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Pakistan is an Islamic republic in which power is shared between the Prime Minister, as the leader of the National Assembly, and the President. The Chief of Army Staff also wields considerable influence on many major policy decisions and is the third member of the unofficial "troika" which governs the nation. During 1994, Prime Minister Benazir Bhutto dominated political policymaking, with President Farooq Leghari playing a complementary role. Chief of Army Staff General Abdul Waheed consulted closely with the Government but avoided active involvement in governing.

Responsibility for internal security rests primarily with the police, although paramilitary forces, such as the Rangers and Frontier Constabulary, are responsible for maintaining law and order in frontier areas. On November 30, the Army and paramilitary forces ended their operation, begun in 1992, to help restore law and order in Sindh province. Provincial governments control the police and paramilitary forces when they are assisting in law and order operations. Both forces committed abuses in 1994.

Pakistan is a poor country, with great extremes in the distribution of wealth, an extremely high rate of illiteracy, and a per capita income of \$400. Its economy includes both state-run and private industries and financial institutions. The Constitution assures the right to private property and the right of private businesses to operate freely in most sectors of the economy. The Government continues to pursue economic reform, emphasizing the privatization of government-owned financial institutions, industrial units, and utilities. Cotton, textiles and apparel, rice, and leather products are the principal exports.

Although the Government made strong public commitments to address human rights concerns, particularly those involving women, child labor, and minority religions, most human rights abuses are rooted deeply in the social fabric. At year's end, these efforts had not resulted in a significant change in the overall human rights situation. Serious problems continue in many areas. Government forces continued to use arbitrary arrest and detention, and have tortured or otherwise abused prisoners and

detainees. They are unchecked by any serious government effort to reform the police or judicial systems or to prosecute those responsible for abuse. This Government, as did previous ones, continued to harass political opponents and to repress the Sindh-based Mohajir Qaumi Movement (MQM) political party.

Islamic religious zealots continued to discriminate against and persecute religious minorities, basing their activities in part on discriminatory legislation against those religious minorities. The Government proposed changes in the enforcement of the so-called blasphemy law to limit its abuse, but no changes were enacted and abuse continued. However, in November the Lahore High Court overturned the 1992 blasphemy conviction of a Christian, Gul Masih.

Religious and ethnic-based rivalries resulted in numerous murders, mosque bombings, and occasional civil disturbances. Traditional social and legal constraints kept women in a subordinate position in society. They continued to be subjected to murder, torture, rape, and other forms of degradation both by agents of the State and societal elements. The Government and employers continued to restrict workers' rights significantly. The use of child and bonded labor remained widespread in spite of both legislation to restrict these practices and the signing of a Memorandum of Understanding (MOU) on child labor with the International Labor Organization (ILO). Little was done to improve basic conditions for women and children. Female children continued to fall behind their male counterparts in such measures as levels of health care and education.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

Extrajudicial killings, often in the form of staged "police encounters" in which the police or military shoot and kill the suspects--many of them unarmed--continued in 1994. Most of these killings occurred in rural Sindh Province as part of the Army's law and order program, "Operation Cleanup," which ended on November 30. A survey conducted in June by the Human Rights Commission of Pakistan (HRCP) reported that the incidence of excesses committed by or attributed to the Army and the police in Sindh had diminished in early 1994. However, the frequency of extrajudicial killing throughout Pakistan reported in the press indicates that this continues to be a serious problem.

A typical case occurred on May 3, when police killed five men in Sukkur, Sindh province. An HRCP investigation determined that the men were rounded up, brought to a police clerk's residence, tied up and killed with automatic weapons in a well-planned operation. The Government denied this allegation, saying the victims were dangerous criminals who were killed during a 2-hour "encounter" with police.

The HRCP reported 32 extrajudicial deaths in Sindh between January and May. Many are believed to have died as a result of police torture. The Government did not charge or try any law enforcement personnel for these killings.

The Government used excessive force to control political demonstrations in Karachi. At least 13 people were killed and 87 injured during police clashes with MQM demonstrators from April 29 to May 1. The opposition claims that the police killed two demonstrators in October during an opposition-organized strike in Punjab.

Ethnic and sectarian tensions rose during 1994. Members of Shi'a and Sunni Muslim organizations targeting rival groups set off numerous bombs, especially in Sindh and Punjab provinces, causing over a dozen deaths. The Government made few arrests. Some of the bombs were set off following inflammatory sermons delivered during Friday prayers. Ethnic and religiously motivated riots continued to occur. In Karachi, people were killed almost daily in fighting among factions of the MQM, and between the MQM and Sindhi nationalists. The rate of killings increased in the second half of the year.

b. Disappearance

There were no reported disappearances.

