

# Pakistan - Human Rights Scorecard <sup>1</sup>

Pakistan, officially the Islamic Republic of Pakistan, is a country situated in Southeast Asia and is bordered by India to the east. It is the 36th largest country in the world. Pakistan has been involved in a long-running territorial dispute with India over the status of Jammu and Kashmir. The two countries have fought three wars over the region since the partition of India in 1947.<sup>2</sup>

**Official languages:** Urdu and English

**Ethnic groups:** Punjabi 44.68%, Pashtun (Pathan) 15.42%, Sindhi 14.1%, Sariaki 8.38%, Muhajirs 7.57%, Balochi 3.57%, Other 6.28%

**Government:** Federal parliamentary republic

- President: Mamnoon Hussain

- Prime Minister: Nawaz Sharif

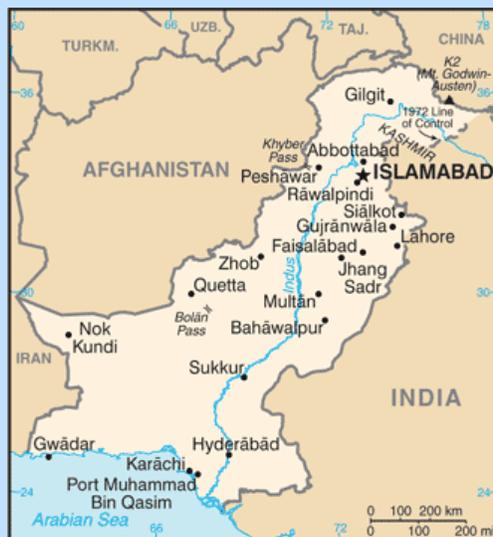
**Death penalty:** Retentionist

**Population:** 201 million

**Life expectancy:** 66.2 years

**Under-5 mortality:** 65.8 per 1000

**Adult literacy:** 94.4 percent



## Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>3</sup>

There have been reports that security forces arbitrarily killed citizens, often with impunity.

### Freedom from disappearance



#### Largely disrespected <sup>4</sup>

There have been reports of kidnapping and forced disappearances by security forces, who often withhold the location of prisoners.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>5</sup>

Although the Pakistani constitution prohibits acts of torture and other cruel, inhuman, or degrading treatment or punishment, the Pakistani criminal code does not outline punishment for perpetrators of torture. There have been reports of security forces torturing individuals in custody.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>6</sup>

The law prohibits arbitrary arrest or detention, but Pakistani authorities do not always comply with these laws.

### Freedom from denial of fair public trial



#### Largely disrespected <sup>7</sup>

Although the law provides the right to an independent judiciary, many lower courts remain corrupt or subject to improper influence by influential religious and/or political figures.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Largely disrespected <sup>8</sup>

The law prohibits such practices and requires search warrants, but police sometimes engaged in illegal searches and steal items from the homes they search.

## Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>9</sup>



**Score: 48.52, Rank: 147/ 179 – Highly controlled, limited or intimidated**<sup>10</sup>

The law grants the freedom of speech and press, but criticizing Islam or the government is largely restricted. Many editors and journalists practice self-censorship due to the frequent harassment or murder of journalists.

### Freedom from academic censorship



**Respected**<sup>11</sup>

There are not reports that the Pakistani government has sought to restrict academic freedom.

### Freedom of peaceful assembly and association



**Partially respected**<sup>12</sup>

The law allows for the freedom of peaceful assembly and association, but there are some reports of security forces restricting certain religious or political groups from gathering or demonstrating.

### Freedom of religion



**Largely disrespected**<sup>13</sup>

The constitution establishes Islam as the state religion. The government continues to enforce blasphemy laws, whose punishments range from life in prison to the death penalty. The minority Muslim Ahmadi sect in Pakistan continues to be targeted by the government for blasphemy.

### Protection of refugees and stateless persons



**Largely disrespected**<sup>14</sup>

No legislation provides for refugee or asylum status. The Pakistani government failed to protect Afghan refugees in the country. Threats from local government officials consequently led thousands of Afghan refugees to return to their home country.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>15 16</sup>



**5/ 7 – Partially free**<sup>17</sup>

The law protects freedom of speech and press, but journalists are often restricted or threatened. Moreover, hundreds of websites are banned due to alleged blasphemous, anti-Islamic, or pornographic content. The freedom of assembly and association is also restricted.

## Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>18</sup>



**4/ 7 – Partially free**<sup>19</sup>

The president is elected and can serve up to two five-year terms. Pakistan has a competitive multiparty system, but parties lack financial transparency and internal democracy.

## Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>20</sup>



**Score: 30%, Rank: 117 / 168 – Highly corrupt**<sup>21</sup>

Corruption in Pakistan is widespread and anti-corruption measures are rarely enforced in Pakistan.

## Section 5: Governmental Response to Criticism

*This section deals specifically with the response heads of state have to civil society or international human rights reports.*

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



#### **Partially respected**<sup>22</sup>

International and domestic human rights organizations operate with little restriction from government, although international non-government organizations are prohibited from engaging in anti-state or political activities.

