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Pakistan: Human Rights Assessments

Overview

Pakistan is identified by the U.S. State Department, United Nations bodies, and some nongovernmental organizations as the site of numerous human rights abuses, many of these significant, and some seen to be perpetrated by agents of the government. In recent decades, congressional legislation and U.S. law also have included attention to the issue of democratization in Pakistan. The following sections describe selected areas of human rights concerns.

Democracy and Civil-Military Relations

Democracy and constitutionalism have fared poorly in Pakistan since its 1947 independence. The State Department's *2021 Country Reports on Human Rights Practices* (also known as Human Rights Reports or HRRs) conveys that, "While military and intelligence services officially report to civilian authorities, they operate independently and without effective civilian oversight." According to U.S.-based nonprofit Freedom House, Pakistan's military "exerts enormous influence over security and other policy issues," and exercises "formidable" influence over electoral, policy, and legislative outcomes. Freedom House contends that "military intelligence agencies act without oversight and often without the public's knowing of their involvement."

Freedom House designates Pakistan as "Partly Free," on a downward trend since 2017, with a "politicized" judiciary and evidence of "biased" law enforcement. The Sweden-based Varieties of Democracies project classifies Pakistan as "an electoral autocracy" in 2022 and ranks it 117th of 179 countries on a "Liberal Democracy Index" (just below Honduras; the United States is 29th). U.S.-based Human Rights Watch (HRW) described former Prime Minister Imran Khan's April 2022 dissolution of the National Assembly "a threat to core democratic principles," and argued this and other actions taken by Khan from 2018 to 2022 were "an assault on the country's democracy."

Religious Freedom

Pakistan's population is approximately 97% Muslim. The State Department's *2021 Report on International Religious Freedom* reports on abuses affecting religious minorities there—including Shia and Ahmadi Muslims, among others—as well as "the increasing frequency of attempts to kidnap, forcibly convert, and forcibly marry young women and girls from religious minority communities, especially Hindus and Christians." Experts at the Office of the U.N. High Commissioner for Human Rights (OCHR) express concern over "continued persecution and acts of violence perpetrated by state and non-state actors in Pakistan, fueled by claims of apostasy and blasphemy." HRW likewise assesses that, "Blasphemy-related violence against religious

minorities, fostered in part by government persecution and discriminatory laws, has increased."

The U.S. Commission on International Religious Freedom has since 2002 recommended annually that Pakistan be designated as a Country of Particular Concern (CPC) under the International Religious Freedom Act "for engaging in and tolerating systematic, ongoing, and egregious violations of freedom of religion or belief." The State Department has designated Pakistan as a CPC since 2018 while waiving any related country sanctions.

Press Freedom

The 2021 HRR states that "threats, harassment, abductions, violence, and killings [including by security forces] led journalists and editors to practice self-censorship," while "court decisions interpreted the constitution as prohibiting criticism of the military and judiciary." The Human Rights Commission of Pakistan's (HRCP) *State of Human Rights in 2021* says press freedom "faced the worst form of controls" in 2021, marked by attacks on journalists and "efforts to gag and control the news and social media." Freedom House offers, "In 2021, the government targeted prominent media personalities, individual journalists, television programs and stations, and media houses for raising issues authorities considered unpalatable by fining them, temporarily banning them, or withdrawing government advertising," adding that "military intelligence agencies targeted critical journalists with violent attacks." Paris-based Reporters Without Borders' (RSF) *2022 Press Freedom Index* ranks Pakistan 157th of 180 countries (just below Afghanistan; the United States is 42nd), down from 145th in 2021, asserting "Pakistan is one of the world's deadliest countries for journalists."

Freedom of Expression

London-based Amnesty International (AI) argues: "While some legislative progress was made [in 2021], freedom of expression and dissent continued to be restricted through new laws and harsher punishments." HRW claims that Pakistani authorities "routinely use draconian counterterrorism and sedition laws to intimidate peaceful critics." According to the 2021 HRR, there are "serious restrictions" on free expression and on internet freedom, including site blocking, in Pakistan: "The government uses a systematic, nationwide, content-monitoring and filtering system to restrict or block 'unlawful' [internet and media] content, including material it deems un-Islamic, pornographic, or critical of the state or military forces." Freedom House rates Pakistan's internet as "Not Free." The 2021 HRR also asserts that Pakistan's government interferes with academic freedom "by restricting, screening, and censoring certain cultural events based on limiting dissemination of antistate content." Freedom House

concur: “Pakistani authorities have a long history of using the education system to portray Hindus and other non-Muslims negatively and to rationalize enmity between Pakistan and India, among other ideological aims.”

