



MONTHLY REPORT


TEAM PAKISTAN

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1. Aim of the report

The core purpose of this monthly report is to provide an overview of the most important human rights abuses concerning minority and marginalised groups in Pakistan which took place during the month of August 2022. At the same time, the report also attempts to individuate encouraging developments regarding the human rights field within Pakistani society. By shedding light on these events, this report attempts to accurately sensitise the readers about the ongoing human rights violations and give a voice to minorities and marginalised groups.

The monthly report will be structured as follow:

It will begin with an overview of Pakistan, touching on its history, geography and political structure. The second section will be a brief examination of the country's minority groups and religions. It will also provide an analysis of how these groups are legitimised within the country. The third part will zoom in on the significant human rights violations that occurred in the month of August 2022. Precisely, the report will cover specific categories as climate change, the recent accusation of terrorism against the former Prime Minister Khan and the human rights violations against children, women and LGBTQ+.

Although climate cases are not under the subject matter jurisdiction of the Court as such, the impact of climate change on human rights can render these cases admissible before the Court if the applicants prove their victim status. This future for climate cases before the ECtHR might be considered as an evolutive interpretation according to the present-day conditions and to the unprecedented challenges of climate change that concern everyone.

2. Overview of the Country

The Islamic Republic of Pakistan achieved independence as a dominion within the Commonwealth in August 1947, after a long and complicated British action that partitioned the Indian subcontinent into India and Pakistan (Minority Rights Group, 2020). The partition was chosen primarily on the geographical distribution of Hindus and Muslims (Ahmed & Gulrajani, 2020). Nevertheless, the British planned the territorial division in a way that the wealth and resources of British India had been granted to India, immediately creating tensions between the two countries (Ziring, 2022). The less developed areas of Sindh, Balochistan, and the North-West Frontier Province came to Pakistan intact, while the more developed provinces of Punjab and Bengal were divided with India (Minority Rights Group, 2020). The same happened in the Kashmir region, which provoked a war between the two neighbouring states in the period immediately following their independence and the ongoing continuity of the conflict in the present day. (Farrell, 2003). Moreover, the partition and its aftermath had caused the fleeing of millions of refugees along religious lines, accompanied by terrible massacres (Ziring, 2022). The exodus of such a vast number of desperate people in each direction required an urgent response, which neither country was prepared to manage (Minority Rights Group, 2020). This political division has created national and international tension, producing or accentuating violations of human rights.

Geographically, the State of Pakistan is bordered by India to the East, Afghanistan to the Northwest and Iran to the west while China frames the country in the Northeast. The country touches the Arabian Sea in the South, giving Pakistan an important strategic natural element. The State is the fifth most populous country in the world, counting more than 220 million people as of 2021 (Pakistan Bureau of Statistic, 2021). Its capital is the city of Islamabad, whereas the largest port, city, and business centre is in Karachi. The second-largest city is Lahore and other major cities are Faisalabad, Rawalpindi, Multan, Gujranwala, Hyderabad, Peshawar, and Quetta. Pakistan's main religion is Islam, as the name of the country evokes, which amounts to 98 percent of the total population. The spoken languages are Urdu, English, Punjabi, Dari, Balochi, and Pashto (Pakistan Bureau of Statistic, 2021).

Today, the President of Pakistan is Mr. Arif-ur-Rehman Alvi, and the Prime Minister of Pakistan is Muhammad Shehbaz Sharif (the younger brother of former three-time Prime Minister Nawaz Sharif). He was elected the 23rd Prime Minister of Pakistan by the National Assembly after the former Prime Minister Imran Khan received a vote of no confidence in April 2022. Pakistan is based upon a democratic parliamentary federal republic.

Importantly, Pakistan is also a nuclear power. Pakistan is pursuing what it calls a “full-spectrum deterrence posture”, allegedly as a reaction to India's perceived “Cold Start” doctrine (Kristensen & Korda, 2021). The US Defense Intelligence Agency projected in 1999 that Pakistan would have 60 to 80 warheads by 2020 (US Defense Intelligence Agency, 1999). However, due to the rise of international and regional clashes, several new weapon systems have been fielded and developed since then by Pakistan (Kristensen & Korda, 2021).

3. Overview of the country's minority groups & religions

Although Islam is the official religion enclosed in the Constitution in Article 2, Pakistan is characterised by a multitude of cultures, languages, and ethnicities (Minority Rights Group, 2020). Article 20 of the Pakistani Constitution proclaims the freedom of religion and presents every citizen with the right to practise and promote their religions. Nevertheless, there is no specific definition of the term “minority” in the 1973 Constitution of the Islamic Republic of Pakistan, creating a substantial lacunae, especially in the field of human rights (Human rights Watch, 2020). In 2022, for instance, the Government passed a new National Security Policy for the year 2022-2026, labelling “minorities” as “sub-national narratives” and characterising them as dangerous (National Security of Pakistan, 2022).

