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**Department of Foreign Affairs and Trade**



# **DFAT COUNTRY INFORMATION REPORT PAKISTAN**

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# CONTENTS

<b>ACRONYMS</b>	<b>2</b>
<b>1. PURPOSE AND SCOPE</b>	<b>3</b>
<b>2. BACKGROUND INFORMATION</b>	<b>4</b>
Recent history	4
Demography	4
Economic overview	5
Political System	7
Human Rights Framework	8
Security situation	8
<b>3. REFUGEE CONVENTION CLAIMS</b>	<b>12</b>
Race/Nationality	12
Religion	15
Political Opinion (Actual or imputed)	26
Groups of Interest	28
<b>4. COMPLEMENTARY PROTECTION CLAIMS</b>	<b>33</b>
Arbitrary Deprivation of Life	33
Death Penalty	34
Torture	34
Cruel, Inhuman or Degrading Treatment or Punishment	35
<b>5. OTHER CONSIDERATIONS</b>	<b>36</b>
State Protection	36
Internal Relocation	37
Treatment of Returnees	38
Documentation	39

## ACRONYMS

AJK	Azad Jammu and Kashmir
ANP	Awami National Party
BLA	Baloch Liberation Army
CII	Council of Islamic Ideology
CNIC	Computerised National Identity Card
CRC	Child Registration Certificate
CRSS	Center for Research and Security Studies
ECL	Exit Control List
FATA	Federally Administered Tribal Areas
FCR	Frontier Crimes Regulations
FIR	First Information Report
FRC	Family Registration Certificate
FSC	Federal Sharia Court
HRCP	Human Rights Commission of Pakistan
JeM	Jaish-e Mohammad
JuA	Jamaat-ul-Ahrar
LeJ	Lashkar-e Jhangvi
LGBTI	Lesbian, Gay, Bisexual, Trans and Intersex
MNIC	Manual National Identity Card
MoI	Ministry of the Interior
MoU	Memorandum of Understanding
MQM	Muttahida Qaumi Movement
NADRA	National Database and Registration Authority
NAP	National Action Plan
NICOPs	National Identity Cards for Overseas Pakistanis
PIPS	Pak Institute for Peace Studies
PML-N	Pakistan Muslim League-Nawaz
PPP	Pakistan People's Party
PTI	Pakistan Tehreek-e-Insaf
RSF	Reporters sans Frontieres
SATP	South Asia Terrorism Portal
SMP	Sipah-e-Muhammad Pakistan
SNIC	Smart National Identity Card
SSP/ASWJ	Sipah-e-Sahaba Pakistan/ Ahle Sunnat Wal Jamaat
TTP	Tehreek-e Taliban Pakistan



# 1. PURPOSE AND SCOPE

1.1 This Country Information Report has been prepared by the Department of Foreign Affairs and Trade (DFAT) for protection status determination purposes only. It provides DFAT's best judgment and assessment at time of writing and is distinct from Australian government policy with respect to Pakistan.

1.2 The report provides a general, rather than an exhaustive country overview. It has been prepared with regard to the current caseload for decision-makers in Australia without reference to individual applications for protection visas. The report does not contain policy guidance for decision-makers.

1.3 Ministerial Direction Number 56 of 21 June 2013 under s 499 of the Migration Act 1958 states that:  
Where the Department of Foreign Affairs and Trade has prepared a country information assessment expressly for protection status determination processes, and that assessment is available to the decision-maker, the decision-maker must take into account that assessment, where relevant, in making their decision. The decision-maker is not precluded from considering other relevant information about the country.

1.4 This report is based on DFAT's on-the-ground knowledge and discussions with a range of sources in Pakistan. It takes into account relevant and credible open source reports, including reports from the US State Department, the South Asia Terrorism Portal, the European Asylum Support Office, Freedom House, the Human Rights Commission of Pakistan, Human Rights Watch, Amnesty International, the International Crisis Group, the International Monetary Fund, the United Kingdom Home Office, the UN Office of the High Commissioner for Refugees, the UN Office of the High Commissioner for Human Rights, UNICEF, the UN Development Programme, the World Health Organization and the World Bank. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.

1.5 This updated Country Information Report replaces the previous DFAT Pakistan Country Information Report and the DFAT Thematic Report on Shi'a in Pakistan, released on 15 January 2016.

## 2. BACKGROUND INFORMATION

### RECENT HISTORY

2.1 Pakistan emerged as a Muslim-majority state during partition from India in August 1947. Pakistan and India have fought three wars since partition, including the Indo-Pakistani war of 1971 that led to the separation of then-East Pakistan (now Bangladesh) from Pakistan. Since 1947 the Pakistan military has periodically interrupted civilian rule, most recently in 1999 following a coup by then-Chief of Army Staff, General Pervez Musharraf (see [Political System](#), below).

2.2 Covering an area slightly smaller than New South Wales, Pakistan has borders with India to the east, China to the north, Afghanistan to the north and northwest, Iran to the west and the Arabian Sea to the south. Pakistan is largely desert or semi-desert in its centre, south and west, while the high mountain ranges and their foothills in the north are part of the Great Himalayan chain. The Indus River system, fed by snow from the Himalayas, is the water source for the large irrigated areas of Punjab and Sindh provinces.

2.3 Pakistan is divided into four provinces: Sindh, Punjab, Khyber Pakhtunkhwa (formerly the North-West Frontier province) and Balochistan. The capital, Islamabad, is a special Federal Capital Territory. The federal government also administers seven tribal agencies: Bajaur, Khyber, Mohmand, Kurram, Orakzai, and North and South Waziristan, collectively known as the Federally Administered Tribal Areas (FATA). Pakistan administers approximately one-third of the area of the former princely states of Jammu and Kashmir and Gilgit-Baltistan—also known as the ‘Northern Areas’ of Pakistan—which have a quasi-provincial status and are not represented in the national parliament. These areas have their own elected parliaments and governments.

### DEMOGRAPHY

2.4 The 1998 population census is the latest census in Pakistan for which results are available; the census originally scheduled for 2008 was repeatedly postponed. The results of a census conducted in 2017 are not yet available. The UN Department for Economic and Social Affairs (UN DESA) estimates Pakistan’s population in 2016 to be around 193 million people. The population is young, fast-growing and rapidly urbanising. UN DESA estimates that around 55 per cent of the population is under 25 years of age, and only around 13 per cent are over the age of 50. The sixth-most populous country in the world, Pakistan has an annual population growth rate of around 1.45 per cent. An estimated 20-24 million people live in Karachi, Pakistan’s most populous city.

2.5 Approximately half the population of Pakistan lives in Punjab province, with around 27 per cent living in Sindh, 13 per cent in Khyber Pakhtunkhwa and six per cent in Balochistan. Less than five per cent of the population lives in the FATA and the Northern Areas of Pakistan collectively.

2.6 Pakistan is ethnically and linguistically diverse. Punjabis form the largest ethnic group (45 per cent), followed by Pashtuns (15 per cent), Sindhis (14 per cent) and Seraikis (8 per cent). There are also smaller ethnic groups of Mohajir (Urdu-speaking immigrants from India, 7.5 per cent), Baloch (3.5 per cent), and

Hazara (less than one per cent). Urdu and English both have status as official languages and are the languages of instruction in most schools. However, only around eight per cent of the population speaks Urdu as a first language. While English is the language of business and politics, few Pakistanis speak English as their first language. Punjabi and Serakai (a variant of Punjabi), Sindhi, Pashto, Balochi and Brahui are major regional languages. With the exception of large urban centres, many Pakistanis tend to live in ethnically homogenous communities.

2.7 The Office of the United Nations High Commissioner for Refugees (UNHCR) has repatriated around 4.1 million registered Afghan refugees from Pakistan since 2002. Nonetheless, Pakistan continues to host around 1.45 million registered refugees, predominantly from Afghanistan.

2.8 The Pakistani diaspora is significant, including in Saudi Arabia, India, the United Arab Emirates, the United States and the United Kingdom. According to the United Nations 2015 Migration Report, around six million Pakistanis live outside of Pakistan. Many Pakistanis travel abroad to undertake tertiary education, including to Australia, Sweden, the United Arab Emirates, United Kingdom and United States.

## ECONOMIC OVERVIEW

2.9 The Pakistan government's macroeconomic management has helped to improve growth and reduce inflation in recent years. According to the IMF, annual real GDP growth averaged around 3.7 per cent over the decade to 2016, while annual consumer price inflation fell from a peak of more than 21 per cent in 2008 to 3.2 per cent in 2016. The government's budget deficit decreased from 8.4 per cent of GDP in 2012-13 to 4.3 per cent of GDP in 2015-16, due in part to reductions in power subsidies and improved revenue collection efforts. However, fiscal year 2016-17 has seen macro-economic gains erode with a widening current account deficit, primarily due to a growing trade deficit, and slowing fiscal consolidation. The World Bank, the IMF and credit rating agency Moody's have all warned that economic stability and growth will only be sustainable if Pakistan implements structural economic reform.

2.10 In addition to security concerns, significant structural impediments to faster growth exist, including the prevalence of inefficient state-owned enterprises. Pakistan's business environment is also weak; Pakistan ranked 144<sup>th</sup> out of 190 economies in the World Bank's *Doing Business 2017* report, trailing all South Asian economies except Bangladesh.

2.11 Extreme poverty in Pakistan (defined using the World Bank's poverty line of \$1.90 per day using 2011 price levels) has fallen from around 28.7 per cent of the population in 2001 to 6.1 per cent in 2013 (the latest available data). Over the same period, the number of people living in relative poverty (defined using the World Bank's poverty line of \$3.10 per day in 2011 prices) fell from 70 per cent of the population to 36.9 per cent. The World Bank classifies Pakistan as a lower-middle-income country, with per capita gross national income of around USD 1,440 (calculated using the Atlas method). The United Nations Development Programme ranks Pakistan 147<sup>th</sup> out of 188 countries in its 2016 Human Development Report, adjacent to Kenya (ranked 146<sup>th</sup>) and Swaziland (ranked 148<sup>th</sup>). Pakistan is the lowest-ranked country in the 'medium human development' category, with Swaziland being categorised as a 'low human development' country.

2.12 Corruption in Pakistan is widespread. Transparency International's 2016 Corruption Perceptions Index ranked Pakistan 116<sup>th</sup> out of 176 countries, equal with Mali, Tanzania and Togo. In April 2016, the release of the so-called 'Panama Papers'—leaked documents detailing private financial information of a number of wealthy Pakistanis (including family members of Prime Minister Nawaz Sharif)—received significant attention from Pakistani media and opposition groups. In April 2017 the Supreme Court ordered the formation of a joint investigation team to look into corruption allegations against Prime Minister Sharif's family emerging from the 'Panama Papers', and ordered the Prime Minister to appear before the

investigation. On 28 July 2017, the Supreme Court disqualified the Prime Minister from the National Assembly and ordered a corruption investigation into his and his children's financial dealings.

2.13 According to Pakistan's Minister for Overseas Pakistanis and Human Resources Development, more than 3.4 million Pakistanis moved abroad for employment purposes in the five years to 2015, including around 1.3 million to the United Arab Emirates and 160,000 to Saudi Arabia.

2.14 Overall, DFAT assesses that the low level of development in Pakistan acts as a significant 'push factor' for external migration. Better economic opportunities in large urban centres also encourage internal migration.

## Health

2.15 Healthcare in Pakistan is generally free and accessible to all Pakistanis, but the quality of healthcare often suffers from a lack of funding and limited capacity. The maternal mortality ratio is around 260 per 100,000 live births, one of the highest in the region. The infant mortality rate is around 66 deaths per 1,000 live births, similar to levels seen across sub-Saharan Africa. Life expectancy at birth is around 66 years. Pakistan is one of three countries in the world (with Afghanistan and Nigeria) where transmission of wild poliovirus continues to occur.

2.16 Under the 18<sup>th</sup> Amendment to the Constitution, passed in 2010, provincial governments are responsible for healthcare. Health care services vary between urban and rural areas because of difficulties associated with access and infrastructure in remote locations. While private healthcare providers tend to provide better quality services, access to these services is limited by their higher costs. Many religious (Islamic and Christian) and secular charities also provide emergency relief, education and health services. These groups generally focus on the specific needs of their community or sect.

## Education

2.17 Section 25A of Pakistan's Constitution states that the 'State shall provide free and compulsory education to all children of the age of five to sixteen years'. Under the 18<sup>th</sup> Amendment to the Constitution, provincial governments are responsible for providing education services.

2.18 Education outcomes in Pakistan tend to be poorer than those of other countries in the region. Around 55 per cent of Pakistani adults are literate, compared with around 72 per cent in India and 62 per cent in Bangladesh. An estimated 43 per cent of adult Pakistani women are literate. The net enrolment rate at the primary school level is around 73 per cent, but falls to around 41 per cent at the secondary school level. While tertiary level entrance is generally awarded on merit, some quotas are reserved for students from rural and underdeveloped areas.

2.19 Funding remains a major constraint for Pakistan's education sector. Education opportunities tend to be better in large urban centres than in rural areas. In some cases, private education institutions operate in the absence of public education institutions. Security issues can also hamper educational progress, with militant groups sometimes conducting attacks on schools. One faction of the militant group Tehreek-e Taliban Pakistan (TTP) announced in January 2016 that it would target schools, colleges and universities with violent attacks. The message came two days after militants attacked the Bacha Khan University near Peshawar in Khyber Pakhtunkhwa province, killing 21 people. According to the Federally Administered Tribal Areas (FATA) Secretariat, more than 550 schools have been attacked since 2004 in the FATA alone. For further information on the security situation in Pakistan, see [Security situation](#), below.



2.20 An estimated 18,000-35,000 madrassas (religious schools) operate across Pakistan, and usually serving students from poorer families. The schools are free and many offer free food and shelter. Some of these schools have been accused of promoting radicalisation or being sites for recruitment to terror networks. The government's 20-point National Action Plan (NAP), agreed in the wake of the December 2014 attack on a Peshawar Army public school in which more than 140 people died, strengthens oversight of religious education institutions. Under the NAP, madrassas are required to register, reform their curriculum and increase the transparency of their funding sources. Progress in implementing this part of the NAP has been limited: while some madrassas with alleged links to terrorist organisations have been identified and some clerics arrested, a uniform national registration and regulation process is yet to be established.

## POLITICAL SYSTEM

2.21 The Islamic Republic of Pakistan is a federation comprising four provinces (Balochistan, Punjab, Sindh and Khyber Pakhtunkhwa), the Federally Administered Tribal Areas (FATA), and the Islamabad Capital Territory. Pakistan also exercises *de facto* control over two contested autonomous regions: Gilgit-Baltistan and Azad Jammu and Kashmir (AJK).

2.22 Under the Constitution, the federal bicameral legislature comprises a National Assembly (a 342-member lower house, with members elected for five-year terms) and a Senate (a 104-member upper house indirectly elected for six-year terms). Most National Assembly members are directly elected on a first-past-the-post basis, with 60 seats reserved for women and 10 for non-Muslim minorities. All four provinces have their own elected provincial assemblies and governments.

2.23 The National Assembly elects a prime minister as the head of government. Members of the provincial assemblies and both houses of the federal legislature elect the president as head of state. Following the adoption of the 18<sup>th</sup> Amendment to the Constitution in 2010, the role of the president is largely ceremonial. A chief minister heads each provincial government. Each province has a governor, who is appointed by the president.

