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Authored by Yiqing Chen, Finia Hilmes, Charlotte Parker, Shanzae Saghir, Thomas Brandes and Catherine Yu

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Introduction

This report aims to provide an overview of the most notable recent developments in Pakistan in the month of October in the area of human rights, with a particular focus on vulnerable groups such as women, children and the LGBTQIA+ community. The events discussed in this report consider both human rights abuses as well as positive developments within Pakistan. The report will briefly introduce Pakistan through a country profile in order to understand the context in which the events discussed have taken place. The report will also discuss events which affected the rights of women, children, and the LGBTQIA+ community. Finally, the report will provide an overview of terrorist activities and attacks from militant groups which affect the rights and liberties of all within the territory. Thus, the aim of this report is to provide readers with an understanding of recent events and how these impact the rights of vulnerable groups and highlighting the need for continued discussion and advocacy.

Country profile

The country of Pakistan, officially the Islamic Republic of Pakistan, is located in the southern region of Asia. It is the fifth-highest populated country in the world, with an estimated population of 243 million people (CIA.gov, 2022). Following the dissipation of the British Empire in India in 1947, Pakistan arose from the movement for a homeland for the Muslims of the subcontinent. The struggle for statehood and the ensuing movement of people led to the displacement of 15 million people and the estimated deaths of up to two million Indians and Pakistanis (Stanford University, 2019). Pakistan is a Muslim-majority country with the Constitution of Pakistan recognising Islam as the State religion, yet stipulating that “every citizen shall have the right to profess, practice, propagate his religion” (Pakistan Constitution, Article 20(a)). Pakistan is ethnically and linguistically diverse, with a majority of Punjabis and Pashtuns, as well as smaller populations of Sindhis, Balochis, and other ethnic groups. Urdu is the national language, but English is also widely spoken. Pakistan is a federal parliamentary republic, with President (Arif Alvi) as the head of State and Prime Minister (Shehbaz Sharif) as the head of the government. The Parliament of Pakistan is bicameral, composed of the Senate and the National Assembly. The country has a multi-party system, with several major parties, including the Pakistan People’s Party, the Pakistan Muslim League (N), and the Pakistan Tehreek-e-Insaf. Pakistan is a nuclear power and a member of the United Nations, the Commonwealth of Nations, and the Organisation of Islamic Cooperation. It is also a founding member of the South Asian Association for Regional Cooperation.

Women's rights

1. Conflict in the Swat Valley

The recent surge in conflict in the Swat valley of Khyber Pakhtunkhwa creates great concern for women's rights in the area. Swat was formerly a Tehreek-e-Taliban (TTP) stronghold for several years, up until 2009 (Hussain, 2022). The Pakistan Institute for Conflict and Security Studies, as well as Pakistan's State Minister for Law confirmed a sharp increase in terror incidents, with the highest number of attacks recorded in September 2022 (ANI, 2022). As violence continues increasing throughout many areas of Khyber Pakhtunkhwa, including the Swat valley, there are concerns for overall safety, but it poses a particular risk for women's rights given the TTP's ideologies which have previously affected women and girls. During the TTP's control over the area, it had imposed bans against female education, women walking unescorted and jobs where women would have to interact with men, as well as the imposition of the burqa (Ebrahim, 2022). Women of the Khyber Pakhtunkhwa region have expressed fear that history might repeat itself and affect their right to education and freedom, amongst other rights (Khan, 2022). Notably, this time around there has been an increased expressed and perceived resistance from people in the region against the recent TTP insurgency. This has made several, including those in organisations working towards peace in the region, to have hope for the women and youth of the Swat valley given their resistance to the situation (Ebrahim, 2022). Although the situation has yet to escalate to the levels of the first wave of TTP control over Swat in the early 2000s, it is relevant to follow, and hopefully manage, the situation to avoid women's rights being compromised as they previously were under TTP rule.

Khyber Pakhtunkhwa also saw a positive development in the area of women's rights, as the The Khyber Pakhtunkhwa Ombudsperson Office and the Female Lawyers Network signed a Memorandum of Understanding with the intention of providing legal aid to women. The Female Lawyers Network aid will focus on areas of inheritance and harassment, two long standing issues for Pakistani women. The Female Lawyers Network was created to inform tribal women about their constitutional rights and preserve basic women's rights to collectively resolve issues faced by women who previously had little knowledge of their rights and a lack of legal recourse (Staff Report C, 2022). This partnership will likely strengthen the work of the Female Lawyers Network and expand their reach, helping the advancement and recognition of women's rights throughout the region. It will also hopefully have an impact on regional efforts towards the preservation and defence of women's rights within Khyber Pakhtunkhwa and mark the beginning of new initiatives to achieve gender equality.

