



March Monthly Report

Team Pakistan



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Introduction

The objective of this Monthly Report is to provide a comprehensive overview of the most notable and pressing developments in the sphere of human rights in Pakistan. The March Monthly Report aims to build on developments from the last month and introduce the latest events and legislation concerning human rights protection within Pakistan. The Report will particularly discuss the latest developments and key junctures affecting women's rights, children's rights, and the rights of religious and gender minorities in Pakistan. Simultaneously, it also aims to serve as a means to proliferate the human rights discourse within Pakistan while also attempting to encourage developments within the Pakistani society, by shedding light on some of these key events. This Monthly Report attempts to sensitise its audience to the ongoing human rights violations in the South Asian state and give a voice to minorities and marginalised groups suffering.

The structure of this Monthly Report proceeds as follows . First, the Report begins with a country overview of Pakistan, briefly stating key facts about its history, geography and political structures. The second chapter proceeds to discuss developments in the sphere of women's, children and religious human rights within Pakistan in March 2023. After introducing these developments and discussing their impact on Pakistan's human rights architecture, the Report will conclude with a 'looking forward' section for next month's Report.

Country Profile

Pakistan is located in southern Asia. Overlooking the Arabian Sea, it borders India on the east, Iran and Afghanistan on the west, and China on the north. After a long period of British domination, in 1947 British India was divided into the Muslim State of Pakistan and Hindu India. The controversies around the disputed Kashmir territory, however, have never been solved. Pakistan is the world's fifth-most populous country, with a population capacity of 247,653,551, as for ethnic groups has a majority of Punjabi (44.7 percent) and Pashtun (15.4 percent), whereas 96.5 percent of the population is Muslim. Islamabad is the capital, while Karachi is its largest city and financial district. The government type is Federal Parliamentary Republic and the legislative branch consists in a bicameral Parliament (or Majlis-e-Shoora) composed of a 100 seats 6-year term Senate and a 342 seats 5-year term National Assembly. Arif Alvi is the President of the Republic of Pakistan and Mian Muhammad Shehbaz Sharif is the Prime Minister. Pakistan is a declared nuclear-weapons holding State and has the world's sixth-largest standing armed forces. It is considered a middle-power Nation and is ranked amongst the emerging and growth-leading economies, with a growing middle class. Pakistan is part of many international organisations, like the United Nations (UN), the Shanghai Cooperation Organisation, the Organisation of Islamic Cooperation, the Commonwealth of Nations, the South Asian Association for Regional Cooperation and the Islamic Military Counter-Terrorism Coalition, and the United States designated it as a major non-NATO ally.

Women's Rights

Women rallied for International Women's Day on the 8th of March, in Islamabad, Karachi, Lahore, Multan and Hyderabad. These marches have occurred in past years, since 2018, attracting backlash both due to its highlighting of women's issues and provocative banners and placards (Hussain, 2023). At several marches, participants were met with violent police reaction and barricades, despite protesters having acquired permits to hold the march. However, the march indicates the possibility for change and provided a space for Pakistani women to voice their concerns and challenge existing issues (Hussain, 2023).

On a positive note, the transportation app, Careem, announced it would introduce a women-driven motorbike service for its female clientele (Dawn, 2023a). Careem stated this was an effort towards their commitment to empower Pakistani women, and to provide safe and reliable transport for its clients. The company's statement referred to Pakistan's current economic crisis as Careem will offer this service with zero percent commission, bonuses and guarantees for its female motorbike captains in order to equip these drivers with tools to financially support themselves (Dawn, 2023a).

Another initiative concerned the participation of a Supreme Court Justice, Ayesha A. Malik, in the London School of Economics' Future of Pakistan Conference. Justice Malik spoke about her experience with sexism and discrimination throughout her career, as well as the Pakistani legal system's barriers for women (Rehman, 2023). Justice Malik continued her advocacy for women's issues both within the legal profession and system, and to widespread women's issues, now at an international forum with a variety of attendees, hopefully inspiring change (Rehman, 2023). Another development related to the Pakistani legal system is the appointment of Justice Musarrat Hilali as the first female Chief Justice of the Peshawar High Court (PHC) (Bhatti, 2023). Justice Hilali is the second female Chief Justice of a High Court in Pakistan, with the first being Justice Safdar in 2018 (Bhatti, 2023). Justice Hilali has had similar ground-breaking roles, being the first female additional advocate general of Khyber Pakhtunkhwa (KP), first female Chairperson of the KP Environmental Protection Tribunal, first female Ombudsman for the Protection against Harassment of Women at the Workplace and has been a PHC Judge since 2014 (Bhatti, 2023).