2.24 The federal government governs the FATA under a set of customary laws and regulations, including the Frontier Crimes Regulations (FCR), a set of British-era laws enacted in 1901. The FATA is represented in the national legislature. The president has the power to promulgate laws for FATA, and ostensibly manages FATA through his representative, the governor of Khyber Pakhtunkhwa, and through appointed 'political agents'. In practice, the federal government has had little influence in the FATA since independence in 1947. The various regions or 'agencies' of the FATA are effectively administered by traditional tribal decision-making bodies known as *jirga*. The National Action Plan stipulates administrative and development reform for the FATA. In 2017, the federal government gave in-principle approval to merging FATA into Khyber Pakhtunkhwa. The political process has stalled, and the in-principle approval has yet to translate into legislative action.

2.25 The former princely states of Gilgit-Baltistan and AJK are nominally autonomous regions with their own elected parliaments. These regions are not represented in the National Assembly. Control over these autonomous regions is a source of tension between Pakistan and India.

2.26 The most recent general elections in Pakistan were held on 11 May 2013. The Pakistan Muslim League-Nawaz (PML-N) won the elections. Nawaz Sharif became prime minister on 5 June 2013, having previously served two terms as prime minister in the 1990s. Despite militant attacks and some 'procedural shortcomings', domestic observers and the European Union's international observation mission described the elections as demonstrating 'strong democratic commitment'. The elections resulted in the first democratic transition from one elected government to another in Pakistan's history. An orderly leadership transition in the military, with Lieutenant General Qamar Javed Bajwa appointed Chief of Army Staff in late



2016, indicates a growing maturity of democratic governance institutions in Pakistan. Prime Minister Nawaz Sharif resigned on 28 July 2017 after the Supreme Court disqualified him from office over a corruption scandal relating to leaked papers from a law firm in Panama. The National Assembly elected Shahid Abbasi as interim prime minister on 29 July 2017. A general election is scheduled for 2018.

2.27 A broad range of political, ethnic and religious interests is represented in Pakistan's political system. Pakistanis tend to vote more according to ethnic and local or feudal ties rather than ideological, religious or sectarian allegiances. While sectarian issues can play a role in political developments, the sectarian affiliations of individual (Muslim) politicians are often unknown.

## HUMAN RIGHTS FRAMEWORK

2.28 Pakistan has ratified most major international human rights instruments, many provisions of which are enshrined in Pakistan's Constitution. Federal agencies with responsibilities for enforcing human rights include the Ministry for Law, Justice and Human Rights and the Ministry for Religious Affairs and Interfaith Harmony. A number of provincial human rights bodies exist, although these organisations lack powers to recommend compensation or sanction public officials. Pakistan's provinces have faced difficulties in tracking performance against treaty commitments due to lack of relevant data.

### National Commission for Human Rights

2.29 In June 2015, the federal government established the National Commission for Human Rights and appointed Justice (retired) Ali Nawaz Chowhan as its Chairman, pursuant to the National Commission for Human Rights Act 2012. The Commission launched its first strategic plan in December 2016. The Commission can make recommendations on other matters to the government, but does not have any formal enforcement powers. It is also unable to investigate complaints against intelligence agencies or the armed forces. The United Nations' Office of the High Commissioner for Human Rights does not recognise the National Commission for Human Rights as an accredited national human rights institution.

## SECURITY SITUATION

2.30 Pakistan continues to face security threats from insurgent, separatist and sectarian militant groups. The security situation varies across the country. While militant attacks can occur anywhere, Punjab province tends to experience fewer incidents than other areas. Sindh province is also relatively free from major terrorist activity outside of Karachi, although rural Sindh has a high incidence of crime and kidnapping and some large-scale terrorist attacks have occurred in rural Sindh. Gilgit-Baltistan tends to experience less sectarian violence, in part because of its relatively sparse population and mountainous terrain, and its status as the only Shi'a-majority area in Pakistan. In contrast, Balochistan, Khyber Pakhtunkhwa and the FATA experience relatively higher rates of militant and sectarian violence.

2.31 In June 2014, the Pakistan Armed Forces launched Operation *Zarb-e-Azb*, a major offensive against terrorist groups across the country. Operation *Zarb-e-Azb* initially targeted terrorist groups in North Waziristan in the FATA, including the Tehreek-e Taliban Pakistan (the Pakistani Taliban or TTP), and gradually spread to other parts of FATA and Khyber Pakhtunkhwa province, with smaller, intelligence-based operations taking place across the country. The term *Zarb-e-Azb* has also expanded to refer to operations by the army and the Rangers, a paramilitary security force, in Balochistan and Karachi against various other terrorist, separatist and criminal groups. The operation reportedly resulted in the deaths of 3,500 suspected terrorists and 490 military personnel during its first two years.

2.32 In December 2014, an attack on a school in Peshawar resulted in the deaths of 140 people, including 132 children. The attack led to the government introducing a National Action Plan (NAP), which, along with Operation *Zarb-e-Azb*, forms a civil-military effort to combat terrorist, separatist and criminal groups across Pakistan. Among other measures, the NAP: ended Pakistan's unofficial moratorium on the death penalty; established military courts to try suspected militants; clamped down on sources of finance for militant organisations; took measures to restrict hate speech; and committed to implementing administrative and development policy reforms, particularly in the FATA.

2.33 Operation *Zarb-e-Azb* and the NAP are credited with a significant reduction in the number of violent attacks in Pakistan. According to the South Asian Terrorism Portal, more than 600 civilians and 290 security force personnel were killed in terrorist incidents in 2016, down from more than 3,000 civilians and 676 security force personnel in 2013. Civilian fatalities from terrorism over the first 5 months of 2017 were similar to the same period in 2016, with several terrorism-related incidents killing around 270 civilians. More than 20,000 civilians have died in terrorism-related violence since 2007. These statistics largely derive from news reports, and may understate the number of casualties.

2.34 The government and military operations have disrupted the activities of militant groups and thousands of militants have been killed, including the high-profile leader of Lashkar-e Jhangvi (LeJ), Malik Ishaq, in 2015. Military courts have tried and convicted thousands of people with links to terrorist organisations. However, militant groups remain active across Pakistan, despite their more limited access to former safe-havens in Khyber Pakhtunkhwa and North Waziristan. These groups continue to attack government and sectarian targets. Groups such as the TTP have splintered into several offshoot organisations; while this means that these groups are smaller and their capacity for cohesive campaigns of coordinated attacks has been reduced, it also means there are a larger number of smaller groups competing with each other, potentially resulting in more nimble and unpredictable security threats.

2.35 Operation *Zarb-e-Azb* initially led to the displacement of around 1.6 million civilians, primarily in FATA and Khyber Pakhtunkhwa. According to the UN Refugee Agency (UNHCR), there are around 750,000 registered internally displaced persons (IDPs) in Pakistan, the vast majority of whom are living in host communities (less than one per cent are living in camps). DFAT understands that large numbers of IDPs have returned to their villages following the improvements to the security situation, although there are credible reports of houses and cropland having been destroyed in the fighting. Operation *Zarb-e-Azb* continues to restrict people's movement in and around the FATA and western Khyber Pakhtunkhwa. While designed to hamper the mobility of militants, it also has a significant impact on the ability of the local populations to access services, livelihoods and markets.

2.36 Several interlocutors in Pakistan told DFAT that the underlying conditions for militancy—particularly weak judicial and law enforcement institutions and economic under-development—have not been addressed, and speculated that violence would likely increase again after a period of relative calm.

2.37 DFAT notes that there has been an increase in the frequency and severity of terrorist attacks across Pakistan since late 2016. Between 13 and 16 February 2017, a series of separate incidents in Lahore (Punjab province), Quetta (Balochistan province), Peshawar (Khyber Pakhtunkhwa province) and Sehwan (Sindh province) killed at least 100 people and left several hundred others injured. In response to these attacks, on 22 February, 2017, the Pakistan Army announced Operation *Radd-ul-Fasaad* (the successor to Operation *Zarb-e-Azb*), a nation-wide anti-terrorism operation in accordance with the NAP, which has expanded the role of the army in counter-terrorism operations in Punjab province. Attacks continue to occur, such as a suicide attack targeting police in Lahore on 24 July 2017, which killed 26 people and injured more than 50 others.

2.38 As well as targeting insurgent and sectarian groups, government and military crackdowns have sought to tackle violent and organised crime across the country, particularly in large urban centres such as

Karachi. The Rangers, a paramilitary security force, have arrested large numbers of people allegedly involved in kidnapping, robbery and extortion in Karachi. Included among those arrested and detained are several thousand members of the Muttahida Qaumi Movement (MQM; see [Political Opinion \(Actual or imputed\)](#), below). Most of those arrested are detained for a period of around 90 days, before being released. There are widespread accusations of torture, as well as reports of dozens of extrajudicial killings and enforced disappearances. While reliable data are unavailable, DFAT understands that serious crime across Pakistan has reduced significantly since the commencement of Operation *Zarb-e-Azb* and the NAP, including in Karachi.

2.39 In Jammu and Kashmir, Pakistan has been engaged in ongoing, predominantly low-level conflict with India and separatist insurgency groups since partition in 1947. In September 2016, four armed militants attacked an Indian army base, killing 18 Indian soldiers before being killed in a shootout with the Indian army. This incident triggered retaliatory strikes from India into Pakistani-controlled areas, and subsequent responses from Pakistan. Cross-border shelling from both sides has caused dozens of civilian deaths.

## Militant Groups

2.40 Militant groups such as Tehreek-e Taliban Pakistan (TTP) and Lashkar-e Jhangvi (LeJ) continue to operate across Pakistan despite government and military operations disrupting their activities. The TTP—effectively an umbrella organisation for predominantly Pashtun Sunni militant groups—splintered into a number of separate groups following the beginning of the crackdown. In early 2017, a number of these splinter groups re-joined the TTP, however, or pledged support for its leader, Mullah Fazlullah. The TTP and its splinter groups maintain a separate identity from the Afghan Taliban, although they remain ideologically aligned.

2.41 The terrorist group known as Islamic State is active in Pakistan, but it is unclear how much direct influence it wields. On 8 August 2016, around 70 civilians—predominantly from the legal community—died in a suicide bombing in the emergency ward of a Quetta hospital. Large numbers of people had gathered at the hospital to mourn the death of Balochistan Bar Association president Bilal Anwar Kasi, who had been murdered earlier that day in an apparent targeted killing. Islamic State and a faction of the TTP both claimed responsibility for the bombing. Islamic State and LeJ al-Alami both claimed responsibility for an attack in October 2016 on a police training college in Quetta, Balochistan, in which 59 people died. Islamic State has claimed responsibility for other attacks, including two on Sufi shrines: one in south-west Balochistan on 12 November 2016, which killed 52 people and injured around 100; and a second in Sindh province in February 2017, which killed at least 88 people and injured several hundred others. It is unclear the extent to which Islamic State is directly funding or commanding violent attacks in Pakistan, or whether the attacks claimed by Islamic State were conducted by other militant groups motivated by shared ideological goals.

2.42 In addition to insurgent terrorist groups, Pakistan is subject to violent attacks from militant separatist organisations, most prominently in Balochistan province. On 6 October 2016 Baloch separatists caused two explosions on a passenger train in south-west Balochistan. The Baloch Liberation Army (BLA) claimed responsibility for the attack, which targeted military personnel on the train. The attack killed six people. Baloch separatist groups have been known to attack military and economic infrastructure, including the overland infrastructure network built under the China-Pakistan Economic Corridor agreements. Violent attacks by separatist groups have become less frequent since the beginning of Operation *Zarb-e-Azb* and the National Action Plan, although they continue to occur. On 13 May 2017 suspected BLA militants reportedly killed 10 labourers and injured two others on a China-Pakistan Economic Corridor construction site in Gwadar.

## Sectarian Groups

2.43 Several Sunni militant groups operate throughout Pakistan, including the TTP, LeJ (and factional sub-groups such as LeJ al-Alami), Sipah-e-Sahaba Pakistan (SSP, also known as Ahle Sunnat Wal Jamaat or ASWJ) and Jaish-e Mohammad (JeM). All of these groups are banned by the Pakistan government but continue to operate illegally across Pakistan. DFAT assesses that sectarian violence disproportionately affects minority religious groups across the country.

2.44 Shi'a militant groups such as Sipah-e-Mohammad Pakistan (SMP) have attacked Sunnis, although Shi'a militancy has declined overall as the general security situation in Pakistan has improved. SMP reportedly acts primarily in Punjab province to attack Sunni militant groups such as LeJ and SSP. SMP was responsible for targeted killings of Sunnis in Karachi and Quetta in 2014. DFAT is not aware of any major attacks by SMP or other significant Shi'a militant organisations in recent years, although Shi'a have committed targeted killings of suspected Sunni militants.

2.45 The frequency of sectarian attacks has reduced significantly in recent years. The South Asia Terrorism Portal (SATP) reports that 35 incidents of sectarian violence killed 137 people during 2016, compared with 131 incidents and 558 deaths in 2013. The Pak Institute of Peace Studies assesses that around eight per cent of attacks carried out by militant groups in 2016 were sectarian in nature.

2.46 In the first six months of 2017, at least 11 incidents of sectarian violence reportedly killed around 220 people across Pakistan. This includes the aforementioned attack at a Sufi shrine in Sindh province, which killed at least 88 people and injured several hundred others, as well as three separate attacks targeting Shi'a in Parachinar, Kurrum Agency, which killed more than 120 people.



## 3. REFUGEE CONVENTION CLAIMS

### RACE/NATIONALITY

3.1 Pakistan is an ethnically diverse nation, home to a number of distinct ethnic groups usually divided along linguistic lines. Section 28 of Pakistan's Constitution provides that 'any section of citizens having a distinct language, script or culture shall have the right to preserve and promote the same and, subject to law, establish institutions for that purpose'. The Constitution provides for specific safeguards against discrimination on various matters. Section 22(3)(b) provides that no citizen can be denied admission to a publicly-funded education institution on the grounds of race, religion, caste or place of birth. Similar provisions apply to discrimination in respect to access to public places (Section 26) and public sector employment (Section 27). Section 25(1) states that 'all citizens are equal before law and are entitled to protection of law'. Pakistan's Constitution and formal legislative framework do not explicitly discriminate against particular ethnic groups.

3.2 In practice, ethnicity has been a source of communal tension throughout Pakistan's history. The steady migration of Pashtuns from Khyber Pakhtunkhwa and the Federally Administered Tribal Areas (FATA) to Karachi has reportedly contributed to violence between the armed wings of major political parties, including the Mohajir-based Muttahida Qaumi Movement (MQM), the Sindhi-based Pakistan People's Party (PPP), the Pashtun-based Awami National Party (ANP), and the Sunni militant group Tehreek-e Taliban Pakistan (TTP). In Balochistan, separatist groups such as the Baloch Liberation Army (BLA) have targeted and killed ethnic Punjabi settlers and others as part of their campaign for independence.

### Pashtuns

3.3 Pashtuns are characterised by their use of the Pashto language and its many dialects. Pashtun culture emphasises tribal and family relations, as well as customary norms collectively referred to as Pashtunwali. Pashtuns are overwhelmingly (but not exclusively) Sunni. (For information on majority-Shi'a Turi tribe, see [Turis](#), below). Approximately 30 million Pashtuns live in Pakistan, making them the second-largest ethnic group in the country (behind Punjabis). Pashtuns traditionally live with members of their own tribes and sub-tribes in Khyber Pakhtunkhwa and the FATA, although many have migrated to urban areas. The largest Pashtun communities are in Karachi (approximately 7 million out of Karachi's total population of 20-24 million), followed by Peshawar (approximately 3.5 million out of a total Pashtun population across Khyber Pakhtunkhwa of around 22 million). Pashtuns also live in Balochistan, Islamabad, Lahore and other urban areas in Pakistan (see [Internal Relocation](#), below).

