



DFAT COUNTRY INFORMATION REPORT PAKISTAN

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CONTENTS

ACRONYMS	3
GLOSSARY	4
1. PURPOSE AND SCOPE	6
2. BACKGROUND INFORMATION	7
Country Overview	7
Demography	8
Economic Overview	8
Political System	14
Human Rights Framework	17
Security Situation	18
3. REFUGEE CONVENTION CLAIMS	30
Race/Nationality	30
Religion	40
Political Opinion (actual or imputed)	52
Groups of Interest	59
4. COMPLEMENTARY PROTECTION CLAIMS	72
Arbitrary Deprivation of Life	72
Death Penalty	75
Torture	75
Cruel, Inhuman or Degrading Treatment or Punishment	76
5. OTHER CONSIDERATIONS	78
State Protection	78
Internal Relocation	82
Treatment of Repatriates	82
Documentation	83
Prevalence of Fraud	86

ACRONYMS

ACC Afghan Citizenship Card (issued by National Database and Registration Authority)

ANP Awami National Party (a political party)

BISP Benazir Income Support Program

BRAS Baloch Raji Aajoi Sangar (alliance of nationalist-separatist insurgent groups)

FIR First Information Report (initial police record of a complaint or reported crime)

FSC Federal Shariat Court

GB Gilgit-Baltistan

IOM International Organization for Migration

IMF International Monetary Fund

IS-KP Islamic State Khorasan Province (Sunni Muslim militant group)

ISI Inter-Services Intelligence (Pakistan military)

KP Khyber Pakhtunkhwa (a province)

LGBTQIA+ Lesbian, Gay, Bisexual, Transgender, Queer, Intersex or Asexual

MQM Muttahida Qaumi Movement (a political party)

NADRA National Database and Registration Authority

NCJP National Commission for Justice and Peace

PKR Pakistani Rupee (local currency)

PML-N Pakistan Muslim League-Nawaz (political party)

PoR card Proof of Registration card (issued to Afghan refugees by UNHCR)

PPP Pakistan People's Party (political party)
PTI Pakistan Tehreek-e-Insaf (political party)

SRA Sindhudesh Revolutionary Army (nationalist-separatist insurgent group)

TJP Tehreek-e-Jihad Pakistan (Sunni Muslim militant group)

TLP Tehreek-e-Labbaik Pakistan (political party)

TTP Tehreek-e-Taliban Pakistan (Sunni Muslim militant group)

UNHCR United Nations High Commissioner for Refugees

WHO World Health Organization

GLOSSARY

Aman jirga 'Peace Committees' established Pakistan's government or local communities to help oppose

militant groups in some conflict-affected areas of KP and Balochistan

Barelvi Revivalist movement within Sunni Islam adhering to the Hanafi and Shafi'i schools of

jurisprudence

Constitution Constitution of the Islamic Republic of Pakistan (1973) as amended in 2012

Diyat 'Blood money' or financial compensation paid as an alternative to equal retaliation for

murder, physical injury or property damage (see Qisas)

Fatwa Ruling on a point of Islamic law

Hudood The Hudood Ordinances (1977) replaced moral laws in the Penal Code inherited from Britain

Imambargah Shi'a place of worship

Jalsa Gathering or demonstration

Jihad 'Struggle' or 'effort', also referring to holy war or a struggle/fight against the enemies of Islam

Jirga Tribal council responsible for settling disputes by consensus in accordance with Pashtunwali

(also known as *Panchayats*)

Khatm-e- 'Finality of the Prophethood', meaning Muhammad was the last in the series of prophets and

Nabuwwat a new prophet could not arise after him

Khwaja sira Male-to-female transgender identity, often referred to by the broader term 'transgender'

in English (also known as hijra)

Madrassa Islamic school

Pashtunwali Ethical code or system of law and governance followed by indigenous Pashtuns, mostly used

in rural tribal areas

Purdah Curtain used to separate women from the sight of unrelated men (also used figuratively, i.e.

women live 'behind the purdah')

Qisas Punishment under Islamic law allowing equal retaliation ('eye for an eye') for murder, bodily

injury or property damage

Sharia Islamic law

Tazkira Afghan National Identification Card

Ulema Body of Muslim religious scholars

Zakat Compulsory religious tax under Sunni Islam

Terms used in this report

high risk DFAT is aware of a strong pattern of incidents

moderate risk DFAT is aware of sufficient incidents to suggest a pattern of behaviour

low risk DFAT is aware of incidents but has insufficient evidence to conclude they form a pattern

official discrimination

1. legal or regulatory measures applying to a particular group that impede access to state protection or services that are available to other sections of the population (examples might include but are not limited to difficulties in obtaining personal registrations or identity papers, difficulties in having papers recognised, arbitrary arrest and detention)

2. behaviour by state employees towards a particular group that impedes access to state protection or services otherwise available, including by failure to implement legislative or administrative measures

societal discrimination

- 1. behaviour by members of society (including family members, employers, or service providers) that impedes access by a particular group to goods or services normally available to other sections of society (examples could include but are not limited to refusal to rent property, refusal to sell goods or services, or employment discrimination)
- 2. ostracism or exclusion by members of society (including family, acquaintances, employers, colleagues, or service providers)

1. PURPOSE AND SCOPE

- 1.1 This report was prepared for protection status decision makers by the Department of Foreign Affairs and Trade (DFAT). It provides a general factual overview distinct from Australian Government policy and does not contain policy guidance for decision makers.
- 1.2 According to Ministerial Direction 84 of 24 June 2019, issued under the Migration Act (1958):
 - Where the Department of Foreign Affairs and Trade has prepared [a] country information assessment expressly for protection status determination processes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.
- 1.3 The report was prepared with regard to the current protection visa caseload without reference to individual applications. It provides DFAT's best assessment at the time of writing.
- 1.4 The report draws on in-country knowledge and discussions. It takes into account reporting from a range of credible sources including: other governments, United Nations agencies, human rights and civil society organisations, local and international media and academia. Source details may be omitted to protect sources.
- 1.5 This report replaces the previous Pakistan report published on 25 January 2022.

2. BACKGROUND INFORMATION

COUNTRY OVERVIEW

- 2.1 The Islamic Republic of Pakistan (Pakistan) has a history of <u>political instability</u> and <u>conflict</u>, and is vulnerable to natural and complex humanitarian crises. In 2024, Pakistan hosted one of the largest <u>displaced</u> populations in the world.
- 2.2 Pakistan, then the 'Dominion of Pakistan' within the British Commonwealth, was formed on 14 August 1947 during the partition of India. Pakistan amalgamated British India's Sindh, Balochistan and the North-West Frontier Province, and parts of Punjab and Bengal. Pakistan's founder and first Governor-General, Mohammed Ali Jinnah, envisaged a multi-ethnic nation of religious tolerance, having worked on Hindu-Muslim unity prior to partition. Significant changes to political borders during partition led to widespread rioting and mass population movement, resulting in the death of approximately half a million people and displacement of a further million. In late 1947, disputes over the princely state of Jammu and Kashmir sparked a war with India.
- 2.3 Pakistan remained a constitutional monarchy under the British Commonwealth until 1956, when it declared itself an 'Islamic Republic' with a president as head of state. Pakistan experienced a military coup in 1958, after General Muhammad Ayub Khan dismissed the National Assembly. In 1971, the Indo-Pakistani War broke out, resulting in the independence of East Pakistan (formerly East Bengal) which became the People's Republic of Bangladesh.
- 2.4 In 1977, General Mohammad Zia-ul-Haq seized power in Pakistan's second successful coup, declared martial law and suspended all political parties. During his decade in power, Zia worked for the Islamisation of Pakistan's political and cultural life by enforcing *Nizam-e-Mustafa* ('rule of the prophet').
- 2.5 Pakistan returned to civilian rule in 1988 under Prime Minister Benazir Bhutto, although the military continued to hold considerable influence. In 1999, the third successful coup led to declaration of martial law under General Pervez Musharraf. Pakistan remained under Musharraf's military rule for nine years until 2008, when power transitioned to an elected civilian government led by Prime Minister Yousaf Raza Gilani of the Pakistan's Peoples Party (PPP).
- 2.6 More recently, Imran Khan, leader of the <u>Pakistan Tehreek-e-Insaf</u> party (Pakistan Movement for Justice) or PTI, was elected Prime Minister in July 2018. Despite promises to tackle corruption, reduce inequality and combat religious intolerance, Khan's government was accused of restricting <u>free speech</u>, harassing opponents and failing to curb <u>religious extremism</u>. In 2022, Khan was removed as Prime Minister by a motion of 'no confidence' in the National Assembly. Shortly afterwards, Khan was temporarily barred from holding public office and survived an attempt on his life. On 9 May 2023, he was arrested by authorities, prompting large <u>protests</u> that included attacks on military installations and government buildings. Imran Khan was released on bail on 12 May 2023 after his arrest was declared 'invalid and unlawful' by the Supreme Court. However, at the time of writing, Khan was involved in over 150 cases and had been sentenced in several, including to three years, 10 years, 14 years and seven years to be served concurrently under Pakistani law.
- 2.7 In April 2022, the National Assembly selected Shehbaz Sharif (the younger brother of former Prime Minister, Nawaz Sharif) as Pakistan's new Prime Minister. Shehbaz's government immediately appealed

to international creditors and the International Monetary Fund (IMF) for billions of dollars in assistance to help Pakistan with its mounting balance-of-payment crisis, devaluing currency, high levels of inflation and substantial debt obligations. Between June and October 2022, heavy rainfall and a severe heat wave caused Hindu Kush Himalayan glaciers to melt, leading to widespread flooding that left thousands of Pakistanis dead and tens of millions displaced.

2.8 The National Assembly was dissolved on 9 August 2023 and a caretaker government appointed. After several delays, national elections were finally held on 8 February 2024. The military was accused by political parties and human rights organisations of widespread manipulation in the lead-up to and during the vote. In Pakistan's third consecutive democratic handover of power between civilian governments since 2008, a coalition was formed and Shehbaz Sharif was returned as Prime Minister.

DEMOGRAPHY

- According to the 2023 *National Census*, Pakistan's population was 241.49 million (annual growth rate of 2.55 per cent). Approximately 50 per cent of the population was 19 years of age or younger, 61 per cent lived in rural areas and 46 per cent lived in Punjab. Lahore was the largest city (22.77 million), followed by Karachi (20.38 million). By contrast, the capital, Islamabad, had a population of 2.36 million. For ethnic demography, see <u>Race/Nationality</u>. For religious demography, see <u>Religion</u>.
- 2.10 Pakistan's national languages are English and Urdu. Other significant languages include Balochi, Pashto, Punjabi and Sindhi. English is widely used by the government, judiciary and the elite, and is commonly spoken in cities. English is the language of instruction in many schools, although not taught everywhere (including in *madrassas*) and may not be accessible to all. Urdu is widely spoken but is the mother tongue of 7.1 per cent of the population. Punjabi is the mother tongue of almost 39 per cent of the population.

ECONOMIC OVERVIEW

- 2.11 Pakistan is a lower-middle income country with a gross domestic product (GDP) per capita of AUD2,520 in 2024. The United Nations Development Programme (UNDP) ranked Pakistan 164 out of 191 countries in its 2023-24 *Human Development* Report, placing it in the 'low human development' category. According to the World Bank, the estimated lower-middle income poverty rate was 40.5 percent for 2024 with an additional 2.6 million Pakistanis falling below the poverty line from the year before. Major economic sectors are services (58.6 per cent of GDP), agriculture (22.9 per cent) and manufacturing (12 per cent).
- 2.12 Since 1958, Pakistan has received 25 IMF loans, the most recent on 25 September 2024. Debt servicing remains a significant issue for Pakistan's government, with the 2024-25 Federal Budget allocating nearly 64 per cent of current expenditure towards 'Capital and Debt Management'. In 2024, public debt was 77 per cent of GDP. Longer term, these pressures could constrain Pakistan's ability to spend on health, education and other areas related to economic development. In 2024, the World Bank forecast economic growth was expected to remain 'sluggish', with downside risks remaining 'exceptionally high'. Inflation was persistent throughout 2023 and 2024, reaching a high of 28 per cent in early 2024. Tight monetary policy from the State Bank of Pakistan helped reduce inflation to 4 per cent in late 2024.
- 2.13 Pakistan's living standards are in protracted decline, despite IMF data suggesting 3.2 per cent GDP growth between 2023 and 2024. High rates of childhood stunting (over 40 per cent of children under five) and illiteracy (80 per cent under ten could not read age-appropriate text) mean Pakistan's labour force continues to be beset by poor educational attainment, low productivity and depressed wages. Despite the cyclical and structural downturn, in-country sources reported the informal economy had proven resilient. The World Bank estimated the informal economy represented at least 32 per cent of Pakistan's GDP in 2023, and the 2020-21

Pakistan Labour Force Survey reported Pakistan's share of employment in the informal sector was more than 72.5 per cent of all non-agricultural employment.

- 2.14 The 2022 floods killed approximately 1,730 people, causing AUD22.7 billion in damage and AUD23.2 billion in economic loss. In-country sources told DFAT many rural farmers were heavily indebted to landlords because their modest economic resources had been destroyed during the 2022 floods. Rampant inflation and high food prices in 2022 made it difficult for the poor to meet their basic nutritional needs. Men from rural villages were increasingly leaving flooded agricultural plots to seek better economic opportunities in cities. By contrast, in-country sources said the heatwaves of 2023 were not as intense as reported internationally and did not cause significant long-lasting difficulties.
- 2.15 Economic conditions have deteriorated significantly since the publication of DFAT's *Country Information Report on Pakistan* in 2022, and DFAT assesses they are a major push factor for both legal and illegal migration from across Pakistan (see also <u>Employment</u>).

Employment

- 2.16 Article 18 of the 1973 Constitution of the Islamic Republic of Pakistan as amended in 2012 (the Constitution) states 'every citizen shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business'. In-country sources told DFAT Pakistan's government often addressed challenges posed by its rapidly expanding population and high unemployment rates by promoting emigration and overseas employment opportunities. Remittances from migrant labour have assisted households during sustained economic decline.
- 2.17 Pakistan's unemployment rate reached an all-time high of 8.5 per cent in January 2024 (approximately 6.2 million people), according to the IMF. The International Labour Organization (ILO) estimated the female unemployment rate, historically at least 1.5 times that of males, may have reached upwards of 11.1 per cent during 2024. Over 31 per cent of educated youth were unemployed in 2023, and the unemployment rate for recent graduates in Pakistan was almost 10 per cent higher than the overall unemployment rate in 2023. The Pakistan Institute of Development Economics ascribed high youth unemployment to the skillsets of graduates. In-country sources told DFAT the poor state of the economy and unemployment, particularly youth unemployment, were primary factors driving migration.
- 2.18 The *Emigration Ordinance* (1979) governs emigration, which mandates the government's role in intervening to promote overseas employment, control and regulate outflows, and protect migrant workers' rights and welfare. Pakistan's government also licences Overseas Employment Promoters (private recruitment companies) to facilitate overseas employment by establishing contracts between foreign employers and Pakistani workers. Local media reported 390,119 Pakistanis had emigrated between January and August 2024. This was in addition to the 862,625 Pakistanis who emigrated during 2023 and 832,339 in 2022. In 2023, almost 50 per cent of those emigrating were from Punjab and nearly a third were from Khyber Pakhtunkhwa (KP). Remittances in the 2022-23 financial year totalled AUD40.4 billion or roughly 10 per cent of GDP, considerably higher than the average for South Asia as a whole and roughly equal to the value of Pakistan's net imports of goods and services.
- 2.19 Pakistan's main social assistance program is the national level Benazir Income Support Program (BISP), which generally disburses benefits as unconditional cash transfers to eligible women and transgender people. In 2023, BISP disbursed quarterly instalments of PKR7,000 (AUD46) to 7.7 million families (20 per cent of all households in Pakistan). A broader social protection scheme called *Ehsaas* also exists as an 'emergency cash program', providing cash transfers of PKR25,000 (AUD164) to eligible people affected by rains and floods.

According to in-country sources, while societal protection systems existed at the provincial level, they were heavily politicised and discretion could prioritise certain communities over others.

Education

- 2.20 Article 25 of the Constitution states the 'State shall provide free and compulsory education to all children of the age of five to sixteen years'. In practice, insufficient budgets, sociocultural barriers, lack of capacity and inadequate facilities affect the quality and availability of education. According to the World Bank, Pakistan spent 1.9 per cent of GDP on education in 2023, well below the global average of 4.2 per cent. Pakistan had the world's second-highest number of out-of-school children according to UNICEF, with an estimated 22.8 million children aged 5 to 16 not attending school (44 per cent).
- 2.21 Pakistan's decentralised public education system spans preschool (from 3 years of age), primary, middle, secondary and intermediate (leading to a Higher Secondary School Certificate). There are 180,000 public educational institutions throughout the country. School budgets and education quality vary widely, urban areas generally have better services and facilities than those in rural and remote areas. In general, public schools across Pakistan suffer from a lack of funding, shortages of teachers, high rates of teacher absenteeism and inadequate facilities.
- 2.22 As of 2021, an estimated 42 per cent of Pakistani school children attended a private institution (not including *madrassas*). Many of these schools were considered relatively inexpensive by the middle class and the elite and charged as little as a few Australian dollars per month in fees. Students at private schools generally outperformed students at public schools, although the overall level of educational attainment in both remained low by international standards.
- 2.23 A complex interplay of gender, socio-economic, provincial resourcing and geographic disparities influences access to education across Pakistan. For example, 52 per cent of the poorest children in Sindh and 78 per cent of girls in Balochistan were out of school in 2024. According to in-country sources, overall school attendance for girls at the 'middle level' (years 6-8) was only 37 per cent, while less than 20 per cent attended 'secondary' and above (years 9-12). In Sindh and Punjab, transportation was a serious concern for parents, who reported they were often not comfortable sending their daughters to other villages or districts for schooling where they faced harassment and safety risks. The UN Special Rapporteur on the right to education and UN Special Rapporteur on violence against women and girls documented the destruction of at least four girls' schools in North and South Waziristan in KP, and Balochistan, by extremists opposed to girls' education in 2024. Female education is not encouraged in some Pashtun dominated areas of KP and Balochistan, with girls often forced to leave school at an early age due to religious and family pressure.
- 2.24 In addition to public and private schools, there are an estimated 30,000 registered and 22,000 unregistered *madrassas* (Islamic religious schools) in Pakistan (see Religion). According to in-country sources, about 4.6 million Pakistani students attended *madrassas* in 2021, mostly from poor backgrounds. In addition to education, *madrassas* often provided food, clothing and shelter. In-country sources told DFAT most Pashtun children were educated in *madrassas* not for cultural and religious reasons but because of families' limited financial means. Since 2018, Pakistan's government has been working to register *madrassas* and mainstream *madrassa* curricula to align with the public education system. In late 2024, Pakistan's government acceded to the demands of the Jamiat Ulema-e-Islam Party (JUI-F), allowing *madrassas* to be registered via different channels with either the Department of Education or the Department of Industry.
- 2.25 According to the Ministry of Federal Education, in 2021 the <u>PTI</u> government introduced a 'Single National Curriculum' (SNC) to be applied across the country, to foster unity and provide equal opportunities

for children to receive quality education. The SNC was implemented at the primary level (years 1-5) between 2021 and 2022, the secondary level between 2022 and 2023, and for grades 9-12 between 2023 and 2024. In-country sources told DFAT the SNC often fostered religious discrimination in schools because non-Muslim students were forced to study an Islamic curriculum. For example, in-country sources said Islamic references were found throughout SNC textbooks (including in non-religious portions like mathematics, social studies, Urdu, science and general knowledge), and religious minorities were often slandered as 'infidels'. In this way, the SNC directly conflicted with guarantees for non-Muslim citizens in the Constitution under Article 22(1), which states 'no person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own'. Women's activists reported the majority of females depicted in SNC textbooks were shown in subservient positions doing domestic work or taking care of families, internalising gender roles at an early age.

- 2.26 Tertiary education in Pakistan is offered at public and private universities, and affiliated colleges, including vocational and degree courses. Entrance is merit-based, although public institutions reserve quotas for students from rural and underdeveloped areas, as well as recognised minorities. Although detailed data was limited, in-country sources and local media reported religious and ethnic minorities remained underrepresented in Pakistani universities.
- 2.27 DFAT assesses Pakistanis can access education without discrimination on ethnic grounds, with the exception of Pashtun girls in certain areas of KP an Balochistan. <u>Religious minorities</u> face a moderate risk of official discrimination when accessing the education system in the form of being forced to study an Islamic curriculum under the SNC, despite explicit constitutional protections against this practice (see also <u>Religion</u>).

Healthcare

- 2.28 The average life expectancy in Pakistan was 66 years in 2021 according to the World Bank, with higher life expectancy rates in urban areas. Mortality rates were highest for non-communicable diseases such as heart disease, stroke, diabetes, and lung diseases. Pakistan also had one of the highest mortality rates for children under-five, surpassing the global rate of 37 deaths per 1,000 livebirths, with an infant mortality rate of 53 per 1,000 live births in 2022. Neonatal conditions and diarrhoeal diseases induced by poor water, sanitation and hygiene leading to malnutrition are leading causes of death according to the World Health Organization (WHO). According to UNICEF data, Pakistan's global acute malnutrition rate was 17.7 per cent in 2024. Pakistan is one of two countries in the world where endemic transmission of wild poliovirus occurs. Seventy cases of polio were reported in Pakistan in 2024 (see also Health Workers).
- 2.29 The standard and availability of healthcare in Pakistan is poor. The Pakistan Medical Association reported the government spent 1 per cent of GDP on healthcare in the 2022-23 financial year, very low by global standards. There was approximately one doctor per 1,000 people, and even fewer nurses and midwives. The WHO stated healthcare delivery suffered due to an inadequate workforce, uneven distribution of health professionals and insufficient government funding of the sector, combined with a high rate of population growth. In-country sources told DFAT the quality and availability of healthcare was generally much better in cities than in rural areas. A 2023 article on challenges facing Pakistan's healthcare system published in *Cureus Journal* found the inequitable distribution of resources in the healthcare domain in Pakistan had resulted in a 'huge disparity' in health outcomes between those residing in urban and rural areas.
- 2.30 Healthcare was devolved to the provincial level in 2010 with implementation managed at the local district level. Healthcare is provided through a mix of public and private hospitals, clinics and GPs. Village-based 'Lady Health Workers' also service many rural communities. A range of traditional healers and unlicensed medical practitioners also practice in Pakistan.

- 2.31 The public health system is free for Pakistanis and some medicines can be accessed free of charge from government-run hospitals in all provinces. In 2024, there were 1,201 hospitals, 5,518 Basic Health Units, 683 Rural Health Centres, 5,802 dispensaries, 731 Maternity and Child Health Centres and 347 tuberculosis centres, with an estimated 123,394 total beds available. Government investment in primary healthcare had continually decreased, resulting in the number of community healthcare providers shrinking significantly, especially in rural Sindh and Balochistan. Fitch Solutions' Country Risk and Industry Research Unit forecast healthcare spending as a share of GDP is set to fall to 2.5 per cent by 2026.
- 2.32 The private sector supplements Pakistan's limited, under resourced public health facilities. The number of private hospitals, clinics and diagnostic labs has increased considerably since 2020. In 2024, most healthcare services were contracted out by provincial governments, even in rural areas, with upwards of 80 per cent of the healthcare system administered by the private sector. Approximately 60 per cent of healthcare costs were borne as out-of-pocket expenses by patients.
- 2.33 In 2019, Pakistan's government introduced the *Sehat Sahulat* Program or SSP to provide financial protection and access to healthcare services for the poorest and most vulnerable segments of society. The National Database and Registration Authority (NADRA) administered the SSP and issued eligible households with health insurance cards, which provided access to free primary and secondary healthcare services, including hospitalisation, surgeries and diagnostic tests. The SSP operates nationwide and has received international praise for improving access to healthcare for the poor. However, local media reported in September 2023 a high number of patients in Punjab were refused treatment under the SSP due to a payment dispute between the provincial government and insurance provider. On 8 December 2023, Health Minister, Dr Nadeem Jan, stated Pakistan was not closing the SSP but faced financial difficulties continuing the program in Islamabad, Azad Jammu and Kashmir, Gilgit-Baltistan (GB) and the District of Tharparkar in Sindh.
- 2.34 DFAT assesses Pakistanis can access healthcare services without discrimination but quality and availability varies widely and could be inadequate, especially in rural areas. The poor and most vulnerable those unable to afford private health care services are disproportionally affected in areas of Pakistan where public health care services are not available.

Mental health

- 2.35 Pakistan's government enacted the *Pakistan Mental Health Ordinance* (MHO) in 2001 to replace the *Lunacy Act* (1912). The MHO emphasised strategies for the 'promotion and prevention' of mental health conditions, focusing on developing local services and protecting patient's rights. After healthcare was devolved to the provinces in 2010, Sindh passed its own *Mental Health Act* (2013) and Punjab enacted its *Punjab Mental Health Act* (2014), based on the MHO. At the time of writing, Balochistan and KP had yet to implement their own mental health acts, despite pressure from legal and medical professionals. According to scholars, Pakistan's public health sector had yet to fully recognise psychology as a separate profession, leaving the field underserviced in terms of legislation and institutional infrastructure.
- 2.36 Mental health conditions are reportedly common in Pakistan. Data from the WHO showed 'mental disorders' accounted for more than 4 per cent of the 'total disease burden in Pakistan', with an estimated 24 million people in need of psychiatric assistance. The WHO also stated resources for the screening and treatment of mental health disorders in Pakistan were insufficient to meet increasing needs, with less than one psychiatrist per 100,000 people, one of the lowest ratios in the world.
- 2.37 Government-run hospitals have mental health units, and medication to treat mental illness is often provided free of charge through the public system. However, according to data from international academics and the World Bank, there were approximately 270 psychiatrists and no more than 500 psychologists working in Pakistan in 2024. There were four large psychiatric hospitals and 654 psychiatric units operating across the country. There were only 2.1 mental health beds per 100,000 people in 2020. Underfunding and resourcing of

the mental health sector leaves more than 90 per cent of people living with common mental health conditions untreated.

- 2.38 Those who cannot or do not wish to access conventional psychiatric treatment sometimes turn to traditional spiritual or faith-based healers known as *baba*, *pir* or *sufi*, as many people perceive mental health conditions to be the result of supernatural influences. Commonly used faith-healing techniques involve repetition of Quranic verses and the use of *taweez* (ropes) on the body.
- 2.39 DFAT assesses Pakistanis can access public mental health care services without discrimination but the quality and availability varies widely and can be inadequate, especially in rural areas, more so than the broader public health services. The poor and most vulnerable those unable to afford private mental health care services often reside in areas where public mental health care services are not available.

People living with HIV

- 2.40 The first case of HIV in Pakistan was recorded in 1987 but widespread infection did not occur until 2004. Significant outbreaks of HIV occurred in Punjab in 20218 due to local healthcare facilities re-using contaminated needles. In 2021 there were approximately 25,000 new HIV infections country-wide and a further 27,000 in 2022. By 2023, a total of 210,000 adults and 4,600 children below the age of 15 years were living with HIV. According to the WHO, Pakistan faced an elevated risk of HIV transmission as a result of poverty, low literacy, gender-related discrimination, ignorance about modes of transmission and stigma prohibiting people with risk behaviours from seeking HIV testing or disclosing their HIV positive status. In 2024, HIV was considered a 'concentrated epidemic' in Pakistan because its prevalence in traditional risk groups (including people who inject drugs, the transgender community, sex workers, and men who have sex with men) exceeded 5 per cent.
- 2.41 Pakistan's government runs 70 HIV treatment centres offering free testing, antiretroviral therapy (ART) and diagnostic services to 'all those infected and affected by HIV'. However, local health experts stated not all HIV/AIDS-related health services were available in government facilities and patients had to pay out-of-pocket fees for some services. Pakistan's National Aids Control Program stated only 25 per cent of those living with HIV had registered for treatment, of which only 61 per cent received ART in 2023.
- 2.42 The misconception HIV can only be transmitted by 'illicit' or extramarital sex is pervasive in Pakistan. Some also link those living with HIV with same-gender sexual behaviour, prohibited under Islam, resulting in stigma, prejudice and social exclusion. Social stigma often leads people living with HIV to hide their diagnosis to protect their family's 'honour'. A 2017 USAID-funded study on discriminatory attitudes toward people living with HIV in Pakistan found: 58 per cent of women and 62 per cent of men said they would keep the positive HIV status of a family member secret, more than 54 per cent of respondents said they would not buy vegetables from an HIV-infected vendor; and 35 per cent of women and 48 per cent of men would not be willing to allow an HIV-infected teacher to continue teaching in a school. *Pakistani Demographic Health Survey* (PDHS) data from 2017–18 reported 59 per cent of respondents harboured 'negative attitudes' toward people living with HIV and poor knowledge of HIV and low levels of education were associated with discriminatory attitudes towards individuals living with HIV.
- 2.43 In March 2023, Deutsche Welle interviewed people in KP living with HIV about the challenges they faced. Interviewees reported common experiences including eviction from joint households shared with extended families after their HIV diagnoses became known. Deutsche Welle reported a man living with HIV and his family had suffered 'social rejection, discrimination, and stigma and felt like pariahs among our own people.' A woman living with HIV said she was forced to move with her 7-year-old child to another village kilometres away from her extended family. Although she had accessed treatment, she did not disclose her HIV-positive status to any other villagers due to fear of further eviction. The Pakistan Institute of Medical

Sciences reported in 2017 people living with HIV were often denied medical services, including dentistry, surgery and obstetric care, and their HIV-positive status was sometimes disclosed without consent.

- 2.44 Sindh is the only province to have passed dedicated legislation to protect people living with HIV from discrimination. Chapter 3 of the *Sindh HIV Law* (2014) 'prohibits discrimination by any person, whether in the field of health care services, education, employment, provision of general utility and or any other form of services and or in relation to accommodation, whether in respect of accommodation for lease, rent, to let or hire and or for purchase, against another person on the basis of such other person's HIV status, or presumed, suspected or alleged HIV status'. Those found to have discriminated against an individual on the basis of their HIV status in Sindh can be punished with fines of PKR50,000 (approximately AUD273), although it is unclear whether this is enforced.
- 2.45 The Constitution guarantees Pakistanis fundamental rights, including 'equality of status, of opportunity and before the law, social, economic and political justice' but there are no HIV-specific national laws in Pakistan. In 2018, Pakistan's government, in partnership with civil society organisations (CSO), launched a program targeting individuals most at-risk to educate them on HIV prevention, testing, counselling, and connected them to HIV treatment services. In 2023, approximately 54 CSOs delivered programs to raise HIV/AIDS awareness and provide support for those living with HIV.
- 2.46 DFAT assesses people living with HIV experience a moderate risk of official discrimination based on their HIV status, including when accessing public medical services. People living with HIV face a high risk of societal discrimination based on their HIV status in the form of accessing housing and employment. DFAT is not aware of violence perpetrated against people living with HIV based on their HIV status alone. Members of the LGBTQIA+ community may face elevated risks.

POLITICAL SYSTEM

Governmental structure

- 2.47 Pakistan is a federal parliamentary republic with a bicameral legislature consisting of the National Assembly (lower house) and the Senate (upper house). Under the Constitution, all powers are vested in the Parliament, the Prime Minister and the Supreme Court, with the powers and duties of other authorities defined by Acts of Parliament. The Prime Minister is elected by the National Assembly and leads the executive branch, while the role of President is largely ceremonial. The military is theoretically accountable to the Prime Minister and, through that position, the President. In practice, the military exerts significant influence on all levels of Pakistani politics through its intelligence service, and pro-military government officials and civilians.
- 2.48 The National Assembly and Senate have 336 and 96 members, respectively. National Assembly members are elected for five years and Senate members for six years. Of the 336 lower-house seats, 266 are filled through direct elections in single-member districts, 60 are reserved for women, and 10 are reserved for non-Muslim minorities. Reserved seats are filled through a proportional representation system with closed party lists. Each provincial assembly chooses 23 members for the Senate, with the National Assembly selecting four senators to represent the Islamabad Capital Territory. GB, and Azad Jammu and Kashmir (areas claimed by India but administered by Pakistan) are not represented in the Senate.
- 2.49 Pakistan has four provinces with their own elected provincial assemblies and governments, <u>Balochistan</u> (capital: Quetta), <u>KP</u> (formerly the North-West Frontier Province and now including the former Federally Administered Tribal Areas (FATA) on the Afghanistan-Pakistan border; capital: Peshawar), Punjab

(capital: Lahore) and <u>Sindh</u> (capital: Karachi). <u>Islamabad</u> has its own status as a 'Federal Capital Territory'. A Chief Minister heads each provincial government. Each province has a Governor appointed by the President.

- 2.50 Local government is made up of various divisions, districts, subdistricts (*tehsils* or *tahsils*), municipal and village councils. These units are run by a hierarchy of administrators, such as the divisional commissioner, the deputy commissioner at the district level, and the subdivisional magistrate, subdivisional officer, or *tehsildar* (*tahsildar*) at the subdistrict level. The key level is the district, where the deputy commissioner shares power with the elected chairman of the district council.
- 2.51 Until 31 May 2018, FATA was directly controlled by the national government. FATA was governed under colonial-era laws called the *Frontier Crime Regulations* (FCR), which often deprived residents of fundamental rights, including freedom of movement and access to justice, while exposing them to collective punishment. The former FATA agencies are now part of <u>KP</u> province (see also <u>Pashtuns</u>).
- 2.52 Pakistani citizens over 18 are eligible to vote, although <u>Ahmadis</u> are excluded in practice. In-country sources told DFAT Pakistanis tended to vote according to <u>ethnic</u>, local or feudal ties rather than ideological, <u>religious</u> or sectarian allegiances. However, Imran Khan's <u>PTI</u> has begun to change this dynamic, with passionate followers across the country particularly among Pakistan's youth.
- 2.53 In-country sources in Islamabad, KP, Punjab and Sindh told DFAT elections were rarely free and fair. In the Economist Intelligence Unit's 2024 *Democracy Index*, Pakistan ranked 124th out of 167 countries and was described as an 'authoritarian regime'. In its 2023 report, Freedom House characterised Pakistan as 'partly free' and stated 'the military exert[ed] enormous influence over security and other policy issues, intimidate[d] the media, and enjoy[ed] impunity for indiscriminate or extra-legal use of force'. The 2023 Freedom House report also stated 'authorities impose[d] selective restrictions on civil liberties, and Islamist militants carr[ied] out attacks on religious minorities and other perceived opponents'.
- 2.54 Former Prime Minister, Imran Khan, was disqualified from the February 2024 general elections and his <u>PTI</u> party candidates forced to contest as independents. International media reported in 2024 the <u>military</u>, <u>intelligence agencies</u> and <u>police</u> often prevented the PTI from holding public gatherings and had banned or arrested key party figures. Despite efforts to suppress them, PTI-backed independent candidates won more than 90 of the 266 seats contested. On 12 July 2024, the Supreme Court determined 'the PTI was and is a political party' and therefore eligible for reserved seats in the 2024 national election a decision rejected by Pakistan's government.
- 2.55 Some countries and human rights organisations have formed their own assessments on whether manipulation and ballot-box rigging occurred during Pakistan's February 2024 election. For example, Australia's Department of Foreign Affairs and Trade publicly stated 'the Pakistani people were restricted in their choice, since not all political parties were allowed to contest these elections'. Human Rights Watch stated the elections were marred by authorities' widespread clampdown on freedom of expression and association and 'the mass detention and harassment of supporters of the PTI, including a ban on the use of its election symbol, undermined a fair vote and prevented a level playing field for all candidates'. Amnesty International stated Pakistani authorities 'violated the rights to freedom of expression and peaceful assembly, including of opposition leaders and parties, during this election cycle'. Local and international media reported on 17 February 2024 the Commissioner of Rawalpindi in Punjab stated he had come under immense pressure during the election to change the election results to ensure independent candidates linked to the PTI did not win seats. A petition alleging election rigging was before the Supreme Court at the time of writing.

