

Pakistan

Country Reports on Human Rights Practices - 2007

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Pakistan is a federal republic with a population of approximately 168 million. The head of state is President Pervez Musharraf, who assumed power after overthrowing the civilian government in 1999 and was elected president in 2002. He affirmed his right to serve concurrently as chief of army staff in August 2002 through a series of controversial amendments to the 1973 constitution called the Legal Framework Order. In October an electoral college composed of the Senate, National Assembly, and the four provincial assemblies reelected Musharraf for a second five-year term. Domestic and international observers found the 2002 National Assembly elections deeply flawed. In October and December, former prime ministers Benazir Bhutto and Nawaz Sharif returned from exile and began campaigning for the January 2008 parliamentary elections. During a campaign rally on December 27, Bhutto was assassinated. In December Musharraf retired as chief of army staff and retook the presidential oath of office as a civilian. The head of government is Caretaker Prime Minister Mohammedman Soomro, who replaced Shaukat Aziz after the government was dissolved in November after the completion of its five-year term. Under the law, when the parliament finishes its term, the president appoints a caretaker cabinet that governs through elections until a new government is formed.

The human rights situation worsened during the year, stemming primarily from President Musharraf's decision to impose a 42-day State of Emergency (SOE), suspend the constitution, and dismiss the Supreme and High Provincial Courts. During the year the judiciary sought to check executive power and reverse President Musharraf's March decision to suspend the chief justice of the Supreme Court. Civil society and the press widely supported the judiciary. The restored chief justice then began a series of legal interventions that received some public support but were considered excessive by the government. When he believed the Supreme Court was about to rule him ineligible for reelection as president, on November 3 Musharraf declared the SOE and suspended the constitution, which enabled him

to replace the Supreme and High Court justices. Additionally, he demanded, as he had in 1999, that all judges, both replacements and sitting judges, swear an oath of loyalty to his new legal order, which they did in December. Under the SOE, Musharraf suspended basic civil liberties, including freedom of speech and assembly. In December Musharraf lifted the SOE and restored an amended constitution, which enhanced presidential powers. Regulatory restrictions continued on press activities and freedom of assembly.

During the 42 days of the SOE, the government imposed curbs on the media and arrested and/or detained over 6,000 lawyers, judges, political party workers/leaders, and civil society activists. By the end of the year, approximately one dozen activists, primarily lawyers and judges, remained under house arrest. The government restored public cable access to all but two channels of one private television station, but the government required the media to sign a code of conduct that discouraged criticism of the government and led to self-censorship. Other major human rights problems included restrictions on citizens' right to change their government, extrajudicial killings, torture, and disappearances. While the civilian authorities generally maintained effective control of the security forces, there were instances when local police acted independently of government authority. Violence from a low-level secessionist movement in Balochistan continued. Lengthy trial delays and failures to discipline and prosecute those responsible for abuses consistently contributed to a culture of impunity. Poor prison conditions, arbitrary arrest, and lengthy pretrial detention remained problems, as did a lack of judicial independence. Corruption was widespread within the government and police forces, and the government made few attempts to combat the problem. Rape, domestic violence, and abuse against women, such as honor crimes and discriminatory legislation that affected women and religious minorities, remained serious problems, although implementation of the 2006 Women's Protection Act improved conditions. Widespread trafficking in persons and exploitation of indentured, bonded, and child labor were ongoing problems. Discrimination against religious minorities continued. Child abuse, commercial sexual exploitation of children, discrimination against persons with disabilities, and worker rights remained concerns.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were numerous reports that the government or its agents committed arbitrary or unlawful killings. Security forces extrajudicially killed individuals associated with criminal and political groups in staged encounters and during abuse in custody. Through August the Society for Human Rights and Prisoners' Aid (SHARP) reported 23 encounter killings and 37 killings in police custody. Police stated that frequently these deaths occurred when suspects attempted to escape, resisted arrest, or committed suicide; however, human rights observers, family members, and the press reported that security forces staged many of the deaths.

The government frequently investigated and sometimes convicted police officials for extrajudicial killings. The police inspector general in Punjab stated that 1,254 police had been disciplined by August for a variety of crimes. However, lengthy trial delays and failures to discipline and prosecute those responsible for abuses consistently contributed to a culture of impunity.

On January 18, police arrested Ali Nawaaz and two of his friends in Karachi. Nawaaz died in custody on February 3. Although a doctor reportedly told Nawaaz's family that he had died of kidney failure, the family claimed they saw marks of torture on his body, including wounds on his head, neck, left kidney, legs, and back. Police initially refused to act on the matter, but after many locals protested and put pressure on the police to ask the father to lodge a case, he registered the case. By year's end no arrests had been made, but authorities transferred two accused officers to separate police departments.

On May 14, unidentified gunmen shot and killed Supreme Court Additional Registrar Syed Hammad Raza in his home. After an initial investigation, police said that the killing was in connection with a robbery; however, Raza's family and his colleagues in the legal community accused security agencies of the murder for Raza's alleged relationship with then-suspended chief justice Iftikhar Chaudhary. According to police, they arrested four suspects in June, and at year's end the trial was ongoing in the Anti-Terrorism Court in Rawalpindi.

On September 25, Malik Zaheer was found dead in Lahore after having been released on bail in May. Zaheer was on trial for the murder of Arif Bhinder, the Punjab assistant advocate general. Investigating officials told the media that Zaheer had been tortured before he died. Malik Zaheer's family alleged that Bhinder's family was responsible for

orchestrating his death at the hands of the police and filed an application. According to the Global Foundation, the case of Arif Bhinder's death was ongoing at year's end in the Anti-Terrorism Court in Lahore, where it was last heard in November.

There were no developments in the January 2006 death in custody of Habibur Rehman in Chitral. Prior to his death, a doctor's report stated that Rehman was in shock and critical condition from being beaten. Rehman had been in police custody for alleged car theft.

Authorities charged police constable Mohammad Sarwar with the July 2006 shooting of Salman Ahmed, a 14-year-old boy, and the serious injury of the boy's 15-year-old friend, Muhammad Asghar Ali, in Lahore. Officer Malik Munir, who allegedly ordered the shooting, was placed on suspension and transferred. At year's end the case against Sarwar was pending, and according to SHARP, he was still employed as a constable but was under department investigation.

There were no developments in the 2005 death in custody case of Samiullah Kalhoro, the vice chairman of the Jeay Sindh Muttahida Mahaz.

A district judge found Police Constable Mohammad Aslam and Assistant Sub Inspector Ghulam Shabbir Dasti guilty of torture and sentenced them to five years' imprisonment for the 2005 death in police custody of Abu Bakar Panwhar. Officer Mohammad Rafiq Siyal and Sub Inspector Khamiso Khan also were demoted and suspended for six months.

Continued clashes between security forces and militants, mostly in the Federally Administered Tribal Areas (FATA), North West Frontier Province (NWFP), and Islamabad, resulted in more than 1,350 deaths, including of civilians, militants, and security forces.

The Pakistan Institute for Peace Studies reported that a total of 1,442 terrorist attacks left 3,448 persons dead and 5,353 injured in the FATA and throughout the country; this included 60 suicide attacks.

On July 3, an exchange of fire between police and militants inside Islamabad's Red Mosque (Lal Masjid) escalated to a military assault on the compound after heavily armed militants barricaded themselves inside the compound. The government claimed that there were 106 casualties: 73 militants, 10 security forces, one police officer, and several civilians. In August the Supreme Court ordered the Ministry of

the Interior to explain the legality of the raid. By year's end the government had not responded.

On August 19, a helicopter gunship attack on suspected militant positions killed seven persons, including three women and two children, and injured eight others in three villages in Mirali, North Waziristan, according to local residents. A government spokesman countered that the attack killed 15 militants, most of whom were foreigners, and that two women who were killed were inside militant compounds.

In Balochistan, deaths from the ongoing insurgency decreased from the previous year; however, violence remained a problem throughout the province. According to nongovernmental organizations (NGOs) and media reports, at least 57 militants, 49 civilians, and 51 members of the security forces died as a result of the ongoing insurgency between the beginning of the year and late November. The government last released official figures in April 2006, recording the total number of deaths at 158.

On March 30, security forces reportedly attacked Langu and Sagari with helicopter gunships and heavy artillery. Four women and 12 children died during the operation, according to press reports.

On June 14, unidentified gunmen opened fire on a van in Quetta, killing seven soldiers, one police constable, and one passer-by. The gunmen also shot two policemen on a motorcycle. One later died, and the other was injured seriously. Police arrested three persons in September in connection with the killing, including two alleged members of the Balochistan Liberation Army.

In August 2006 Baloch nationalist leader Nawab Bugti, along with 35 accomplices and five military personnel, were killed following a suicide bombing. According to the media, Bugti and his followers were killed when the government air force bombed Bugti's hideout. The government stated the officers were trying to reach Bugti to speak to him when an unexplained explosion, perhaps perpetrated by Bugti himself in an effort to avoid detainment, caused the cave in which he was hiding to collapse. No police investigation was conducted into his death.

Mir Balach Marri, the son of another prominent Baloch leader, Nawab Khair Bux Marri, was killed in December; however, it was not known whether he was killed in the country or Afghanistan.

There were reports of politically motivated killings perpetrated by political factions.

On May 12, unidentified gunmen in Karachi shot and killed more than 40 political activists from multiple political parties during demonstrations planned to coincide with the arrival of the then-suspended chief justice of Pakistan. Many observers blamed the Muttahida Qaumi Movement (MQM) party--a member of the ruling coalition that controlled the Sindh provincial government--for the violence, since there were multiple reports that the government had ordered police not to deploy to demonstration areas. MQM officials denied responsibility for the violence, claiming that 18 of the deaths were MQM members. Authorities later accused MQM of organizing demonstrations to disrupt the trial, which was ongoing at year's end.

In Karachi, MQM sources accused Jamaat-e-Islami (JI) activists of killing seven MQM active members during the year in ongoing violence between the two parties over political control of the province; JI accused MQM of killing five JI activists. Human rights observers reported that the total politically motivated death toll was 132 by year's end.

Taliban militants and their foreign supporters mounted suicide attacks and engaged in vigilantism, including murder, in the tribal areas as well as in settled districts of the NWFP, Balochistan, and Islamabad. During the year they killed security forces, government officials, tribal elders, religious leaders, and persons they accused as spies. They also bombed girls' schools, barber shops, hotels, and video shops.

On April 28, a suicide bomb attack at a political rally in Charsadda, NWFP, killed an estimated 28 persons and injured Interior Minister Aftab Khan Sherpao and his son, NWFP Provincial Assembly member Iskander Sherpao. Authorities registered a case against the unknown assailants. By year's end no one had been arrested in connection with the attack.

On July 15, a suicide bomber entered a police recruitment and training center in Dera Ismail Khan and detonated a bomb, killing 28 persons including recruits and approximately 14 police officers. As many as 56 additional persons sustained injuries. Police in Dera Ismail Khan initially arrested 17 suspects, later releasing thirteen but holding four for observation. Authorities registered a case against the unknown

assailants, but no one had been brought officially before a court by year's end.

On July 18, a suicide bomber killed 11 police officers and eight civilians and injured 50 at an Islamabad political rally. Police arrested three persons in September. The case was in process at the Anti-Terrorism Court at year's end.

On October 18, two suicide bombers killed 11 police officers and more than 130 civilians in Karachi during a procession to welcome former prime minister Benazir Bhutto's return. At year's end no one had been arrested.

On December 27, following an address at a campaign rally in Rawalpindi, Pakistan People's Party (PPP) leader Benazir Bhutto was assassinated while riding in a vehicle leaving the rally. She died in a local hospital hours later. Authorities reported 30 other deaths, including those of policemen and party members.

Earlier on December 27, Nawaz Sharif, leader of the Pakistan Muslim League – Nawaz (PML-N), held a rally in Karal Chowk where violence broke out in the crowd, resulting in the death of seven attendees. Unidentified assailants fled the scene, and no one was arrested; there were unconfirmed allegations of interparty violence.

Attacks on houses of worship, religious gatherings, and religious leaders linked to sectarian, religious extremist, and terrorist groups resulted in the deaths of at least 529 persons during the year. This included the deaths of approximately 300 persons killed in Sunni-Shi'a sectarian disputes in Parachinar.

On September 15, unknown gunmen in Peshawar shot and killed Maulana Hassan Jana, a prominent and well-respected Deobandi religious scholar who had declared suicide attacks "un-Islamic." Police arrested 13 suspects, but the case remained open at year's end.

Three members of Lashkar-e-Jhangvi, a banned Sunni-Deobandi militant organization, were on trial at year's end for the February 2006 suicide bombing attack on a Shi'a congregation marking the Ashura festival in Hangu. The bombing killed 29 individuals and injured more than 50.

On July 4, Karachi police arrested another suspect in the April 2006 suicide bombing at a Sunni (Brelvi sect) birthday celebration in Karachi

of the Prophet Mohammed. The bombing killed 59 persons and injured more than 100. The suspect, who reportedly confessed to his involvement in the crime, was a suspected member of Lashkar-e-Jhangvi. The case was ongoing at year's end.

Honor killings continued to be a problem, with women as the principal victims. During the year local human rights organizations reported between 1,200 and 1,500 cases. Most took place in Sindh and Punjab. Many more likely went unreported.

In September 2006 two assailants in the Muslim Bazaar of Sargodha in Punjab killed prominent Shi'a leader and former district president Syed Bashir Hussain Bukhtari of the outlawed Shi'a group, Tehreek-e-Jaferia Pakistan (TJP). According to Taangh Wasaib Tanzeem, a Sargodha-based NGO, no one was arrested in connection with the death.

The government had not conducted investigations into sectarian violence reported in 2005, including the 2005 bombing that killed 40 and wounded more than 100 at the shrine of Pir Syed Rakheel Shah, the May suicide bombing that killed 20 and wounded more than 100 at the Bari Imam shrine, or the May suicide bombing that killed five and injured 30 at a Shi'a mosque in Karachi. No one was arrested for these actions.

b. Disappearance

Politically motivated disappearances occurred during the year. Police and security forces held prisoners incommunicado and refused to provide information on their whereabouts. The Human Rights Commission of Pakistan (HRCP) estimated that approximately 1,600 persons were missing. Although some disappearances were associated with terrorism and national security cases, human rights organizations reported that many missing individuals were Sindhi and Baloch nationalists.