3.4 Pashtuns are represented at all levels of society in Pakistan. Historically, Pashtuns have dominated employment in the transport sector in Pakistan and Afghanistan. They are well represented in Pakistan's security forces.

3.5 DFAT is aware that members of the Pashtun community, particularly in Lahore, have claimed to have been harassed by police and security forces and to have had difficulty obtaining identification. Since the commencement of Operation *Zarb-e-Azb* and the National Action Plan (NAP), large numbers of Pashtuns

have been arrested across the country on suspicion of terrorism activities—due largely to the fact that the TTP’s support base is primarily Pashtun. Hundreds of Pashtuns were also arrested in the lead-up to a proposed (later cancelled) large-scale political protest led by Pakistan Tehreek-e-Insaf (PTI) in early November 2016. PTI has its base in Pashtun-dominated Khyber Pakhtunkhwa province. Members of the Pashtun community told DFAT that community leaders are typically able to secure the release of Pashtuns who have been arrested without firm evidence of wrongdoing.

3.6 The security situation for Pashtuns has improved in line with the general improvement in security across Pakistan. Pashtun-majority areas have traditionally experienced disproportionately high levels of tribal, intra-communal and politically motivated violence, and a high concentration of military operations. However, DFAT assesses that Pashtuns do not face a higher risk of violence than other groups based on their ethnicity. Pashtun community leaders in Lahore told DFAT that Lahore in particular is a safer place for Pashtuns than other parts of the country.

## Hazaras

3.7 The Hazara ethnic group has lived in central Afghanistan for centuries, with many Hazaras migrating to Pakistan in the second half of the 20<sup>th</sup> century. Hazaras are descended from eastern and western Eurasian peoples, making them visibly distinct from other ethnic groups in Pakistan. Hazaras are overwhelmingly Shi’a Muslims, predominantly of the Twelver Sect (*athna asharia*), with a small Sunni minority.

3.8 While there are no reliable official data on the size of the Hazara population in Pakistan, estimates range up to around one million. The majority of Hazaras live in Quetta, Balochistan, with smaller but significant populations in major urban centres such as Karachi.

3.9 The majority of Hazaras in Pakistan have lived there for decades, are Pakistani citizens and can access formal identification such as Computerised National Identity Cards (CNICs). Hazara children born in Pakistan also have Pakistani citizenship. More recent Hazara arrivals from Afghanistan typically do not have citizenship, but tend to have access to formal documentation in the form of immigration cards, which provides some rights such as access to drivers’ licences. Credible sources told DFAT that Afghans are typically able to access Afghan identity documentation, including Taskeras, from the Afghan Embassy in Islamabad. DFAT was unable to obtain specific information about whether Afghans, including Hazaras, can access formal documentation through the Afghan Consulate in Quetta, but DFAT considers it plausible that they can.

3.10 DFAT is aware of some news reports claiming that Pakistani Hazaras are having their CNICs systematically cancelled, effectively removing their rights to citizenship and residency in Pakistan. DFAT is not aware of any credible evidence to support these claims. The National Database and Registration Authority (NADRA) is currently engaging in a campaign to target fraud in relation to CNICs. This campaign targets fraud in a general sense rather than in relation to any particular ethnic group. DFAT understands that NADRA has identified several thousand fraudulent records in this process, including examples of Afghans who had been added to household registration lists without authorisation. DFAT assesses that Hazaras who are Pakistani citizens are unlikely to have their CNICs cancelled based on their ethnicity or religion.

3.11 While large numbers of Afghan refugees have been encouraged to return to Afghanistan since the beginning of Operation *Zarb-e-Azb* and the National Action Plan, DFAT understands that the returns are predominantly Pashtun Afghans from the FATA and Khyber Pakhtunkhwa, and that very few Afghan Hazaras have returned.

## Discrimination Against Hazaras

3.12 Hazaras tend to live in isolated communities, separate from the rest of the Pakistani population, in part for security reasons. This isolation reduces their exposure to societal discrimination. Nonetheless, DFAT understands that some low-level societal discrimination against Hazaras does occur. Credible sources told DFAT that public servants could cause delays for Hazaras applying for official documentation such as Computerised National Identity Cards (CNICs). DFAT assesses that these actions represent individual societal prejudice, rather than systematic discrimination against Hazaras.

3.13 DFAT assesses that Hazaras in Pakistan face low-level societal discrimination on a day-to-day basis, in part because they tend to live in isolated communities or enclaves.

## Violence Against Hazaras

3.14 The fact that Hazaras in Pakistan tend to live in isolated communities reduces the opportunities for attacks by sectarian militants. The high levels of security maintained by Hazara communities and the improvement in the general security situation in Pakistan means that successful attacks against Hazaras have been rare in recent years. Nonetheless, attacks do occur. On 1 August 2016, the TTP-affiliated Jamaat-ul-Ahrar militants in Quetta shot dead two men from the Hazara community. On 4 October 2016, gunmen attacked a bus in Quetta, killing at least four Hazara women. On 5 June 2017, suspected militants in Quetta shot dead two Hazaras. In each of these cases, the victims were reportedly targeted because their Hazara ethnicity indicated their Shi'a religion.

3.15 Shi'a, including Hazaras, are also targeted while undertaking pilgrimage to Iran and Iraq by road through Balochistan (see [Travel Security](#), above). While this violence targets all Shi'a based on their religion, and no Shi'a group is immune to this violence, Hazaras are more easily targeted because of their distinctive appearance. The military provides security for Shi'a, including Hazaras, undertaking this religious pilgrimage. Credible sources told DFAT that these security arrangements are more readily available for non-Hazara Shi'a than for other Shi'a, but that escorts are arranged for Hazaras every couple of months.

3.16 Government security forces provide security for Shi'a religious processions. The government provides some security to Hazara enclaves. The Frontier Corps maintains some checkpoints on roads leading into Hazara Town in Quetta. However, the Hazara community rather than the security forces provide much of the security in Hazara-dominated areas, including in Hazara Town and Mariabad in Quetta. Credible sources told DFAT that much of the improvement in the security situation for Hazaras has been due to increased security measures taken by the community to protect itself, rather than an increase in support from security forces or a change in intent from militant groups. Nonetheless, Hazaras across Pakistan, including in large cities such as Karachi, have benefitted from the improved security situation in recent years.

3.17 DFAT assesses that Hazaras face a moderate risk of sectarian violence in Pakistan because of their religious beliefs. Hazaras face a higher risk than other Shi'a due to their distinct appearance. Despite a significant decrease in the number of violent attacks against Hazaras, they remain segregated and are key targets for sectarian militants. The risk of violence is partly mitigated by the high levels of security maintained by the Hazara communities themselves.

## Turis

3.18 The Turi tribe is an exclusively Shi'a Pashtun tribe of around 500,000 people. While there are small communities of Turis in major cities in other parts of Pakistan, including Islamabad, Turis mostly live in and around the town of Parachinar in Kurram Agency in the Federally Administered Tribal Areas (FATA). Unlike

Hazaras, Turis are not easily visually distinguishable, but they can be identifiable because of distinctive names and accents, and because they largely live within a small, well-defined area.

### Discrimination Against Turis

3.19 Turis do not tend to face significant levels of official discrimination in Pakistan. Turi community leaders told DFAT that official discrimination is not a major issue. Turis can face some low-level societal discrimination based on their Shi'a religion and because of their historical animosity with the Bangash tribe. Societal discrimination is often mitigated by the fact that Turis tend to live in enclaves with other Turis in and around Parachinar. The Pakistani government provides security assistance to Turis travelling by road to Iran and Iraq on religious pilgrimage.

3.20 DFAT assesses that Turis do not face a significant level of official discrimination in Pakistan. Turis face a low level of societal discrimination because they tend to live in Turi-dominated enclaves.

### Violence Against Turis

3.21 While Turis are not visually distinctive, their concentration in a small geographic area in and around Parachinar makes them vulnerable to attack. Groups such as Tehreek-e-Taliban Pakistan (TTP) have carried out attacks directed at Turis because of their Shi'a faith over a significant period, particularly from around 2008 up until the beginning of counter-terrorism military operations in 2014. Operation *Zarb-e-Azb* and associated anti-terrorism activities led to a significant decrease in the number and severity of attacks on Turis in 2015 and 2016. However, three large-scale attacks targeting Turis in Parachinar occurred during the first six months of 2017. On 21 January 2017, militants detonated a remote-controlled improvised explosive device in a marketplace in Parachinar; on 31 March 2017 a suicide bomber attacked a Shi'a place of worship (*imambargah*) in Parachinar; and on 24 June 2017 two devices detonated in a market in Parachinar (see [Sectarian Violence by province: The Federally Administered Tribal Areas \(FATA\)](#), below). These attacks ostensibly targeted Turi Shi'a because of their religious affiliation, and killed more than 120 people.

3.22 Large numbers of Turis were displaced during counter-terrorism operations in the FATA in 2014-15. The majority of these people have since returned to their homes, although in many cases fighting caused extensive damage to houses and fields. In addition, ongoing security measures are restricting Turis' movements, limiting their access to essential services and trade opportunities. Because of their location—in a part of the FATA that extends into Afghanistan like a peninsula—Turis often travel to other parts of Pakistan via Afghanistan. Tighter border control measures have also restricted this movement.

3.23 Turis also face some risk of violence while travelling by road to Iran and Iraq for Shi'a religious pilgrimage purposes. While Turis are not visually distinguishable from other Pashtuns, they can often be identified if stopped by militants because of their accents or because of identity cards bearing distinctively Turi names.

3.24 DFAT assesses that Turis in Parachinar face a moderate risk of sectarian violence from militant groups, because of their Shi'a faith. Turis in other parts of the country tend to face a level of risk similar to other non-Hazara Shi'a groups.

## RELIGION

3.25 Article 20 of Pakistan's Constitution provides that 'subject to law, public order, and morality, —(a) every citizen shall have the right to profess, practise and propagate his religion; and (b) every religious denomination and every sect thereof shall have the right to establish, maintain and manage its religious institutions'. Article 36 guarantees 'the legitimate rights and interests of minorities, including their due



representation in the Federal and Provincial services'. The Constitution also establishes Islam as the state religion (Article 2). Articles 41(2) and 91(3) of the Constitution require that the president and the prime minister of Pakistan respectively must be Muslim. Article 260 of the Constitution defines the term 'Muslim', and explicitly excludes from that definition several groups, including Ahmadis.

3.26 In 1979 President Zia ul-Haq introduced the 'Hudood Ordinances', prohibiting the consumption of alcohol, sex outside marriage, and pornography. Non-Muslims are exempt from the alcohol provisions of the ordinances. While the rest of the provisions apply to both Muslim and non-Muslim Pakistanis, the testimony of a non-Muslim person is only accepted in cases where the accused is also non-Muslim.

3.27 There are no official data on the size of different religious groups in Pakistan, but Muslims are widely thought to make up around 95 per cent of the population (approximately 75-80 per cent Sunnis and 15-20 per cent Shi'a). The remaining 5 per cent of the population is mostly made up of Christians, Hindus and Ahmadis, with smaller populations of Sikhs, Parsis (Zoroastrians), Baha'i and Buddhists.

3.28 Around 60 per cent of the Sunnis in Pakistan adhere to the Barelvi school of thought, with a significant Deobandi minority (around 35 per cent of Pakistani Sunni Muslims). While both these groups follow the same basic principles of Islamic thought (the Hanafi school), Deobandis adhere to a more orthodox and conservative interpretation of Islam. A smaller number of Sunnis (around five per cent) follow the Ahl-e-Hadith (Salafi) school. According to the International Crisis Group, the majority of Sunni sectarian militant groups in Pakistan follow, or claim to follow, a form of Deobandi or Salafi Islam, including Deobandi groups such as Tehrik-i-Taliban Pakistan (the Pakistani Taliban, or TTP), Jaish-e-Mohammed (JeM) and Lashkar-e Jhangvi (LeJ).

3.29 The majority of Pakistan's Shi'a community adheres to the Twelver (*athna ashariya*) school of thought, alongside smaller Shi'a sub-sects of Nizari Ismailis, Daudi Bohras and Sulemani Bohras. Shi'a are represented across most of Pakistan's ethnic, linguistic and tribal groups.

3.30 Sufism (a more mystical interpretation of Islam that involves saint and shrine devotion) is widespread in South Asia, including Pakistan. Many Shi'a and Barelvi Sunnis in Pakistan venerate Sufi saints and shrines. Sufi places of worship have been common targets for sectarian attacks, including the February 2017 attack on the Lal Shabaz Qalandar shrine in Sindh province in which more than 80 people died.

3.31 Prior to the 1980s, sectarianism in Pakistan was generally less divisive than ethnic, tribal and linguistic differences. However, in 1984, then-President and former General Zia ul-Haq issued Ordinance XX (pronounced Ordinance 20) prohibiting Ahmadis from self-identifying as Muslims (see [Ahmadis](#), below). While some Shi'a supported Ordinance XX, a number of Sunni groups called for the government to extend the prohibition on self-identifying as Muslim to Shi'a. The promulgation of the *zakat*, a compulsory religious tax based on Sunni law, inflamed sectarian tensions further (although Shi'a were later exempted from paying the *zakat*).

3.32 With the exception of the Ahmadi community, most Pakistanis are able to practise their religion without significant interference from the state. DFAT assesses that there is generally only a low level of official discrimination in Pakistan because of religion (with the exception of the Ahmadi community, see [Ahmadis](#), below). Violent attacks against religious ceremonies and places of worship by non-state actors tend to be the greatest impediments to freedom of religious practice in Pakistan. DFAT assesses that the risk of violence based on religion varies across different groups and locations within Pakistan.

## Shi'a

3.33 The Shi'a population is spread throughout Pakistan. While Shi'a do not constitute a majority in any of Pakistan's four provinces, Shi'a do form a majority in the Pakistani-controlled autonomous region of Gilgit-

Baltistan. Significant numbers of Shi'a live in Peshawar, Kohat, Hangu and Dera Ismail Khan in Khyber Pakhtunkhwa; in Kurram and Orakzai Agencies in the Federally Administered Tribal Areas (FATA); in and around Quetta and the Makran coastline in Balochistan; in parts of southern and central Punjab; and throughout Sindh. Large Shi'a communities live in urban centres throughout Pakistan, including Karachi, Lahore, Rawalpindi, Islamabad, Peshawar, Multan, Jhang and Sargodha. Although some Shi'a live in enclaves in these cities, the Shi'a and Sunni communities are generally well integrated.

3.34 Most Pakistani Shi'a are not physically or linguistically distinguishable from Pakistani Sunnis. The National Database and Registration Authority (NADRA) issues Computerised National Identity Cards (CNICs) that do not identify cardholders by their religion (although NADRA collects religious information during the application process). Passports contain information on the holder's religion, but do not differentiate between Sunni and Shi'a Muslims.

3.35 Some Shi'a may be identifiable by common Shi'a names such as Naqvi, Zaidi and Jafri, while Sunnis and Shi'a both use names such as Syed and Hussain. Similarly, ethnic and tribal names can reveal a person's ethnicity or tribal affiliation; Hazaras and Turis are almost exclusively Shi'a, while the Bangash have a significant Shi'a population. A person's address can identify them as Shi'a if they reside in a predominantly Shi'a area. Shi'a in Pakistan are most prominent during Shi'a religious events and pilgrimages to Iraq and Iran. Shi'a participating in Ashura processions during Moharram often administer forms of self-harm such as flagellation, which can leave permanent marks.