Corruption

2.56 In-country sources told DFAT corruption, both petty and serious, was prolific throughout Pakistan, historically driven by low public sector wages and a culture of nepotism, patronage and kinship ties that

overrode loyalty to the state or respect for law. According to the US Department of State's *Pakistan 2023 Human Rights Report*, 'officials frequently engaged in corrupt practices at all levels' and 'corruption was pervasive in politics and government, and various politicians and public office holders faced allegations of corruption, including bribery, extortion, cronyism, nepotism, patronage, graft, and embezzlement'. In-country sources told DFAT Pakistan's worsening economic situation had fostered increased rent-seeking behaviour from government officials at all levels, and bribes were commonly sought for access to social services, education, healthcare, and even matters concerning state protection and religion.

- 2.57 In 2023, Transparency International ranked Pakistan 133 out of 180 countries in its *Corruption Perceptions Index*, detailing public perception of high levels of 'abuse of entrusted power for private gain' in the public sector. Pakistan was ranked 129 out of 142 countries in the World Justice Project's 2024 *Rule of Law Index*, with data showing the majority of Pakistanis did not trust the formal justice system to provide them with justice, largely due to perceptions of corruption. UNDP's 2020 *National Human Development Report* reported on the prevalence of corruption in Pakistani society as it related to employment, education, and access to justice. According to the report: women textile workers in Sindh stated if a man hit his wife, he could always count on bribing the police to get away with it; women home-based workers in Balochistan stated their children could never compete with the children of richer parents who could 'buy' public school exam questions, or bribe teachers to allow cheating; young men from KP reported the only way to access a doctor or specialist in some hospitals was through a paid 'reference', and; participants from Azad Jammu and Kashmir said nepotism and favouritism helped people secure low-level government jobs.
- 2.58 The *National Accountability Bureau Ordinance* (1999) established the National Accountability Bureau (NAB), an autonomous federal institution tasked with combating cases of corruption and financial crimes. NAB has the authority to launch investigations, conduct inquiries, and issue arrest warrants against individuals suspected in financial mismanagement, terrorism and corruption. Under Section 10(a) of the *National Accountability Bureau Ordinance* (1999), a 'holder of public office, or any other person who commits the offence of corruption and corrupt practices shall be punishable with rigorous imprisonment for a term which may extend to 14 years and with fine'.
- 2.59 <u>CSOs</u>, <u>human rights defenders</u> and <u>politicians</u> stated the NAB primarily used its powers to target government critics and those who had fallen out of favour with 'the <u>military</u> and <u>security services</u>, including former prime ministers Imran Khan, Shahid Khaqan Abbasi and Nawaz Sharif'. In July 2020, the Supreme Court ruled the NAB violated the rights to fair trial and due process in the arrest of two opposition politicians, Khawaja Saad Rafique and Khawaja Salman Rafique, whom the NAB detained for 15 months 'without reasonable grounds'. The Supreme Court granted the men bail and criticised the NAB for showing 'utter disregard to the law, fair play, equity and propriety'. CSOs, human rights defenders and politicians have also stated the NAB failed to investigate and close cases against those affiliated with Pakistan's government. For example, the former chairman of the NAB, Javed Chaudhry, admitted in a May 2019 interview his agency did not arrest government affiliates in order to avoid 'instability'.
- The National Accountability Bureau Ordinance (1999) does not recognise military officers as public office holders, effectively granting them immunity from investigations into unusual accumulation of wealth and property. In 2020, the UNDP stated the military was the largest conglomerate of business entities in Pakistan, the biggest urban real estate developer and manager, and had wide-ranging involvement in the construction of public projects. In May 2024, local and international media reported current and former military officers and their families owned a substantial portion of residential properties in Dubai, worth an estimated AUD16.7 billion in total. In-country sources told DFAT there was little to no oversight over the military by elected officials and the judiciary. For example, no investigations occurred after the International Consortium of Investigative Journalists reported in 2021 military generals had moved millions of dollars through offshore companies, naming five former high-ranking military officers as linked to large offshore investments in property and commercial enterprises. Similarly, no investigations were reported until nearly a

year after *FactFocus* published a story in November 2022 about unexplained wealth and property worth nearly AUD80 million accumulated by family members of General Qamar Javed Bajwa during his six-year term as Chief of Army Staff.

- 2.61 Provincial governments have passed legislation to address local corruption, including the Anti-Corruption Rules (1965) in Punjab, Enquiries and Anti-Corruption Rules (1993) in Sindh, Enquiries and Anti-Corruption Rules (2011) in Balochistan and the Right to Information Act (2013) in KP. All provinces have established anti-corruption establishments (ACE). Local media has highlighted cases of high-profile political interference in the work of ACE throughout Pakistan and raised concerns regarding the efficiency of ACE. For example, in December 2023 Punjab Governor, Balighur Rehman, promulgated the Punjab Anti-Corruption Establishment (Amendment) Ordinance (2023), which reduced the ability of ACE to register cases against public servants. In November 2023, Sindh Chief Minister, Maqbool Baqar, expressed 'dissatisfaction' that in the previous five years ACE had filed charges against 759 individuals but only 65 had been convicted (an 8.5 per cent conviction rate).
- 2.62 Regarding whistleblowers, the *Competition (Reward Payment to Informants) Regulations* (2014) states authorities will keep the identity of the informant confidential. However, local media reported in 2020 whistleblowers understood they would likely be publicly identified and endure a hostile work environment, face the threat of losing their job, and other reprisals at the hands of the accused organisation.
- 2.63 In-country sources told DFAT anti-corruption agencies existed at the federal and provincial levels but were not effective. In reality, there is nowhere for ordinary people go to resolve issues related to bribery and corruption. Freedom House stated in 2022 despite numerous formal safeguards, 'official corruption [was] endemic in practice', the use of accountability mechanisms was often 'selective and politically driven', and the broader court system itself marred by corruption (see also <u>Prevalence of Fraud, Police</u>).

HUMAN RIGHTS FRAMEWORK

- 2.64 Pakistan's Constitution guarantees a number of 'fundamental rights' under articles 8-28, including security of person, inviolability of dignity of man, <u>freedom of movement</u>, <u>freedom of association</u>, <u>freedom of speech</u> and <u>equality of citizens</u>. The Constitution also prohibits discrimination on the basis of race, religion, caste or sex. These rights are not frequently respected by authorities according to human rights organisations.
- 2.65 Pakistan is a party to core international human rights instruments, although full implementation of these instruments has not occurred (for a full list, see the <u>United Nation's Treaty Body Database website</u>). Pakistan is not party to the *Optional Protocol of the Convention against Torture; Convention for the Protection of All Persons from Enforced Disappearance;* and the *Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.* For more information, see <u>Torture, Enforced or involuntary disappearance, Death Penalty</u>.
- 2.66 The Ministry of Human Rights was established in 1995 and charged with creating and strengthening institutional mechanisms for the protection and promotion of human rights as enshrined in the Constitution. In 2016, the Ministry of Human Rights launched an *Action Plan for Human Rights* and created a National Task Force under the Chairmanship of Federal Minister for Human Rights to foster closer collaboration between Federal Ministries and Provincial Departments. In 2021, the Ministry of Human Rights published a *National Action Plan on Business and Human Rights*, aimed at protecting human rights that could be negatively impacted by business activity and fostering corporate respect for human rights. Implementation of these plans has been inconsistent and weakly enforced.
- 2.67 Other bodies responsible for legislating on human rights at the federal level include the Ministry for Law and Justice, the Ministry for Religious Affairs and Interfaith Harmony, and the Council for Islamic Ideology

(CII). The CII is a constitutional body that advises the legislature whether laws are in accordance with Islam and engages on 'sensitive' human rights issues independently or at the government's request.

Federal and Provincial Commissions for Human Rights

- 2.68 Pakistan has several official human rights commissions, though some are dormant or do not meet international standards. The National Commission for Human Rights (NCHR) was established in 2015 through the *National Commission for Human Rights Act* (2012) as a federal statutory body that was also an independent National Human Rights Institute developed under the Paris Principles. The NCHR's primary functions are to conduct investigations into allegations of human rights abuses, review existing and proposed legislation in relation to human rights principles, and act as a court when required. Other specialised human rights commissions at the federal level include the National Commission for the Status of Women (NCSW), the Commission on Minority Rights and the National Commission on the Rights of the Child.
- 2.69 Provincial governments fund local human rights commissions with ostensibly independent mandates. Similar to federal commissions (except for the NCHR), provincial commissions are recommendary bodies that are able to raise human rights concerns reported to them but must rely primarily on influencing authorities to achieve outcomes due to procedural limitations on enforcement actions. For example, under the *Sindh Protection of Human Rights Act* (2011), the Sindh Human Rights Commission is responsible for monitoring human rights violations, and although it could investigate complaints, it was limited to recommending remedial measures to Sindh's government.
- 2.70 In-country sources from across Pakistan told DFAT government-funded human rights commissions at both the federal and provincial levels were ineffective at handling human rights complaints outside of matters related to working conditions. In-country sources told DFAT provincial human rights commissions pragmatically tended to focus on 'non-political issues' relating to service delivery at the municipal level.

SECURITY SITUATION

- 2.71 The security situation in areas of <u>Balochistan</u> and <u>KP</u> continued to deteriorate in 2024, as compared to 2023. The rest of Pakistan remained relatively stable throughout 2023 and 2024, with the exception of isolated attacks in <u>Punjab</u> and <u>Sindh</u>. Major General Ahmed Sharif Chaudhry publicly stated between January and September 2024, Pakistan's <u>military</u> had conducted 32,173 'anti-terrorism operations' in which 193 officers and soldiers had been killed.
- 2.72 The Centre for Research & Security Studies (CRSS) reported there were 2,546 fatalities in terror attacks and counter-terror military operations in 2024. Of these, KP recorded 1,616 fatalities, Balochistan had 782, Punjab had 66, Sindh had 55, the Islamabad Capital Territory had 26, and GB recorded a single death.
- 2.73 Islamabad-based think tank, Pakistan Institute for Conflict and Security Studies (PICSS), reported Pakistan endured 785 terrorist attacks in the first 10 months of 2024, resulting in 951 deaths and 966 injuries. In October 2024, security forces lost 62 personnel, the highest number of such casualties in any month that year. Attacks were concentrated in KP and Balochistan provinces. In the first 20 days of November 2024, 55 security personnel and 63 militants were killed in clashes with security forces. According to PICSS data 757 people were killed and nearly as many injured in the first eight months of 2024, with 254 people, including 92 civilians and 52 security officials, killed in August.
- 2.74 Militant attacks and counter-terror operations increased by 56 per cent in 2023, compared to 2022. According to Pakistan's Center for Research and Security Studies (CRSS), 789 attacks and operations killed 1,524 and injured 1,463 people across Pakistan in 2023. The South Asia Terrorism Portal (SATP) recorded 527

'incidents' resulting in 1,502 deaths during the same time period in 2023. The number of fatalities from security incidents in Pakistan reached a six-year high in 2023, however the violence was localised primarily to districts in <u>Balochistan</u> and <u>KP</u>, which accounted for 90 per cent of total fatalities. Only 8 per cent of all fatalities occurred in <u>Punjab</u> and <u>Sindh</u> in 2023. Attacks primarily focused on <u>religious extremism</u>, <u>sectarian hatred</u>, <u>ethnic conflicts</u>, <u>domestic politics</u>, <u>gender-based issues</u>, <u>economic hardship</u>, petty and organised crime, as well as tensions with Afghanistan, India and Iran.

- 2.75 Data from CRSS showed there were approximately 586 militant attacks in Pakistan in 2023, with 17 per cent claimed by militant organisations such as <u>Tehreek-e-Taliban Pakistan</u> (TTP or *fitna al khawarij*), <u>Balochistan Liberation Army</u> (BLA) or <u>Islamic State Khorasan Province</u> (IS-KP or Da'esh) (see also <u>Armed groups</u>). Security forces conducted approximately 197 counter-terror operations in 2023, killing between 537 to 545 militants. Five hundred members of Pakistan's security forces were killed in 2023.
- 2.76 The Pak Institute for Peace Studies (PIPS) reported most militant attacks directly targeted security forces in 2023, although attacks also occurred on places of worship and religious minorities' schools. Attacks in 2023 generally involved guns or improvised explosive devices (IEDs), although rocket, grenade and suicide bomb attacks did occur. According to PIPS, sectarian violence increased in 2023, killing 43 and injuring 61 people across 12 sectarian-related attacks and four sectarian clashes.
- 2.77 A summary of the security situation in each province in Pakistan is provided below. Note, this information draws on the best data and information available to DFAT at the time of writing, however DFAT cautions the security situation in Pakistan is highly fluid, and statistics and reporting can vary greatly across sources. Information should be used as a general indication of the situation to understand overall trends.

Azad Jammu and Kashmir

2.78 The self-governing state of 4.05 million people (exists under Pakistan's control but not formally incorporated into the country) had no one killed in a terror attack/counter-terrorism operation in 2024 according to CRSS. One 'terrorist/insurgent/extremist' was killed in Azad Jammu and Kashmir in 2023 and no security force or civilian fatalities were recorded according to SATP. A total of three civilians were killed in insurgent groups or militant group attacks between 2015 and 2023, with no security force fatalities recorded. According to PIPS, four militant attacks occurred just across the Line of Control and Working Boundary with India in 2023, killing eight and injuring another four people.

Balochistan

- 2.79 Balochistan, a province of 14.89 million, had 782 fatalities in terror attacks and associated counter-terrorism operations in 2024 according to CRSS. In-country sources reported attacks in the east and south of Balochistan by nationalist-separatist insurgent groups targeting Pakistani military forces continued to increase during 2024. Recent high-profile attacks include a suicide attack at the Quetta Railway Station on 9 November 2024 targeting Pakistani Non-Commissioned Officers that killed 27 people, and the hijacking of the Jaffar Express train carrying approximately 440 passengers on 11 March 2025 by militants, during which 25 people were reportedly killed.
- 2.80 <u>Insurgent groups</u> and <u>religiously-inspired militant groups</u> conducted a total of 110 attacks in 2023, killing 229 and injuring 282 people in Balochistan according to PIPS. SATP data indicated there were 169 security 'incidents' killing 471 people in Balochistan in 2023. Considering access to information on the security situation in Balochistan is limited due to government restrictions on domestic and international media, and the closure of local <u>media outlets</u>, DFAT assesses the total number of attacks in the province is likely higher than reported.

- 2.81 SATP data indicated the majority of those killed in attacks in Balochistan in 2023 were members of the security forces (39 per cent), followed by 'terrorists/insurgents/extremists' (35 per cent) and civilians (26 per cent). The highest deaths occurred in the districts of Kech/Turbat (103 killed among a population of 909,116), Mastung (67 killed among a population of 266,461), Quetta (49 killed among a population of 2.27 million) and Zhob (48 killed among a population of 310,354). Deaths were not recorded from attacks in seven of Balochistan's 36 districts in 2023 (Jhal Magsi, Killa Saifullah, Lasbela, Lehri, Musakhel, Nasirabad, Ziarat).
- 2.82 Balochistan had been relatively safe and secure for most civilians, although sectarian violence and attacks on military and security services had increased significantly during 2024. According to in-country sources, rural areas in Rakhshan Division and the Awaran District of Kalat Division were viewed the most dangerous for civilians, while cities like Quetta and Gwadar were seen as comparatively safe for civilians in October 2023. In-country sources frequently told DFAT about the growing 'militarisation' in Balochistan and said many school buildings were being used by the military. In-country sources told DFAT there was an increased prevalence of military operations, sometimes upwards of 45 per day, but stated most were simple 'search operations' aimed at restricting militant groups.
- 2.83 In-country sources told DFAT an average citizen living in Balochistan who was not otherwise involved in issues seen as 'sensitive' by the government, military and security services was unlikely to be threatened or targeted by militants or security services (see Political Opinion). In-country sources also said although locals in Balochistan often feared the army and Frontier Corps (a paramilitary force under the control of the Interior Ministry) and were ambivalent about insurgent and terrorist groups because those groups did not directly target them. Civilians have been injured and killed in attacks carried out by militants and security services in certain districts in Balochistan, including 782 individuals in 2024 according to CRSS. Drug cartels operating in Balochistan (mainly along the border with Iran and Afghanistan) also engaged in kidnap for ransom.
- 2.84 See also Armed Groups, Baloch, Hazaras, Pashtuns.

Gilgit-Baltistan (GB)

2.85 The semi-province of GB, with a population of 1.49 million people, had one death from a terror attack/counter-terror operation in 2024 according to CRSS. In country sources said GB became 'more unstable' in 2023 due to prolonged <u>protest</u> activity (both <u>economic</u> and <u>religious</u>) and the 'heavy-handed' responses of <u>security forces</u>. According to PIPS, one sectarian-related attack was recorded in Diamir District in 2023, killing 10 and injuring 26 people. On 3 December 2023, militants opened fire at a bus travelling on the Karakoram Highway in northern GB, killing nine people including two soldiers, and injuring over 20 others. The TTP denied involvement in the incident.

Islamabad Capital Territory

2.86 Islamabad Capital Territory, with a population of 2.36 million, had 26 fatalities in terror attacks and associated counter-terror operations in 2024 according to CRSS. One 'terrorist/insurgent/extremist' was killed in Islamabad Capital Territory in 2023 and no security force or civilian fatalities, according to SATP. A total of 25 people were killed in Islamabad Capital Territory between 2015-23 in insurgent and religiously-inspired militant groups attacks, and counter-terror operations.

Khyber Pakhtunkhwa (KP)

- 2.87 KP, a province of 40.86 million people, had 1,616 people killed in terror attacks and associated counter-terror operations in 2024 according to CRSS. KP had 174 attacks in 2023, killing 422 and injuring 782 people according to PIPS. SATP recorded 310 'incidents', killing 929 people in 2023. Most terrorist activity in KP was concentrated in the southern districts along the border with Afghanistan in 2023. Of the total 31 suicide attacks in Pakistan in 2023, 25 were carried out in KP.
- 2.88 In 2023, 75 per cent of attacks reported in KP specifically targeted security and law enforcement agencies, mainly the <u>Army</u> and <u>Police</u>. The majority of those killed in attacks in KP in 2023 were 'terrorists/insurgents/extremists' (44 per cent), followed by security forces (35 per cent) and civilians (21 per cent). The highest number killed in attacks at the district level, were in North Waziristan (151 killed among a population of 540,546), Peshawar (122 killed among a population of 4.33 million), Dera Ismail Khan (109 killed among a population of 1.62 million), South Waziristan (107 killed among a population of 675,215), and Bajaur (91 killed among a population of 1.09 million). No deaths from attacks were recorded in nine of KP's 38 districts in 2023 (Abbottabad, Batagram, Haripur, Kohistan/Abasin Kohistan/Indus Kohistan, Mansehra, Orakzai, Shangla, Torghar/Kala Dhaka, and Upper Dir).
- 2.89 A high security presence had effectively maintained order in Kurram District until 21 November 2024, when gunmen attacked a large convoy of vehicles transporting Shi'a Muslims between Parachinar to Peshawar, resulting in 42 deaths. Until this terrorist act, inter-sectarian fighting between Sunni Muslims and Shi'a Muslims was mediated through a UNDP-led dialogue established in 2023 (see Religion, Bangash, Turis). Although no flights were operating from Bacha Khan International Airport to Parachinar Airport at the time of writing, in-country sources told DFAT road access and security had generally been good between Peshawar and Kurram until the incident on 21 November 2024, even though the road had been closed at times. The military also established posts along the border with Afghanistan in 2023, which reportedly improved security, although police capacity was sometimes limited in intervening in inter-tribal disputes.
- 2.90 In-country sources told DFAT the districts of North and South Waziristan were considered the most dangerous districts in KP, with sporadic reports of the TTP setting up checkpoints on roads outside of city centres in 2024. In-country sources told DFAT the TTP and IS-KP were active in KP, with reported instances of bombings and kidnappings. According to in-country sources, the TTP and IS-KP stated they no longer attacked civilians and had exclusively targeted security forces since 2019. In-country sources told DFAT there were no known incidents of Pashtuns being tracked down by militants outside of tribal areas of KP. On 26 March 2024, a vehicle-borne suicide bomber attacked a convoy in Besham, killing five Chinese nationals.
- 2.91 See also Armed Groups, Bangash, Hazaras, Pashtuns, Turis.

Punjab

2.92 Punjab, a province of 127.69 million people, had 66 people killed in terror attacks and associated counter-terror operations in 2024 according to CRSS. Punjab had six militant attacks in 2023 according to PIPS, killing 16 and injuring eight people. SATP data from 2023 recorded 16 'incidents' killing 49 people in Punjab in 2023. According to PIPS, four attacks in Punjab in 2023 were perpetrated by the TTP and Tehreek-e-Jihad Pakistan (Pakistan Jihad Movement or TJP), including three in Mianwali, and one in Khanewal that targeted law enforcement and intelligence officials. The Baloch Nationalist Army (BNA) claimed one IED attack targeting the Jaffar Express passenger train, which killed one and injured seven people. Separately, a member of Sikh community, Paramjit Singh Panjwar, was killed by unknown attackers in Lahore in a reported instance of sectarian violence. 2023 SATP data classed 78 per cent of the 49 fatalities in Punjab as 'terrorists/insurgents/extremists'.

Sindh

2.93 Sindh, a province of 55.70 million people, had 55 people killed in terror attacks and associated counter-terror operations in 2024 according to CRSS. Sindh had 15 militant attacks in 2023 according to PIPS, killing 16 and injuring 26 people. Fourteen of the attacks in Sindh in 2023 occurred in Karachi (population 20.38 million) and one in Jamshoro in interior Sindh. SATP data from 2023 recorded 28 security 'incidents' killing 41 people. Seven of the attacks recorded in Sindh in 2023 were perpetrated by sub-nationalist insurgent groups, including four by Sindhudesh Revolutionary Army (SRA) and three by Baloch insurgent groups. The TTP also conducted a gun-and-bomb coordinated attack on the Karachi Police Office killing four officers, three militants and injuring 17 other people.

Armed groups

- 2.94 Armed groups in Pakistan fit within four broad but often overlapping categories: domestically oriented militants, globally oriented militants, India and Kashmir-oriented militants, and anti-Shi'a militants. International academics report for decades, Pakistan's government, military and security services actively supported insurgent groups, including the Taliban in Afghanistan and Jaish-e-Mohammed (JeM) against India. Many militants supported by Pakistan acquired greater autonomy over time, and some now pose a direct threat to Pakistan's government. In 2023, international academics and journalists reported government policies defining jihadi groups as 'allies' had led to increased domestic sympathy for insurgents and religiously inspired militant groups. Domestic sympathy allowed militant groups to evade public scrutiny, even when they conducted violent attacks against Pakistani citizens. According to in-country sources, increased public sympathy also aided militant group recruitment from within the growing number of madrassas, some of which propagated militant versions of Islam.
- 2.95 Pakistan has historically been a safe-haven for India and Kashmir-focused militant groups, which have not generally carried out attacks within Pakistan. International academics report since 2015, the <u>military</u> has worked to reduce the overall capacity of these militant groups as part of broader efforts to remove Pakistan from the Financial Action Task Force (FATF) 'grey list' related to terrorist financing.
- 2.96 Anti-Shi'a militant groups operate in Pakistan. For example, Lashkar-e-Jhangvi (LeJ), a radical Sunni militant group that follows the *Deobandi* school of Islam (revivalist movement within Sunni Islam adhering to the *Hanafi* school of law), seeks to eradicate <u>Shi'a</u> influence from Pakistan and has conducted numerous successful attacks on Shi'a communities, places of worship and leaders, as well as <u>Hazaras</u> and religious minorities including <u>Ahmadis</u>, <u>Christians</u>, and <u>Hindus</u>. LeJ is listed as a terrorist organisation in Australia under the *Criminal Code* (1995) and is a proscribed entity by the UN. In February 2015, LeJ suffered a split and many of its members joined or began collaborating with <u>IS-KP</u>. In 2021, a faction of LeJ in <u>Balochistan</u> merged with the <u>TTP</u>. LeJ did not claim responsibility for attacks in Pakistan in 2024, according to CRSS.

Baloch Raji Aajoi Sangar (BRAS)/Balochistan Republican Army (BRA)

- 2.97 Baloch Raji Aajoi Sangar (Baloch National Freedom Front) or BRAS is an alliance of domestically oriented <u>Baloch</u> nationalist-separatist insurgent groups operating primarily in the southwestern portion of <u>Balochistan</u> along the Arabian Sea and Iranian border. BRAS was established in 2018 by the Balochistan Republican Army (BRA), Balochistan Liberation Army (BLA) and Balochistan Liberation Front (BLF). A faction of the BRA joined with the United Baloch Army (UBA) in January 2022 to form a separate group within the alliance, known as the Baloch Nationalist Army (BNA).
- 2.98 BRAS aims to consolidate the factionalised <u>Baloch</u> separatist movement by sharing resources (weapons, equipment, intelligence and safe havens) and better orchestrating concerted attacks against

security forces, Chinese workers and China-Pakistan Economic Corridor (CPEC) projects in <u>Balochistan</u>. In-country sources told DFAT BRAS was a secular movement not motivated by religion, although some members had links with Sunni Muslim militant groups. BRAS' ideology revolved around establishing a separate state for the Baloch people and not allowing outside powers (including both Pakistan and China) to extract resources from Balochistan's territory. According to security analysts in 2024, CPEC was considered a symbol of the exploitation of the Baloch people and Balochistan's natural resources, and was opposed by Baloch nationalists-separatists since its beginning. On 7 October 2024, the BLA said it targeted a convoy of Chinese engineers and investors near Karachi airport in a suicide attack that killed two Chinese nationals.

- 2.99 SATP reported in 2024 the BLA often justified attacks on <u>security forces</u> because of ongoing frustration over <u>enforced disappearances</u> and <u>extrajudicial killings</u> of Baloch by Pakistan security agencies, lack of development in the province and 'neglect of the basic needs of the population'. In 2020, international academics also attributed anti-Pakistani sentiment among Baloch nationalist-separatists to the demographic changes in the region caused by CPEC projects principally employing staff from other provinces of Pakistan and workers from China. This demographic change was mostly due to the mass migration of Punjabis and <u>Pashtuns</u> to Balochistan, rendering Baloch a minority group. For example, the BLA abducted and killed nine Punjabi men travelling from Quetta to Taftan on 12 April 2024 accusing them of being intelligence officers.
- 2.100 On 11 March 2025, the BLA hijacked a passenger train, seized hostages and set several cars on fire before security forces intervened, killing 33 militants. BRAS (including BLA and BLF) claimed responsibility for more than 18 attacks in Balochistan and Sindh between January and March 2024, according to CRSS. The BRA's targets were primarily security and government installations, including the Gwadar Port Complex, Mach Jail and the Turbat Naval Base. For example, BRAS conducted: an armed attack on the Gwadar Port Authority Colony on 20 March killing two soldiers, an IED attack in Gwadar on 4 February injuring several people, as well as a rocket and grenade attack on security forces in Kech District on 2 February 2024, killing eight people. The Balochistan Post reported in February 2024 BRAS had already conducted upwards of 92 attacks across Balochistan in January and February 2024. However, according to in-country sources, the number and severity of attacks claimed by Baloch nationalist-separatist organisations like BRAS was difficult to verify due to exaggeration by local groups for propaganda purposes. More reliable data provided by PIPS reported the BLA and BLF were responsible for more than 78 attacks which largely targeted security forces in Balochistan in 2023, killing 86 and injuring 137 people. These attacks were spread over 19 districts, and mainly occurred in central, southern and southwestern parts of Balochistan. PIPS also reported the BLA and BLF carried out a further three attacks in Sindh in 2023.
- 2.101 Although the BLA and BLF were the oldest and most active <u>Baloch</u> militant groups in Pakistan, several new armed splinter groups emerged in 2023 and 2024, like the Baluch Republican Guard (BRG), and Lashkar-e-Baluchistan. In-country sources told DFAT in 2023 Baloch nationalist-separatist insurgents relied primarily upon community support, and as such did not target 'local' civilians. However, splinter groups targeted so-called 'non-locals' who collaborated with security services or worked on CPEC projects in 2023 and 2024. According to partial data compiled by SATP in 2023, a total of 254 'non-locals' (primarily Punjabis) were killed in Balochistan between 26 August 2006 and 31 December 2023.

Islamic State Khorasan Province (IS-KP)

2.102 IS-KP is a globally oriented, Sunni Muslim militant group based in Afghanistan that has carried out attacks within Pakistan, Iran, Afghanistan and beyond. IS-KP emerged as a regional affiliate of the Islamic State of Iraq and Syria (IS, ISIL or Da'esh) in October 2014 and adheres to the same extreme Salafist jihadist interpretation of Islam that seeks to establish a global caliphate and regards all who fail to follow its religious doctrine as apostates and infidels. 'Khorasan' is a historical region encompassing parts of Afghanistan, Turkmenistan, Tajikistan, Uzbekistan and Iran; however, in early 2019, IS-KP chose to focus its operations primarily on Afghanistan and parts of north-western Pakistan. According to international academics, IS-KP

differentiated itself from the Afghan Taliban and <u>TTP</u> by its commitment to universal Islamic Jihad and disrupting the global state system (its Salafist ideology is also different from the Taliban's *Deobandi* Islam).

- 2.103 International security experts estimated there were between 4,000 to 6,000 IS-KP militants in 2023, most of whom were either former members of the <u>TTP</u> or disaffected Afghan Taliban fighters. IS-KP recruits are mostly Pakistan and Afghanistan-based Salafists (mostly <u>Pashtuns</u>), foreign sympathisers, and more recently in 2023 and 2024, disaffected, urban, non-Pashtun youth. While early IS-KP leaders largely hailed from the core group of TTP commanders who initially founded IS-KP, IS-KP leadership has since diversified and it was not clear who led IS-KP in 2024 after the Afghan Taliban killed IS-KP's former leader Sanaullah Ghafari (aka Shahab al-Muhajir).
- 2.104 IS-KP's attacks in Pakistan in 2024 included a twin bombing at political offices in Pishin and Killa Saifullah districts in Balochistan on 7 February, which killed 30 people. According to PIPS, IS-KP carried out eight attacks in Bajaur District of KP province in 2023. IS-KP also conducted three of the 31 total suicide bombings across Pakistan in 2023, one in Bajaur district (killing 64 civilians), one in Mastung district (killing over 63 people) and in Bolan district (killing nine police officers and one civilian) of Balochistan.
- 2.105 IS-KP is listed as a terrorist organisation in Australia under the *Criminal Code* (1995). The United Nations Security Council includes IS-KP in the *ISIL* (*Da'esh*) and al-Qa'ida Sanctions List.

Sindhudesh Revolutionary Army (SRA)

- 2.106 SRA is a domestically oriented Sindhi nationalist-separatist insurgent group operating primarily in Sindh. SRA was formed in December 2010 to fight against the Pakistani and Sindhi governments for the creation of a homeland for Sindhis called 'Sindhudesh'. International security experts estimated there were between 1,500 to 2,500 SRA militants in 2022. At the time of writing, Syed Asghar Shah was the SRA's leader. On 26 July 2020, the SRA established an alliance with BRAS to create a united front against Pakistan's government and further their mutual goals of the 'liberation' of Sindh and Balochistan. Pakistan's government has accused both the SRA and BRAS of having links with Iran.
- 2.107 SRA attacks in 2024 were localised to <u>Sindh</u> and included an ambush of <u>police</u> officers in Dadu District on 2 January 2024 and a bombing near the Election Commission office in Karachi on 2 February 2024. According to PIPs, the SRA carried out four attacks in 2023, including three in Karachi and one in Jamshoro. SATP reported the SRA also killed a number of militants in Sindh in 2023, including a leading member of LeT in Shaheed Benazirabad District and a former commander of Al Badr in Karachi.

Tehreek-e-Jihad Pakistan (TJP)

- 2.108 TJP is a domestically oriented Sunni Muslim militant group based in Pakistan and Afghanistan. The TJP was founded in February 2023 to wage jihad against the Pakistan Government with the aim of transforming the country into an Islamic state and imposing a theocratic version of *Sharia* law similar to the Taliban established in Afghanistan. The TJP also seeks to restore the pre-partition borderlands that served as a buffer zone between Afghanistan and British India. TJP members are strict adherents of the *Deobandi* school of thought and Abdullah Yaghistani was the head of the group as at early 2024. DFAT was unable to source independently verifiable information on the overall number of militants in the TJP at the time of writing.
- 2.109 TJP's ideology and operations had led some international security analysts to suggest TJP is a splinter group of the <u>TTP</u>. For example, in February 2023, local media quoted Pakistani security officials stating TJP may have be a cover for another militant outfit (such as the TTP) used to avoid public condemnation of attacks. However, the TTP and TJP denied any association with each other. Many international security analysts state the TJP is a separate, independent group closer ideologically to IS-KP.

2.110 The TJP conducted at least three of the total 31 suicide attacks in Pakistan in 2023. Recent attacks by the TJP include a car bombing at a military base in Dera Ismail Khan District of KP on 12 December 2023, killing 23 soldiers. According to PIPS, TJP committed three other suicide attacks during 2023, targeting security forces in Peshawar, Bajaur and Lakki Marwat. TJP also claimed responsibility for a suicide attacks in Quetta killing 19 people on 6 March 2023 and inside Kabal police station in Swat District on 25 April 2023, killing 12 people. In November 2023, the TJP also attacked an air force airbase in Mianwali District in Punjab and conducted an attack in Zhob District in Balochistan, killing 14 army personnel. The TJP did not claim responsibility for any attacks between January and March 2024, according to CRSS.