In a recent statistic, 96.28 percent of the population are Muslims (Pakistan Bureau of Statistics, 2021). However, the Muslims are not a monolithic group, a vast majority of this population professes Sunni Islam, and has links with the Hanafi school of thought (Minority Rights Group, 2020). Non-Muslims constitute 3.72 percent of the total population: 1.59 percent of Christians, 1.6 percent of Hindus and 0.22 percent of Ahmadi (Minority Rights Group, 2020). As this report will demonstrate, the proportion of religious minorities in the country is having a huge impact due to the widespread religious persecution, such as forced religious conversion (Boone, 2017; Singh, 2022). Indeed, religious minorities have tremendously suffered during this rise of nationalism and the preservation of the Islamic character in any sector of the society perpetrated by the actual Government, like the infamous case of Pooja Kumari (The Tribune, 2022).

4. Women's Rights

The month of August was not a good time to be a woman in Pakistan, with the floods adding extra pressure on the worsening situation of women's rights in the country.

The recent price increases in the country have rendered many people unable to buy basic items for their households. This translates even heavier onto single mothers and working women, who are already at a disadvantage, since women on average make 34% less than men in Pakistan (ILO, 2018). A single mother posted a video on social media highlighting these claims, making her video go viral. In the video, she talks about the danger this poses to her children, saying "Should I let my kids starve to death?" She also criticised the government for not reforming the system for her and her children, saying they do not have any fear of God. (@HamidMirPAK, 2022 via Twitter).

One of the few safe havens for women in the country, Jinnah Family Park was a park that was reserved for women, girls, and boys under 12. However, due to the protests caused by the country's religious leaders, the government was forced to shut the park down. The protestors alleged that the park was "spreading obscenity and vulgarity". This comes under a broader move in Islamization where religious leaders are playing a bigger role in politics surrounding women (Wazir, 2022).

5. Children's Rights

Violence against children remains high in Pakistan, including but not limited to sex crimes, child marriage, human trafficking, and kidnapping (Junaidi, 2022). It was reported on August 12th that over the course of July, at least 108 children were sexually abused as violence against children continued to plague society (Junaidi, 2022). At least 82 children were kidnapped across Pakistan, while at least 37 children were also physically abused (Junaidi, 2022). Continuing the string of physical violence, at least 22 children were murdered (Junaidi, 2022). Punjab and Sindh reported three cases each of child marriages whereas eight child labour cases were reported in Punjab and one case was reported in KP (Junaidi, 2022).

Despite increased legislation and awareness, the incidents of child sexual assaults and abuses in Pakistan has continued on an upward trend over the last three years (Bureau Report, 2022). The Pakistani society has expressed concern about the surge in child abuse cases in different provinces and urged the government to ensure strict enforcement of the laws for child protection (Bureau Report, 2022). Pakistan Peoples Party member Nighat Yasmin Orakzai said the Civic Education Bill drafted by her had been pending approval for the last two years (Bureau Report, 2022). She said children needed awareness and education to protect themselves from predators (Bureau Report, 2022). “Unfortunately, in our society, children are killed after rape,” he said, adding that the government and society should take steps for the protection of children (Bureau Report, 2022).

The ongoing floods have had a great impact on the educational prospects of millions of children across the country (DAWN, 2022a). According to the Sindh education minister, around 2 million children in the province could drop out of school on account of the widespread damage to the education infrastructure in the 16 most affected districts and the total number of such children in the province will rise to more than 8 million (DAWN, 2022a). In this regard, the provincial education minister has announced that an ‘education emergency’ has been imposed in the province and that the authorities plan to set up tent schools so that children can continue their study (DAWN, 2022a). If honestly implemented, this plan could help curtail educational losses (DAWN, 2022a).

From accusations of corruption in teachers’ appointments, to the existence of ghost schools, poor resource management and the recent closure of scores of schools for being ‘unfeasible’, education indicators in the province have shown little improvement in recent decades (DAWN, 2022a). Moreover, research also shows that even the pouring of more and more funds each year by the provincial government into the sector has had little impact in terms of improving students’ enrolment or learning outcomes (DAWN, 2022a). The flood disaster has undoubtedly exposed more problems in Pakistan’s education sector, including but not limited to corruption, backward management mechanisms, lack of teachers, discrimination in schools, and so on (DAWN, 2022a).