2. Pakistan at the United Nations

Pakistan reaffirmed its commitment towards the empowerment of women, enabling them to become agents of change, at the UN General Assembly's Third Committee in a debate on Advancement of Women. Firstly, as representative of the Group of 77 at the UN General Assembly's Third Committee in a debate

on Advancement of Women. The deputy permanent representative of Pakistan to the UN highlighted the importance of female empowerment and the realisation of women's rights for sustainable development. The Ambassador reaffirmed the commitment of the Group of 77's support for a world where women's rights are achieved and welcomed measures to promote women empowerment. The Ambassador reaffirmed the Group's commitment to include gender perspective into policies, although he admitted these commitments continue to be unfulfilled worldwide. He called for the strengthening of international cooperation and dialogue to ensure the gender perspective is involved in all policies and female empowerment is achieved (Staff Report A, 2022).

Pakistan was further represented at a later intervention where the Pakistani delegate highlighted how women in Pakistan continue to hold top positions in the country, and how women have become agents of change. Although the reaffirmation of Pakistan's commitment is positive for its future development, the Pakistani delegate reminded the General Assembly of the disproportionate effect of recent crises on women and girls (Staff Report B, 2022).

The Pakistani delegate also highlighted how the fight against climate change required female empowerment and female involvement in risk reduction policies, highlighting Pakistan's national climate change policy which considers the needs of women and girls in the response to climate disasters (Staff Report B, 2022). Particularly, the Pakistani delegate expressed concern over the climate crisis causing the recent floods which have affected more than 1.6 million women of reproductive age with approximately 130,000 pregnant women needing urgent health services (Staff Report B, 2022). The United Nations Population Fund (UNFPA) had already expressed the need to give consideration to women affected by previous floods as there were inherently greater risks for women of reproductive age and pregnant women in particular (UNFPA, 2014). Given that the recent floods are of a bigger magnitude than those previously experienced, the UNFPA's advice should be followed more than ever, particularly given the estimate that 650,000 pregnant women in flood-affected areas required maternal health services which were not able to be adequately assessed due to the destruction caused by the climate crisis (Baloch, 2022).

Aside from the dangers faced by Pakistani women as a result of the climate crisis, there have been instances of additional violence faced after displacement as a result of these floods. It was reported that on October 24th, 2022, a girl was gang-raped at a flood relief camp in Karachi (Staff Report D, 2022). This poses an additional layer of fear for women and girls, as it seems to prove that no matter the setting they will still be at risk of sexual violence, even after enduring the effects of flooding and displacement.

Children's rights

1. Flood catastrophe

The United Nations International Children's Emergency Fund (UNICEF) South Asia Regional Chief George Laryea-Adjei warned that hundreds more children will lose their lives in the upcoming weeks in Pakistan if international support does not increase interventions (APP, 2022). Laryea-Adjei made those remarks after visiting the flood-affected areas in Pakistan (APP, 2022). Furthermore, he emphasised that climate devastation in Pakistan was the ominous precursor of more catastrophes to come (APP, 2022). He expressed that children he met during his visit have lost everything: loved ones, schoolbooks, their homes, schools and any sense of security (APP, 2022). While the flood waters and media attention recede, the crisis in Pakistan has become an acute child survival crisis (APP, 2022). Weak and hungry children are fighting a losing battle against severe acute malnutrition, diarrhoea, malaria, dengue fever, typhoid, acute respiratory infections and painful skin conditions (APP, 2022). In addition, Laryea-Adjei expressed that the longer the crisis continues, the greater is the risk to children's mental health (APP, 2022).

Particularly, he pointed out that nearly ten million children need immediate, lifesaving support and hundreds have already lost their lives (APP, 2022). Furthermore, Laryea-Adjei said that over one in nine children in Pakistan suffers from acute malnutrition which is a life-threatening condition (APP, 2022).

While diseases spike, Pakistan's already overwhelmed healthcare system lacks resources to help all the flood victims in need of treatment (Vaidyanathan, 2022). Over 2,000 hospitals and healthcare centres were damaged or destroyed through floods which left almost 1,700 people dead (Vaidyanathan, 2022). This is exacerbated by the fact that boats and doctors continue to be in short supply, meaning such aid efforts remain limited (Vaidyanathan, 2022).