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

There continued to be credible evidence that police tortured and otherwise mistreated detainees. For example, the HRCP reported that Bakhshan Khan Bhatti died in jail on July 25. Prisoners claim that Bhatti was hung upside down and beaten. However, the authorities maintained that he died from illness and internal pain.

In other cases, 13 police officers were charged with torturing to death Pervez Akhtar in a police lockup on June 17 in Gujar Khan, Punjab. The Government arrested four officers in connection with Akhtar's death, but released them on bail and took no further action. According to a May 25 press report, a Christian boy was tortured to death while in Gojra Sadar police custody. In one egregious case, security forces arrested a 25-year-old MQM activist in Sindh province on June 21, reportedly blindfolded and stripped him, and questioned him about the location of MQM weapons. The activist died in custody. After family members recovered the man's body, they reported that his eyes had been gouged out, his neck drilled, his ears chopped off, and his shoulder and backbone broken.

Police and jailers so routinely use force to elicit confessions and compel detainees to incriminate others that the practice has become standard procedure. Torture methods included: beating, burning with cigarettes, whipping the soles of the feet, sexual assault, prolonged isolation, electric shock, denial of food or sleep, hanging upside down, forced spreading of the legs, and public humiliation including stripping in public. Some magistrates and doctors helped cover up the abuse by issuing investigation and medical reports that the victims died of natural causes.

Police frequently use the threat of abuse to extort money from prisoners and their families. In some cases, the authorities have detained whole families to force a relative, the subject of an arrest warrant, to surrender.

Upon assuming his position, the superintendent of the Karachi central jail reportedly ordered 450 prisoners stripped, and many of them beaten, injuring at least 50. During this period from January 13 to 15, the prisoners were kept in a 24-hour lockup, with no toilet facilities, no water, and little food. The superintendent justified his actions as part of his mandate to clean up corruption at the jail. Abuse is reported to have continued in the jail throughout the year.

Despite regulations that prohibit the police from detaining women overnight, some women continue to be arbitrarily detained overnight and sexually abused. The police reportedly gang raped five women in a village in Sindh province on January 18. Although there is increasing coverage of rape in the English-language press, rape victims often do not file reports because of social taboos, police

intimidation, and family pressure. There are few policewomen to perform matron duties, despite regulations requiring that policewomen must be present in station houses during the questioning or detention of females. To address this problem, the Government opened "women's police stations" in several cities staffed by female personnel. However, the press has reported that the staff is poorly trained. The Government is offering these officers additional training.

Rape, along with other forms of police and military abuse, takes place in a climate of impunity caused by the failure of successive Governments to prosecute and punish the abusers. This failure is the single largest obstacle to ending or even reducing the incidence of abuse. The authorities transfer or arrest offending officers, but seldom prosecute or punish them. There were no known court convictions of abusive police officers in 1994. In general, investigating officers shield their colleagues. Persons who attempt to bring charges against police officers are often threatened by other officers and drop the charges. However, according to one human rights advocate, the Government took action in several cases--a move which reportedly resulted in a decline of such sexual abuse cases in 1994.

The incidence of torture and abuse was not restricted to the security forces. There were reports that different factions of the MQM tortured and killed members of rival groups. Three persons were killed on July 16 in Karachi. According to the press, two of the victims were members of the MQM's Altaf group. Their bodies were discovered in a field with marks of torture, including burn wounds and broken bones. The other victim, a member of the MQM's Haqiqi group, was gunned down in the street along with his 5-year-old niece. MQM gunmen are also suspected of murdering six Karachi policemen on June 28.

The Haddood Ordinances, promulgated by the central Government in 1979, were an attempt to make the Penal Code more Islamic. These Ordinances provide harsh punishments for violating Islamic law, or Shari'a, including death by stoning for unlawful sexual relations and amputation for some other crimes. In practice, the standards of evidence for imposing these punishments are exceptionally high, and to date they have never been carried out.

