOOL AND AT WORK:

In the workplace women must still contend with lower salaries, and sexual misconduct is common. They are generally not paid according to the law and receive few benefits. The majority are not officially registered so are vulnerable to occupational abuse. It is mostly women that work in government factories and other informal sectors (unregistered under government laws), and here they have no labour law benefits, such as medical allowances, pregnancy allowances, transport or childcare services from the factory management. Through a finance bill passed during the Musharraf government, most are now expected to work 12 hours rather than the original eight. In rural areas women are often required by employers or landlords to work all day alongside their husbands for little extra remuneration, often as bonded labour, to pay off loans.

Discrimination is still strong in education. The majority of schools cater to either boys or girls, and in remote areas where several hundred schools were recently burned by tribalists to protest against the education of girls in the northern province, bordering Afghanistan, under the control of Taliban and militant Muslim organizations. In such areas girls are not allowed to pass above grade five (primary school level); grade ten is required for many jobs. The authorities mostly fail to intervene in these areas, where they are seen to pander to the more powerful of the religious fundamentalists.

**ABDUCTIONS REMAIN COMMON:** There is a trend that involves abducting young Christian and Hindu girls and forcing them into marriage (see Minorities/Religious Freedom). Courts often rule in favour of the abductors.



### Women and poverty – statistics

Women comprise 49% of the population of Pakistan, and comprise of 30% of the total labor force, but 65.7% of this female labour force is officially accounted for in the informal sector. The informal sector has grown 8 to 9 times since 1978-79. One example of this problem is that of the brick kiln workers in Pakistan. An estimated 100,000 women work in brick kilns, but they are not "officially" employed because whole families work in a form of bonded labour, in which only the male head of the family is registered.

Some 66.4% of the female labour force works for a living in the rural economy. The rural women are said to work between 12 to 16 hours a day. The female labour force has grown at an average annual rate of 16.7% over the last 15 years, although their position is becoming less secure day by day. On the other hand, women's participation in the formal industrial labour force is 34.3%, whether self-employed or contracted. The slavery of women is worse today than in any other time in history.

Every year some 500,000 women die from complications arising from pregnancy and perhaps a further 200,000 die from unprofessional and clandestine abortions.

In Pakistan's pledge for re-election to the Human Rights Commission in 2006, it claimed that:

*...attention is being given to the social and economic emancipation of women. All forms of violence against women are punishable under the law including the infamous 'honour killing'. Pakistan will continue to promote awareness of human rights in the society by introducing human rights component in educational and curricula at all levels and mass awareness campaigns through media and civil society with particular emphasis on the rights of vulnerable groups including women, children and minorities.*

**SMALL STEPS HAVE BEEN TAKEN**: However the mass awareness campaigns from the government have failed to materialise on a substantial scale, especially in the northern regions where there are most urgently needed. The growth of awareness on these issues is due to a stronger interest from the print media and work by activists. It is the responsibility of the government to make women in Pakistan aware of their rights and freedoms, including their right to an investigation and redress if abused.

During the Universal Periodic Review Pakistan's priority areas for gender issues included mainstreaming the political and economic empowerment of women, particularly through a national employment policy for women, to create jobs and widen the participation of women in the economy. This is being done slowly in the country's economic hubs, but much greater efforts must be taken to see these benefits spread to the women marginalized in rural areas. Education should be something made equally accessible to girls and boys.

Demands made of Pakistan during the 2008 UPR included that that it: maintain its commitment to overcoming barriers associated with deep-rooted tribal and traditional mindsets with regards to women's



rights, and reinforce the implementation of constitutional and legal guarantees with a view to ensuring that all human rights of women are safeguarded throughout its territory, and ensure punishment for perpetrators of all violence against women; that it thoroughly investigate and punish members and leaders of illegal jirgas for their calls to violence against women; that it do everything possible to prevent early and forced marriage and recognize rape within marriage in legislation; that it put an end to inequalities between men and women, particularly for access to property; that it prioritize the adoption of legislative and practical measures to raise public awareness about the laws, and better train police and other authorities to deal appropriately and effectively with victims of sexual assault and other violence against women, ensuring victims' access to justice and improving support services such as shelters and burn units for women.

It is especially important that more women be brought into roles in state authorities, particularly into the police sector. This would do much to strengthen the legal process, by encouraging victims to properly report crimes against them and ensuring that they are protected from abuse while at their most vulnerable.

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#### 4- HONOUR KILLINGS AND THE JIRGA

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In the last six years over 4,000 people have died in murders sanctified by illegal jirgas or tribal courts, two thirds of them women. Their deaths have often occurred under barbaric circumstances. Many are considered Karo-kiri or 'black women', charged with having a relationship out of marriage (which is often a fabricated claim) while others are victims of rape or are suspected of planning marriages contrary to those arranged for them by their families. This type of murder has become known as 'honour killing', and due to the ease by which an unjust sentence is passed, they have become a way of resolving property disputes, particularly by male family members who resent losing property to another family through marriage.

In rural, strictly patriarchal areas women's lives are worth little. It is a matter of prestige to have more than one wife and young girls are often sold into marriage to settle disputes.



### **Selected cases of honour killings in 2008**

In March 2008 a 17-year old girl in Sindh province was pressured by her uncle to convince her parents to hand over acres of farm land. On her refusal, the uncle and his accomplices brought in her father and made him watch as the girl was mauled by a pack of dogs and then shot. In May a jirga was arranged in which the dead girl was posthumously declared 'Kari' (involved in an illicit relationship). The murderers were vindicated and a local man was forced to confess to being the illicit lover of the girl, and to pay Rs 400,000 as compensation. A government probe has done little to bring the perpetrators to justice.

In August 2008, eight women, three of them minors, were buried alive in Balochistan, reportedly by the same men. In the first case the three girls were allegedly on their way to another town with two aunts, for their weddings. The girls were reported to have been non-fatally shot and buried, and the aunts, on protesting, were buried alive with them. Days later, three local women who had protested against the incident met the same fate. Those responsible have close ties to the provincial government and to the police, and investigations into the case have gone through an array of delays and setbacks. It's a good example of how badly murder cases are dealt with in Pakistan's feudal areas, especially those that involve women.

In October 2008 in Sindh province, under the orders of a Jirga and with the knowledge and apparent acquiescence of the police, the daughter and nieces of a man (aged 10, 12 and 13) were handed over as compensation to a man who had openly killed his last two wives. The complainant had accused the father/uncle of having an affair with his last wife.



### The Jirga

Both jirgas and honour killings are illegal in Pakistan, and those that commit the killings are supposed to be punished with a life sentence, but the true culprits are rarely convicted. Many men serving in parliament now have been a part of jirga courts, which is a major reason so little has been done to combat the practice. One of the main obstacles is the defense of these practices under the umbrella of custom. When the case of the eight buried women came to light, at least two Pakistani senators defended the act as an example of Baloch tradition. Both have since been promoted in the new government, one very disturbingly, to Minister of Education. The word 'tradition' tends to conjure up wholesome, age-old, culturally-rich practices under threat from secular or western values, and these terms should not apply to arbitrary, extra-judicial killing.