On April 4, Rafiq Khoso, a prominent activist and member of the Jamhoori Watan Party, and two student activists, Shabbir Jan Rind and Bashir Rind, allegedly were detained by security forces for their presumed involvement in the Balochistan Liberation Organization.

On June 7, security forces removed Waheed Kambarani and Sherdil Khan from a restaurant in Khuzdar, Balochistan. They appeared in a Khuzdar detention center in December. At year's end they remained

incarcerated, and the details of the charges against them were unavailable.

During the year the Supreme Court ordered the government to release or regularize the detention status of prisoners held incommunicado by security agencies. Then-chief justice Chaudhry heard a petition filed earlier in the year by HRCP and 41 other petitions on behalf of 198 persons and in August ordered the government to find and release all the missing persons. In response, the Deputy Attorney General advised the Court in October that the government had located half of the 425 reportedly missing persons. They were picked up on suspicion of involvement in terrorism and released shortly thereafter. The rest were kept in different places in the country.

One of those located was Safdar Sarki, who appeared in court in October in southern Balochistan. At that time, he was able to meet with his sister and with his diplomatic representative. Sarki subsequently was moved to a prison in Zhob, a remote area of northern Balochistan. He complained of health problems related to his time in prison. According to Amnesty International, Sarki, a U.S. citizen with dual nationality and secretary general of the Jeay Sindh, a Sindhi nationalist political organization advocating for the rights of Sindhi citizens, had disappeared in February 2006 after he was seized by a group of 16 men, presumed to be plainclothes security officers.

On August 21, the Supreme Court ordered the release of Hafiz Abdul Basit and Aleem Naseer, ruling that the government had held the men too long without charge. After his release, Basit testified in court that he was malnourished and forcibly deprived of sleep. Naseer claimed that a government agent beat him with a hard rubber paddle to obtain his confession. Police had arrested Basit in 2004 on suspicion of his involvement in a 2003 assassination attempt against President Musharraf. Naseer was arrested on June 18 on suspicion of ties to al-Qa'ida.

On September 10, the Balochistan High Court ordered Muneer Mengal's release, saying that his detention was illegal. Police immediately rearrested him and charged him under the Maintenance of Public Order Act. Security forces detained Mengal, managing director of the first Baloch satellite television channel, in April 2006 for his efforts to publicize issues pertaining to inequities in Balochistan. By year's end Mengal had been moved to a Quetta district jail and produced before a court several times to discuss his case.

There was no update on the February 2006 disappearance of Abdul Rauf Sasoli or Saeed Brohi, members of the Baloch nationalist Jamhoori Watan Party; security forces reportedly had detained the two after their February 2006 arrest.

There was no update on the July 2006 disappearance of Bilal Bugti, the younger brother of Jamhoori Watan Party Secretary General Agha Shahid Bugti, or Murtaza Bugti, the son of Balochistan's first finance minister, Ahmed Nawaz Bugti.

Abid Raza Zaidi, who disappeared in October 2006 soon after he gave testimony about his illegal arrest, 110-day detention, and alleged abuse by army and police officers, was released in or around June.

There was no update on the December 2006 disappearance of Balochi political leader Ghulam Mohammed, who was arrested during a protest in Karachi following the death of Baloch leader Akbar Bugti during a military operation.

There were no developments in the 2005 disappearance of 18 members of the Pakistan Petroleum Workers' Union from Balochistan who had gone to Karachi for negotiations with their management, or the 2005 disappearance of Dr. Haneef Shareef, a writer, medical doctor, and member of the Balochistan Student Organization.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture and other cruel, inhuman, or degrading treatment; however, there were persistent reports that security forces, including intelligence services, tortured and abused persons. Under provisions of the Anti-Terrorist Act, coerced confessions are admissible in Anti-Terrorism courts. Allegations that security personnel used abuse and torture of persons in custody throughout the country continued. Human rights organizations reported that methods included beating, burning with cigarettes, whipping soles of the feet, prolonged isolation, electric shock, denial of food or sleep, hanging upside down, and forced spreading of the legs with bar fetters. Security force personnel reportedly raped women during interrogations. The government rarely took action against those responsible.

On January 2, a group of approximately 15 men armed with small arms attacked and cut off the ears and nose of Multan-based Muhammad Iqbal and his brother Muhammad Yaseen after Iqbal

married Shehnaz Bibi, a woman from the tribe of the attackers. Police arrested five suspects, and bail was refused for the suspects. The case was ongoing at year's end, and the suspects remained in prison.

On January 13, police in Khairpur, Sindh arrested Muhammad Ali for stealing a motorcycle. While he was in custody, police allegedly beat and tortured him for 10 days, damaging his leg muscles. He lost consciousness January 23, and police transferred him to a hospital. A police investigation found that Ali was not involved in the robbery, and police released him from custody January 31, according to the Asian Human Rights Commission (AHRC). Ali's family withdrew the case against police officials. No action was reported against the staff of the police station.

On January 22, police in the Larkana district of Sindh arrested Hazoor Buksh Malik for not possessing a national identity card while he was in a market. The Station House Officer (SHO), Mohammad Tunio, allegedly tortured Malik by severing Malik's genitalia.

On February 20, five policemen stopped a vehicle at a checkpoint in Lahore and took one of the female occupants to a room near the post, allegedly to search her. All the officers raped the female while her family remained in the vehicle. The family pursued the case in the Lahore Police Administration. All five officers were found guilty and arrested under the Women's Protection Bill. At year's end the case was ongoing, and the officers were being held at the Kot Lakhpat Jail.

On July 1, police in Lahore arrested Mubarik Ali after he submitted a complaint about the behavior of a local police official. While he was in custody, police beat him with iron rods and clubs, causing loss of eyesight and the loss of his left leg. After the case garnered media attention, police investigated and suspended three police personnel. The accused police personnel disappeared in August, however, and the family alleged that police allowed the escape. By year's end the men had not been apprehended.

During the year the NGO Lawyers for Human Rights and Legal Aid recorded 410 cases that they labeled torture in police custody through August. The AHRC reported approximately 1,100 cases of torture during the year. Alleged torture occasionally resulted in death or serious injury.

No charges had been brought against SHO Sadaat Ali for his alleged involvement in torturing Arif Ali and Irfan Ali in Multan in February 2006.

No action was taken against the police officers involved in the alleged beating and torture of Gul Waiz in Adiala Jail in July 2006 or the June 2006 sexual assault by police in Islamabad against Shahnaz Fatima and Javeria Alam.

By year's end a departmental inquiry found policeman Liaqat Ali guilty of rape, dismissed him from the service, and jailed him. Ali was arrested in July 2006 for allegedly raping a woman who went to a police check point in Islamabad to report being attacked.

Before the 2006 Women's Protection Bill, the Hudood Ordinances provided Koranic punishments for violations of Shari'a (Islamic law), including amputation and death by stoning. Authorities did not use such punishments.

Punishments for honor crimes included stripping women naked, mutilations, and rape.

Prison and Detention Center Conditions

Prison conditions did not meet international standards and were extremely poor, except for those cells of wealthy or influential prisoners. Overcrowding was widespread. According to SHARP, there were 90,000 prisoners occupying 87 jails originally built to hold a maximum of 36,075 persons. The number increased from the previous year because of an increase in the number of political prisoners held under the Maintenance of Public Order Act after President Musharraf declared an SOE on November 3, according to SHARP. Under the SOE, approximately 6,000 individuals were arrested and held in temporary detention for a few hours to a few weeks.

Inadequate food in prisons led to chronic malnutrition for those unable to supplement their diet with help from family or friends. Access to medical care was a problem. Foreign prisoners often remained in prison long after their sentences were completed because there was no one to pay for deportation to their home countries.

Police reportedly tortured and mistreated those in custody and at times engaged in extrajudicial killings. Christian and Ahmadi communities claimed their members were more likely to be abused.

Non-Muslim prisoners generally were accorded poorer facilities than Muslim inmates. They often suffered violence at the hands of fellow inmates.

On May 17, a man who was on trial for liquor possession died under mysterious circumstances in Adiala Jail in Rawalpindi. While jail officials claimed the man died of a heart attack, the man's family accused jail officials of torture. A district court ordered the man's body exhumed, and medical officials who examined the body found signs of torture. By year's end the accused jail officials and the family reportedly had settled the matter out of court.

On June 14, a political activist died of a heart attack while in police custody in Lahore. Police arrested the man in his home on June 6 in a wave of arrests before a political rally. According to media reports, his family told police he had a heart condition at the time of his arrest, and the man complained to police of chest pains. According to media reports, hospital officials stated that the man was dead on arrival when jail officials brought him to the hospital on June 14.

Child offenders generally were kept in the same prisons as adults, albeit in separate barracks. Police often did not segregate detainees from convicted criminals. Mentally ill prisoners usually lacked adequate care and were not segregated from the general prison population.

There were reports of prison riots, largely due to the poor living conditions inside prisons.

On September 29, prisoners at Mach prison near Quetta rioted during a search operation for illegal drugs. The inmates set fire to a prison building and took 24 prison wardens hostage, according to media reports. Prison officials said that the prison, which held 1,100 inmates, was built to hold 600 and that prisoners had complained of mistreatment.

In 2005 authorities established special women's police stations with all female staff in response to complaints of custodial abuse of women, including rape. The government's National Commission on the Status of Women claimed the stations did not function effectively, in large part due to a lack of resources. Court orders and regulations prohibit male police from interacting with female suspects, but male police often detained and interrogated women at regular stations. According to the International Human Rights Observer, a local NGO, there were 3,200 to 3,500 women in jails nationwide as of October.

Authorities subjected children in prison to the same harsh conditions, judicial delay, and mistreatment as the adult population. Local NGOs estimated that approximately 1,900 to 2,000 children were in prison at the end of the year. Child offenders could alternatively be sent to one of two residential reform schools in Karachi and Bahawalpur until they reached the age of 18. Abuse and torture reportedly also occurred at these facilities. Nutrition and education were inadequate. Family members were forced to pay bribes to visit children or bring them food.

The appeal against a December 2004 Lahore High Court ruling that struck down the Juvenile Justice System Ordinance remained pending. The ordinance was a separate procedural code for accused juveniles that provided numerous protections for juvenile offenders not found in the normal penal code. The ordinance remained poorly implemented; in September, however, a new Juvenile Justice Court became operational in Faisalabad.

Landlords in Sindh and Punjab, as well as tribes in rural areas, operated illegal private jails. On May 21, approximately 20 men, women, and children escaped a private jail run by Tahir Khan Khosa, a feudal landlord in rural Sindh. The escapees claimed that they had been in detention for the past three years after they were unable to repay debts to Khosa on time. Khosa denied the allegations, but the escapees appealed to Sindhi government authorities to investigate the case. By year's end the escapees reportedly accepted an out-of-court group settlement of approximately \$1,650 (100,000 rupees) and forgiveness of their outstanding loans.

There were media reports that militant paramilitary groups also maintained private jails where detainees were physically and mentally tortured. In March after security forces clashed with militants in Kaloosha, South Waziristan, local tribesmen reportedly discovered a private jail that Uzbek militants used to hold and torture enemies.

Persons held for political offenses or on national security grounds were reported to be held in different conditions than the general prison population and often in separate facilities. The government permitted visits to prisoners and detainees by human rights monitors, family members, and lawyers, with some restrictions. Visits by local human rights monitors occurred during the year. Local NGOs, including Global Foundation, SHARP, and HRCP, frequently visited jails, subject to some restrictions. While the International Committee of the Red Cross

(ICRC) had access to jails, the government denied the ICRC access to alleged terrorist detainees.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, the authorities did not always comply with the law.

Role of the Police and Security Apparatus

Police have primary internal security responsibilities for most areas of the country. Under the Police Order (Second Amendment) Ordinance promulgated in 2005, control of the police falls under elected local district chief executives known as nazims. Paramilitary forces such as the Rangers, the Frontier Constabulary, and the Islamabad Capital Territory Police fall under the Ministry of the Interior. Provincial governments control these forces when they assist in law and order operations. During some religious holidays, the government deployed the regular army in sensitive areas to help maintain public order.

Corruption within the police was rampant. Police charged fees to register genuine complaints and accepted money for registering false complaints. Bribes to avoid charges were commonplace. Individuals paid police to humiliate their opponents and avenge personal grievances. Corruption was most prominent among police SHOs, some of whom reportedly operated arrest-for-ransom operations and established unsanctioned stations to increase illicit revenue collection.

Police force effectiveness varied greatly by district, ranging from reasonably good to completely ineffective. Some members of the police force committed numerous, serious human rights abuses. Failure to punish abuses created a climate of impunity. Police and prison officials frequently used the threat of abuse to extort money from prisoners and their families. The inspector general, district police officers, district nazims, provincial interior or chief ministers, the federal interior or prime minister, or the courts can order internal investigations into abuses and order administrative sanctions. Executive branch and police officials can recommend and the courts can order criminal prosecution, and these mechanisms were sometimes used.

The Punjab provincial government initiated regular training and retraining of police at all levels, both in technical skills and human rights. The Karachi city government reportedly gave the city's human

rights officers facilities in which they could hold training. At least two NGOs, Sahil and SHARP, worked with police for the purpose of training. In 2005 President Musharraf reissued and amended the 2002 Police Order, which transfers oversight responsibility of police from provinces to districts and calls for the establishment of local oversight bodies. In the Punjab and NWFP, public safety commissions were established and functioned; however, according to SHARP and the Global Foundation, the commissions existed but operated under a vague mandate. During the year district public safety commissions in Punjab, Sindh, and a majority of districts in NWFP and Balochistan were established but their effectiveness was undermined because of inadequate staffing.

By August the government had converted 25 of Balochistan's 27 districts from "B areas" controlled by local levy forces who obeyed local tribal chiefs to "A areas" controlled by the police. Nearly 3,000 of the 3,560 levy forces in 2006 were converted to police, and nearly 1,500 local youth were inducted into the newly formed police force.

Police often failed to protect members of religious minorities particularly Christians, Ahmadis, and Shi'as--from societal attacks.