3.36 Shi'a and Sunni mosques are clearly distinguishable, as they have visibly different exteriors and are identifiable by name. Shi'a mosques and places of worship, or *imambargahs*, feature different Muslim iconography, including the Shi'a sword, horses, images of Ali and Hussain, and 'U-shaped' crescent moons. Shi'a and Sunni mosques have different prayer times, and worshippers use different hand positions while praying. Shi'a mosques are located throughout Pakistan, including in major cities and towns. Shi'a can (although rarely do) pray in Sunni mosques and vice versa. Both sects share a number of famous religious sites, including Sufi shrines.

3.37 There are no formal legal barriers to inter-sectarian marriage between Shi'a and Sunnis in Pakistan. While such marriages do occur across the country (most commonly in large cities such as Lahore), credible sources told DFAT that Sunni-Shi'a marriages are becoming less common in the face of increasing religiosity across the country. When inter-sectarian marriages do occur, one partner (typically the bride) usually undergoes religious conversion. DFAT is not aware of forced conversions between sects.

### Discrimination Against Shi'a

3.38 Societal discrimination in Pakistan tends to manifest in the form of positive discrimination (nepotism, patronage, etc.) in favour of one's own family, tribal or social group (though some minorities do suffer ongoing discrimination). However, some (typically low-level) anti-Shi'a discrimination does occur.

3.39 Shi'a are represented in the professional community in Pakistan, including the medical and legal professions. There is no credible evidence of systemic discrimination against Shi'a in gaining admission to the public service, police, military or the private sector. However, there are perceptions of discrimination against Shi'a at higher levels of some organisations. DFAT notes that in remote areas and poorer cities such as Quetta employment opportunities are often limited regardless of ethnic or sectarian identity. Overall, DFAT assesses that Shi'a generally do not face significant levels of discrimination when seeking employment based on their religious affiliation.

3.40 Sunni and Shi'a students attend the same public and private education institutions. Although the Constitution prohibits discrimination in granting admission to government schools, students must declare their religious affiliation when applying for entry into both public and private institutions, including

universities. Islamic studies are compulsory for all Muslim students in state-run schools. Credible sources told DFAT that there are issues of religious bias in public education institutions in Pakistan. While this predominantly affects non-Muslim religious minorities, Shi'a groups also raised concerns over religious bias in the public school syllabus and proscribed textbooks. School textbooks contain depictions of Sunni prayer rituals, and omit prominent Shi'a figures from historical texts. Access to high-quality education is limited for some Pakistanis, regardless of religious affiliation, and depends primarily on an individual's geographic location and financial resources. However, DFAT assesses that Shi'a can experience low-level discrimination because of religious bias in the public school syllabus and textbooks.

3.41 Shi'a are well represented in parliament and regularly contest elections for mainstream political parties. The Pakistan People's Party (PPP) has had several high-profile Shi'a leaders, including Zulfikar Ali Bhutto, his daughter Benazir Bhutto, and Benazir Bhutto's husband Asif Ali Zardari, all of whom served as Pakistan's president and/or prime minister. Zardari and Benazir's son, Bilawal, is the current leader of the PPP. Other major parties, including Imran Khan's Pakistan Tehreek-e-Insaf (PTI) and the Muttahida Qaumi Movement (MQM), also have significant Shi'a following. Sectarian-based political parties, such as the Sunni Deobandi Jamiat Ulema-e-Islami (F) party and the exclusively Shi'a Majlis-e-Wahdutul Muslimeen (MWM) party, have less support. DFAT assesses that there are no barriers preventing Shi'a from actively participating in democratic processes in Pakistan due to their sectarian affiliation.

## Sectarian Violence

3.42 Sectarian violence in Pakistan has historically targeted individuals, places of worship, shrines and religious schools. Shi'a continue to face a threat from anti-Shi'a militant groups, including Lashkar-e Jhangvi (LeJ), Sipah-e-Sahaba Pakistan (SSP, also known as Ahl-e-Sunnat-Wal-Jamaat or ASWJ), and various factions of the Tehreek-e-Taliban Pakistan (the Pakistani Taliban, or TTP). Sectarian violence has reduced significantly in recent years, particularly since Operation *Zarb-e-Azb* (and its successor, Operation Radd ul Fasaad) and the NAP were implemented. According to the Center for Research and Security Studies (CRSS), fatalities from sectarian violence fell by 20 per cent in 2016, following a 28 per cent drop in 2015 and a 32 per cent drop in 2014.

3.43 While sectarian violence affects people of all religions and sects, Shi'a have traditionally represented a higher proportion of the casualties. According to the CRSS, Shi'a made up around 60 per cent of the people killed in sectarian violence in Pakistan in 2015, despite making up only around 15-20 per cent of Pakistan's population. In 2016, however, Shi'a made up fewer than 15 per cent of those killed in sectarian violence. The two biggest attacks of the year—an attack targeting Christians in Lahore on Easter Sunday and an attack on a Sufi Shrine in Balochistan— did not target Shi'a. This fact, combined with a significant decrease in overall sectarian violence across the country, meant that Shi'a comprised a relatively small proportion of the total victims of sectarian violence. Around 820 Shi'a have been killed in sectarian violence since the beginning of 2013, out of a total Pakistani Shi'a population of about 30 million people.

3.44 LeJ and its sub-groups such as LeJ al-Alami tend to be the main perpetrators of violence against Shi'a in Pakistan. The LeJ is a collection of loosely coordinated cells linked to other militant groups such as the TTP and, more recently, Islamic State. Originally based in Punjab province as an offshoot of Sipah-e-Sahaba Pakistan (SSP), the LeJ's reported objective is to establish an Islamist Sunni state in Pakistan. It also seeks to have Shi'a declared 'non-believers' or apostates, and to eliminate other religious groups such as Jews, Christians and Hindus.

3.45 The LeJ has claimed a number of attacks on the Shi'a community in recent years, particularly Hazaras in Quetta and other Shi'a groups in the Federally Administered Tribal Areas (FATA) and Karachi. In an open letter released in June 2011, LeJ leaders declared their intention to 'abolish the impure sect' of 'Shi'a and Hazara Shi'a'. Several prominent LeJ militants were killed in 2015, including the group's leader Malik Ishaq.

LeJ's activities have been somewhat curtailed since the beginning of Operation *Zarb-e-Azb* and the NAP, although the group claimed to be involved (directly or indirectly) in several attacks in late 2016 and early 2017. These attacks include: an attack on a Sufi Shrine in Balochistan which killed 52 people in November 2016; an attack on a police training academy in Quetta, Balochistan, which killed 61 people in October 2016; an attack on a Shi'a religious gathering in Karachi which killed six people on 30 October 2016; and an attack on a market in Shi'a-dominated Parachinar in June 2017, which killed 72 people. Several of these attacks were claimed by LeJ al-Alami in conjunction with Islamic State. The Pakistan government designated the LeJ as a terrorist organisation in 2001.

3.46 Overall, DFAT assesses that most Shi'a in Pakistan face a low risk of sectarian violence. This risk can vary depending on geographic location (see assessments of [Sectarian Violence](#) by province, below) and for members of specific groups (see [Hazaras](#) and [Turis](#), above). High-profile Shi'a face a moderate risk of violence, as they are more likely to be targeted. Shi'a are most vulnerable during large gatherings, such as Ashura processions. Heightened state protection measures during these events partly mitigate the threats associated with this greater exposure.

### Sectarian Violence by province: Sindh

3.47 With a population estimated at more than 20 million people, Karachi is the largest city in Pakistan. While Sunnis and Shi'a are dispersed throughout the city, some Shi'a-dominated enclaves (particularly Hazara Shi'a) can be found in Abbas Town, Hussain Hazara Goth, Mughal Hazara Goth, Rizvia, Ancholi, DHA Gizri, Pak Colony and Manghopir.

3.48 Karachi has historically experienced high levels of violence because of rival ethnic, sectarian, political, business and criminal interests. However, violence, including sectarian violence, has fallen significantly in recent years, including because of the NAP and highly visible presence of the federal paramilitary police force, the Rangers. According to the Center for Research and Security Studies (CRSS), the number of fatalities from sectarian violence (involving Sunnis, Shi'a, Ahmadis and other groups) in Karachi fell from 216 deaths in 2014 to 38 deaths in 2016. Only two deaths were attributed to sectarian-related violence in the rest of Sindh province in 2016, compared with 92 deaths in 2015. However, a sectarian attack killed more than 80 people in rural Sindh in February 2017. This attack targeted Sufi worshippers.

3.49 According to the South Asian Terrorism Portal (SATP), at least eight sectarian attacks targeted Shi'a in Sindh province in 2016, resulting in at least 12 deaths, with one reported killing of a Shi'a man in the first six months of 2017. The bulk of these incidents involved targeted shootings of Shi'a individuals. It is unclear exactly how many other Shi'a may have been targeted in sectarian violence, as the motives for attacks can conflate personal, business and other interests.

3.50 Overall, DFAT assesses that there currently is a low level of sectarian-motivated violence in Karachi within a context of a moderate level of overall violence, particularly once the size of the city population is taken into account. It is not yet clear whether the efforts of governments and security forces in recent years to reduce the incidence of violence in Karachi will be sustainable.

### Sectarian Violence by province: Punjab (including the Islamabad Capital Territory)

3.51 Shi'a are dispersed throughout Punjab province, including in the provincial capital Lahore. Sectarian tensions and violence tend to be more prevalent in southern Punjab, as well as parts of Gujranwala, Sialkot and Rawalpindi provinces in northern Punjab province. Conservative madrassas and militant groups tend to be more prominent in these areas, particularly in southern Punjab, and the Sunni and Shi'a communities tend to be more segregated. In contrast, several credible sources in Lahore told DFAT that Lahore and Islamabad are the safest places in the country for Shi'a. Shi'a and Sunni communities in these cities tend to be much more integrated. According to the CRSS, no deaths from sectarian violence occurred in Islamabad in



2016. There were fewer fatalities from sectarian violence in Punjab than in the other provinces in 2013, 2014 and 2015.

3.52 Nonetheless, sectarian and other religious violence does occur across Punjab, including in Lahore. The largest attack in 2016 targeted Christians at a public park on Easter Sunday, killing 74 people. No successful large-scale attacks targeting Shi'a took place in Lahore during 2016. No Shi'a died as a result of sectarian violence in Lahore in 2015. A small number of attacks targeted Shi'a in other parts of Punjab province during 2016. On 25 November 2016, unidentified suspected militants shot and killed a prominent Shi'a leader in Sahiwal District. On 13 October 2016, armed assailants associated with militant group Ahl-e-Sunnat-Wal-Jamaat (ASWJ) opened fire on an Ashura procession in Sialkot, injuring 10 Shi'a mourners. The SATP recorded no confirmed Shi'a deaths from sectarian violence in Punjab over the first five months of 2017.

3.53 While sectarian violence can occur in any part of Punjab province, including major cities, DFAT assesses that Shi'a in Lahore and Islamabad face a low risk of sectarian violence.

### **Sectarian Violence by province: Balochistan**

3.54 Balochistan has historically suffered from ethno-sectarian tensions and politically motivated violence, including violence stemming from an ongoing active separatist movement. A large Hazara Shi'a population lives in Quetta, the provincial capital of Balochistan, which has historically been a target for sectarian violence (see [Hazaras](#), above).

3.55 According to the CRSS, deaths from sectarian violence in Balochistan rose from 33 in 2015 to 73 in 2016; this includes at least 52 deaths from a single incident at a Sufi shrine in Khuzdar District in November 2016. The number of sectarian-related deaths in 2016 remains well below the 240 sectarian violence fatalities recorded by the CRSS in Balochistan in 2013. The number of civilian casualties from all types of violence, including sectarian violence, has fallen since the introduction of the NAP and Operation *Zarb-e-Azb*. Nonetheless, violent incidents continue to occur. The bulk of these incidents tend to be non-sectarian in nature, involving Baloch separatist groups and terrorists.

3.56 Many Shi'a across Pakistan undertake a religious pilgrimage to Iran and Iraq, often travelling by road through Balochistan to the Iranian border. Several credible sources in Pakistan told DFAT that militant groups actively target people undertaking these pilgrimages (see [Travel Security](#), below). The military provides escorts for Shi'a pilgrims travelling by road to Iran through Balochistan, which reduces the risk of attacks. Some Shi'a groups told DFAT that pilgrims (particularly Hazaras) sometimes have to wait for weeks or months for a military escort to or from the Iranian border.

3.57 DFAT assesses that there is generally a low level of sectarian violence in Balochistan, within the context of a moderate level of non-sectarian violence. Shi'a do not tend to face a higher risk of violence because of their sectarian affiliation, with the exception of the visually distinct and geographically segregated Hazara Shi'a who face a somewhat higher risk (see [Hazaras](#), above). DFAT assesses that Shi'a pilgrims travelling by road to Iran through Balochistan face a moderate risk of being targeted by militant groups, but that this risk is mitigated by the provision of Pakistani military escorts.

### **Sectarian Violence by province: Khyber Pakhtunkhwa**

3.58 The population of Khyber Pakhtunkhwa is mostly Pashtun and predominantly Sunni. The Shi'a population is largely concentrated in Hangu, Kohat, Peshawar and Dera Ismail Khan. Most Shi'a in Peshawar are long-term residents of the Old City, while many Shi'a in Hangu, Kohat and Dera Ismail Khan are Turi or Bangash Shi'a from Kurram and Orakzai agencies.

3.59 As is the case in most parts of the country, Khyber Pakhtunkhwa has seen a significant reduction in militant violence in recent years. According to the SATP, 58 people died in terrorism related incidents, including sectarian attacks, in Khyber Pakhtunkhwa in 2016, compared with 382 deaths in 2013, with only one sectarian-related death of a Shi'a man recorded in the first five months of 2017 (in Dera Ismail Khan). According to the Centre for Research and Security Studies (CRSS), 13 people died in sectarian violence in Khyber Pakhtunkhwa during 2016. This includes two separate incidents on 5 May 2016 in Dera Ismail Khan, where unidentified militants on motorcycles shot and killed four members of the Shi'a community, including a schoolteacher and two lawyers. Five people were reportedly killed in sectarian violence in Peshawar in 2016.

3.60 Overall, DFAT assesses that there is a low level of sectarian violence in Khyber Pakhtunkhwa in the context of a moderate level of militant and criminal violence across the province.

### **Sectarian Violence by province: The Federally Administered Tribal Areas (FATA)**

3.61 The majority of the Shi'a population in the FATA is concentrated in Kurram and Orakzai agencies. Shi'a make up around 40 per cent of the population of Kurram Agency; Upper Kurram Agency is estimated to be around 80 per cent Shi'a while central and lower Kurram Agency is majority Sunni. Most of the Shi'a in Kurram Agency are from the Turi tribe, an exclusively Shi'a Pashtun tribe of around 500,000 people. The town of Parachinar in Kurram Agency largely comprises Turi Shi'a (see [Turis](#), above). The Bangash tribe is around 40 per cent Shi'a, and lives mainly in Orakzai Agency as well as parts of Khyber Pakhtunkhwa such as Kohat, Hangu and Peshawar.

3.62 Violence in the FATA generally declined during 2016. According to the FATA Research Centre, the number of violent incidents (of all types) declined by 25 per cent across the FATA in 2016, leading to a 60 per cent decline in the number of casualties compared to 2015. Despite the relative decline in violent incidents, violence across the region was still prevalent. FATA still had the third-highest number of deaths from terrorism-related incidents across all regions of Pakistan according to the Pak Institute for Peace Studies (PIPS), with 163 people killed and 221 people injured in nearly 100 terrorism-related incidents during 2016. This represents around 18 per cent of all terrorism-related deaths in Pakistan in 2016, despite the FATA only having around two per cent of Pakistan's population.