Moreover, UNICEF stated that school infrastructure for two million children in Pakistan remained inaccessible as severe flooding has destroyed 27,000 schools throughout the country (Ahmed, 2022). UNICEF's Global Director of Education, Robert Jenkins, upon returning from flood-affected areas of Pakistan, emphasised that the longer schools remain closed, the greater the risk of children dropping out altogether, increasing the likelihood of being forced into child labour and child marriage as well as increased exposure to other forms of exploitation and abuse (Ahmed, 2022). Furthermore, Jenkins expressed that UNICEF had established more than 500 temporary learning centres in the worst-affected districts and supported teachers and children with education supplies (Ahmed, 2022). Specifically, UNICEF trained teachers on psychological care and health screening in order to support children's mental as well physical health (Ahmed, 2022).

2. Child marriage

The Federal Shariat Court (FSC) sought a complete report on the marriage of a five-year-old girl in

Balochistan (Staff Report E, 2022). The FSC directed the respondents appearing on behalf of the province of Balochistan to submit a complete report regarding the occurrence of the incident (Staff Report E, 2022). Furthermore, the FSC directed the respondents to submit a report on the legislative development regarding forced marriages and steps taken by Balochistan's government and other provinces (Staff Report E, 2022). The FSC passed these orders while hearing a suo-motu (on its own motion) notice taken by Chief Justice Muhammad Answer over the forced marriage of the five-year-old girl (Staff Report E, 2022). The matter, however, was adjourned to a date in office at the request of the respondents (Staff Report E, 2022).

According to the facts of the case, the father of the girl lodged a first information report (FIR) with the police station Khuzdar regarding the forced marriage of his daughter due to local and tribal culture prevailing in the area (Staff Report E, 2022).

The Chief Justice took notice of the matter as he found this act seemed to be un-Islamic as well as against Pakistan's Constitution of 1973 (Staff Report E, 2022). Specifically, he stated that this custom of girls given in marriage or servitude to an aggrieved family as compensation to end disputes such as murder restricts the personal liberty of a woman for the rest of her life and is against all norms of justice, contravening the Islamic Injunctions and Article 9 of the Constitution (Staff Report E, 2022).

3. Violence against children

On October 25th, 2022, a 12-year-old boy went missing in Kasur as he went to the field to bring fodder for the cattle (Staff Report G, 2022). After the boy did not return for hours, the family members launched a search with the help of the village (Staff Report G, 2022). Later, the family discovered the boy had been murdered after being raped. This was the second rape-murder case in the span of a few days in the Kasur area (Staff Report G, 2022).

On October 26th, 2022, the police claimed to have arrested two suspects accused of kidnapping and raping a ten-year-old homeless girl in Karachi on October 23rd, 2022 (Staff Report F, 2022). Confirming the arrest in the case at hand, South Senior Superintendent of Police (SSP) Syed Asad Raza stated that the suspects were caught with the support of CCTV footage which was used to identify the vehicle used by the suspects (Staff Report F, 2022). The Boat Basin police had registered a First Instance Report (FIR) against the suspects under Sections 364-A (kidnapping or abducting a person under the age of 14), 376 (punishment for rape), and 34 (common intention) of the Pakistan Penal Code on request of the girl's mother (Staff Report F, 2022). The girl's mother told the police that her daughter was outside Dolmen Mall Clifton that afternoon and had returned home with blood stains on her clothes (Staff Report F, 2022). The girl told her mother that two persons travelling in a car had abducted her and subjected her to criminal assault at an unknown place (Staff Report F, 2022). The girl was brought to the Jinnah Postgraduate Medical Centre by her mother the same day where examinations were conducted to reveal violent vaginal rape and physical injuries (Staff Report F, 2022).

In another incident of sexual assault, a 12-year-old girl was raped at gunpoint by a labourer in Bahawalnagar (Monitoring Report, 2022). The accused, along with an armed accomplice, fled the scene after raping the girl (Monitoring Report, 2022). The girl was later brought to the District Headquarters Hospital for medical treatment (Monitoring Report, 2022). Meanwhile, the police registered a FIR against the two suspects and launched a search operation for the accused and his accomplice (Monitoring Report, 2022).

Militant groups/terrorist activities

The past month of October has been relatively turbulent in terms of Pakistan's security situation. What we have seen has been what could be considered fallout from a variety of factors, such as the disastrous flooding of the nation, the takeover of neighbouring Afghanistan, as well as a dangerous political landscape. All these situations have culminated with Pakistan suffering from a wave of violence, affecting elites and locals alike.