Arrest and Detention

A First Information Report (FIR) is the legal basis for all arrests. Police may issue FIRs when complainants offer reasonable proof that a crime was committed. A FIR allows police to detain a named suspect for 24 hours, after which only a magistrate can order detention for an additional 14 days, if police show such detention is material to the investigation. In practice authorities did not fully observe these limits on detention. Authorities frequently issued FIRs without supporting evidence as harassment or intimidation, or they did not issue them when adequate evidence was provided unless the complainant could pay a bribe. Police routinely did not seek magistrate approval for investigative detention and often held detainees without charge until a court challenged them. Incommunicado detention occurred. When requested, magistrates usually approved investigative detention without reference to its necessity. In cases of insufficient evidence, police and magistrates colluded to continue detention beyond the 14 day period provided in the law through the issuance of new FIRs.

Police sometimes detained individuals arbitrarily without charge or on false charges to extort payment for their release. Some women continued to be detained arbitrarily and were sexually abused. Police

also detained relatives of wanted criminals to compel suspects to surrender. Courts appointed attorneys for indigents only in capital cases. In some cases persons had to pay bribes to see a prisoner. Foreign diplomats could meet with prisoners when they appeared in court and could meet with citizens of their countries in prison visits, although not in all cases. Consular access was not always provided. Local human rights activists reported few restrictions to their access to prisons.

The district coordinating officer may order preventive detention for up to 90 days; however, human rights monitors reported instances in which prisoners were held in preventive detention for up to six months. Human rights organizations charged that a number of individuals alleged to be affiliated with terrorist organizations were held indefinitely in preventive detention. In corruption cases, the National Accountability Bureau (NAB) may hold suspects indefinitely provided that judicial concurrence is granted every 15 days.

The law stipulates that detainees must be brought to trial within 30 days of their arrest. Under both the Hudood and standard criminal codes, there are bailable and nonbailable offenses. Bail pending trial is required for bailable offenses and permitted at a court's discretion for nonbailable offenses with sentences of less than 10 years. In practice judges denied bail at the request of police, the community, or on payment of bribes. In many cases trials did not start until six months after the filing of charges, and in some cases individuals remained in pretrial detention for periods longer than the maximum sentence for the crime for which they were charged. Human rights NGOs estimated that 50 to 52 percent of the prison population was awaiting trial.

As in previous years, the government used preventive detention, mass arrests, and excessive force to quell or prevent protests, political rallies, or civil unrest.

On June 15, Amnesty International expressed concern regarding a series of arbitrary arrests of opposition party workers and other political activists that had occurred over a two-week period. According to media reports, police arrested approximately 800 to 1,200 persons, primarily in Punjab, to prevent mass demonstrations protesting the suspension of the chief justice in March.

In early September police arrested hundreds of party workers from the PML-N in an effort to prevent welcome rallies for the return of exiled former prime minister Nawaz Sharif.

Following President Musharraf's declaration of an SOE on November 3, the government jailed or placed under house arrest approximately 6,000 lawyers, judges, political party activists, and civil society leaders. Most of those detained remained in prison for a few hours or up to a few days. At year's end 11 judges and three attorneys remained under house arrest. This included the former chief justice and those members of the Supreme and High Courts who refused to take an oath of allegiance to the Provisional Constitution Order, as well as attorneys Aitzaz Ahsan, president of the Pakistan Supreme Court Bar Association, Tariq Mehmood, and Ali Ahmed Khan. Authorities released attorney Munir Malik, former president of the Supreme Court Bar Association, from detention and provided him medical treatment for kidney failure following charges of mistreatment.

Following the imposition of the SOE, Aitzaz Ashan was detained under orders of violating the Maintenance of Public Order. At year's end Ashan remained under house arrest despite promises by government officials that he would be released by the end of the SOE on December 15. Ashan's wife was able to visit him, and he was allowed to submit his nomination papers for the election. He was released briefly for the three days of Eid al-Adha, and the caretaker human rights minister was looking into how he was rearrested following his Eid pardon. Munir Malik was arrested on November 3 after appearing on a talk show to discuss the political situation. Security forces held him in Adiala Jail, Rawalpindi, and moved him to Attock Jail, a remote facility in Punjab. According to human rights organizations, Malik reportedly fainted inside the jail after allegedly being severely beaten and began urinating traces of blood after being moved to a government hospital. He was prevented from seeing his family members. Others believed that Munir's health problems resulted from his chronic liver condition, which he had prior to his incarceration. Malik was charged with sedition but was released on November 24 with all charges dropped.

On November 3, Ali Ahmed Kurd, former vice president of the Pakistan Bar Council, was arrested and taken to Adiala Jail. On November 5, according to AHRC, he allegedly was removed by security forces but reportedly was kept in incommunicado detention and tortured.

On November 3, Asma Jahangir, a founding member of the HRCP and the UN Special Rapporteur on Freedom of Religion, was placed under arrest at her home in Lahore. Jahangir and 50 members of the HRCP were detained in what the government termed a "sub-jail." They were released on November 15.

Within hours of the president's November 3 suspension of the constitution and imposition of emergency, former chief justice Iftikhar Chaudhry convened a seven-justice bench to issue an order against the action. Shortly after the order's announcement, the military entered the Supreme Court building and detained Chaudhry and the other justices. Although the SOE ended, the deposed Chaudhry and several other justices remained under house arrest at year's end. The government issued an eviction notice to Chaudhry to leave his government-owned home, and his children were not allowed to attend school.

According to human rights monitors, 80 percent of the female prison population was awaiting trial on adultery-related offenses under the Hudood Ordinances. However, with the enactment in December 2006 of the Women's Protection Bill, women are not supposed to be arrested under the Hudood Ordinance nor required to produce four witnesses to prove a charge of rape, as required under the zina laws (laws regarding extramarital sexual intercourse). Family members had previously used the Hudood Ordinances to control their children from making their own choices in marriage. Abusive husbands sometimes invoked the ordinances, or neighbors invoked the ordinances to settle personal scores. After the passage of the Women's Protection Bill, authorities released from prison approximately 300 to 500 women due to the less-harsh guidelines in the bill. In July the president promulgated the Law Reforms Ordinance, allowing women held under the Hudood Ordinance to be eligible for bail. According to the Progressive Women's Association, approximately 1,300 to 1,500 additional women were released upon the passage of the Law Reform Ordinance. This bail eligibility process, however, was stalled when the Supreme Court decided on a petition by a male prisoner who claimed gender discrimination because he was being held under similar charges and was not being granted bail eligibility because of his gender.

Special rules apply to cases brought by the NAB or before antiterrorist courts. Suspects in NAB cases may be detained for 15 days without charge (renewable with judicial concurrence) and, prior to being charged, were not allowed access to counsel. Despite government claims that NAB cases were pursued independently of an individual's political affiliation, opposition politicians were more likely to be prosecuted. The NAB prosecuted no serving members of the military or judiciary.

Accountability courts may not grant bail; the NAB chairman has sole power to decide if and when to release detainees. Antiterrorist courts do not grant bail if the court has reasonable grounds to believe the accused is guilty. Security forces may without reference to the courts restrict the activities of terrorist suspects, seize their assets, and detain them for up to one year without charges.

On October 5, the president promulgated a National Reconciliation Ordinance (NRO) that provides a mechanism for amnesty for public office holders who were charged--but not convicted--for cases filed between 1986 and 1999 for political reasons. The ordinance was challenged in court, and by year's end no cases officially had been withdrawn, as the Supreme Court had not ruled on the NRO's legality.

There were no developments in the July 2006 arbitrary arrest of Naveed Ahmed, a local reporter for the Daily Koshish, a Sindhi language newspaper, while Ahmed was recovering from gunshot wounds in the hospital. According to the AHRC, Ahmed was implicated falsely in a kidnapping case. The AHRC claimed that Ahmed was a vocal and prominent journalist in the district who reported on police atrocities and on cases of financial corruption by local authorities. He was released in December.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, in practice the judiciary remained subject to executive branch influence at all levels. In nonpolitical cases, the high courts and Supreme Court generally were considered credible. However, the president's decision to use a Provisional Constitution Order to replace the Supreme and High Court benches called this credibility into question. Lower courts remained corrupt, inefficient, and subject to pressure from prominent religious and political figures. The politicized nature of judicial promotions enhanced the government's control over the court system. Unfilled judgeships and inefficient court procedures resulted in severe backlogs at both trial and appellate levels. Ordinary cases take five to six years, while cases on appeal can take 20 to 25 years. In an April 15 speech, the then-chief justice stated that the backlog of cases pending before the Supreme Court had been reduced to 10,000, but a June statement from the AHRC estimated there were 20,000 pending cases.

There were several court systems with overlapping and sometimes competing jurisdictions: criminal, civil and personal status, terrorism,

commercial, family, military, and Shariat. The Federal Shariat Court, according to Article 203 of the Constitution, can be used to examine and decide whether any law is repugnant to the injunctions of Islam. Therefore, the passage of the Women's Protection Bill does not negate the possibility of Federal Shariat Court oversight in certain cases. Federal Shariat Court could be used for any issue that involves those parts of the Hudood Ordinance not moved to the secular law provisions, including gambling, liquor possession and drinking, and fornication in the false promise of marriage.

Feudal landlords in Sindh and Punjab and tribal leaders in Pashtun and Baloch areas continued to hold jirgas (local councils), at times in defiance of the established legal system. Such jirgas, particularly prevalent in rural areas, settled feuds and imposed on perceived wrongdoers tribal penalties that could include fines, imprisonment, or even the death penalty. In Pashtun areas, such jirgas were held under the outlines of the Pashtun Tribal Code. Under this code, a man, his family, and his tribe are obligated to take revenge for wrongs real or perceived to redeem their honor. Frequently these disputes arose over women and land and often resulted in violence. In the tribal areas, the settling of many family feuds, particularly over murder cases, involved giving daughters of the accused in marriage to the bereaved.

Many tribal jirgas instituted harsh punishments such as the death penalty or watta-satta (exchange of brides between clans or tribes) marriages.

Former prime minister Nawaz Sharif established military courts in 1998 to dispense "quick justice." A 1999 Supreme Court decision invalidating military courts was not implemented. The human rights and legal community continued to press the Supreme Court to nullify military court decisions involving civilians, but this was difficult since the 1999 Provisional Constitutional Order forbids court review of actions taken by the chief executive (President Musharraf's title at the time) or his designees.

In November the president signed an ordinance amending the Army Act of 1952 so that it can be applied to civilians for certain crimes under the Explosive Substances Act, the Security of Pakistan Act, the Arms Ordinance Act, and the Anti-Terrorism Act. Human rights groups denounced the new amendment; the government claimed it was designed only to apply to terrorists. Many human rights organizations spoke out against the change, saying civilians would face unusually severe penalties for crimes ranging from libel to murder.

Trial Procedures

The civil, criminal, and family court systems provide for an open trial, the presumption of innocence, cross examination by an attorney, and appeal of sentences. There are no jury trials. Due to the limited number of judges, heavy backlog of cases, lengthy court procedures, and political pressure, cases routinely took years, and defendants had to make frequent court appearances. Cases start over when an attorney changes.

The Anti-Terrorist Act allows the government to use special streamlined courts to try violent crimes, terrorist activities, acts or speech designed to foment religious hatred, and crimes against the state. Cases brought before these courts are to be decided within seven working days, but judges are free to extend the period as required. All judges are appointed. Under normal procedures, the high court and the Supreme Court hear appeals from these courts. Human rights activists criticized this expedited parallel system, charging it was more vulnerable to political manipulation.

Special accountability courts try corruption cases brought by the NAB, including defaults on government loans by wealthy debtors. The NAB has not targeted genuine business failures or small defaulters. Accountability courts are expected to try cases within 30 days. In accountability cases, there is a presumption of guilt.

Despite government claims that NAB cases were pursued independently of an individual's political affiliation, opposition politicians were more likely to be prosecuted. The NAB prosecuted no serving members of the military or judiciary, which rely on courts martial and Supreme Judicial Council venues, respectively.

Courts routinely failed to protect the rights of religious minorities. Judges were pressured to take strong action against any perceived offense to Sunni orthodoxy. Discrimination cases dealing with religious minorities were rarely brought before the judiciary.

Laws prohibiting blasphemy continued to be used against Christians, Ahmadis, and members of other religious groups including Muslims. Lower courts often did not require adequate evidence in blasphemy cases, which led to some accused and convicted persons spending years in jail before higher courts eventually overturned their convictions or ordered them freed.

Bail in blasphemy cases usually was denied by original trial courts, arguing that since defendants faced the death penalty, they were likely to flee. Many defendants appealed the denial of bail, but bail was often not granted in advance of the trial. Lower courts frequently were intimidated, delayed decisions, and refused bail for fear of reprisal from extremist elements. The Federal Shariat Court is the court of first appeal in all Hudood cases that result in a sentence of more than two years. The Supreme Court, however, determined that in cases where a provincial high court decides to hear an appeal in a Hudood case, even in error, the Federal Shariat Court lacks authority to review the provincial high court's decision. The Shari'a bench of the Supreme Court is the final court of appeal for Federal Shariat Court cases. A 2005 ruling allows the full Supreme Court to bypass the Shari'a bench and assume jurisdiction in such appellate cases in its own right. The Federal Shariat Court may overturn legislation that it judges to be inconsistent with Islamic tenets, but such cases are appealed to the Shari'a bench of the Supreme Court and ultimately may be heard by the full Supreme Court.

The law allows for the victim or the family to pardon criminal defendants in exchange for monetary restitution (diyat) or physical restitution (qisas). While diyat was invoked, particularly in NWFP and in honor cases in Sindh, qisas were not used.

There is a separate legal system in the FATA, the Frontier Crimes Regulation, which recognizes the doctrine of collective responsibility.

Tribal leaders are responsible for justice in the FATA. They conduct hearings according to Islamic law and tribal custom. The accused have no right to legal representation, bail, or appeal. The usual penalties consisted of fines. Federal civil servants assigned to tribal agencies oversee proceedings and may impose prison terms of up to 14 years.

Human rights NGOs expressed concern with the concept of collective responsibility, as authorities used it to detain members of fugitives' tribes, demolish their homes, confiscate or destroy their property, or lay siege to a fugitive's village pending his surrender or punishment by his own tribe in accordance with local tradition.

Reports of religious extremists and militants forming parallel administrations, including justice administrations, in FATA increased during the year. Public executions were the most visible manifestation of this trend.