Tehreek-e-Taliban Pakistan (TTP)

- 2.111 TTP is a Sunni Muslim militant group based in Pakistan and Afghanistan. The TTP was founded in 2007 as an umbrella movement to unite local Pashtun militants in the <u>FATA</u>. Following a military crackdown and internal fragmentation in 2014, many TTP members relocated to Afghanistan and embedded themselves in the Afghan Taliban's insurgency. After the Taliban came to power in Afghanistan in August 2021, active membership in the TTP increased following the release of hundreds of TTP members imprisoned by US forces and the former Afghan government.
- 2.112 Significant numbers of TTP militants returned to Pakistan from Afghanistan in November 2021 and the TPP's leadership entered into negotiations with Pakistan's government, resulting in a month-long ceasefire on 9 November 2021. Negotiations ultimately failed and TTP attacks occurred after the ceasefire ended on 10 December 2021. The TTP subsequently resumed negotiations with Pakistan's government and announced a unilateral ceasefire in May 2022. Citing a lack of progress in negotiations, the TTP resumed attacks on 2 September 2022, but only announced an end to the ceasefire on 28 November 2022.
- 2.113 In-country sources told DFAT the TTP had 12,000 active fighters in October 2023. Pakistan's Interior Minister estimated TTP militants numbered between 7,000 to 10,000 in December 2022. At the time of writing, the TTP maintained a strong influence across KP and some parts of Northern Balochistan.
- 2.114 The TTP's short-term goal is to undermine the influence of Pakistan's government, especially in Pashtun areas of the country. The TTP's longer-term goal is to transform Pakistan (or areas of it) into an Islamic state by imposing a theocratic version of *Sharia* law similar to what the Taliban established in Afghanistan. In-country sources told DFAT the TTP was increasing efforts to demonstrate to locals it was a viable alternative capable of ruling over Pashtun areas of KP and Balochistan. According to in-country sources, the TTP wanted to distance itself from its past attack on the Army School in Peshawar in 2014 and the attempted assassination of prominent female education advocate Malala Yousafzai in 2012. The TTP stated in 2024 it would not attack election rallies and its targets were limited to the military and security forces. According to PIPS, in a bid to position itself as a genuine anti-government armed resistance movement, the TTP also distanced itself from sectarian attacks in 2023-24.
- 2.115 In-country sources told DFAT the TTP sought to emulate the Afghan Taliban and was becoming much more nationalistic in its approach, increasingly using colonial-era language instead of religious themes, to push back on Pakistan's involvement in tribal areas. One notable example was references to 'tribal rebellions' instead of 'jihad', in order to gain wider local support. In 2023-24, the TTP also sought to exploit local grievances, attempting to show it was fighting to protect the rights of Pashtuns and Baloch tribes, liberate them from the corrupt rulers and end socio-economic injustice. In 2023, international security analysts reported the TTP did not appear to have a concrete political or economic agenda beyond attempting to emulate the example of Taliban rule in Afghanistan.
- 2.116 On 8 November 2023, Pakistan's government declared the Afghan Taliban was providing active support to the TTP, including through safe havens, material assistance and ideological guidance. Although both the TTP and the Afghan Taliban appeared ideologically aligned, international security analysts reported the

TTP was operationally independent from the Afghan Taliban. Despite assurances the TTP had publicly disowned any transnational or regional agenda, limiting its sphere of operations strictly to Pakistan, in-country sources told DFAT the TTP was still firmly focused on global jihad.

2.117 The TTP claimed responsibility for three attacks in Pakistan between January and March 2024, according to CRSS, including targeting a police station in Dera Ismail District of KP with heavy weapons in early February 2024, killing at least 10 police officers and injuring six people. The TTP undertook additional attacks on government forces in 2024, including when a large group of TTP militants overran a frontier constabulary security force outpost near Dera Ismail Khan in KP on 25 October, killing at least 10 police officials. A further 12 military personnel were killed at a checkpoint in Bannu in KP on 20 November 2024. According to PIPS, the TTP was involved in 11 of the total 31 suicide bombings across Pakistan in 2023, including 10 suicide attacks in KP (Khyber, North Waziristan Bannu, and Peshawar districts) and one suicide attack in Quetta, Balochistan. All 11 of these suicide bombings targeted security forces and law enforcement agencies. The attack in Peshawar on January 30 had the most fatalities, killing 81 police officers. The TTP also conducted attacks in Punjab and Sindh in 2023, including a gun-and-bomb attack on the Karachi Police Office in February 2023 that killed four police officers and 3 militants. In-country sources told DFAT the TTP also provided support to nationalist-separatist groups in KP and Balochistan in 2023, and carried out joint attacks with Al Qaeda in the Indian Subcontinent (AQIS) and TJP.

Civil disorder

2.118 <u>Political</u> and <u>religious</u> groups stage frequent protests across that can draw large crowds and sometimes turn violent. International events as well as <u>blasphemy</u> and other religious issues can draw wide and rapid support (see also Religion, Protests).

Tehreek-e-Labbaik Pakistan (TLP)

- 2.119 Tehreek-e-Labbaik Pakistan ('Pakistan Here-I-Am Movement') or TLP is an influential *Barelvi* (revivalist movement within Sunni Islam adhering to the Hanafi and Shafi'i schools of jurisprudence) political party and sectarian religious movement founded by Khadim Hussain Rizvi in 2015. TLP's stated goals include punishing 'blasphemers' (especially Shi'a and Ahmadis) and the imposition of *Sharia* law throughout Pakistan. International academics and media sources report the military and security services actively encouraged the TLP's religious-political agenda in 2017 to undermine support for the former ruling PML-N government.
- 2.120 The TLP has organised large street <u>protests</u> and sit-ins, some of which have turned violent. TLP rose to national prominence in 2018 after organising massive street demonstrations to protest the acquittal of accused <u>blasphemer</u> Asia Bibi. The TLP became the largest religious-political party in Pakistan after the 2018 general elections, and the fifth largest party overall, securing over 2.2 million votes nationwide.
- 2.121 In April 2021, the government banned the TLP and arrested its current leader, Saad Hussain Rizvi, in response to widespread violent TLP-sponsored <u>protests</u> demanding the expulsion of the French Ambassador to Pakistan following the re-publication of cartoons of the prophet Mohammad in *Charlie Hebdo*, a French satirical magazine. The April 2021 *Charlie Hebdo* related protests resulted in TLP-sponsored violence, which killed two <u>police</u> officers and injured 300 people. Domestic media reported following the deaths of these police officers, Pakistan's government agreed to reverse the ban on the TLP and release Rizvi.
- 2.122 The TLP received only 4 per cent of votes and did not win any seats in the 2024 general elections. One local analysist reported in February 2024 the TLP had damaged its support base among *Barelvi* Muslim parties in Punjab and Sindh through attempts to become a more mainstream political party. In July 2024, Deputy Emir Pir Zaheerul Hassan Shah made a public call in Lahore for TLP supporters to undertake violence against

Pakistan's <u>judiciary</u>. Domestic media reported police arrested senior TLP official Saqib Ibrahim shortly after for 'inciting people to violence' against Supreme Court Chief Justice Qazi Faez Isa.

- 2.123 On numerous occasions the TLP has reportedly incited mob violence against those accused of <u>blasphemy</u>. In-country sources told DFAT the TLP had colluded with imams to stir up anger towards a child who allegedly desecrated the Quran in Sargodha in Punjab in July 2023. The TLP also led a violent mob against two Christians accused of desecrating the Quran in Jaranwala in August 2023. In May 2024, a Christian man was violently attacked by TLP supporters and later died, after he too was accused of blasphemy.
- 2.124 According to in-country sources, the TLP has been involved in <u>extrajudicial killings</u>, including of <u>police</u> officers. For example, local media reported in October 2021 TLP activists had used submachine guns, AK-47s and pistols to target police officers, killing four people. In-country sources said the TLP had used these violent tactics in the past as a way of bolstering its reputation as an effective anti-government force, and to improve its 'soft power' in Punjab and Sindh.

Violent and organised crime

- 2.125 Violent crime occurs across Pakistan, including armed robbery, assault, carjacking and kidnapping. Pakistan had a homicide rate of 4.2 murders per 100,000 population in 2022, which was about average for the region of South Asia, and lower than the global average of 6.1 murders per 100,000 population. According to the *Global Organized Crime Index* in 2023, criminal networks active in Pakistan engaged in people smuggling (particularly in Balochistan) and extortion. The *Global Organized Crime Index* scored Pakistan a 6.03 out of 10 in 2023, ranking it the 47th country most prone to criminality.
- 2.126 The *Global Organised Crime Index* reported in 2023 extortion and protection racketeering were prevalent across Pakistan, mostly carried out by mafia-style groups and militants with ties to the Afghan Taliban. The *Global Organised Crime Index* reported in 2023 these groups not only extorted money from affluent locals but also targeted vulnerable groups in poor areas, where they engaged in racketeering practices like demanding payment for access to drinking water. Pakistan has signed several international conventions against transnational crime but is yet to ratify the three UN protocols on *Trafficking in Persons, Migrant Smuggling and Firearms Trafficking*.
- 2.127 In-country sources told DFAT the rate of violent and organised crime was lower than it had been in years, although crime rates were increasing in <u>Lahore</u> and <u>Karachi</u> due to rising unemployment and the poor state of the economy. As at the time of writing, <u>Islamabad</u> had a lower crime rate than other major cities due to its large <u>security presence</u>, high socio-economic status and relatively modest population size. In-country sources told DFAT the crime rate was increasing in <u>Balochistan</u>, but had not received much domestic media attention because of the media blackout in the province.
- 2.128 For more specific information on the response to violent and organised crime by Pakistan's government, see <u>State protection</u>.

Human Trafficking

- 2.129 Human trafficking is a complex and multidimensional problem in Pakistan. Strong push factors related to the <u>political</u>, <u>economic</u> and social environment, convince some Pakistanis there are better prospects elsewhere. People smuggling is a business in Pakistan, and given the country relies heavily on foreign remittances, some Pakistanis are at risk of being exploited or trafficked onwards.
- 2.130 According to the US Department of State's 2024 *Trafficking in Persons Report*, Pakistan's largest domestic human trafficking problem was bonded labour, in which traffickers exploited an initial debt assumed

by a worker as part of the terms of employment and ultimately entrapped other family members, sometimes for generations. The Society for Human Rights and Prisoners' Aid reported sometimes <u>women</u> and <u>children</u> had been sold by their parents, guardians and husbands before being trafficked. Most Pakistanis trafficked overseas were eventually sent to the Gulf countries.

- 2.131 Various Pakistani laws criminalise sex and labour trafficking. For example, the *Prevention of Trafficking in Persons Act* (2018) includes penalties of up to seven years' imprisonment, a fine of up to PKR1 million (AUD5,482), or both, for trafficking crimes involving adult male victims, and penalties of up to 10 years' imprisonment, a fine of up to PKR1 million (AUD5,482), or both for those involving adult women or child victims. Pakistan's government reported it investigated 1,588 trafficking cases under the *Prevention of Trafficking in Persons Act* (2018) in 2023, including 282 for sex trafficking, 1,035 for forced labour and 271 for unspecified forms of trafficking. In 2023, authorities also stated they had convicted 351 traffickers under the *Prevention of Trafficking in Persons Act* (2018), including four for sex trafficking, 337 for forced labour, and 10 for unspecified forms of trafficking.
- 2.132 In 2024, the the US Department of State reported Pakistan did not fully meet the minimum standards for the elimination of trafficking but had made significant efforts to do so by: increasing prosecutions and convicting more traffickers, referring more victims to protection services, and establishing a national anti-trafficking hotline.

Cross-border volatility

- 2.133 Violence occurs along Pakistan's borders with Afghanistan, India and Iran, including mortar, artillery, missile and drone attacks, as well as gunfights. Pakistan's government has historically accused India, and to a lesser extent Iran, of providing support to <u>Baloch</u> and <u>Sindhi</u> nationalist-separatist insurgent groups like the <u>BLA, BLF</u>, and <u>SRA</u>, and Afghanistan of harbouring members of the <u>TTP</u>.
- 2.134 A series of armed conflicts took place between Pakistan and the Afghan Taliban in 2023 near the Torkham border crossing in <u>KP</u>. Pakistan's government attributed the conflict to the Afghan Taliban harbouring <u>TTP</u> militants and encroaching on its territory by constructing an 'unlawful structure'. According to in-country sources, Pakistan's policy change in late 2023 in favour of deporting <u>Afghans</u> was primarily aimed at putting pressure on the Afghan Taliban to take action against the TTP. In 2022, seven instances of armed conflicts were reported by local and international media along the Pakistan-Afghanistan border, killing more than 12 people, the majority of whom were members of the Pakistani <u>security forces</u>.
- 2.135 On 18 March 2024, Pakistan conducted air raids on TTP bases located in Khost and Paktika inside Afghanistan, killing eight people. On 20 March 2024, Afghanistan's military responded using heavy weapons, including mortars, to target Pakistani troops across the border in Kurram and North Waziristan. There were no reports of casualties or damage. Responding to these cross border attacks in March 2024, Prime Minister Shehbaz Sharif stated 'Pakistan's borders are a red line against terrorism... but unfortunately, if a neighbour's land is used for terrorism, this is intolerable'. Throughout August and September 2024, fighting occurred between Pakistan and the Afghan Taliban in the Kurram-Khost border areas of KP, including the use of heavy weaponry, and resulted in multiple casualties. Pakistan's military also conducted air raids in Barmal district of Afghanistan targeting the TTP in December 2024.
- 2.136 The Afghan Taliban has stated it does not recognise the 1893 'Durand Line' border delineation that runs through tribal regions, dividing ethnic <u>Pashtun</u> and <u>Baloch</u> tribespeople. The Afghan Taliban's acting foreign minister, Sher Mohammad Abbas Stanikzai, stated in early February 2024 'we have never recognised Durand and will never recognise it; today half of Afghanistan is separated and is on the other side of the Durand Line... Durand is the line which was drawn by the English on the heart of Afghans'.

- 2.137 India and Pakistan accuse one another of supporting militant groups that carry out attacks on their territory. Such attacks have previously sparked an escalation in hostilities and are considered an enduring risk to India-Pakistan conflict. However, Pakistan's border with India was calm in late 2024 and cross-border violence had reduced considerably following a 2021 truce. International media reported both Pakistan and India had complied with strict ceasefire conditions in 2023 and no major incidents, conflicts, or firing were reported. In 2023, Pakistan and India also adhered to protocols including exchanging lists of nuclear installations and prisoners arrested in both countries.
- 2.138 Iran launched missiles and drones into Pakistan on 16 January 2024, striking two bases it stated were being used by Jaish al-Adl (a <u>Baloch</u> nationalist-separatist insurgent group primarily targeting Iran) in Panjgur District, <u>Balochistan</u>. In response, Pakistan conducted strikes on 18 January 2024 against bases it stated were used by the <u>BLA and BLF</u> near Saravan in the Sistan and Baluchestan Province of Iran. Following the reciprocal attacks, both Iran and Pakistan released official statements stating they fully respected each other's sovereignty and territorial integrity, and the strikes were related to specific national security interests. At the time of writing there had been no further incidents.

3. REFUGEE CONVENTION CLAIMS

RACE/NATIONALITY

- Pakistan is one of the most ethnically and linguistically diverse countries in the world. Its population is 44.7 per cent Punjabi, 15.4 per cent Pashtun, 14.1 per cent Sindhi, 8.4 per cent Saraiki, 7.6 per cent Muhajir, 3.6 per cent Baloch and 6.3 per cent others, according to the most recent data from the *World Factbook*.
- 3.2 Ethnic Punjabis generally hold most positions of power and are well represented all at levels of the political, bureaucratic and military establishment. Ethnic minorities, particularly the <u>Baloch</u>, <u>Pashtuns</u> and Sindhi, continue to demand a fairer share of political authority, economic development, as well as the preservation of their cultural and linguistic heritage. Ethnic minorities in Pakistan are politically active, with parties like the <u>Awami National Party</u> (ANP) representing Pashtuns, Balochistan National Party (BNP) the Baloch, Hazara Democratic Party the Hazaras, and Qomi Awami Tehreek (QAT) the Sindhi.
- 3.3 Article 28 of the Constitution states 'any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and, subject to law, establish institutions for that purpose'. Article 22(3)(b) provides no citizen can be denied admission to a publicly -funded education institution on the grounds of race, religion, caste or place of birth. Similar provisions apply to discrimination in access to public places (Article 26) and public sector employment (Article 27). Article 25(1) states 'all citizens are equal before law and are entitled to protection of law.' According to Article 38 of the Constitution, 'the State shall secure the well-being of the people, irrespective of sex, caste, creed or race'. In-country sources told DFAT despite constitutional protections, many Pakistanis still experienced discrimination based on these grounds (see also Religion).

Afghans

- Afghans are nationals or citizens of Afghanistan from various ethnicities, including, but not limited to Hazaras, Pashtuns, Tajiks, and Uzbeks. Successive wars, chronic instability and a lack of economic opportunities have driven millions of Afghans to Pakistan since the late 1970s. In-country sources told DFAT that of the approximately 4.2 million non-citizens residing in Pakistan without long-term status as at October 2023, the vast majority were Afghans. In 2023, UNHCR data recorded 3.1 million Afghans in Pakistan, of which 822,400 were undocumented. Although numbers varied, 1.3 million Afghans held Proof of Registration Cards (PoR Card), 830,000 had Afghan Citizen Cards (ACC), and 450,000 were in the country on a *tazkira* (official Afghanistan national identity document).
- 3.5 While some Afghans have resided in Pakistan continuously since the 1980s, many are newer arrivals, including approximately 600,000 who crossed the border in 2021 after the Afghan Taliban came to power in Afghanistan. Afghans born in Pakistan are often ineligible for Pakistani citizenship due to a historical requirement the applicant's father must have been Pakistani to qualify. In most instances, a Pakistani woman cannot transmit her citizenship to her children. Under Section 10 of the *Citizenship Act* (1951), it is possible for foreign women, including Afghans, to obtain Pakistani citizenship after marrying a male Pakistani citizen. However, in most instances, a Pakistani woman cannot not sponsor or transmit her citizenship to her foreign

spouse through marriage (see also <u>Women</u>, <u>Children</u>, <u>Documentation</u>). At the time of writing, the constitutionality of sections of the *Pakistan Citizenship Act* (1951) was being challenged in courts, including those that disregard or abolish the principle of birthright citizenship.

- In 2007, Pakistan, Afghanistan and the UNHCR signed a tripartite agreement giving Afghan refugees the right to register and obtain a PoR Card identifying them as Afghan refugees eligible for protection and support through the UNHCR. PoR Card holders were entitled to stay temporarily in Pakistan, enjoy freedom of movement, and had access to <u>public health</u> and <u>education</u>. Afghan refugees could also rent (but not purchase) property and open bank accounts. Afghan refugees were allowed to attend Pakistani universities, although places were limited and few Afghans had the means to pursue higher education. Afghan refugees could not work legally, although many found <u>employment</u> in the informal economy. PoR Card holders were ineligible for welfare payments but some assistance was provided to them by UNHCR programs. Afghan children could be added to and inherit their family's PoR Card. PoR cards had to be renewed every six months to remain valid. Following an unexplained registration delay in late 2023, an estimated 1.3 million PoR cards with a validity date of 30 June 2023 were extended by authorities until 31 December 2023. On 10 July 2024, Pakistan's cabinet approved a one-year validity extension of PoR cards until 30 June 2025.
- 3.7 In 2017, Pakistan's government introduced the ACC as a way of registering remaining undocumented Afghans in Pakistan. The ACC was a temporary identity document for Afghans without other forms of identification and offered more limited benefits than the PoR Card. During the registration period between 2017 and 2021, any self-declared Afghan could apply for an ACC but according to in-country sources, single males under 18 years of age were often excluded. ACC holders were entitled to stay temporarily in Pakistan and had freedom of movement but could not access public health services or public education. Like PoR cardholders, they were not allowed to seek formal employment although many worked in the informal economy. Unlike the PoR Card, children could not be added to or inherit a family member's ACC. In March 2024, Federal Interior Secretary Aftab Durrani announced ACC holders were being asked to leave Pakistan 'voluntarily'. Pakistan's government began sharing lists of ACC holders with police and other law enforcement agencies on 15 April 2024 to assist with voluntary returns and deportations. According to in-country sources, no extensions of validity of ACCs were given for cards that had expired in June 2024.
- 3.8 Many Afghans used their *tazkira*, issued by authorities in Afghanistan, to enter Pakistan under 'easement rights' that guaranteed 'free travel' between the countries. However, in November 2023, Pakistan's government began requiring Afghans to hold a valid passport and obtain a Pakistani visa in order to cross the border legally under its new 'one document regime' policy. In-country sources told DFAT Afghans who arrived on valid visas were officially allowed to extend their stay twice but in practice, authorities did not extend visas. Pakistan tightened entry and exit controls in early 2024. In-country sources reported in January 2024 that Afghan truck drivers and those seeking medical treatment in Pakistan, who had previously been permitted to enter Pakistan without a visa, were refused re-entry.
- 3.9 Pakistan is not a signatory to the *Refugee Convention* (1951) and does not have a national asylum system in place but in-country sources reported Pakistan's government generally respected the principle of non-refoulment until late 2023. On 26 September 2023, Pakistan's government approved the *Illegal Foreigners Repatriation Plan* (IFRP), signalling it would deport and/or forcibly repatriate all illegal, unregistered and/or overstaying foreigners remaining in Pakistan as of 1 November 2023. In-country sources told DFAT the IFRP was presented as a way of combatting irregular migration and transnational crime, including acts of terrorism and smuggling of contraband. Pakistan's former caretaker Prime Minister, Anwaar-ul-Haq Kakar, was quoted in November 2023 stating a 'significant portion of those involved in criminal and terrorist activities [were] among these illegal immigrants'. International security analysts reported in December 2023 Pakistan's government was also using the IFRP to pressure the Afghan Taliban to cease support for the TTP, as well as reduce the overall number of ethnic Pashtuns in Pakistan, which the military increasingly viewed as a separatist threat.

- 3.10 Under 'Phase One' of the IFRP, foreign nationals without a Pakistani visa (including those using their *tazkira*), PoR Card, ACC or who had overstayed their previous Pakistani visa by more than a year could be taken to district-level holding centres (in Islamabad, Rawalpindi, Attock and Quetta) to have their identification confirmed and receive a deportation order, before being transported to the border for deportation. In-country sources told DFAT prior to the 1 November 2023 deadline undocumented Afghans had been pre-emptively detained in jails with 'excess capacity' in Sindh, before being deported. Local media reported on 26 October 2023 former caretaker Interior Minister, Sarfraz Bugti, said those being expelled from Pakistan were only being allowed to carry local currency amounting to PKR50,000 (AUD273), with funds exceeding that needing to be sent 'through proper banking channels'. In-country sources reported in 2024 there had been credible reports Afghans crossing the border were swindled by Pakistani authorities out of money, goods and livestock. On 31 December 2024, Pakistan's government put in place a policy to expel all Afghan asylum seekers and refugees residing in Islamabad who did not hold 'No Objection Certificates'. This policy was expanded to expel all Afghans residing in Islamabad and Rawalpindi not holding a Pakistani visa beginning 15 January 2025.
- 3.11 The UNHCR and the International Organization for Migration (IOM) reported from 15 September 2023 to 5 October 2024, 738,583 Afghans were returned to Afghanistan. These returnees included PoR holders, ACC holders and undocumented Afghans. Of those who returned to Afghanistan, 35,248 were deportees (6 per cent), 47,435 facilitated returnees and 655,900 'other' returnees. The UNHCR and the IOM reported approximately 90 per cent of voluntary returnees were undocumented, with more than 80 per cent stating 'fear of arrest' in Pakistan was the reason for their return to Afghanistan. In March 2024, Federal Interior Secretary Aftab Durrani announced ACC holders would be deported from 15 April 2024 as part of 'Phase Two' of the IFRP (this had not occurred at the time of writing). Local media reported following the completion of Phase Two of the Plan, 'Phase Three' would seek to deport Afghan PoR Card holders. The IOM reported almost 60,000 Afghans had returned to Afghanistan between 1 and 14 April 2025, due in large part to the highly publicised deportation efforts of Pakistan's government.
- 3.12 Following the announcement of the 1 November 2023 deadline for illegal, unregistered and/or overstaying foreigners to depart Pakistan, in-country sources reported landlords were being pressured by authorities to evict undocumented Afghan tenants and <u>police</u> were engaging in door knocking campaigns to make arrests. Local media reported former caretaker Interior Minister Bugti stating on 26 October 2023 Pakistanis facilitating or hiding illegal immigrants were guilty of violating the law and authorities would take strict action against them. In-country sources told DFAT Pakistan's government did not have accurate information regarding the locations of the majority of undocumented Afghans.
- 3.13 Afghans are often treated with suspicion by security forces, who sometimes view them as being sympathetic to the TTP or engaged in transnational crime. According to in-country sources, law enforcement agencies increased 'search and strike' operations in KP in the lead up to the 1 November 2023 deadline, targetting Afghans of all statuses. These operations took place primarily within refugee villages, where a third of all Afghans living in Pakistan reside. In-country sources told DFAT Afghans, even if they had a PoR Card or ACC, were often forced to pay bribes to avoid being detained. According to in-country sources, Afghan human rights defenders and volunteer teachers at informal Afghan schools had been specifically targeted for detention in late 2023. Afghan women and children living in Pakistan were especially vulnerable, especially when undocumented. In-country sources stated Afghan women in Pakistan suffered higher rates of gender-based violence (GBV), and of early and forced marriage (see also Women, Children).
- 3.14 DFAT assesses undocumented Afghans and ACC card holders in Pakistan face a high risk of official discrimination based on their nationality, in the form of physical harassment and detention. Risks may be especially high for ethnic <u>Hazara</u> Afghans. Undocumented Afghans are in breach of the *Foreigners Act* (1946) and have been targeted for detention and deportation under Phase One of IFRP since 1 November 2023. ACC card holders are also at high risk of deportation as irregular migrants. DFAT assesses Afghans in Pakistan

holding valid visas or PoR Cards face a moderate risk of official discrimination in the form of physical harassment, reflective of widespread individual prejudice rather than official policy. DFAT assesses Afghans in Pakistan face a high risk of societal discrimination when accessing housing and informal employment, except for those of Pashtun ethnicity residing in Balochistan and KP, who face no risk of societal discrimination in those provinces but may in others.

3.15 See also the latest DFAT Country Information Report on Afghanistan.

Baloch

- 3.16 Baloch are a distinct ethno-linguistic group of tribes that speak the Balochi language and are indigenous to <u>Balochistan</u> and neighbouring areas of Iran and Afghanistan. Most Baloch follow Sunni Islam and were traditionally nomads, although many now engage in settled agriculture. In the 2023 *Seventh Population and Housing Census'* 'Population by Mother Tongue' data, speakers of Balochi were 3.38 per cent nationally and 39.91 per cent in Balochistan province, or 8,117,795 nationally. Baloch form absolute majorities in 21 of Balochistan's districts. Baloch have migrated within Pakistan and can be found in large cities, including Lahore, Karachi and Islamabad.
- 3.17 Access to information on-the-ground in <u>Balochistan</u> is limited and entry to the province often restricted by authorities (see <u>Security Situation</u>). In-country sources told DFAT a government-enforced media blackout existed in Balochistan, restricting reporting on human rights abuses. In-country sources noted Baloch experienced intimidation by <u>security forces</u>, and the risk of <u>enforced disappearance</u>, which had instilled a sense of fear amongst many in the community, promoting self-censorship.
- 3.18 Balochistan is host to a long running armed insurgency and nationalist struggle led by the groups of ethnic Baloch (see <u>Armed groups</u>). According to international academics, the <u>military</u> viewed the Bugti tribe from Dera Bugti District as the main sponsor of the anti-state insurgency, although other tribal leaders had been accused of using their armed followers as leverage to gain political and economic concessions from Pakistan's government. In-country sources told DFAT Baloch grievances included a lack of provincial economic development, political subjugation, marginalisation of the Balochi language and culture, construction of the Gwadar mega-port, expanded natural gas exploration, and the military's heavy-handed response to local demands.
- 3.19 In-country sources told DFAT those advocating for Baloch rights were often labelled 'anti-state' and 'terrorists' by security forces. Baloch human rights defenders and members of nationalist groups had been detained and arrested by authorities because of their political affiliation and beliefs, according to the US Department of State's Pakistan 2023 Human Rights Report. Some Baloch reported being threatened, through intimidating phone calls, public posting of private photos, doxxing (unauthorised release of personal documents), intervening in employment/education processes and tapping of activists' phones. For example, local media reported security services arrested prominent Baloch rights defender, Mahrang Baloch, in March 2024 and barred her lawyer from visiting her in jail. The US Department of State's Pakistan 2023 Human Rights Report stated security agencies harassed local political organisations such as the Balochistan National Party and the Baloch Students Organization. In-country sources told DFAT Baloch activists were targeted and harassed in neighbouring Sindh province.
- 3.20 Local media reported in May 2023 the leader of Haq Do Gwadar (a local rights group), Maulana Hidayat-ur-Rehman Baloch, was detained in December 2022 for leading a protest movement seeking improved access to clean potable water in Gwadar. Maulana Hidayat-ur-Rehman Baloch had previously led local protest movements against illegal fishing, trawling, and unnecessary checkpoints in Balochistan. Maulana Hidayat-ur-Rehman Baloch was imprisoned by security forces for four and a half months in Quetta, before being released after large-scale protests against his unlawful detention. In another instance reported by local

media, a Baloch rights activist named Rashid Hussain was arrested and extradited from the United Arab Emirates in June 2019. Rashid Hussain's whereabouts and the status of legal proceedings against him were unknown at the time of writing and security forces denied involvement despite media footage showing Rashid Hussain being escorted by security forces from Karachi Airport.

- 3.21 According to the Baloch Human Rights Council, security forces in Balochistan are complicit in the disappearance of pretrial terror suspects, along with human rights activists, politicians, journalists and teachers. In an interview with BBC Urdu on 29 September 2023, Pakistan's former interim Prime Minister, Anwaar-ul-Haq Kakar, stated there were only approximately 50 persons 'disappeared' from Balochistan. However, Pakistan government's Commission of Inquiry on Enforced Disappearances (COIED) recorded a total of 2,752 enforced disappearances from Balochistan as at 16 January 2024. In-country sources told DFAT they were aware of approximately 8,000 enforced disappearance cases in Balochistan, although the number was likely significantly higher. In-country sources said almost every Baloch had someone in their extended family who had been disappeared. The US Department of State's Pakistan 2023 Human Rights Report stated despite the amnesty offers, detention of Baloch leaders without cause or warrant and the disappearance of private Baloch citizens continued. The disappeared from Balochistan included children, who were detained primarily to put pressure their parents to cease advocacy or cooperate with security forces. For example, two boys were detained in Kech district in December 2023 by security forces before being moved to an undisclosed location. According to local media in December 2023, the father of one of the boys detained in Kech had also previously been a victim of forced disappearance.
- 3.22 Local and international media have reported many instances of Baloch being <u>arbitrarily detained</u> or disappeared in recent years, especially Baloch students advocating for human rights. For example, local media reported members of the Counter Terrorism Department forcibly <u>disappeared</u> Abdul Razziq after his arrest in March 2024. Abdul Razzaq's brother had previously been forcibly detained and when he was released several months later, he was 'mentally paralysed' from the treatment he had received, according to his father. In October 2024 the *Balochistan Post* reported an average of more than three enforced disappearances per day. According to local media, in December 2023 there were 66 enforced disappearances, with seven of them confirmed killed in Balochistan.
- 3.23 Most families do not report disappeared persons for fear of retribution from security forces, according to in-country sources. In-country sources reported those who raised concerns regarding enforced disappearances or spoke out against the actions of security forces risked being arbitrarily detained or disappeared themselves. According to Amnesty International, families of the disappeared who had exhausted all avenues of redress through the justice system sometimes turned to public protests in a bid to pressure authorities to release their loved ones or obtain information about them. For example, two students who were forcibly disappeared from their homes in Karachi in June 2022, were released following days of continuous peaceful protests outside of the Karachi Press Club.
- 3.24 Some Baloch human rights defenders and nationalists have also reported <u>torture</u> by <u>security agencies</u> as part of efforts to stop their advocacy efforts. In 2023 *The Diplomat* interviewed several individuals who had been abducted by security forces and later released. *The Diplomat* reported the detainees said they were continually tortured during interrogations about their involvement with <u>Baloch militant groups</u>. *The Diplomat* reported the torture included being beaten, sleep deprived, made to stand for long periods of time, and having electric currents sent through their bodies while being interrogated.
- 3.25 According to international media, Baloch right activists claimed 504 people were killed extrajudicially in Balochistan in 2023. The Human Rights Council of Balochistan recorded 366 extrajudicial killings in the province from January to October 2022. There were also numerous international and local media reports of police and security forces killing terrorist suspects in 'police encounters' during 2022 and 2023. For example, local and international media reported on the extrajudicial killing of Balaach Mola Baksh and three others by

the Counter-Terrorism Department in November 2023, in what their families said was a 'staged encounter' because they were already in custody.

- 3.26 In late 2023, hundreds of Baloch women participated in the 'Baloch Long March' from Turbat in Balochistan to Islamabad to <u>protest extrajudicial killings</u> and <u>enforced disappearances</u>. According to Amnesty International, at least 20 participants in the Baloch Long March were unlawfully detained on 17 December 2023 in Punjab, and video evidence showed <u>police</u> using batons against peaceful protestors. On 20 December 2023, when the Baloch Long March reached Islamabad, police used tear gas, water cannon and batons against protestors. More than 300 protestors were arrested in Islamabad on 21 December 2023 and charged with 'rioting, unlawful assembly, dacoity, and property damage'.
- 3.27 In-country sources told DFAT there was no societal discrimination against Baloch residing in Balochistan, as they lived in a tribal society where individuals relied on their tribes for protection and generally left other groups alone. However, in-country sources reported Baloch students who left the province to pursue <a href="https://discrimination.org/linearing-nc-unitry-nc-un
- 3.28 DFAT assesses Baloch residing in Balochistan face a moderate risk of official discrimination on the basis of their race in the form of physical and technical surveillance and harassment, arbitrary arrest and detention, enforced or involuntary disappearance, extrajudicial killing and prosecution for security offences; however, they face a high risk of official discrimination if they lead protests or publicly advocate for greater rights, autonomy, or self-determination. DFAT assesses Baloch do not generally face societal discrimination in Balochistan but face a low risk of discrimination when accessing higher education in other provinces.

Bangash

- 3.29 Bangash are a Pashtun tribe primarily residing in the Kohat, Hangu and Kurram districts of KP. Some Bangash are Shi'a and others are Sunni Muslims. Shi'a Bangash are mainly concentrated around Hangu and the Upper Kurram. There are approximately 383,000 Bangash in Pakistan. Bangash are not generally distinguishable from other Pashtuns by appearance but are sometimes identifiable by their tribal names, accents, and residence in known Bangash areas.
- 3.30 Inter-tribal violence historically included feuds between the Shi'a Bangash of the Kachai and Marai with the Sunni Bangash of Rabai Khel and Shekhan. Bangash tribes have also been in conflict with the Turis. According to in-country sources, animosity between the Bangash and the Turis has lessened significantly since 2019 when the security situation improved in the region.
- 3.31 Sectarian tensions between Sunni and Shi'a Muslims reportedly flared up again in Kurram District in November 2024, resulting in at least 32 deaths in total according to international media. On 7 January 2024, a bus travelling from Parachinar in Kurram District to Peshawar was attacked by armed men who opened fire with automatic weapons and killed four people. According to local media, the Bangash then called an emergency *jirga* (assembly of leaders) to coordinate a community response and subsequently organised a protest in front of the National Press Club in Islamabad calling on Pakistan's government to provide a larger security presence on the Thall-Parachinar Road.
- 3.32 Bangash can and do relocate to other parts of Pakistan but like other groups their ability to do so is dependent on financial means, as well as personal, family and tribal networks. Bangash relocating would not be immediately distinguishable from other <u>Pashtuns</u> by non-Pashtun ethnic groups.
- 3.33 DFAT assesses Bangash living in KP face a low risk of official and societal discrimination, similar to that of other <u>Pashtuns</u> and <u>Shi'a</u>. DFAT assesses Bangash face a low risk of violence where they clash with other Pashtun tribes and militant groups. DFAT assesses Bangash living in KP generally do not face societal

discrimination, as they keep to their own communities and rely on their tribes for protection. In other parts of Pakistan, DFAT assesses Bangash face a low risk of official and societal discrimination, similar to that of other <u>Pashtuns</u> and <u>Shi'a</u>.