6. Positive developments

6.1 Women's rights

On August 12th, 2022, the women's convention unanimously pledged to protect and uphold women's rights as enshrined in the constitution besides ensuring social, political and economic empowerment of women as their respective party manifestos provide a central focus on women (Pakistan Today (a), 2022).

A resolution adopted by the convention, organised by the National Assembly's Women Parliamentary Caucus (WPC) at National Assembly Hall in connection with the Diamond Jubilee celebrations of the first Constituent Assembly, said that the representation of women as well as men in health, education, economy and politics authenticates the foundations of democracy and therefore renders legitimacy to it (Pakistan Today (a), 2022). Further, the resolution stated that the women's convention was committed to practising gender-sensitive budgeting and uplifting institutions working on women specific issues (Pakistan Today (a), 2022).

Moreover, the resolution emphasized that the participants were committed to eradicating all forms of social, economic and political discrimination against women (Pakistan Today (a), 2022). Additionally, the women participants including legislators pledged to utilise their legislative authority in providing opportunities for the education of girls (Pakistan Today (a), 2022)

Further, the resolution recalled that the Constitution of Pakistan¹, recognizing Quran and Sunnah as the basic source of governance, provides women full rights, rejects all forms of discrimination, and promotes their full participation in public life pursuant to Articles 25, 34, 35 and 37 of the Constitution (Pakistan Today (a), 2022).

Finally, the resolution noted that the national and international commitments of the government of Pakistan including the National Policy for the Development and Empowerment of Women (NPDEW) 2002, underline the attainment of women in public and political fields (Pakistan Today (a), 2022).

On August 16th, 2022, provincial Woman Ombudsman Nabila Hakeem Khan stated that anti-harassment laws had played a substantial role in providing a safe environment for women in offices while participating in a dialogue on "Harassment of Women" (Pakistan Today (b), 2022).

Furthermore, Hakeem Khan emphasised that office-based anti-harassment committees need to have detailed knowledge of their responsibilities and the relevant laws (Pakistan Today (b), 2022). The Woman Ombudsman informed that a consultation process was underway at the divisional level aiming to implement anti-harassment laws more effectively (Pakistan Today (b), 2022). Therefore, according to Hakeem Khan, a system was being updated to apprise women about their complaints and actions and prevent society from

1. For the full text of the Constitution of the Islamic Republic of Pakistan, please follow this link: https://na.gov.pk/uploads/documents/1333523681_951.pdf

taking advantage of women's potential without a protective environment (Pakistan Today (b), 2022).

On the same occasion, the technical specialist of UNFPA Tania Durrani stated that the awareness of women's rights and the enforcement of anti-harassment laws had improved significantly in Pakistan (Pakistan Today (b), 2022). Particularly, she said that the Pakistani government and private departments have provided a better environment for women (Pakistan Today (b), 2022).

Lastly, Pakistani officials of health, education, population welfare and social welfare departments as well as commissioner and deputy commissioner offices also participated in the dialogue and forwarded their own recommendations (Pakistan Today (b), 2022).

6.2 Children's rights

On August 22nd, 2022, a five-day polio immunisation campaign targeting to vaccinate over 43.3 million children under the age of five started in 86 districts throughout Pakistan (Staff Report (a), 2022). The anti-polio campaign has already started in Karachi and Southern Khyber Pakhtunkhwa on August 15th, 2022 (Staff Report (a), 2022). The Minister for Health Services, Regulation and Coordination Abdul Qadir Patel stated that all available resources were being utilised in order to eradicate the disease from Pakistan (Staff Report (a), 2022). Further, he added that access to vaccines is mandatory for all children to prevent the disease from spreading (Staff Report (a), 2022). In addition, helpline 1166 was providing health-related information to parents (Staff Report (a), 2022). Therefore, parents were able to obtain immediate assistance on their concerns related to polio and routine immunisation services through the helpline (Staff Report (a), 2022)

6.3 Flood relief

At the end of August 2022, the UK ensured that it would provide up to £1.5 million to support the relief effort (Staff Report (b), 2022). It is important to note that the £1.5 million of humanitarian funding is an allocation from existing support to Pakistan and will go to the relief efforts in the areas worst hit by the flooding (Staff Report (b), 2022). Furthermore, the UK also provides assistance to Pakistan through international organisations working directly with the victims of the disaster, including the World Bank and the United Nations (Staff Report (b), 2022).