Nonetheless, these laws apply to Muslims and non-Muslims alike and weigh most heavily on women. Under these ordinances, a woman who reports that she has been raped or files for divorce may find herself charged with adultery. All consensual extramarital sexual relations are considered violations of the Haddood Ordinances. However, according to a lawyer from the HRCF, the Government has brought fewer charges against women under the Haddood Ordinances than in the past, and the courts have shown greater leniency toward women in their sentences and in the granting of bail. There are three classes of prison facilities: Class "C" cells generally hold common criminals--convicts and those in pretrial detention. Such cells often have dirt floors, no furnishings, and poor food. The use of handcuffs and fetters is common. Prisoners in these cells reportedly suffer the most abuse, such as beatings and being forced to kneel for long periods. Conditions in "B" and "A" cells are markedly better. The authorities reserve the latter for "prominent" persons.

There were several reports in 1994 that wealthy landlords or political parties operated private jails. Many such jails are believed to exist in tribal and feudal areas. Some of the prisoners have reportedly been held in them for many years. The police raided several such jails in 1994 and released the prisoners. In February the police raided a private jail operated by a local landlord in Umerkot, Sindh province. They released 13 men, 11 women, 9 girls, and 7 boys. The police arrested four persons during the raid.

d. Arbitrary Arrest, Detention, or Exile

The law permits a Deputy Commissioner (DC) of a local district to order detention without charge for 30 days of persons suspected of threatening public order and safety. The DC may renew detention in 30-day periods, for a total of 90 days. For other criminal offenses, the police may hold a suspect for 24 hours without charge. If the police can provide material proof that detention is necessary for an investigation, a court may extend detention for a total of 15 days.

In practice, the authorities do not strictly observe the limits on detention. The police are not required to notify anyone when an arrest is made, and often hold detainees without charge until they are challenged by a court. The police sometimes detain individuals arbitrarily without charge, or on false charges, in order to extort payment for their release. The law stipulates that detainees must be brought to trial within 30 days of their arrest. However, in many cases trials do not start until about 6 months after the filing of charges.

The authorities generally permit family members and lawyers to visit inmates. However, in some cases the authorities refuse such visits, even though the detainee has been held for years awaiting trial. A report published by the HRCF on a visit to a prison in Sukkur, Sindh province, in July cited 11 detainees who had been awaiting trial from 1 to 3 years. HRCF officials speculate that detainees in other areas may have been held for over 10 years.

The Government uses mass arrests to quell civil unrest. The army arrested over 800 MQM party workers from May 4 to 7, following 5 days of violence in Karachi. The arrested included 3 MQM Senators and 11 MQM members of the Sindh Provincial Assembly. Almost all were released within 1 week. The authorities established detention facilities near the Provincial Assembly building to allow jailed assembly members to attend sessions.

The Federally Administered Tribal Areas have a separate legal system, the Frontier Crimes Regulation, which recognizes the doctrine of "collective responsibility." Under this regulation, the authorities are empowered to detain the fellow members of a fugitive's tribe, or to blockade the fugitive's village, pending his surrender or punishment by his own tribe, as is the local tradition. The Government exercised such authority in 1994. After the Supreme Court ruled that all federal laws extend to tribal areas, the tribes in the Malakand Division of the Northwest Frontier province clashed with government forces, demanding a return to Islamic law. The tribes blockaded roads and an airport, killed a member of the Provincial Assembly, and held numerous officials hostage. In response, government forces were called in to pacify the area, and burned several houses belonging to the leaders of the unrest. In November the provincial government agreed to a return to Shari'a law in Malakand Division after 30 Islamic activists and soldiers were killed in the fighting.

In August the Inter-Services Intelligence Agency (ISI), the Government's military intelligence organization, detained Shaukat Ali Kashmiri, the Secretary General of the Jammu and Kashmir People's National Party. In September the ISI released Mr. Kashmiri from Attock Fort Detention Center, but denied that it had held him in detention.

The authorities arrested more than 1,100 political opponents of Prime Minister Bhutto, including 45 members of the provincial and national assemblies, prior to or during the October 11 general strike. The authorities charged only a few of them and released most within a month. The Government filed criminal charges, ranging from murder to possession of illegal weapons, against five opposition members of the National Assembly who were arrested on October 11. Three were later released on bail but two refused to apply for bail and remained in custody at year's end.

e. Denial of Fair Public Trial

The judicial system involves several different court systems with overlapping and sometimes competing jurisdictions. There are civil and criminal systems with special courts for high-profile cases, as well as the Federal Shari'a appeals courts for certain Hadood offenses. The appeals process in the civil system is: civil court, district court, high court, and Supreme Court. In the criminal system, the progression is: magistrate, sessions court, high court, and Supreme Court.