In a tribal court, witnesses and hearsay are the primary form of evidence and a verdict often rests on the reputation or power of a witness. Women are automatically considered sexually corrupt and their testimonies carry little weight. During a session spectators will gather and they tend to pick a side, after which they will heckle and pressure the decision makers. Needless to say, the most popular verdict may not always be a just one; it is difficult to reconcile justice with the will of an over-excited mob. Superstition also comes into play. In certain cases defendants have been told to walk on hot coals and if they feel and show no pain, then they are innocent. These are not conditions of a humane or rational system.

The power of the jirga has increased over the years because of flaws in Pakistan's legitimate legal system. Judgments can take years, even generations, and Pakistanis with small civil complaints often prefer to take the swifter route through local Jirgas. The Jirga's expansion into life and death judgments has grown from there.

**POLITICAL WILL IS REQUIRED** : To conquer these practices – which go against the nation's constitution – Pakistan needs to look deep into its own system and make strong, confident changes. Creating new laws will not do much good, since they are not implemented. Instead there must be a bigger crackdown on illegal jirgas and those conducting them must be punished and brought before the law, without exception and with no leniency awarded as a result of blood money transactions. Those who have killed through jirgas must be tried for murder; a country should have only one law for murder, without distinctions or impunity.

Furthermore, those who have conducted jirgas should be banned from holding public office, and those already in office must be ejected. Political will is required for curbing this practice. A clear signal should be sent that the constitutional law of Pakistan needs to be respected.





During the 2008 Universal Periodic Review Pakistan pledged to put an end to honour killings through the faithful and effective application of the 2004 Criminal Law Act; to remove abuses of the Hadood laws that violate women's rights (noting that the 2006 Prevention of Anti-Women practices (Criminal Law) Act was designed to end these practices, and the 2006 Amendments, which bring the laws relating to Zina and Qazf in line with the objectives of the Constitution and the injunctions of Islam) and to take legal and administrative measures to attack domestic violence.

The legal rights of the relatives of murder victims must be recognized and acted on. This includes the right to an investigation and trial. Under Article 2 of the ICCPR (International Covenant on Civil and Political Rights), which Pakistan has signed, the state is obliged to take measures to protect rights and provide remedy for victims of rights violations. Those who carry out extra-judicial violence must see that it will no longer be tolerated. Victims must understand that there is a process by which they can seek justice. To make sure that these steps are taken an independent monitoring body needs to be established, funded and given free reign.

Finally, it is a government's responsibility to educate, and a strong educational network must be created that can work against what has become an entrenched practice – particularly in tribal northern areas which remain isolated, ideologically, from the rest of the country. If the government is genuinely serious about tackling honour killings and modernizing its legal system, this is the least it can do. To combat extra-judicial crime in Pakistan will be no mean feat, but it is clear that it begins with the development of a strong, unified judiciary and open, genuine commitment from the government.

## 5-DISAPPEARANCES AND ARBITRARY ARREST

The forced 'disappearance' of political opponents by state intelligence services continues in spite of the newly elected government's claims that they will swiftly clean up the issue. In the nine months since the PPP came to power again no serious moves have been made to address it. On the contrary, the state intelligence agencies are operating freely with the knowledge of the government. In the past nine months about 52 persons have gone missing after their arrests, mostly in the southern province of Balochistan where military operations continue. Some religious organisations claim that more than 23 persons belonging to various religious groups, mostly young students are still missing after their arrest.

Fighting terror with terror: The global 'War on Terror', triggered by the attack on New York's World Trade Center, has given the Pakistani military an excuse to exercise a free hand when it comes to opponents of the government and religious activists, who are commonly arrested, tortured and kept incommunicado for several months in order to obtain confessional statements. Such practices have continued under the newly elected government, as the Pakistan army is refusing them access to their domain. The Asian Human Rights Commission has issued a report mentioning that at least 52 illegal detention and torture centres are being run by the Pakistan army.

In one example, Dr Safdar Sarki, the nationalist leader of Sindh province and Mr Muneer Mengal, managing editor of a television channel, were released during the first quarter of this year after they had been missing for more than a year. They were dumped by the intelligence agencies on the roadside with torture injuries. Moments later, the police arrived and arrested them on several criminal charges.



### **The FBI is responsible for disappearances, illegal detention and torture in Pakistan**

On 24 July, 2008, the Asian Human Rights Commission issued an urgent appeal regarding the disappearance of a lady doctor. The American Federal Bureau of Investigation (FBI) initially admitted that they had arrested Dr Siddiqui and then later denied it. After coverage both in Pakistan and internationally they were pressured to announced that “Dr. Afia Siddiqui is alive, she is in Afghanistan, but she is injured”. Details were slow coming, and those that were given often defied logic. Dr Siddiqui had been missing along with three young children for five years after being arrested by the Pakistani Intelligence Agency. Acting on the information received, the AHRC in its appeal suspected that the doctor was being kept in Bagram jail, Afghanistan, along with her children, and had been severely tortured. After more pressure an FBI official visited the house of Dr. Afia’s brother in Houston to deliver the news that she was alive and in custody, though little other information was offered her family, or her US lawyer. After serious delays and extreme operational opacity, Dr Siddiqui was transferred to the U.S, where she remains in custody, and one of her sons was released to his family. Nothing more has been heard of the other two children. The operation involved the complicity of the FBI, Pakistan state agencies and the Afghan government, and covers numbers human rights abuses, including torture and illegal detention. <http://www.ahrchk.net/ua/mainfile.php/2008/2947/>

The government has never made a serious attempt to stop the arbitrary arrests and disappearances, and has often hampered the judiciary in its efforts to clear the backlog of such human rights abuse cases. The state of emergency was called and the former chief justice was removed largely over this issue, meaning that more than 350 cases of missing persons were filed in the Supreme Court of Pakistan and have never been addressed. Those who have testified after being held incommunicado for months, and then released, have told the courts and the media that they were arrested by police and were handed over to intelligence agencies, who kept them in military interrogation cells and used torture to obtain confessional statements about anti-state activities. (Please see AHRC urgent appeals, [UA-171-2006](#), [UP-001-2007](#), [UA-413-2006](#)).

Several nationalists and religious groups have calculated that about 5,000 persons remain disappeared after arrests since 2001, when the united front against terrorism emerged. In the southern province of Balochistan, nationalist groups and political parties are claiming that about 4,000 persons have been missing since military operations began there seven years ago, and that the Pakistan army has killed several hundred persons in aerial bombardments. In the North Western Frontier province, where the Pakistani military and foreign forces are carrying out operations against militants, the media and political parties are claiming that more than 1,000 persons are missing. The nationalist forces of Sindh province claim that about 100 persons have been disappeared, but that some of them were released after the intervention of the Supreme Court and the Sindh High Court. In Punjab province most of those arrested, around 100 persons, were from religious groups working in its southern and north western areas.