Hazaras

- 3.34 Hazaras are a distinct ethno-linguistic group originally from the Hazarajat region of Afghanistan that speak the Hazaragi language (related to Dari). Most Hazaras follow Shi'a Islam, primarily the Twelver branch, although some belong to the Isma'ili branch and a small number are Sunni Muslims. Hazaras have a distinct 'East Asian appearance', which makes them easily identifiable from other ethnic groups. There are approximately 650,000 to 900,000 Hazaras in Pakistan.
- 3.35 Large groups of Hazaras migrated to Pakistan from Afghanistan in the late 20th century, during the Afghan War (1978-89), and following the Taliban takeovers in 1996 and 2021. Upwards of 500,000 Hazaras live in enclaves in Quetta, with smaller populations residing in Karachi, Lahore and Islamabad. Hazaras outside Quetta avoid living in enclaves, to reduce the risk of ethnic profiling, discrimination and attacks.
- 3.36 Some Hazaras are Pakistani citizens or possess documentation permitting them to legally reside in Pakistan, while others are undocumented (see <u>Afghans</u>). Hazaras born in Pakistan may be eligible for Pakistani citizenship if the applicant's father is Pakistani (see <u>Documentation</u>). A Pakistani woman cannot transmit her citizenship to her children in most instances (see <u>Women, Children</u>). Access to public services depends on a Hazara's documented status. Hazaras participate in federal and regional politics. For the first time in recent decades, Hazaras were not elected to Balochistan's provincial assembly in 2024, which Hazara rights activists and political parties said was due to 'post-poll manipulations' (see also Political system).
- 3.37 Militant groups including, <u>LeJ</u> and <u>IS-KP</u> consider the Hazaras 'infidels' and have engaged in targeted killings of Hazaras. According to local and international media, over 2,000 Hazaras were killed in Pakistan between 2004 and 2021 in incidents including bomb blasts and suicide attacks. Hazara political and religious leaders were targeted for assassination. In January 2021, IS-KP militants killed 11 Hazara miners in the town of Mach in Kachhi District of Balochistan. At the time of writing, DFAT was not aware of attacks on Hazaras in Balochistan since the 2021 incident in Mach, nor outside of Balochistan since 2014.
- 3.38 The Hazara community in Quetta lives in two enclaves: Hazara town and Marriabad. Pakistan's government provides security for these communities, including vehicle checkpoints and searches on entry and exit of the enclaves. Government forces also provide security for Hazara religious processions (see Shi'a) and the Hazarganji market. Hazaras who leave Quetta are required to notify security agencies. After the IS-KP attack in Mach in January 2021, the Provincial Government of Balochistan directed its Joint Investigation Team to conduct an inquiry into the alleged negligence of security forces in protecting Hazaras in Balochistan. Following this inquiry, and Hazara-led protests against the failure of security forces to protect them, Pakistan's government stated it would guarantee the safety of Hazaras within Hazara town and Marriabad but Hazaras remained at risk if they left the enclaves. In-country sources told DFAT the federal and provincial governments had increased protection for Hazaras in Quetta following the 2021 attack in Mach and the security situation had improved. At the time of writing, Hazaras residing outside of Quetta, in districts with lower security presence, remained at risk of violence. Local and international media reported sectarian attacks on Hazaras were not occurring with any regularity, as in prior years.
- 3.39 While the enclaves of Hazara town and Marriabad in Quetta provide safety for Hazaras, they also limit social and economic mobility within Pakistan. According to the US Department of State's *Pakistan 2023 Human Rights Report*, 'security concerns prevented Hazaras from moving freely outside of Quetta's two Hazara-populated enclaves... community members complained increased security measures had turned their neighbourhoods into ghettos, resulting in economic exploitation... consumer goods in those enclaves were

available only at inflated prices, and Hazaras reported an inability to find employment or pursue higher education'. The US Department of State's *Pakistan 2023 Human Rights Report* also stated Hazaras reported increased surveillance by authorities due to the arrival of Hazaras from Afghanistan following the August 2021 Afghan Taliban takeover of Kabul (see also Afghans).

- 3.40 In-country sources told DFAT health, education and other services inside the enclaves in Quetta were basic, as supported by interviews conducted as part of a 2023 health study of Hazaras published in the *Journal of Migration and Health*. Those who could afford to travel to Karachi for medical treatment did so, while others attended Quetta hospitals outside the enclaves. Food and other essentials were brought in from outside of the enclaves, and prices were higher than those elsewhere in Quetta. Schools existed within the enclaves but there was little opportunity for higher education. Insecurity had affected the mobility of Hazara women and girls, who were less likely to pursue higher education and work outside the home. The 2023 health study of Hazaras in the *Journal of Migration and Health* stated restrictions on mobility due to safety concerns have diminished the Hazaras' ability to advocate for themselves, gain better opportunities for education, or receive information for better job opportunities or business expansion.
- 3.41 Many Hazaras in Quetta provide services to their own communities within the enclaves, while others move to other cities across Pakistan for work. In the past, Hazaras were often employed in the military and public service but in-country sources state few Hazaras applied for these jobs in 2024 due to perceived discrimination and fear of attacks. According to local media, since the IS-KP attack in Mach in January 2021, some Hazaras had been 'too scared' to work in the Baloch mining industry, previously an important source of income. Some Hazaras refused to take the bus to attend work outside of Hazara enclaves due to fear of attacks on transportation, further limiting access to employment. In-country sources told DFAT high rates of unemployment and limited prospects over multiple years had led to a sense of hopelessness among Hazara youth in Quetta. International academics reported Hazaras faced an increased prevalence of post-traumatic stress disorder and mental health concerns due to their fears of being attacked.
- 3.42 Hazaras in Pakistan with relevant <u>documentation</u> can obtain formal identification, including <u>National Identity Cards</u> (NICs) and <u>passports</u>. Local media reported Hazaras stated in 2024 National Database and Registration Authority (NADRA) officials sometime intentionally caused delays for them getting documents.
- 3.43 DFAT assesses undocumented Hazaras in Pakistan, like other Afghans, face a high risk of official discrimination in the form of physical harassment. Undocumented Afghans, including Hazaras from Afghanistan, are in breach of the *Foreigners Act* (1946) and have been targeted for detention and deportation under IFRP since 1 November 2023 (see Afghans). DFAT assesses Hazaras with Pakistani citizenship face a moderate risk of official discrimination based on their ethnicity in the form of obstruction at checkpoints and difficulties accessing identity documentation, employment and services. This reflects widespread individual prejudice rather than official policy. DFAT assesses Hazaras in enclaves in Quetta are generally safe and secure but face a high risk of societal discrimination based on their ethnicity in the form of impeded access to higher education and health services.
- 3.44 DFAT assesses Hazaras face a moderate risk of violence from <u>militants</u> on the basis of their ethnicity and religion (see <u>Shi'a</u>). The risk of a Hazara being identified as Shi'a by militants is significantly higher due to their distinctive appearance. DFAT assesses whether a Hazara can relocate internally within Pakistan strongly depends on their personal resources and family connections. Relocation outside of enclaves in Quetta may be difficult for many Hazaras due to well-founded fears of sectarian violence (see <u>Internal relocation</u>). Hazara women and girls may face greater challenges to relocating internally (see also <u>Women</u>).

Pashtuns

- 3.45 Pashtuns are an ethno-linguistic group of tribes that speak the Pashto language and reside primarily in the provinces of KP and Balochistan in Pakistan, as well as throughout Afghanistan. Pashtuns are ethnically diverse group comprised of an estimated 60 tribes in total and 350-400 sub-tribes. Most, but not all, Pashtun follow Sunni Islam (see <u>Turis</u>, <u>Bangash</u>). In the 2023 *Seventh Population and Housing Census'* 'Population by Mother Tongue' data, speakers of Pushto were 18.15 per cent nationally, or 43,633,946. Pashtuns are the second largest ethnic group in Pakistan after Punjabis.
- 3.46 Pashtun culture emphasises honour, chivalry and kinship loyalties, encompassed in customary norms known as *Pashtunwali*. This pre-Islamic set of accepted rules forms the basis for Pashtun tribal identity and social structures, under which solidarity, mutual support, shame and revenge determine social order and individual responsibility. For example, hospitality and providing security to guests is mandatory under *Pashtunwali*, and killing of fellow tribesmen often requires revenge. Tribal values covered in the *Pashtunwali* are often considered more important to the Pashtuns than religious and national laws. These rigid and non-negotiable core values are applied outwards from individual to the family, to clan, to tribe, and then to other non-Pashtun ethnic groups.
- 3.47 Pashtuns are well represented at all levels of society in Pakistan. They dominate employment in the transport sector in both Pakistan and Afghanistan. Pashtuns were also prominently represented in Pakistan's security forces. Many Pashtuns are politically active, with some supporting political parties and movement advocating for Pashtun rights, including the Awami National Party (ANP) and the banned Pashtun Tahafuz Movement (PTM). While Pashtuns traditionally lived among their own tribes and sub-tribes, many have chosen to migrate to larger urban areas. The largest Pashtun community in the world is in Karachi.
- 3.48 Until 2018, Pashtuns living in the former FATA were governed under separate, extra-constitutional arrangements, which denied them some fundamental rights available to other Pakistani citizens (see <u>Political system</u>). Residents of KP, including the former FATA, now have access to the regular <u>judicial</u> system, although they can still refer disputes to traditional *jirgas* under the *KP Alternate Dispute Resolution Act* (2020).
- 3.49 In-country sources told DFAT security forces were often suspicious of Pashtuns due to stereotyped views that Pashtuns were sympathetic to the <u>TTP</u> or engaged in transnational crime. Pashtuns had been singled out for additional scrutiny or searches at military checkpoints. According to in-country sources, Pashtuns were more likely than other ethnic monitories in Pakistan to be questioned in relation to allegations of terrorism. According to the US Department of State's *Pakistan 2023 Human Rights Report,* Pashtuns from the former FATA stated they were frequently profiled as militants or terrorists, based on their tribe, dress, appearance, or ancestral district of origin. Pashtun rights activists stated they had been threatened, illegally detained, imprisoned without trial, banned from travel, and censored for their beliefs.
- 3.50 There had been more than 6,000 enforced or involuntary disappearances of Pashtun youths in recent years, primarily by security forces in KP and Balochistan, according to in-country sources. In-country sources told DFAT disappearances of Pashtun youth were often related to allegations of links to terrorist groups like the TTP but also growing demands within local Pashtun communities for greater autonomy for the Waziristan region. KP's Actions (In Aid of Civil Power) Ordinance (2019) gave the military the authority to detain civilians indefinitely without charge in internment camps, and to convict detainees solely on the testimony of a single soldier. The Actions (In Aid of Civil Power) Ordinance (2019) also stated the military was not required to release the names of detainees to their families, and hence families could not challenge detentions in civilian courts.
- 3.51 The US Department of State's *Pakistan 2023 Human Rights Report* stated Pashtun political leaders said Pashtuns were being targeted and <u>extrajudicially killed</u> by security forces because of their <u>political affiliations</u>, <u>beliefs</u>, and criticism of the government. International and local human rights organisations reported on numerous cases of extrajudicial killings of Pashtuns, primarily in KP and Balochistan including: Rizak Khan, who

was abducted by security forces in Waziristan and killed on 17 May 2022; Musawar Dawar, a political worker and human rights defender, who was killed in Waziristan on 22 March 2022; and Zahid Uddin, killed by the security forces in Waziristan on 14 April 2021.

- 3.52 Some high-profile Pashtuns have been targeted in the past by <u>anti-state militants</u> in KP because of their anti-militancy stance (see <u>Peace committees</u>). Relocation by these high-profile Pashtuns and their families outside of KP was possible, which would reduce physical proximity with militant groups (see also <u>Internal Relocation</u>). In-country sources told DFAT it was highly unlikely any anti-state militants had the organisational capacity to track down, target or undertake violence against Pashtuns residing outside of traditionally Pashtun areas of KP, unless they had an unusually high-profile public profile at the national level.
- 3.53 Pashtuns can and do relocate to other parts of Pakistan but like other groups their ability to do so is dependent on financial means, as well as personal, family and tribal networks (see also <u>Internal Relocation</u>). In-country sources told DFAT many Pashtuns had migrated to Pakistan's 'big cities', including Karachi, Lahore, Peshawar and Quetta to improve their economic prospects, and had 'settled in well'.
- 3.54 In-country sources stated Pashtuns did not face official discrimination accessing government services. However, Pashtuns reported instances of authorities not recognising their NICs when they relocated, which impeded their access to property and assets; this reflected individual prejudice rather than official policy. In-country sources told DFAT Pashtuns did not face societal discrimination in KP or Balochistan. Low level societal discrimination of Pashtuns sometimes occurred in areas where they were a minority, in the form of slurs and ethnic stereotypes.
- 3.55 DFAT assesses Pashtuns living in more conflict-affected areas of <u>KP</u> and <u>Balochistan</u> face a moderate risk of violence by state security forces, including <u>enforced disappearance</u> and <u>extrajudicial killings</u>. DFAT assesses Pashtuns living in more conflict-affected areas of <u>KP</u> and <u>Balochistan</u> face a low risk of violence and <u>extrajudicial killings</u> from militant groups based in KP. Elsewhere in Pakistan, Pashtuns generally face a low risk of official and societal discrimination, similar to other ethnic minority groups in the same locations. Pashtuns involved with the <u>ANP</u> or <u>PTM</u> face specific, heightened risks, as do <u>Shi'a</u> Pashtuns (see also <u>Bangash</u>, <u>Turis</u>).

Turis

- 3.56 Turis are a Pashtun tribe residing primarily in and around the Kurram District of KP. There are approximately 500,000 Turis in Pakistan, with most being <u>Shi'a</u>. Turis are not generally distinguishable from other <u>Pashtuns</u> by appearance but are sometimes identifiable by their tribal names, accents, and residence in known Turi areas
- 3.57 Turis historically faced significant violence due to territorial disputes with other Pashtun tribes, their Shi'a faith, and active opposition to the Afghan Taliban, TTP and other Sunni militant groups (see Armed groups). In-country sources told DFAT although the security situation for Turis in Kurram District had improved significantly since 2019, the underlying triggers for conflict remained present. In-country sources also told DFAT while state protection for Turis against sectarian and militant attacks was adequate, policing of local inter-tribal disputes was still under-resourced. In-country sources reported Turis did not face official discrimination when accessing government services in Kurram District, Peshawar or other areas of Pakistan.
- 3.58 Sectarian tensions between Sunni and Shi'a Muslims reportedly flared up in Kurram District in November 2024, resulting in at least 32 deaths according to international media. On 4 May 2023, eight Turis were killed in two separate shootings in Parachinar, Kurram District. Local media reported on 8 May 2023 Upper Kurram District Police Officer Muhammad Imran said the first shooting occurred on a road near the Shalozan area and the second at Teri Mengal School. Government of Khyber Pakhtunkhwa officials stated the shootings were part of a 'land dispute', however Turi tribal leaders said the Turis did not have a land dispute

with anyone and the shootings were linked to 'terrorism'. According to local media, the Turis called an emergency *jirga* afterwards to coordinate a community response and <u>protests</u> in Parachinar on 4 May calling for a 'proper investigation of the murders'.

- 3.59 Turis can and do relocate to other parts of Pakistan but like other groups their ability to do so is dependent on financial means, as well as personal, family and tribal networks (see also <u>Internal Relocation</u>). Turis relocating to other parts of Pakistan would not be immediately distinguishable from other Pashtuns by people from non-Pashtun ethnic groups.
- 3.60 DFAT assesses Turis living in KP face a low risk of official and societal discrimination, similar to other Pashtuns and Shi'a. DFAT assesses Turis living in KP face a low risk of violence from other Pashtun tribes and militant groups. DFAT assesses Turis living in KP do not generally face societal discrimination, as frequently they keep to their own communities and rely on their tribes for protection. In other parts of Pakistan, DFAT assesses Turis face a low risk of official and societal discrimination, similar to that of other Pashtuns and Shi'a.

RELIGION

- 3.61 Pakistan is the world's second-largest Muslim nation, and 96.3 per cent of the population identified as either Sunni or Shi'a Muslim according to the 2023 National Census. Between 80 to 85 per cent of the Muslim population are Sunni, while Shi'as make up the remaining 15 to 20 per cent. Pakistan's non-Muslim population consists 1.6 per cent Hindus, 1.4 per cent Christians, less than 0.1 percent Ahmadis, and 0.6 percent others (including Baha'is, Buddhists, Parsis and Sikhs). Leaders of religious minority groups said there were wide discrepancies in the number of reported religious believers because Pakistan's government undercounted minorities.
- 3.62 The Constitution establishes Islam as the official religion of Pakistan. However, Article 20 of the Constitution states 'subject to law, public order, and morality, (a) every citizen shall have the right to profess, practise and propagate his religion; and (b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions'. Article 36 further guarantees 'the legitimate rights and interests of minorities'. In practice, different categories of citizens and entitlements exist on the basis of religion, for example, articles 41(2) and 91(3) of the Constitution require the president and prime minister be Muslims. Article 260 of the Constitution defines the term 'Muslim', and explicitly excludes from that definition several groups, including Ahmadis.
- 3.63 The Constitution provides guarantees for the political inclusion of religious minorities by reserving quotas in Parliament and all provincial assemblies. Article 51(4) of the Constitution reserves 10 National Assembly seats for non-Muslim minorities. Article 106 guarantees non-Muslim reserved seats in all Provincial Assemblies. Pakistan's government also set a five per cent quota for hiring religious minorities (excluding Shi'a and Ahmadis) at the federal and provincial levels of government but these targets are rarely met. According to in-country sources, Pakistan's government rarely hired religious minorities for roles in management and administration. Religious minorities hired by Pakistan's government were most commonly employed as street sweepers and cleaners. In-country sources told DFAT upwards of 35,000 quota spots for religious minorities were unfilled.
- 3.64 In the late 1970s, political and cultural life in Pakistan underwent a process of greater Islamisation, in large part due to General Mohammad Zia-ul-Haq's enforcement of *Nizam-e-Mustafa*. The *Offence of Zina (Enforcement of Hudood) Ordinance* ('Hudood Ordinances') (1979) prohibits the consumption of alcohol, sex outside marriage and pornography. Non-Muslims are exempt from the alcohol ban but the other bans apply to Muslims and non-Muslims alike.

- 3.65 The Federal Shariat Court (FSC) was established in 1980 and comprises eight Muslim judges, including a chief justice appointed by the president. Three of the judges are *ulama* (Islamic scholars) versed in Islamic law. The FSC's mandate extends to evaluating whether laws embody Islamic values and the legality of decisions enforcing the *Hudood Ordinances* (1979). Decisions of the FSC are appealable to the secular Supreme Court.
- 3.66 The *Enforcement of Shari'ah Act* (1991) requires all laws to conform with Islam and not conflict with the Quran or Sunnah. Although *Sharia* (religious law based on scriptures of Islam, particularly the Quran and *hadith*) was declared the law of the land in 1991 and not just the guideline for legislation, it did not replace the existing legal code in practice. However, international academics have reported numerous cases where the <u>Supreme Court</u> directly cited Quranic verses in interpreting legal provisions, blurring institutional boundaries between secular courts and the state's Islamic institutions. In some cases, this has allowed individual judges' understanding of religion to supplant legal reasoning based on precedent.
- 3.67 International media reported in 2024 religious extremism and intolerance were on the rise in Pakistan. A large number of <u>blasphemy</u> cases are filed annually against religious minorities, while public and online hate speech has become a larger problem. According to Center for Research and Security Studies, the number of violent incidents against non-Muslims and their religious places increased in 2023, with 193 incidents recorded. The Centre for Social Justice reported from the beginning of 2023, 'religio-political outfits repeatedly weaponised blasphemy allegations to advance their politics before the general elections... [and] abuse of blasphemy allegations by <u>TLP</u> resurfaced in Sargodha in May 2023 against the <u>Shi'a</u>, followed by attacks on <u>Ahmadiyya</u> places of worship, and attacks on the pretext of blasphemy against <u>Christians</u> that spread in parts of Punjab and Sindh' (including Jaranwala in August 2023). In-country sources said Pakistan's government often overlooked religious extremism to avoid antagonising powerful lobbies, such as the TLP.

Blasphemy

- 3.68 Blasphemy and other offences relating to religion are criminalised in Pakistan under sections 295A, 295B, 295C and 298A of the *Pakistan Penal Code* (Act XLV of 1860). Section 295C of the *Pakistan Penal Code* (1860) outlaws the use of 'derogatory remarks' against the Holy Prophet. The punishment for blasphemy is death. Under Article 295B, 'defiling' a copy of the Quran is punishable by life imprisonment, and under Article 298A, defiling 'the sacred name of any wife, or members of the family, of the Holy Prophet, or any of the righteous Caliphs' carries a maximum punishment of three years in prison, which may also be accompanied by a fine. The US Commission on International Religious Freedom's (USCIRF) 2023 *Assessing Blasphemy and Related Laws on Religious Freedom in Pakistan* report states more than 2,100 people had been accused of blasphemy in Pakistan since 1987, with 40 of them on death row and a further 89 killed by mobs in 2023. At the time of writing, no one had been executed due to a blasphemy conviction.
- 3.69 Pakistan inherited most of its blasphemy laws from the British following partition of India, however they were rarely used until the 1970s. Pakistan is one of the strictest and most frequent enforcers of blasphemy laws worldwide, according to USCIRF. Blasphemy accusations, whether founded or unfounded, often lead to lengthy prison sentences on death row, solitary confinement, exile, and societal violence sometimes leading to death.
- 3.70 On 17 January 17, 2023, the National Assembly passed the *Criminal Laws (Amendment) Act* (2023), which expanded blasphemy laws to those deemed to have insulted the prophet's companions (which could potentially include thousands of Muslims throughout history) with sentences increased from 10 years to life imprisonment. The Senate passed the bill in August 2023. Local human rights activists expressed concerns in 2023 the expanded laws could be used to target religious minorities, particularly Shi'a Muslims. Despite being passed by both houses, the amendment was not signed by the president, therefore did not become law and had since expired.

- 3.71 Religious conversion from Islam (apostasy), while not illegal, can result in prosecution under blasphemy laws, as well as familial or communal violence. In April 2022, lawyers representing converts from Islam in apostasy matters told the European Court of Human Rights that 'converts face[d] not only socio-political marginalisation and institutionalised discrimination but also blasphemy charges, arrest, long prison sentences, and vigilante mob violence'. Section 295A of the *Pakistan Penal Code* (1860) prohibits insulting any religion, not just Islam, and carries a sentence of up to 10 years' imprisonment, which may also be accompanied by a fine.
- 3.72 According to Pakistan's National Commission for Justice and Peace (NCJP), as at 2021, 46 per cent of those charged under blasphemy offences came from religious minority communities, despite the fact religious minorities accounted for less than four per cent of Pakistan's total population. In 2023, at least 329 people were charged under blasphemy laws, according to the Centre for Social Justice (CSJ). Among the 329 accused of blasphemy, religious minorities were disproportionately affected: 38 per cent were Shi'a, 20 per cent Ahmadi and 3 per cent Christian. In 2023, 54 per cent of all blasphemy cases were filed in Punjab, followed by 24 per cent in Sindh, and 11 per cent in Azad Jammu and Kashmir. The cities with the highest number of reported blasphemy cases were Lahore, Faisalabad, Kotli, Kurram, Mandi Bahuddin and Karachi. Human rights organisations reported those convicted of blasphemy in 2024 included a 22-year-old sentenced to death on charges of sharing blasphemous pictures and videos and a 17-year-old sentenced to life imprisonment in the same case (the death sentence is prohibited for juvenile offenders).
- 3.73 The conviction rate for blasphemy in the lower courts is high and judges are often under enormous public pressure to deliver a guilty verdict (see <u>Judiciary</u>). In-country sources told DFAT most blasphemy convictions were overturned by the higher courts but accused blasphemers were still likely to spend years in <u>prison</u> even if the accusation was ultimately found to be baseless. To make a blasphemy allegation with <u>police</u>, a First Information Report (FIR) must be filed at the local level by a complainant, which leads to arrest of the accused with no in-depth inquiry into the matter. It usually takes two years for a blasphemy case to be heard in <u>court</u> and upwards of five to 10 years for a matter to be finalised. Judges and defence lawyers have been reluctant to take on blasphemy cases due to personal security risks (see also Human rights defenders).
- 3.74 Accused blasphemers are at risk of extrajudicial killing before, during, and after being taken into police custody. For example, In September 2024, domestic and international media reported police in Sindh shot dead Dr Shahnawaz Kanbhar, who had gone into hiding after being accused of sharing blasphemous content on social media. Police stated it appeared Dr Kanbhar had been 'accidentally shot' by a companion while riding on a motorcycle. Dr Kanbhar's relatives told BBC Urdu he had been killed in a 'fake encounter' with police. In June 2024 thousands of people lynched a man in the Swat District of KP for the alleged desecration of a Quran. The man lynched had already been detained by police inside a police station but the group set fire to the accused blasphemer's body, the police station and a police vehicle. Police arrested 23 people in connection with the lynching and registered FIRs against 49 known and 2,500 unknown suspects. In 2023, seven people who had been accused of committing blasphemy were extrajudicially killed in Pakistan. For example, according to international media, a local Muslim religious leader giving a speech in May 2023 at a rally organised by the PTI in Mardan District of KP 'passed some blasphemous remarks that angered people'. Police initially managed to bring the local Muslim religious leader to safety at a nearby shop but the angered crowd broke down the door, forcibly dragged him out and beat him to death with batons. International media reported in May 2023 a video of the lynching, shared widely on social media, showed police 'vainly trying to stop a frenzied mob from beating the man'. In another example during February 2023 in Nankana Sahib District of Punjab, hundreds of people entered a police station, took a blasphemy suspect from his cell and killed him. Prime Minister Shehbaz Sharif condemned the incident and ordered an investigation into why police were unable to stop lynchings.
- 3.75 Blasphemy laws were also often misused for personal gain or to settle vendettas, according to in-country sources. Religious minority groups stated they could not obtain a fair hearing in blasphemy cases

because <u>police</u> did not listen to their complaints and lower <u>courts</u> were pressured by religious authorities to obtain convictions in blasphemy matters. As a result, religious minorities said false blasphemy allegations were filed against them with impunity, with no repercussions for the accuser. USCIRF reported in 2023 it found 'many instances' under which blasphemy allegations were used to settle personal vendettas, leading to acts of violence before charges could be drafted or presented to a court. USCIRF stated in most cases involving false blasphemy accusations, false accusations and acts of vigilante violence were not punished. According to NCJP, Pakistan has not made any serious attempt to reform the blasphemy law to prevent abuse nor taken steps to create any effective deterrent against false accusations. <u>Women and girls</u> who refuse religious conversion could be subject to false blasphemy accusations and violence' (see also Forced conversion).

3.76 DFAT assesses people accused of blasphemy face a high risk of official discrimination on the basis of religion, which may take the form of arrest and detention, prosecution for religious offences, unfair trials and sentencing (including the death penalty) and inadequate state protection. DFAT assesses those accused of blasphemy face high risk of societal discrimination, including public denunciation, doxxing, physical violence, and being killed extrajudicially. Members of religious minorities, especially women and girls, including Ahmadis, Christians, Hindus and Shi'a, may face elevated risks.

Forced conversion

- 3.77 <u>Christian</u> and <u>Hindu</u> girls are at risk of forced conversion to Islam and forced marriages. There are hundreds of reports of abductions of girls from religious minority communities annually across Pakistan, involving girls as young as 12 years of age (see also <u>Women</u>, <u>Children</u>). Girls from religious minorities are specifically targeted due to a number of factors, including their economic vulnerability, a belief their conversion to Islam is religiously desirable and a lack of <u>state protection</u>. Forcibly converted girls are frequently forcibly married and subject to GBV. Those who escape and try to revert to their own religion can sometimes face accusations of <u>blasphemy</u>. A small number of people may convert to Islam due to <u>economic vulnerability</u> or other pressures.
- 3.78 The United Nations Office of the High Commissioner for Human Rights (UN OHCHR) reported in 2023 'girls as young as 13 are being kidnapped from their families, trafficked to locations far from their homes, made to marry men sometimes twice their age, and coerced to convert to Islam, all in violation of international human rights law... [and] such marriages and conversions take place under threat of violence to these girls and women or their families'. UN experts stated there was an ongoing lack of access to justice for victims and their families, with many so-called marriages and conversions taking place with the involvement of religious authorities and the complicity of security forces and the justice system (see also Human trafficking). The court system enabled these offenses by accepting, without critical examination, fraudulent evidence from abductors regarding the 'adulthood' of underage girls, 'voluntary' marriage and conversion. Courts had on occasion misused interpretations of religious law to justify victims remaining with their abusers. Abductors often forced victims of forced conversion and marriage to sign documents which falsely attested to their being of legal age for marriage as well as marrying and converting of free will. These documents were cited by police as evidence no crime had occurred.
- 3.79 NCJP's 2023 Human Rights Monitor reported the details of dozens of forced conversions that took place in Pakistan 2022, primarily involving underage Christian and Hindu girls. For example, a student from Bahawalpur in Punjab reported to police she had been kidnapped while enroute to school, kept in a dark room and repeatedly raped for months. She stated she had been forced to sign papers before being informed she had converted from Christianity to Islam and was married. After a year, she escaped and her father filed a petition in a family court to abolish the forced marriage and gain state protection from community reprisals targeting the family. In another instance, a 12-year old Christian girl was kidnapped, forced to convert to Islam and married to her 40-year old abductor in Rawalpindi. In another case, an 18 year old Hindu girl was shot

dead in Sukkar, Sindh on 21 March 2022 for refusing to convert to Islam and marry a Muslim man. Hindu communities in Sindh told DFAT they were afraid of reporting forced conversions to authorities due to fear of falling foul of <u>blasphemy laws</u>. In-country sources reported to DFAT all religious minorities had serious concerns over the frequent inaction of <u>police</u> in matters of forced conversions and the religious biases of the judiciary, which often sided with perpetrators.

- 3.80 On 16 January 2023, the UN OHCHR stated, 'Pakistani authorities must adopt and enforce legislation prohibiting forced conversions, forced and child marriages, kidnapping, and trafficking, and abide by their international human rights commitments to combat slavery and human trafficking and uphold the rights of women and children'. The UN OHCHR also called on Pakistan's government to 'take immediate steps to prevent and thoroughly investigate these acts [forced conversion and early and forced marriage] objectively and in line with domestic legislation and international human rights commitments' and hold perpetrators accountable'. In October 2021, a proposed bill to outlaw forced conversions was rejected by a parliamentary committee tasked with considering the issue after the former Minister for Religious Affairs instructed 'the environment [was] unfavourable' for passing the law.
- 3.81 DFAT assesses women and girls from religious minority communities who have been forcibly converted to Islam face a high risk of official discrimination on the basis of religion, which may take the form of inadequate state protection, unfair trials, and prosecution related their religious beliefs. DFAT assesses women and girls forcibly converted to Islam face a high risk of societal discrimination and violence outside of their religious minority communities, including though popular denunciation, physical violence, and being killed extrajudicially. Christian and Hindu women and girls may face elevated risks.

Ahmadis

- 3.82 Ahmadis belong to the *Ahmadiyya*, an Islamic revival movement that regards Mirza Ghulam Ahmad of Qadian (founder of the religious community) as their 'Promised Messiah'. The name *Ahmadiyya* is taken from 'Ahmad', the other name of the 'Prophet Muhammad'. Based on the differences between some *Ahmadiyya* beliefs and those found in Sunni and <u>Shi'a</u> Islam, many Muslims consider Ahmadis to be heretics. For example, some Muslims have stated because Mirza Ghulam Ahmad proclaimed himself a prophet, his followers have rejected a fundamental tenet of Islam *Khatem-e-Nabowat* a belief in the finality of the Prophet Muhammad. *Ahmaddiya* also rejects the idea of militant holy war.
- 3.83 The 2023 National Census recorded 162,684 Ahmadis in Pakistan, however other population estimates ranged from 400,000 to 4 million. Rabwah, located in Punjab with a population of 70,000 people, is the only Ahmadi majority city in Pakistan. Rabwah was the world headquarters of the Ahmadi Muslim Community from 1948 until 1984 when the headquarters moved to the United Kingdom. Infrastructure in Rabwah was partially financed by Ahmadis from across the world, providing the community with high quality facilities and a cardiac hospital. Pakistan's government provides security in Rabwah, including vehicle checkpoints and searches on entry and exit. In-country sources told DFAT there were very high levels of Ahmadi emigration, primarily in response to the official and societal discrimination.
- 3.84 Ahmadis are not readily identifiable by their appearance, language or names. However, it was possible some Ahmadi women could be identified by those keenly aware of the minor differences in their Ahmadi Islamic dress. Many Ahmadis do not publicly identify themselves for fear of discrimination and maintain a low profile to avoid societal discrimination and violence.
- 3.85 Official religious discrimination of Ahmadis in Pakistanis is pervasive and well-documented. Since 1974, Ahmadis were identified as 'non-Muslims'. Under *Ordinance XX* (1984), Ahmadis were banned from publicly practising their faith; using non-Ahmadi mosques or public prayer rooms for worship; using Islamic texts for their prayers; performing the Muslim call to prayer; producing, publishing or disseminating religious

materials; using Islamic greetings in public; seeking converts; and publicly quoting from the Quran. *Ordinance XX* (1984) also made it a criminal offence for Ahmadis to identify themselves ('pose') as Muslims, placing them at risk of <u>blasphemy</u> charges.