The civil judicial system provides for an open trial, cross-examination, representation by an attorney, and appeal of sentences. Attorneys are appointed for indigents only in capital cases. There are no jury trials. Owing to the limited number of judges, the heavy backlog of cases, and outdated court procedures, cases routinely drag on for years. In both the Hadood and standard criminal codes, there are bailable and nonbailable offenses. According to the Criminal Procedures Code, the accused in bailable offenses must be granted bail and the accused in "nonbailable" offenses should be granted bail if accused of a crime where the sentence is less than 10 years. Bail is set, often purposely, at unreasonably high levels for indigent defendants.

The Federal Shari'a Court, and the Shari'a Bench of the Supreme Court serve as appeals courts for certain convictions in the criminal court under the Hadood Ordinances. The Federal Shari'a Court also may overturn legislation judged to be inconsistent with the tenets of Islam. However, these cases may be appealed to the Shari'a Bench of the Supreme Court.

The judicial process continued to be impeded by bureaucratic infighting and inactivity and the overlapping jurisdictions of the different court systems. Scores of positions in the lower magistracy remained unfilled. Persons in jail awaiting trial are sometimes held for periods longer than the sentence they would receive if convicted.

Cases involving bombings, sabotage, highway robberies, banditry, or kidnaping may be brought before three types of special courts. These include the special courts established by the Suppression of Terrorist Activities Act of 1975 to try "terrorist" cases and the "speedy trial courts," established by a 1987 ordinance to circumvent the judicial backlog. The Government abolished both of these courts in July. A third type of court, established in 1991 by the Constitution's 12th amendment, adjudicates heinous crimes. In 1991 the President promulgated new ordinances which gave the Federal Government the exclusive authority to refer cases to these courts. In practice, the Government refers cases involving violent criminal offenses to these courts.

Many legal experts believe the special courts do not provide for a fair trial. They maintain that the short time for investigations and trials detract from the accused's right to prepare an adequate defense. Some observers maintain that trial procedures have effectively repudiated the presumption of innocence. They also cite the encroachment by federal authorities on the provincial government's constitutional authority to administer justice and the inherent unfairness of parallel courts to which cases may be assigned arbitrarily. Moreover, the special courts may deny bail if the judges decide that the accused may have reasonably committed an offense.

Government officials and some attorneys maintain that despite the deficiencies, the special courts are necessary because of the judicial backlog. They also maintain that the rules of evidence apply in the courts, defendants have the right to counsel, and the judges must meet the same standards as those appointed to a high court. Defendants also have the right to appeal, but only one appeal is allowed.

In late 1993, the Government announced that it would allow the speedy trial courts ordinance to lapse in July 1994. After that date, the Government transferred all pending cases and investigations before the speedy courts to the regular courts. The special terrorist courts still exist.

The judiciary is not independent. Through the President's power to transfer High Court justices and grant tenure to new appointees, the executive branch is able to influence the provincial High Courts, and especially the lower levels of the judicial system. Judges in the special courts are retired jurists, who are hired on renewable contracts. The desire to maintain their positions influences many of their decisions.

Despite the Government's promise to strengthen judicial independence, it took several measures regarded as efforts to influence the court for political reasons. In February, in a ruling regarded as politically motivated, the Supreme Court upheld the right of two members of the Northwest Frontier Provincial Assembly, who were members of the Muslim League Nawaz group, to join the Pakistan People's Party (PPP). Their move allowed the PPP to gain control of the assembly. In other moves regarded as politically motivated, the PPP government and the President transferred the well-respected chief justice of the Sindh High Court to the Federal Shari'a court, replacing him with a judge considered loyal to the PPP. There was also criticism of the appointment of 20 new judges to the Lahore High Court. The Government also refused to confirm six judges named to the High Court in Sindh province, and several High Court judges in Punjab, who had been appointed when the opposition party was in power.

After dissolving the first Bhutto government in 1990, President Ghulam Ishaq Khan established special "accountability" tribunals to try members of previous federal and provincial governments on criminal and corruption charges. However, only members of the Bhutto government--all of whom belong to the PPP--were charged with corruption and misconduct. No members of other political parties were brought to trial. In 1994 the tribunals acquitted the accused. In 1994 the Government brought numerous criminal cases against members of the former Nawaz Sharif government, their businesses, and their political supporters. The Government also filed cases to have Nawaz Sharif and other members of his party disqualified from the National Assembly. The Government incarcerated several accused persons, including Nawaz Sharif's 75-year-old father, who was arrested in November for tax evasion and money laundering. The authorities released the father after 4 days, but at year's end his case and those of the others were pending.