**The Government should release all disappeared persons in custody of police and intelligence services**

AHRC-STM-229-2008

September 1, 2008

The advisor to the prime minister and minister in charge of interior affairs has said, in his recent visit to the Balochistan province on August 27, 2008, that 1102 persons are still missing from Balochistan and that the government will try to locate them. His acceptance of the statistics that more than 1,000 persons are missing is itself an indication that government has no control over the law enforcement authorities and furthermore, has no intention to initiate any probe in the affairs of state intelligence agencies particularly the ISI. The former interior minister in the cabinet of ex-president Pervez Musharraf, told the national assembly in December 2005 that 4,000 persons have been arrested in Balochistan province. However, nationalist and human rights organisations in the province claim that not more than 100 persons have been produced before any court. The minister in charge has not given any indication of the fate of at least 1,102 persons which are according to him, are missing. He was shy to point out that the missing persons are in the custody of law enforcement agencies, and has given little indication that he will work toward their recovery. During 2006 and 2007 the now-deposed Chief Justice Iftexhar Choudry started forcibly taking up the cases of missing persons, and about 110 persons were released from the captivity of intelligence agencies; most were dumped on streets in remote areas.

Senator Baber Awan, secretary of the Pakistan People's Party's Reconciliatory Committee on Balochistan, has announced the formation of two committees on the province (Daily Dawn 05.05.2008). Of these, one has been formed to investigate complaints by family members of missing persons, and the second was to be for the internal displacement of people during military action. But later on it was clarified by the ruling party, Pakistan People's Party (PPP), that the committee was constituted for missing persons only. The day after the AHRC issued criticism of the government's false statements on missing persons in May 2006 (please refer to URL: <http://www.ahrchk.net/statements/mainfile.php/2008statements/1503/>), a news item appeared in the Daily Jang newspaper, noting that the PPP's committee on Balochistan had arranged a six-member subcommittee on the recovery of missing persons. The majority of members of the committee are from the PPP's lawyers' wing, the People Lawyers' Forum, with just one member from the national assembly.

The government has shifted from a position of creating the committee for missing persons to suddenly shifting the responsibility for this committee to the political party. By doing this the government is distancing itself from one of the most important issues the country faces. For the newly-formed government to now start back-peddling on this issue rings warning bells for the future of human rights in the country. There were no terms of reference described by the government and the committee does not have any constitutional or legal coverage.



There's also been little clarification about the terms of reference of the committee, such as:

- Whether it is independent of its party affiliations.
- What the jurisdictions of the committee are.
- Whether it can visit the places where missing people were generally kept (some of those released through the sou moto actions of Chief Justice Iftakhar Choudry later testified that they were kept in army torture camps and they themselves saw several persons in the camps).
- Whether this committee has the authority to ask suspect military or police officers to report before the committee.
- What the legal and constitutional status of the committee for recovery of missing persons is.

Without the proper terms of reference, the formation of the committee is meaningless and will only serve as 'eye wash', rather than a purposeful exercise for missing persons and their families. It is vital for the newly elected government to maintain the confidence of the people of Pakistan by forming a high powered tribunal with all the independence, authority and material and financial resources necessary for the recovery of disappeared people. The jurisdiction of the tribunal should cover the whole country.

**The case of Dr. Aafia Siddiqui best shows the reach and the depth of this entrenched problem**

URL: <http://www.ahrchk.net/ua/mainfile.php/2008/2947/>

PAKISTAN/USA: A lady doctor remains missing with her three children five years after her arrest

URL: <http://www.ahrchk.net/statements/mainfile.php/2008statements/1702/>

WORLD/PAKISTAN: Pakistani and US State authorities must release information on the two children of Dr. Aafia who remain missing

URL: <http://www.ahrchk.net/statements/mainfile.php/2008statements/1681/>

PAKISTAN: Children of Dr. Afia Siddiqui are removed from Bagram and their whereabouts are unknown and Dr. Afia is denied permission to attend court proceedings

URL: <http://www.ahrchk.net/statements/mainfile.php/2008statements/1714/>

USA/PAKISTAN: Dr. Aafia Siddiqui is removed to a psychological facility and denied access to her family, lawyers and her government



## 6-POLICE AND CUSTODIAL TORTURE

Torture in custody in Pakistan is a continuous, common place phenomenon. It is still widely considered the best means by which to obtain confessional statements. As yet, there has been no serious efforts made by the government to make torture a crime in the domestic laws of the country.

**THE POLICE – A SYMBOL OF FEAR**: Rather than being symbols of security and justice, policemen widely represent the abuse of power and inspire fear. The most common methods of police torture in interrogation situations include beating with batons or whips, suspension by the ankles, burning with cigarettes and punches to the abdomen. Women are likely to be raped in custody. Torture is also carried out to extort bribes or to show efficiency in an investigation.

### **A Television channel shows torture in custody – the authorities take no action**

Geo TV, a prominent and popular Urdu language television channel has shown the custodial torture of a famous bandit in its weekly program a number of times, but authorities have not taken any action against those shown to have been involved. In its series 'FIR' it showed a two or three part program titled, 'Lyari Gang War', the channel telecasted recorded footage of suspect, Rehman Dacate being hung upside down with ropes and shackles, and beaten with wooden and iron bars. The man was severely injured, and finally agreed to accusations involving the killing of numerous people, bomb blasts and extortion. The program offered little challenge to the torture, and the government has not responded to the case. This example neatly exemplifies the extent to which torture has become accepted, socially and politically in Pakistan, as a legal tool. (<http://www.youtube.com/watch?v=4CLCJFzCPHY&feature=related>)

This is despite the fact that Pakistan signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) on April 17, 2008, and ratified the International Covenant of Economic, Social and Cultural Rights (ICESCR). It also signed the International Covenant on Civil and Political Rights (ICCPR). Torture is prohibited in the constitution: Article 14 (2) states that, "No person shall be subjected to torture for the purpose of extracting evidence".

Currently there are no independent investigation procedures in Pakistan to investigate cases of torture. To report cases, victims need to go through the authority responsible: the police. They must then contend with the lower judiciary, which is known to side with the prosecution in such cases. An extreme lack of sensitivity is commonly shown by prosecutors, law enforcement agencies like the police and also the judiciary, particularly the lower judiciary. The damage such practices causes the country and its ability to maintain the rule of law, goes understated. The development of criminal law jurisprudence has been effectively stunted.