On March 31st, eight women and three children were killed as a result of a stampede at a Ramadan food distribution centre in Karachi. Local police were reportedly not alerted nor aware of the distribution set up, meaning no security measures had been set in place (Al Jazeera, 2023b). This has been linked to the recent inflation and the effects of the flooding which have caused food insecurity throughout the country, causing more people to attend food distribution centres (Al Jazeera, 2023b).

Children's rights

There are more than 80 million children in Pakistan (Ozturk, 2019). Only 20 percent of them live in urban areas where they have access to basic rights, while almost 25 percent of the population lives below the poverty line, which makes it more difficult for some to enjoy their rights (Ozturk, 2019). Children in Pakistan are subjected to many forms of physical, psychological and sexual violence and exploitation as well as lacking access to safe drinking water and health care services. Tragically, cases of violence are not uncommon in the country. For instance, in March alone there have been a case of a nine-year old child with disabilities who was found raped and murdered as well as a six-year-old girl (Ali, 2023).

Many of the above-mentioned issues have worsened in the country after the damaging floods that affected Pakistan last summer. The worst floods began due to heavy rains and killed around 1,700 people, including 647 children, but overall affected 33 million people (Al Jazeera, 2023a). Six months have now passed, but the consequences of the disaster are still very much present and affect access to basic human rights of those living in the affected areas, in particular in the Rajanpur district of South Punjab, which is one of the areas that was hit the hardest. The main issues that affect children in Pakistan are unsafe drinking water, poor sanitation and access to education. After six months there are still more than 10 million people and children that do not have access to safe drinking water, UNICEF said (2023). People are thus left with no alternative but to drink and use water that might be disease-ridden (UNICEF, 2023). According to UNICEF, the majority of the population did not have access to clean drinking water even before the floods and they then damaged water systems in the affected areas, forcing “more than 5.4 million people, including 2.5 million children, to solely rely on contaminated water from ponds and wells” (UNICEF, 2023). Children are trapped in vicious cycles of diseases and deaths caused by lack of safe drinking water, rising malnutrition and improper sanitation (Malik & Mahat, 2023). Abdullah Fadil, UNICEF Representative in Pakistan, commented that “every day, millions of girls and boys in Pakistan are fighting a losing battle against preventable waterborne diseases and consequential malnutrition” (UNICEF, 2023). In fact, more than 1.5 million children are severely malnourished (Malik & Mahat, 2023) and the numbers will rise if these lacks are not properly addressed. Moreover, open defecation has increased by 14 percent in these areas, which disproportionately affects children, adolescent girls and women that might be subjected to shame and harm (UNICEF, 2023). Families that continue to live in the proximity of stagnant water and still do not have access to safe drinking water or toilets, are victims to outbreaks of waterborne disease, such as cholera, diarrhoea, dengue, and malaria (UNICEF, 2023). These diseases prevent children from getting vital nutrients, which again is an underlying cause of malnutrition. Malnourished children are also then more vulnerable to waterborne diseases as their immune system is weakened, thus the vicious cycle of malnutrition and diseases (UNICEF, 2023). Unfortunately, half of all child deaths in the country are associated with malnutrition (UNICEF, 2023).

In general, children's health in Pakistan is an ongoing and challenging issue since, with the rapid rise of the country's population, child health issues are also increasing (Azhar, 2021). According to medical reports, one child dies every minute due to infectious diseases, indeed, infectious diseases - like diarrhoea, polio, and pneumonia - are the leading cause of death among children (Azhar, 2021). These deaths are mainly caused by malnutrition, and lack of access to clean water and supplies (Ozturk, 2019), which was aggravated by the floods as discussed. As child health is a serious issue in Pakistan, it requires immediate national action. Thus, the government started a polio vaccination campaign in March 2023 with the aim to immunise more than 21.5 million children under the age of five, the Ministry of National Health Services said (Pakistan Today, 2023). The campaign will vaccinate children in several