On February 19, an Afghan national was beheaded publicly for his alleged spying for a foreign government near Miranshah in North Waziristan. The victim also had his hands and feet chopped off.

On March 14, a woman and two men from the Kukikhel tribe were publicly stoned to death by a tribal jirga in Bara on charges of adultery.

Political Prisoners and Detainees

Some political groups claimed their members were marked for arrest based on their political affiliation.

On August 5, PML-N leader Javed Hashmi was released on bail pending a Supreme Court review of his case. In 2004 Hashmi had been sentenced to 27 years on sedition charges after reading a letter in the cafeteria of the National Assembly critical of the military.

According to Baloch nationalist political leaders and human rights organizations, military intelligence and security forces had detained more than 500 Baloch nationalist political prisoners since the military operation began in the province in 2004. The exact number of prisoners was not available. The government denied imprisoning persons because of their political beliefs, but it was widely believed there were hundreds of Sindhi and Baloch nationalist leaders and activists imprisoned without formal charges.

In November 2006 police arrested Baloch nationalist leader Sardar Akhtar Mengal three days before he planned to lead a 500-mile march across Balochistan to protest the August 2006 killing of Nawab Akbar Khan Bugti by military forces. In December 2006 Mengal was charged in a Karachi Anti-Terror Court for an alleged April 2006 kidnapping of two military intelligence personnel. The HRCP complained that they were banned from attending Mengal's trial after they protested that he was confined behind iron bars in the courtroom and had been denied access to his family. On September 13, Mengal demanded an open public trial but by year's end, no decision was granted on his request.

Civil Judicial Procedures and Remedies

Persons may petition high courts to seek redress for human rights violations, and courts often take such actions. Persons may seek redress in civil courts against government officials, including on

grounds of denial of human rights in civil courts. However, observers reported that civil courts seldom or never issued official judgments in such cases and that most cases were settled outside of court. Although there were no official procedures for administrative redress, informal reparations were common.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The law requires court-issued search warrants for property but not for persons. Police routinely ignored this requirement and at times stole items during searches. Police were seldom punished for illegal entry. In cases being pursued under the Anti-Terrorist Act, security forces were allowed to search and seize property related to the case without a warrant.

The government maintained several domestic intelligence services that monitored politicians, political activists, suspected terrorists, the media, and suspected foreign intelligence agents. Despite a Supreme Court order, credible reports indicated that the authorities routinely used wiretaps and intercepted and opened mail without the requisite court approval. On July 2, the Supreme Court ordered the military Intelligence Bureau to remove all listening devices from the court and judges' homes. According to media reports, the order was given in response to a complaint by an attorney defending the suspended chief justice that the intelligence agencies were spying on judges, according to media reports.

In accordance with the Anti-Terrorist Act, the government banned the activities of and membership in several religious extremist and terrorist groups. However, some of the groups the government banned changed their names and remained active. Examples included Lashkar e Taiba (new name: Jamatud Dawa); Jaish e Muhammad (new name: Tehrikul Furqan & Al Rehmat Trust); Tehrik e Ja'afria Pakistan (new name: Tehrik e Islami Pakistan); and Sipah e Sihaba Pakistan (new name: Millat e Islamia Pakistan).

While the government generally did not interfere with the right to marry, local officials on occasion assisted influential families to prevent marriages the families opposed. The government also failed to prosecute vigorously cases in which families punished members (generally women) for marrying or seeking a divorce against the wishes of other family members. Upon conversion to Islam, women's marriages performed under the rites of their previous religion were

considered dissolved, while the marriages of men who converted remained intact.

According to the Daily Mashriq, a government official in the northern district of Swat warned female teachers and students on September 25 to wear Islamic garb, citing threats from Taliban extremists active in the area.

In some cases authorities detained relatives to force a family member who was the subject of an arrest warrant into surrendering. NGOs alleged that intelligence personnel often harassed family members of Baloch nationalists.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and citizens generally were free to discuss public issues; however, the government often impeded criticism by monitoring political activity and controlling the media. Journalists and their families were arrested, beaten, and intimidated. Many journalists practiced self-censorship. Newspapers and periodicals had to receive permission from the Kashmir Council and Ministry of Kashmir Affairs to publish within the territory. According to many observers, these bodies were unlikely to grant permission to publications sympathetic to an independent Kashmiri cause.

There were numerous independent English and Urdu daily and weekly newspapers and magazines. The Ministry of Information controlled and managed the country's primary wire service, the Associated Press of Pakistan, which is the official carrier of government and international news to the local media. The military has its own press wing, as well as two sections to monitor the press. The few small privately owned wire services practiced self-censorship. Foreign magazines and newspapers were available, and many maintained in-country correspondents who operated freely, although some had difficulty receiving visas that would allow them to work as journalists.

The government directly owned and controlled Pakistan Television and Radio Pakistan, the only non-fee national electronic broadcasters. Both reflected government views in news coverage. Private cable and satellite channels GEO, ARY, Aaj, Dawn, Indus, and Khyber broadcast domestic news coverage and were critical of the government.

Following the president declaration of the SOE on November 3, the government ordered cable operators not to carry any private television stations and blocked a number of private radio stations from broadcasting. When some viewers managed to follow GEO and ARY broadcasts via satellite or the Internet, the government persuaded authorities in the United Arab Emirates to order GEO and ARY to stop broadcasting from their studios in Dubai. The government broadcasting authority required private broadcasters to sign a code of conduct before they would be allowed back on air. Among other provisions, the code forbade ridicule of the government or government officials. In addition, live call-in shows were banned. Some stations were also pressured to remove political shows. By the end of the year, all were allowed to operate with the exception of two of GEO network's channels, including its news and current affairs channels. Although GEO had indicated willingness to sign the code of conduct, it did not accede to the government demand to cancel two public affairs talk shows that frequently criticized the government.

Private radio stations existed in major cities, but their licenses prohibited news programming. Some channels evaded this restriction through talk shows, although they were careful to avoid most domestic political discussions. When the SOE was imposed, two private FM stations were shut down, and the broadcast equipment from one station was seized but later returned. International radio broadcasts, including from the BBC and the Voice of America, were available.

There was an increase in government arrests, harassment, and intimidation of journalists during the year.

According to Internews, an NGO that monitored the state of the media in the country, there were 163 attacks against the media and journalists during the year. By the end of the year, at least seven journalists had been killed and 100 abducted. All of the abductees later were released with no charges filed against their abductors. In addition, seven publications, all private television channels, two FM radio stations, and 11 Web sites temporarily were banned and 15 media organizations were raided. Approximately 100 journalists and media organizations had on-going cases; seven journalists were prevented from covering official functions; and nine media organizations were denied state-sponsored advertising from public funds due to their criticism of government policies.

According to the NGO Reporters Without Borders (RSF), approximately 30 journalists were injured seriously during the year and at least 120

were arrested. For the year, RSF named the country the most dangerous Asian country for the media.

On March 16, according to BBC news, police forcefully entered the Islamabad office of GEO television, where they beat employees, smashed glass doors, broke equipment, and fired tear gas. The same day, the Minister of Information and President Musharraf issued a statement condemning the incident. The government suspended 14 low-ranking officers.

On May 18, two unidentified men assaulted and beat South Asia News Agency editor in chief Shakeel Ahmed Turabi in Islamabad. Turabi reported that the men warned him against antigovernment coverage of the Supreme Court chief justice crisis. Before the incident, Turabi had written an article contesting the government's claim that policemen—not plainclothes intelligence officials—had manhandled the chief justice. Police registered a case against the unknown assailants, but by year's end no arrests had been made.

On September 10, two television journalists covering former Prime Minister Nawaz Sharif's return to the country claimed that security personnel at the Islamabad airport severely beat them and used unnecessary force against other journalists at the scene.

On September 14, an unidentified man beat Turabi's 14-year-old son, Hassan Sharjil, in Islamabad after he was dropped off at school. Hassan suffered injuries to his head and back and was hospitalized. According to the Committee to Protect Journalists (CPJ), the man told Hassan, "We warned your father to stop writing lies, but he wouldn't listen. This will teach him a lesson." By year's end, no arrests had been made.

In February police released Mehruddin Mari, a reporter for the Sindhi-language newspaper the Daily Kawish, without charge. Police had arrested Mari in July 2006 after he reported on human rights abuses at a police roadblock near Golarchi in southern Sindh.

There were no developments in the investigation of the September 2006 murder of journalist Maqbool Hussain Siyal in Dera Ismail Khan. Siyal worked for the Pakistani Online News Network and was on his way to interview a leader of the PPP. The CPJ was investigating whether Siyal's death was related to his work as a journalist.

There were no developments in the March 2006 Mukhesh Rupeta or Sanjay Kumar cases or the 2005 Hayatullah Khan case.

Newspapers frequently criticized the government, political leaders, and military operations. However, media outlets that did not self-censor were at times the targets of retribution and censorship.

Pakistan's Electronic Media Regulatory Agency (PEMRA) intervened a number of times during the year to restrict news broadcasts critical of the government, particularly after the chief justice's suspension in March.

On April 23, PEMRA served a show-cause notice to Aaj TV for airing news, talk shows, and other programs on the judicial crisis and threatened it with closure. PEMRA also warned all private TV channels not to air programs damaging the "integrity of the armed forces of Pakistan."

In May PEMRA used a recently promulgated presidential order to issue notices to all private TV channels to stop live news coverage. The notices authorized live transmissions only from stations with appropriate licenses. Later, the Federal Ministry of Information, Broadcasting, and Media Development merged PEMRA into the ministry to "monitor the usage of derogatory language against the army and government institutions," according to then-information minister Mohammed Durrani. Channel owners protested the decision and the Executive Body of the Private Channels called on the minister to discuss the issue. The live programming ban was reversed in August but reimposed briefly during anti-Musharraf protests on October 5 and during the SOE.

On December 11, PEMRA sent a letter to radio and TV station owners banning them from broadcasting news programs and talk shows live and brandishing the threat of fines, prison sentences, and bans for those stations that broadcast criticism of the government before the elections.

According to RSF, 34 journalists in the southern province of Sindh, of whom 19 worked for the Daily Kawish or the television station KTN, were accused of taking part in the rioting that followed Benazir Bhutto's assassination. At least 10 of the 34 journalists were arrested. According to the PPP, approximately seven were arrested from Kawish during the general crackdown of protesters after the assassination. They were released three days later.

During the year media outlets, journalists, and their families were the targets of attacks and intimidation by political parties and other nongovernmental armed groups.

On January 2, unknown kidnappers abducted Sohail Qalandar, a Peshawar-based journalist and his companion. They were released after 50 days in captivity and told human rights observers that they had been mistreated, malnourished, and drugged. The Khyber Agency Political Agent arrested 44 tribesmen in connection with the kidnapping and subsequently released them after the intervention of a parliamentarian. According to an April media report, one of the men in custody identified the kidnappers, but by year's end, no further arrests had been made.

On January 13, Makhdoom Hashmi, editor of a Sindhi-language newspaper, Daily Nijat, was shot and killed. Hashmi was critical of many local feudal landlords and opposed their political practices. Before his death he claimed he had received threats and that provincial authorities had denied his requests for protection. By year's end no arrests had been made.

On March 6, according to the AHRC, a journalist who had produced a documentary on disappearances in Balochistan was threatened by security services. After local community members protested, police promised to charge the security officer; however, no charges were brought against him.

On May 12, unidentified gunmen attacked, ransacked, and fired on an Aaj television station and its adjacent parking lot in Karachi as the station broadcast violent protests live. The president of the Karachi Union of Journalists blamed the MQM, a member of the ruling coalition, for the attack. MQM officials denied it, claiming the station was caught in the crossfire of competing protesters. On May 22, the MQM Coordination Committee reportedly identified 12 "enemy journalists," including those who covered the May 12 violence.

The Anti-Terrorist Act prohibits the possession or distribution of material designed to foment sectarian hatred or material obtained from banned organizations. As part of the government's crackdown on extremists, the president ordered police to take action against radical publications. There were no reported cases of such crackdowns during the year.

Foreign books must pass government censors before being reprinted. Books and magazines may be imported freely but are subject to censorship for objectionable sexual or religious content.

Obscene literature, a category broadly defined by the government, was subject to seizure. Television stations broadcast dramas and documentaries on previously taboo subjects, including corruption, social privilege, narcotics, violence against women, and female inequality.

Internet Freedom

While there were no reports that the government limited public access to the Internet, it attempted to control some extremist and Baloch separatist Web sites based in the country. Telecommunications authorities claimed there were more than 12 million Internet users in the country, and service existed in nearly all of the country's urban and semiurban areas.

Local sources reported that four Baloch Web sites that advocated an independent Balochistan were banned in April. The government also banned the Web sites belonging to the Red Mosque (Lal Masjid) for distributing extremist propaganda before the July military operation.

Academic Freedom and Cultural Events

The government generally did not restrict academic freedom; however, the atmosphere of violence and intolerance fostered by student organizations, typically tied to political parties, continued to limit academic freedom. On some university campuses in Karachi, well-armed groups of students, most commonly associated with the All Pakistan Mutahidda Students Organization (affiliated with the MQM) and the Islami Jamiat Talaba (affiliated with the JI), clashed with and intimidated other students, instructors, and administrators over issues such as language, syllabus content, examination policies, grades, doctrines, and dress. These groups frequently facilitated cheating on examinations, interfered with the hiring of staff, influenced admissions to the universities, and sometimes also influenced the use of institutional funds. Such influence generally was achieved through a combination of protest rallies, control of the campus media, and threats of mass violence. In response, university authorities banned political activity on many campuses, but with limited effect. The religious party coalition (MMA) government in NWFP banned the use of music in public transportation. Daewoo Bus Service, a major line, shut

down its in-bus movies and music when it crossed the Attock river into NWFP. During the year MMA also directed that billboards not feature women.

The Ministry of Culture operated the Central Film Censor Board, which previewed all foreign and domestic films before exhibit in the country.

There was no government interference on art exhibitions or other musical/cultural activities.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom "to assemble peacefully and without arms subject to any reasonable restrictions imposed by law in the interest of public order," and freedom of association; however, the government did not observe these rights.

The government restricted freedom of assembly during and beyond the 42-day SOE by invoking laws that limit the assembly of groups larger than four without government permission. Following suicide attacks against former prime minister Bhutto and others, the government continued to restrict large gatherings, including political rallies.