### Cases of torture in 2008

- In March 2008 a 17 year-old girl was abducted by police officials, raped and kept for almost 16 days in a private lock up near a police station, under suspicion for the murder of her fiancé. Her elder sister was also brought in and held, naked for three days, to pressure the sister to confess to the charges. The SI involved thereafter produced the girl before the first class magistrate \_\_\_\_\_ for \_\_\_\_\_ judicial remand. <http://www.ahrchk.net/statements/mainfile.php/2008statements/1438/>
- On 22 January, 2007, 24 year-old Mr. Hazoor Buksh Malik was arrested by the Market police, Larkana district, Sindh province for not possessing a national identity card while he was shopping. Late in the night of 25 January, the SHO Mr. Mohummad Tunio came in drunk to the police station and ordered three on-duty police officers to fasten the victim with ropes and chains. The SHO then began to brutally torture Mr. Hazoor Buksh, at the height of which, he allegedly severed the victim's penis with a sharp-edged knife. The police allegedly registered a false attempted suicide case and a First Information Report (FIR) No. 17/2007 against the victim under sections 34, 337 and 334 of the Pakistan Penal Code. URL: <http://www.ahrchk.net/ua/mainfile.php/2007/2444/>
- A high ranking police official used police officers of four different districts to keep a labourer, the father of five children, in illegal detention in the private jail of a notorious drug dealer, for the return of some money to which the victim was witness/guarantor. He was severely tortured in three different police lock ups for the return of the money. <http://www.ahrchk.net/ua/mainfile.php/2008/2932/>
- Police refused to register a complaint and file charges against an abusive provincial minister and his armed men in Punjab province. The minister allegedly ordered the assault, arrest and detention of six student activists and teachers, two of whom were women, on 2 February, 2008, in Lahore City. The city mayor also allegedly defended the minister's actions by threatening the police ready to file charges against him. The activists were holding a demonstration and distributing leaflets to supposedly celebrate the release of one of the leaders of the lawyers' movement when they were attacked.
- Mr Abdul Wahab Baloch was arrested on May 28, 2008, after a demonstration against the tenth anniversary of nuclear experiment. He went through severe torture during illegal detention for six days. The government has not taken any action against the officials involved. URL: <http://www.ahrchk.net/ua/mainfile.php/2008/2883/>
- Eight persons were forced to strip naked and behave like dogs and bears by police officers while in custody. The victims were beaten and had ropes and chains tied around their necks. No investigation was made into the matter. URL: <http://www.ahrchk.net/ua/mainfile.php/2006/2533/>
- Mr Mohammad Khan Lund, a human rights activist is presently in Deeplo Jail fr the 43rd time, and has been beaten or tortured in some way numerous times. His political rival Dr. Arbab Rahim, the former chief minister of Sindh province in the president Musharraf's government, is alleged to be behind his continual detentions. No investigation has been instigated. URL: <http://www.ahrchk.net/ua/mainfile.php/2008/2777/>



**PAINFUL STATISTICS** : Case reports have shown that certain provinces excel in this matter, the Punjab and Sindh provinces being at the top of police abuse records. Statistics collected from the group Lawyers for Human Rights report 9,364 reported cases of police torture in the last nine years, the most in any one year (1,723 cases) occurring in 2007. Between January and June in 2008, 743 cases have already been reported, suggesting that little is being done. Journalists and lawyers were beaten and abused with impunity during the struggle of the judiciary in 2007 and 2008.

It is in the day-to-day work of the lower judiciary that this underdevelopment is most visible. One example is the practice of the lower court judges of allowing detainees to be remanded in custody with ease, despite clear indication that torture has been used. This practice even fails to make use of the little space available to it in the current criminal law, in which a judge can demand a reason from the investigating agency for handing over the accused to such agencies, rather than keeping them in judicial custody.

**French authorities were unable to stop the torture of a detained French woman**

One case of a French visitor to Pakistan offers insight into the government’s lack of will or power in torture cases. Ms Florence Nightingale, a French scholar was detained illegally and tortured in the police lock up of Thatta district, Sindh, on September 2007, before several persons. The authorities failed to prevent torture in custody even after the intervention of French Consulate of Karachi. The police simply refused to listen. The provincial government had not taken any action against the police since. Please see URL: <http://www.ahrchk.net/ua/mainfile.php/2007/2631/>

Put simply, the practice of torture continues because there is no prohibition against it the domestic law of Pakistan. Police records and procedures are rarely followed, making cases difficult to monitor or legislate. Civil and political parties are not pushing hard enough for the proper implementation of police ordinance and the government has taken few steps, despite promising to reform the police and make it ‘people friendly’. Without an honest police system a country has no hope of developing a free and fair rule of law.

**The use of torture during the lawyers’ movement**

Law makers are not spared from torture by the police in detention. Several lawyers, including the office bearers of different bar associations were tortured physically and psychologically during their detentions under emergency rule, including Mr Munir A Malik, former president of the Supreme Court Bar Association, who was arrested on November 3, 2007 and provided with unknown medicine during his detainment, which served to poison him. Both his kidneys shut down and he suffered chronic renal failure. Mr Imdad Awan, president of the Sukkur high court bar association, was arrested on November 4 after having a protest meeting with the lawyers and was beaten, denied sleep and denied medicine for his diabetes and high blood pressure. Two female lawyers, Ms Noor Naz Agha and Ms Jameela Manzoor, were also arrested on November 3 and 5 respectively and were beaten and mishandled. A prominent human rights lawyer, Mr Syed Hassan Tariq was brutally tortured by the police upon instructions (allegedly from the provincial chief minister in Nawabshah, Sindh Province) after he was arrested on 8 November 2007. He emerged from custody with internal bleeding to his lungs, marks on his back and two ribs fractured. URL: <http://www.ahrchk.net/ua/mainfile.php/2007/2664/>



**ESTABLISHED TORTURE CENTRES**: The AHRC has issued a report on 52 identified torture and detention centres in the country, compiled with information from former detainees, some of whom were imprisoned for several years after their arrest without charge. The centres are army-run, and are allegedly for suspects of terrorist activities. Any officials are interrogating persons from Balochistan to force confessions about involvement with the Balochistan Liberation Army (BLA) and from Sindh, for confessions about involvement with the Sindh Liberation Army (SLA). The military rulers are keen to prove that the organisations are working to disassociate themselves from Pakistan. Arrestees from the North West Frontier Province were initially held in the custody of the army before being transferred to Afghanistan. There, after going through severe torture and being held incommunicado, many of them were handed over to the occupied forces, to be again transferred to Guantanamo Bay, the notorious American holding/interrogation centre.

Military Intelligence (MI), Inter Service Intelligence (ISI), the Federal Intelligence Agency (FIA), the Pakistan Rangers and the Frontier Constabulary (FC) are the main agencies responsible. Many of the missing persons have testified in courts and to the media that they were kept in the custody by the army and that they were tortured as in the following AHRC reported cases: [UG-003-2006](#), [UA-227-2006](#), [UG-013-2006](#), [UA-145-2006](#), [UP-127-2006](#), [UA-171-2006](#), [UA-169-2006](#), [UA-132-2006](#) and [UP-191-2006](#).

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## 7-CHILDREN'S RIGHTS:

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The biggest threats facing children in Pakistan today come from poverty and the risk of abduction. Pakistan has a very high population of street children, and despite the country's posture as an Islamic welfare state, and provisions in the constitution that call for the care of vulnerable minors, there is little done for them. Care facilities such as orphanages are poorly regulated and under funded. Street children often come under the control of the mafia.