In addition, the UK already pledged over 55 million pounds to partner with Pakistan to fight climate change, manage water more sustainably and unlock climate investment in November 2021 during the COP26 Conference in Glasgow (Staff Report (b), 2022).

Besides, on August 30th, 2022, the United Nations launched a \$160 million emergency plan to help Pakistan deal with the devastating monsoon flooding and aim to reach 5.2 million of the most vulnerable people in Pakistan (United Nations, 2022). According to Matthews Saltmarsh, UN refugee agency spokesperson, humanitarian aid worth \$1.5 million has already been delivered (United Nations, 2022).

7. Climate change affects

In August, the flood disaster in Pakistan continued to be very serious. Many houses were washed away, residents were displaced, the number of casualties continued to increase, and various regions suffered huge property losses.

Amid the World Health Organisation's (WHO) warning that the humanitarian situation in flood-ravaged Pakistan is expected to get worse (Ahmed, 2022). More than 33 million people in Pakistan have been affected by the flooding, brought on by record monsoon rains amplified by climate change (Ahmed, 2022). According to the newest report, over 1,460 health centres had been damaged, of which 432 were fully wrecked, mostly in Sindh (Ahmed, 2022). More than 4,500 medical camps have been set up by the WHO and its partners, while more than 230,000 rapid tests for acute watery diarrhoea, malaria, dengue, hepatitis and chikungunya have been distributed (Ahmed, 2022).

Massive areas of Pakistan have become a watery grave for standing crops, people's homes, and hundreds of thousands of cattle (DAWN, 2022b). In August the death toll had crossed 1,200. As a consequence, with stagnant water everywhere preventing people from observing even a modicum of hygiene practices, stomach ailments as well as skin infections have become rampant (DAWN, 2022b). According to the Sindh government, in August alone nearly 200,000 cases of acute watery diarrhoea and dysentery had been reported among children in flood-affected areas (DAWN, 2022b). Given it will take time to get the ruined health facilities up and running again, this is a humanitarian disaster in the making (DAWN, 2022b). According to the latest July-Sept health department data, 660,120 have reported various illnesses at government-run medical camps in flood-affected areas since July (Ilyas, 2022). The stats show that skin ailments and diarrhoeal diseases are rampant in flood-affected areas, a total of 149,551 reported with diarrheal diseases while 142,739 people reported with skin infections (Ilyas, 2022). The officials recorded 132,485 cases of acute respiratory disease, 49,420 cases of suspected malaria, 101 cases of snake-bite and 550 cases of dog-bite (Ilyas, 2022).

According to the previous statistics, a 1 percentage point loss in GDP growth in Pakistan results in one million job losses (Aazim, 2022). This means that during the current fiscal year ending in June 2023, the number of jobless people in Pakistan will rise by an additional 3 million (Aazim, 2022). All owing to the deluge 2022 that has killed around 1,200 people and has affected more people and farmlands than the 2010 super floods (Aazim, 2022). According to initial estimates by the government, the 2022 monsoon floods have caused at least \$11 billion in losses to the economy (Aazim, 2022). This is why the government is considering requesting the International Monetary Fund (IMF) to offer a free-of-conditions loan facility just like the one it had offered in 2020 to mitigate the economic fallout of

Covid-19 (Aazim, 2022).

Floods in Pakistan have exposed a core problem, a trust deficit between Pakistani citizens and public institutions, not just those tasked with relief work, but in a broader context (Javed, 2022).

The basis of the distrust comes from all the actual, tangible experience within most government departments, which is sufficient enough to leave a person deeply sceptical of public authorities' commitment towards social welfare (Javed, 2022e). Especially for marginalised groups such as households of the urban and rural poor, religious, gender, and ethnic minorities (Javed, 2022e). Evidence from different contexts all suggests that the increased likelihood of these groups experiencing hardship during calamities and crises can further erode trust (Javed, 2022e).

Pakistan is regarded as one of the least prepared countries for climate disasters. Some indices have even ranked Pakistan as one of the most vulnerable countries (Sheikh, 2022). Unfortunately, the country's two biggest challenges are intertwined, which are the increasing poverty and increasing climate vulnerability (Sheikh, 2022). Almost half of Pakistan's population lives close to the poverty line, on less than three or four dollars a day (Sheikh, 2022). Their absolute numbers are increasing as global disparities increase, commodity prices go up, and the country's economic growth rate fails to keep pace with the growing population (Sheikh, 2022). We have also seen in countless instances that climate vulnerability and poverty reinforce each other. The more people we have living in poverty, the more they will be vulnerable to climate disasters. These two aspects often coincide and intersect.