1. Attack on Imran Khan

The most newsworthy incident of the past month would almost inarguably be the attempted assassination of former prime minister Imran Khan in Wazirabad on Thursday, October 3rd, 2022 (Al Jazeera, 2022). The shooting, which killed one Pakistan Tehreek-e-Insaf (PTI) worker, and injured thirteen others, has added onto the mounting drama surrounding Khan in the past few months (Laskar, 2022). It would seem that the shooting has emerged and plays a role in the unfolding conflict between the ousted leader and the Pakistan Muslim League (N) (PML(N)) party, whose prominent leaders have been accused of the attack (Al Jazeera, 2022).

It would seem that the origins of the dispute manifested as a result of Khan's ousting in April during a vote of no confidence which replaced Khan and his PTI party with Shehbaz Sharif and the PLM(N) (BBC, 2022). This deeply aggravated the former prime minister, who has been involved in relentless accusations both from and against the new ruling government. Skirmishes have been used by both sides to rally narratives. This is clearly demonstrated in the usage of PTI's political slogans being hurled at a PLM(N) visit to the Masjid-i-Nabvi Mosque in Saudi Arabia. This case nearly incurred blasphemy charges against prominent PTI members including Khan himself. The PLM(N) used the incident to try to prove indecency and lack of religious respect against the PTI, while Khan used the case to gather support against his attempted persecution by the new government. Another instance of the tensions between the two rival parties is the PLM(N) lodging of sedition charges against Khan's close aide, Shahbaz Gill, who was allegedly tortured while detained on these charges (Gul, 2022). Despite denial by Sharif's government, Human Rights Watch have demanded an "urgent investigation" into the matter.

Moreover, the march to Islamabad was an effort by the former prime minister to call for snap elections, to seemingly reinstate his party, the PTI, into power. Due to the large support for the march and its high number of participants, Islamabad police barred hotels and guest houses from offering accommodation to the participants of the march. Furthermore, Pakistan Electronic Media Regulatory Authority (PEMRA) forbade airing PTI speeches on national media and further threatened licence revocation and legal action as a consequence of non-compliance. The context provided by the above mentioned scenarios illustrates the reasons for Khan's blame towards Sharif, Rana Sanaullah (Minister for the Interior) and Major General Faisal Naseer of Pakistan's intelligence agency, the ISI (Al Jazeera, 2022; Laskar, 2022). It is relevant to

note that the attack was officially attributed to “Islamic Extremists” by the Pakistani government, with the PTI denying this attribution and claiming it as a “crude cover-up” (Outlook India, 2022; Orton, 2022). The PTI accusations on the matter have been addressed by the Pakistani Military Media Wing as “baseless and irresponsible” (Al Jazeera, 2022). Both the PTI and the Pakistani government have defended their statements and maintained them regardless of the opposite party’s reaction. The march to Islamabad has since been postponed.

2. Swat Valley

Meanwhile, far from the urban landscape of Punjab province, tensions boiled over in the scenic Swat valley district of the Khyber Pakhtunkhwa province (Khan, 2022). A school bus was targeted by a radical Islamist group, killing one and injuring two. The local population of the Swat valley have attributed responsibility to the TTP, a group with known affiliation to the Taliban, despite the group’s denial of responsibility for the attack. This incident has renewed calls for the Pakistani government to address militant extremism in the area, as the region had been under Taliban occupation until 2009.

3. Positive developments

However, not all the news from the past month were inherently negative for Pakistan as it found itself removed from the European Union’s ‘Grey List’ in relation to money laundering, terrorist financing, and action against armed groups and individuals (Hussain, 2022). FATF president, T. Raja Kumar, ended a two day conference by stating that “Pakistan had addressed technical deficiencies to meet the commitments of its action plans” (Hussain, 2022). The decision comes after the Financial Action Task Force (FATF), an EU subsidiary, had conducted increased monitoring of the aforementioned issues in Pakistan for four years. This decision will ease Pakistan’s access to credit on an international scale. An assumed parallel explanation for the FATF decision concerns the increase of capital inflow to Pakistan from the People’s Republic of China in recent years. This assumption is substantiated and based on the level of Pakistan’s debt towards China, with the debt being triple that of its debt to the International Monetary Fund. Moreover, the amounts given are higher than those provided by the World Bank or the Asian Development Bank (Business Standard, 2022). Opening Pakistan back up to global credit markets may grant some degree of financial control over Pakistan back to the West, considering how much has been lost in comparison to the economic goliath of the East.