A 1990 Shari'a court decision resulted in the introduction of the Islamic concepts of Qisas--roughly an "eye for an eye"--and Diyat--"blood money"--into the Penal Code. The Qisas and Diyat Ordinance allows compensation to be paid to a victim's family in lieu of the accused receiving punishment. As a result, wealthy or influential persons sometimes escape punishment for such crimes as murder and assault. The right to seek pardon or commutation is not available to defendants under the ordinance. The Hadood and Qisas and Diyat ordinances apply to both ordinary criminal courts and Shari'a courts.

Appeals of certain Hadood convictions involving penalties in excess of 2 years' imprisonment are referred exclusively to the Shari'a courts. Cases referred to the Federal Shari'a court are heard jointly by Islamic scholars and High Court judges using ordinary criminal procedures. Cases referred to the Shari'a bench of the Supreme Court are heard jointly by Islamic scholars and Supreme Court judges using ordinary criminal procedures. Judges and attorneys must be Muslim and be familiar with Islamic law. Within these limits, defendants in the Shari'a court are entitled to the lawyer of their choice. There is a system of bail. Under the Hadood Ordinances, evidence is given different weight depending on the religion and sex of the witness. A non-Muslim may not be a witness against a Muslim but may offer testimony against another non-Muslim. Testimony of females is not admissible

for the harsher punishments (lashing, amputation, and stoning). In cases involving financial matters, the testimony of two women is required for it to be admitted as evidence. The evidentiary laws that apply to lesser punishments are roughly based on English common law.

There continued to be charges that magistrates and police, under pressure to achieve high conviction rates, persuade detainees to plead guilty without informing them of the consequences. Politically powerful persons also attempt to influence magistrates' decisions and have used various forms of pressure on the magistrates, including the threat to transfer them to other assignments. Magistrates also perform a wide variety of administrative functions for the provincial governments, reducing the time devoted to judicial duties.

Administration of justice in the Federally Administered Tribal Areas is normally the responsibility of tribal elders and maliks, or leaders. They may conduct hearings according to Islamic law and tribal custom. In such proceedings, the accused have no right to legal representation, bail, or appeal. The usual penalties consist of fines, even for murder. However, the Government's political agents, who are federal civil servants assigned to local governments, oversee such proceedings and may impose prison terms of up to 14 years.

In remote areas outside the jurisdiction of the Political Agents, tribal councils occasionally levy harsher, unsanctioned punishments, including flogging or death by shooting or stoning. Paramilitary forces under the direction of the political agents frequently perform punitive actions during enforcement operations. For example, in raids on criminal activities the authorities have been known to damage surrounding homes as extrajudicial punishment of residents for having tolerated nearby criminal activity. There are fewer than 10 known political prisoners. Several are serving sentences under the laws concerning the Ahmadi religious sect. One person is appealing the death sentence for blasphemy (see Section 2.c.).

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

By law the police must obtain a warrant to search a house but do not need a warrant to search a person. However, the police often enter homes without a warrant. In the absence of a warrant, a policeman is subject to charges of criminal trespass. However, policemen are seldom punished for illegal entry.

The Government maintains several domestic intelligence services which monitor politicians, political activists, suspected terrorists, and suspected foreign intelligence agents. Credible reports indicate that the authorities commonly resort to wiretapping and occasionally intercept and open mail.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press, and citizens are generally free to discuss public issues. However, the Constitution stipulates the death penalty for anyone who damages the Constitution by any act, including the publication of statements against the spirit of the Constitution. The Constitution prohibits the ridicule of Islam, the armed forces, or the judiciary. Moreover, the Penal Code mandates the death sentence for anyone convicted of blaspheming the Prophet Muhammad (see Section 2.c.). Journalists censor themselves on such subjects.

A Print, Press, and Publications Ordinance requires the registration of printing presses and newspapers and allows the Government to confiscate newspapers or magazines deemed objectionable. Foreign books must pass government censors before being reprinted, although the importation of books is freely allowed. Government censors occasionally ban publications, usually for objectionable religious content, but for other reasons as well. In 1994 the Government banned a book entitled "The Political Role of Intelligence Agencies in Pakistan" because it contained a critical view of intelligence agencies. A government-owned press trust controls two newspapers--an English-language and an Urdu daily. The Ministry of Information controls one of the two main wire services; the other is privately owned. The numerous privately owned newspapers have a circulation that far exceeds that of the government-owned newspapers. The government newspapers and wire services are circumspect in their coverage of the news and generally follow the government line.