Freedom of Assembly

While the law provided for this right, in practice the government placed selective restrictions on the right to assemble and often refused permits for processions in urban areas. Ahmadis have been prohibited from holding any conferences or gatherings since 1984.

Unlike the in previous year, there were no reports that the government permitted banned religious extremist organizations to hold rallies.

Police often used preventive detention and excessive force against demonstrators, members of civil society, political activists, and journalists.

Following the March 9 dismissal of Chief Justice Iftikhar Chaudhry, thousands of lawyers, members of civil society, and political party activists protested nationwide. Protesters in Lahore, Karachi, Islamabad, and smaller cities clashed with police on March 12 and 14. Protesters blocked major thoroughfares and threw rocks at police, who responded with batons, causing many injuries.

On September 20, riot police in Islamabad beat, threw rocks at, and teargassed lawyers and journalists who were protesting the reelection of the president. According to media reports, approximately 60 individuals were injured.

During a Lahore protest over the November 15 arrest of Imran Khan, chairman of the Pakistan Tehrik-e-Insaf party, police allegedly manhandled his party workers, including women. Police arrested 20 female and 34 male protesters but subsequently released them.

On November 20, police attacked a peaceful demonstration of journalists at the Karachi Press Club with tear gas and batons, arrested hundreds of journalists and members of civil society, and injured more than one dozen. The journalists were protesting the imposition of the SOE; all were released within 24 hours on the special executive instructions of the Sindh governor.

On May 12, in preparation for the arrival of then-suspended chief justice Iftikhar Chaudhry, several opposition parties attempted to gather at the Sindh High Court; however, city officials ordered that the roads to the court and the airport be closed, resulting in violence in the streets. Upon arrival at the airport, Chaudhry was warned of the danger and was ultimately prevented from leaving the airport. Reportedly upon orders by the local government, the security forces were prevented from interfering with the street violence, and approximately 40 persons were killed during the riot. The Sindh High Court began an investigation into the incident, but the case was unresolved at year's end.

During the SOE, police and demonstrators frequently clashed around the country. The most notable incidents included the November 5 demonstrations in Islamabad, where police used batons and tear gas against protesters and approximately 100 lawyers were arrested, and in Rawalpindi, where nearly 50 political opposition leaders and 30 lawyers were arrested during home raids by the police.

Freedom of Association

The law provides for the right of association subject to restriction by government ordinance and law. NGOs were required to register with the government under the 1960 Cooperative Societies and Companies Ordinance. No prominent NGO reported problems with the government

over registrations during the year. Some continued to operate without registering and were not prosecuted.

According to a Human Rights Watch (HRW) report on freedom of expression and civil liberties in Azad Kashmir, individuals and political parties who did not support Kashmir's accession to the country were barred from participating in the political process, thus excluding individuals who supported Kashmir's independence. HRW noted that individuals who did not support Kashmir's accession to the country were subject to abuse by the intelligence agencies and the military.

c. Freedom of Religion

The constitution states that adequate provisions shall be made for minorities to profess and practice their religions freely; however, the government limited freedom of religion in practice. Islam is the state religion, and the constitution requires that laws be consistent with Islam. According to the constitution, Shari'a can be applied to a situation that is deemed to be in contradiction to the Koran, and therefore citizens who are normally governed by secular law can be subject to these laws based on these loose criteria. Shari'a is applied in some tribal areas. All citizens were subject to certain provisions of Shari'a and the blasphemy laws. Reprisals and threats of reprisals against suspected converts from Islam occurred. Members of religious minorities were subject to violence and harassment, and police at times refused to prevent such actions or charge persons who committed them, leading to an atmosphere of impunity. The constitution stipulates that the president and the prime minister must be Muslim. The prime minister, federal ministers, and ministers of state, as well as elected members of the Senate and National Assembly (including non-Muslims), must take an oath to "strive to preserve the Islamic ideology," the basis for the creation of Pakistan.

Religious groups must be approved and registered; there were no reports that the government refused to register any group.

The law declares the Ahmadi community, which considers itself a Muslim sect, to be a non-Muslim minority. The law prohibits Ahmadis, who claimed approximately two million adherents, from engaging in any Muslim practices, including using Muslim greetings, referring to their places of worship as mosques, reciting Islamic prayers, and participating in the Hajj or Ramadan fast. Ahmadis were prohibited from proselytizing, holding gatherings, or distributing literature.

Government forms, including passport applications and voter registration documents, require anyone wishing to be listed as a Muslim to denounce the founder of the Ahmadi faith. In 2005 the government reinstated the religion column for machine readable passports. The Ahmadi community claimed that between July 2006 and June 30, 28 Ahmadis faced criminal charges under religious laws or because of their faith.

The penal code calls for the death sentence or life imprisonment for anyone blaspheming the Prophet Muhammad. The law also provides for life imprisonment for desecrating the Koran and up to 10 years in prison for insulting another's religious beliefs with the intent to offend religious feelings. The latter was used only against those who allegedly insulted the Prophet Muhammad. Groups such as the Khateme Nabuwat Movement, which considered anyone who questioned the finality of Prophet Muhammad to be a heretic, were known to insult Ahmadi beliefs; however, the law was not used against them.

On January 27, an Intelligence Bureau district officer ordered the arrest of five Ahmadis, including two minors ages eight and 11, after a teacher discovered the minors carrying an Ahmadi children's magazine, Tashhizul Azhan, in their schoolbags. The case received wide press coverage and the charges were dropped; however, the case was refiled on February 3 against two adults. By year's end no movement on the case had occurred.

On March 1, a retired police officer shot and killed a recent Ahmadi convert in a restaurant in Seerah, Mandi Bahauddin District. The retired officer later surrendered to police and admitted to the killing, claiming the act was justified under Islamic apostasy laws. The trial was ongoing at year's end.

In late October journalist Abdul Dogar was released after agreeing that he would not "indulge in any religious activity against Islam." Dogar was arrested in September 2006 on anti-Ahmadi provisions of the law, maintenance of public order, and the Anti-Terrorism Act.

In the case of human rights lawyer Parvez Aslam Chaudhry, a case was registered in Punjab against the unknown assailant, but no one was arrested. Chaudhry, a prominent human rights lawyer and chairman of the NGO Legal Aid for Destitute and Settlement, was attacked in January 2006 and beaten by extremists who tried to intimidate him because of his work defending blasphemy cases. Chaudhry continued to receive threats while contesting the case of

Shahid Masih, who was charged with burning the Koran in Sangla Hills in September.

In August 2006 police had refused to register a theft case against Shahid Masih and Mohammad Ghaffar and lodged a false case against them for allegedly burning the Koran. On September 11, police arrested Masih after Muhammad Arshad filed a case of blasphemy against him in Faisalabad, charging him with theft of a Koran and its burning. A district court later granted Masih bail.

No one was arrested or charged in the November 2006 attack on an Ismaili place of worship.

Police arrested 20 persons for the February 2006 attacks on the Sindh-based St. Mary's Church, the St. Xavier Church, and the St. Mary's School. Sindh Chief Minister Arbab Ghulam Rahim announced that the state would pay for the costs to reconstruct the damage to the buildings. By year's end the government had paid for the costs to reconstruct the damage.

In May officials released on bail Martha Bibi, a Christian accused of blasphemy. She had been in prison since her arrest in January. She was accused of making derogatory remarks against the Koran, but she claimed the charges originated from Muslim contractors who did not want to pay for materials sold to them by Bibi's husband.

In May authorities arrested Walter Fazal Khan for blasphemy. Walter was an 84-year old Christian accused of burning a Koran. The family claimed he was a victim of Muslim businessmen who wanted to buy land Khan was selling for much lower than the asking price. After his arrest, local religious leaders forced Khan's 86-year-old wife to convert to Islam.

Complaints under the blasphemy laws were used in business or personal disputes to harass religious minorities or other Muslims. Most complaints were filed against the majority Sunni Muslim community. Most blasphemy cases ultimately were dismissed at the appellate level; however, the accused often remained in jail for years awaiting the court's decision. Trial courts were reluctant to release on bail or acquit blasphemy defendants for fear of violence from religious extremist groups. In 2005 the president signed a bill into law revising the complaint process and requiring senior police officials to review such cases in an effort to eliminate spurious charges. However, according to human rights and religious freedom groups, this was not

effective because senior police officers did not have the resources to review these cases. During the year the courts convicted two persons and acquitted two others under the blasphemy laws; 70 cases were ongoing.

There were no legal restrictions on Christian or Hindu places of worship. District nazims had to authorize the construction after they assessed whether a new church or temple was required. All religious minority groups experienced bureaucratic delays and requests for bribes when attempting to build houses of worship or obtain land. According to Jamaat-e-Ahmadiya, Islamabad, the government prevented Ahmadis from building houses of worship.

According to the National Commission for Justice and Peace (NCJP), two churches, three Ahmadi mosques, and one Hindu temple were burned, attacked, or destroyed in different parts of the country, with most occurring in Punjab. The NCJP reported that 51 Ahmadis and 98 Christians faced trials or were in prison on charges for desecrating the Koran. According to the AHRC, there were 13 reported cases of forcible conversion of religious minorities in Punjab and seven in Sindh. Sattar Masih was arrested on April 13 in Kotri, Sindh Province, after being attacked by a mob who accused Masih of writing blasphemous words against the Prophet. A local imam announced that the mosque had found the piece of paper in the donation box and showed the congregation Sattar Masih's photograph and address. He remained incarcerated at year's end.

The Hindu community faced harassment and demands for bribes from security forces. The All Sindh Hindu Panchayat (Sindh Hindu Council) reported that 11 Hindu girls allegedly were forced to convert to Islam in Sindh.

In January 17-year-old Deepa Besham Das from Sindh reportedly was kidnapped and then forcibly converted to Islam by her tutor, Ashraf Khaskheli. No case was filed against Ashraf.

Islamiyyat (Islamic studies) was compulsory for all Muslim students in state-run schools. Students of other faiths were exempt from such classes; however, in practice teachers induced many non-Muslim students to complete Islamic studies.

Societal Abuses and Discrimination

Sectarian violence between Sunni and Shi'a extremists continued during the year, and at least 139 deaths and 142 injuries were attributed to attacks on mosques and religious gatherings. More than 500 persons were killed during the year due to sectarian-related violence, with the majority of the violence (approximately 300 victims) concentrated in Parachinar in the FATA. Shi'as, Christians, and Ahmadis were the targets of religious violence. In April more than 100 Shi'a and Sunnis died and many more were injured in sectarian violence that lasted for two weeks. The fighting began in Parachinar and spread throughout the Kurram Tribal Area. A fragile ceasefire existed at year's end.

On June 17, approximately 40 Muslim men armed with guns, axes, and wooden sticks attacked a Salvation Army church in Faisalabad, injuring seven Christians and one Muslim, according to media reports. The attack reportedly occurred after the Christians refused to cancel an evangelical meeting. After the event, both sides filed complaints with the police. One of the mob leaders later apologized, and both sides withdrew their complaints.

In August Christians and Hindus in NWFP received dozens of letters threatening them with death if they refused to become Muslims. Police provided security around churches and temples. Although the deadline for conversion passed and no one was harmed, the letters created a climate of fear.

In 2005 gunmen killed Arshad Masih and injured seven others while they were worshipping at a church in Lahore. The Punjab government paid compensatory money to the family of Masih and the wounded. No one was arrested.

In the case of Pastor Shamoun Babar, police reportedly arrested a man and a woman in connection with his 2005 killing, but the charges were dropped due to a lack of evidence. At year's end there was an ongoing investigation.

In the 2005 Sangla Hills case, the Punjab government rebuilt the church at the expense of the state, and it resumed its services a month later.

Three suspects were on trial by year's end under the Anti-Terrorist Act for the 2005 attack in Mongh, Mandi Bahauddin District, that killed eight Ahmadis and wounded 14. According to the Ahmadi community, judges feared for their lives if they accepted such cases.

Ahmadi leaders charged that militant Sunni mullahs and their followers sometimes staged marches through the streets of Rabwah, a predominantly Ahmadi town and spiritual center in central Punjab. Backed by crowds of between 100 and 200 persons, the mullahs reportedly denounced Ahmadis and their founder, creating a situation that sometimes led to violence. The Ahmadis claimed that police generally were present during these marches but did not intervene to prevent violence.

The Ahmadi, Christian, Hindu, and Shi'a Muslim communities reported significant discrimination in employment and access to education, including at government institutions.

Although there were few Jewish citizens in the country, anti-Semitic sentiments appeared to be widespread, and the press commonly published anti-Semitic press articles.

For a more detailed discussion, see the 2007 International Religious Freedom Report.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation; however, the government limited them in practice. The government required that foreigners have special permission to enter certain restricted areas, including parts of the FATA and Balochistan.

The law prohibits travel to Israel, although the law was not enforced in practice. Government employees and students must obtain no objection certificates before traveling abroad, although this requirement rarely was enforced against students. Persons on the publicly available Exit Control List (ECL) were prohibited from foreign travel. At year's end there were approximately 913 names on the ECL, according to media reports, a decrease from 3,740 the previous year. According to human rights lawyers, the number of persons on the ECL dropped sharply after the courts took notice of the list. While the ECL was intended to prevent those with pending criminal cases from traveling abroad, no judicial action was required to add a name to the ECL, and it was sometimes used to harass human rights activists or leaders of opposition and nationalist parties. Those on the list had the right to appeal for removal of their name.

The law prohibits forced exile. Former prime minister Nawaz Sharif signed a negotiated agreement with the government to go into exile in 2001 in exchange for avoiding imprisonment related to his conviction on hijacking and corruption charges. Sharif returned to the country on September 10 but was returned to Saudi Arabia. He appealed the deportation to the Supreme Court, which had not ruled on the case before the government allowed Sharif's return on November 25. Benazir Bhutto returned from self-imposed exile on October 18 after reaching a deal with the government prohibiting her prosecution on pending corruption charges.

During the year authorities restricted the domestic movements of opposition political party leaders.

Sindh government officials denied Imran Khan entry at Karachi airport on September 12. Earlier, Khan had stated publicly that MQM leader in exile Altaf Hussain (whose party controlled Karachi) should be held accountable for the outbreak of violence in Karachi on May 12. Khan was arrested on November 14 and released on November 22.

