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Monthly Report Team Pakistan

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Aim of the report

The purpose of this monthly report is to summarise September 2022's human rights abuses against individuals who are marginalised within Pakistan. This report's opening section provides a quick overview of Pakistan's historical developments that shaped the country's current religious conflict. The second section will also provide a review of Pakistan's religious minorities and additional marginalised groups listed as; women, children, and LGBTQ+ individuals along with September 2022 events of these violations that have occurred. Pakistan's foreign relations are covered in section four, along with recent developments that have been implemented. By doing so, underrepresented minority groups who have been marginalised are given a platform through this report while also enlightening readers about current developments in Pakistan.

Overview of the country

The Islamic Republic of Pakistan achieved independence in 1947 when it broke away from India as a British colony. India and Pakistan were divided into territories as primarily Hindu or Muslim, with Muslim majority areas going to Pakistan, and the Hindu majority going to India. However, the division was also biased against Pakistan as India was provided with all territories that were also industrially developed and Pakistan getting poorer regions (at the time). Kashmir also became a big point of contention between the two since the strategic importance of the area meant that both countries wanted to keep it. This sparked a conflict that is still continuing to this day and has resulted in many lives lost at the Line of Control established between Kashmir.

Pakistan's population is reported to be 220 million as of 2021, making it the fifth most populated country in the world (Pakistan Bureau of Statistics, 2021). Due to its large population, the country is also home to many different languages: some of them being English, Punjabi, Dari, Balochi, Gujarati and Pashto. Urdu is the national language, and the country's main religion is Islam.

Pakistan is a democratic parliamentary federal republic. Currently, the country is presided upon by Dr Arif-ur-Rehman Alvi. The 23rd Prime Minister of Pakistan is currently Shehbaz Sharif, who came to power after Imran Khan was ousted on a vote of no confidence.

Overview of the country's minorities

Islam is the official religion as stated in the Constitution in Article 2. However, being a very heavily populated country, it is home to many cultures and ethnicities. Pakistan's Constitution allows for freedom of religion and provides every citizen with the right to practise and promote their religion in Article 20. However, "minority" is not particularly defined in the country's Constitution, and in 2022, a new National Security Policy passed that labelled minorities as "sub-national narratives" and declared them dangerous (National Security of Pakistan, 2022).

Muslims make up 96.28 percent of Pakistan's population (Pakistan Bureau of Statistics, 2021). A percentage of this group practice Sunni Islam, and some are Shia Muslims, which come from a different Islamic school of thought, and are considered a minority. Christians in Pakistan are only 1.59 percent of the population, with Hindus making 1.6 percent and Ahmadis 0.22 percent (Minority Rights Group, 2020). Pakistan's population also comprises 109.3 million women, and 10,418 transgender people (Pakistan Bureau of Statistics, 2021). Pakistan's literacy rate is 58 percent, meaning just a little under half of the population is uneducated.

Women's rights

Pakistan recently addressed the United Nations General Assembly (UNGA) on the advancement of women, reaffirming their recognition of the importance of female empowerment and recognition of women's rights. Represented by Aamir Khan, deputy permanent representative of Pakistan to the UN, Pakistan called for steps to eliminate gender-based violence and discrimination. Khan is the current chair of the Group of 77 and China, reaffirmed his support for accelerated implementation of the 1995 Beijing Declaration and Platform for Action, and the outcome of the 23rd Special Session of the General Assembly (Staff Report, 2022). The Beijing Declaration represents commitment of the international community to achieve gender equality and promote opportunities for women, addressing civil, political, social, economic, and cultural inequalities (UN Economic and Social Commission for Western Asia, n.d.). In his address, Khan mentioned discrimination, violence, and lack of access to basic healthcare, education and social protection as issues to tackle in order to ensure women's rights are achieved. Such rights include freedom from violence, education, and equal pay. He likewise stressed how commitments to such efforts have been unfulfilled, how resources must be allocated to eliminate discrimination against women in the workplace and to include the gender perspective in future policies and measures (Staff Report, 2022).