Nevertheless, the press has enjoyed an increasing level of freedom since 1989. Privately owned newspapers freely discuss public policy and criticize the Government. They report remarks made by opposition politicians and their editorials reflect a spectrum of views.

The Government attempts to influence editorial policy at privately owned newspapers by its power to allocate duty-free newsprint and its placement of government advertising--an important source of newspaper revenue. In the first half of 1994, the Ministry of Information stopped placing advertising for several months with two leading Urdu dailies, Khabrain and Nawa-e-Waqt, claiming they had engaged in irresponsible journalism. There were also widespread reports that journalists took bribes from government or opposition political parties.

Various political parties and the police harassed journalists and newspaper companies. The police arrested Farooq Aqdas, senior political correspondent of an Urdu daily, Jang, during the summer and detained him for several hours on charges filed against him a year and a half earlier by another journalist. On December 4, unidentified gunmen assassinated Muhammad Salahuddin, the editor of the weekly Takbeer in Karachi. Salahuddin was known for his criticism of the MQM and PPP and he had been the victim of previous attacks on his home and office in 1990 and 1991. On December 6, unidentified assailants shot dead the General Manager of an Urdu daily, Parcham, in his Karachi office.

The Government owns and operates all radio stations, and all but one semiprivate television station. It strictly controls their news broadcasts. However, the Shalimar Television Network (STN), a semiprivate television station, provides programs including Cable News Network (CNN) and British Broadcasting Corporation (BBC) programs, with considerable independence from government oversight. The Government censors segments of CNN and BBC considered socially offensive. The Ministry of Information monitors the advertisements on STN, editing or removing those deemed objectionable.

Conservative religious and political groups have been active in promoting their own code of social morality. The Shari'a Law has bolstered such efforts by placing greater pressure on individuals to conform to Islamic sensibilities. In 1994 there were occasional reports of campaigns to remove obscene materials from video stores, but book and video stores generally operated without hindrance.

Literary and creative works remain generally free of censorship. Obscene literature, a category broadly defined by the Government, is subject to seizure. Dramas and documentaries on previously taboo subjects, including corruption, social privilege, narcotics, violence against women, and female inequality, are now broadcast on television.

The Government and universities generally respect academic freedom. However, the atmosphere of violence and intolerance fostered by student organizations, typically tied to political parties, is a threat to academic freedom. On some campuses, well-armed groups of students of varying political persuasions clash with and intimidate other students, instructors, and administrators on matters of language, syllabus, examination policies, doctrine, and dress.

Human rights groups remain concerned about the implementation of a 1992 Supreme Court ruling that prohibits student political organizations on campuses. While they acknowledge the ruling led to a reduction of campus violence, they question the legality of school officials expelling students they find guilty of membership in a political organization.

b. Freedom of Peaceful Assembly and Association

The Government generally permits peaceful assembly. District magistrates occasionally exercised their power under the Criminal Procedures Code to ban meetings of more than four people when demonstrations seemed likely to result in violence. This provision was invoked frequently in June during the Islamic month of Muharram, when tensions between Sunni and Shi'a Muslims traditionally peak. Many observers attributed the relatively peaceful month of Muharram to these measures. The Government usually did not interfere with large political rallies, although in an attempt to prevent a strike, it arrested over 1,000 opposition members in October.

Opposition leader Nawaz Sharif and a large number of supporters traveled unhindered across the country in September, holding large rallies critical of the Government. However, the authorities sometimes prevented leaders of politico-religious parties to travel to certain areas if they believed their presence would increase sectarian tensions.

The Constitution provides for freedom of association subject to restrictions by government ordinance and law. There have been no recent cases of banned groups or parties.

c. Freedom of Religion

Pakistan is an Islamic republic in which 97 percent of the people are Muslim. The Constitution requires that laws must be consistent with Islam. The Government permits Muslims to convert to other faiths but prohibits proselytizing among Muslims.

Minority groups fear that the Shari'a Law and its goal of "Islamizing" government and society may further restrict the freedom to practice their religion. Many reportedly live in terror because the religious legislation has encouraged an atmosphere of religious intolerance which has led to acts of violence directed at Ahmadis, Christians, Hindus, Zikris, and others. Several incidents in 1994 heightened the sense of insecurity and fear among the religious minorities.