districts of Punjab, Sindh, Balochistan, Khyber Pakhtunkhwa and Islamabad (Pakistan Today, 2023). Furthermore, another issue when it comes to the protection of children's rights in Pakistan is child and forced marriage. According to UNICEF, there are around 19 million child brides in the country, estimating that more than 4 million were married before the age of 15 (Khan, 2022). In addition, children are not actively involved in the decision-making about their marriage and are not informed about legislation prohibiting child marriage or the minimum legal age for marriage (Niaz, 2022). Child marriage happens especially in the tribal and rural areas of Pakistan or to girls from Hindu or Christian minorities (HRCP, 2023; Khan, 2022). The main reasons for its prevalence are the deeply entrenched traditions and customs, poverty, lack of awareness and access to education, and lack of security (National Commission on the Status of Women & UN Women Pakistan, 2020). In Pakistan it is illegal to marry before the age of 16, with the exception of the Sindh province which has updated a law and banned marriages before the age of 18 in 2014 (Geo News, 2022). It is called the Sindh Child Marriage Restraint Act and beside raising the minimum age for marriage to 18, it also made child marriage a punishable offence (Geo News, 2022). This law, however, received criticism in the country as it is believed that child marriage is not prohibited by the Islamic law. In March 2023, the Federal Shariat Court ruled on a petition filed by Ali Azhar, who "had contracted marriage with an underage Christian girl in 2020 after she allegedly converted to Islam" (Tanoli, 2023). The Sindh High Court decided at the time that the girl could not enter into a legally valid marriage since she was a minor and directed the police to proceed against the husband for violating the Sindh Child Marriage Restraint Act (Tanoli, 2023). However, the petitioner argued that the setting of the minimum legal marriage age to 18 for men and women was against the injunctions of Islam (Tanoli, 2023). In its judgement, the Federal Shariat Court noted that under Islamic law puberty was only one factor necessary for marriage, and that other considerations concerned the financial well-being, health and mental maturity, and thus dismissed the petition since the legislature was in accordance with injunctions of Islam as laid down in the Holy Quran and Sunnah (Tanoli, 2023). This ruling is important as it shows the importance of implementation of national and international norms in order to promote and protect children's rights in Pakistan, specifically to end child marriages in this case. Pakistan has adopted several legislation protecting children on both federal and provincial level. It has also committed to end child marriage and set the minimal legal age for marriage to 18 by taking part to different international instruments, such as the Convention on the Rights of the Child in 1990 and the Convention on the Elimination of All Forms of Discrimination Against Women in 1996 (National Commission on the Status of Women & UN Women Pakistan, 2020). Nonetheless the issue is still very prevalent in Pakistan, which suggests a lack of implementation and political will from the authorities.

Religious and Gender Minorities

The official religion of Pakistan is Islam, as enshrined by Article 2 of the Constitution, and is practised by approximately 96.47 percent of the country's population. Religious minorities in Pakistan face severe discrimination and marginalisation.

To begin with, on March 3rd, India slammed Pakistan on the issue of religious freedom of minorities at the United Nations Human Rights Council (UNHRC). Seema Pujani, India's representative, pinpointed how severe and unfair is the situation for religious minorities in Pakistan and she continued by explaining how dangerous it is for the people who are Hindus, Pakistani Ahmadis, Shia, Sufis and Christians to practise their religion. Moreover, it was pinpointed how some people vanish from the country and never seem to be found again. More specifically, Ms. Pujani said:

In the last decade, Pakistan's own Commission of inquiry on enforced disappearances has received 8,463 complaints. The Baloch people have borne the brunt of this cruel policy. Students, doctors, engineers, teachers, and community leaders are regularly disappeared by the state, never to return (The Hindu, 2023).

Furthermore, at the UNHRC it was highlighted how poorly Christians are being treated by the country. For example, they face great obstacles to get a job position that they desire and are qualified for because the country's institutions officially reserve sanitation jobs for Christians (The Hindu, 2023). Continuing, the conversion of underage minority girls to Islam is still a substantial issue in Pakistan with devastating consequences for the girls themselves and the whole society. At the Council it was also stated how apathetic the judiciary is in Pakistan as this barbaric situation keeps occurring. The Indian diplomat highlighted that the country supports terrorism as it has the unique distinction of hosting the greatest number of UN Security Council-designated terrorists and terror organisations (The Hindu, 2023).

Related to the issues concerning religious minorities raised at the UNHCR, we can highlight two girls that spoke about their experiences coming from the Catholic minority in the country. In March 2023, a young girl named Naveed Sahotra spoke about the discrimination against religious minorities in Pakistan. Sahotra is a Catholic and has all the requirements to get a job position in the government or in government-owned companies as they offer job security, besides perks like housing, health and retirement pension. However, because of her religion, she was rejected in any governmental job position that she applied for (Chaudhry, 2023). Moreover, a Catholic young woman named Kinza Sindhu opened up about her horrific experience when she was raped and converted to Islam after five men abducted her from her house in the area of Lahore on September 19th, 2022. In an interview conducted in her native Urdu language in March 2023, Kinza spoke to Aid to the Church in Need (ACN, 2023) about her ordeal. When she was asked how she managed to escape, Kinza responded My parents had registered a first information report at the local police station regarding my abduction. My kidnapper submitted the nikahnama (Islamic marriage contract) in the same police station stating that I had become a Muslim. But in Lahore High Court I denied converting to Islam. The judge let me rejoin my family after the second hearing.