LGBTQIA+

The Transgender Persons (Protection of Rights) Act of 2018 in Pakistan is a bill that was enacted by the Pakistan parliament as a means of providing members of the trans community with welfare and legal recognition for their identities without external authorisations. According to the South Asian TransLaw Database, a transgender person is identified as “intersex persons (khusra), persons assigned male at birth who have undergone sex-reassignment surgeries (eunuchs), and Khwaja Sira”. The definition also includes transgender men, transgender women, and any persons whose gender identity or gender expression differs from the gender assigned at birth (CLPR, 2021). Furthermore, the preamble of the Transgender Persons Act states that any form of harassment, including sexual, physical, mental, or psychological that may endanger the victim, is prohibited and is therefore susceptible to legal prosecution. The Act requires that, in accordance with one’s gender identity self-identification, registration be made via “all government departments, including the National Database and Registration Authority (NADRA)” (CLPR, 2021). The public reaction to the Act was positive, as well as being positive for the transgender community’s lives and rights. On the matter, Amnesty International’s Pakistan researcher Rabia Mehmood has stated that “the country’s transgender community has very high hopes from this bill. Its implementation is therefore crucial to ensure they can live their lives with dignity and respect” (Mehmood, 2018). Nonetheless, religious parties have continued to criticize the Act, asserting it promoted homosexuality and contravened Islamic injunctions.

As of recently, the increase in transphobic speech by bigoted lawmakers and clerics throughout the month of October has resulted in the continuous killing of members of the transgender community, including four victims within the first week of October. Senator Fawzia Arshad of the Pakistan Tehreek-e-Insaf political party (PTI) made transphobic comments, referring to transgender people as those who “keep one hole for urination” (Arshad, 2022). Arshad and other legislators are pushing to amend the Transgender Persons Act by replacing the word “transgender” with “intersex persons” and removing the right of recognition on the basis of each person’s self-identification of their gender identity (Villarreal, 2022). The reasoning behind the pursuit of these changes is the concept of one’s ‘self-perceived identity’ to be an opposition of the spirit of Islam. With those seeking such changes arguing no person should be able to “adopt an identity on the basis of his or her own choice, but should solely be determined on the basis of physical appearance or by a report of a notified medical board” (Ali, 2022). Furthermore, legislators are working to exempt the government from the responsibility of the care of transgender persons; instead, these legislators aim to restrict welfare responsibilities on the parents of transgender persons.

Trans rights activist Shahzadi Rai, referring to Arshad’s comments and efforts, states that these actions “reflect[s] how much these politicians don’t know about our communities. Who are they to talk about our rights?” and “they’re trying to snatch our constitutional empowerment, even after this law was created with everyone’s agreements” (Rai, 2022). Arshad has proven a misunderstanding of trans persons and intersex people, incorrectly equating the identities, despite the two being very different from each other. Intersex people, who identify as being between male and female due to biological characteristics, contrastingly,

trans people identify differently from the gender that was assigned to them at birth, meaning their identification disregards anatomical characteristics. Moreover, religious leaders' transphobic projection of false information on social media "has resulted in a climate of increased hate speech, physical and gun violence, and threats and doxxing against the community and its leaders" says Sindh Moorat March, a pro-trans organisation (Villarreal, 2022).

Conclusion

To conclude, groups in Pakistan have seen both positive and negative developments over October 2022. Women's rights could be in jeopardy in the Swat valley with TTP resurgence, but in the region the Khyber Pakhtunkhwa Ombudsperson Office and the Female Lawyers Network signed a Memorandum of Understanding, promoting rights and access to justice for tribal women. Furthermore, at the UN General Assembly's Third Committee in a debate on Advancement of Women Pakistan reaffirmed its commitment for empowerment and advancement of women, which extended to including women in policymaking responding to crises. As for children in Pakistan, there is the possibility for hundreds of children to lose their lives due to the flooding if international intervention does not increase. For those who survived the floods there is risk of disease and in need of immediate support and at a risk of losing their education as school infrastructure has also been severely affected. Moreover, child marriage continues to be an issue with a five-year-old girl being forced into this and the FSC seeking to report the matter and with the Chief Justice condemning giving girls in marriage as compensation to end disputes. In terms of extremist and military groups, Islamic extremists were attributed blame by the Pakistani government for the attempted assassination on Imran Khan, with Khan and his party denying this and attributing blame on government and military officials which has caused further tensions between the two groups. Swat valley has seen increased violence, with the TTP being blamed for a school bus attack. As for positive developments, Pakistan was, at the end of October, removed from the EU's Grey List after four years of increased monitoring on behalf of the FATF, which will provide opportunities for international credit.

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