**ABUSE**: Cases of abuse and abduction remain high, particularly those resulting in sex slavery or conversion through forced marriage. Reported abduction cases totalled 418 in the first half of 2008, according to Sahil, a domestic NGO for the protection of children from sexual exploitation, which gathered statistics from 15 Pakistan newspapers; 339 of those kidnapped were female. A high proportion of abducted children are raped and there were 177 cases reported of the gang rape of minors during this period. Figures were highest for sexual abuse in Punjab province, followed by Sindh. The same report noted that in about 6% of the cases female abettors were involved, and that 81% of cases that reached the newspapers had been registered with the police.

**A BIAS FOR BOYS**: Female children are still less valued than male children, and many are abandoned and left to die. Under Pakistan law such cases should be reported and investigated as murders, with post mortems conducted, but hospitals and police surgeons report few such requests, and the law allows doctors some room to issue a certificate based on observation rather than an autopsy. For infants found alive, a PPC can be lodged under Section 329, which states: 'whoever, by secretly burying or





otherwise disposing of the dead body of a child whether the child dies before or after or during birth, intentionally conceals or endeavours to conceal the birth of such child, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both'.

There remains confusion about the age at which a person ceases to be a child. Pakistan has ratified the UN Convention on the Rights of the Child, in which adulthood begins at 18, and it issues national identity cards at this age. However the Employment of Children Act states that a child is under 14 years old. Children, like women, tend to work mostly in the informal sector, which leaves them vulnerable to abuses ranging from sexual and physical assault, to overwork and underpay.

**CHILD SOLDIERS** : The recruitment of minors in preparation for military action is still of concern, with madrasses coming under more scrutiny than the army. Voluntary recruitment age for the army is 17, but a person can't engage in active combat until 18 years-old. The international Coalition to Stop the Use of Child Soldiers reported this year that some cadet colleges (which tend to offer a high standard of education) can admit children as young as ten, but that these children can choose whether to join the army after their schooling. However last year a national children's organisation referred to unconfirmed reports that children as young as 15 were involved in political violence in Karachi in May 2007, as well as at the Lal Masjid in Islamabad in July 2007, and expressed concern that they are being trained for conflict by the state.

Madrasses offer an alternative to the struggling public school system, but tend to focus on little other than Islamic studies. There are numerous unregistered schools that remain free from any kind of official regulation. Some madrasas reportedly continued to promote religious radicalism and violence and are used for military training, and in the second half of last year a number of children were linked to suicide attacks, one of which, in the NWF province, was successful. Nationalist groups in Balochistan province and schools run by pro-Taleban insurgents along the edge of Pakistan's tribal belt have been suspected of recruiting and training children between 11 and 15 years old.

**CHILDREN IN PRISON** : Despite a ruling obliging juvenile prisoners to be kept separately from adults due to the high rate of abuse in prison, there are few facilities for juvenile offenders. There are two in Sindh province (Karachi, Hyderabad) and two in Punjab (Multan and Faisalbad). Minors should at least be kept in separate barracks, but in many places this is not the case. Some children are incarcerated with a guilty parent, but under the law this should only be able to apply to children under the age of six.

Pakistan remains one of five remaining countries in the world known to have executed juvenile offenders – people who committed a crime while under 18 – in the past few years and Mach Central Jail has admitted to having at least two juvenile defenders on its death row.



### **Pakistani and US State authorities collude in the illegal detainment of Pakistani children**

In July 2008 a missing twelve year-old boy, Mohammed Ahmad resurfaced with his mother, a US-listed Al Qaeda suspect, in detention in Afghanistan's notorious Bagram prison. The child had been missing for five years along with two younger siblings, and is thought by NGOs to have been handed over by Pakistan into US/Afghan custody as part of a terrorism pact in 2003. While the child flitted in and out of contact with the outside world in US custody, no explanation was given for his six month detention and no contact or guarantee of his health was given to his family. After an international campaign Ahmad was handed over to his aunt in Karachi. His siblings remain missing and unaccounted for.

In its statement <http://www.ahrchk.net/statements/mainfile.php/2008statements/1702/> The Asian Human Rights Commission is concerned that the children may have been used in the interrogation of their parents (the father being held in Guantanamo Bay), and that they may be at risk because of what they have seen and experienced in Afghan prisons. The AHRC demanded the transparency and accountability expected of these UN member states, and it demanded the immediate release of the two remaining Siddiqui children.

**BARTERING WITH CHILDREN** : In some rural areas the practice of awarding children as blood money compensation through tribal courts has become common place. The children will often be used for labour and sexually abused by their new owners, until old enough to be married or sold on, whether into marriage or sex slavery. The new minister of education in Pakistan, Mir Hazar Khan Bijarani, was himself ordered under arrest by former Chief Justice Choudhry in 2004 for his role in a tribal court that tried to use a number of children as compensation in an honour killing dispute. As noted (under Honour Killings) three minors were buried alive in Balochistan province, along with two of their aunts in July 2008. A minister that publicly defended the act as Baloch tradition was just promoted by the Zardari government.

### **Three girls handed over to a man who killed his wife on the pretext of honour killing**

In a jirga held on October 20, 2008 a man who killed two of his wives for allegedly having an illicit relationship with another received impunity on the pretext of an honour killing. The jirga ordered the man – had allegedly fraternised with one of the deceased wives – to hand over three young girls, his daughter and nieces, together with 20 buffaloes as compensation to the husband. Police arrested the killer but soon released him and have respected the decision of the jirga. URL: <http://www.ahrchk.net/ua/mainfile.php/2008/3042/>



## 8- THE MOVEMENT FOR JUDICIAL INDEPENDENCE

Pakistan's judiciary was deposed on November 3, 2007, by the then-chief of army staff through the imposition of a state of emergency. Since coming to power the new civil and elected government has gone back on its written and verbal promises to restore it. Rather than follow through with a constitutional package and a legal restoration process, it has embarked down a road of intimidation and coercion, with the aim of dividing the movement. Willing judges have been 'reappointed' under new oaths – a procedure little different to that initiated by General Musharraf in the first place. A number of judges have refused to comply and remain deposed, including the former chief justice, Iftekhhar Choudhry.

## UNCONSTITUTIONAL POSITIONS

**MAINTAINED** : Meanwhile the judges who bent to the will of the government back in November and were awarded senior positions, remain in those positions. Abdul Hameed Dogar, who was put in place by General Musharraf, is still working as the chief justice. At one point the government of Mr. Yousaf Gillani considered reducing his tenure as chief justice to 2009, however Choudhry should remain in that seat until 2013, according to the constitution. The constitutional amendments made during the state of emergency remain part of the government. The ruling party displays no political will to restore the judiciary to its original formation (of November 2, 2007), before it was tampered with by Musharraf. In protest on this issue, the party of Nawaz Sharif left the coalition in August.