In April men riding a motorcycle shot and killed Manzoor Masih, a Christian, as he departed a courthouse in Lahore where he was being tried for blasphemy. The authorities had arrested Masih and two other Christians, including a 13-year-old boy, in 1993 for allegedly writing blasphemous remarks about the Prophet Muhammad on a wall--even though two of the three were illiterate. Two other persons with Manzoor were injured in the attack. The police arrested three suspects, among them the complainants who brought the blasphemy case against Masih. At year's end, the suspects were free on bail. While government officials condemned the incident, Christian leaders and human rights groups maintain that the Government reacted weakly and has done little to discourage extremists or offer

increased protection to religious minorities. In at least two other instances, the inhabitants of two villages of Christians, including Masih's village, were forced to move after receiving threats from Muslim extremists.

A 1974 constitutional amendment declared Ahmadis to be a non-Muslim minority because they do not accept Muhammad as the last prophet of Islam. However, Ahmadis regard themselves as Muslims and observe many Islamic practices. In 1984 the Government inserted Section 298(c) into the Penal Code which prohibited an Ahmadi from calling himself a Muslim and banned Ahmadis from using Islamic terminology. The punishment is up to 3 years' imprisonment and a fine. Since 1984, the Government has used Section 298(c) to harass Ahmadis.

In 1993 the Supreme Court ruled against the Ahmadis in a case on the constitutionality of Section 298 (c). The Court upheld that section of the law, rejecting the argument that it violated the right of freedom of speech and religion. The judge writing for the majority found that Islamic phrases are in essence a copyrighted trademark of the Islamic religion. He reasoned that the use of Islamic phrases by Ahmadis was equivalent to copyright infringement and violated the Trademark Act of 1940. The majority also found that the use of certain Islamic phrases by Ahmadis was equivalent to blasphemy.

The judgment has emboldened anti-Ahmadi groups and resulted in more court cases against Ahmadis. In 1994 the Government promised that it would defend Section 298(c) from an appeal on other grounds. In the first 9 months of 1994, 17 cases under Section 298(c) were filed against Ahmadis resulting in 1 conviction. Rashood Ahmad of Sangahr was sentenced to 2 years in prison and fined \$166 for displaying a verse from the Koran on his wall.

In January the authorities arrested five journalists, including the septuagenarian editor of Al Fazal, the Ahmadi daily, under Section 298(c). The arrests were made because of general complaints that the writers in Al Fazal had propagated their faith and passed themselves off as Muslims, thus injuring the feelings of Muslims. The five were released on bail on March 7. At year's end, their case was pending in the courts.

In another incident, the Rawalpindi Development Authority demolished an Ahmadi center in Rawalpindi on September 15. The Government claimed that the land was illegally converted to a place of worship--despite the fact that the land had been used for worship for 40 years. On the building plans submitted to the city, the Ahmadi community did not describe the building on the land as a mosque, because that would have violated Section 298(c). In other incidents, several prominent Ahmadis, including a university professor, were killed during the year in what some regard as sectarian murders. Investigations of the cases are continuing.

The Government classifies Ahmadis as "non-Muslims" on their passports. This has led the authorities in Saudi Arabia to prevent Ahmadis from performing the religious pilgrimage to Mecca. In 1992 the Government ordered national identity cards to convey the bearer's religion, but so far the Government has not submitted implementing legislation.

In 1986 the Government inserted Section 295(c) into the Penal Code which stipulates the death penalty for blaspheming the Prophet Muhammad. This provision has been used by litigants against Ahmadis, Christians, and even Muslims. In 1992 the Senate unanimously adopted a bill to amend the Blasphemy Law so that the death penalty is mandatory upon conviction.

According to Ahmadi sources, 5 blasphemy cases, involving 15 persons, were registered against Ahmadis in the first 9 months of 1994. Since 1986 over 100 blasphemy cases have been registered

against Ahmadis with no convictions. In the same period, at least nine blasphemy cases have been brought against Christians and seven against Muslims.

Two persons were convicted of blasphemy and sentenced to death: Mohammad Arshad Javaid of Bahawalpur, a 37-year-old Muslim who is reportedly mentally unsound and remains in prison, and Gul Masih, a Christian of Sargodha. However, Gul Masih was acquitted of blasphemy by the Lahore High Court on November 27 and released from prison.