3.63 The SATP recorded only one incident of sectarian violence in the FATA in 2016. On 16 September, a suicide bomber attacked a mosque in Mohmand Agency during Friday prayers, killing at least 36 people. DFAT notes that, while this is listed as a sectarian attack, the group claiming responsibility (Tehreek-e-Taliban Pakistan (TTP) Jamaat-ul-Ahrar) claimed to be targeting members of a peace committee and their families, who had been helping fight against militant groups in the area.

3.64 In 2017, militants have carried out a number of attacks targeting the Shi'a-majority city of Parachinar. On 21 January 2017, a bomb exploded in a crowded market, killing 25 people and injuring dozens more. The incident, for which Lashkar-e Jhangvi (LeJ) and the TTP have claimed responsibility, reportedly deliberately targeted Shi'a, in response to the death of LeJ leader Asif Chotu and support by Shi'a for Syrian President Bashar al-Assad. According to Pakistani news outlets, this is the fourth time that the same area of Parachinar has been targeted in recent years. On 31 March 2017, at least 24 people were killed and a further 100 injured in a suicide attack on a Shi'a imambargah in Parachinar, an attack claimed by Jamaat-ul-Ahrar. On 24 June 2017, two bombs detonated in a market busy with people preparing for Eid celebrations, killing 72 people and injuring more than 200 others. LeJ Al-Alami claimed responsibility for the attack.

3.65 DFAT assesses that Shi'a in the FATA typically face a low risk of sectarian violence overall, in the context of a moderate level of militant and criminal violence across the region. While attacks against civilians can occur in any part of the FATA, DFAT assesses that the risk of sectarian violence for civilians in Kurram Agency, particularly in Parachinar, is higher than in other parts of the FATA. Prior to the attack in January

2017, Parachinar had experienced relative calm. However, as noted in the previous paragraph, three large-scale attacks targeted Shi'a in Parachinar in the first six months of 2017. These attacks killed more than 120 people and injured hundreds more, reflecting the ongoing risks faced by Shi'a in Parachinar (see also [Turis](#), above).

### Sectarian Violence by province: Gilgit Baltistan

3.66 Approximately two million people live in Gilgit-Baltistan, a sparsely populated autonomous region in the north. The population comprises Shi'a (approximately 39 per cent); Ismaili Shi'a (18 per cent); Sunnis (27 per cent); and Nurbakshis, who adhere to a Sufi tradition combining aspects of Shi'a and Sunni religious thought but is closer to Shiism (16 per cent).

3.67 The mountainous terrain, sparse (and majority Shi'a) population, and the fact that communities tend to live in isolation from each other mean that Gilgit-Baltistan is subject to fewer violent incidents than other regions in Pakistan. DFAT is not aware of any sectarian attacks taking place in Gilgit-Baltistan during 2016. According to the CRSS, terrorism-related incidents in Gilgit-Baltistan resulted in five fatalities during 2016, none of which involved sectarian violence.

3.68 DFAT assesses that there is a very low level of sectarian violence in Gilgit-Baltistan.

### Travel Security

3.69 Travel in parts of Pakistan can be dangerous for all Pakistanis, regardless of their sectarian, religious or ethnic affiliations. Travellers in remote areas of Pakistan are at greater risk of criminal or militant violence due to their isolation and the limited presence of security forces. Many roads in Balochistan, Khyber Pakhtunkhwa and the FATA fit this profile.

3.70 Shi'a in Pakistan often travel to Iran and Iraq for religious pilgrimage purposes. Militant groups have historically targeted routes used by Shi'a pilgrims travelling to Iran and Iraq, particularly through Balochistan. In 2014, at least 29 Shi'a pilgrims were killed and a further 35 injured when their bus was attacked on the Quetta-Taftan highway in Mastung District, Balochistan.

3.71 Shi'a travelling on these routes can be identified in a number of ways, including Shi'a names (displayed on their Computerised National Identity Cards (CNICs)), or flagellation marks from Ashura commemoration ceremonies. Hazara Shi'a are more readily identifiable due to their distinctive physical appearance (see [Hazaras](#), above).

3.72 Shi'a pilgrims from Pakistan can travel by air rather than by road. However, the cost of air travel is prohibitive for many less-affluent Shi'a in Pakistan.

3.73 Credible sources told DFAT that militants continue to seek to target Shi'a pilgrims travelling by road to Iran and Iraq. DFAT understands that the Pakistani military provides escort services for Shi'a pilgrims to protect them from attacks. However, these sources also told DFAT that there can be significant gaps between military escorts (sometimes up to three months), and people travelling outside of these times either have to wait or face a significant risk of targeting by militant groups.

3.74 DFAT assesses that Shi'a pilgrims travelling by road to Iran through Balochistan face a moderate risk of targeting from sectarian militants. Pakistani military escorts significantly mitigate this risk.

### Ahmadis

3.75 Ahmadiyya is a religious movement based on Islam and founded in the Punjab region in the late 1800s by Mirza Ghulam Ahmad. Ahmadis consider themselves to be Muslims, and follow the teachings of the

Quran. The Ahmadiyya believe that Ghulam Ahmad was the *Mahdi* (a prophet who, according to the *hadith*, would appear at the time of the second coming of Jesus Christ, and fill the world with justice and equity prior to the Day of Judgement). Sunni and Shi'a Muslims believe that the Prophet Muhammad was the last of the prophets, and many consider Ahmadis to be heretics.

3.76 Estimates on the number of Ahmadis in Pakistan vary, but most estimates lie between 2-4 million. Ahmadis live predominantly in Punjab province; Rabwah in Punjab is the location of the movement's Pakistani headquarters. A larger number of Ahmadis live outside of Pakistan, including in Africa, Indonesia, the UK and the US. Leaders of the movement, including the current Supreme Head, Hazrat Mirza Masroor Ahmad, have resided in the UK since 1984.

3.77 Unlike some other minority groups in Pakistan, Ahmadis are not readily identifiable by their appearance, language or names. Many Ahmadis choose to maintain a low profile in the community to avoid societal discrimination and violence, although community leaders and organisations are very active and vocal. Pakistan's Ahmadi community is relatively well educated and prosperous.

3.78 While Ahmadis self-identify as Muslims, in 1974 the Pakistan government amended the Constitution to state explicitly that Ahmadis were considered non-Muslims. In 1984 the government of General Muhammad Zia-ul-Haq promulgated Ordinance XX, which banned Ahmadis from: publicly practising their faith; using non-Ahmadi mosques or public prayer rooms for worship; using Islamic texts for their prayers; performing the Muslim call to prayer; producing, publishing or disseminating religious materials; using the traditional Islamic greeting in public; seeking converts; or publicly quoting from the Quran. Ordinance XX also banned Ahmadis from identifying themselves or 'posing' as Muslims. Punishment for these activities is up to three years of imprisonment and a fine. Ahmadis are, however, exempt from the 2.5 per cent *zakat* deductions on personal income that are mandatory for Muslims in Pakistan.

3.79 Ahmadis face high levels of official discrimination in Pakistan. Ahmadis are required to register to vote on a separate Ahmadi-specific list, which specifies that they are non-Muslim. Non-Muslim groups such as Christians, do not face such restrictions. In the lead-up to the 2013 elections many Ahmadis refused to register as non-Muslims on this list, and were therefore unable to vote. Applications for official documentation such as passports and national identity cards must contain information about religious affiliation (recorded on passport documentation). People who identify as Muslim have to explicitly denounce Ghulam Ahmad as a false prophet and Ahmadiyya followers as non-Muslims.

3.80 Ahmadis are also not able to practise their religion freely. Credible sources told DFAT of cases where authorities, including police, have entered Ahmadi places of worship to dismantle minarets (symbols of Islamic mosques) and to remove Arabic inscriptions of Islamic texts from the walls. The Ahmadi community has told DFAT of examples where mobs have set fire to Ahmadi places of worship, desecrated graves and disinterred their dead. There are also credible reports of Ahmadi places of worship being given over to non-Ahmadi imams and their communities, and of authorities closing down Ahmadi publications. On 5 December 2016, officers from the Counter Terrorism Department of the Punjab Police raided the Ahmadi headquarters in Rabwah, arresting four Ahmadis on suspicion of publishing banned magazines. One security guard was reportedly beaten in the attack. On 12 December 2016, a crowd estimated at around 1,000 people attacked an Ahmadi place of worship in Chakwal, burning religious books and other items. One Ahmadi man died from cardiac arrest during the attack, while one non-Ahmadi man was killed by a stray bullet.

3.81 DFAT assesses that Ahmadis in Pakistan face a high level of official discrimination, which affects their ability to practise their religion freely and limits the extent of their political engagement. Ahmadis are also subject to a moderate level of societal discrimination, including accusations of blasphemy (see [Blasphemy](#), below).



3.82 Violence against Ahmadis by militant groups has been relatively rare in recent years. As well as the general improvement in the security situation, particularly in Punjab province where the Ahmadi community is concentrated, the levels of violence faced by Ahmadis is somewhat mitigated by their relatively high socio-economic status, as well as the fact that they tend not to be able to be easily identified as Ahmadi from their appearance. However, violent attacks on Ahmadis can occur. According to the SATP, three Ahmadi men were shot dead in three separate sectarian attacks in Punjab province between March and May 2017. While noting that the Ahmadi community remains vulnerable to religious-based violence, as well as violence stemming from accusations of blasphemy (see [Blasphemy](#), below) DFAT assesses that the overall risk of violence currently faced by Ahmadis in Pakistan is low.

## Christians

3.83 An estimated 3-6 million Christians live in Pakistan, mostly in Punjab province, with sizeable populations in Sindh, Islamabad and Khyber Pakhtunkhwa. The majority of the Christian population are descended from low-caste Hindus who converted during the British era. While a small number of Christians are relatively prominent and prosperous, Christians are typically among the poorest in Pakistani society. Because of their low socio-economic status, Pakistani Christians can be subjected to bonded labour and rarely have access to formal legal remedies. Some low-status jobs are advertised as being for Christian applicants only. Christians are disproportionately represented in blasphemy cases (see [Blasphemy](#), below).

3.84 Christians do not face formal legal restrictions on their ability to practice their religion, beyond some difficulties in establishing new places of worship. However, the Christian community is subject to communal violence. This violence can target individuals, churches, residences or other places where Christians are known to congregate. More than 70 people—including large numbers of women and children—were killed on Easter Sunday in March 2016, when a suicide bomber attacked a park in Lahore. Jamaat-ul-Ahrar (JuA), a splinter group of Tehreek-e Taliban Pakistan (TTP), claimed responsibility for the attack, and said it deliberately targeted Christians. Christians tend to live in concentrated areas or enclaves, which mitigates their risk of societal discrimination but increases their vulnerability to violence.

3.85 Since 2013, police have provided additional security to major churches during religious services. This has reduced, but not eliminated, the risk of violence. Police also provide some protection to Christian enclaves in major cities, to complement the community's own security arrangements. In September 2016 four suicide bombers attempted to attack a Christian enclave on the outskirts of Peshawar in Khyber Pakhtunkhwa province. Security forces intervened and engaged the militants in a gun battle. The militants all detonated their suicide vests. One civilian security guard was killed in the attack, which was claimed by JuA.

3.86 Overall, DFAT assesses that Christians in Pakistan face a low level of official discrimination and a moderate level of societal discrimination. DFAT further assesses that Christians in Pakistan face a moderate risk of communal and sectarian violence, although this risk is mitigated to some extent by community security efforts and police protection.

## Hindus

3.87 An estimated 2-3 million Hindus live in Pakistan, mostly in largely self-contained communities in the rural parts of Sindh province.

3.88 Hindus in Pakistan face low levels of official discrimination. According to the US State Department, the absence of a formal legal framework for the registration of Hindu and Sikh marriages created barriers to having these marriages officially recognised. This had implications for spousal inheritance. The government

has taken some steps to remedy this by passing a law facilitating the registration of Hindu marriages in 2017, which also provides additional protection from forced marriage.

3.89 Living in largely self-contained communities reduces some of the risks for Hindus of societal discrimination and violence. Multiple credible sources told DFAT that the biggest risk facing the Hindu community is the kidnapping of young teenage Hindu girls. Once taken, these girls are often married and forcibly converted to Islam. Due to very high levels of familial and communal violence because of apostasy in Pakistan and the possibility of being accused of blasphemy (see [Blasphemy](#), below), these girls are unable to revert to Hinduism. Young Hindu women in rural Sindh also face risks of so-called ‘honour killings’ if they have a relationship with someone against their family’s wishes (see [Women](#), below).

3.90 DFAT assesses that Hindus in Pakistan typically face a low level of official and societal discrimination, and a low risk of societal violence because of their religion.

## Blasphemy

3.91 The Penal Code sets out a series of offences relating to religion, including Article 295C which outlaws the use of ‘derogatory remarks’ against the Holy Prophet. Punishment for blasphemy is death, life imprisonment, or in some cases, a fine. Under Article 295B, ‘defiling’ a copy of the Quran is punishable by life imprisonment. Religious conversion from Islam, while not illegal, is often seen as blasphemous and can result in either prosecution under blasphemy laws or familial or communal violence (or both). Other provisions define more general crimes relating to insulting any religion, not just Islam. These provisions carry sentences of imprisonment of up to ten years.

3.92 In practice, blasphemy laws can be misused to settle personal or property disputes. Following an accusation, police will automatically detain the alleged blasphemer—usually in solitary confinement—ostensibly for their own safety (see below). In one high-profile case a Christian woman, Ms Asia Bibi, was convicted of blasphemy and sentenced to death following a dispute with her Muslim neighbours in 2010. In October 2014, the Lahore High Court upheld Ms Bibi’s death sentence. In October 2016, the Supreme Court adjourned Ms Bibi’s appeal after one of the judges recused himself due to a purported conflict of interest in the case. The judge had been on the bench of the Lahore High Court that upheld the death sentence for Mumtaz Qadri, who was convicted of murdering former Punjab governor Salman Taseer. Taseer had called for clemency for Ms Bibi, and for reforms to Pakistan’s blasphemy laws. Qadri was a member of Taseer’s security detail at the time of the incident. He was executed for Taseer’s murder in February 2016. At the time of publication, the Supreme Court has not yet heard Ms Bibi’s appeal.

3.93 Communal violence often targets those accused of blasphemy. In November 2014, a Christian couple was burned to death in the brick kiln where they worked as bonded labourers after they were accused of throwing out pages of the Quran with their household rubbish. In November 2016, a military anti-terror court sentenced five people to death for over the incident. DFAT understands that, in some cases, alleged blasphemers can be arrested and detained for their own safety.

3.94 Blasphemy allegations and associated communal violence are not restricted to the Christian community. In July 2014, three Ahmadis, including a woman and two young girls, were killed and eight others injured when an angry mob burnt several houses and vehicles in Gujranwala, in eastern Punjab province. An allegedly blasphemous posting on social media by an Ahmadi reportedly triggered the incident. In April 2017, a journalism student was beaten and shot at a university campus in Mardan for allegedly blasphemous social media posts (though he is widely considered to have been targeted for criticism of the university administration, and participation in open debates). A judicial inquiry found no evidence of blasphemy

3.95 Pakistani courts have dismissed several blasphemy cases based on lack of evidence or ineffective official investigations. DFAT understands that, at the time of publication, around 40 people are on death row for blasphemy offences, including at least three people sentenced to death during 2016. DFAT is not aware of any instances where people convicted of blasphemy have been executed.