The 19-month struggle of the lawyers has done much to raise the awareness of Pakistan's citizens regarding the rule of law, and has reinvigorated people power. It is a struggle unprecedented in the history of the country. Citizens have witnessed and rallied behind the protests, in which lawyers have been beaten, fired upon, arrested and barred from their profession. Many lawyers have lost their livelihoods and the campaign is now escalating into aggression, as those fighting begin to realise that rule of law is still being used as a political tool, despite the change in governance. Those campaigning continue to be persecuted, and the present government's current agenda suggests that there is little hope that Chief Justice Iftekhhar will be restored in the near future.



### Lawyers beaten and burned

The lawyers' movement has long been under threat by the government of General Musharraf, whose coalition partners have been able to freely use violence against lawyers, particularly in Karachi, Sindh province, which is mainly ruled by Muttahida Quami Movement (MQM), a political ethnic party. Brutal attacks during street protests on April 9, 2008, in Karachi claimed the lives of 14 persons including a child. Six persons were burned alive, of which at least two were lawyers and two others their female clients. 19 lawyers went missing for days, before reappearing abused and in bad shape. More than 70 offices were ransacked and burned, including the office, house and vehicle of the general secretary of the Karachi Bar Association. The offices of the Malir Bar Association, 20 km away from Karachi city courts, were burnt to ashes. Five journalists were severely beaten, one a female journalist working for a local television channel, whose arm was fractured in the incident. More than 50 vehicles were burned and smashed, most owned by lawyers. Two private bus drivers were shot dead. The media and sources close to the bar associations alleged that these attacks on the lawyers, looting, killing, burning and abductions were carried out by the members of the MQM.

Prior to this in May 12, 2007 more than 40 persons were killed. The lawyers reported to the media that the attackers were in possession of incendiary weapons that exploded when thrown at a target. The killings were covered in detail by the media, with most accusations leveled at members of MQM. Just one day before, the group's leader Altaf Hussain had verbally abused Pakistan's lawmakers and urged MQM to thwart their support of Chief Justice Iftikhar Choudhry. (URL: <http://www.ahrchk.net/statements/mainfile.php/2008statements/1470/>) The new government has fostered a relationship with the MQM, now part of the new coalition and with seeming impunity. The government at federal and Sindh provincial levels have promised to investigate the attack several times, and have not followed through.

**PERSECUTIONS CONTINUE** : The arrest and persecution of activist lawyers and their leadership has continued. Recently the Pakistan Bar Council (PBC), under pressure from its chairman, the attorney-general for Pakistan, suspended the practicing licenses of the presidents of the Peshawar High Court Bar Association and the Multan Bar Association, plus another 10 lawyers, in retaliation to their activism. After a countrywide protest on the first anniversary of Musharraf's state of emergency, more than 100 lawyers were arrested on charges of agitation and disturbing the peace.

The dodging tactics of the new government threaten to damage the rule of law in the country even further, discrediting the supremacy of the judiciary and the civilian rule of the country.



## 9-FREEDOM OF THE PRESS

Pakistan claims that it has a free press. Before the latest government, there were greater restrictions like the PEMRA (Pakistan Electronic Media Regulatory Authority) Ordinance, through which several electronic channels were attacked and shut down by the authorities due to their coverage of the lawyers' movement. Many newspapers were prevented from publishing, and journalists covering protests were arrested and man-handled by the police. The new government has withdrawn the PEMRA Ordinance and thus its authority over the press, and the situation has greatly improved. However the government has yet to abolish the press and publication ordinance, 1963, which allows the government a variety of chances to intervene in the publication of news.

**THE LYNCHING OF THE MEDIA** : Powerful religious and ethnic groups can currently attack media houses, bully their staff and dictate their coverage unhindered due to political ties. Since journalists feel at risk they will tend to avoid coverage of certain topics, and submit to orders from these groups. For example when one powerful ethnic group attacked lawyers and burned a number alive on two occasions, the name of the ethnic group was omitted from the coverage. Those attacked and cowed include GEO TV, ARY ONE, AAJ TV, FM103 and almost all of the national newspapers.

### **JOURNALISTS KILLED FROM 1999 TO 2008**

During the year 2008 at least eight journalists were killed in Pakistan, including Qari Shoaib Mohammad on November 8 (killed by 'mistake' say security forces), Mohammad Ibrahim on May 21 after a high profile interview of Maulvi Umar, by unidentified gunmen, and Khadim Hussain Sheikh on April 14, by unidentified gunmen. According to the report issued by the Pakistan Federal Union of Journalists, 33 journalists were killed during the nine-year rule of General Pervez Musharraf. Please see the following link.  
URL: [http://pfuj.info/site/index.php?option=com\\_content&task=view&id=148&Itemid=4](http://pfuj.info/site/index.php?option=com_content&task=view&id=148&Itemid=4)

**SELF-CENSORSHIP BY MEDIA HOUSES** : There is still self-censorship from the media. Little news is broadcast of trade union activity, or from those who regularly speak against the army or the security forces, particularly about the military operations in Balochistan and the suppression of separatists and nationalist groups. This is in part because of intimidation, but is also due to a narrow patriotic mindset, and a wish to secure the ideological boundaries of the country; for example, editors tend not to cover cases of religious groups attacked by majority groups. Self-censorship is most commonly activated for events that might be seen as against the Pakistani nationalism, Islamic ideology and commercial interests.



Trade unions rarely receive coverage due to the media's need for revenue from related advertisers. For example there has been campaigning from employees of Hotel Pearl Continental since 2002 against the retrenchment of about 350 employees, and little space has been given to it in newspapers and electronic media. The same can be said for the trade unions of the Dalda cooking oil company, Ghafooria textile mills, Hamdard, and other commercial enterprises; in this way it appears that the news can be controlled by any business with enough money to advertise. Peasantry movements in rural areas are generally ignored by media houses to appease the powerful landlords.

## JOURNALISTS ARE DENIED THEIR RIGHTS BY MEDIA HOUSES

: Journalists are denied their constitutional and legal employment rights, such as the wage board award for journalists from 2005 (salaries and benefits). There are three wage awards still due to be announced for the past three years, and journalists are being denied wage rises and pressured to work underrate. This increases the temptation for journalists to earn their money by other means, such as bribes, and weakens the system. The Supreme Court has several times asked the owners of the media houses to implement the wage award but nothing, as yet, has been done.