Despite this commitment, gender violence has continued to be an issue faced by Pakistani women. A prime example of this concerns the case of a 24-year-old female seminary teacher, which prompted community protests and outrage. The victim had gone missing on September 14th, 2022, after which her disappearance was reported to the police. The police subsequently found her body on September 17th, 2022, which prompted the family of the victim and locals of Jani Khawar to protest against police inaction and the ongoing issue of honour killings in Pakistan. The protestors placed the body of the victim on Kohat Road and remained there effectively closing the road from 8 am to 5 pm on September 17th, 2022. After negotiations with police, the Awami National Party lawmaker Khushdil Khan told the protesters that the police had assured to trace the alleged killers within four days and stated the protests would continue if the culprits were not arrested within the given period. According to the police, in this case, it was an honour killing (Bureau Report, 2022). This continues to occur even after the adoption of the Anti-Honour Killing Laws (Criminal Amendment Bill) 2015 and the Anti-Rape Laws (Criminal Amendment Bill) 2015 in 2016, following a horrific series of honour killings in Pakistan. Under the Anti-Honour Killing Laws, a family member will still be held liable despite being pardoned by another family member, ensuring justice for victims (Zaidi, 2016).

Children's rights

Throughout the years between 2018 and 2022, increased efforts towards ensuring primary and secondary education have been made throughout Pakistan. In the province of Khyber Pakhtunkhwa, there has been an expressed commitment towards achieving quality education, and the introduction of reforms and projects aimed to develop the educational system in the region. The measures particularly comprise 110 development projects, consisting of the establishment of new schools, rehabilitation of existing schools, recruitment of teachers, provision of free textbooks to students, provision of scholarships to female students to enhance literacy rate, the establishment of education monitoring authority, launching of the second shift in public schools and hiring of school leaders. This seems to have increased the number of enrolments in government schools in the region after measures were imposed. This effort also precedes a four-year process in which the regularisation of teachers, establishment and rehabilitation of schools, and provision of scholarships, textbooks and even school bags has taken place within the region (Bureau Report, 2022). Despite all these efforts, the literacy rate in the province of Khyber Pakhtunkhwa dropped in 2019-2020 from prior years, according to the Elementary and Secondary Education Department. The Department's report showed the literacy rate had increased between 2008 and 2018 to then fall in the above-mentioned period (Bureau Report, 2022).

However, a more recent survey of literacy rates in the country has shown some improvement in the province of Khyber Pakhtunkhwa during 2020-2021. This survey showed an overall increase in literacy rate trends, both in rural and urban areas throughout the different provinces of the country in comparison to the previously analysed period of 2018-2019. The province of Punjab experiences a 66.1 percent to 66.3 percent increase, the province of Sindh saw a 61.6 percent to 61.8 percent increase, Khyber Pakhtunkhwa saw a 52.4 percent to 55.1 percent increase and Balochistan experienced a 53.9 percent to 54.5 percent increase in literacy rate (Abbasi, 2022). The study likewise showed the disparities in levels of literacy rates, with cities considered urban hubs such as Lahore, Islamabad and Karachi reaching literacy rates of up to 75 percent. In comparison to so-called tribal areas where literacy rates went to reach nine percent, the disparity in education is rampant (Akhtar, 2022). As for the general improvements in Pakistan's literacy rates, this is attributed to federal and provincial initiatives to raise the standards of education in support of the Sustainable Development Goals (SDGs). One relevant measure is the introduction of a Single National Curriculum (SNC) which was introduced to reduce the disparities in the country's education. The implementation of SNC has been observed in Islamabad, Punjab, Khyber Pakhtunkhwa and Gilgit-Baltistan, with the provinces of Balochistan and Azad Jammu & Kashmir expected to be implemented for the 2022 academic year. The implementation of SNC has faced challenges, including capacity building of existing teachers, induction of new teachers and the renovation of educational facilities in certain areas of Pakistan. Nonetheless, the survey stated the government was focused on improving the quality and coverage of education, but that they required the active participation of the private sector to continue to do so effectively (Abbasi, 2022).

LGBTQ+

During September 2022, a controversy arose regarding the 2018 Transgender Persons (Protection of Rights) Act¹ (Dawn, 2022). The National Assembly of Pakistan enacted the transgender legislation to provide legal recognition to transgender persons and ensure that discrimination against transgender persons in various fields of life shall be punishable (Dawn, 2022).

In 2022, an amendment bill, the Transgender Persons (Protection of Rights) (Amendment) Act 2022, was moved by the party Pakistan Thereek-e-Insaf seeking amendments to definitions of “gender expression” and “gender identity”, to fill gaps and make the legislation more effective and worthwhile (Khan, 2022). The main objective of the existing transgender legislation is to ensure the provision of rights for transgender persons to own and inherit property, acquire education and employment, vote freely, hold public office, assemble peacefully for any lawful purpose, access public spaces and ensure the fulfilment of fundamental rights (Alvi, 2022). Further, the bill proposes to remove Sub-section 4 of Section 3 stating that a transgender person that has already been issued an identity card by the Nadra shall be allowed to change the name and gender pursuant to his or her self-perceived identity on the CNIC, CRC, driving license and passport in accordance with the NADRA Ordinance 2000 (Khan, 2022). Additionally, the bill seeks amendments to Sections 7 and 8 relating to shares in inheritance and the right to education (Khan, 2022). Moreover, the bill claims various lacunae and loopholes were observed in the law that needed to be addressed to transfer its benefits to the transgender community (Khan, 2022).