3.96 While blasphemy laws apply to both Muslims and non-Muslims, DFAT assesses that the laws against blasphemy, and the potential for communal violence following an accusation of blasphemy, disproportionately affect religious minorities in Pakistan.

## POLITICAL OPINION (ACTUAL OR IMPUTED)

3.97 A broad range of political, ethnic and religious groups is represented in Pakistan's political system. Minority groups face no formal restrictions on representing their communities in the federal or provincial parliaments. The ten seats reserved for non-Muslim minorities and 60 seats reserved for women in the National Assembly are allocated to political parties based on proportional representation. Some members of minority groups are elected to the national and provincial parliaments in addition to these reserved seats.

3.98 Political protests are common in Pakistan, and can often lead to violent clashes between protesters and police. In October 2016 supporters of Imran Khan's Pakistan Tehreek-e-Insaf (PTI) party clashed with police in Rawalpindi, after defying a ban on public gatherings imposed in the lead-up to a large-scale protest planned by PTI for early November. Police reportedly fired tear gas and charged at protesters with batons. No serious injuries were reported. The planned large-scale protest was subsequently cancelled. In 2014, the PTI staged a prolonged sit-in protest in Islamabad over allegations of fraud in the 2013 elections. The protest lasted for several months. While the protest was largely peaceful, three protesters were killed and several hundred injured in clashes with police on 30 August 2014 as the protesters entered the grounds of the parliament building.

3.99 Politically motivated violence occurs throughout Pakistan. Several political parties, including the Mutahidda Qaumi Movement (MQM) and the Awami National Party (ANP), are alleged to have links to armed groups. Political violence tends to be most prevalent in Karachi. Since the beginning of Operation *Zarb-e-Azb* and the National Action Plan, violence by groups linked to political parties has significantly reduced.

### Mutahidda Qaumi Movement (MQM)

3.100 The MQM is a Karachi-based secular political party which advocates the rights of 'Mohajirs', or Urdu-speaking Muslim migrants (and their descendants) from India. As well as Karachi, the MQM has power bases in Hyderabad and Nawabshah districts of Sindh province. Because of the concentration of its membership in these areas, the MQM exercises considerable political influence in Sindh political affairs. The MQM currently holds 50 seats in the 167-seat Provincial Assembly of Sindh.

3.101 The MQM's representation of Karachi's Urdu-speaking community often brings it into conflict with the Sindhi-backed Pakistan People's Party (PPP) and Pashtun parties. In 2013, the paramilitary Rangers commenced operations in Karachi, which have continued under the banners of Operation *Zarb-e-Azb* and the National Action Plan. These operations have significantly reduced the incidence of political violence in Karachi. The Rangers have arrested several hundred MQM members in connection to violence and extortion, and dozens more MQM members have been killed in these operations. According to MQM, more than 140 of their members have been subjected to enforced disappearances in recent years. In August 2016, the Rangers announced that they had apprehended 848 target killers affiliated with MQM's 'militant wings' since

September 2013. The Rangers claimed that 654 of those arrested were responsible for more than 80 per cent of all targeted killings in Karachi and Hyderabad. The MQM suspects have reportedly confessed to being involved in 5,863 incidents of targeted killings.

3.102 Militant groups such as the TTP have periodically attacked MQM members because of their secular ideology, but such attacks have been much less frequent in recent years.

3.103 In August 2016, the controversial exiled leader of the MQM, Altaf Hussain, made an address via telephone from London to a group of MQM supporters on a hunger strike in Karachi. In this address, Altaf reportedly made remarks that were anti-Pakistan, and urged MQM supporters to attack media outlets that he felt were not giving MQM sufficient media coverage. Following the speech, a group of MQM supporters attacked an ARY News office. One person was killed and several others injured in the attack and the subsequent violent clashes with police. Rangers subsequently sealed MQM's offices in Karachi, launched a treason case against Altaf and arrested five other MQM leaders in Karachi.

3.104 The anti-Pakistan rhetoric in Altaf's speech also led to some senior MQM leaders in Pakistan announcing that the party would no longer answer to Altaf and would be run exclusively from Pakistan. The party effectively split into two factions; one that remained loyal to Altaf Hussain's leadership from London (MQM-London, or just MQM) and one led by Pakistan-based officials (MQM-Pakistan). It is unclear how permanent this split in the party will be. The Pakistan government has formally recognised MQM-Pakistan, and its leader Farooq Sattar.

3.105 DFAT assesses that MQM members face a low risk of violence from militant groups and criminal elements in Karachi, and that this risk has significantly reduced since security operations began in 2013. DFAT further assesses that MQM members who are associated with (or perceived to be associated with) political violence or criminal activities face a moderate risk of violence from security forces.

## Awami National Party (ANP)

3.106 The ANP is a Pashtun nationalist and secular political party, with headquarters in Peshawar, Khyber Pakhtunkhwa province. The party's major support bases are in Khyber Pakhtunkhwa and Balochistan. The ANP formed in 1986 as a successor to the National Awami Party, and served in several national and provincial coalition governments in the 1990s. Between 2008 and 2013, the ANP governed Khyber Pakhtunkhwa province and was a junior partner in the federal coalition government with the Pakistan People's Party.

3.107 Like several other parties in Pakistan, the ANP can act as an aggressor in politically motivated violence, but is also the victim of violence from militant groups. Tehreek-e-Taliban Pakistan (TTP) militants have attacked ANP members because of ANP's secular, left-leaning ideology and its support for counter-insurgency operations in FATA and Khyber Pakhtunkhwa. On 11 April 2016 militants killed an ANP leader in Swat, Khyber Pakhtunkhwa. Reports of such incidents have been increasingly rare in recent years. This is due largely to the improving security situation and the ANP's declining political influence in Khyber Pakhtunkhwa, but restrictions on media reporting capabilities in FATA and Khyber Pakhtunkhwa (see [Media](#), below) may mean some incidents in these areas—particularly those involving low-level officials—are not reported.

3.108 DFAT assesses that ANP members face a low risk of violence from political or militant groups based on their political affiliations.



## Pakistan Tehreek-e-Insaf (PTI)

3.109 The PTI is a centrist political party led by former cricketer Imran Khan. Formed in 1996, the PTI is Pakistan's third-largest party and currently leads a coalition government in Khyber Pakhtunkhwa. The PTI has frequently criticised what it describes as the systemic exploitation, corruption and prejudice in Pakistan's politics. Unlike most other major parties in Pakistan, the PTI has not engaged in political violence outside of minor scuffles with security forces during otherwise peaceful protests.

3.110 Politically motivated violence against PTI members can occur, but is rare. In August 2016, gunmen fired at a car carrying two PTI leaders in Karachi. Neither leader was injured in the attack. In November 2014, three gunmen opened fire on PTI members during a procession in Gharmala village, Punjab province. Ten PTI members were injured in the attack. In 2013, three gunmen on motorcycles fired into a PTI office in the Jalozi refugee camp near Peshawar, Khyber Pakhtunkhwa province. One PTI member was killed and five others injured in the attack.

3.111 DFAT assesses that PTI members face a low risk of politically motivated violence based on their party affiliation.

## GROUPS OF INTEREST

### Human Rights Organisations

3.112 Under the Societies Registration Act 1860, international non-government organisations (NGOs) must register with the government to operate in Pakistan. The government has periodically used the registration process to control the activities of international NGOs. On 25 May 2015, the government notified all international NGOs operating without a No Objection Certificate to cease operations immediately. Following the closure of Save the Children's Islamabad offices for allegedly 'working against Pakistan's national interests', these NGOs were allowed to resume operations in June 2015.

3.113 On 1 October 2015, the government introduced a new process for all NGOs receiving foreign assistance to register their operations and agree a memorandum of understanding (MOU) with the Ministry of the Interior (MoI). DFAT understands that the MoI has missed a number of deadlines in signing MOUs, but by the time of publication, 58 MOUs have been agreed. However, the government has also agreed that international NGOs that are already active in Pakistan can continue their operations until a decision is made. DFAT understands that no MOUs have been officially rejected.

3.114 Pakistan has an active civil society sector. DFAT understands that activists who are critical of the government are subject to some additional scrutiny by the authorities, including being questioned when they travel to sensitive areas such as Balochistan. High-profile human rights activists may also be subject to surveillance by the authorities.

3.115 Human rights organisations face risks of violence from militant groups when their activities threaten the militants' interests or ideologies. The most prominent example of this relates to polio vaccination programs. The TTP has publicly banned polio vaccinations and regularly carries out attacks on polio workers. On 11 September 2016 gunmen in Peshawar shot dead Dr Zakaullah Khan, a leading polio vaccination campaigner. A splinter group of the TTP reportedly claimed responsibility for the attack. Reports suggest that militant groups have killed more than 100 people in attacks on polio workers since December 2012.

3.116 DFAT assesses that high profile human rights activists who are critical of the Pakistan government or the military face a moderate risk of official discrimination and harassment. NGO workers face a moderate

risk of violence by militant groups, particularly those involved in polio vaccination programs. While attacks on NGO workers can occur in any part of Pakistan, these attacks tend to be more prevalent in areas where the general security situation is worse, including in Khyber Pakhtunkhwa, the FATA and Balochistan.

## Media

3.117 Article 19 of the Constitution guarantees freedom of the press, ‘subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, commission of or incitement to an offence’. Pakistan has a large number of independent broadcast, print and electronic media outlets.

3.118 The Pakistan Electronic Media Regulatory Authority regulates the activities of television and radio stations, and the Press Council of Pakistan regulates print media. Media content is regularly censored to remove ‘obscenities’ and to discourage the publication of sensitive information, particularly in relation to national security issues. Under the Pakistan Electronic Crimes Act 2015, the Pakistan Telecommunications Authority undertakes intermittent internet filtering to block sites containing information considered to be injurious to Islam, offensive, or a risk to national security.

3.119 Reporters Without Borders (RSF or *Reporters sans frontières*) ranked Pakistan 147<sup>th</sup> out of 180 countries in its Press Freedom Index 2016, placing Pakistan in between Malaysia (146<sup>th</sup>) and Russia (148<sup>th</sup>) in the rankings. RSF highlighted the risks to journalists from terrorist groups, Islamist organisations and the Pakistan government’s intelligence organisations. According to RSF, two journalists were killed in Pakistan in 2016. Five bloggers disappeared in 2017 for publishing content allegedly critical of the government and military. None of the arrested persons was prepared to speak about disappearance on their return. Some have fled the country.

3.120 Journalists in Pakistan are typically free to report on most issues of interest. Media outlets regularly publish criticism of the federal and provincial governments, politicians, political parties, the judiciary and the security forces. However, DFAT understands that journalists regularly undertake self-censorship when dealing with sensitive issues, particularly issues involving the military and national security, or when reporting on militant groups. DFAT understands that the government and the military often restrict access to information and physical access to areas such as the FATA, border areas of Khyber Pakhtunkhwa and parts of Balochistan.

3.121 In November 2012, journalist Hamid Mir survived an attempted attack by militant group Tehreek-e-Taliban Pakistan (TTP) when police defused an explosive device found underneath his car in Islamabad. The TTP claimed responsibility, reportedly targeting Mir because of his secular agenda. In April 2014, Mir again survived an attack, this time by unidentified gunmen on motorcycles in Karachi. Mir was shot six times in the attack, which he has reportedly blamed on Pakistan intelligence agencies. Mir had written critically of the Pakistan military and the Directorate-General of Inter-Services Intelligence (the Pakistan government’s lead intelligence agency), and of alleged human rights abuses in Balochistan.

3.122 DFAT assesses that journalists in Pakistan generally face a low risk of violence, reflecting the fact that most journalists practise some level of self-censorship when reporting on highly sensitive issues.

## Women

3.123 Article 25 (2) of the Constitution prohibits ‘discrimination on the basis of sex’. Pakistan has had several high profile female leaders. Benazir Bhutto served two terms as prime minister; Fehmida Mirza was

Speaker of the National Assembly from 2008 to 2013; Shehribano (Sherry) Rehman held ministerial positions and was Pakistan's Ambassador to the US from 2011 to 2013; and Hina Rabbani Khar served as Pakistan's Foreign Minister from 2011 to 2013.

3.124 However, the role of high-profile women from influential families in Pakistan is not representative of conditions for women in general. Women in Pakistan tend to live in segregation from men, particularly from men outside their families. According to the World Economic Forum's 2016 Global Gender Gap report, Pakistan is ranked 143<sup>rd</sup> out of 144 countries in terms of its gender equality in the economy, politics, education and health. Women are able to participate actively in society in some parts of the country, particularly large urban centres such as Lahore, but women in more conservative, particularly rural, areas face significant restrictions on their activities. Women in many parts of the country are prevented from having contact with men other than their relatives. Women displaced by security operations in FATA were often reportedly unable to come out and stand in line for food rations and other supplies. Female-headed households in this situation were unable to provide for their families. Women and girls can be exchanged as a means of settling disputed between families, particularly in rural and tribal areas. Traditional and cultural norms in these areas often prevent women from voting in elections.

3.125 Violence against women is highly prevalent in Pakistan. According to the Human Rights Commission of Pakistan's (HRCP) 2015 Annual Report, 939 incidents of sexual violence, 279 incidents of domestic violence, 143 cases of burning (including acid attacks, and cases where the victim was set on fire) and 833 kidnappings involving women were reported in 2015. These figures only include cases formally reported to authorities; the actual incidence of violence is likely to have been significantly higher. In 2014, the Aurat Foundation identified more than 10,000 cases of violence against women across Pakistan, based on newspaper reports of incidents. This number is also likely to understate significantly the actual incidence of violence against women in Pakistan due to the large number of cases that go unreported.

3.126 The victims in many cases, including sexual assault and rape cases, were children. According to the HRCP, in October 2015 three separate rape cases were recorded in Malakand District, Khyber Pakhtunkhwa. The victims in these cases were a 20-year-old girl, a 13-year-old girl and a four-year-old girl.

3.127 While the prevalence of violence against women is high, successful prosecutions are rare. Law enforcement officers were often involved in sexual assault cases recorded by the HRCP. The US State Department has reported allegations that police have pressured rape victims to drop charges, particularly when the accused had bribed the police officer. Rape cases are often subject to traditional justice mechanisms, under which victims are often required to marry their attackers. Marital rape is not a crime under Pakistani law.

3.128 The Council of Islamic Ideology (CII, a constitutionally recognised body that provides advice to parliament and the prime minister on the compatibility of legislation with Islamic principles) has opposed measures such as the Women's Protection Act 2006. This legislation prevented rape victims from being charged with adultery, and improved the rules governing prosecutions in cases involving sexual assault. The CII has also opposed provincial legislation such as the Punjab Protection of Women against Violence Act 2016, which criminalises various forms of abuse such as domestic violence and stalking, protects victims while a case is investigated, and provides for civil remedies. The CII has reportedly recommended that husbands should be able to beat their wives 'lightly' under the law.

3.129 Child marriage—defined as marriage involving a male under the age of 18 years or a female under the age of 16 years—is illegal under the Child Marriage Restraint Act 1929. In 2014, the Sindh Assembly adopted the Sindh Child Marriage Restraint Act, increasing the minimum age of marriage for girls to 18 in Sindh province. In practice however, child marriage is widespread across Pakistan. The CII has argued that the laws pertaining to the minimum age of marriage are 'un-Islamic', and advocated children being allowed

to marry at any age provided they had attained puberty. According to UNICEF, around three per cent of girls are married before the age of 15, and 21 per cent are married before the age of 18.