### An anti-media mind set

In January 2008, during his rule as president, Pervez Musharraf asked a gathering of 800 overseas Pakistanis in London to "put one, two or three punches" to Pakistani journalists, who he believed were destroying the country's image overseas. Musharraf had been annoyed by a senior Pakistani journalist and correspondent of the Daily Dawn, Mr Zia Uddin, who questioned the security of the country's nuclear assets after a high profile terrorist escaped from the custody of Pakistani intelligence. While lamenting the critical questions, President Musharraf asked, "What types of Pakistanis are here? What can the enemies do against us when these people (the journalists) are already sitting here?" He appealed to the workers of the ruling party to stop such disgruntled elements.  
URL: <http://www.ahrchk.net/statements/mainfile.php/2008statements/1351/>

## SELF-CENSORSHIP BY PRIVATE TV CHANNELS ON MILITARY OPERATIONS IN TRIBAL AREAS

: According to the GroundReport website all private Pakistani TV channels have voluntarily has stopped airing Taliban comments on continued military operations in different parts northwest province bordering Afghanistan. (Please see URL: [http://www.groundreport.com/Arts\\_and\\_Culture/Pakistani-TV-channels-banned-Taliban-statements](http://www.groundreport.com/Arts_and_Culture/Pakistani-TV-channels-banned-Taliban-statements)) The channels are instead focusing on the reports showing the progress of military operations against the Taliban in the NWFP. Karachi-based Geo News, the most popular private Urdu channel; Karachi-based Aaj



News, the second largest private Urdu channel; Karachi-based Dawn News, the first and only English news channel are following suit.

In August the private channels began airing lengthy reports detailing the progress of the military operations, but without broadcasting the Taliban's statements against the offensive or the government's claims. Geo News TV was observed to have made a special multimedia presentation entitled 'Situation in Tribal Areas' in which it briefed its audience at regular intervals throughout each day on the progress of the military operation. Anchors at Dawn News and Aaj TV were seen calling the militants Taliban and criticising them for the violence. The private channels focused only on troop activities in the program.

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## 10- MILITARY OPERATIONS

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Two provinces of Pakistan, namely Balochistan and the North Western Frontier Province (NWFP), have been under military operations for a number of years in the name of "war on terror".

**BALUCHISTAN**: This has been subject to large scale military operations since 2000, according to the strict policies of former president General Musharraf. During this period the Pakistan Army had used gunship helicopters and armoured cars against the civilian population, and the Pakistan Air Force used F-16 jet planes to bombard them. After the formation of the newly elected government in April an announcement was made to halt the operation. The prime minister and parties in the government apologised openly to the people of Balochistan. It has been alleged that more than 3,000 persons have been killed due to this operation in the Balochistan province. The military government wants to construct several cantonments here but there is serious resistance among residents in the area, as several districts in the province have been bombed by the Pakistan Air Force. A former governor and a chief minister of the province, Sardar Akbar Bugti, died with several other important persons in a series of aerial bombings.

It is also reported that more than 200,000 people have been displaced and have had to move to shelters in different districts due to the bombardments. More than 4,000 people have also disappeared after being arrested by law enforcement agencies, particularly by military intelligence and the Inter Services Intelligence (ISI). The former federal Interior Minister stated before the National Assembly of Pakistan on December 5, 2005 that more than 4,000 persons have been arrested in Balochistan province due to their involvement in anti-state activities. However, he did not clearly mention where those arrested persons were being held and why none of them had been produced before the courts for trials. According to the testimonies of persons who returned after having been missing for several months, and the research conducted by some human rights organisations, it has been revealed that the abducted persons were detained in military camps in different cities. The former detainees have also testified that they have seen many friends and their family members in detainment, who have also been missing for a long time.

The current situation is very much the reverse of what the prime minister and other people from ruling parties are announcing. The disappearances continue, and in a recent event on April 28, just four days



before the visit of the prime minister to Quetta, the provincial capital of Balochistan, military personnel attacked and raided houses and hostels of Khuzdar Degree College in the city of Khuzdar, and arrested more than 200 persons. Among them ten persons are still missing. On April 29, army officials raided the house of comrade Ghaffar, the district president of the Jamhoori Watan Party, a nationalist group, and since then his whereabouts are unknown. Attacks on civilians were carried out after the killing of two persons from military intelligence. A separatist organisation, the Balochistan Liberation Army, claimed responsibility for the killings but in retaliation the army attacked the whole city. The prime minister announced the withdrawal of the armed forces but the army has made no moves to leave the province.

On May 2, when the prime minister was visiting Balochistan, five persons were kidnapped by the law enforcement agencies and their charred bodies were later found in the centre of the market place at Dera Bugti city. These persons, namely, Nazar Mohammad Bugti, Rustam Bugti and Jeo Bugti (the names of other two were not available), were arrested before witnesses by military personnel on charges of having links with the Balochistan Liberation Army. Four persons were burnt alive in hot coal tar and there were other abuses reported during the military operation in Balochistan.

**Four persons burned alive in hot coal tar while other abuses reported during military operation in Balochistan**

On April 5, just six days after the formation of the civilian government, four people were arrested in the Zainkoh area in Dera Bugti district by military officers and were taken to torture cells there. They were asked to name the persons who are working with "Balochistan Liberation Army" (BLA). After failing to get a confession from the victims, the officers put four people in hot coal tar. Three died instantly while the fourth person, Mr. Jaffer Khosa died in custody seven days later. The army was searching for persons involved in the blasts of the natural gas pipelines which provide gas to different parts of the country, and other subversive activities.

According to local newspaper reports, the military started to use heavy force in Dera Bugti, Bairoon Pat and the border areas of Jafferabad district again, and searched the houses without warrants from the court. During this operation, army officers killed 12 persons on July 19, 23 persons on July 20 and 36 persons on July 24. It is also reported that 30 persons were killed and seventy were injured on July 27 and 28. Villagers claim that the military used chemical gas against the villagers and when they fainted, they were taken to unknown places where they were shot dead. Their bodies have not been handed over to their relatives. The affected areas are known as Pat Feeder, Bhawan, Baroon Pat, Shameen, Gwar, Chouber, Sari Darbar, Rustam Darbar, Baranjan, Khawar, Sand Curry, oacgh, Pir Koh and Sui Filds.

The Daily Jang, the largest circulated newspaper of Pakistan, reported on August 21, early that morning, that the army had deployed fresh contingents of troops in the areas of Bareli, Tukhmarh, Jhabro, Sano gari, Andhari and Nisao cheera. Seven innocent persons were killed and 18 persons were injured due to a whole-day of aerial bombardments in the said areas. After a lapse of one day the military again started bombardments which killed several, including 13 women and children. The federal in charge, the minister of interior, visited the area on August 20 and announced that the military operation would continue if separatists were protected by the people. The newspaper also reported on August 24 that the military





operation began again in the areas of the Balochistan and the Kohistan-e-Marri. Several groups claim that about 250 persons have been missing since the military operation started on July 19.

## THE NORTH WESTERN FRONTIER PROVINCE:

This regions has been badly affected by the military operations since 9/11 on the pretext of the 'war against terror' and militancy from the Muslim militant groups, particularly by the local Taleban members, who are responsible for the worst of the violence, including the hanging, stoning to death and killing of people through suicide bomb attacks. The civilian population is sandwiched between them, and there are reports of heavy casualties.

After 9/11 Pakistan has been faced with a new breed of militant. Perceiving the 'war on terror' as an open-ended crusade against anything Islamic and Muslim, a certain breed of educated young men are becoming increasingly angry at the Pakistani establishment, which they feel is compromising on issues with the USA administration, to a level of servility. These middle class youths are ready to go after their leaders, as well as those in the West.