- 3.86 Ahmadis are the only group in Pakistan that identify as Muslim but are given 'non-Muslim' religious minority status. As such, authorities and the general public commonly view public acts of worship by Ahmadis as <u>blasphemy</u>. According to in-country sources and international media, Ahmadis have been charged under sections 298A and 298C of the *Pakistan Penal Code* (1860) for blasphemy for reciting the Quran and 'posing as Muslims'. In-country sources told DFAT Ahmadis could not effectively dispute these charges because providing counternarratives based on their religious beliefs could constitute 'preaching', which was also considered blasphemy. For more detailed information on this issue, see <u>Blasphemy</u>.
- 3.87 Ahmadis had been charged for breaching the *Prevention of Electronic Crimes Act* (2016), which in-country sources stated was designed to curb 'hate speech' but was used in practice to protect majoritarian interpretations of Islam. In-country sources told DFAT 16 Ahmadis had been charged under the *Prevention of Electronic Crimes Act* (2016) since 2019 and some were still awaiting trial as at 2024. Six of these 16 Ahmadis were current on remand in October 2023, and five had remained in prison for over three years without formal trial. Most of the 16 Ahmadis were charged with breaching Section 11 of the *Prevention of Electronic Crimes Act* (2016) for 'electronic forgery' for using an 'information system, device or data, with the intent to cause damage or injury to the public or to any person'. Section 11 includes punishment by imprisonment 'for a term which may extend to three years, or with fine which may extend to two hundred and fifty thousand rupees, or with both'. In-country sources told DFAT a number of Ahmadi leaders had pending arrest warrants against them for breaching the *Prevention of Electronic Crimes Act* (2016).
- The High Court and Supreme Court have made some favourable judgements regarding Ahmadis, 3.88 including to allow Ahmadis to practice their faith at home. For example, former Supreme Court Chief Justice, Qazi Faez Isa, issued a ruling on 8 February 2024 about the right of the Ahmadi community to print and disseminate the Tafseer-e-Sagheer, a shorter version of the 10-volume Tafseer-e-Kabeer, the commentary to the Quran by Mirza Basheer-ud-Din Mahmood Ahmad, the son and successor of Mirza Ghulam Ahmad. Former Supreme Court Chief Justice, Qazi Faez Isa, stated the principle 'no compulsion in religion' under Article 20 of the Constitution meant 'every citizen shall have the right to profess, practice and propagate his religion... fundamental rights [that] cannot be derogated from, circumvented or diluted'. Chief Justice Isa ordered the defendant, who had remained in jail for thirteen months, immediately released against the posting of a symbolic bond. Prior to this ruling, Mubarak Ahmed Sami, an Ahmadi, was arrested on 7 January 2023 for disseminating the Tafseer-e-Sagheer in breach of a 2021 Punjab law prohibiting the printing and distributing of 'heterodox' editions and commentaries of the Quran. Despite Chief Justice Qazi Faez Isa's 2024 rulings which protects some of the religious rights of Ahmadis, in-country sources said many were not implemented by local authorities who remained prejudiced against Ahmadis. Domestic media reported Chief Justice Qazi Faez Isa received a number of death threats following his 2024 ruling, some of which came from TLP supporters.
- Ahmadis face a wide range of official discrimination due to their designation as non-Muslims, including barriers to registering marriages, voting, and accessing <u>education</u> and other services. Applications for official <u>documentation</u>, including <u>passports</u>, birth certificates and <u>NICs</u>, contain information about religious affiliation. High school examinations and passport applications also require one to declare their religion. To self-declare as a 'Muslim' on official documentation in Pakistan, applicants, including Ahmadis, must explicitly denounce Mirza Ghulam Ahmad as a 'false prophet' and all *Ahmadiyya* followers as 'non-Muslims', something in-country sources stated was akin to Ahmadis renouncing their religion. To register as voters, Ahmadis must undergo the same process of either renouncing their faith or agreeing to be placed in a separate electoral list categorising them as 'non-Muslims'. Official documents often refer to Ahmadis as '*Qadiani*', a derogatory term offensive to Ahmadis.

- 3.90 In-country sources told DFAT NADRA maintains accurate, up-to-date records of Pakistani citizens' religious identities, including who is and is not an Ahmadi. Pakistani passports also identify people as Ahmadis on the 'notes page' in an annotation that has appeared since 2011. To avoid this annotation in their passport, Ahmadis would need to renounce their religion by explicitly denouncing Mirza Ghulam Ahmad as a 'false prophet', an action to which in-country sources stated almost no Ahmadis would consent. The Ahmadi Community maintained its own highly accurate register of births, deaths and marriages, which the community made available to, and was frequently used by, its international diaspora.
- 3.91 Ahmadis are regularly subjected to societal violence based on their faith and have had their places of worship damaged and desecrated. For example, local media reported in December 2024 Tayyab Ahmad was reportedly killed in Rawalpindi for his Ahmadi faith by an assailant using an axe. Local media reported in March 2024 a leader of the Ahmadi community in Bahawalpur District of Punjab was shot dead by unidentified assailants while out for a walk. In 2024, Amnesty International reported a number of Ahmadi mosques were damaged and graves desecrated by Sunni sectarian religious groups. In 2023, international media reported 42 Ahmadi places of worship were damaged in Pakistan and 100 Ahmadi graves in Punjab desecrated by Sunni sectarian religious groups. The US Department of State's 2023 Pakistan Report on International Religious Freedom stated human rights advocates and Ahmadiyya community leaders stated police and local authorities rarely took action to prevent attacks on Ahmadi mosques or to punish assailants who vandalised or destroyed Ahmadi mosques, minarets, and gravestones. The 2023 Pakistan Report on International Religious Freedom also reported police participated in or even led the attacks against the Ahmadi community, and local authorities generally prevented the repair or rebuilding of minarets at mosques, gravestones with Islamic verses, or other structures with identifiably Islamic features.
- 3.92 Ahmadis have been subjected to organised hate campaigns based on their religion by Sunni sectarian religious groups. According to in-country sources, the <u>TLP</u> organised public rallies to <u>protest</u> against any weakening of legal discrimination against Ahmadis, and religious scholars and lawyers collaborated to bring <u>blasphemy</u> charges against Ahmadis in 2023. According to in-country sources, members of parliament and judges regularly spoke out against Ahmadis to bolster their own image in the community in 2023. In-country sources told DFAT the <u>military</u> leadership promoted messaging to stop targeting Ahmadis. Senior military personnel spoke out against targeting Ahmadis in 2023 because the violent actions of TLP had received negative international attention at a time the country was looking for increased <u>financial assistance</u>. In-country sources told DFAT the military had intervened to provide increased security and assistance to Ahmadis in Pakistan, including pressuring <u>police</u> to pursue FIRs against members of TLP attempting to desecrate Ahmadi mosques in 2023.
- 3.93 Ahmadis often experience societal discrimination and ostracism in employment and everyday life. In-country sources told DFAT of unofficial local bans on Ahmadis entering shops outside of Rabwah and said shop attendants often told Ahmadis 'first you enter Islam, then you enter my shop'. Members of the Ahmadi community told DFAT Ahmadi businesses had been targeted by religious groups for both damage and boycotts. Some legal bar associations effectively banned Ahmadi barristers from practicing because they required declarations agreeing to mainstream Islam practices like the end of prophethood, which went against the beliefs of Ahmadiyya. Although a separate quota existed for Ahmadis to obtain government employment, no Ahmadis were employed by the police force or in local government, even in Rabwah. In-country sources told DFAT Ahmadis had been expelled from schools because of their religious beliefs and students were not able to attend religious education classes if they were registered as an Ahmadi. For example, four Ahmadi students at a school in Attock in Punjab received notices on 23 September 2022 stating they were being 'retrenched on the basis of Qadinaniat religion...[and] the institution was not in a position to let them continue'.
- 3.94 DFAT assesses Ahmadis in Pakistan face a high risk of official discrimination on the basis of their religion in the form of legal prohibitions of their faith. This can lead to difficulty obtaining official

<u>documentation</u>, inadequate <u>state protection</u>, unfair <u>trials</u>, and prosecution for religious offences. DFAT assesses Ahmadis living outside of Rabwah also face a high risk of official and societal discrimination accessing public and social services, housing, government <u>employment</u> and <u>education</u>.

3.95 DFAT assesses Ahmadis who do not publicly identify as such and maintain a low profile generally have a low risk of being identified by <u>militants</u> and <u>non-state actors</u> due to their lack of identifying characteristics, with the exception of some females who may be distinguished by those aware of distinctions in their dress, and hence face a low risk of physical violence and being <u>killed extrajudicially</u>. DFAT assesses while Ahmadis in Rabwah face a low risk of physical violence and being killed extrajudicially, Ahmadis living outside of Rabwah face a moderate risk of violence in the form of extrajudicial killing. DFAT assesses relocation to Rabwah by Ahmadis is possible and can lessen their well-founded fears of sectarian violence, however barriers exist in terms of access to community support (see <u>Internal Relocation</u>).

Christians

- 3.96 There were approximately 3.3 million Christians in Pakistan according to the 2023 *National Census*, although the Catholic Church estimates 14 to 17 million people living in Pakistan may identify as Christian. The majority of Christians are descendants of low-caste Hindus who converted prior to partition. Most Christians live in Punjab, with sizeable populations in Sindh, Islamabad and KP. Pakistani law does not restrict Christians from practising their religion and in-country sources stated Christians were generally able to practice their religion without government interference. However, in-country sources reported Christians were unable to proselytise to grow their faith (along with all other religions besides Sunni Islam, see Religion) and sometimes faced difficulties establishing new churches. Due to historical attacks against the Christian community on Christian holidays, police provided security for major Christian churches during Christmas and Easter in an effort to reduce risk of violence to the community.
- 3.97 Christians are disproportionately targeted by <u>blasphemy</u> accusations, which can also negatively affect their entire family. A Peoples' Inquiry conducted by human rights observers reported at least 60 Christians were illegally detained in Sargodha, Faisalabad and Jaranwala in cases related to blasphemy in 2023, many after being physically attacked by mobs. In October 2022, a man was arrested for blasphemy for allegedly desecrating the Quran after its pages, produced at a publishing company he worked at as a cleaner, were found in a sewage drain. In another instance in 2022, a Lahore court handed down the <u>death sentence</u> to Ashfaq Masih for stating to a Muslim customer he didn't 'follow anyone except Jesus', which the <u>court</u> interpreted as 'I refused to follow Prophet Muhammad' and termed blasphemy. Local media reported in February 2022 a Christian nurse was accused of blasphemy for saying she would 'pray' for someone at the hospital where she worked, and was forced into hiding along with her family. For more detailed information on this issue, see <u>Blasphemy</u>.
- 3.98 Some Christians have been subjected to physical violence and extrajudicial killings by Sunni sectarian groups. In-country sources from the Christian community told DFAT they increasingly felt insecure and vulnerable. For example, in 2024 three Christians were shot and wounded in an attack on the home of a pastor and televangelist in Lahore on Christmas. According to the US State Department 2023 *Report on International Religious Freedom*, three Christians were killed because of their faith in 2023. For example, unknown men shot dead a Christian sanitary worker, Kashif Masih, in Peshawar on 1 April 2023. On 30 January 2022, unidentified attackers on a motorcycle shot and killed Pastor William Siraj from the Protestant Church of Pakistan's Peshawar Diocese. In another example, a group of 150 to 200 Muslims entered a Christian neighbourhood in Lahore and dragged Christian man, Pervez Masih, from his shop and beat him to death on 14 February 2022. For more detailed information on this issue, see Extrajudicial killings.

- 3.99 Armed groups attacked Christians and their places of worship in 2023 (see also <u>Civil disorder</u>). Local and international media reported armed mobs attacked churches in Jaranwala town in Punjab on 16 August 2023, after two of its Christian residents were accused of <u>blasphemy</u>. Hundreds of people armed with batons and sticks attacked the Salvation Army Church and the Saint Paul Catholic Church and set them on fire, while another mob attacked private homes, torching the homes and breaking windows. In-country sources told DFAT that 17 churches and 40 Christian homes had been burnt. In response, *ulema* (clergy) from a variety of religious sects denounced the attacks and Army Chief Lt. Gen. Asim Munir described the mob violence as 'extremely tragic and totally intolerable'. In-country sources told DFAT Pakistan's government only provided the victims of Jaranwala with limited assistance and financial compensation. Amnesty International stated 'Pakistan's government ha[d] failed to deliver justice for the minority Christian community' because more than 90 per cent of the suspects of the attack were still at large in August 2024.
- 3.100 In another incident reported by domestic and international media, torn pages of the Quran were discovered near the Christian colony in Faisalabad with alleged blasphemous content written on them and taken to a local Islamic religious leader who told Muslims to <u>protest</u> and demand the culprits be arrested. In-country sources told DFAT <u>police</u> were warned a mob was coming hours before the attack but they did not stop it. Police subsequently arrested over 150 people involved in the attack on the Christian community, as well as the two Christians accused of <u>blasphemy</u>. According to an investigation by the Human Rights Commission of Pakistan, the attacks were part of a larger campaign of hatred against Christians led by a number of local political leaders.
- 3.101 The Christian community has been the target of large-scale bombings in the past decade, including but not limited to: a bombing of two churches in Lahore in 2015, killing at least 14 people and a suicide bombing of a church in Quetta in 2017, killing nine and injuring over 50 people. At the time of writing, DFAT was not aware of similar attacks since 2017.
- 3.102 Individuals sometimes target Christian girls for forced or underage marriage and <u>forced conversion</u> (see also <u>Women, Children</u>). In 2023, local human rights organisations recorded 26 cases of abduction and forced conversions of Christian girls across Pakistan. The US State Department *Report on International Religious Freedom* reported cases of male Muslims abducting and raping young female Christians. The abducted girls stated their attackers singled them out as vulnerable based on their age and religious minority identity. For example, according to the US Department of State, a 14-year-old Christian girl was abducted in Lahore by her 45-year-old Muslim neighbour on 4 January 2022 and forcefully converted to Islam to marry her abductor. The *Christian Marriage (Amendment) Bill* (2024) made 18 the minimum age for marriage for both Christian boys and girls. For more detailed information on this issue, see <u>Forced conversion</u>.
- 3.103 Dalit Christians (descendants of lower-caste Hindus who converted during the colonial era) face daily societal discrimination from the Muslim majority, including use of derogatory slurs such as 'infidels' or 'chura' (dirty), and people refusing to touch or share facilities with them due to a stereotype Christians are 'unclean'. In-country sources told DFAT Dalit Christians sometimes experienced issues running businesses, because Muslims did not want to do business with or buy food from them. Christians had been targeted by rival businesses threating use of <u>blasphemy</u> laws to run them out of business. According to in-country sources, blasphemy cases were also used to seize land belonging to Christians, avoid debts to Christians or during vendettas with Christians.
- 3.104 Dalit Christians are among the most economically vulnerable groups in Pakistan. In 2024, many Dalit Christians lived in poverty and Christian women and girls faced elevated risks (see also <u>Women</u>). Many Dalit Christians were employed as sanitation workers and household 'servants'. The US Department of State reported Christian religious freedom activists said there was widespread discrimination against Christians in private employment in 2022 and Christians experienced difficulty finding jobs other than those involving menial labour. Until 2022, job advertisements, including those for municipal and other government agencies, often specified sanitation work could only be done by Christians or other 'non-Muslims' until the Islamabad

High Court banned these advertisements in January 2022. Pakistan's National Human Rights Commission estimated Christians held more than 80 per cent of jobs involving refuse collection, sewage work and street sweeping across Pakistan. Deutsche Welle reported 90 per cent of Islamabad's sanitation workforce was Christian.

3.105 DFAT assesses Christians are generally able to practise their religion freely in Pakistan. DFAT assesses Christians face a moderate risk of official discrimination based on their religion in the form of difficulties accessing government employment and education, unfair trials, and prosecution for religious offences. DFAT assesses Dalit Christians face a moderate risk of societal discrimination in the form of impeded access to higher education and employment. Christians generally face a low risk of societal violence throughout Pakistan, however Christian women and girls may face elevated risks (see also Women, Children).

Hindus

- 3.106 There were approximately 3.9 million Hindus in Pakistan according to the 2023 *National Census*, although in-country sources estimated upwards of 9 million people in Pakistan were Hindus. Most Hindus live in Hindu-majority communities in Sindh. Pakistani law does not restrict Hindus from practising their religion and in-country sources stated Hindus were generally able to practice their faith and establish places of worship without government interference. However, in-country sources reported Hindus were unable to proselytise to grow their faith (along with all other religions besides Sunni Islam, see <u>Religion</u>) and were affected by negative community attitudes towards India and the state of the Pakistan-India bilateral relationship. <u>Police</u> provided security for major Hindu temples during religious gatherings and holidays in an effort to reduce the risk of violence.
- 3.107 Sunni sectarian groups have targeted Hindus with acts of physical violence and extrajudicial killings. For example, the US State Department reported a Muslim police officer beat, stripped naked and chased a Hindu man from Hyderabad called Alam Kohli until he fell into a septic well and died on 8 September 2022. Local media reported despite closed-circuit television camera footage of the police officer's violence towards the victim, his death was recorded as death by suicide. In another example, a prominent leader of the Hindu community was kidnapped for ransom by a criminal gang in Sindh on 23 June 2023 and the gang's leader, Umar Shar, stated he would initiate attacks on Hindu temples, leading the local Hindu community to stop visiting them, 'fearing for their safety'. The gang subsequently kidnapped a further 30 members of the Hindu community, including women and children.
- 3.108 Religious and political groups, including the <u>TLP</u>, have <u>protested</u> the establishment of new Hindu temples. Vandals and violent mobs have also attacked Hindu places of worship. For example, a criminal group used rocket launchers to attack a Hindu temple in Kashmore District of Sindh in July 2023 although the warheads failed to explode and there was no loss of life. In another instance, a Sunni sectarian group vandalised the Shri Mari Mata Mandar Hindu temple in Karachi on 6 July 2022.
- 3.109 Despite protections codified in law in the *Hindu Marriage Act* (2017), which covers the Islamabad Capital Territory, Balochistan, KP and Punjab, and the *Sindh Hindu Marriage* (*Amendment*) *Bill* (2018) codifying legal mechanisms to formally register and prove the legitimacy of Hindu marriages in Sindh, allowing marriages to be voided when consent 'was obtained by force, coercion, or by fraud', some Hindu girls are targeted for forced and underage marriage and <u>forced conversion in Pakistan</u>. In 2023, local human rights organisations recorded 110 cases of abduction and forced conversions of Hindu girls and women in Pakistan.
- 3.110 In general, Hindus did not face barriers accessing <u>health services</u>, <u>education</u> or social welfare on the basis of their religion. However, like other religious minorities, Hindus reported being denied senior government, <u>police</u> and <u>military</u> roles. Wealthy, high-caste Hindus generally experienced less societal discrimination than lower, scheduled-caste Hindus, who faced many of the same social and economic

challenges as Dalit Christians due to their shared historic origin as 'untouchables'. Many lower-class Hindus were employed as sanitation workers and household servants, and experience societal discrimination including people refusing to touch or share facilities with them and the use of derogatory terms towards them, such as *chura* ('dirty'). In-country sources told DFAT rates of Hindu emigration were linked directly to the increasing societal discrimination they faced in Pakistan.

3.111 DFAT assesses Hindus are generally able to practise their religion freely in Pakistan. DFAT assesses lower-caste Hindus face a moderate risk of official discrimination based on their religion in the form of difficulties accessing government employment and unfair trials. DFAT assesses lower-caste Hindus face a moderate risk of societal discrimination in the form of impeded access to employment. DFAT assesses wealthy, high-caste Hindus face a low risk of official discrimination in the form of difficulties accessing government employment and unfair trials, and a low risk of societal discrimination. Hindus generally face a low risk of violence throughout Pakistan. Hindu women and girls may face elevated risks (see also Women, Children).

Shi'a

- 3.112 Pakistan is home to the world's second-largest Shi'a population after Iran. An estimated 20 to 40 million Shi'a live throughout Pakistan, including minority communities of <u>Bangash</u>, Bohra, <u>Hazara</u>, Ismaili, and <u>Turi</u>. The Shi'a *ulema* estimated in 2023 upwards of 30 per cent of Pakistan's total population, or approximately 80 million people, were Shi'a. There are significant Shi'a communities in Karachi, Lahore, Rawalpindi and Islamabad. Shi'a make up the majority of GB but are a minority in Pakistan's other provinces and regions. Pakistani Shi'a are represented in all walks of life, and in many cases have succeeded in playing prominent roles in Pakistan's cultural sphere and attaining influential, high-profile positions. Shi'a are also well represented in parliament and regularly contest elections for mainstream political parties.
- 3.113 Most Pakistani Shi'a (except <u>Hazaras</u>) are not physically or linguistically distinguishable from Sunnis, and the 2023 *National Census* did not distinguish between Shi'a and Sunni. NADRA collected sectarian information during the application process for identity documents but <u>NICs</u> did not identify a cardholder as Shi'a, and <u>passports</u> did not distinguish between Sunni and Shi'a. Some Shi'a could be identified by common Shi'a names, such as Naqvi, Zaidi or Jafri. Similarly, ethnic or tribal names could reveal a person's ethnicity or tribal affiliation, as nearly all <u>Hazaras</u> and <u>Turis</u> were Shi'a, as were many <u>Bangash</u>.
- 3.114 Pakistani law does not restrict Shi'a from practising their religion and they are generally able to practice their faith, although in-country sources said government interference in Shi'a religious affairs had increased. In-country sources told DFAT Shi'a experienced difficulties acquiring 'No Objection Certificates' (NOCs) from government departments to establish new mosques, and since 2018 it had become progressively more difficult to obtain permission to hold religious gatherings. In general, Shi'a did not face barriers to accessing health services, education or social welfare on the basis of their religion.
- 3.115 Shi'a faced rising religious intolerance and official discrimination in the form of <u>blasphemy</u> accusations: 38 per cent of all blasphemy cases were filed against Shi'a in 2023. In January 2023 a Jamaat-e-Islami (JeI) religious political party member introduced a private member's bill, arguing blasphemy had increased online, particularly on social media. *The Criminal Laws (Amendment) Act* (2023) bill would amend *Pakistan Penal Code* (1860) section '298A. Use of derogatory remarks, etc., in respect of holy personages' to increase the penalty from three years and/or a fine to life imprisonment. The Centre for Social Justice (CSJ) stated the proposal 'had serious implications on the relationship between Shi'a and Sunni sects of Islam'. The offence would be non-bailable, in violation of the right to personal liberty guaranteed by Article 9 of the Constitution. A small sitting of the National Assembly fewer members than a quorum passed the bill in January 2023, the Senate passed it on 7 August 2023, referring it to a parliamentary committee for review. The president returned the

bill to Parliament on 15 August 2023 unsigned so it did not become law. For more detailed information on this issue, see Blasphemy.

- 3.116 The Punjab Assembly passed the draft *Punjab Tahaffuz Bunyad-e-Islam Bill* (2020) in July 2020. However, following large-scale <u>protests</u>, including public calls for succession in GB, the Governor of Punjab did not seal the draft bill to enact it into law. The draft *Punjab Tahaffuz Bunyad-e-Islam Bill* (2020) would have criminalised publishing materials desecrating the Prophet Muhammad, his family and companions, or any of the four divine books, as well as abetting terrorists or promoting sectarianism. Offences under the draft *Tahaffuz Bunyad-e-Islam Bill* would have been punishable with a maximum jail term of five years. In-country sources told DFAT the draft *Punjab Tahaffuz Bunyad-e-Islam Bill* directly targeted Shi'as because it privileged the Sunni interpretation of the Quran and criminalised Shi'a beliefs regarding the political succession of the Prophet Muhammed.
- 3.117 Shi'a have been the target of physical violence and <u>extrajudicial killings</u>. According to SATP data, approximately 2,800 Shi'a have been killed between 2000 and 2023 in in 480 militant attacks and associated counter-terror operations. For example, an <u>IS-KP</u> suicide bomber detonated himself inside an *imambargah* (a Shi'a place of worship distinct from a mosque) in Peshawar on 4 March 2022 during Friday prayers, killing approximately 62 worshippers. In March 2022, two assailants shot and killed Syed Salman Haider Rizvi, General Secretary of the Shi'a organisation Pasban-e-Aza and former President of the Khair-ul-Amal mosque, outside his home in Karachi. The frequency of attacks on Shi'a have declined significantly since 2013 because of increased <u>police</u> security for Shi'a places of worship and processions.
- 3.118 Sunni religious, political and militant groups including Ahl-e-Sunnat-Wal-Jamaat, LeJ, <u>IS-KP</u>, Sipah-e-Sahaba Pakistan and <u>TLP</u>, consider Shi'a 'infidels' and often apply the concept of *takfir* to them, in effect excommunicating Muslims whose practices they deem improper. Sectarian tensions often flare up between Sunni and Shi'a during *Muharram*, a day of religious significance when Shi'a mourn the killing of the Prophet Mohammad's grandson and his family.
- 3.119 Shi'a and Sunnis can legally inter-marry. However, a 2018 report by the Immigration and Refugee Board of Canada stated such marriages were 'not easy, and difficulty factors ranged from social disdain or discouragement to life threats, depending on the locality and region, social stratum, and particular family circumstances'. This was confirmed by in-country sources.
- 3.120 DFAT assesses Shi'a are generally able to practise their religion freely in Pakistan. DFAT assesses Shi'a face a low risk of official discrimination on the basis of their religion in the form of unfair trials and prosecution for religious offences. DFAT assesses Shi'a face a low risk of societal discrimination in the form of anti-Shi'a protests, however some Shi'a face specific, heightened risks (see separate DFAT assessments for Bangash, Hazaras, Turis). Shi'a women and girls can also face higher risks (see also Women, Children).

Sikhs

- 3.121 There were 15,998 Sikhs in Pakistan according to the 2023 *National Census*. Pakistani law does not restrict Sikhs from practising their religion. In-country sources told DFAT Sikhs were generally able to practice their faith without government interference. However, similar to all other religions besides Sunni Islam, Sikhs were unable to proselytise to grow their faith (see <u>Religion</u>). Police provide security for major Sikh gurdwaras during religious gatherings and holidays in attempts to mitigate the risk of violence.
- 3.122 Sikhs have sometimes been targeted with physical violence and <u>extrajudicial killings</u>. In-country sources said instances of such violence were rare but did occur. For example: <u>IS-KP</u> claimed responsibility for killing a Sikh man in Peshawar in June 2023, gunmen shot and killed a Sikh man in Lahore in May 2023, and <u>IS-KP</u> shot and killed another Sikh man in Peshawar in April 2023. In May 2022, two Sikhs were killed by

unknown assailants on the outskirts of Peshawar. In October 2022, a 13-year-old Sikh boy was sodomised at gunpoint by three Muslims in Jacobabad in Sindh. In addition, one Sikh gurdwara was vandalised in Pakistan in 2023, according to local human rights organisations.

- 3.123 In country sources told DFAT while Sikh <u>women</u> and <u>girls</u> were rarely the targets for <u>forced conversions</u> and early and forced marriages, the practice did occur. For example, a 25-year-old Sikh woman named Dina Kaur was abducted at gun point, raped, forcibly converted to Islam and married to her abductor in Buner District of KP. The forced marriage was undertaken with the help of the local administration and police. Provincial legislation has been passed to curb these practices, including the *Punjab Sikh Anand Karaj Marriage Act* (2018) which states both parties to the marriage must be over the age of 18. The provisions of the *Sindh Hindu Marriage Act* (2017) also applied to Sikh marriages in Sindh.
- 3.124 In general, Sikhs do not face barriers to accessing <u>health services</u>, <u>education</u> or social welfare on the basis of their religion. However, like other religious minorities, Sikhs reported being denied senior government, <u>police</u> and <u>military</u> roles. In-country sources told DFAT there were very high levels of Sikh emigration (primarily to India) as Sikhs feared being targeted by religious extremists and because they wished to seek better economic opportunities.
- 3.125 DFAT assesses Sikhs are generally able to practise their religion freely in Pakistan. DFAT assesses Sikhs face a low risk of official discrimination on the basis of their religion in the form of barriers to accessing government employment. DFAT assesses Sikhs face a low risk of societal discrimination generally face a low risk of violence, however women and girls may face higher risks (see also <u>Women</u>, <u>Children</u>).

POLITICAL OPINION (ACTUAL OR IMPUTED)

- 3.126 Article 10 of the Constitution states 'every citizen shall have the right to freedom of speech and expression' but clarifies the right is subject to 'reasonable restrictions imposed by the law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offence'. The breadth of the caveats listed under Article 10 of the Constitution undermine constitutional guarantees of freedom of speech in Pakistan.
- 3.127 Pakistan's government, military and security services consider a number of topics sensitive. These include but are not limited to: commentary on <u>religious</u> and <u>ethnic</u> issues, autonomy and separatism, <u>corruption</u>, land and property rights, labour rights, <u>enforced or involuntary disappearances</u>, and <u>extrajudicial killings</u>, as well as public criticism directed at the <u>military or government</u>. Repercussions for raising sensitive topics publicly include low level monitoring, harassment, physical and electronic surveillance, cancellation of visas, seizing of assets, <u>punishment under the law</u>, being disappeared and/or killed extrajudicially.
- 3.128 Article 50 of the Constitution provides for elections based on universal suffrage. The voting age is 18. Besides Ahmadis (who are effectively required to renounce their religion by accepting they are non-Muslims to stand), there are no legal restrictions preventing ethnic or religious minorities from participating in the political process. In the National Assembly, ten seats are reserved for non-Muslim minorities and 60 seats are reserved for women. These seats are allocated to political parties on a proportional basis (see Political System). In-country sources told DFAT the National Census often undercounted minorities, and the number of seats allocated to minorities was insufficient to ensure proportional representation.
- 3.129 Pakistan has a robust and diverse political landscape: 44 political parties contested the 2024 general elections, representative of a broad range of <u>ethnic</u>, <u>religious</u> and ideological interests. Of these political parties, 14 are represented in Pakistan's parliament in 2024. However, informal barriers restrict parties from operating freely and curb their ability to contest elections. Parties out of favour with the government, <u>military</u>

and <u>security services</u> often face legal difficulties, harassment, and targeted violence. In-country sources told DFAT Pakistan's government agencies, in particular the National Accountability Bureau (NAB) and the Federal Investigation Agency (FIA), unfairly targeted political opponents through harassment, coercion, violence and the legal system. Recent targets of Pakistan's PML-N and PPP led government included prominent members of the <u>PTI</u> and its allies. At the time of writing, PML-N and PPP party members were not commonly targeted. In-country sources told DFAT the FIA also targeted <u>journalists</u> and <u>human rights defenders</u> who criticised the government, as well as their families.

3.130 The 8 February 2024 general election was not free or fair according to many in-country sources, foreign governments, local and international media, and local and international human rights organisations. During the 2024 election, all <u>PTI</u> politicians were forced to run as independents. Pakistan's government also: enforced a widespread clampdown on freedom of expression and association, detained and harassed PTI supporters, banned PTI election symbols, shut down cell phone signals on election day, delayed the announcement of election results; and was observed engaged in efforts to rig voting outcomes in some locations. Responding to concerns over the fundamental fairness of the 8 February 2024 general elections, the Australian Government stated 'the Pakistani people were restricted in their choice, since not all political parties were allowed to contest these elections'.

3.131 DFAT assesses the implications of formal and informal restrictions on the expression of political opinion in Pakistan can be serious for individuals (their families, advocates and legal representatives) and entities that raise issues considered sensitive to civilian and military institutions. For further details and specific assessments of risk see Race/Nationality, Civil Society, Media and Journalists.

Awami National Party (ANP)

- 3.132 The ANP, formed in 1986, is a secular Pashtun nationalist political party that follows the ideology of Khan Abdul Ghaffar Khan (also known as Bacha Khan), who preached non-violence and advocated for maximum autonomy of Pakistan's provinces. The ANP is active in KP and Pashtun-majority areas of Balochistan (see <u>Pashtuns</u>). In 2021, the ANP declared it was not against the Afghan Taliban but 'only condemned violence and terror incidents perpetuated in Afghanistan'.
- 3.133 The ANP was part of the PTI-led coalition government from 2018 to 2022. The ANP also governed KP province and was a junior partner in the federal coalition government from 2008 to 2013. The ANP did not secure any seats in the 2024 general election. The ANP won three out of a total of 65 seats in Balochistan's 2024 provincial election and one seat out of 145 seats in KP's 2024 provincial election.
- 3.134 The ANP advocates for increased provincial autonomy for KP, reducing Punjabi hegemony in the province, and increasing local control over natural resources. For example, ANP provincial president Aimal Wali Khan stated at a rally in December 2023 'the war on Pashtuns' land was only meant to occupy their resources... Pashtuns are patriotic Pakistanis, but they are being declared as traitors... the silence of *ulema* on the ongoing terrorism incidents and suicide attacks in the country was beyond understanding'. The ANP also advocates for equal rights for Pashtuns, including against discrimination when <u>relocating</u> internally to other provinces. Since 2018, ANP members have participated in large-scale demonstrations led by <u>Pashtun Tahafuz</u> Movement (PTM) against human rights abuses faced by Pashtuns (see also Protestors).
- 3.135 Some ANP members have been the targets of physical violence, <u>enforced disappearances</u> and <u>extrajudicial killings</u>, according to in-country sources. For example, ANP leader Javed Khan was shot at close range by assailants in October 2023, an incident authorities said was part of a 'blood feud' between relatives. In-country sources told DFAT an unknown group kidnapped and killed three ANP members known to advocate for Pashtun rights in Balochistan in early 2023.

3.136 DFAT assesses ANP members generally face the same low level of official discrimination broadly faced by <u>Pashtuns</u> in Pakistan; however ANP members who publicly advocate for greater Pashtun rights, autonomy or self-determination for KP face a moderate risk of official discrimination in the form of harassment, surveillance, arrest, imprisonment, <u>enforced disappearances</u> and <u>extrajudicial killings</u>. ANP members generally face a low risk of societal violence throughout Pakistan. DFAT assesses ANP members face a similar low risk of social discrimination in Pakistan as other Pashtuns.

Mutahidda Qaumi Movement (MQM)

- 3.137 The Mutahidda Qaumi Movement (United National Movement) or MQM was formed in 1984 and is a Karachi-based secular political party that advocates for the rights of *Muhajirs*, Urdu-speaking Muslim migrants from India and their descendants. The MQM was a major political force in Sindh in the 1980s and 1990s, when it was involved in widespread political violence in Karachi as MQM militants fought government forces, breakaway factions and militants from other ethnic political movements.
- 3.138 MQM's leader, Altaf Hussain, boycotted the 2018 general elections, causing the party to split into two factions ('MQM-Pakistan' and 'MQM-London'). In-country sources said MQM-Pakistan and MQM-London had reconciled, and the united party was noticeably less 'anti-establishment' than before. MQM won 22 federal seats in the 2024 general election and 36 out of 168 seats in Sindh's provincial election.
- 3.139 Members of MQM have been the target of physical violence and extrajudicial killings, although the frequency of incidents has trended downwards since 2021. For example, an MQM party member was killed during clashes with rival PPP members in Karachi in January 2024 in the lead up to the general election. In February 2024, an MQM member was shot at his in-laws' home in Karachi by unknown assailants.
- 3.140 DFAT assesses MQM members face no risk of official discrimination based on their political opinion. DFAT assesses MQM members face a low risk of violence from criminal elements and other political parties based in Karachi. DFAT assesses MQM members do not face societal discrimination.