Civil Society

The 2021 HRR reports “overly restrictive laws for the operation of nongovernmental organizations [NGOs] and civil society organizations” in Pakistan: “The government increasingly restricted the operating ability of NGOs ... particularly those whose work revealed shortcomings or misdeeds of the government, military, or intelligence services, or that worked on matters related to conflict areas or advocacy.” A joint 2022 report by the HRC and the Paris-based International Federation for Human Rights argues that government restrictions on NGOs make it more difficult for them to receive foreign funds. Freedom House similarly reports that both domestic and foreign NGOs are subject to “vetting by military intelligence.”

Corruption

The 2021 HRR finds “serious government corruption” in Pakistan: “There was a lack of government accountability, and abuses, including corruption, often went unpunished, fostering a culture of impunity among perpetrators, whether official or unofficial.” Berlin-based Transparency International’s “Corruption Perceptions Index,” measuring relative degrees of global corruption, ranks Pakistan 140th of 180 world countries (just below Russia; the United States is 27th), continuing a three-year downward trend. Freedom House calls official corruption “endemic in practice.”

Forced Disappearances and Extrajudicial Killings

From the 2021 HRR: “There were numerous reports the government or its agents committed arbitrary or unlawful killings [in 2021]. Security forces reportedly committed extrajudicial killings in connection with conflicts throughout the country.... Kidnappings and forced disappearances of persons took place across the country.” Freedom House adds, “Intelligence agencies abduct, detain, interrogate, and torture individuals for extended periods without publicizing information of their whereabouts or the purpose for their detention.” AI has called on Pakistani authorities to “end their abhorrent use of enforced disappearance.” HRW reports law enforcement agencies carry out extrajudicial killings “with impunity.”

Human Trafficking and Bonded Labor

The State Department’s 2022 *Trafficking in Persons Report* places Pakistan in the “Tier 2” category, meaning its government “does not fully meet the minimum standards for the elimination of trafficking, but is making significant efforts to do so.” It finds the government did not meet standards in areas including “inadequate” law enforcement efforts against labor trafficking and “inadequate” action on “credible reports of official complicity in trafficking.” The 2021 HRR says use of forced and bonded labor “was widespread and common in several industries across the country.” It notes a U.N. estimate that more than 70% of bonded laborers were children: “Boys and girls were bought, sold, rented, or kidnapped to work in illegal begging rings, as domestic servants, or as bonded laborers.”

Women’s Status

Women face legal and economic discrimination in Pakistan, and there is a “lack of investigation of and accountability for gender-based violence,” as per the 2021 HRR. It adds that rape prosecutions were rare, and “the government did not effectively enforce the Women’s Protection Act, which brought the crime of rape under the jurisdiction of criminal rather than Islamic courts.” The 2021 HRR finds women’s political participation hindered by “cultural barriers to voting and limited representation in policymaking and governance.” Freedom House reports that Pakistan’s women “face employment discrimination despite legal protections and are placed at a disadvantage under personal status laws.” HRW concludes that Pakistani authorities fail to adequately protect women and girls in cases of so-called honor killings and forced marriage.

Human Rights in Kashmir

In 2019, the OCHR assessed that human rights violations in Pakistan-administered Kashmir “were more structural in nature” than in Indian-administered Kashmir, and included “restrictions on the freedom of expression and freedom of association, institutional discrimination of minority groups and misuse of anti-terror laws to target political opponents and activists.” The 2021 HRR states, “To publish within Pakistan-administered Kashmir, media owners continued to require permission from [federal government agencies], and journalists had to depend largely on information provided by the government and military.” It notes that citizens of the region have no representation in the national parliament. Freedom House designates Pakistan-administered Kashmir as “Not Free,” finding extensive human rights issues there, including “laws that curb freedom of expression.”

Other Issues

Along with issues noted above, the 2021 HRR finds significant human rights issues in Pakistan included, among others, “credible reports of” torture and cases of cruel or inhuman treatment by the government or its agents; harsh and life-threatening prison conditions; politically motivated reprisals against individuals in another country, including killings, kidnappings, or violence; unlawful interference with privacy; support to the Taliban, which recruited and used child soldiers; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and the use of laws criminalizing consensual same-sex sexual conduct between adults.

Issues for Congress

Congress has since 2009 linked U.S. foreign assistance to Pakistan to improvements in that country’s democracy and human rights conditions. Most recently, The Consolidated Appropriations Act, 2022 (P.L. 117-103) requires that, to obligate bilateral economic assistance to Pakistan, the Secretary of State must first report to Congress on the extent to which Pakistan’s government “is strengthening democracy in Pakistan, including protecting freedom of expression, assembly, and religion,” among other provisions. Identical language has been carried over in four consecutive appropriations laws dating back to 2019, and appears in pending appropriations bills for FY2023. The Biden Administration requests \$106 million in foreign assistance to Pakistan for FY2023. Congress could consider

whether or not to condition some or all of such aid on improvements in democracy and human rights in Pakistan.

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