## Section 6: Discrimination and Societal Abuses

*Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.*

### Rights of women (World Economic Forum Gender Gap Index)<sup>23</sup>



#### **Score: 55%, Rank: 141 / 142 – Very unequal rights**<sup>24</sup>

The law prohibits discrimination on the basis of sex, but authorities enforce it poorly. Women face discrimination in family law, property law, the justice system, labour force participation and educational attainment.

### Rights of Children (KidsRights Index Overall Score)<sup>25</sup>



#### **Score: 60%, Rank: 127 / 165 – Somewhat protected**<sup>26</sup>

There are many laws in place to protect the development and rights of children, but enforcement is often underfunded. Children – particularly girls - in Pakistan face challenges in access to education, protection from abuse, protection from forced marriage, and other areas.

### Rights of persons with disabilities



#### **Largely disrespected**<sup>27</sup>

Although there are laws surrounding the protection of persons with disabilities, the government has failed to adequately enforce them. Persons with disabilities often experience barriers to accessing education and face a lack of accessible jobs.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### **Largely disrespected**<sup>28</sup>

Anti-semitic rhetoric is widespread in the vernacular press, and traditional media often broadcasts such speech.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### **Largely disrespected**<sup>29 30</sup>

No law prohibits discrimination based on sexual orientation or gender identity. Consensual same-sex sexual relations constitute a criminal offence. Individuals accused of such practices can face life in prison if convicted, although the government rarely prosecutes cases.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

### Rights to freedom of association and to collective bargaining



#### **Partially respected**<sup>31</sup>

Provincial governments are responsible for labour laws concerning workers under their jurisdiction. Police often break up large-scale strikes organized by unions. Enforcement of labour laws remains weak.

### Freedom from forced or compulsory labour



#### **Largely disrespected**<sup>32</sup>

Pakistani law prohibits forced labour and cancels all existing bonded labour debts. However, many industries across the country continue to use forced or bonded labour.

## Freedom from forced labour for children, and a minimum age of employment



### Largely disrespected<sup>33</sup>

The constitution sets the minimum age of employment at 14 in any factory, mine, or other hazardous site, but the law does not outline a minimum age of employment for nonhazardous employment. Enforcement of child labour laws on the national level remains ineffective.

## Right to acceptable conditions of work



### Largely disrespected<sup>34</sup>

Health and safety practices are poor in all labour sectors. Labour laws are largely unenforced by the government, giving employers impunity regarding treatment of employees, working conditions, work hours, and pay.

## Right to employment



### 5% - Reasonable unemployment<sup>35</sup>

Although the unemployment rate in Pakistan is currently at a reasonable level, it is expected to go up in the upcoming years.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death Sentences and Executions 2015." Amnesty International. October 20, 2016. Accessed October 20, 2016.

<https://www.amnesty.org/en/what-we-do/death-penalty/>.

<sup>3</sup> "Country Reports on Human Rights Practices for 2015 Pakistan." U.S Department of State. January 1, 2016. Accessed October 20, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>4</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>5</sup> Ibid. U.S Department of State.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>10</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2016. Accessed October 20, 2016.

<https://rsf.org/en/pakistan>

<sup>11</sup> "Country Reports on Human Rights Practices for 2015 Pakistan." U.S Department of State. January 1, 2016. Accessed October 20, 2016.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=253027#wrapper>.

<sup>12</sup> Ibid. U.S Department of State.

<sup>13</sup> "Pakistan." International Religious Freedom Report for 2015 Pakistan. January 1, 2016. Accessed October 20, 2016.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>14</sup> "Pakistan." World Report 2014: Pakistan. January 1, 2015. Accessed October 20, 2016. <http://www.hrw.org/world-report/2016/country-chapters/pakistan>.

<sup>15</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>16</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Oct. 20, 2016

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>17</sup> "Pakistan." Freedom in the World 2016: Pakistan. January 1, 2016. Accessed October 20, 2016. <https://freedomhouse.org/report/freedom-world/2016/pakistan>.

<sup>18</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed October 20, 2016 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>19</sup> "Pakistan." Freedom in the World 2016: Pakistan. January 1, 2016. Accessed October 20, 2016. <https://freedomhouse.org/report/freedom-world/2014/pakistan-0#.VIHLZGG9e8>.

<sup>20</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>21</sup> "Pakistan." Corruption by Country. January 1, 2015. Accessed October 6, 2016. <http://www.transparency.org/country#PAK>.

<sup>22</sup> "Country Reports on Human Rights Practices for 2013 Pakistan." U.S Department of State. January 1, 2015. Accessed October 20, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>23</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>24</sup> "Pakistan." World Economic Forum. January 1, 2014. Accessed October 6, 2016. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=PAK>.

<sup>25</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>26</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed November 25, 2014. <http://www.kidsrightsindex.org/>

<sup>27</sup> "Country Reports on Human Rights Practices for 2015 Pakistan." U.S Department of State. January 1, 2013. Accessed October 20, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>28</sup> Ibid. U.S Department of State.

<sup>29</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2015. Accessed October 20, 2016. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>30</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>31</sup> "Country Reports on Human Rights Practices for 2015 Pakistan." U.S Department of State. January 1, 2016. Accessed October 20, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at [http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>35</sup> "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed October 20, 2016. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).