Pakistan Tehreek-e-Insaf (PTI)

- 3.141 The PTI is a secular political party established in 1996 by Imran Khan and was once one of the world's largest political parties in terms of membership. The PTI emerged as a major party during the 2013 general election and gained the third-largest number of seats nationally. The PTI won the most seats at the 2018 general election, forming a coalition government that selected Imran Khan as Prime Minister.
- 3.142 In late 2020, the major opposition parties formed a coalition called the 'Pakistan Democratic Movement' (PDM), which accused Imran Khan of being a puppet of the military and called on him to step down. In late 2021, Khan reportedly fell out of favour with the military after a failed attempt to influence selections for highly coveted and powerful top military posts. Khan became the first Prime Minister of Pakistan removed from power in a no-confidence measure of the National Assembly on 10 April 2022. In late 2022, thousands of PTI supporters joined a 'long march' from Lahore to Islamabad to demand snap elections, during which time Khan was shot in the leg in a reported assassination attempt. The NAB arrested Khan on 9 May 2023 for corruption offences relating to unlawfully buying and selling gifts in state possession he had received during visits abroad worth more than PKR140,000,000 (AUD780,000), in what is popularly known as the 'Toshakhana case'. Following Khan's arrest thousands of PTI supporters participated in demonstrations, riots and clashes with police. Local and international media reported the protesters believed Khan's arrest was related to his 'anti-military stance', which led them to target military installations throughout Pakistan. Khan

was released but was rearrested in August 2024. Khan remained in jail at the time of writing under numerous charges he claimed were politically motivated.

- 3.143 In response to the 9 May 2023 protests, Pakistan's government deployed the <u>military</u> and imposed Section 144 of the *Code of Criminal Procedure* (1898), which prohibited all unauthorised public gatherings of over four people. Local media reported 14 civilians were killed during the 9 May protests, with no <u>police</u> and law enforcement officers killed. The military released a public statement on 7 June 2023, stating 'it is time that the noose of law is also tightened around the planners and masterminds who mounted the hate ripened and politically driven rebellion against the state and state institutions to achieve their nefarious design of creating chaos in the country'.
- 3.144 Human rights organisations report Pakistan's authorities have targeted PTI leaders and their family members with enforced disappearances, arrest and imprisonment (sometimes on multiple instances) on the basis of their political opinions. According to in-country sources, Pakistan's government, military and security services have sought to weaken the PTI by putting pressure on its leaders through 'pre-emptive detention'. 'Disappeared' PTI politicians often reappeared later with changed political views that condemned the PTI, with many stepping away from politics all together. For example, PTI leader Sadaqat Ali Abbasi was forcibly disappeared in May 2023 and reappeared after several months to condemn publicly 'the radical views against the Establishment within PTI'. PTI Member of the Senate, Ejaz Chaudhry, was arrested on 10 May 2023 for 'inciting violence' through his posts on Twitter related to the 9 May protests. Former PTI parliamentarian, Aliya Hamza Malik, was arrested on 10 May 2023 and charged with setting fire to a police station in Lahore. In September 2023, PTI leaders, Usman Dar, Abdul Kareem Khan, Awais Younus, Farrukh Habib, and Sheikh Rasheed, were subject to enforced disappearance. All were later released. In February 2024, PTI politician, Aslam Ghumman, was also abducted by unknown assailants. In February 2024, following the 2024 general election, the FIA issued arrest warrants for the PTI-nominated candidates for the posts of Chief Minister of Punjab and KP, and summoned Imran Khan's sister, Aleema Khan, 'for inciting the public against the state'.
- 3.145 Authorities have harassed and threatened to arrest PTI members on the basis of their political opinions. Local media reported 493 FIRs were registered, 8,031 arrests made, and 3,261 people detained in connection with the 9 May PTI protests. In October 2023, the PTI stated upwards of 10,000 PTI supporters had been placed on remand since the 9 May protests. In-country sources told DFAT high profile PTI members were most likely to face harassment or arrest by authorities. In-country sources said while first, second and third tier PTI leaders were sometimes targeted by authorities, low-level supporters who did not engage in violence during the 9 May protests were highly unlikely to receive any adverse official attention. In-country sources reported isolated instances of PTI supporters being detained in order to discourage their participation in future protests.
- 3.146 <u>Journalists</u>, academics and others publicly reporting on the PTI and its grievances faced official harassment, according to in-country sources (see also <u>Political opinion</u>). On 5 March 2023, the Pakistan Electronic Media Regulatory Authority (PEMRA) placed a blanket ban on the broadcast of speeches by Imran Khan and suspended the transmission of ARY TV, a private news network, on the grounds Khan had attacked state institutions and promoted hatred. On 15 November 2024, the Sindh High Court revoked the ban imposed by PEMRA against speeches made by Khan (see also Media and journalists).
- 3.147 DFAT assesses PTI leaders face a high risk of official discrimination and violence in the form of harassment, arrest, imprisonment, and enforced disappearance. DFAT assesses lower profile PTI members and supporters who do not publicly advocate for PTI interests or lead protests face a low risk of official discrimination in the form of harassment and arrest. DFAT assesses PTI members and supporters generally do not face societal discrimination or violence.

Pashtun Tahafuz Movement (PTM)

- 3.148 PTM is a <u>Pashtun</u> human rights movement that rose to prominence following mass youth *jalsas* (demonstrations) in Islamabad and KP during 2018. PTM is primarily active in KP and Pashtun-dominated areas of Balochistan. In 2023, PTM declared a membership in the hundreds of thousands. PTM leaders publicly called on Pakistan's government to end <u>enforced disappearances</u> and <u>extrajudicial killings</u> of Pashtuns, remove landmines, and hold security forces accountable for human rights abuses. In March 2023, PTM Chief, Manzoor Pashteen, stated the restoration of peace in Pashtun areas was a major objective of PTM, which represented 'all oppressed Pashtuns'. On 6 October 2024, the Interior Ministry declared PTM a terrorist organisation due to 'certain activities that are prejudicial to the peace and security of the country'.
- 3.149 PTM leaders have faced arrest and been targeted for enforced disappearances on the basis of their political opinions, even prior to the movement being declared a terrorist organisation. For example, PTM leader Ali Wazir was arrested in Dera Ismail Khan District of KP in November 2023 for making 'incendiary statements' and speeches against state institutions. Ali Wazir was previously arrested for 'treason' in Peshawar on 16 December 2020. Army Chief Qamar Javed Bajwa stated in July 2021 Ali Wazir would not be released before apologising for criticising the Army. In another instance, PTM Chief, Manzoor Pashteen, was banned from entering Balochistan and arrested on terrorism charges after police reported gunfire had come from his vehicle, however PTM members stated police had fired on Ali Wazir's vehicle instead. In another case, Manzoor Pashteen was arrested in October 2022 for giving a speech that 'criticis[ed] heads and generals of the Pakistan Army' and he was charged under sections 124A (Sedition) and 505 (Public Mischief) of the Pakistan Penal Code (1860), as well as Section 11-X (Responsibility for Creating Civil Commotion) of the Anti-Terrorism Act (1997). In-country sources told DFAT the Frontier Corps in KP arrested and forcibly disappeared another three senior PTM leaders in 2023.
- 3.150 Authorities have harassed and threatened to arrest some PTM members based on their political opinions, even prior to the movement being declared a terrorist organisation. In-country sources reported authorities had arrested thousands of <u>Pashtuns</u>, many of whom were PTM members, since 2019. Some PTM members arrested reported they were <u>tortured</u> in custody and had 'fake' FIRs filed against them in KP and Balochistan. For example, in August 2023 police arrested large numbers of PTM members across KP under Section 3 of the *Maintenance of Public Order Ordinance* (1960) in relation to 'maintenance of public order' ahead of a <u>demonstration</u> in Islamabad on human rights. All were later released. In October 2024, local and international media reported hundreds of PTM members had been arrested, and the movement's leader, Manzoor Pashteen, was in hiding.
- 3.151 According to in-country sources, <u>journalists</u>, academics and others publicly reporting on PTM and its grievances have faced official harassment despite no official ban on media reporting on PTM or its activities. In-country sources told DFAT following altercations between <u>police</u> and PTM members at the Kharqamar check post in North Waziristan in May 2019, Pakistan's government became more concerned about <u>Pashtun</u> unity and localised demands for autonomy. In-country sources said authorities had also harassed some small business operators because of their support for PTM.
- 3.152 DFAT assesses PTM leaders face a high risk of official discrimination on the basis of their political views, as well as PTM being declared a terrorist organisation, in the form of harassment, arrest, imprisonment, and enforced disappearance. DFAT assesses known PTM members face a moderate risk of official discrimination, primarily as a result of the organisation being declared a terrorist organisation, in the form of harassment, arrest and imprisonment. DFAT assesses PTM supportive and affiliated businesses face a low risk of official discrimination in the form of harassment. PTM members generally face a low risk of societal violence throughout Pakistan. DFAT assesses PTM members face a similar, low level of social discrimination in Pakistan as other Pashtuns.

Peace Committees

- 3.153 In some conflict-affected areas of <u>KP</u> and <u>Balochistan</u>, local community or government established local councils called *aman jirga* ('peace committees') help oppose militant groups such as the TTP. According to the Secure Livelihoods Research Consortium, members of peace committees were appointed by the <u>military</u> or <u>police</u> to deal with <u>security issues</u>, bring peace in an area and have government authority for out-of-court arbitration. Villages sometimes also formed peace committees of their own accord. Despite their name, peace committee duties ranged from 'keeping an eye on' militants' activities to actual engagement against <u>militant</u> groups as armed tribal militias.
- 3.154 Militant groups, including the <u>TTP</u>, historically targeted peace committee members. In-country sources told DFAT the TTP no longer claims or takes responsibility for these types of attacks and officially states it no longer attacks civilians (see also <u>TTP</u>). A small number of attempted militant attacks on peace committee members have taken place since 2021, although almost all of them failed, according to in-country sources. One recent instance resulting in death reported by international media was of peace committee leader Idrees Khan and his two bodyguards, after their vehicle drove over an improvised explosive device in September 2022, one of the first major explosions in the Swat Valley of KP since 2009.
- 3.155 Locals have accused peace committees of violence and human rights abuses. For example, residents of Tirah <u>protested</u> in April 2024 after 24 armed men affiliated with the Bazaar-Zakhakhel peace committee entered Tirah to 'manage an issue related to the narcotics trade.' The peace committee reportedly harassed locals and had not informed local elders about their visit, violating local customs and traditions. The Bazaar-Zakhakhel peace committee is a splinter group of the banned Lashkar-i-Islam group, which Pakistan's government has accused of terrorism and human rights abuses for its actions in <u>KP</u> between 2005 and 2012.
- 3.156 DFAT assesses peace committee members and their families generally do not face official discrimination on the basis of their peace committee membership. DFAT assesses <u>Pashtun</u> peace committee members face a similar, low level of social discrimination in Pakistan as other Pashtuns. DFAT assesses peace committee members face a low risk of violence and <u>extrajudicial killings</u> from militant groups based in KP. DFAT assesses relocation by peace committee members and their families outside of KP is possible and can reduce physical proximity with militant groups (see also <u>Internal Relocation</u>).

Protesters

- 3.157 Article 16 of the Constitution states that 'every citizen shall have the right to assemble peacefully and without arms, subject to any reasonable restrictions imposed by law in the interest of public order'. Protesters must seek police permission to hold demonstrations of more than four people. Under the law, illegal strikes, picketing, and other types of protests can be considered 'civil commotion', which may result in a sentence of life imprisonment under the *Pakistan Penal Code* (1860).
- 3.158 A variety of groups representing a broad range of interests including minorities, trade unions, professional bodies and students frequently exercise their right to assemble across Pakistan. Large-scale protests are common, with those relating to <u>blasphemy</u> and other religious issues often drawing wide and rapid support, which at times turned violent (see <u>Religion</u>, <u>Civil Disorder</u>, <u>Pakistan Tehreek-e-Insaf</u>). Large protests also occur over taxation and fuel, water, wheat, and gas shortages, as well as political issues such as enforced disappearances, vote rigging and minority rights.
- 3.159 Authorities do not always respect the right of Pakistani citizens to protest peacefully. A National Human Rights Commission study released in March 2022 reported authorities used 'unwarranted and disproportionate curbs' on the freedom of peaceful assembly in at least 392 of the 858 assemblies held between 2010 and 2020. A National Human Rights Commission analysis of 503 assemblies held between

January 2021 to March 2022 reported 12 per cent of the assemblies were met by 'state violence', often combined with the use of criminal-code provisions to detain and charge protesters.

- 3.160 Pakistan's government has had less tolerance for public demonstrations critical of its action and the military following the 9 May 2023 protests against the arrest of Imran Khan, which involved tens of thousands of his supporters (see also PTI). Police responded to the 9 May 2023 protests with tear gas, rubber bullets, and charged protesters with batons. More than 4,000 people were arrested in the weeks after the 9 May protests. In response to Pakistan's handling of the 9 May protests, UN Secretary-General António Guterres stated authorities 'need to respect the right to peaceful assembly' and urged them to 'respect due process and the rule of law in proceedings brought against former Prime Minister Khan.'
- 3.161 In December 2023, hundreds of women participated in the Baloch Long March and journeyed 1,600 kilometres from Turbat in Balochistan to Islamabad to protest the extrajudicial killing of young Baloch men. At least 20 participants in the Baloch Long March were unlawfully detained on 17 December 2023 in Punjab, with Amnesty International stating police used batons against peaceful protestors. When the Baloch Long March reached Islamabad on 20 December 2023, police used tear gas, water cannon and batons against the protestors. On 21 December 2023, police registered two FIRs against the protestors in Islamabad leading to the arrest of 300 protestors.
- 3.162 Sudden increases in prices of wheat sparked anti-government protests in <u>GB</u> on 23 December 2023. Thousands of people took to the street in peaceful protests in Skardu, Gilgit, Hunza, Nagar, and other areas to express widespread opposition to price rise. These protests followed months of peaceful demonstrations throughout GB against ongoing anti-<u>Shi'a</u> sectarian violence by Sunni militant groups in the region. A trade-focused protest in GB also took place between July and August 2024, which blocked portions of the Karakoram Highway and access to the Pakistan-China border.
- 3.163 Following the 8 February 2024 general election, more than 100 PTI members were arrested at nationwide protests against vote rigging. International media reported police officers attacked protesters with sticks at some of the PTI protests. A PTI spokesperson stated in March 2024 the majority of those arrested at the PTI protests had been released. Nine PTI members of parliament were also arrested in relation to their participation in a rally held in Islamabad on 8 September which was broken up with tear gas. In response to large PTI-led protests in Islamabad from 4-5 October 2024, police filed FIRs against Imran Khan, 63 PTI party leaders and over 3,000 PTI party workers for sedition, terrorism and attempted murder.
- 3.164 On 10 May 2024, thousands of protesters gathered in <u>Azad Jammu and Kashmir</u> to demand reduced wheat flour prices and for electricity rates to be aligned with hydropower production costs. Violence broke out between protesters led by the Azad Jammu and Kashmir Joint Awami Action Committee and <u>paramilitary Rangers</u> on 13 May 2024, killing three civilians and a police officer. Unarmed protesters stated the Rangers fired weapons at them.
- 3.165 On 24 July 2024, thousands began protesting in Gwadar against the growing Chinese presence in Balochistan and <u>enforced disappearances</u> carried out by the <u>security services</u>. Protesters told local media on 29 July 2024 more than 300 protesters had been arrested following raids throughout Balochistan. Videos showing protesters being dragged into police cars circulated online. The Human Rights Commission of Pakistan (HRCP) condemned the arrest of protesters. An army spokesperson said on 29 July 2024 one soldier had been killed and at least 16 injured during the protests in Gwadar.
- 3.166 On 26 November 2024, upwards of 40,000 <u>PTI</u> protesters assembled on the outskirts of Islamabad to demand Imran Khan's release from prison. <u>Security forces</u> conducted a clearance operation using tear gas and rubber bullets targeting reportedly 2,000-3,000 protesters who had entered central Islamabad. Local media reported 4,000 protesters were detained and six people killed during the protests.

- 3.167 On 24 March 2025, Karachi <u>police</u> arrested several members of the Baloch Yakjehti Committee (BYC) during a peaceful protest at the Karachi Press Club against the ongoing targeting of the Baloch human rights defenders. Sammi Deen Baloch was one of the several Baloch human rights defenders arrested (also see Baloch, Civil society).
- 3.168 Mass protests are a common occurrence in Pakistan and are conducted with varying levels of violence, by protesters, police and the military. DFAT assesses people who organise or lead protests on matters sensitive to or critical of Pakistan's government or military face a moderate risk of official discrimination in the form of harassment, arrest and imprisonment (except for PTI protesters who lead protests, who face a high risk of official discrimination). DFAT assesses people who participate in protests face a low risk of official discrimination, in the form of harassment and arrest. DFAT assesses the level of societal or state sponsored violence at any given protest depends on the nature of the protest. However, the overall risk of violence towards protestors at peaceful protests is generally low. DFAT assesses protesters do not generally face societal discrimination on the basis of being a protester alone but they may face elevated risks depending on the group they belong to or issues they are protesting about (see also Race/Nationality, Civil Society, Enforced disappearances, Extrajudicial killings).

GROUPS OF INTEREST

Civil Society – including activists, human rights defenders and lawyers

- 3.169 The political environment in Pakistan is often hostile toward local CSOs and INGOs because authorities sometimes perceive them as threats to national security. CSOs and INGOs must be registered under the *Societies Registration Act* (1860) in order to operate legally, a process reportedly used to control their activities on grounds of national security and the need to curb foreign interference. Over the years, restrictions on CSOs have reduced the space for civil society in Pakistan.
- 3.170 On 1 October 2015, Pakistan's government introduced a registration policy for INGOs, requiring them to register with and obtain permission from the Ministry of Interior (MoI) to operate. A multi-agency committee reviews registration applications, and the MoI has the power to cancel or deny the registration of any INGO deemed not to be acting in Pakistan's strategic, security, economic, or national interest. The MoI's application of the policy has restricted operations in more sensitive geographic areas and limited the activities of civil society actors on sensitive issues. A separate policy governing CSOs requires organisations to register with Pakistan's government before using foreign funding, services, and goods, and to obtain authorisation to work in defined geographical areas. In-country sources told DFAT it had become significantly more difficult for CSOs to operate independently in Pakistan since the implementation of these policies. In-country sources stated 60 to 70 per cent of all CSOs had closed since 2016.
- 3.171 According to Human Rights Watch's 2024 *Pakistan Report*, 'NGOs reported intimidation, harassment, and surveillance of various groups by government authorities... [and] the government used its regulation of INGOs in Pakistan policy to impede the registration and functioning of international humanitarian and human rights groups'. In-country sources told DFAT Pakistan's government policies governing CSOs were opaque and onerous, restricted their funding sources, and the government frequently rejected CSO applications without explanation.
- 3.172 CSOs are required to obtain NOCs from more than 14 government departments to open and operate bank accounts. According to in-country sources, Pakistan's government has used compliance measures that allowed the country to be removed from the FATF 'grey list' for <u>terrorism</u> financing to place undue restrictions

on CSO operations. According to international academics, the MoI made Pakistan's intelligence security apparatus primarily responsible for decisions to approve or reject NOCs and registrations for CSOs. In-country sources told DFAT CSOs often had to pay <u>bribes</u> provide a significant amount of personal information regarding CSO staff for NOCs to be considered. In some cases, bank accounts of CSOs had been frozen for non-compliance under FATF regulations following denial, or non-issuance of a NOC. In-country sources told DFAT it was almost impossible to get NOCs approved if working on 'political' issues like human rights advocacy. In-country sources told DFAT in 2025 movement was often restricted through the slow granting or refusal to grant NOCs to visit programs and sites outside of Islamabad Capital Territory.

- 3.173 Human rights activists are sometimes targeted for <u>extrajudicial killings</u>. For example, Sindhi rights activist and primary school teacher, Hidayatullah Lohar, was gunned down by two unknown assailants in Qambar Shahdadkot District of Sindh in February 2024. The National Human Rights Commission determined <u>police</u> had deliberately kept facts of the case hidden and actively attempted to hinder the investigation.
- 3.174 Human rights activists are sometimes targeted for enforced disappearances, a practice that occurs in all provinces of Pakistan. Experts from the UN OHCHR stated in December 2021 they condemned the conviction of leading human rights defender and minority civil society activist Idris Khattak, who was sentenced to 14 years imprisonment following an 'apparent unfair trial' by a military court. The UN experts reported Idris Khattak was abducted by security agents on 13 November 2019 in KP and subjected to seven months enforced disappearance, exposing him to a high risk of torture. Hundreds of people had been forcibly disappeared across Pakistan in 2023 for advocating for human rights (see Political opinion), according to in-country sources. For example, Front Line Defenders reported human rights defenders, Hafeez Baloch, Seema Baloch and Mahzaib Baloch, were forcibly disappeared from Gwadar city in Balochistan on 29 July 2024. At the time of writing, the whereabouts of these activists were unknown.
- 3.175 Human rights activists and their lawyers sometimes face harassment and threats of violence from the military and security agencies. For example, human rights lawyer Imaan Zainab Mazari-Hazir was arrested for sedition and offences under the *Anti-Terrorism Act* (1997) in August 2023. Sultan Madad and Hasnain Ramal were arrested in August 2022 under section 16 of the *Maintenance of Public Order Ordinance* (1960) for social media posts critical of the government's policies regarding sectarian issues in GB. In-country sources told DFAT the space to advocate for human rights in Pakistan had shrunk because people no longer felt safe to speak out following the military's more visible role in running the country and ongoing crackdown against opposition.
- 3.176 DFAT assesses human rights activists and civil society actors who publicly criticise Pakistan's government and military, or who work on topics deemed sensitive, face a high risk of official discrimination in the form of harassment by security forces, arrest, imprisonment, enforced disappearances and/or extrajudicial killings. The hidden nature of low-profile CSO members, especially those working for service-delivery organisation, and their reluctance to speak out, makes it difficult to assess the relative risks they may face. DFAT assesses CSO members, activists, human rights defenders and their lawyers face no risk of societal discrimination.

Media and journalists

3.177 Article 10 of the Constitution guarantees freedom of expression, including for the media and journalists but significant restrictions exist. PEMRA regularly issues directives to media organisations to censor content. At the time of writing, PEMRA had placed restrictions on reporting from Balochistan, as well as on a number of sensitive topics including but not limited to: corruption, enforced disappearances, extrajudicial killings, Imran Khan, the military, PTM, and incidents of sectarian violence. While Pakistan has traditionally had a vibrant media, with many independent broadcast, print and electronic outlets, in-country sources told DFAT space for free expression had narrowed significantly. According to in-country sources, journalists often faced

intimidation from authorities and experienced pressure to avoid reporting on sensitive topics. Pakistan ranked 152 out of 180 countries in Reporters Without Borders' 2024 *World Press Freedom Index*, with the media situation labelled 'very serious'.

- 3.178 The *Protection of Journalists and Media Professionals Act* (2021) guarantees protection for journalists but is conditional on them adopting certain 'conduct', leaving those who ignore lines dictated by PEMRA exposed to heavy administrative and criminal penalties, including up to three years in prison for 'sedition'. Incountry sources told DFAT most journalists' personal information was known to authorities. The military and security forces, in addition to PEMRA, regularly monitored the media. Journalists who reported in contravention of PEMRA's directives generally received phone calls asking them to censor alleged anti-government or anti-military comments. Journalists who failed to comply sometimes received death threat letters at their homes, placed on their vehicles and at their places of work, received threats to the safety of their families, or were arrested for 'sedition' under the *Pakistan Penal Code* (1860). For example, well-known journalist, Asad Ali Toor, was arrested by the FIA in February 2024 under allegations of a fomenting a 'malicious campaign' against the Supreme Court, after reporting on legal proceedings against the PTI.
- 3.179 Journalists are sometimes targeted for <u>forced disappearances</u> and <u>extrajudicial killings</u> on the basis of their reporting on 'sensitive' topics (see <u>Political opinion</u>). In 2024, Reporters Without Borders stated Pakistan was 'one of the world's deadliest countries for journalists, with three to four murders each year often linked to stories of corruption or illegal trafficking and which go completely unpunished'. For example, Jam Saghir Ahmed Lar, a correspondent for the *Daily Khabrain* newspaper and local contributor to news outlets in Khanpur in central Punjab, was shot and killed by three unidentified assailants on 14 March 2024, reportedly for his human rights reporting. In another instance, journalist Jan Mohammad Mahar of *Sindhi* newspaper and TV channel, was shot and killed by unknown assailants in August 2023 in Sukkur in Sindh. In June 2022, Nafees Naeem, an assignment editor at Aaj TV, was abducted in Sindh and interrogated before being released. Journalists Nafees Naeem and Arsalan Khan were also abducted in June 2022 for their reporting on missing persons in separate incidents in Karachi, interrogated and subsequently released. According to in-country sources, the threat of enforced disappearances and extrajudicial killings had led most journalists and editors to self-censor, while ensuring strict adherence to editorial directives from Pakistan's government.
- 3.180 Female journalists who report on sensitive issues or challenge social or <u>religious</u> mores can also face threats, including sexualised violence, doxxing and the release of private images. Female journalists faced frequent, virulent online trolling, some of which in-country sources reported was coordinated by political parties. According to in-country sources, female journalists who reported on sensitive topics were often approached by authorities and shamed as 'bad women' and 'Western agents', or offered bribes to 'change their attitudes'. According to the National Human Rights Commission in 2023, 'women journalists in particular [had] experienced increased threats and harassment in the line of duty' (see also Women).
- 3.181 DFAT assesses journalists and editors reporting on sensitive issues in Pakistan face a moderate risk of official discrimination in the form of harassment, arrest, <u>imprisonment</u>, <u>forced disappearances</u> and <u>extrajudicial killings</u>. Female journalists face a high risk of official discrimination in the form of online harassment and sexualised threats, over and above the risks experienced by their male colleagues. DFAT assesses journalists and editors do not generally face societal discrimination on the basis of their employment as journalists and editors alone. DFAT assesses journalists and editors reporting on sensitive issues face a low risk of societal violence on the basis of their employment.

Internet freedom, social media users and bloggers

3.182 Pakistan's government monitors the internet. According to the US Department of State's *Pakistan 2023 Human Rights Report*, the government regularly used technologies and practices, including internet and social media controls, blocking or filtering of websites and social media platforms, censorship, and tracking methods. Freedom House ranked Pakistan as 'Not free' on its 2023 *Freedom on the Net* index, stating

'authorities routinely use[d] internet shutdowns, platform blocking, and arrests and harsh convictions to suppress unwanted online speech'.

- 3.183 The Pakistan Telecommunication Authority reported in January 2023 it had blocked over 1.1 million links and websites for being 'unlawful', over 900,000 of which were blocked on the basis of 'decency and morality', with other justifications used including for the 'glory of Islam', 'sectarian/hate speech' and 'defence of Pakistan'. Freedom House reported in 2024 since Pakistan's government did not publish a public list of blocked websites, information about what is blocked was often anecdotal and only accessible on a case-by-case basis. For a long period surrounding the February 2024 election, X/Twitter was widely reported to be blocked in Pakistan (it was being used by PTI including to mobilise voters and protestors). In June 2024, local and international media reported authorities were working to deploy a nationwide tool (firewall) to better control internet traffic and filter the content available to online users in Pakistan.
- 3.184 Online activists and bloggers sometimes face harassment and violence for their views. For example, <u>police</u> arrested Fayaz Zafar, a reporter for the Pashto-language broadcaster Voice of America Deewa (VOA Deewa), following a magistrate's order in August 2023 stating he had used social media to spread 'fake, offensive and hatred contents to defame and incite the public' against the government and law enforcement agencies. In another instance, the FIA arrested eight people in Punjab in April 2022 for organising a 'smear campaign' on social media against state institutions.
- 3.185 The *Prevention of Electronic Crimes Act* (2016) is the primary method used by authorities to prosecute online activists and bloggers, which penalises posting 'fake news' about the <u>military</u>, <u>judiciary</u> or public officials, with offenders receiving between three to five years imprisonment. According to Reporters with Borders, the *Prevention of Electronic Crimes Act* (2016) had 'often been used by the authorities to silence journalists who dare to cross the regime's implicit 'red lines''. On 11 April 2024, Law Minister Azam Nazeer Tarar said Prime Minister Sharif had formed a committee comprising representatives of allied political parties to review amendments to the *Prevention of Electronic Crimes Act* (2016), with a view towards forming a 'political consensus' before further making changes to the law.
- 3.186 Pakistan's National Commission for Human Rights (NCHR) reported as of 25 July 2024, 767 people were incarcerated for blasphemy higher than 213 in 2023, 64 in 2022, and 9 in 2021. The rise in cases correlates with the *Prevention of Electronic Crimes (Amendment) Act* (2018) becoming operational. The majority of blasphemy cases registered were initiated by the FIA's Cybercrime Unit, 'frequently in collaboration with a private entity'. Young men were reportedly targeted through entrapment tactics involving female operatives using pseudonyms to lure them into blasphemous activities online, resulting in their subsequent arrests.
- 3.187 DFAT assesses online activists and bloggers who post articles on social media criticising Pakistan's government or military face a moderate risk of official discrimination in the form of harassment and arrest. Female journalists, female online activists and bloggers face a risk of official discrimination in the form of online harassment and sexualised threats, over and above the risks experienced by their male peers. Social media use is widespread in Pakistan, and low-level commentary by obscure activists is unlikely to attract any adverse attention. Most social media users in Pakistan use platforms without incident, although with the awareness content, including on social media platforms, is being monitored and regulated. DFAT assesses social media users and bloggers generally do not face societal discrimination.

Health Workers

3.188 Pakistan administers more than 300 million doses of polio vaccine annually with the help of at least 350,000 vaccinators, according to the Pakistan Polio Eradication Programme. Militant attacks specifically targeting health workers with violence are rare. The Safeguarding Health in Conflict Coalition reported three

polio workers were killed throughout Pakistan in 2022. According to in-country sources, two to three polio workers were attacked on average since 2022, with most incidents occurring within isolated communities in KP along the border with Afghanistan. Domestic media reported gunmen killed a total of three vaccination workers in KP in 2024.

3.189 Misrepresentation of information linking the polio vaccine to 'un-Islamic' or 'Western-oriented' family planning efforts was once widespread in KP; however, public education programs have reduced stigma associated with accepting the polio vaccine and significantly decreased incidents of violence against polio workers. Educational efforts, led by local CSOs and INGOs collaborating with tribal and religious leaders in KP, resulted in the establishment of a *fatwa* (ruling on a point of Islamic law) stating taking the polio vaccination was acceptable under Islam. In-country sources reported isolated cases in 2024 of boycotts of vaccination drives, including by an ethnic group near the Afghanistan border in KP, to highlight displacements due to ongoing insecurity in the region. In December 2024, international media reported polio teams being escorted by police force members in KP along the border with Afghanistan were sometimes attacked by militants due to suspicions they may be spying for Pakistani security forces.

3.190 DFAT assesses health workers, including polio workers, do not face official discrimination. DFAT assesses health workers, including polio workers, face a low risk of social discrimination, which would primarily occur in areas of KP along the border with Afghanistan. DFAT assesses health workers in areas of KP along the border with Afghanistan, including polio workers, face a low risk of violence due to their work.

Sexual orientation and gender identity

- 3.191 The *Pakistan Penal Code* (1860) does not explicitly mention homosexuality but Section 377 criminalises 'carnal intercourse against the order of nature', making it punishable by up to life imprisonment (since 23 July 2023). Although Section 377 is rarely used, in-country sources told DFAT police sometimes threatened men who had sex with men with its use to extract <u>bribes</u> or sexual favours. According to in-country sources, Section 377 has not been used against <u>women</u> or transgender people. Rape laws in Pakistan, including the *Criminal Law (Amendment)* (Offense of Rape) Act (2016), are gendered and only apply when a man commits rape against a woman, meaning it cannot be used in instances when rape occurred between men or between women. The *Hudood Ordinance* (1979) also criminalises sexual intercourse outside of marriage in accordance with *Sharia* but there are no known cases of Pakistan's government applying this ordinance to same-sex conduct and no known cases of executions for homosexuality.
- 3.192 People self-identifying as gay or lesbian in Pakistan often face ostracism from their families, forced heterosexual marriage, discrimination, bullying and violence. Homosexuality is culturally taboo in Pakistani society, according to in-country sources. LGBTQIA+ people rarely self-identify or reveal their sexual orientation in the public sphere because of stigma, fear of societal discrimination and the threat of violence and criminal prosecution. In-country sources told DFAT there were pockets of acceptance towards LGBTQIA+ people among urban, upper-class communities in 2023 but even wealthy individuals faced discrimination, and in some cases, their families still forced them into heterosexual marriage to preserve the family's reputation.
- 3.193 Some support groups exist in Pakistan for members of the LGBTQIA+ community; however, they tend to operate in secret to avoid harassment, threats and <u>state surveillance</u>. In-country sources told DFAT security services often pressured CSOs not to work with, or provide services to, members of the LGBTQIA+ community because of their 'un-Islamic' and 'Western-orientation'. The US Department of State's *Pakistan 2023 Human Rights Report* stated gatherings or events such as the annual women's marches often faced difficulty obtaining assembly permits because of support to sexual minorities or LGBTQIA+ activists.
- 3.194 The 2023 *National Census* recorded a transgender population of 20,331, however Pakistan's Bureau of Statistics itself states censuses have traditionally had a 'gross undercount of the trans population'. Estimates

of the total population of transgender people in Pakistan range between 20,000 and 100,000. There is some societal acceptance in Pakistan of *khwaja siras* or *hijra* (a male-to-female transgender identity often referred to by the broader term 'transgender' in English). For example, the Council on Islamic Ideology has spoken out against discrimination against *khwaja siras*. Transgender candidates have competed in general and provincial elections. Punjab's educational department opened Pakistan's first government-run school for transgender students in July 2021 in Multan. In-country sources said 17 districts in Punjab had organisations providing assistance to transgender people who had experienced domestic violence. Transgender people have successfully brought lawsuits against people and organisations in Pakistan who had discriminated against them, although not all transgender people would be comfortable with the higher profile in society that comes with these actions.

3.195 The *Transgender Persons Protection of Rights Act* (2018) gave transgender people full access to rights and documentation such as <u>national identity cards</u>, driver's licenses and <u>passports</u>, in accordance with their gender identity. The *Transgender Persons Protection of Rights Act* (2018) also explicitly prohibits the discrimination and harassment of transgender people, and protects their rights to <u>health</u> and access to public places. However, on 19 May 2023 the FSC declared key provisions of the *Transgender Persons Protection of Rights Act* (2018) were 'contrary to Islam', stating the definition of 'transgender persons' in the law conflated a range of identities (including intersex, eunuchs and *khwaja siras*, transgender men and transgender women), each of which had distinct physical characteristics and distinct status in Islam. In handing down its ruling, the FSC relied on verses of the Quran declaring God only created men and women, and since no other sex was specified, the FSC concluded Islam did not recognise any other sex or gender. The FSC proposed amendments to the *Transgender Persons Protection of Rights Act* (2018) which limited the definition of transgender to only those born intersex, not those who self-identified as transgender. At the time of writing, the verdict of the FSC was being challenged in the <u>Supreme Court</u>.