3.130 The HRCP also recorded 987 cases of ‘honour killings’ in 2015, with 1,096 female victims and 88 male victims. Domestic disputes, ‘unapproved’ relationships and the victims having exercised choice in who they married were typical motivations in these killings. The National Assembly passed legislation in October 2016 mandating imprisonment for convicted murderers in honour killing cases. Previously, perpetrators could be freed under Pakistani law if forgiven by the victim’s family. In the case of honour killings, the perpetrator was often also a member of the victim’s family. Women can be subject to mutilation (such as having their nose or ears cut off) as punishment for so-called ‘honour crimes’. Formal punishment for the perpetrators of these mutilations is rare.

3.131 DFAT assesses that, in general, women in Pakistan face a high risk of domestic and societal violence and discrimination because of their gender. Women in Pakistan also face a high level of official discrimination, including in relation to the ineffectiveness of official processes to prevent violence against women and to prosecute the offenders. Women face legal discrimination on issues such as inheritance, property rights, family law, and formal and traditional judicial processes.

### **Militant attacks on women**

3.132 Militant groups such as Tehreek-e Taliban Pakistan (TTP) have attacked women and girls, particularly female teachers and girls attending school, due to ideological opposition to female education. The most high profile of these attacks was the 2012 shooting of schoolgirl Malala Yousafzai while she was travelling on a school bus in Swat. The attack was a direct response to a series of high-profile media interviews with Ms Yousafzai in October 2012, in which she promoted girls’ rights to education and condemned the TTP. Attacks on girls’ schools continue in Pakistan, particularly in the FATA, Khyber Pakhtunkhwa and Balochistan, although the frequency of attacks has declined along with the improvement in the general security situation.

3.133 Aside from attacks on girls’ education institutions, a number of other attacks have resulted in large numbers of female casualties. The 2016 Easter Sunday attack on a park in Lahore killed mostly women and children (see [Christians](#), above). In October 2016 gunmen attacked a bus in Quetta, taking at least four Hazara women from the bus and killing them on the side of the road (see [Hazaras](#), above). DFAT assesses that the victims in most of these attacks are not targeted specifically because of their gender, but rather because of other characteristics such as religious affiliation. With the exception of attacks on female education institutions, DFAT assesses that women in Pakistan face a low risk of militant attacks motivated by their gender.

## **Sexual Orientation and Gender Identity**

3.134 Homosexual sex between men is illegal in Pakistan. Section 377 of the Penal Code outlaws consensual ‘carnal intercourse against the order of nature with any man, woman or animal’, punishable with imprisonment for two years to life. It is unclear whether Section 377 of the Penal Code applies to sexual relations between women, because of its language around penetrative ‘carnal intercourse’. Section 377 is rarely enforced in practice, although there are reports of men being threatened with prosecution as a means of extracting a bribe. Homosexuality is not widely discussed or acknowledged in Pakistan. Same-sex attracted people are highly constrained by cultural, religious and social intolerance of homosexuality. These people are often not accepted by their families, and can be thrown out of home and forced into sex work. They face significant societal discrimination and, in some cases violence. In April 2014, a man was arrested in Lahore for killing three gay men he met online. He reportedly told police he wanted to send a message about the evils of homosexuality.



3.135 As with many other issues, the extent of familial and societal discrimination and violence faced by lesbian, gay, bisexual, transgender and intersex (LGBTI) people tends to be inversely proportional to their socio-economic status. Credible sources told DFAT that wealthy individuals from influential families in large urban centres face fewer constraints than poor people in rural areas. Nonetheless, even wealthy individuals face high levels of discrimination, and are often forced into a heterosexual marriage to preserve the family's reputation and social standing.

3.136 As is common across South Asia, the Pakistan government formally recognises transgender people as a 'third gender'. This designation appears on national identity cards. Transgender people have full voting rights and can inherit property. However, they still face high levels of societal discrimination and, in some cases, violence. Transgender people tend to live together in poorer communities within large urban centres. According to the US State Department, they often survive by begging or dancing at carnivals and weddings. In carrying out this work, transgender people are highly visible and are therefore vulnerable to physical and sexual violence. Muslim transgender people are not permitted to undertake hajj.

3.137 LGBTI issues are slowly achieving greater visibility, if not tolerance, in Pakistan, albeit from a very low base. A number of community organisations exist in some major urban centres to provide medical and support services to the LGBTI community. However, significant challenges remain. One medical support group told DFAT that only around a quarter of the HIV-Positive people who have the active support of community groups can access HIV health services; those without access to support groups have almost no chance of receiving the necessary treatment. A pro-LGBTI event hosted by the US Embassy in Islamabad in 2011 led to a significant backlash from religious groups and the broader community. In 2017, DFAT participated in and supported several low-key LGBTI events in conjunction with the International Day Against Homophobia, Biphobia and Transphobia (IDAHOT).

3.138 DFAT assesses that LGBTI people in Pakistan face high levels of official and societal discrimination in Pakistan. To the extent that violent incidents are rarely reported, DFAT assesses that this is due in part to a lack of recognition of LGBTI issues in Pakistan, and in part to the efforts of LGBTI people to conceal their sexual orientation and/or gender identity. DFAT assesses that openly LGBTI people would be subject to a high risk of societal violence.

## Western influences

3.139 Western influence is pervasive in many parts of Pakistan, particularly in large urban centres. Western films and music are widely available (though in many cases subject to censorship), and western-branded retail chains operate throughout the country. Both Urdu and English are official languages, and English is taught in many schools and is widely spoken among Pakistan's elite. Many Pakistanis have relatives in western countries and many more aspire to migrate abroad. Those living abroad return to Pakistan frequently to visit relatives.

3.140 DFAT assesses that individuals in Pakistan are not subject to additional risk of discrimination or violence on the basis of having spent time in western countries or because of perceived western associations (such as clothing), despite a generally increasing conservatism and religiosity across the country.

## 4. COMPLEMENTARY PROTECTION CLAIMS

### ARBITRARY DEPRIVATION OF LIFE

4.1 There are credible reports of both militants and security forces carrying out extra-judicial killings and enforced disappearances. Reports of incidents involving arbitrary deprivation of life rose sharply during Operation *Zarb-e-Azb*. In addition to those deaths attributable to Pakistan security forces and various insurgent, sectarian and criminal groups, the Bureau of Investigative Journalism estimates that at least 2,499 people (including 424 civilians) have been killed in US military drone strikes in Pakistan since 2004. In a statement released on 1 July 2016, the US Director of National Security estimated that at least 2,372 ‘combatants’ and 64 ‘non-combatants’ died in US counter-terrorism strikes across Pakistan, Yemen, Somalia and Libya between January 2009 and the end of 2015.

#### Extra-Judicial Killings

4.2 Article 9 of the Constitution provides that ‘no person shall be deprived of liberty save in accordance with law’. Under the Protection of Pakistan Act 2014, junior officers in the security forces can lawfully shoot on sight a person who is committing or is likely to commit a ‘scheduled offence’ (such as bombings or killings committed as an act of insurrection against Pakistan). They may also shoot on sight to prevent death or grievous hurt, provided the decision to shoot is as a last resort and does not cause more harm than is necessary.

4.3 A number of high-profile cases of extra-judicial killings have occurred in Pakistan. Most police forces do not publish statistics on the number of ‘police encounters’, so no reliable data on the number of extra-judicial killings are available.

4.4 According to Human Rights Watch, faked ‘encounter killings’ by police are common in Pakistan. The Human Rights Commission of Pakistan (HRCPP, an independent non-government organisation founded in 1978) has collated media reports documenting ‘police encounters’ which resulted in the killing of 2,115 people across Pakistan in 2015. The HRCPP found that police commit human rights abuses with impunity in such encounters because of a lack of rigorous, independent inquiry mechanisms. According to the US State Department, security forces reportedly committed extrajudicial killings across all provinces of Pakistan and the FATA in 2016.

#### Enforced or Involuntary Disappearances

4.5 Pakistan is not a party to the UN International Convention for the Protection of All Persons from Enforced Disappearance. There are credible reports of enforced disappearances in Pakistan, particularly in the context of Operation *Zarb-e-Azb* and Pakistan Rangers’ operations in Karachi. Reliable data on the number of enforced disappearance cases are difficult to obtain, and estimates from official, non-government and international organisations vary considerably. According to the Pakistan government’s Commission of Inquiry on Enforced Disappearances, at the end of 2015, 1,390 cases of alleged disappearance had been

lodged with the Commission and remained outstanding. Nearly half of these cases were from Khyber Pakhtunkhwa, and around 300 were from Sindh.

4.6 According to the US State Department, in 2016 there were ‘kidnappings and forced disappearances of persons from various backgrounds in nearly all areas of the country’. In addition to the reports of enforced disappearances and extrajudicial killings of suspected militants, some disappearances involved political party members, particularly members of the Muttahida Qaumi Movement (MQM). In May 2016, the Karachi-based MQM submitted to the Pakistan Supreme Court a list of 171 missing party workers, including 100 workers who they allege had gone missing in the first four months of 2016. In 2017, bloggers and online reporters have also faced enforced disappearances (see [Media](#), above).

## Deaths in Custody

4.7 According to media monitoring conducted by the Human Rights Commission of Pakistan, 65 prisoners died in Pakistan’s prisons during 2015. Of these deaths, 46 were reportedly caused by disease or illness, while four prisoners reportedly died because of torture carried out by prison officials and one died after being assaulted by other prisoners. Thirty-five of the prisoners who died were under trial at the time of their deaths. Given these figures are based only on incidents reported in the media, they are likely to understate actual numbers.

## DEATH PENALTY

4.8 Under Pakistani law, 27 offences can attract the death penalty, including blasphemy, terrorism, murder, rape, drug smuggling and adultery. More than 8,000 people are currently on death row in Pakistan. Around 430 people have been executed since an unofficial moratorium on executions was lifted in December 2014, including more than 40 people executed since the beginning of 2017. The vast majority of those executed have been convicted of murder or terrorism-related charges. Pakistan has executed people who were minors at the time their crime was committed, and people suffering from mental illness. Many of those executed were reportedly convicted in trials that did not meet international standards for fair trials. People tried in Pakistan’s military courts do not have access to the same due process requirements afforded to those tried in civilian courts.

4.9 While DFAT is unaware of any executions of people convicted of blasphemy being carried out since the lifting of the moratorium on executions, around 40 people convicted of blasphemy remain on death row and convictions continue. In 2010, a Christian woman, Asia Bibi, was sentenced to death for allegedly insulting the prophet Mohammad following a disagreement with Muslim women in her village (see [Blasphemy](#), above). In 2017, a Pakistan court imposed the death penalty in relation to ‘digital blasphemy’ – the first time this has occurred in the country.

## TORTURE

4.10 Article 14(2) of the Constitution prohibits the use of ‘torture for the purpose of extracting evidence’. Pakistan ratified the UN Convention Against Torture in 2010. However, Pakistan has not yet passed domestic legislation criminalising torture or providing for punishments for the perpetrators of torture.

4.11 In practice, there are widespread reports of the security forces, including the intelligence services, torturing people held in their custody. In May 2016, Aftab Ahmad, a member of the Muttahida Qaumi Movement (MQM), died in the custody of the Rangers in Karachi. Authorities initially attributed his death to

a heart attack; photos later emerged of his body showing signs of severe beating. The Director General of the Rangers admitted that Ahmad had been tortured in the Rangers' custody. Five Rangers were suspended pending the outcome of an inquiry into the incident. According to the Asian Human Rights Commission, around 80 per cent of prisoners in police custody were tortured in 2015. There are widespread reports of sexual abuse, including reports that a large proportion of the female prison population has been sexually assaulted by prison guards.

## CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

4.12 Under the Hudood Ordinances introduced in 1979, individuals accused of theft, alcohol consumption or sex outside of marriage may be sentenced to flogging, whipping, death by stoning, or having limbs amputated. In practice, DFAT is not aware of the government ever carrying out the penalty of death by stoning, and sentences such as whipping are rare through the formal judicial system.

4.13 In rural areas and areas not under effective state protection, militants and community-based traditional justice systems at times administer punishments for offences such as spying, theft, adultery and perjury. These punishments can include death by stoning, amputations, and 'blackening' of faces with ink as a form of public humiliation.

4.14 The federal government continues to govern the Federally Administered Tribal Areas (FATA) using the British-era Frontier Crimes Regulations (FCRs). The FCRs permit collective punishment of family or tribal members of those found guilty of specified criminal acts.

### Arbitrary Arrest and Detention

4.15 In July 2014, the National Assembly passed the Protection of Pakistan Act 2014. This anti-terrorism legislation includes powers to hold detainees without charge for up to 90 days. Officials can also withhold the location of detainees in the interests of security. The Act also reverses the presumption of innocence by placing the onus on those charged under the Act to prove their innocence.



## 5. OTHER CONSIDERATIONS

### STATE PROTECTION

5.1 Pakistan's formal legal framework provides for state protection of people's property, lives, places of worship and religious beliefs. However, DFAT assesses that state protection in Pakistan is limited by resources shortages, personal socio-economic status and, in some cases, political will.

5.2 Despite the measures introduced to curb violence across the country under the 2015 National Action Plan (NAP)—such as strengthened powers for military and paramilitary security forces and the establishment of military courts to trial terrorism offences—successful prosecutions of those responsible for politically motivated or sectarian violence are rare. This is due in part to the ineffectiveness of police investigations, and to the effect of threats against judges, lawyers and witnesses. The measures introduced by the NAP were intended to be temporary to allow time for improvements to civilian law and order institutions, but significant reform of the civilian justice system has still not eventuated.

### Police

5.3 Pakistan's provinces and autonomous regions are directly responsible for law and order. Police forces are therefore supervised at the provincial level, although the federal government has jurisdiction over police in Islamabad and security forces in the FATA. According to the International Crisis Group, the number of police in Pakistan increased from 220,000 to 430,000 over the decade to 2015.

5.4 Police forces in each province act independently of each other, and there are no nationwide benchmarks for training standards and coordination. The Police Act 2002 sought to reform the police by formalising oversight by public representatives and an independent prosecution service. However, Parliament diluted these provisions in a series of amendments to the Act in 2004.

5.5 The effectiveness of individual police forces in Pakistan and the challenges faced by these forces vary. Overall, however, police capacity in Pakistan is limited by a lack of resources, poor training, insufficient and outmoded equipment, and competing pressures from superiors, political actors and the judiciary. Credible sources in Pakistan told DFAT that there is a widespread perception across the community of high levels of police corruption.

5.6 In addition to the province-based police forces, several paramilitary forces operate in Pakistan. These groups include the Pakistan Rangers, which operate predominantly in Punjab and Sindh provinces. The Rangers are notionally under the authority of the Ministry of the Interior, although they are headed by an Army General and are in practice under the control of the military. The Rangers undertake border security operations along the Indian border, as well as internal law and order operations. The Rangers have been criticised for heavy-handed tactics, particularly in Karachi, including widespread accusations of arbitrary arrests and extrajudicial killings, although they receive popular support from some parts of the community due to the improvement in the security situation in recent years. The Frontier Corps perform a similar role to the Rangers in western border regions, including Balochistan, Khyber Pakhtunkhwa and the FATA.

## Judiciary

5.7 The Supreme Court of Pakistan sits at the apex of Pakistan's judicial system, followed by five provincial and regional high courts and numerous district courts. The Constitution guarantees the independence of the judiciary. The Supreme Court often undertakes inquiries that bring it into conflict with federal and provincial governments and the military.