Climate vulnerability is fundamentally a local issue and local government institutions are the most important building block for climate resilience (Sheikh, 2022). But in Pakistan, despite high and repeated losses, we are still missing this third tier of government. The absence of local government institutions has made policy-making, resource allocation and disaster preparedness a top-down affair (Sheikh, 2022). There is a huge institutional vacuum at local levels. The local administration hardly has the capacity to distribute relief goods or offer emergency services. There is a direct correlation between the absence of functioning local governments and the disappearance or price-hikes of essential commodities during floods and other disasters (Sheikh, 2022). The scale of devastation cannot be reduced unless local government institutions are developed, built, strengthened, trusted, and resourced.

8. National security issues

One aspect of the flooding crisis that can be commonly overlooked is the effect upon the national security of Pakistan. This interaction falls under the label of “Climate Security”, a term that will only increase in usage over the coming years. Climate Security addresses the crucial overlap between the effects of environmental change and the ability for the state to exert capacity over its territory. It is commonly understood that changes in climate can exacerbate pre-existing issues in security and conflict fault lines (Adil, 2022). Pakistan has officially recognised this through a variety of rehaults in its National Security Policy (NSP) with recent inclusions of societal, political, economic, and environmental sectors (Adil, 2022).

This is especially important in reference to the catastrophic flooding seen in the past month. According to Adil and Haider, “The 2022 floods have displaced entire communities, ended livelihoods, income streams, and increased already high internal migration and urbanisation levels”. If communities do not feel that they have been sufficiently aided by the government, chances grow of alienation between people and state. This can easily lead to unrest, should people in affected areas reject the legitimacy of the government, even more so if groups with anti-governmental interests begin to fill the power void by providing aid. This tactic has been commonly seen around the world, from Mexican cartels to the Yakuza in Japan (Sullivan, 2013).

Extreme weather events such as this demand short-term disaster relief and create long-term strains on government resources. As displacement increases, poverty and unemployment rates rise as more families lose sources of income. Violence against women is on the rise and so is the risk of trafficking. Children, especially young girls, have been forced to drop out of school because of damaged infrastructure (OCHA, 2022). People now have less access to food and clean water while disease rates are rising and quality of life is declining. These are all cross-cutting issues with high chances of increasing future risks to the security of the state, now with reduced capacity.

It is also important to note that the existing security infrastructure such as the military play an important role in disaster relief. The Pakistani defence forces are actively involved in Humanitarian Assistance and Disaster Relief (HADR), dedicating resources as high as lieutenant generals to affected areas (Adil, 2022). As Adil (2022) highlights, “Expending military resources to HADR will naturally take away from responding to other crises and potentially inhibit the military’s function of protecting Pakistan’s borders”.

In the future, careful attention will have to be paid towards the security of the nation in all aspects, not simply the traditional standpoint. The future of Pakistan lies within the interconnected flow of all things that easily can, and very well may, go wrong. As it seems, the floodgates are now open.

9. Conclusion

Pakistan has claimed that the freedom of expression is a crucial human right that should be accessible to all individuals, regardless of their ethnicity or religious beliefs, however this August 2022 report reveals an ongoing lack of prevention by the Pakistani government regarding human rights violations that persist even after the implementation of constitutional rights for minorities in Pakistan especially towards women, children, and members of the LGBTQ+ community. Due to the prevalence of sex crimes such as forced conversion, forced marriage, sexual harassment and assault, femicide, and human trafficking, women and young girls in Pakistan continue to live in insecurity. Furthermore, the recent floods in Pakistan have exacerbated any pre-existing breaches against women, such as a lack of access to health-care facilities.

A highlight from August is the increased rate of violence towards young children, predominantly cases regarding child marriage, kidnapping, sex crimes, and human trafficking. As a result, fear over the safety of their lives continues to be a major concern for both parents and children. The question now turns to Pakistan's government as to what will be done to halt the rate of violence from rising.

Positive developments have occurred within August, of 'resolutions' that have been undertaken in an attempt to repudiate the persistent crimes and lack of rights for women, including the dismantling of social, economic, and political discrimination against women.

A five day anti-polio campaign was initiated in August, expressing the desire for improvements in children's health, with the goal of vaccinating over 43.3 million children throughout 86 districts in Pakistan. In addition, the Minister of Health, Regulation, and Coordination emphasised that mandatory access to these vaccines will be implemented to prevent the spread of any ongoing ailment.

Lastly, following the recent climate crisis of floods experienced in Pakistan, the UK and the United Nations have stepped forward to support Pakistan monetarily by funding various humanitarian organisations working within areas of Pakistan with victims who have suffered greater impact by the flood.

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