3.196 Six bills related to transgender people were sent to the Senate Standing Committee on 4 April 2023, consolidated as the draft *Khunsa Persons (Protection of Rights) Bill* (2023), aimed at attaining 'consistency with the injunctions of Islam'. The draft *Khunsa Persons Bill* (2023) replaces the word 'transgender', which previously included intersex (*khunsa*), eunuch, transgender man, transgender woman, *khwaja sira*, or any person whose gender identity and/or gender expression differed from social norms and cultural expectations based on the sex they were assigned at the time of their birth, with '*khunsa*', recognising only certain intersex characteristics that could be divided into the binary of male or female. The draft *Khunsa Persons Bill* (2023) also sought to mandate 'medical examination' of intersex or transgender persons before a team of five doctors. At the time of writing, the draft *Khunsa Persons Bill* (2023) had not been adopted by the National Assembly or become law.

3.197 Transgender people sometimes face harassment and violence. A survey conducted by local transgender organisations in 2023 reported there were 1,046 cases of rights violations and abuse against transgender people in Pakistan between 2019 and 2022. Local media reports of transgender people targeted for rape, so-called 'honour killings' and societal violence were common, particularly in the more religious parts of KP. Although Pakistan's government does not record official statistics of violence against transgender people, local human rights activists estimated over 90 transgender people had been killed in the province of KP alone between 2015 and 2022. In a particularly high-profile incident, Pakistan's first transgender news anchor, Marvia Malik, survived an assassination attempt in Lahore in February 2024.

3.198 Although in-country sources told DFAT the socio-economic standing of transgender people in Pakistan had improved since 2021, transgender people were still marginalised and discriminated against. Trans women were often rejected by their families and turned to sex work or earned their income by begging or dancing at carnivals and weddings. This work was highly visible, and workers were vulnerable to physical and sexual violence, which was often not reported due to fear it would impact employment and ability to earn an income. Transgender people also reported they sometimes faced barriers to accessing health, policing and other

government services. Gender affirming surgery does not exist in Pakistan, with castration being the accepted method due to a lack of domestic opportunities to obtain a vaginoplasty.

3.199 DFAT assesses members of the LGBTQIA+ community, excluding transgender people, face a high risk of official discrimination on the basis of their sexual orientation and gender identity, which may take the form of physical surveillance, inadequate state protection, arrest and unfair trials. DFAT assesses members of the LGBTQIA+ community, excluding transgender people, face a high risk of societal discrimination, including popular denunciation and physical violence. Members of LGBTQIA+ community, excluding transgender people, often attempt to reduce their risk of violence and discrimination by hiding their sexual orientation or gender identity from family and others.

3.200 DFAT assesses transgender people face a moderate risk of official discrimination based on their gender identity, which may take the form of inadequate <u>state protection</u> and barriers accessing government services. DFAT assesses transgender people face a high risk of societal discrimination in terms of equitable access <u>employment</u>. DFAT assesses transgender people face a moderate risk of violence due to their gender identity.

Women

3.201 Article 25 of the Constitution prohibits 'discrimination on the basis of sex' and Article 34 guarantees the 'full participation of women in all spheres of national life'. In 2022, Pakistan's government released its *National Gender Policy Framework* to address GBV, advance gender equality and empower women. Former Prime Minister Imran Khan stated the new framework demonstrated 'all women have rights and we [the government] will enforce them'. Despite a sound legislative and policy framework, in-country sources told DFAT legislation and regulations were rarely implemented or respected due to a lack of official capacity and a host of socio-cultural attitudinal barriers. The National Commission on the Status of Women and UN Women's 2023 *National Report on the Status of Women in Pakistan* found Pakistan's government had taken significant measures to improve gender equality in recent years, including through establishing GBV courts but structural and socio-cultural barriers related to the country's 'highly patriarchal society, regressive social norms and gender stereotypes' curtailed women and girls' mobility.

3.202 Pakistan has one of the worst records for gender equality in the world, according to the 2024 World Economic Forum's *Global Gender Gap Report*, which ranked Pakistan 145 out of 146 countries for female economic participation and opportunity, educational attainment, health and survival, and political empowerment (Sudan ranked the lowest, countries like Afghanistan and Yemen were not included). According to the National Commission on the Status of Women and UN Women's 2023 *National Report on the Status of Women in Pakistan*, the overall labour force participation rate of women was 21 per cent, below the global average of 39 per cent. The 2023 report found 53 per cent of 15 to 64 year old females had never attended school, compared to 33 per cent of males in the same age range. The *Report on the Status of Women in Pakistan* also stated lack of access to female-specific healthcare services was a serious problem that precluded women from receiving essential reproductive, antenatal and postnatal care, breast cancer and fistula treatments, especially in rural areas. Women's political participation is low according to UN Women, with approximately 10 million fewer women than men voting in the 2024 general election in Pakistan. Despite several constitutional guarantees, gender biases and prejudices against female candidates continued to excluded women from playing an active role in public life.

3.203 Women's participation in Pakistani society can be curtailed depending on their cultural, social and economic circumstances. Observation of the *purdah* (literally 'curtain', an Islamic practice of segregating women from unrelated men) in some areas of Pakistan restricts the personal, social and economic activities of women outside the home. While in many instances, women in cities such as Lahore, Karachi and Islamabad enjoy relative freedom of movement, women living in conservative rural communities are sometimes subject

to greater restrictions. Sexual harassment of women and girls in public places, schools and universities is common. While some, mostly wealthy, Pakistani women have attained senior positions in public life, their experiences are often not representative of the general female population. According to the US Department of State's *Pakistan 2023 Human Rights Report*, cultural and traditional barriers in tribal and rural areas also impeded women from voting in national and provincial elections.

- 3.204 Discriminatory marriage and divorce laws and regulations exist based solely on gender. Examples include: men being legally allowed seek a divorce at any time, while women cannot, the legal marriage age for men is 18 but 16 for women (except in Sindh where it is 18); and marital rape is not criminalised. In-country sources told DFAT: women often received inequitable outcomes in family court, divorce cases frequently proceeded very slowly (except in Punjab, where divorce cases were regularly expedited), few *pro bono* lawyers were available; and men sometimes obstructed women's custody rights during the legal process. Women experience significant cultural stigma in relation to divorce, often seen as bringing shame on the family. Women face significant social pressure not to remarry but are also often threatened or abused by their husbands' and own families for their choice to divorce.
- 3.205 NADRA registration, needed to obtain documentation and access most social services, requires a woman to provide the name of her father or brother (see <u>Documentation</u>). Divorced, separated and unmarried women, especially those without close male relatives, often face difficulties securing rental accommodation, opening bank accounts, gaining access to credit and securing loans. In-country sources told DFAT women were fearful of rental eviction if it they no longer had a male relative as a 'guarantor'. In tribal areas of KP, women historically did not have traditional inheritance rights, and although legal protections existed, they were rarely enforced. In-country sources told DFAT elders of tribal communities in <u>KP</u> had threatened government officials with violence for efforts seen to promote 'women's rights' against local cultural norms.
- 3.206 GBV is common in Pakistan, however data is limited and likely underestimates its true prevalence. GBV often goes unreported due to stigma and a lack of privacy for those impacted. According to data used by UNFPA, 32 per cent of women have experienced violence in Pakistan, with half of these women having never sought help or told anyone about the violence they had experienced. Human Rights Watch stated 10,365 cases of violence against women in Punjab were reported to police in the first four months of 2023. The Sustainable Social Development Organization and the Centre for Research, Development and Communication reported at least 5,551 women were kidnapped, 2,818 were subjected to physical assault, and 304 were raped in Pakistan between May and August 2023. Women who have lived experience of rape often avoid reporting out of fear they will be blamed or 'honour killed' for dishonouring their family. In-country sources told DFAT domestic violence was commonly viewed as a private matter and <u>police</u> were often reluctant to intervene.
- 3.207 To improve official responses to GBV, the National Assembly passed the *Criminal Law (Amendment) (Offense of Rape) Act* (2016), introducing stronger sentences of up to life imprisonment or death in some cases. The *Offense of Rape Act* (2016) also introduced the provision of legal aid to victims, made DNA testing mandatory, and required police to record the statement of the female survivor of rape or sexual harassment in the presence of female police officer. The *Protection of Women Act* (2006) widened protections against the kidnapping, human trafficking and rape of women, while the *Acid Control and Acid Crime Prevention Act* (2011) declared acid acts a crime and provided rehabilitation and compensation to those affected. However, the enforcement and effectiveness of these laws varies. For example, the *Acid Control and Acid Crime Prevention Act* (2011) had reportedly been relatively effective with in-country sources stating acid attacks had decreased by approximately 80 per cent since 2014. Despite the implementation of the *Offense of Rape Act* (2016) and *Protection of Women Act* (2006), rape and sexual assault convictions remained low with in-country sources stating the national successful prosecution rate was 5 per cent of reported cases and the acquittal rate was 64 per cent in 2024.
- 3.208 Federal and provincial governments have attempted to reduce GBV through specialised GBV courts and women's police stations, available in major cities. In May 2021, police opened a Gender Protection Unit

with a 24-hour hotline in Islamabad, which handled more than 500 complaints in its first three months. However, in-country sources told DFAT despite CSOs providing GBV sensitive training to police, their capacity to respond appropriately in GBV matters remained low. Police often behaved insensitively, and viewed GBV as a private, family matter. According to in-country sources, police and the <u>judiciary</u> generally viewed GBV as the 'woman's fault' or did not take reports of GBV seriously. In-country sources told DFAT perpetrators of GBV had successfully bribed police to not file FIRs against them.

- 3.209 Women require independent financial means, as well as personal and family networks, to relocate after leaving abusive relationships. Women who do leave face increased risk of GBV, stigma and steep economic barriers. State-run women's shelters (darul aman) often required obtaining a court order to enter and leave, while private and NGO-run shelters had difficulty meeting the high demand, according to in-country sources. Families often pressured victims to return to their abusers, and in some cases, women were killed when they attempted to leave or seek a divorce. For example, Naila Bibi filed a suit seeking divorce from her husband, Akhtar Ali, in September 2023 and was shot and killed when attending court accompanied by her young son. In another instance, although a court in Karachi ruled in favour of a women named Nimra in a divorce settlement in February 2023, her ex-husband, Awais Qamar, shot and killed her after the matter was closed. Women can apply for a restraining order in Punjab under the *Punjab Protection of Women Against Violence Act* (2016). Elsewhere in Pakistan, a judge can issue a 'protection order' (denial of bail) to protect any victim or witness of a crime, however such orders are rarely granted in practice.
- 3.210 So-called 'honour killings', in which family members murder relatives perceived to have brought dishonour on the family, occur in Pakistan. According to Human Rights Watch, the most common reason for honour-related crimes is the violation of social norms and what is thought to be accepted social behaviour. This can include a woman's choice of clothing, employment, or education; refusal to accept an arranged marriage; getting married without family's consent; seeking a divorce; being raped or sexually assaulted; and having intimate or sexual relations before or outside marriage, even if only alleged. While young men can be targets of so-called 'honour killings', most victims are female. Once a credible threat of a so-called honour killing is established, the victim sometimes remains at risk even if he or she chooses to <u>relocate</u>.
- 3.211 The HRCP documented at least 346 cases of so-called 'honour killings' of women in 2024. In-country sources told DFAT many more women were killed annually in 'honour' crimes than reported, especially in Balochistan and KP. For example, Shehbaz filmed his brother Muhammad Faisal strangling their sister, Maria Bibi, to death in a so-called honour killing in the presence of her father and mother, near Toba Tek Singh town in the central-eastern Punjab in March 2023. The video of the honour killing surfaced a week later, showing Maria Bibi had not died of natural causes as reported. Police subsequently arrested the family members. In October 2023 a man in Karachi was arrested after killing his younger brother's wife for meeting with 'bad people,' and when his brother intervened, the man killed him as well.
- 3.212 Laws criminalise so-called 'honour killings' and other violent acts committed against women in the name of traditional practices, including the *Protection of Women (Criminal Laws Amendment) Act* (2006) and the *Criminal Law (Amendment) (Offences in the name or pretext of Honour) Act* (2016). According to in-country sources, despite explicit provisions in the *Offences in the name or pretext of Honour Act* (2016) against offenders paying compensation to the victim's family member in order to avoid a conviction, in practice, perpetrators of so-called 'honour killings' had successfully paid bribes to stay out of jail. If an offence is recorded as a 'murder' instead of an 'honour killing', the *Offences in the name or pretext of Honour Act* (2016) does not apply and the heirs of the victim may 'forgive' the offender through the Islamic legal practice known as *diya* and the payment of compensation. Instances of so-called 'honour killings' are often reported as suicides or accidents, resulting in authorities not investigating them thoroughly. In-country sources told DFAT Pakistan's government was aware of authorities miscategorising so-called 'honour killings' and often turned a blind eye to it unless a case received significant media attention, which was rare considering most so-called 'honour killings' went unreported and unpunished.

- 3.213 In tribal areas of KP, traditional *jirga* councils have ordered so-called 'honour killings'. In a high-profile incident, an 18-year-old woman was shot dead by her father and uncle on orders from elders of a *jirga* council in Kohistan District of KP in November 2023, after which the images of the woman went viral on international media. In response to this incident, Amnesty International called on Pakistan's government 'to curb the extra-legal power of *jirgas* or tribal councils to run parallel legal systems perpetuating patriarchal violence with impunity'. The Supreme Court previously ruled operation of these tribal councils was contrary to Pakistan's international commitments under the *Universal Declaration of Human Rights, International Covenant on Civil and Political Rights* and *Convention on the Elimination of All Forms of Discrimination Against Women* (see also Judiciary).
- 3.214 Early and forced marriage occurs in Pakistan, with girls from religious minorities being especially vulnerable (see <u>Christians</u>, <u>Hindus</u>, <u>Forced conversion</u>). According to data from UNICEF, 31 percent of girls in Pakistan were married by age 18. While the marriage age for girls is 16 (except in Sindh where it is 18), Islamic jurisprudence provides for girls to be married once they reach puberty. Although forced marriage is a criminal offence, cases filed were often left unprosecuted. In April 2024, the UN OHCHR expressed concern forced marriages of coerced girls were 'validated by the courts, often invoking religious law to justify keeping victims with their abductors rather than allowing them to return them to their parents'. The April 2024 UN OHCHR stated 'child, early and forced marriage cannot be justified on religious or cultural grounds'.
- 3.215 Certain tribal areas of KP practice the custom of *ghag* ('ghagh' or 'ghak'), under which an announcement is made by a male member of the community to invoke a marriage claim a on young girl. Under *ghag*, a declaration for intended marriage can be enforced by firing rounds of bullets at the gate of the woman's residence (often used in cases where marriage is incited by revenge or other political reasons), or alternatively a messenger is sent to the house informing the family of the man's intentions. Not only is *ghag* often invoked without prior consent of the girl or her family but it renders the girl unavailable to other marriage proposals and bars her from marrying another man unless she is freed from the *ghag*. Declaration of *ghag* subjects women and girls to lifelong societal stigma. The Parliament of KP banned the practice of *ghag* forced marriages in 2013, making it an offence punishable by up to seven years' imprisonment. *Demographic Health Survey* data from 2017-18 put the incidence of child marriage in KP at 37 per cent, although in-country sources told DFAT all types of forced and underage marriages were no longer common in tribal areas. According to incountry sources, forced marriages were infrequently ordered by traditional *jirga* councils under a custom known as *badal-e-sulah*, where girls and young women were given away to settle blood feuds or land disputes among men.
- 3.216 There are no official laws prohibiting the practice of 'female genital mutilation' or 'cutting' (FGM/C) in Pakistan. However, FGM/C is rarely carried out, with the exception of within the Dawoodi Bohra community (followers of an Isma'ili branch of Shi'a Islam). FGM/C is usually performed on Dawoodi Bohra girls at seven years old in a practice called *khafd* or *khatna*, which involves shortening the clitoral hood or removing the tip of the clitoris (Type 1a or Type 4 of FGM under the WHO classification) by a traditional female circumciser. International academics found between 50 to 90 per cent of Dawoodi Bohra females underwent FGM/C, which was as many as 1,000 girls annually. *Khafd* is practiced in secret and remains taboo to discuss within the Dawoodi Bohra community.
- 3.217 DFAT assesses women face a moderate risk of official discrimination based on their gender, which may take the form of inadequate state protection, as well as a lack of equitable access to inheritance and property rights, family law, and civil and traditional judicial processes. DFAT assesses women and girls in Pakistan face a moderate to high risk of societal discrimination and violence, particularly GBV, on the basis of their gender. DFAT assesses young girls from the Dawoodi Bohra community face a high risk GBV in the form of being subjected to FGM/C. Girls and their families from the Dawoodi Bohra community who choose not to undergo FGM/C can also face societal discrimination from within the Dawoodi Bohra community. DFAT assesses women and girls generally face a low risk of forced marriage and a moderate risk of underage marriage, however girls

in the <u>Hindu</u> and <u>Christian</u> communities face a moderate risk for both. The poor, marginalised, minority and rural women and girls may face elevated risks (see also Race/Nationality, Religion, Children).

Children

- 3.218 Article 11 of the Constitution prohibits employment of children under the age of 14 years in factories, mines or other hazardous employment. Provincial laws also prohibit child labour, including under the *KP Prohibition of Employment of Children Act* (2015) and the *Punjab Prohibition of Child Labour at Brick Kilns Ordinance* (2016). In-country sources told DFAT instances of child labour were declining but the practice still occurred, mainly in unpaid domestic work and the agricultural sector. Local media reported in 2023 more than 700,000 children between the ages of 10 and 14 were subjected to labour in brick kilns and the agriculture sector across Pakistan. The 2017-18 Pakistan Labour Force Survey reported 13.7 per cent of children aged 10 to 17 years were still engaged in child labour. Of the 10 to 17 year old children engaged in labour, approximately 5.4 per cent were involved in hazardous child labour prohibited under the Constitution. The 2023 Global Slavery Index estimated over 2.3 million people, including children, were trapped in slavery in Pakistan, most due to debt bondage.
- 3.219 Media and human rights organisations report domestic violence, sexual abuse and sexual exploitation of children occurs in Pakistan. In 2022, local media reported Pakistan had one of the highest rates of child sexual abuse in the world. Approximately 550,000 children were raped annually, although only a few hundred cases of sexual abuse were reported. For example, Muslim cleric, Maulana Abubakar Muavia, was arrested in March 2024 on separate counts of attempting to rape two boys in Faisalabad, one as young as 12 years old. In another instance, police in Sindh arrested a teacher at Khalid Bin Waleed Mosque in May 2024 for sexually molesting a nine-year-old boy. Both high-profile court cases were ongoing at the time of writing. Child rape in the form of 'customary rape' of young boys still sometimes occurs in tribal areas of KP. However, child rights activist Dr Tufail Muhammad stated in 2022 cases of child abuse primarily occurred in the home, which forced children to run away, rendering them more vulnerable to abuse, violence and exploitation on the streets.
- 3.220 The *Criminal Law Amendment Act* (2016) criminalises child sexual abuse and child pornography. Child protection measures, including juvenile courts, have also been introduced in some parts of Pakistan. In-country sources told DFAT these protective measures were yet to be effectively implemented.
- 3.221 Sexual relations outside of marriage are prohibited under the *Hudood Ordinances* (1979) and considerable social stigma is attached to children born out of wedlock. Without a father's name, children born out of wedlock have no rights to inheritance and experience difficulties being registered with NADRA, unless formally under state guardianship in an orphanage (see <u>Documentation</u>).
- 3.222 DFAT assesses, while juvenile status alone is not a determinant of risk, children of both sexes face a moderate risk of official discrimination in the form of inadequate state protection and failure to prosecute offenders of domestic violence, sexual abuse and sexual exploitation of children. DFAT assesses children face a moderate risk of violence. Children who are poor, culturally or geographically isolated, female, living with disabilities, illegitimate and/or orphaned may face elevated risks. For further details and specific assessments of risk see People trafficking, Race/Nationality, Religion, Corporal punishment.

People with Disabilities

3.223 The 2023 *National Census* recorded 7,448,574 people with disabilities but statistics on people with disabilities in Pakistan vary widely. In Pakistan, disability refers to a person 'lacking one or more physical powers, such as the ability to walk or to coordinate one's movements, as from the effects of a disease or

accident, or through mental impairment'. Pakistan is a signatory to the *UN Convention on the Rights of Persons with Disabilities* and follows its definition of 'persons with disabilities including those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others'.

- 3.224 Pakistan has passed several laws to protect the rights of people with disabilities, including the *Disability Rights Act* (2022), which provides a comprehensive legal framework to protect and promote the rights of people with disabilities in Pakistan. However, Humanity & Inclusion (formerly Handicap International) stated in 2022 the legal framework protecting the rights of people with disabilities in Pakistan was weak.
- 3.225 The culture around 'disability' in Pakistan is characterised by 'pity'. People with disabilities are often viewed as 'suffering an affliction from God'. Families with members with a disability often feared they had been punished for some misdeed or were placed in adversity as a test of their faith. Disability related stigma was so significant Humanity & Inclusion stated families sometimes resorted to hiding children with disabilities. People with disabilities are sometimes referred to in derogatory terms such as 'crippled' and 'mentally retarded'. 'Carer marriages' also occur in Pakistan, where women are married to men with a disability in order to care for them. Women may also be married in a polygamous relationship to care for an older wife with a disability, or to provide a 'fresh face' for the family. People with disabilities are also at a higher risk of physical and sexual abuse. According to UNFPA's 2024 *Disability Accessibility Assessment of Government Gender Based Violence Services* report, government policies and capacities are insufficient to ensure effective delivery of services to survivors of GBV with disabilities. Most health, social, police, and justice services lack inclusive policies, procedures, and guidelines for GBV survivors with disabilities.
- 3.226 People with disabilities have limited access to employment and are often seen as in need of medical help or charity, instead of worthy of jobs. The *Disabled Persons (Employment and Rehabilitation) Ordinance* (1981) specifies employers with 100 workers or more must ensure at least two per cent of their total workforce consists of people with disabilities or they must pay a levy. According to Humanity & Inclusion in 2022, the monitoring and implementation of this 1981 ordinance has been weak. To secure rights to employment, including in the public sector, many people with disabilities have resorted to litigation. For example, Ahmed Khan, a visually impaired person from Sindh successfully secured his first government job following a legal petition he filed with a group of 40 visually impaired individuals in 2018. In 2020, the Sindh High Court ruled in their favour, resulting in all 40 individuals being granted government employment. In another case, Aftab Ali Mugheri, a visually impaired person from Sindh filed a case in the Sindh High Court to secure employment. After a two-year struggle, he was successful in receiving an appointment order from a provincial public department in July 2023. According to the General Secretary of the Pakistan Association of the Blind (Sindh), it had become routine practice for authorities to announce contractual orders in response to protests by people with disabilities as a means to 'placate' them, although such orders typically had a short-term duration.
- 3.227 Neurodiversity, including but not limited to Attention Deficit Hyperactivity Disorder (ADHD) and Autism Spectrum Disorder (ASD), is reportedly common in Pakistan according Pakistan Autism Society. Neurodiversity is poorly understood at the societal level and neurodivergent people are often undiagnosed and untreated. Although no official data on the prevalence of neurodivergence is available, the Pakistan Autism Society estimated in 2020 approximately 350,000 children were diagnosed with ASD. People diagnosed with ASD and ADHD are often met with similar stigma and are seen as having 'received a sign of punishment' from god. Families sometimes hide neurodivergent children due to shame. People are often reluctant disclose their neurodiversity because it is considered taboo. People diagnosed with ADHD or ASD reported shame accessing support services due to fear of being judged or thought as an 'insane person'. A 2020 study in the *Journal of Clinical Psychology and Neuropsychology* found ADHD and ASD were often misdiagnosed and not managed properly by institutions in rural Pakistan, causing stress to parents of neurodivergent children. Families of neurodivergent children often lack sufficient institutional support to meet their children's needs.

- 3.228 Special education in Pakistan is largely limited to low quality special education schools that Humanity & Inclusion stated in 2022 had 'perpetuated discrimination and enforced sympathy'. There are only approximately 330 special education schools in Islamabad, Punjab, Sindh and KP. Most are located in urban areas, causing increased barriers to education in rural areas. According to Humanity & Inclusion, at least 50 per cent of children living with disabilities did not access special education schools and even in instances where there was adequate access, the quality of education was assessed as poor.
- 3.229 DFAT assesses people with disabilities face a high risk of official discrimination in the form of inequitable access to education, employment and appropriate social services. DFAT assesses people with disabilities face a high risk of societal discrimination in the form of denial of employment, failure of employers to provide reasonable adjustments in the workplace, and exclusion from community life. The frequency and severity of societal discrimination, especially exclusion from community life, would depend upon location, with individuals and families in rural areas or smaller cities facing a higher risk of societal discrimination than those in urban areas. DFAT assesses people with disabilities also face a moderate risk of societal violence in the form of physical and sexual abuse. People with disabilities who are female, children, poor and/or from religious or ethnic minority groups may face elevated risks (see also Women, Children, Race/Nationality, Religion).
- 3.230 DFAT assesses people who identify as neurodivergent, those diagnosed with ASD and/or ADHD or any other mental health condition considered neurodivergent, face a high risk of official discrimination in the form of inequitable access to education and appropriate social services and a high risk of societal discrimination in the form of exclusion from community life. The frequency and severity of exclusions from community life are worse in rural areas or smaller villages than those faced in urban areas.

4. COMPLEMENTARY PROTECTION CLAIMS

ARBITRARY DEPRIVATION OF LIFE

Extrajudicial killings

- 4.1 Article 9 of the Constitution states 'no person shall be deprived of life or liberty, save in accordance with law'. Under sub-section 3(1) and paragraph 3(2)(a) of the *Protection of Pakistan Act* (2014), officers in the security forces can lawfully shoot on sight a person who is committing or is likely to commit a 'scheduled offence' (such as bombings or killings committed as an act of insurrection against Pakistan, cyber and internet crimes and crimes against ethnic, religious and political groups or minorities). Security forces can also shoot on sight to prevent death or grievous harm, provided the decision to shoot is a last resort and does not cause more harm than necessary.
- 4.2 There are numerous reports each year of security agencies committing arbitrary or unlawful killings, including extrajudicial killings, most often in the provinces of <u>Balochistan</u> and <u>KP</u>. Defence of Human Rights (DHR), a CSO in Pakistan, reported of the 3,120 people recorded as <u>forcibly disappeared</u> in 2023, 88 of them were extrajudicially killed. According to the US Department of State's *Pakistan 2023 Human Rights Report*, members of marginalised 'racial and ethnic communities were overrepresented amongst those who had been extrajudicially killed'.
- 4.3 Suspects are sometimes killed in 'encounter killings', a widely understood euphemism for extrajudicial killings. In typical encounter killings, suspects, who have sometimes previously been <u>forcibly disappeared</u>, are given unloaded weapons and driven to a location where they are either arrested or killed by police, ostensibly in the course of a gunfight. Local media reports perpetrators are rarely held to account for encounter killings, although some have faced criminal charges. In-country sources told DFAT police were often reluctant to investigate cases of extrajudicial killings due to perceived political sensitives.
- In <u>Balochistan</u>, human rights organisations reported in 2023 government agents continued 'kill and dump' practices, where dissidents were <u>kidnapped</u>, <u>tortured</u> and killed. In-country sources said suspected separatists and known <u>Baloch</u> rights activists were most frequently targeted by <u>authorities</u> for extrajudicial killings. <u>Journalists</u> in Balochistan have also been targeted by authorities and extrajudicially killed after reporting on 'sensitive' issues. For more detailed information on extrajudicial killings in Balochistan, see Baloch.
- 4.5 In <u>KP</u>, military-led operations carried out in 2014 and 2017 resulted in the deaths of over 80,000 people, with human rights organisations raising concerns regarding lack of government accountability. International media reported since then, smaller-scale encounter killings and 'anti-militant operations' in KP had led to thousands of deaths, although detailed data was unavailable. For more information on extrajudicial killings in KP, see <u>Pashtuns</u>.

- 4.6 In <u>Punjab</u>, between 2018 and 2022, <u>police</u> were involved in 544 encounters in which 612 suspects were killed. For example, there were 10 active judicial inquiries and 44 departmental inquiries into 154 recorded encounter killings in 2022.
- 4.7 In <u>Sindh</u>, in-country sources told DFAT several civilians and Sindhi nationalists had been extrajudicially killed for their anti-establishment political views and opposition to the government. For example, during an operation to apprehend members of <u>SRA</u> in September 2023, four civilians were killed and many others sustained injuries due to the conduct of security forces. The HRCP investigated the killings in October 2023 and the Sindh Government later paid compensation to the families of the victims. In-country sources told DFAT a number of Sindhi nationalists were involuntary disappeared in 2022 and their bodies later found with evidence of <u>torture</u>.

Enforced or involuntary disappearance

- 4.8 Enforced disappearances have occurred in Pakistan for decades. Pakistan's government previously acknowledged and defended the practice of enforced disappearances by authorities as necessary to counter threats to national integrity and security. In-country sources told DFAT enforced disappearances were more common in 2018 under former Prime Minister Imran Khan's leadership, although the practice has gained increased domestic and international attention since 2023.
- The Islamabad High Court directed the federal government to serve notices to both former Prime Ministers Imran Khan and Shehbaz Sharif in May 2020 for their 'undeclared tacit approval of enforced disappearances'. In November 2022, the former caretaker federal government formed a three-member committee headed by the interior minister to resolve missing-person cases. In February 2024, protesters led a 'long march' from Turbat in <u>Balochistan</u> to Islamabad to highlight the federal government's ongoing inaction on enforced disappearances. On 3 January 2024, a three-judge Supreme Court bench, headed by former Chief Justice of Pakistan, Qazi Faez Isa, ordered the federal government furnish an undertaking in writing, signed by senior-most officers of the ministries concerned, ensuring no citizen would be detained except in accordance with the law. The Government Enforced Disappearances subcommittee was also tasked with providing a 'progress report' to the Court. At the time of writing, neither had been completed.
- 4.10 Figures released by COIED show between 2011 and 2024 there were a total of 10,078 reported enforced disappearance cases in Pakistan. Considering many cases of enforced disappearance were likely not reported, let alone referred to the COIED, the actual number of cases is likely to be much higher. Those targeted for disappearance include suspected militants, activists, students, opposition politicians, human rights defenders and journalists. Disappearances have lasted as little as hours and as long as years. Disappeared individuals have sometimes been killed (see Extrajudicial killings). Those disappeared and then released are often reluctant to talk about their experience in captivity. According to in-country sources, many experienced torture that caused permanent disabilities and long-term psychological trauma.
- 4.11 <u>Security services</u> sometimes identify themselves to the people they target with disappearance and, according to in-country sources, in rare cases have admitted to holding disappeared individuals. In 2022, former senator and ex-chairperson of the HRCP, Afrasiab Khattak, stated Pakistan's <u>intelligence agencies</u> were not accountable and were allowed to act with impunity. Amendments to the *Pakistan Army Act* (1952), adopted in August 2023, reportedly added greater punishment for any person, military or civilian, who revealed information about military personnel, including in relation to allegations of enforced disappearances. The OHCHR Working Group stated in 2023 these amendments effectively exempted persons accused of enforced disappearance from criminal proceedings and sanctions and violated the right of victims to obtain justice. Families often attempt to pursue the release of disappeared persons through the courts but lawyers

and judges have been reluctant to take on these types of cases because of fear of reprisal, including from security forces.

- In <u>Balochistan</u>, COIED recorded a total of 2,752 involuntary disappearance cases in the province as at January 2024. DHR stated in December 2023 of the 82 missing persons from Balochistan it was tracking: the whereabouts of 67 remained unknown, 12 were released, two were traced but not yet found and one was <u>extrajudicially killed</u>. Human rights defenders reported in 2024 enforced disappearances were primarily used in Balochistan against political activists, <u>human rights defenders</u> and people considered 'sympathetic' to <u>separatist or nationalist movements</u>, including students. According to in-country sources, many people living in Balochistan self-censor due to a pervasive fear of enforced disappearances and those who reported enforced disappearances have felt threatened themselves.
- 4.13 The UN Working Group on Enforced or Involuntary Disappearances reported in 2024 while more than 14,000 people went missing in Balochistan in 2016, the provincial government only recognised less than 100 cases. In August 2022, Balochistan's Cabinet approved the creation of a Commission on Missing Persons, headed by the provincial Home Minister, to address the issue of enforced disappearances. At the time of writing the Commission had met the relatives of missing persons. The HRCP and Baloch rights groups have stated Balochistan's Commission on Missing Persons and the National Commission of Inquiry on Enforced Disappearances were ineffective 'toothless tigers'. For more information on enforced or involuntary disappearances in Balochistan, see <u>Baloch</u>.
- 4.14 Of the 10,078 instances of enforced disappearances recorded in Pakistan between 2011 and 2024 by COIED, 3,485 were reported in KP. DHR stated of the 1,091 missing persons it was tracking in KP in 2023: 121 had been released, 792 remained missing, 151 were traced but not yet found and 27 had been extrajudicially killed. The Commission on Missing Persons stated in 2024 the primary reasons behind the high level of disappearances in KP was 'extremism, the situation of war, deaths in drone attacks... [and] moving to another country without informing one's family owing to a war-like situation'. For more information on enforced or involuntary disappearances in KP, see <u>Pashtuns</u>.
- 4.15 The OHCHR Working Group on Enforced or Involuntary Disappearances stated it had evidence of 711 enforced disappearances in <u>Punjab</u> in 2023, with the disappeared predominantly members of the opposition political activists, journalists and <u>human rights defenders</u>. The HRCP also raised concerns regarding enforced disappearances of <u>Baloch</u> and <u>Pashtun</u> students attending Lahore universities, including Fareed Husain Baloch, who was forcibly disappeared from Punjab University premises in October 2023.
- 4.16 Evidence of 188 cases of enforced disappearances in <u>Sindh</u> were recorded by the OHCHR Working Group on Enforced or Involuntary Disappearances as at 2023. DHR stated based on its records for 2023: 134 people remained missing, 70 were released, eight were traced and 10 were <u>extrajudicially killed</u>. According to in-country sources, hundreds of activists in Sindh had disappeared or been killed over the past 20 years.
- 4.17 Enforced disappearances also occurred in the context of 2024 general elections, including but not limited to disappearances of candidates, <u>politicians</u> and their families, <u>journalists</u> and <u>democracy activists</u>. Some notable high-level involuntarily disappearances reported in the local media in September 2023 included former member of parliament, Sadaqat Ali Abbasi, former adviser to Imran Khan, Usman Dar, <u>PTI</u> candidate, Abdul Kareem Khan, and former Minister of State, Farrukh Habib. For more information on enforced or involuntary disappearances around the 2024 general elections, see <u>Political opinion</u>.

Deaths in custody

- 4.18 The *Torture and Custodial Death (Prevention and Punishment) Act* (2022) criminalises acts resulting in death of persons in the custody of public officials and authorises the National Human Rights Commission and FIA to refer reported cases for possible prosecution.
- 4.19 HRCP reported 27 persons died in police custody due to torture nationally between January and June 2023. Local media and CSOs also reported on several cases of people dying in police custody, sometimes as a result of torture. For example, a man named Sarfraz died in police custody in Sahiwal District of Punjab in January 2023. His family stated he was tortured, but police recorded he died of cardiac arrest. In August 2023, a man was killed in Punjab Highway Patrol custody in Faisalbad District, with relatives stating torture led to his death. In another instance, a police officer shot and killed a man who was being held in custody on blasphemy allegations in a Quetta police station in September 2024.