The Centre for Social Justice (CSJ) on Thursday issued the "Human Rights Observer 2023", an annual fact sheet. In this report, five substantial issues that are affecting religious minorities have been covered, including the frequency of forced faith conversions and abuse of blasphemy law (Dawn, 2023b). In the fact sheet, 124 reported incidents of forced faith conversions involving girls and women from minority communities (which included 81 Hindu, 42 Christian, and one Sikh) were analysed (Dawn, 2023b). Sixty-five percent of cases of forced faith conversion were reported in Sindh in 2022, followed by 33 percent in Punjab, and 0.8 percent each in Khyber Pakhtunkhwa and Balochistan (Dawn, 2023b).

The executive director at the CSJ said: “The annual fact sheet carried recommendations to address the issues along with practical steps for the realisation and protection of the rights of minorities and urged the Government to take stock of these issues and enforce the human rights of minorities” (Dawn, 2023b).

Looking Forward

Many developments are taking place in Pakistan. One important moment that is coming up is the release of a report by the Human Rights Commission of Pakistan (HRCP) about the human rights situation in Balochistan. Balochistan is a province in the North-West of Pakistan. It was an independent country in 1947 but was occupied in 1948 by Pakistan. Within Balochistan, independence and freedom struggles remain present (Baloch, 2023). It is estimated that there are about 6.9 million Baloch in Pakistan and about 12.34 million people living in Balochistan (Peeral, 2023).

In April 2023, the HRCP will release their report of a fact-finding mission in Balochistan that took place in October 2022 (Jilani, 2023). This mission was set-up because of the unrest and anger within Balochistan with the state amongst ordinary citizens (Jilani, 2023). The fact-finding mission consisted of HRCP members and senior journalists, and they talked to many civil society members, such as lawyers, journalists and human rights defenders, members of the local communities, and political members of the local administrations (Jilani, 2023). The mission went to especially research the use of enforced disappearances by the state to quell dissent in Balochistan and the presence of paramilitary groups (Jilani, 2023). The use of enforced disappearances is a major human rights issue in that area (Patel & Sharma, 2022).

The Human Rights Council of Balochistan (HRCB), a non-profit group, had already been highlighting the human rights abuses that had taken place in Balochistan. They shed light especially on the many enforced disappearances and extrajudicial killings by the national government (ANI, 2023). The HRCB showed the extent of police brutality in the form of intimidation, illegal house raids, harassment, killings and the use of excessive force (ANI, 2023). Additionally, Baloch students face racial profiling in and outside of Balochistan at educational institutions. Whilst the Islamabad High Court had decided to investigate these cases, the state appealed against this, actively hindering the investigation towards racial profiling of Baloch people (ANI, 2023). The recent attention paid to the human rights situation of people in Balochistan and Baloch people, especially with the upcoming release of the report by the HRCP, will put this dire situation more in the spotlight. It is yet to be seen how the Pakistani government will respond and whether the respect for human rights within Balochistan will be improved.

Conclusion

This report discussed instances and events that transpired throughout the month of March in Pakistan affecting women and children, the rights of religious and gender minorities, as well as reflected on some positive developments. To conclude, human rights observers have encountered both positive and negative developments in March 2023 in Pakistan. We have seen continuation of some very positive developments in the context of natural disaster management, climate change, children's rights, women's rights, the international arena and education.

Violations and repression of women's rights in Pakistan have now become almost a recurring theme in the Monthly Report. Minors and children below the age of 18 years continue to be the victim of the heinous crime of child marriage, and the flood crisis, even though the peak of the crisis has already passed us, still takes a great toll on the children's education, their wellbeing, and access to their rights. Additionally, persistent security threats from the Tehrik-i-Taliban's (TTP) resurgence have contributed to frequent violent terror attacks in Pakistan. The TTP group has claimed responsibility for several terrorist incidents throughout Pakistan in recent months, including a suicide bombing in Islamabad; an attempted attack targeting a police station in Punjab province; and an assault on a police compound in Karachi mid-February suggests that that these terror attacks are expanding beyond Pakistan's north western provinces (Suri, 2023; Joles, 2023). In the context of religious minorities, Pakistan's blasphemy laws were strengthened by the Parliament, which is concerning as they have been known to encourage religious persecution and marginalisation of select minority groups. In March 2023, the CSJ, a NGO based out of Lahore, Pakistan released their annual fact sheet.

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