On September 25th, 2022, the Council of Islamic Ideology (CII) noted that certain clauses of the transgender legislation were incompatible with the Sharia and decided to form a high-level committee to review it (Ali, 2022). The CII also stated that the legislation should be amended to avoid any misuse and regretted that CII was not taken into confidence when the Act was presented in parliament five years ago (Ali, 2022). The committee formed by the CII consists of the council’s members, scholars, as well as legal and medical experts (Ali, 2022). Additionally, the participants stressed that their review of the Act and thus the committee’s findings shall be made public (Ali, 2022).

On September 26th, 2022, the bill was introduced in the Senate House (Alvi, 2022). The Senate House stated that various loopholes and voids had been observed in the existing transgender legislation which needed to be addressed (Alvi, 2022). Additionally, the Senate House found that the transgender legislation is not in conformity with principles and rules developed under the Shariah for dealing with issues related to transgender persons in a Muslim society (Alvi, 2022). Consequently, the Senate House concluded that amendments to the current transgender legislation are necessary (Aliv, 2022).

The necessity for the protection of transgender persons is still present as the transgender community still faces various obstacles and is still targeted, for example on September 25th, 2022, a transgender person, Rahamsher alias, was shot dead in Swabi (The Newspaper’s Correspondent, 2022). Noorul Haq alias Noor, a transgender person, reported to the police that he and Wafa were on the way to Peshawar when Wafa got a call and asked Noor to pull up on the roadside (The Newspaper’s Correspondent, 2022). Later, the person who was on the phone with Wafa, Zaraq Shah, arrived at the roadside. After Zaraq Shah and Wafa exchanged some hot words, Zaraq shot Wafa, escaped and left him seriously injured (The Newspaper’s Correspondent, 2022). A first information report has been registered against Zaraq Shah by the Chota Lahor city police station (The Newspaper’s Correspondent, 2022).

1. For the full text of the 2018 Transgender Persons (Protection of Rights) Act, please follow this link: https://na.gov.pk/uploads/documents/1526547582_234.pdf.

Foreign Relations

Pakistan has consolidated its place in geopolitical spheres local and global over the past month. One notable instance occurred on October 6th, which Indian fishermen accused the Pakistani Navy of kidnapping and firing upon them (Vaktania, 2022). The situation occurred 45 nautical miles away from Jakhau port, Gujarat. Allegedly, the Pakistani Navy had fired upon the 'Harsiddhi 5', to which the fishermen had demanded that they be left alone, to which they were approached by the vessel. Six fishermen were captured and had harm inflicted by twenty to twenty-five members of the crew of the 'PMSA Barkat' at around 5 a.m. The fishermen had reported being threatened that they would be abducted to Pakistan during the takeover. During the event, one of the fishermen dialled SOS, signalling to the local Indian Coast Guard. Upon arrival, the Pakistani Navy alleged that they were helping the boat after receiving calls for help. Once back in Gujarat, the fishermen filed a report under Sections 307 (attempt to murder), 365 (kidnapping), 427 (causing damage), 324 (causing hurt with object), and 323 (causing hurt) of the Indian Penal Code. This event indicates that tensions between the two States remain turbulent.

Such turbulence has been seen with condemnation directed towards Pakistan's foreign minister for raising the issue of Jammu and Kashmir while in Germany. Minister Bilawal Bhutto reminded German Minister Annalena Baerbock that Germany also had a "role and responsibility" with regard to the situation in Kashmir, and urged the UN to seek an active solution to the problems with the territory (Times of India, 2022). Arindam Bagchi, a spokesperson for the Indian Ministry of External Affairs has stated that "The Indian Union territory of Jammu & Kashmir has borne the brunt of such a terrorist campaign for decades. This continues till now. Foreign nationals have been victims there, as also in other parts of India." Correspondingly, this shows an unfortunate lack of progress between the regional powers.