DEATH PENALTY

- Pakistan has 31 offences that can attract the death penalty, including hijacking, kidnapping, murder, rape, terrorism and treason but also blasphemy, narcotics offences, perjury and a number of military offences. Section 368 of the *Code of Criminal Procedure* (1898) states 'when any person is sentenced to death, the sentence shall direct that he be hanged by the neck till he is dead'. The 2008 death penalty moratorium was lifted following a deadly attack in 2014 on Peshawar Army Public School and College for Girls. Between January 2015 and December 2019, 508 death row prisoners were executed. There have been no executions since December 2019. Despite this, courts continue to hand down death sentences.
- 4.21 On 10 February 2021, Pakistan's Supreme Court handed down a landmark judgement holding mentally ill prisoners could not be executed. The death sentences of several mentally ill prisoners were immediately commuted to life imprisonment, although isolated reports of mentally ill prisoners being sentenced to death continued. The *Control of Narcotic Substances (Amendment) Act* (2022) officially abolished the death penalty at the federal level for some drug-related offences.
- 4.22 According to Justice Project Pakistan's report the *Death Row Population In Pakistan*, which draws on data from 2013 to 2023, as at October 2023 there were a total of 6,039 people (only 1 per cent female) on death row in Pakistan. Of these death row inmates: 2,400 were incarcerated in Punjab, 2,326 in KP, 526 in Sindh, 396 in Balochistan, and 391 in Azad Jammu and Kashmir. Pakistan's government provides state-funded legal counsel to those accused of crimes that can result in the death penalty. Human rights organisations and media reported in 2020 death penalty trials in Pakistan sometimes lacked due process and procedural fairness, especially in the lower courts. Many death sentences were subsequently overturned on appeal, however many people sentenced to death by lower courts still spent years on death row.

TORTURE

4.23 The Torture and Custodial Death (Prevention and Punishment) Act (2022) states, 'any public official who commits, abets or conspires to commit torture shall receive the punishment prescribed for that harm in Pakistan Penal Code (1860) Chapter XVI', 'whoever commits, abets or conspires to commit the offence of custodial death shall receive the punishment prescribed in Pakistan Penal Code (1860) Section 302'; and 'whoever commits or abets the offence of custodial rape shall be dealt with and punished under the law and procedure for rape'. The Torture and Custodial Death (Prevention and Punishment) Act (2022) does not refer to an offence of custodial sexual violence. Pakistan Penal Code (1860) Chapter XVI comprises sections 299 to 338H covering multiple situations and prescribing multiple punishments, including life imprisonment and a

fine of up to PKR3 million (approximately AUD16,200). Officials who negligently fail to prevent these crimes can also be punished with jail sentences and fines. The *Torture and Custodial Death (Prevention and Punishment) Act* (2022) authorises the NCHR and FIA to refer reported cases for possible prosecution. However, the *Torture and Custodial Death (Prevention and Punishment) Act* (2022) is silent regarding cases where FIA personnel are accused of perpetrating torture, for example, in the instance where a senator accused the FIA's cybercrime unit of subjecting him to torture in 2022.

- 4.24 International media and human rights organisations report torture is used by Pakistani <u>security forces</u> <u>police</u> and prison officials. The most common method of torture was beating but other methods included sexual violence and humiliation. In 2023, the HRCP reported it received frequent allegations of torture in detention centres, police lockups and <u>prisons</u>, although these allegations were difficult to prove in court using medical reports. In 2022, the National Commission of Human Rights reported 26 of the 35 inmates it interviewed at Rawalpindi Jail disclosed instances of torture, including methods ranging from physical beatings with a rubber tyre to being placed in solitary confinement.
- Pakistan's 2023 Report to the Committee Against Torture stated Pakistan's government had taken steps to prevent torture by officials by adopting a zero-tolerance policy to the practice. For example, punishments were handed out to 624 police officials for offenses of 'torture or misbehaviour' in Punjab in 2021. Although the Ministry of Human Rights and Pakistan's police and prison academies regularly train law enforcement on modern investigation techniques and evidence collection, the Justice Project Pakistan reported in 2023 torture continued to be used as a tool for evidence collection (see also Police; Military).
- 4.26 DFAT assesses people arrested, detained and sentenced in Pakistan face a moderate risk of torture at the hands of government authorities, especially those suspected of involvement with <u>militant groups</u> or 'terrorist activities'.

CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

- 4.27 The *Torture and Custodial Death (Prevention and Punishment) Act* (2022) defines cruel, inhuman or degrading treatment (and custodial death and custodial rape) and states: any statement, information or confession obtained by a public official as a result of torture or cruel, inhuman or degrading treatment shall be inadmissible as evidence in any proceedings against the person making it, a public official who knowingly uses such information shall be liable for imprisonment not exceeding one year and/or a fine not exceeding PKR100,000 (AUD564); and any information or confession obtained as a result of torture or cruel, inhuman or degrading treatment shall be admitted as evidence against a person accused of committing the offence of torture. In-country sources told DFAT <u>police</u> officers sometimes made detainees sit naked in holding cells while on remand to 'try and hurt their dignity'.
- 4.28 Under the *Hudood Ordinances* (1979) courts can sentence people to punishments including amputation, whipping and stoning. However, whipping was abolished under the *Abolition of the Punishment of Whipping Act* (1996) and sentences of amputation or stoning have never been carried out.
- 4.29 Societal communal stoning has occurred in rare instances in relation to perceived religious crimes (see also Religion). For example, in September 2023, local media reported the so-called 'honour killing' of a women who was stoned to death in Dera Ghazi Khan. In February 2022, international media also reported a case of a mob stoning a middle aged man to death for desecrating the Quran in Multan. Traditional justice mechanisms such as *jirgas* have handed out punishments in the past including stoning, amputations and 'blackening' of faces with ink as a form of public humiliation. These punishments undertaken outside the official court system are now rare (see also <u>Judiciary</u>).

Corporal punishment

- 4.30 The *Pakistan Penal Code*, *Punjab Destitute and Neglected Children Act* (2004), the *Sindh Children Act* (1955), *KP Child Protection and Welfare Act* (2010) and other provincial laws restrict the use of corporal punishment on children but often include provisions acting as a defence for offenders. For example, Section 89 of the *Pakistan Penal Code* (1860) states 'nothing which is done in good faith for the benefit of a person under twelve years of age, or of unsound mind by or by consent, either express or implied, of the guardian or other person having lawful charge of that person, is an offence by reason of any harm which it may cause, or be intended by the doer to cause or be known by the doer to be likely to cause to that person....'.
- 4.31 Corporal punishment is used in the Pakistani education system. Corporal punishment inflicted on children in schools can include smacking, kicking and beating with canes, belts, electric wires and other objects. The *ICT Prohibition of Corporal Punishment Act* (2021) bans corporal punishment in the Islamabad Capital Territory. Under the *Prohibition of Corporal Punishment Act* (2021), teachers found using corporal punishment can face penalties, including compulsory retirement and dismissal. Though the *Islamabad Capital Territory Prohibition of Corporal Punishment Act* was passed in 2021, rules were not notified until February 2023 and only launched on 25 May 2023. DFAT was not aware of anyone sentenced under the *ICT Prohibition of Corporal Punishment Act* (2021) at the time of writing (see also <u>Children</u>).

5. OTHER CONSIDERATIONS

STATE PROTECTION

- Pakistan has no laws or policies hindering access to state protection on the basis of gender, ethnicity or religion. Pakistani citizens have access to avenues of redress through the police and the judiciary. However, avenues may be limited at the individual level by sociocultural barriers, insufficient resourcing and a lack of political will. Some ethnic and religious minorities lack confidence in police and may therefore be less likely to seek redress through them (for example, Ahmadis). Security forces have reportedly been linked to enforced disappearance and extrajudicial killings, with little official accountability. Police are under-resourced and police corruption is common according to in-country sources. Legal processes are often slow, particularly in criminal cases.
- 5.2 Despite the release of the *Revised National Action Plan for Countering Terrorism and Extremism* in 2021 and increased measures introduced to curb violence across the country, successful prosecution for politically motivated or sectarian violence was rare. Local media reports this was due primarily to ineffective police investigations, a lack of forensic capabilities and prosecution and judicial legal understanding and threats against judges, lawyers, witnesses and their families.

Military

- 5.3 The Pakistani military is highly trained, politically powerful and well-resourced, with a budget of over PKR2.13 trillion in 2024-25 (AUD11.72 billion). According to the 2024 *Global Fire Power Index*, Pakistan's Armed Forces were the world's ninth most powerful military. Not including paramilitary forces, the military commanded a force of 1.2 million personnel, 654,000 on active service and 550,000 reserves. Pakistan is the world's fifth largest contributor to UN peacekeeping missions. There is no compulsory military service.
- The military is widely regarded as the most capable institution in Pakistan. It holds considerable influence over domestic politics and dominates foreign and security policy. The military seized control of the federal government through coups in 1958, 1977 and 1999 (see Recent History). Military personnel are well-paid and traditionally accorded high social status. The military employs minorities, including Pashtuns and Hazaras, although minority groups told DFAT unofficial ceilings were generally placed on their promotion to higher ranks (for example, Shi'a and Hindus). A relatively small number of women serve in the military, all in non-combat roles. There are very few women of senior rank.
- 5.5 There are widespread reports of human rights abuses by the military (see <u>Enforced disappearances</u>, <u>Extrajudicial killings</u>, <u>Security situation</u>, <u>Baloch</u>, <u>Pashtuns</u>).

Paramilitary forces

5.6 Several paramilitary forces operate in Pakistan, including the Pakistan Rangers, which mainly operate in <u>Punjab</u> and <u>Sindh</u> provinces. The Rangers are notionally under the authority of the Ministry of the Interior

but are headed by an army general and are, in practice, under military control. The Rangers undertake border security operations along the Indian border, as well as internal law-and-order operations. The Frontier Corps perform a similar role to the Rangers in western border regions, including in <u>Balochistan</u> and <u>KP</u>.

5.7 The UN, Human Rights Watch and Amnesty International have reported widespread human rights violations by the Rangers and Frontier Corps, including <u>torture</u> and other ill-treatment, arbitrary detention, <u>extrajudicial killings</u> and <u>enforced disappearances</u>.

Intelligence Services

- Pakistan's intelligence apparatus includes the military's Inter-Services Intelligence (ISI), Intelligence Bureau and other agencies. These agencies operate electronic and physical surveillance, and monitoring of internet service providers (ISPs), which the federal government has deployed against suspected terrorists, journalists, political opponents and others. In March 2024, six Islamabad High Court judges publicly stated members of the intelligence apparatus had attempted to influence their decisions by abducting and torturing their relatives, as well as installing surveillance in their homes.
- 5.9 There are widespread reports of human rights abuses by the intelligence services. The ISI has been accused of <u>extrajudicial killings</u>, <u>enforced disappearances</u> and <u>torture</u>, and to have maintained high-level links with militant groups, including the Afghan Taliban (see also, Security situation, Baloch, Pashtuns).

Police

- 5.10 Federal and provincial police services have primary responsibility for law enforcement, supported by other law enforcement agencies, including the FIA and National Counter Terrorism Authority (NACTA). Provincial and autonomous regional authorities are directly responsible for law and order, with the federal government having jurisdiction over police in Islamabad.
- 5.11 There were 1,724 police stations in Pakistan in 2020, including: 130 in Balochistan, 297 in KP, 683 in Punjab, 555 in Sindh and 22 in Islamabad. There were approximately 530,000 police personnel in 2021.
- 5.12 Police capacity and effectiveness in Pakistan are limited by a lack of resources, poor training, cultural attitudes (see also <u>Women</u>, <u>LGBTQIA+</u>) and under-resourcing, as well as competing pressures from superiors, political actors, <u>security forces</u> and the <u>judiciary</u>. Provincial police forces operate independently. There is no nationwide coordination or training standards. There are no centralised or national law enforcement databases or criminal records, which makes it hard to track or locate offenders.
- Public perception of police is generally poor, although in-country sources reported perception had improved in recent years. Police are poorly paid and individual officers often augment their salaries with bribes. Police also face regular personal security threats and militants often target officers. For example, KP police stated militant attacks killed 185 police personnel in 2023 alone. DFAT understands police fatalities in Balochistan were also significant in 2023, however provincial authorities have not released official data.
- Police forces have a mandatory 10 percent quota for females to ensure all police departments actively recruit <u>women</u>. However, institutional barriers and societal prejudices impact the recruitment and career progression of females in the police force. Recruitment quotas are negated by restrictive screening processes (including height and physical fitness requirements) and written exams that can act as unofficial barriers to female recruitment. In 2023, women comprised only 3 per cent of Pakistan's police force. The inherent security risks faced by police officers in Pakistan are also a barrier to female employment.

Judiciary

- 5.15 The Supreme Court of Pakistan sits at the apex the judicial system, followed by five provincial and regional high courts and numerous district courts. There are a variety of specialist courts, including banking courts, drug courts, <u>GBV</u> courts and <u>children's</u> courts. Judicial proceedings are usually conducted in Urdu, which stenographers transcribe into English. Supreme Court judgements are published in English. In October 2024, Pakistan's government passed the 26th Constitutional Amendment, changing the process of senior judicial appointments and granting the federal government the power to select the Chief Justice, often the final arbiter in significant cases. The changes also allow parliament to appoint 'constitutional' benches to hear certain cases. The International Commission of Jurists stated the 26th Constitutional Amendment was a 'blow to judicial independence, the rule of law, and human rights protection'.
- 5.16 Although technically subordinate to the Supreme Court, the Federal Shariat Court (FSC) is a parallel court responsible for ensuring laws are consistent with Islamic principles. The Council on Islamic Ideology is also influential, with the power to make recommendations for legislative reform (see also Religion).
- 5.17 Defendants in criminal trials are entitled to the presumption of innocence and allowed legal representation, self-funded outside of cases that may result in the death penalty. Judicial practice in Pakistan favours witness testimony over forensic or other evidence. Pakistan abolished trial-by-jury in the 1960s.
- 5.18 The judicial system suffers from a backlog of cases. The timeline between a police FIR being filed at the local level and the case going to court can take approximately two years. Criminal cases sometimes take between five to ten years to reach conclusion. More complex cases can take decades before a sentence is handed down, with the accused confined to pre-trial detention during this time. In-country sources told DFAT conviction rates were very low, around four to five per cent, and as low as two per cent in sexual assault cases. According to in-country sources, media pressure was often required to resolve pending cases in a timely manner. In-country sources reported corruption was common in the judicial system, as was intimidation of judges, particularly in religiously sensitive cases such as those involving blasphemy.
- In response to the deadly attack against the Peshawar Army Public School and College for Girls, special laws were put in place from January 2015 to March 2019 empowering military courts to conduct trials of civilians suspected of involvement in 'terrorism' for a wide range of offences. These military courts sometimes unilaterally invoked their jurisdiction to try civilians not involved in terrorism, even after March 2019 when the laws expired. Human rights groups have stated military courts sometimes fail to afford defendants due process and fair trials. Trials in military courts are closed to outsiders, defence lawyers and victims are prevented from providing details of proceedings to any external sources and no media is allowed. PTI supporters arrested following riots on 9 May 2023 in which military and government installations were damaged were set to be tried in military courts. In October 2023 the Supreme Court declared 'null and void' the trial of civilians by military courts. It overturned this verdict in December 2023, allowing the army to resume hearings in 103 civilian cases. At the time of writing, the Supreme Court had resumed hearing the appeal on the jurisdiction of the military to try civilians (see also Judiciary).
- 5.20 People in tribal areas sometimes seek justice through traditional dispute resolution mechanisms as an alternative to formal justice mechanisms, partly because they provide swifter resolution. These traditional dispute mechanisms consist of committees made up of tribal elders, including *aman* ('peace') committees, *panchayat* and *jirgas*. They do not follow internationally recognised standards for due process and procedural fairness and prioritise the interests of the community over the legal rights of the individual (see also <u>Cruel, inhuman or degrading punishment, Religion</u>).

Detention and prison

- 5.21 Prison conditions vary significantly, although were generally reported to be 'poor' according to in-country sources. Conditions in the interior of Balochistan and Sindh (Sukkar Region) were the worst in the country, with little tangible improvement in standards since the 1930s. The US Department of State's *Pakistan 2023 Human Rights Report* stated conditions in some prisons and detention centres were 'harsh and life threatening' due to gross overcrowding, inadequate food and medical care and unsanitary conditions.
- 5.22 Overcrowding in prisons is a significant issue. Pakistan has the capacity to house approximately 67,300 detainees and prisoners across 91 facilities nationwide but the actual prison and detention population exceeds 97,000. A report by the Justice Project Pakistan, NCHR, and the National Academy for Prisons Administration found prison overcrowding was at crisis levels, with the average prison operating at 152 per cent capacity and the worst at more than 300 per cent. Of those detained in 2024, 73 per cent were either awaiting our undergoing trial. According to Human Rights Watch, some cells designed for a maximum of three people held more than 15 people in 2023. As a result, some prisoners slept next to open pit toilets and others were forced to sleep in shifts because there was insufficient space for everyone to lie down at once. Most inmates in prisons are awaiting or undergoing trial and although not convicted, are required to remain in prison during the entire process where they are often housed with convicted criminals.
- 5.23 Prison food is modest and malnutrition is a problem, especially for prisoners unable to supplement their diets with assistance from family members or friends. Based on interviews with former prisoners, Human Rights Watch reported in 2023 conditions were unhygienic with inadequate food and dirty water. Human Rights Watch also reported prison authorities sometimes unofficially compelled prisoners to pay for food to which they were entitled, resulting in wealthy prisoners having access to healthy food and fresh fruit, while the majority were not provided food designated for them.
- 5.24 Medical facilities vary by prison but a system of basic and emergency medical care exists. According to the US Department of State's *Pakistan 2023 Human Rights Report,* inadequate medical care in prisons contributed to chronic health problems. Human Rights Watch reported in 2023 most prison hospitals lacked adequate budgets for medical staff, essential equipment like EKG machines and sufficient ambulances. For example, in December 2021, Lahore's Camp Jail operated without healthcare personnel at a time when the health of six prisoners deteriorated rapidly, resulting in their <u>deaths in custody</u>. In many prison facilities, sanitation, ventilation and lighting are inadequate.
- 5.25 Prisoners sentenced to death are housed in special cells generally six by six metres in size, shared between several prisoners. These cells are under constant surveillance. Death row prisoners are only allowed out of their cells for 30-minute periods, two times a day. During time out of their cells, prisoners on death row are only allowed to walk within the 'block' where their cell is located and remain handcuffed. Death row prisoners can receive visits from relatives and lawyers only with guards present.
- 5.26 There are several women's prisons in Pakistan (except for in Balochistan) and female prisoners are generally housed separately from males. In 2020, Pakistan's Ministry of Human Rights reported female prisoners received 'inadequate medical care' and officials routinely ignored laws meant to protect them. Insufficient funding in the prison healthcare system has also led to children accompanying their mothers in prison lacking essential health care, placing them at risk. Despite laws to protect khwaja siras or hijra, the US Department of State's Pakistan 2023 Human Rights Report stated prison officials held transgender women with men, which led to harassment.
- 5.27 There is one juvenile prison facility in Pakistan (see <u>Children</u>). In all other facilities, juveniles are kept in barracks separate from adults. According to the Society for the Protection of the Rights of the Child, prisoners and prison staff sometimes subjected juveniles to rape and other forms of violence in 2023.

5.28 Some human rights groups and journalists are granted access to monitor prison conditions. However, CSOs and international NGOs reported difficulties accessing detention facilities in conflict-affected areas and facilities where security-related detainees were held.

INTERNAL RELOCATION

- 5.29 Article 15 of the Constitution guarantees the right to freedom of movement in Pakistan and authorities generally respect this right. Internal migration is common and widespread as people regularly move to seek better <u>employment</u> and <u>education</u> opportunities. Those migrating often rely on family, friends, tribal and/or ethnic networks to establish themselves in a new location. Social and economic barriers to relocation can impact vulnerable groups disproportionally, including <u>women</u> and their <u>children</u> leaving family violence situations.
- 5.30 Large urban centres such as Islamabad, Karachi and Lahore have ethnically and religiously diverse populations and offer anonymity for people fleeing violence by non-state actors. Some groups, such as Pashtuns, occupy enclaves in these cities, while others, such as Ahmadis and Hazaras, avoid doing so to reduce the risk of being targeted by non-state actors. Police are not well coordinated across provincial borders.
- 5.31 DFAT assesses migrating to large urban areas may mitigate against potential risks posed by violence perpetuated by non-state actors, however notes otherwise vulnerable groups may face elevated barriers to relocation, such women and their children leaving family violence situations (see also, Women, Children).

TREATMENT OF RETURNEES

Entry and exit procedures

- 5.32 Under section 2 of the Exit from Pakistan (Control) Ordinance (1981) the government can prevent any person, including those with valid travel documentation, from leaving Pakistan. Pakistani citizens require a valid passport to enter or exit Pakistan under sections 3 and 4 of the Passports Act (1974). Under sections 4 and 6 of the Passports Act (1974), attempting to enter or depart Pakistan without valid documentation or on fraudulent documentation, is punishable with up to three years' imprisonment, a fine or both. Those suspected of human trafficking or people smuggling may be prosecuted under the Prevention of Trafficking in Persons Act (2018) and/or the Prevention of Smuggling of Migrants Acts (2018).
- Pakistan's government maintains an Exit Control List (ECL) used to prevent individuals from leaving the country, primarily those wanted for criminal offences. Changes were made to the ECL in April 2022, allowing automatic removal of individuals from the ECL after a period of 120 days, unless a 90-day extension was approved by the courts. Automatic removal from ECL does not apply to cases of 'terrorism, heinous crimes and threat to national security, cases forwarded by registrars of the Supreme Court, high courts and banking courts, drug trafficking, Ponzi schemes and cheating public at large'.
- The ECL was historically used in a politicised manner. Sitting federal governments placed political rivals on the ECL, however in-country sources told DFAT that was no longer the case except for <u>PTI</u> politicians. For example, local media reported PTI Chairman, Imran Khan, his wife, Bushra Bibi and several other politicians from the PTI were on the ECL in November 2023. In April 2024, the Islamabad High Court directed the Interior Ministry to remove the name of former federal minister, Dr Shireen Mazari, from the ECL because she was not under investigation for a crime.

5.35 <u>Afghan</u> citizens are required to present their passports with valid visas for movement across the Pakistan-Afghanistan border. Border crossings open and close frequently. Cross-border movement by holders of a *tazkira* was no longer permitted at the time of writing (see Afghans).

Conditions for repatriates

- 5.36 Repatriates usually departed Pakistan on valid travel documents and are generally processed like any other citizen when returning to the country. Pakistan's diplomatic missions issue emergency travel documents and passports to Pakistanis overseas, including those who have previously sought asylum in foreign countries. As a rule, the government issues returnees with temporary documents when they arrive.
- 5.37 Immigration officials sometimes interview failed asylum seekers upon return but generally only detain them if they had committed a crime in Pakistan prior to their departure or if their identity documents pre-date enrolment in Pakistan's national biometric database. Immigration officers have posed questions to returnees to ascertain whether they left the country illegally, were wanted for crimes in Pakistan or have committed offences while abroad. Repatriates wanted for a crime in Pakistan can be arrested and held on remand or required to report regularly to police. Repatriates may be placed on the 'Passenger Control List', an alert database that can trigger an intervention should they attempt to depart again via an airport.
- 5.38 Repatriates are responsible for arranging their own onward transportation from their point of entry into Pakistan, although some CSOs reported in 2023 they provided assistance. Repatriates are typically able to reintegrate into the Pakistani community without repercussions stemming from their migration attempt, although involuntary returnees who took on debt to fund their migration tend to face a higher risk of financial hardship and sometimes familial shame. A small percentage of repatriates do not reintegrate and attempt to go abroad again to seek asylum.
- 5.39 DFAT assesses repatriates to Pakistan do not face a risk of official or societal discrimination on the basis of their attempt to migrate or having lived in a Western country. DFAT assesses repatriates face a low risk of official or societal discrimination on the basis of their behaviours or opinions displayed while living abroad (see also Political opinion, Groups of interest).

DOCUMENTATION

- 5.40 The most reliable forms of documentation in Pakistan are passports and NICs. Other common forms of identification include domicile, birth, death and marriage certificates. Drivers' licences are a less reliable form of identification as they can be genuinely issued from fraudulently obtained genuine or counterfeit primary documents. Driver's licences can also be fraudulently obtained.
- 5.41 The Directorate General of Immigration and Passports issues <u>passports</u>, NADRA issues <u>NICs</u>. Both have offices across the country. All Pakistani citizens over the age of 18 are eligible to apply for passports and NICs. The Pakistan's government has dual nationality arrangements with 16 countries, including Australia. Under Section 10 of the *Citizenship Act* (1951), it is possible for foreign women to obtain Pakistani citizenship by marrying Pakistani men. The reverse is often not true. A Pakistani woman could not usually transmit her citizenship to her foreign husband by marriage.
- 5.42 On 14 July 2024 the Peshawar High Court ruled on 65 petitions filed by individuals who had Afghan citizenship, married Afghan nationals or had children with them. The Peshawar High Court found Afghan nationals married to Pakistani women were entitled to dual nationality. A separate ruling by the Lahore High Court also declared Section 10(2) of the *Pakistan Citizenship Act* (1951) to be unconstitutional. The FSC has requested the government grant citizenship to foreign husbands of Pakistani female citizens. However,

Pakistan's government has filed an appeal against the directive with the SCP (Civil Shariat Appeal No. 1 of 2008) and no amendments to the *Pakistan Citizenship Act* (1951) had been made at the time of writing.

Birth certificates and school records

- 5.43 Birth certificates can be issued by NADRA, local government bodies (union councils) or hospitals. Hospital birth certificates are automatically issued to children born in hospitals. However, no central database exists (see Prevalence of fraud) and there is no automatic registration process to capture the many babies not born in hospitals. While technically compulsory, large numbers of births are not registered. UNICEF estimated there were about 60 million unregistered children in Pakistan in 2019 (see also Children).
- 5.44 NADRA birth certificates are uniform across the country, other types of certificates are not. NADRA certificates are computerised and contain a complete birth record in English and Urdu. NADRA certificates and local government certificates are stamped and signed by local officials. School records and matriculation certificates are often used in lieu of birth certificates.

National Identity Cards

- NICs are the most common form of identification for people aged over 18 in Pakistan (for child identity documents, see <u>Birth certificates</u>, <u>Passports</u> and <u>Other documentation</u>). NICs are required to obtain a passport or drivers' licence, engage in formal <u>employment</u>, register as a voter, access services such as bank accounts, obtain a SIM card, open new water, electricity or gas accounts, purchase land or vehicles, and gain entry to college or university. NADRA began a program in 2012 to replace all computerised NICs with Smart NICs, with a view to complete the process by 2020. However, as Smart NICs are more expensive, some Pakistanis had not yet obtained Smart NICs in 2024 and both Computerised NICs and Smart NICs remained valid.
- 5.46 To obtain a NIC, applicants must submit their biometrics (photo and fingerprints), NIC number of a blood relative along with their own birth certificate, school, university certificate or citizenship certificate. An applicant who has turned 18 and holds a child registration certificate (CRC) must submit the CRC or a copy.
- 5.47 It is possible to apply for identity documents through NADRA's Pak-Identity online service but applicants seeking a NIC for the first time are required to present in-person at any NADRA registration centre to submit paperwork, have a photograph taken, provide their signature and a thumb impression.
- 5.48 Applicants with existing NICs can apply online to renew, replace or modify them without having to attend a NADRA office, although may be required to attend in-person to have certain documents certified. Applications to renew, replace or modify non-computerised NICs must be made in-person at any NADRA office. In-country sources stated some NIC applicants were told they must travel to a NADRA office in their district of origin to apply. This is not official policy and may reflect unofficial practice in some locations. In some cases, applicants may need to travel to their district of origin to obtain documents required for a NIC application. For example, if a birth certificate can only be issued in the district of origin.
- 5.49 NICs record the following biodata: legal name, gender (male, female or transgender), father's name (or husband's name for a married female), identification marks, date of birth, family registration ID number, current address, permanent address, date of issue, date of expiry, signature, photo and thumbprint. NICs do not display information regarding the card holder's religion but NADRA collects this information during the application process. Smart NICs have a chip containing biometric information and additional security features designed to prevent fraud. NICs are valid for five or ten years and those issued to citizens over the age of 65 are valid for life.

- The Supreme Court ruled in 2009 <u>khwaja siras</u> and <u>hijra</u> should be able to obtain NICs reflecting their sexual identity. In February 2012, NADRA added a 'third gender' category of <u>khansa</u> (literally congenital eunuch or intersex) on its registration form to obtain a computerised NIC. This allowed <u>khwaja siras</u> and <u>hijra</u> to vote and inherit property. In-country sources reported in 2024 <u>khwaja siras</u> and <u>hijras</u> still sometimes had difficulties obtaining NICs, although this may be reflective of individual prejudice rather than official policy. Following an appeal of the <u>Transgender Persons Protection of Rights Act</u> (2018) to the FSC in early 2024, anyone with a gender marker 'X' was left without valid identity documents for a six-month period while the appeal was being deliberated. In late 2024, documents were re-instated for those with gender markers of 'X', including NICs and passports (see also Sexual Orientation and Gender Identity).
- 5.51 NADRA can block a NIC, PoR card or ACC for suspicious use, including for certain groups as a form of harassment (see <u>Afghans</u>). In-country sources told DFAT it may be impossible to reverse a decision to block a card, with blocking considered a precursor to cancellation.
- 5.52 Although NICs are highly secure documents, rigorous identity checks are not undertaken during the issuance process. For example, a federal government inquiry in October 2023 determined NADRA had issued more than 40,000 computerised NICs to ineligible citizens of Afghanistan (see Afghans). The NADRA chairman told a Senate panel 372 of its employees were under investigation for helping facilitate foreign citizens acquire Pakistani NICs.

Passports

- Pakistan issues both machine-readable and biometric ordinary, official and diplomatic passports. Manual passports are no longer issued. Machine-readable passports contain biometric and security features, including a photograph of the holder, fingerprints and watermarks, as well as information about the holder's religion. Biometric passports were introduced in 2022 and are embedded with a contactless NFC chip on the data page, with the holder's image, biometric information, personal details, a distinct identification number and a digital signature.
- 5.54 All Pakistani citizens are eligible to apply for a passport, although some groups may face discriminatory barriers doing so (see <u>Ahmadis</u>). Pakistan issued its first transgender passport in 2017, with an 'X' printed under the gender category to symbolise a 'third gender' (see <u>Sexual Orientation and Gender Identity</u>). Pakistani diplomatic missions, including in Australia, can issue passports to Pakistani citizens.
- 5.55 Generally, the only supporting documentation required to apply for a Pakistani passport is the applicant's NIC. This has led to a significant amount of fraud, under which citizens of Afghanistan were issued improperly issued Pakistani passport after providing fraudulently acquired NICs. Local and international media reported in October 2023 authorities from the Kingdom of Saudia Arabia discovered 12,000 Afghans had arrived in Saudia Arabia on fraudulently obtained Pakistani passports.
- 5.56 On 5 June 2024, the Mol announced a new policy to suspend the renewal and issuance of passports for Pakistani citizens who sought or had been granted asylum in a foreign country. However, on 22 July 2024 Pakistan's government reversed its decision, lifting the ban effective immediately. As part of this announcement, the government stated it would recommence issuing passports to overseas Pakistanis (including those who sought or obtained asylum in a foreign country) by September 2024.

Marriage certificates

5.57 Marriage certificates (for Muslims called *nikah namas*) are common identification documents. *Nikah namas* usually contain the signatures of the bride and groom, two witnesses and a marriage officiator. They

are typically handwritten in Urdu. *Nikah namas* are registered with the local union council. NADRA then issues a computerised marriage registration certificate, with information in both Urdu and English. Marriage certificates are easy to obtain and are sometimes issued fraudulently, as they may only require the involvement of one of the parties to the alleged marriage.

5.58 Non-Muslim religious leaders can issue marriage certificates for their communities, although some groups face difficulties updating their NICs after marriage. For example, the Government of Punjab made it mandatory to include the oath of *Khatm-e-Nabuwwat* (finality of the Prophethood) in the marriage certificate form in October 2022 (see also Ahmadis, Christians, Hindus, Sikhs).

Other documentation

- Pakistanis living overseas have the option to register with Pakistan's government as non-resident 'Overseas Pakistanis'. This entitles them to a 'National Identity Card for Overseas Pakistanis' (NICOP) that can be used for visa-free entry to Pakistan, recognition of citizenship, opening a bank account and buying and selling property. Registration is via the NADRA website and is processed in Pakistan, not in overseas missions. Pakistanis living abroad can apply online for a National Identity Card for Overseas Pakistanis (NICOP), which will be delivered to them via courier.
- 5.60 NADRA issues child registration certificates (CRCs) as identity documents for children under the age of 18. Children under 10 do not require supporting documentation to obtain a CRC but those over 10 are required to provide a copy of a birth certificate or school record.
- 5.61 NADRA issues family registration certificates (FRCs), which contain information on each family member. New FRCs are issued upon marriage and amended upon the birth of a child. A domicile certificate is a document containing information about a person's place and date of birth. NADRA or the deputy commissioner of a district can issue domicile certificates. Between 2002 and 2009, local governments also issued domicile certificates. These certificates can only be legally obtained by people resident in Pakistan but in-country sources told DFAT they could be easily obtained illegally.
- 5.62 Police can issue documentation containing information about a person's criminal record. Officials typically check with local police from the applicant's district before issuing the relevant certificate but Pakistan has no centralised criminal database, rendering these documents difficult to verify.

PREVALENCE OF FRAUD

- 5.63 Document fraud is widespread in Pakistan. In-country sources told DFAT it was relatively quick and inexpensive to obtain altered or completely fraudulent documents. Fraudulent documents in Pakistan include but are not limited to: academic degrees and transcripts, bank statements, agreements, references and ownership deeds. Identity documents issued by NADRA are considered more reliable than others, although there were a number of recent high-profile cases of <u>corruption</u> and fraud in issuing <u>NICs</u> and <u>passports</u> in 2024. Fraud also targets manipulation of online visa application systems, with copies of genuine documents doctored and then uploaded into the system.
- 5.64 Union councils and NADRA can verify whether documents are genuine but may not be able to identify whether 'genuine documents' were fraudulently obtained. NADRA issues birth certificates but fraudulently obtained, altered or counterfeit certificates were still readily available from hospitals at the time of writing.
- 5.64 FIRs (the initial police record of a complaint or reported crime see <u>Police</u>) use standard forms with the relevant information written by hand and are relatively easy to counterfeit. According to in-country sources, police have accepted bribes to verify fraudulent FIRs. Although the existence of an FIR is not conclusive evidence the events described in the FIR occurred, police do also produce credible FIRs.