Internally Displaced Persons (IDPs)

According to press reports, there were approximately 1.5 million displaced Kashmiris from Indian-held Kashmir in the country. The law entitles Kashmiris to the same rights as citizens.

In March the Internal Displacement Monitoring Center said that fighting between local and foreign militants had displaced an unknown number of persons in and around Wana, South Waziristan. In July military operations began after a cease-fire breakdown with militants. The ensuing conflict reportedly displaced thousands of persons in North Waziristan, particularly in and around Miramshah and Mir Ali. The fighting continued through the end of the year. According to reported estimates, the total number of the displaced persons ranged from 10,000 to 15,000.

According to the UN office for the Coordination of Humanitarian Officers (OCHA), while there were no accurate numbers of displaced persons in the Swat Valley due to fighting between militants and the government, thousands had been displaced. The majority of these displaced returned after security forces regained control of Swat City and the valley.

According to the provincial Balochistan government, nearly 20,000 persons were displaced because of fighting between the militants and the military in the month of November 2006. Approximately 17,000 returned after the situation normalized, while the remaining 3,000 were considered traditional Baloch gypsies who traveled throughout the winter.

According to the government, approximately 30,000 victims remained displaced from the 2005 earthquake that struck the northern part of the country, displacing 3.3 million.

In 2006 the UN Children's Fund (UNICEF) estimated that approximately 84,000 Baloch civilians were displaced as the result of clashes between government forces and Baloch nationalists. According to AHRC, more than 200,000 individuals migrated to different areas of the country from areas affected by military operations. Newspapers reported many of the displaced lived in substandard conditions with no safe drinking water and no medical help. The media and human rights organizations, including the AHRC and the International Crisis Group, reported that the government prevented access to displaced populations by aid organizations and journalists in Balochistan.

Protection of Refugees

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol; however, the government has a system to protect refugees. The government did not grant refugee status or asylum. In practice, the government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution.

Since 1979 the government has provided temporary protection to millions of refugees from neighboring Afghanistan. According to the UN High Commissioner for Refugees (UNHCR), approximately 2.1 million registered Afghan refugees remained in the country. The government continued to work closely with the UNHCR to provide support to this population. As of mid-October, approximately 346,000 refugees had taken advantage of UNHCR assistance to repatriate, including more than 200,000 who had not been registered officially.

Four Afghan refugee camps were scheduled for closure during the year; however, only one--Kacha Garhi camp in NWFP--closed.

Police in some cases demanded bribes from Afghan refugees. There were credible reports that members of the intelligence services harassed refugees during their search for al Qaeda. Some female refugees who accepted jobs with NGOs reported harassment from Taliban sympathizers in their own community. Refugees faced societal discrimination and abuse from local communities, which resented economic competition, and blamed refugees for high crime rates.

Although refugees did not have access to courts, access to basic health and education services was provided, especially for Afghan refugees. Every refugee who registered with both the UNHCR and the government Commissionerate of Afghan Refugees was granted admission to public education facilities after filing the proper paperwork. Single women, female-headed households, and children working on the streets were particularly vulnerable to abuse, including trafficking.

On September 5, the government of Bangladesh allowed Biharis born after the time of Bangladesh's independence to become Bangladeshi citizens. According to Refugees International, the decision would benefit nearly half of the Bihari population. After the granting of citizenship by Bangladesh, the Biharis were no longer campaigning for citizenship in Pakistan. No reports of violence or discrimination against Biharis were observed during the year.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government; however, this right was restricted in practice. In 1999, General Musharraf overthrew the elected government of Prime Minister Nawaz Sharif in a military coup and was elected president in 2002 in deeply flawed elections. Musharraf was elected to a second term by an electoral college composed of the Senate, National Assembly, and four provincial assemblies on October 6. However, opposition candidates filed several petitions in the Supreme Court regarding his eligibility to hold office while still serving as Chief of Army Staff. Before the Supreme Court ruled, Musharraf issued a Proclamation of Emergency and Provisional Constitution Order (PCO) on November 3 and reconstituted the Supreme Court bench with judges who upheld the PCO. On November 22, the new Supreme Court ruled that the petitions were invalid, and on November 23, the Court ruled that Musharraf was justified in imposing emergency rule. On November 28

and 29, Musharraf retired from the military and took the presidential oath for a second term as a civilian.

Elections and Political Participation

Domestic and international observers found the 2002 national assembly elections, the most recent national elections, and the 2005 local elections, deeply flawed. International and domestic observers identified serious problems in the election framework and found tampering of results, widespread fraud and coerced voting in certain districts.

The 17th amendment to the constitution, promulgated in 2003, affirmed Musharraf's presidency until 2007 and his right to serve concurrently as chief of army staff until the end of 2004. In 2004 the National Assembly, over objections from the opposition parties, approved a bill extending Musharraf's exemption to hold two offices through the end of the year. Opposition parties said the amended constitution legitimized the powerful role of the military in politics and transferred significant powers from the office of the prime minister to the previously ceremonial presidency.

On August 10, the Supreme Court ordered the Election Commission to add 30 million names to the rolls of eligible voters within 30 days and to drop requirements for citizens to produce proof of identity before registering. The order came in response to a petition filed by an opposition political party alleging that millions of voters had been disenfranchised because they were not included in the current draft voter list. The court ordered the commission to increase the rolls by adding names from the 2002 voters list, although previously, opposition parties had proclaimed the 2002 list contained numerous fraudulent entries.

The government permitted all existing political parties to function.

According to the law, the Election Commission is responsible for promulgating an electoral code of conduct to govern campaigning. Opposition parties complained they were not consulted adequately before the code was issued in November; the commission reported that the opposition parties boycotted meetings scheduled to discuss the code. The code does not restrict campaign spending but bans bribing or intimidating voters, false accusations and speeches designed to arouse violence or sectarian conflict, and prohibits government

ministers from combining campaign and official duties. It requires parties to coordinate with security authorities 24 hours before holding a meeting and two days before scheduling a rally. The restriction was enhanced when the Ministry of Interior issued its own restrictions on political rallies in the wake of suicide bombings against Benazir Bhutto and other high-profile leaders.

The Election Commission rejected the nomination papers of both Nawaz Sharif and his brother Shahbaz on the basis that they had been convicted of crimes and were ineligible to run for office.

According to the PPP, they faced increased intimidation following the assassination of Benazir Bhutto on December 27. The PPP reported that 1,627 cases were registered against 510,351 of their activists in one district of Hyderabad.

The government ban on political party activities in the FATA continued. According to the Frontier Crimes Regulation Act, the Political Parties Act does not apply to the FATA, and no political party can legally campaign or operate an office there. Two secular political parties, the Awami National Party and the PPP, complained that this rule was void, since religio-political parties such as Jamiat e Ulema e Islam and Jamaat e Islami openly campaigned in the FATA.

Inhabitants of the northern areas (Gilgit, Hunza, and Baltistan) were not covered under the constitution and had no representation in the federal legislature. An appointed civil servant administered these areas and an elected Northern Areas Council served in an advisory capacity. Members of the Azad Jammu Kashmir assembly and government are required to claim allegiance to Pakistan before they can stand in elections. Some Kashmiri political parties advocating an independent Kashmir were not allowed to stand in elections.

There were 73 women in the 342 seat National Assembly, two women in the federal cabinet, and none on the Supreme Court. Women had 60 reserved seats in the National Assembly. Women also had 128 reserved seats of the 758 seats in provincial assemblies and one-third of the seats in local councils. Provincial chief ministers named women to serve in their cabinets. In some districts social and religious conservatives prevented women from becoming candidates. Women participated in large numbers in elections, although some were dissuaded from voting by their families, religious, and tribal leaders. According to press reports, in Upper Dir and Battagram districts,

NWFP, local community and religious leaders prevented women from voting or holding official office during the 2005 local elections.

The PML-Q and PPP prohibited their local leaders from entering agreements that would prevent women from standing for or voting in the local elections; however, there were reports of a consensus agreement among political leaders in Bannu, NWFP, that women would not be allowed to vote during a March 29 by-election.

On February 20, Molvi Sarwar shot and killed Zill-e-Huma Usman, a female Punjab provincial minister for social welfare. Sarwar later told police that he had objections to Huma's un-Islamic role in society. An antiterrorist court found Sarwar guilty of murder and sentenced him to death.

On May 20, Tourism Minister Nilofer Bakhtiar resigned after weeks of controversy surrounding photographs that showed her hugging her parachute instructor after a charity jump event in France to raise money for victims of the country's 2005 earthquake. In April a group of Muslim clerics issued a fatwa (religious decree) declaring Bakhtiar's behavior un-Islamic and called for President Musharraf to "punish and fire her from the government." Prior to submitting her resignation, Bakhtiar was asked to leave as head of the ruling PML-Q Women's Wing.

There were 10 religious minority members in the 342-seat legislature, one on the former Supreme Court, and one in the cabinet. All minority members of the National Assembly held reserved religious minority seats. Such seats are apportioned to parties based on the percentage of seats each wins in the assembly. Previous direct elections for minority seats were abolished. Under the law, minorities held reserved seats in the provincial assemblies. The government required voters to indicate their religion when registering to vote.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Public perception of corruption was widespread. The Worldwide Governance Indicators of the World Bank reflected that corruption was a severe problem.

The NRO prohibits those convicted of corruption by the NAB from holding political office for 10 years. The NAB disproportionately targeted opposition politicians for prosecution and did not prosecute active duty members of the military; however, the government promulgated a national reconciliation ordinance on October 5 that provided a mechanism for withdrawing cases against some public office holders whose charges were politically motivated. The NRO was challenged both in the Supreme Court and the Sindh High Court. According to media reports in late October, the Federal Minister of Interior, Aftab Ahmed Khan Sherpao, applied at a National Accountability Court in Rawalpindi for amnesty against the corruption cases pending against him, claiming that the cases were outdated and lacked evidence. The government maintained that the NRO was promulgated to promote national harmony and political reconciliation among all political parties. According to the ordinance, no legislator could be arrested by law enforcement organizations, and if charges against a legislator were brought, a parliamentary committee would determine the validity of the charges before the case would proceed or be dismissed. Civil society activists and political observers viewed this measure as creating another privileged class. At year's end the Supreme Court had not ruled on challenges to the NRO.

The Freedom of Information Ordinance is fairly restrictive in defining citizens' entitlement to information. The ordinance's effectiveness was unclear, and there were no reports of citizens using the act to obtain information during the year.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. However, during the SOE, police arrested human rights activists, including the leaders of the HRCP.

On November 4, police raided the HRCP's office in Lahore and arrested approximately 60 human rights activists, including the Chairman of HRCP, I.A. Rahman. All were brought before a judicial magistrate and were sent to Kot Lakpat Jail, Lahore. They were released on November 7.

The government sought NGO technical cooperation, especially from international NGOs, in the fields of women's empowerment, election training, election commission capacity building, and other areas. They were required to be registered, although this requirement was not generally enforced. Human rights groups reported that they generally had good access to police stations and prisons. The HRCP investigated human rights abuses and sponsored discussions on human rights issues during the year.

According to OCHA, 16 NGOs suspended operations in the quake-hit area of Battagram after militants attacked the local Strengthening Participatory Organization's office, injuring eight staff members.

International observers were permitted to visit the country. The government generally cooperated with international governmental human rights organizations. However, following the SOE, international NGOs faced greater difficulties in receiving visas.

The Senate and National Assembly Standing Committees on Law, Justice, and Human Rights held hearings on a number of issues, including honor crimes, police abuse of the blasphemy law, and the Hudood Ordinance. While the committees served as useful fora to raise public awareness of such issues, their final actions generally adhered to government policy. The Parliamentarians' Commission for Human Rights, an interparty caucus of parliamentarians, lobbied effectively for reform in key areas. The proposed National Human Rights Commission remained stalled between the Ministry of Law and Justice and the Speaker's Secretariat. The issue was not resolved before the National Assembly ended its current session.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law provides for equality for all citizens and broadly prohibits discrimination based on race, religion, caste, residence, or place of birth; in practice, however, there was significant discrimination based on each of these factors.

Women

Rape, other than by one's spouse, is a criminal offense. One cannot be prosecuted for marital rape or for rape in cases where a marriage between the perpetrator and victim has been contracted but not solemnized. Although rape was frequent, prosecutions were rare. It

was estimated that victims reported less than one-third of rape cases to the police.

There were no reliable statistics on rape, but the AHRC believed that 3,000 rapes occurred during the year. The NGO Women Against Rape estimated that the 217 rape cases reported in the media represented less than 5 percent of actual incidents that occurred in Karachi.

The punishment for rape can include the death penalty or 10 to 25 years in prison and a fine. The penalty for gang rape is the death penalty or life imprisonment; however, sentences were usually much lower.

Police were at times implicated in rape cases. Police often abused or threatened the victim, telling her to drop the case, especially when bribed by the accused. Police requested bribes from some victims prior to lodging rape charges, and investigations were often superficial. Medical personnel were generally untrained in collection of rape evidence. Women accused of adultery or fornication were forced to submit to medical exams against their will, although the law requires their consent.

According to local sources, no woman has been charged of adultery or fornication if she appeared before a court under these charges after the passage of the Women Protection Bill. Families and tribes at times killed rape victims or encouraged them to commit suicide.

In December 2006 Parliament passed the Women's Protection Bill. The bill reversed the most negative aspects of the Hudood Ordinances, which contained provisions for the punishment for rape and adultery and was generally used by family members to control their children's marriage choices, by abusive husbands to control their wives, or by neighbors to settle personal scores. The new law brought the crime of rape under the jurisdiction of criminal rather than Islamic courts. While sex outside a marriage remained a crime, police lost the authority to investigate such claims under the new law, implementation of which was a problem because of the lack of training of police and lack of awareness of the bill's technicalities. After the passage of the law, police were not allowed to arrest or hold a woman overnight at a police station without the permission of a civil court judge.

In February a judge in Rawalpindi dismissed a fornication case against a couple who were arrested in a police raid on a home. The judge

ruled that the Women's Protection Law did not allow such raids to occur unless directed by a judge.

After the passage of the Women's Protection Bill, all cases against women were cited under it and not the Hudood Ordinances.