5.8 Pakistan has a range of other formal and informal judicial bodies. Although subordinate to the Supreme Court, the Federal Shariat Court (FSC) is a parallel court responsible for ensuring Pakistani laws are consistent with Islamic principles. The FSC has jurisdiction to examine the judgements of lower courts in *hudood* cases, which arise from the Hudood Ordinances governing Muslim behaviour (see [Religion](#)). In December 2013, Ashraf Jean became the FSC's first female judge. Pakistan's Anti-Terrorism Courts prosecute offences under the Anti-terrorism Act 1997. Many residents in tribal areas seek justice through traditional dispute resolution systems, including local committees or *jirgas* made up of tribal elders, as an alternative to formal justice mechanisms.

5.9 Defendants in criminal trials are entitled to the presumption of innocence and are allowed legal representation, although such representation is usually self-funded. Judicial practice in Pakistan tends to favour witness testimony over forensic or other types of evidence. Pakistan abolished trial-by-jury in the 1960s. There are credible reports of corruption in the judicial system, as well as intimidation of the judiciary, particularly in religiously sensitive cases, such as those involving blasphemy. The judicial system is overburdened, and cases can take years to finalise.

5.10 In line with the National Action Plan (NAP), on 6 January 2015 the National Assembly amended the Pakistan Army Act 1952 and Article 175 of the Constitution to allow cases involving civilian terror suspects to be heard by military courts, with a two-year sunset clause. On 5 August 2015, the Supreme Court upheld the constitutionality of these courts. Between January 2015 and January 2017, military courts reportedly sentenced around 161 people to death for terrorism-related offences. The jurisdiction of military courts to try civilians was scheduled to end in January 2017, however in March 2017 the parliament passed legislation to extend the courts' operations for a further two years.

## Detention and Prison

5.11 Conditions in detention and prison facilities in Pakistan do not meet international standards because of under-resourcing, overcrowding and poor sanitary conditions. According to the US State Department, overcrowding is common, with reports of more than 100,000 people held in detention facilities with a combined capacity of around 36,000. According to the UK Home Office, as at April 2015 around 70 per cent of prisoners were awaiting trial. Minors are typically held in the same facilities as adult prisoners. The US State Department has described the conditions in some prisons as 'harsh and life threatening' due to 'overcrowding and inadequate medical care'.

## INTERNAL RELOCATION

5.12 Article 15 of the Constitution guarantees the right to freedom of movement in Pakistan. The country's last census in 1998 showed the high level of internal migration; almost three million people lived in a different province to the one in which they had been born, and nearly 11 million lived in a different district. DFAT understands that large-scale internal movements have continued since the census in 1998.

5.13 Operations by security forces have forced many people to relocate in recent years, particularly in the FATA and Khyber Pakhtunkhwa. Credible sources in Pakistan told DFAT that the majority of these people

have now been able to return to their homes, although in many cases their homes and fields had been destroyed in the security operations. DFAT understands that as of November 2016 around 600,000 people remained displaced as a result of security operations and natural disasters. A further 5,000 families are estimated to have been displaced from Pakistan to the Afghan city of Khost, near the Pakistan border.

## Options for internal relocation

5.14 Large urban centres such as Karachi, Islamabad and Lahore tend to have ethnically- and religiously-diverse populations, and offer a level of anonymity for people seeking refuge from violence by non-state actors. However, groups such as the Ahmadis, who face significant levels of official discrimination, face similar issues in all parts of the country.

5.15 Lahore has a population of around 10 million people. While it remains a majority-Punjabi city, there are significant numbers of some other ethnic groups, particularly Pashtuns. There are few Hazaras or Turis in Lahore. While security incidents can occur—such as the 2016 Easter Sunday attack—the security situation in Lahore tends to be better than other areas. Representatives of the Pashtun community told DFAT that Lahore was safer for Pashtuns than other parts of the country. Similarly, representatives of the Shi’a community told DFAT that Lahore and Islamabad were the safest parts of the country for Shi’a. Representatives of the Lahore Christian community told DFAT that the security situation has improved and that the government is genuine in its attempts to provide Christians with state protection, although some risks—particularly of communal violence and societal discrimination—remain.

5.16 Islamabad has a population of around two million people, including a large number of internal migrants from all parts of the country. There is a strong security presence, including checkpoints throughout the city and its entry points, and patrols by the paramilitary Rangers. These security measures provide a strong deterrent to militant groups planning attacks in the capital, and large-scale militant or sectarian attacks in Islamabad are rare. Such violence more often takes the form of targeted killings (such as drive-by shootings) of high-profile community leaders.

5.17 Karachi’s population is estimated at between 20-24 million people, making it Pakistan’s largest population centre. Security operations in Karachi have significantly reduced the level of militant and sectarian violence in recent years, although attacks are more frequent in Karachi than in Lahore or Islamabad. According to the SATP, around 250 people died in terrorism-related incidents in Karachi during 2016. This includes suspected militants killed in encounters with police. The relatively high number of casualties from insurgent, sectarian and criminal violence in Karachi is due in part to the city’s large population. A significant number of internal migrants live in poor conditions on the outskirts of the city. Credible sources told DFAT that Karachi is generally less safe for religious and ethnic minorities than other cities such as Lahore. However, some parts of Karachi are relatively safe, particularly in South Karachi (such as the more prosperous Clifton and Defence neighbourhoods).

## TREATMENT OF RETURNEES

5.18 Pakistani citizens require a valid passport to enter or exit Pakistan under the Passports Act 1974. Attempting to enter or depart Pakistan without valid documentation or on fraudulent documentation is punishable with up to three years’ imprisonment, a fine, or both. Those suspected of human trafficking or people smuggling may be prosecuted under the Emigration Ordinance 1979, which provides for penalties of up to five years’ imprisonment (up to seven years for a subsequent offence), a fine, or both.

5.19 In practice, returnees tend to leave Pakistan on valid travel documents and therefore tend not to commit Pakistani immigration offences. Those who return voluntarily and with valid travel documentation are typically processed like any other citizen returning to Pakistan. Only those who are returned involuntarily or are travelling on emergency travel documents are likely to attract attention from the authorities upon arrival.

5.20 DFAT understands that those returned to Pakistan involuntarily are typically questioned upon arrival to ascertain whether they left the country illegally, are wanted for crimes in Pakistan, or have committed any offences while abroad. Those who left Pakistan on valid travel documentation and have not committed any other crimes are typically released within a couple of hours. Those found to have contravened Pakistani immigration laws are typically arrested and detained. These people tend to be released within a few days, either having been bailed by their families or having paid a fine, although there are provisions for jail sentences. Those wanted for a crime in Pakistan or who have committed a serious offence while abroad may be arrested and held on remand, or required to report regularly to police as a form of parole.

5.21 Returnees are responsible for arranging their own onward transportation from their point of entry into Pakistan. Voluntary returnees may be eligible for assistance from the International Organisation for Migration. Involuntary returnees are not eligible for reintegration assistance. Returnees are typically able to reintegrate into Pakistani community without repercussions stemming from their migration attempt, although involuntary returnees who took on debt to fund their migration attempt tend to face a higher risk of financial hardship. DFAT assesses that returnees to Pakistan do not face a significant risk of societal violence or discrimination as a result of their attempt to migrate, or because of having lived in a western country.

## Exit and Entry Procedures

5.22 Under the Exit from Pakistan (Control) Ordinance 1981, the Pakistan government can prevent any person, including those with valid travel documentation, from leaving the country. The government maintains an Exit Control List (ECL), and can prevent those whose names appear on the list from leaving the country, including those wanted for criminal offences. People can be placed on the ECL for a range of reasons. In 2016, journalist Cyril Almeida was reportedly placed on the ECL following publication of a story he wrote on a sensitive rift between the civilian government and the military establishment. His name was removed from the list a few days later.

5.23 Pakistan and Afghan citizens are required to present their passports with valid visas for movement across the Pakistan-Afghan border. However, because of the length of the border and the rugged terrain, undocumented movement across the border is common. Pakistan citizens of the Shi'a-majority Kurram Agency have historically transited through Afghanistan to reach Khyber Pakhtunkhwa (Peshawar) in an attempt to avoid militant groups in Kurram and Orakzai agencies.

## DOCUMENTATION

5.24 The most reliable forms of documentation in Pakistan are passports and Computerised National Identity Cards (CNICs). Other common forms of identification include domicile, birth, death and marriage certificates. Drivers' licences are generally considered a less reliable form of identification.

5.25 The Directorate General of Immigration and Passports issues passport documentation and the National Database and Registration Authority (NADRA) issues CNICs. Both these bodies are within the portfolio of the federal Ministry of the Interior, and both have offices across the country. All adult Pakistan



citizens (males and females over the age of 18) are eligible to apply for passports and CNICs. The Pakistan government has dual nationality arrangements with 16 countries. Pakistanis living overseas have the option to register with the government as non-resident 'Overseas Pakistanis'.

## Computerised National Registration Cards (CNICs)

5.26 CNICs are the most common form of identification in Pakistan, and are required to obtain a passport or drivers' licence, engage in formal employment, register as a voter, access services such as bank accounts, and to gain entry to a college or university.

5.27 To obtain a CNIC, applicants need to submit the CNIC or MNIC (manual ID card, the predecessor to the CNIC) number of a blood relative along with their own birth certificate, school certificate or citizenship certificate. An applicant who was previously registered and had a MNIC is only required to submit the original or a copy of their MNIC. An applicant who has turned 18 and holds a Child Registration Certificate (CRC) is required to submit the CRC or a copy. Applicants are required to attend a NADRA registration centre in their place of origin to submit their paperwork, have their photograph taken, and provide their signature and an impression of their thumb. Illiterate applicants are not required to provide schooling or age verification information. Applicants from the FATA and some parts of Khyber Pakhtunkhwa and Balochistan must have their applications counter-signed by a Political Agent or an Assistant Political Agent.

5.28 CNICs record the following information about the holder: legal name; gender (male, female or transgender); father's name (or husband's name for a married female); identification marks; date of birth; CNIC number; family registration ID number; current address; permanent address; date of issue; date of expiry; signature; photo; and thumbprint. CNICs do not display information on the holder's religion, but NADRA collects this information during the application process. CNICs are valid for five or ten years; CNICs issued to senior citizens are valid for life.

5.29 In 2012, NADRA introduced Smart National Identity Card (SNICs) as a replacement for CNICs. SNICs contain similar information to the CNICs, as well as a smart chip containing biometric information and a number of additional security features. While the document itself is highly secure, rigorous identity checks are not undertaken prior to SNICs being issued.

## Passports

5.30 Pakistan issues machine-readable ordinary, official and diplomatic passports. These passports contain a number of biometric and security features, including the holder's photograph and fingerprint information, watermarks, and other security features. Passports also contain information about the holder's religion. DFAT understands that the Pakistan government had aimed to replace all of the older, manual passports by November 2015, and that manual passports are no longer issued.

5.31 All Pakistan citizens are eligible to apply for a passport. Generally, the only supporting documentation required to obtain a passport is the applicant's CNIC. Pakistan diplomatic missions in other countries, including Australia, are able to issue passports to Pakistan citizens.

## Birth and Death Certificates

5.32 Birth certificates in Pakistan can be issued by NADRA, local government bodies (union councils) or a hospital. Hospital birth certificates are typically issued automatically for children born in hospitals, however there is no central database for these certificates and there is no automatic registration process for the

many babies that are not born in a hospital. While technically compulsory, in practice large numbers of births are not registered. According to UNICEF, only 34 per cent of children under the age of five in Pakistan have had their births officially registered. School records and matriculation certificates are often used in lieu of birth certificates.

5.33 NADRA birth certificates are uniform across the country, but other types of certificates are not. NADRA certificates are fully computerised and contain a complete birth record in both English and Urdu. NADRA certificates and local government certificates should be stamped and signed by local government officials.

5.34 DFAT understands that children born in Pakistan to Afghan refugee parents receive Pakistan birth certificates with the assistance of UNHCR. These certificates can be either NADRA certificates or certificates issued by non-government health organisations, which are generally accepted as genuine documents in Pakistan and Afghanistan.

5.35 NADRA issues fully computerised death certificates containing relevant information in English and Urdu. Older, handwritten death certificates issued by union councils also exist.

## Marriage certificates

5.36 Marriage certificates (for Muslims, called *nikah namas*) are common identification documents. Nikah namas contain the signatures of the bride and groom, two witnesses and a marriage officiator. They are typically handwritten in Urdu. Nikah namas are registered with the local union council. NADRA then issues a fully computerised Marriage Registration Certificate, with information in both Urdu and English. NADRA also issues a Family Registration Certificate.

5.37 Religious leaders in non-Muslim minority groups can issue marriage certificates for those in their communities. Christian marriages are generally registered with local authorities, though procedures for marriage documentation can vary. DFAT understands that NADRA (rather than local government authorities) issues marriage certificates to Ahmadis. A law for the registration of Hindu marriages passed in 2017 (see [Hindus](#), above). DFAT understands that unofficial marriage documents issued by local Ahmadi offices can sometimes be accepted as evidence of marriage when applying for documentation such as CNICs.

## Other forms of identification

5.38 NADRA issues identification documentation for Pakistanis living abroad in the form of National Identity Cards for Overseas Pakistanis (NICOPs). NADRA also issues Pakistan Origin Cards that encourage expatriate Pakistanis to return to Pakistan by providing visa-free entry, indefinite stay rights, exemption from foreigner registration requirements, property rights and the right to open a bank account.

5.39 NADRA issues Child Registration Certificates (CRCs) as identity documents for children under the age of 18. Children under ten years of age do not require supporting documentation to obtain a CRC, but those over the age of ten are required to provide a copy of a birth certificate or school record.

5.40 Family Registration Certificates (FRCs) are issued by NADRA and contain information on each family member. New FRCs are issued upon marriage, and amended upon the birth of a child.

5.41 A domicile certificate is a document containing information about a person's place and date of birth. These certificates are only supposed to be issued to people resident in Pakistan, but documents are often easy to obtain illegally. NADRA or the Deputy Commissioner of the relevant district can issue domicile certificates. Between 2002 and 2009, local governments also issued domicile certificates.

5.42 Police also issue documentation containing information about a person's criminal record. Officials typically make an enquiry with local police from the applicant's district before issuing the certificate. However, Pakistan has no centralised criminal database, and police clearance certificates often do not contain an accurate record of the applicant's criminal history. An applicant who has committed a crime in one district may be able to obtain a police clearance certificate from another district.

## Prevalence of Fraud

5.43 Document fraud is endemic in Pakistan, particularly in those forms of documentation not issued by a competent central authority such as NADRA. It is relatively simple to produce fraudulent First Information Reports (FIRs, issued by police). FIRs use standard forms with the relevant information written in by hand. There are credible reports of police in Pakistan accepting bribes to verify fraudulent FIRs. DFAT does not consider the existence of an FIR to constitute evidence that the events described in the FIR actually occurred.

5.44 More broadly, DFAT understands that fraudulent school records, birth certificates, death certificates, medical records, bank records and other documents are common. People have also been known to pay news organisations to publish false stories in newspapers.

5.45 CNICs, SNICs and passports contain a number of security features, which has reduced the incidence of document fraud. However, genuine documents are sometimes issued on the basis of false information. In August 2015, Pakistan's Federal Investigation Authority was reportedly investigating allegations of NADRA officials issuing fake CNICs to militants in return for bribes as low as US\$100. Pakistani authorities have put in place measures to combat fraudulent issuance of documents, and can cancel fraudulent CNICs.