The military operation in Swat valley will have be a year old in November, during the year the government claims more than 700 militants were killed. According to the official news agency, Associated Press of Pakistan, over the period of one year, 17 suicide bomb attacks were conducted in which 1,200 civilians were killed and more than 2000 injured. More than 700,000 persons have been displaced by the attacks from both sides: the military and Muslim fundamentalists. The government claims that during operations many hideouts of militants were also destroyed and 62 police officials, 35 persons from Frontier constabulary, 86 Army personnel and 7 from frontier core were killed. More than 1000 officers from law enforcement agencies were injured.

On November 24, in Mingora, a woman councillor, Ms. Bakht Zaiba and another local leader of Pakistan peoples Party, Mr. Siraj-ul-Haq, the ruling party leader and 15 militants were killed in acts of violence and clashes in Swat valley. According to Swat Media Centre, 15 militants were killed and six others injured and six vehicles were destroyed when security forces attacked Taliban hideouts in Matta, Charbagh and Khwazakhela tehsils. In the area of Matta the Taliban has threatened women not to come out of their houses or go to the markets otherwise they will be killed.

The daily Dawn reports, in a feature published on October 14, 2008 that Security forces, backed by helicopters and tanks, have launched an operation to flush out militants from areas close to Charsadda and Peshawar as part of a wider plan to establish the government's writ in the Mohmand tribal region. There are conflicting reports about the number of casualties. Officials have said that 21 militants were killed and several wounded in the operation launched late Friday night. Local people said that seven militants and six civilians were feared dead in the ensuing gun battle between troops and insurgents.

Reports say that one security personnel (army personnel) was killed and another sustained injuries during an exchange of fire with militants. One student was killed in shelling while three children suffered injuries while sailing in a boat trying to flee the embattled area. The small boat carrying 40 displaced people capsized in Haji Zai River, a tributary of river Kabul on Thursday night.

Residents say that security forces made an announcement at 11am warning residents to leave the area within 30 minutes. They said that soon after this helicopters started shelling the area. Troops backed by tanks with Cobra helicopters flying overhead were advancing towards Pir Qalla, Juma Khan Korona and



Michni, areas which are considered hubs of the militants. Army, paramilitary forces and police were conducting joint operations in settled areas. Local people said that helicopters and tanks targeted suspected positions and several hideouts of the militants in 25 villages of Yaka Ghund sub division adjacent to Mohmand tribal region. These villages were declared part of the settled areas of the province about ten years ago.

These disputed villages housing a population of over 30,000 have virtually been declared a “no go area” and local Taliban had set up their own parallel courts and administration. A few months back an alleged kidnapper was publicly executed in front of a big mob. Police writ has been eroded and militants have now focused on the provincial capital. Residents said that choppers destroyed an explosives-laden vehicle of the militants in Badai Korona in which six people were feared dead. The house of a Taliban commander was destroyed in Qala Shah Begg. Forces have captured strongholds of the militants in Rashakai and Juma Khan Korona and have started advancement towards Michni.

A student of 10th class, Abadatullah, who was fleeing the violence-hit area was killed while five civilians were wounded. A large number of people, including women and children have been stranded in the conflict-hit areas due to heavy shelling and a curfew. Sources say that excessive use of force has caused collateral damage.

Army and paramilitary forces were deployed in the northern outskirts of Peshawar and parts of Charsadda district to block entry of the militants. Security forces have set up checkpoints and stopped IDPs from moving out of the troubled areas. Bombing campaigns have started in Lakaro sub division of the Mohmand region. Helicopter gunships and heavy artillery were used in the operation and militants’ hideouts were shelled in Lakaro adjacent to Bajaur tribal region.

Sources said that security forces opened fire on a motorcycle, killing one person and wounding two others including a bystander. Headquarters of the militants in Qanadaro and Karier areas were destroyed while a government school in Sandokhel area was targeted. Militants have captured the school and declared the building their hideout.

<http://www.dawn.net/wps/wcm/connect/...r+peshawar-sal>

350 schools and colleges in five tehsils had been closed since January due to military operations and the massive displacement of people of the Mehsud tribe. Of a total of 580 public sector educational institutions in the South Waziristan, 350 schools have been closed because the buildings of these facilities have been so badly damaged due to the ongoing conflict. The building of the Government Degree College Laddah sub-division was bombed which damaged the infrastructure, while equipment and furniture from many schools has been stolen. The damaged buildings of the college “are now under the use of the security forces”. Some 200 students had been enrolled in the college. The Army launched an operation against militants in the Mehsud area of the troubled tribal region in January, which caused large scale displacement of civilians.

Locals said that many houses had been targeted in the area particularly in Laddah and Serwakai tehsils. The main road between Jandola and South Waziristan has been closed since the army launched the operation in the region and even displaced people were not allowed to return to their houses, even though an unofficial ceasefire had been declared in the region. Inhabitants of Wana and other areas of the restive region are using alternative routes due to closure of the main road, causing great hardship to the local population.



The girl's schools are the main target of the extremist Muslims and Muslim organisations. 250 girl's schools were burned or destroyed throughout the province. According to the BBC the city of Peshawar in north-west Pakistan faces a heightened threat from Islamist militants barely five months after a military operation cleared them from its outskirts. Back in July, suspected militants based in the tribal region surrounding the city started bombing music stores and warning barbers against shaving their clients' beards in several areas of the city's outskirts. They also picked up some prostitutes from the city to punish them for their "sins", and kidnapped more than a dozen members of the minority Christian community. The perpetrators were widely believed to be criminal gangs connected to the tribal underworlds operating out of Darra Adamkhel and Khyber tribal regions - both lying just outside the administrative boundaries of Peshawar. Hundreds of video and barber shops were set on fire or destroyed. The Taliban and other militant organisations hold their own courts and punished more than 100 people in different parts of the province, including Parachinar, Bajor, Swat, South and North Waziristan and Dir, by slitting their necks, slaughtering them before hundreds of people and stoning to death. The women are not allowed to come out from the houses where the militants have a strong hold.

In a major extremist action earlier this month in the north western city, suspected Taliban fighters briefly kidnapped some 16 members of the minority Christian community. There were also reports of militants warning traders against video and music businesses. On November 22, a Taliban attack targeting a police check post and a bomb blast at a Sunni Muslim mosque on Saturday killed at least six people in Pakistan's restive NWFP, officials said. Three policemen were killed and one injured when Islamic militants raided a security post at 3:45 am in the Lora Pull area of Bannu district, about 200 kilometres south of the provincial capital, Peshawar.

There are continuous violations of Pakistani borders by suspected US drone planes killing dozens of civilians by missile attacks. In the month of November a marriage party was also attacked by drone planes, killing about 25 persons. On October 22, drones killed at least six people in a missile strike in a Pakistani tribal region of North Waziristan near the Afghan border. Two missiles were fired at a house in the Khushali Torikhel area near Mir Ali town at around midnight, according to local media reports. Pakistani intelligence officials said the missiles struck the home of a local Taliban commander.