In an attempt to bypass difficulties rape victims faced at police stations, a provision in the Women's Protection Bill called for a sessions judge to hear all rape complaints. Women's rights NGOs complained, however, that the new law introduced barriers to rape victims who did not have the money or access to the courts and reported that some police stations no longer would record rape complaints because of the new law.

On January 10, four men allegedly raped a 17-year-old girl in Shadara Town, Lahore. After police reportedly refused to register the family's complaint, local human rights organizations complained to the Punjab chief minister's office. The chief minister reportedly offered financial assistance to the family and ordered that the police station house officer be dismissed. By year's end no arrests had been made.

On January 27, 11 men reportedly gang-raped 16-year-old Nasima Labano and forced her to walk around the village naked in Habib Labano, Sindh. The rape was punishment because Nasima's male cousin had been seen with a woman from the same tribe as the men who raped Nasima. Police initially refused to register the case but did so after female legislators and the HRCP intervened. The girl became pregnant as a result of the rapes and was rejected by her community. Police arrested six of the suspects in March and two more in July. At year's end the case was ongoing in an antiterrorism court in Hyderabad.

After the Lahore High Court overturned the conviction and death sentence of five of the six persons convicted in the gang rape of Mukhtar Mai and commuted the sixth to 25 years in prison, the Supreme Court assumed jurisdiction of the case. In 2005 the court ordered the five convicted to be rearrested and held without bail. Mai was living in her village with police escort, and her alleged rapists were in prison. Mai's appeal was under process in the Supreme Court.

There were no developments in the 2005 rape case of Shazia Khalid at the Sui gas field in Balochistan. Baloch nationalists claimed she was raped by Frontier Corps personnel; the government claimed DNA evidence indicated otherwise. Khalid was condemned to death by a

tribal jirga for dishonoring the tribe. She and her husband left the country in 2005. According to human rights organizations, the government pressured Khalid to leave the country.

Domestic violence was a widespread and serious problem. Husbands reportedly beat, and occasionally killed, their wives. Married women were at times abused and harassed by their in-laws. Dowry and family related disputes often resulted in death or disfigurement through burning or acid.

According to an HRCP report in August, 82 percent of wives in rural Punjab feared violence from their husbands over minor matters and 52 percent of wives in most developed urban areas admitted to being beaten by their husbands. By November there were 34 reported cases of "stove deaths"--incidents in which women are doused in kerosene and lit on fire. Many of the cases related to disputes with in-laws. According to the Progressive Women's Association, it had become increasingly difficult to compile statistics on acid burn victims, as many hospitals no longer accepted them.

The National Commission on the Status of Women advocated on behalf of specific domestic violence legislation. In the absence of a specific domestic violence law, abusers may be charged with assault, but cases rarely were filed. Police and judges were reluctant to take action in domestic violence cases, viewing it as a family problem. Abused women usually were returned to their abusive family members. Women were reluctant to pursue charges because of the stigma attached to divorce and their economic and psychological dependence on relatives. Relatives were reluctant to report abuse for fear of dishonoring the family.

On February 3, a man set his 21-year-old wife on fire with the assistance of his two brothers in Rawalpindi. Police responded to her screams and arrested her husband and one brother in connection with the crime. The second brother reportedly fled to Dubai. The woman suffered burns to 90 percent of her body and died on February 8. A murder case was registered against the husband and the brother, and at year's end the case was being processed in Rawalpindi District Court. According to the Progressive Women's Association, the family of the victim was socially pressured to withdraw the charges in exchange for blood money, but they refused.

The government operated Crisis Centers for Women in Distress, which referred abused women to NGOs for assistance. There were 276

district-run emergency centers for women in distress providing shelter, access to medical treatment, limited legal representation, and some vocational training. In some cases, women were abused in the shelters. There were three NGO-run shelters, one each in Islamabad, Lahore and Karachi.

Honor killings and mutilations occurred during the year. Women often were the victims at the hands of their husbands or male relatives. No accurate statistics existed on the number of honor crimes committed during the year; however, according to SHARP, 434 of the 613 recorded honor crimes by mid-year were against women. In 2006 official statistics stated an average of 1,000 persons were murdered each year in the name of honor. Human rights groups believed that such incidents were common in Sindh, in Punjab, and among tribes in Balochistan, NWFP, and FATA.

In 2005 President Musharraf signed a bill into law that provides for additional penalties for all crimes involving honor and criminalizes the practice of giving women in marriage as restitution for crimes. However, human rights groups criticized the legislation because it allows for the victim or the victim's heirs to negotiate physical or monetary restitution with the perpetrator of the crime in exchange for dropping charges. Since honor crimes generally occurred within families, perpetrators were able to negotiate nominal payments and avoid more serious punishment.

Religious militants in the tribal areas and settled areas of the NWFP attacked and harassed women during the year. They threatened girls' schools, ordered women to wear conservative Islamic dress, and committed murder, according to press reports.

On September 7, unidentified assailants beheaded two women, Meena and Maliki, in the northwestern part of the country. The women's bodies were found on the outskirts of Bannu, near the Afghan border, a day after their abduction. A note left with the corpses accused the women of being involved in prostitution with the support of local officials and warned women like them that they would be punished in the same way. There were no developments in the September 2006 fatal shooting of Shahida Bibi by her husband in Kohi Barmol village, Mardan District, NWFP. There were no developments in the October 2006 murder of Ms. Zadi and Barocho Shambani by Shambani's stepbrother, who suspected that the two were having an affair and declared them "karo kari" (adulterers). There were no developments in the November 2006 murder of Fahmida Shar and her alleged lover,

Anwar Ali, by Shar's father, who confessed to the crime. There were no developments in the November 2006 killing of Mohammad Ayub Mahar's three daughters and his daughter-in-law, Safia Mahar, in the Abdoo village in Shikarpur District, for allegedly having illicit affairs with other men.

Nazir Ahmed of Multan was convicted and sentenced to death for the 2005 murder of his step-daughter and his three young daughters in the name of his family's honor.

Despite laws barring child marriages, there was evidence that many took place. In March the Family Planning Association of Pakistan estimated that 32 percent of marriages in the country are child marriages. They cited poverty, tradition and the low status of women as reasons for the practice. At a July human rights seminar in Islamabad, participants noted that a 12-year-old girl could be purchased for 90,000 to 200,000 rupees (\$1,500 –\$3,500) in parts of Sindh and NWFP.

Despite bans on the handing over of women as compensation for crimes committed by rival tribes (also known as vani or swara), the practice continued in Punjab and NWFP.

Parliament outlawed forced marriages in February; however, implementation of the law remained a problem. According to the Progressive Women's Association, in April, Ruqqiya Bibi was forced to marry against her will to a man twice her age in the district of Jhelum in Punjab. Shortly after the marriage ceremony, Ruqqiya escaped from her home and reported the case to a women's police station in Islamabad. She was sent to a government-run shelter, and a case was registered against the family member who formed the forced union. The family member was later pardoned in July by the complainant. Ruqqiya did not return to her home.

On July 9, according to the HRCP, a mentally ill 15-year-old girl was kidnapped and forced to marry Allah Wasayo. The girl's father lodged a complaint, and the case was ongoing at year's end.

The World Bank released a study in February indicating that approximately one third of marriages in rural areas were "watta satta," or exchange marriages in which men marry each other's sisters. The study indicated that the reciprocal nature of the practice provided some measure of protection for women. According to the study, "women in watta satta marriages have substantially and significantly

lower probabilities of marital estrangement, domestic abuse, and major depressive episodes." However, human rights groups such as HRCP criticized the practice, noting "these marriages treat women as a commodity, and tension within one household also affects the other. Sometimes women simply suffer in silence to avoid their brother's marriage being affected."

In rural Sindh landowning families continued the practice of "Koranic marriages" in an effort to avoid division of property. Property of women married to the Koran remains under the legal control of their father or eldest brother, and such women are prohibited from contact with any male over 14 years of age. These women were expected to stay in the home and not maintain contact with anyone outside of their family.

The estimated 100,000 Bohra Muslims practiced female genital mutilation (FGM), which was prohibited by law. While no statistics on the current prevalence of FGM among the Bohras existed, the practice reportedly declined.

Prostitution was not legal. Most prostitutes were victims of either domestic or international trafficking and were held against their will. Police generally ignored the activity as long as they were bribed. Police raided brothels during the year but many continued to operate underground, particularly in larger cities. Trafficking in women for sexual exploitation was a problem.

Sexual harassment was a widespread problem. There was no law to protect women at the workplace. Press reports indicated that harassment was especially high among domestic workers and nurses. While the Penal Code prohibits harassment, prosecution was rare.

The law prohibits discrimination on the basis of sex; however, in practice this provision was not enforced. Women faced discrimination in family law, property law, and in the judicial system.

Family law provides protections for women in cases of divorce, including requirements for maintenance, and lays out clear guidelines for custody of minor children and their maintenance. Many women were unaware of these legal protections or unable to obtain legal counsel to enforce them. Divorced women often were left with no means of support and were ostracized by their families. While prohibited by law, the practice of buying and selling brides continued

in rural areas. Women are legally free to marry without family consent, but women who did so were often ostracized or were the victims of honor crimes.

Inheritance law discriminates against women. Female children are entitled to only half the inheritance of male children. Wives inherit only one-eighth of their husband's estate. Women often received far less than their legal inheritance entitlement.

Women faced significant discrimination in employment and were frequently paid less than men for similar work. In many rural areas of the country, strong societal pressure prevented women from working outside the home. Some tribes continued the traditional practice of sequestering women from all contact with males other than relatives.

Numerous women's rights NGOs such as the Progressive Women's Association, Struggle for Change, and Aurat Foundation were active in urban areas. Their primary concerns included domestic violence, the Hudood Ordinance, and honor crimes.

Children

The government made some progress during the year in defending children's rights and welfare through its laws and programs, but problems remained. Juveniles accused of terrorism or narcotics offenses were not protected under the Juvenile Justice System Ordinance. The Society for the Protection of the Rights of the Child (SPARC) reported that children as young as 12 have been arrested under the Anti-Terrorism Act. Children convicted under this act were subject to the death penalty.

Local laws do not mandate free public education, and schools generally charge tuition. While some state governments such as Punjab passed laws requiring free public education, many public schools continued to charge tuition and fees for books, supplies, and uniforms. Public schools, particularly beyond the primary grades, were not available in many rural areas, leading parents to use the parallel private Islamic school, the madrassa system. In urban areas many parents sent children to private schools due to the lack of facilities and poor quality of education offered by the public system.

According to UNICEF, 56 percent of primary school-age children were in school, although school enrollment rates dropped to 31 percent for boys and 23 percent for girls by the time children reached secondary

school. The national literacy rate of 50 percent showed a significant gap between males (64 percent) and females (35 percent) due to historical and societal discrimination against educating girls. In the FATA, literacy rates were significantly lower, with literacy rates for females as low as 3 percent compared to the overall rate of 17 percent. While anecdotal evidence suggested increasing female participation in education, such discrimination continued, particularly in rural areas.

Madrassas, which fall under the Ministry of Religious Affairs rather than the Ministry of Education, served as an alternative to the public school system in many areas. Many madrassas failed to provide an adequate education, focusing solely on Islamic studies. Graduates were often unable to find employment. Some madrassas reportedly continued to teach religious extremism and violence. The government continued its efforts to modernize madrassa education during the year. In 2005 an agreement was reached with the country's five independent madrassa boards to register the 85 percent of madrassas under their control and to introduce a modern educational curriculum in those madrassas that were registered. At year's end approximately 10,000 of the estimated 15,000 madrassas were registered.

At the vast majority of madrassas, students were well treated. However, press reports claimed that there were madrassas, primarily in isolated parts of NWFP and interior Sindh, where children were confined illegally, kept in unhealthy conditions, and physically or sexually abused.

Child health care services remained seriously inadequate. According to the National Institute of Child Health Care, more than 70 percent of deaths between birth and the age of five years were caused by easily preventable ailments such as diarrhea and malnutrition. While boys and girls had equal access to government facilities, families were more likely to seek medical assistance for boys. There were 919 hospitals and 4,632 dispensaries in the country. In addition, there were 907 maternity/child welfare centers.

Child abuse was widespread. According to child rights NGOs, abuse was most common within families. NGOs that monitor child abuse reported there were 2,650 cases of child abuse (70 percent female and 30 percent male) during the year. In rural areas, poor parents sold children as bonded laborers, and daughters were sometimes sold into marriage. The legal age of marriage is 18 for males and 16 for females. There are no provisions to allow marriages at a lower age

with parental consent. No credible statistics were available on the frequency of child marriage, but NGOs agreed that it was a problem, especially in the Dir and Swat districts of the NWFP, where the sale or trading into marriage of girls as young as 11 reportedly was common practice among the Pashtun subtribes as acts of retribution and to settle scores between tribes.

Trafficking and commercial sexual exploitation were problems. According to SAHIL, an NGO that focuses on child sexual exploitation, sexual exploitation of children without the intervention of a third party was rare.

Child labor was a significant problem.

NGOs such as Sahil, SPARC, and Rozan worked on child labor, child sexual abuse, and child trafficking. NGOs played an important role in providing counseling and medical services to victims and in raising awareness of these problems. SPARC estimated that approximately 125,000 children lived on the streets in urban cities. Many were runaways from the interior of Punjab and Sindh provinces or were Afghan refugees.

There were reports during the year that religious militants forcibly recruited child soldiers. The BBC reported that children as young as 11 were kidnapped by pro-Taliban militants in Tank and Dir. Children as young as 12 reportedly were being trained as suicide bombers.

On March 28, police and Taliban militants clashed in Tank after officials at a boy's high school resisted militants' efforts to recruit students from the school. According to press reports, the militants later kidnapped the principal, whom they suspected of alerting the police, and attacked Tank. The ensuing clash reportedly left 25 militants and one paramilitary officer dead.

Trafficking in Persons

The law prohibits international trafficking in persons but remains silent on internal trafficking; however, both forms of trafficking were serious problems. All forms of international trafficking are prohibited under the Prevention and Control of Human Trafficking, Ordinance 2002, and maximum penalties range from seven to 14 years' imprisonment plus fines. The Federal Investigation Agency's (FIA) antitrafficking unit had primary responsibility for combating trafficking. An interministerial committee on human trafficking and smuggling coordinated federal

efforts. The government assisted other countries with international investigations of trafficking.