In the United Nations, there have been increasing efforts to persuade Pakistan to vote against the Russian Invasion of Ukraine at the next sitting of the United Nations General Assembly (Business Standard, 2022). In a similar resolution in March year?, Pakistan joined the People's Republic of China in abstaining, maintaining that a neutral vote would allow the nation to act as a negotiator in a potential peace deal in the future. The US, which has given considerable aid to Pakistan's flood relief efforts, is renewing efforts to persuade the country into a stance of clear condemnation. Despite expressing concerns over the humanitarian situation in Ukraine, Pakistan did stop short of denouncing Russia entirely. Former prime minister Imran Khan has since cited that one of the main reasons behind his ouster was his government's move to resist the US pressure on Russia.

Positive Developments

National Security

In September 2022, the representative of Pakistan made a very informative view at the Group 77 (G77). During the meeting, “Pakistan has called for the mobilisation of all possible resources to help developing countries eradicate poverty and hunger and achieve the Sustainable Development Goals (SDGs) to offset the devastating impact of the increase in food, fuel prices and the decline in economic growth on the large segment of the world’s population” (Pakistan Today, 2022). It was also emphasised by Ambassador Munir Akram that the international community should work together, strengthen global development cooperation and invest in sustained growth for reducing inequalities and enhancing the well-being of all (Pakistan Today, 2022). Meanwhile, it is also significant to take coordinated actions and try new approaches to “promote vaccine equity, build better health systems and improve early warning and monitoring systems for pandemic preparedness at the global, regional and national levels” (Pakistan Today, 2022). Pakistan’s statement at the G77 reflects its good intentions and attitudes to protect human rights and actively fulfil government obligations, but as to whether various measures are implemented, it still needs to be tested in practice.

Climate Change

The flood disaster in Pakistan has been going on for months, although progress has been slow, the local government has taken action to address the problem. As for the international rescue, people are glad to see that the Pakistani government started to collaborate with the World Food Program (WFP) to provide assistance for flood-affected people, especially in Balochistan, Khyber Pakhtunkhwa (KP) and Sindh (OCHA, 2022). According to the WFP’s report, almost 6000 people were supported by the rescue program with relief food and nutrition assistance as of the middle of September 2022 (WFP, 2022). However, Pakistan still has many villages and mountainous areas with poor infrastructure. It is difficult for the transport team to bring the relief supplies to these areas. Therefore, the WFP is currently planning to use tractor trolleys and boats to complete distributions, which is a great progress especially for these hard-to-reach areas (OCHA, 2022). From the government perspective, the National Disaster Management Authority (NDMA) was coordinating assessments and directing humanitarian relief for flood-affected people which includes but not limited to provision of food, shelter, medical supplies and other essentials (WFP, 2022).

LGBTQ+

For the gender minorities in Pakistan, September 2022 could be a very exciting and significant month. According to the news report, the Prime Minister’s Strategic Reforms Unit in collaboration with Ministry of Human Rights launched the country’s first “Transgender Citizens Complaint Management System” at the end of September (Staff Report, 2022). This portal can assist transgender groups to combat incidents of harassment, violence and other issues through directly reporting the crimes to helpline 1099. Addressing the launching ceremony, Secretary of Ministry of Human Rights Afzal Latif said this new mechanism will work to “ensure the safety and security of the transgenders and strict action against law violators inflicting harm on one of the most marginalised fraction of the society” (Staff Report, 2022). Also, according to transgender woman rights activist Nayab Ali, “The cooperation between the Prime Minister’s Office and the ‘Transgender Citizens Complaint Management System’ for the transgender community which is a unique and historic step to protect and support the transgenders who will use platform for individuals to complain about their issues and problems” (Staff Report, 2022). The establishment of helpline 1099 would not only encourage transgender individuals but also support their confidence to defend themselves during unjust treatments and discrimination in the whole society.

Conclusion

This report has shown that daily violations of minority and marginalised groups' human rights have occurred into September 2022. The historical changes in Pakistan have not only given readers background knowledge about the country but have also shed insight on the ongoing religious struggle therein. Despite recent UNGA resolutions to recognise female empowerment and Aamir Khan's repeated support of the 1995 Beijing Declaration and Platform for Action, gender-based violence against Pakistani women persists. The country's improvements in its literacy rate were also highlighted, along with the expression of the need for greater measures to support primary and secondary education for children. Pakistan's National Assembly introduced a transgender law assuring that any targeted forms of discrimination will result in punishment as one of the rights of members of the LGBTQ+ community. Reports of an Indian fisherman being kidnapped and shot by the Pakistani Navy, as well as the foreign ministry's worries about the conflict in Kashmir and Jammu due to territorial issues, caused great turbulence in Pakistan's international relations. Lastly, the United Nations continues to encourage Pakistan to vote against Russia's invasion of Ukraine.

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