FIA increased its efforts to stop human smugglers and traffickers. Approximately 1,550 cases were registered during the year; however, this included figures for smuggling since the FIA did not distinguish between trafficking and smuggling. During the year a total of 9,089 persons were prevented from leaving the country on fake papers and via other illegal means/routes. The FIA arrested 137 "agents" who were involved in false attempts to send these individuals abroad. The FIA also issued a "red book" that included the names and addresses of the agents who either had gone underground or absconded. While journalists and officials could see it, it was not available to the public at large.

Although no accurate statistics on trafficking existed, the country was a source, transit, and destination country for trafficked persons. Women and girls were trafficked from Bangladesh, Afghanistan, Iran, Burma, Nepal, and Central Asia for forced commercial sexual exploitation and bonded labor in the country based on deceptive promises of legitimate jobs. The NGO Ansar Burney Welfare Trust estimated that approximately 250,000 Bangladeshi women and 250,000 Burmese women were trafficked into the country and forced to engage in prostitution. In a similar fashion, men and women were trafficked from the country to the Middle East to work as bonded laborers or in domestic servitude. Upon arrival, traffickers and employers confiscated both groups' passports and forced them to work to pay off their transportation debt.

In 2005 the United Arab Emirates (UAE) banned the use of children as camel jockeys and signed agreements with UNICEF and major source countries, including Pakistan, to provide a mechanism for restoration and rehabilitation for victims. NGOs had unconfirmed reports that children from impoverished districts of the southern Punjab and interior Sindh continued to be recruited as camel jockeys. UNICEF reported that by June, 695 former camel jockeys returned to the country.

Women and children from rural areas were trafficked internally to urban centers for commercial sexual exploitation and labor. Bonded labor of children in brick kilns, rice mills, and textile factories remained a serious issue. In some cases families sold these victims into servitude or believed they were marrying off their children or sending them for legitimate employment, while in other cases they were

kidnapped. Women were trafficked from East Asian countries and Bangladesh to the Middle East via the country. Traffickers bribed police and immigration officials to facilitate passage. During the year authorities reportedly prosecuted governmental officers and arrested FIA inspectors for facilitating trafficking. According to an Islamabad based NGO, 27 officials of the FIA were punished under departmental laws.

On July 22, police in Swat, NWFP, raided a brothel and recovered seven women and a 13-year-old girl. The girl's father reportedly sold her for approximately \$660 (40,000 rupees) to a woman who brought her from Peshawar to Swat. The investigation revealed that the woman had obtained a false marriage certificate for the girl and forced her to work in the brothel. The investigation also revealed that after the raid, a police constable had pressured the girl to falsify a statement to a medical officer. The police dismissed the constable and sentenced her to three months in prison. According to SPARC, in August the chief justice of Peshawar High Court, Tariq Pervaz Khan, ordered a full investigation. The report was submitted to the court on August 13, and the owner of the brothel was subsequently arrested. The case concluded in November with the female constable being dismissed from service; the brothel owner served his term, and the victim's father was arrested and sent to jail for selling his daughter.

The government rescued some kidnapped victims. The Overseas Pakistani Foundation and the Ansar Burney Welfare Trust repatriated nearly 17 camel jockeys from the UAE and Qatar. In 2005 the central government opened one model shelter specifically for trafficking victims. There were 276 additional district-run emergency centers for women in distress where trafficking victims could be sheltered and given access to medical treatment, limited legal representation, and some vocational training. The government provided temporary residence status to foreign trafficking victims. The FIA and the International Organization for Migration held training and seminars on trafficking for government officials and NGOs during the year. Very few NGOs dealt specifically with trafficking; however, many local and provincial NGOs provided shelter to victims of trafficking and those at risk for trafficking.

Foreign victims, particularly Bangladeshis, faced difficulties in obtaining repatriation to their home countries. Women trafficked abroad and sexually exploited faced societal discrimination upon their repatriation.

The owner of a Khanpur brothel, Gul Sher, was in prison for five years for falsely marrying Aisha Parveen and forcing her into prostitution.

Several NGOs held workshops on trafficking during the year, and the government and NGOs worked to publicize the plight of camel jockeys through press campaigns to discourage the continuation of the practice.

Persons with Disabilities

The law does not discriminate against persons with disabilities; there are employment quotas at both federal and provincial levels. The government has not enacted legislation or otherwise mandated access to buildings or government services for persons with disabilities. Families cared for the vast majority of persons with physical and mental disabilities. However, in some cases these individuals were forced into begging, and organized criminals took much of the proceeds. The law requires public and private organizations to reserve at least 2 percent of their jobs for qualified persons with disabilities.

Organizations that do not wish to hire persons with disabilities instead can give a certain amount of money to the government treasury, which uses funds for persons with disabilities. This obligation was rarely enforced. The National Council for the Rehabilitation of the Disabled provided some job placement and loan facilities as well as a degree of subsistence funding. The Council also operated the "Pakistan Society for the Rehabilitation of the Disabled" which provided rehabilitation, vocational training and some medical support to the disabled.

There are no restrictions on the rights of the disabled to vote or participate in civil affairs.

Other Societal Abuses and Discrimination

Homosexual intercourse is a criminal offense; however, the government rarely prosecuted cases. Homosexuals rarely revealed their sexual orientation, and there were no cases brought during the year of discrimination on the basis of sexual orientation.

According to a December 7 report by OCHA, health experts estimate there were 85,000 HIV-positive persons in the country, with approximately 50 percent of them in Sindh Province. The report stated that "entrenched age-old social attitudes, practices, and stereotyping,

which often lead to violence against women, coupled with unequal access to economic resources, are hampering progress towards dealing with the spread of HIV/AIDS."

In cooperation with donors and the UN, the government established the National AIDS Control Program (NACP), which managed an aggressive campaign to educate its citizens regarding AIDS. NACP held rallies, public campaigns and spoke about birth control and AIDS awareness in mosques. Those suffering from HIV/AIDS faced broad societal discrimination.

The Shi'a, Christian, Hindu, and Ahmadi communities faced discrimination and societal violence. The government removed religiously sensitive material on religious differences and on how to worship from new text books. Other religions can opt out of these readings and read the more generic "Book of Ethics."

Section 6 Worker Rights

a. The Right of Association

The Industrial Relations Ordinance (IRO) provides industrial workers a limited right to form trade unions. The IRO allows only one union to serve as the collective bargaining agent within a given establishment, group of establishments, or industry. In cases where more than one union exists, the IRO establishes a secret balloting procedure to determine which union shall be registered as agent. Agricultural workers, nonprofit workers, and teachers, among others, are not afforded the right to unionize. According to government estimates, union members were approximately 10 percent of the industrial labor force and 3 percent of the total estimated work force; however, unions claimed that the government underestimated the number of union members. The large number of workers in the informal sector (70 percent of a total labor force of 51 million) was not represented by unions.

The August 2006 ban by the Sindh Registrar of Trade Unions on the Karachi Shipyard and Engineering Works remained in place. Union representatives challenged the ban's legality in the Sindh High Court on August 2. The case was pending at year's end.

On November 5, Liaqat Ali Shah was arrested in Karachi along with four other labor and political leaders. They were charged for violating Clause 144 that prohibits the assembly of more than four persons.

Police confiscated their pamphlets, which criticized the involvement of the army in political matters. Authorities released the five in late November.

b. The Right to Organize and Bargain Collectively

A few sectors are exempted from the IRO: the police, armed forces, ministry of defense, Pakistan Security Printing Corporation, civil defense, fire services, and oil installations. The Essential Services Maintenance Act (ESMA), which applies to the security forces, most of the civil service, health care workers, and safety and security personnel at petroleum companies, airports, and seaports, was often invoked to limit or ban strikes or curtail collective bargaining rights. In the rest of the economy, the government allowed unions to conduct their activities without interference, except for those employees within the Export Processing Zones (EPZs). The IRO protects the right to collective bargaining, subject to restrictions, but limits the right of unions to strike.

Legally required conciliation proceedings and cooling off periods constrain the right to strike, as does the government's authority to end any strike that may cause "serious hardship to the community," prejudice the national interest, or has continued for 30 days. The government can and has prohibited all strikes by public utility services under the IRO. The law prohibits employers from seeking retribution against leaders of a legal strike and stipulates fines for offenders. The law does not protect leaders of illegal strikes.

In September during a union strike at the Unilever factory, police arrested the president of the Federation of Food, Beverages & Tobacco Workers union in Punjab on charges of disrupting the public order, threatening management, and coercing the workforce not to work. By year's end Unilever had fired approximately 350 employees and deployed the police to end the strike.

In late December 2006 the Pakistan Railways Stationmasters and Assistant Stationmasters formed a strike. The matter was amicably resolved in January, and the railways department increased the members' grades and salaries.

National labor laws require the government to determine every six months whether collective bargaining is to be allowed. In cases where collective bargaining was prohibited, special wage boards decided wage levels. Such boards were established at the provincial level and

were composed of representatives from industry, labor, and the provincial labor ministry. Unions generally were dissatisfied with the boards' findings. Disputes were adjudicated before the National Industrial Relations Commission.

The estimated 12,500 employees working in the country's three EPZs are exempt by the ESMA from the protection and right to form trade unions provided by the IRO. The EPZ Authority drafts labor laws within the EPZs.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or bonded labor, including by children; however, the government did not enforce these prohibitions effectively, and there were reports that such practices occurred. The Bonded Labor System Abolition Act outlaws bonded labor, cancels all existing bonded debts, and forbids lawsuits for the recovery of such debts. The act makes bonded labor by children punishable by up to five years in prison and up to \$825 (50,000 rupees) in fines.

Estimates by NGOs SPARC and SHARP suggested that between 1.5 and 2 million persons were involved in some form of bonded labor, primarily in Sindh Province. Bonded labor was most common in the brick, glass, carpet, and fishing industries. In rural areas, particularly in the Tharparkar District of Sindh, bonded labor in the agricultural and construction sectors was fairly widespread. A large proportion of bonded laborers were low caste Hindus, or Muslim and Christian descendants of low caste Hindus.

Bonded laborers often were unable to determine when their debts were fully paid. Those who escaped frequently faced retaliation from former employers. Some bonded laborers returned to their former status after being freed due to a lack of alternative livelihoods. Although the police arrested violators of the law against bonded labor, many such individuals bribed the police to release them. Human rights groups reported that landlords in rural Sindh maintained as many as 50 private jails housing approximately 4,500 bonded laborers. Ties between such landlords and influential politicians hampered effective elimination of bonded labor.

On January 26, the Lahore High Court in Rawalpindi freed 21 former bonded laborers, including women and children. They had been held captive in a bonded labor camp in Rawalpindi. Police registered the case against the owner of the brick kiln, Malik Yaqub, but he fled. The

victims, who had been held for the last year, reported that Yaqub was violent in his dealings with the laborers.

On February 22, the Lahore High Court in Rawalpindi recovered 40 bonded laborers, including women, children, and elderly persons, from a brick kiln in Loi Bhair, near Rawalpindi.

On November 22, the HRCRP intervened to recover 30 bonded laborers who had not been given their share of the crop for the past year by local landlord Lalo Baloch.

Children were forced to work in the brick kiln and carpet weaving industries as well as agriculture tied to their family's obligation to their feudal overlord.

d. Prohibition of Child Labor and Minimum Age for Employment

The government adopted laws and promulgated policies to protect children from exploitation in the workplace; however, enforcement of child labor laws was lax, and child labor was a serious problem. According to HRCRP, there were approximately 10 million child laborers. The media reported that 70 percent of non-agricultural child labor took place in very small workshops, complicating efforts to enforce child labor laws as, by law, inspectors may not inspect facilities that employ fewer than 10 persons. Child labor in agriculture and domestic work was common. In 2001 the Ministry of Labor identified 35 hazardous forms of child labor, including street vending, surgical instrument manufacturing, deep sea fishing, leather manufacturing, brick making, production of soccer balls, and carpet weaving, among others.

The Employment of Children Act prohibits the employment of children under age 14 years in factories, mines, and other hazardous occupations and regulates their conditions of work. For example, no child is allowed to work overtime or at night and should be guaranteed one day off per week; however, there were few child labor inspectors in most districts, and the inspectors often had little training, insufficient resources, and were susceptible to corruption.

Authorities obtained hundreds of convictions for violations of child labor laws, but low fines levied by the courts ranging from an average of \$6 (364 rupees) in the NWFP to an average of \$121 (7,344 rupees) in Balochistan were not a significant deterrent. The Employment of Children Act allows for fines of up to \$333 (20,200 rupees). Penalties often were not imposed on those found to be violating child labor laws.

The International Labor Organization-International Program for the Elimination of Child Labor (ILO-IPEC) continued programs in the carpet weaving, surgical instrument, rag-picking, and deep sea fishing industries as well as a Time Bound Program for the Elimination of the Worst Forms of Child Labor. Working with industries and the government, ILO-IPEC used a combination of monitoring, educational access, rehabilitation, and family member employment to transition children out of these industries.

The government cooperated with the ILO and shared part of the cost. A few members of the Ministry of Labor provided technical assistance to ILO in implementing this program.

e. Acceptable Conditions of Work

The national minimum wage for unskilled workers was \$41 (2,500 rupees) per month. It applied only to industrial and commercial establishments employing 50 or more workers. The national minimum wage did not provide a decent standard of living for a worker and family. Significant parts of the work force (such as those in the informal sector, domestics and migrant workers) were not covered. Additional benefits required by the Federal Labor Code include official government holidays, overtime pay, annual and sick leave, health care, education for workers' children, social security, old age benefits, and a worker's welfare fund.

Federal law provides for a maximum workweek of 48 hours (54 hours for seasonal factories) with rest periods during the workday and paid annual holidays. These regulations did not apply to agricultural workers, workers in factories with fewer than 10 employees, domestic workers, and contractors.

Health and safety standards were poor. There was a serious lack of adherence to mine safety and health protocols. For example, mines had only one opening for entry, egress, and ventilation. Workers could not remove themselves from dangerous working conditions without risking loss of employment.

Provincial governments have primary responsibility for enforcing all labor regulations. Enforcement was ineffective due to limited resources, corruption, and inadequate regulatory structures. Many workers were unaware of their rights.