The Blasphemy Law has also been used to justify extrajudicial killings. In Gujranwala, Punjab, a mob lynched a Muslim in April in front of the police station after falsely accusing him of burning a copy of the Koran. In May a judge sentenced a Muslim accused of killing a Christian school teacher to 14 years in prison. Nevertheless, some observers criticized the ruling because the judge took into account the defendant's claim that he committed the offense because the teacher had blasphemed the Prophet Muhammad. The judge reportedly stated that blaspheming the Prophet would be conducive to a total loss of control by every Muslim.

When such religious cases are brought to court, extremists often pack the courtroom and make public threats against an acquittal. As a result, judges and magistrates often continue trials indefinitely, and the accused is burdened with further legal costs and repeated court appearances. A Sunni Muslim group, the Anjuman Sipah-i-Sahaba, unsuccessfully sought to introduce legislation in 1994 that would have declared the Zikri sect in Balochistan as a non-Muslim sect. There were also continued reports in the year of attacks by extremists on Hindus.

The security of religious minorities was a major issue of discussion in the Government and the press in 1994. The Government promised to introduce measures to reduce the abusive litigation under the blasphemy laws, but defended the laws themselves. At year's end, the Government had not taken any remedial action.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Most citizens enjoy freedom of movement within the country and to travel abroad, but the Government occasionally prohibits movement of persons within Pakistan through "externment orders" when it believes their presence will lead to a threat to public order. Travel to Israel is legally prohibited. Government employees must obtain "no objection certificates" before traveling abroad. Students are also required to have these certificates from their institutions. Pakistanis have and regularly exercise the right to emigrate. Exit control lists are used to prevent the departure of wanted criminals.

The resumption of civil war in Afghanistan in early 1994 created a new wave of refugees. In response to this new influx, the Government closed its borders with Afghanistan and officially admitted only those Afghans who were properly documented or in need of humanitarian assistance. Despite these restrictions over 66,000 new refugees arrived in the first 9 months of 1994.

Approximately 1.4 million Afghan refugees remain in Pakistan. They have limited access to legal protection and depend on the ability of the leaders of their groups to resolve disputes among themselves and with Pakistani society. Women and girls have obtained better education and health care as group leaders gradually secured such services. Many refugees have found employment but are not covered by the labor laws.

Traffickers in women bought or lured hundreds of women from Bangladesh with promises of a better life. They transported the women across India and placed them with families as domestic servants or as prostitutes in brothels. The authorities detained some of the women for prostitution under the Hadood Ordinances. Few are able or willing to return to Bangladesh. Many are released into the custody of their exploiters, who set them to work as prostitutes again. Efforts to repatriate Bangladeshis in 1994 were mostly unsuccessful.

The "repatriation" of Biharis continued to be a contentious issue. The Biharis are Urdu-speaking people from the Indian state of Bihar who went to East Pakistan, now Bangladesh, at the time of partition in 1947. Since 1971, after Bangladesh gained its independence, approximately 250,000 Biharis have been in refugee camps in Bangladesh. The repatriation of these people is tied to Pakistan's various ethnic problems. While the Mohajir community, made up of Pakistanis who emigrated from India during partition, supports the repatriation, the Sindhi community opposes the move. In 1993 the Government flew 342 Biharis to Pakistan and placed them in temporary housing in central Punjab. No further repatriation has occurred.

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

Citizens have the right and the ability to change their government peacefully. With certain exceptions, citizens aged 21 and over have the right to vote. However, several million bonded laborers and nomads may not vote because the National Election Commission has ruled that they do not "ordinarily reside in an electoral area, nor do they own/possess a dwelling or immovable property in that area." Political parties have been allowed to operate freely since the lifting of martial law in 1985 and 1986. In 1988 the Supreme Court struck down a law banning unregistered political parties from participating in elections.

The Senate is elected by the members of the four provincial assemblies. Senators serve for 6 years. The President is indirectly elected by an electoral college consisting of the members of the national and provincial assemblies and the Senate. The President serves for 5 years. Members of the national and provincial assemblies serve 5 years, unless the President dissolves the Assembly. The Senate may not be dissolved by the President. The President has the constitutional authority to dismiss the Government arbitrarily, but a 1993 Supreme Court ruling significantly limited that ability. The Constitution requires that the President and Prime Minister be Muslims. Members of minority religious groups may not vote in Muslim constituencies. They cast their ballots for candidates running for special at-large seats reserved for them in the national and provincial assemblies. Most Ahmadis, disputing their designation as non-Muslims, have refused to vote for such representatives. Christians and Hindus note that this system marginalizes religious minorities, by allowing the Muslim candidates to ignore them as a voting block. As a result, areas where minorities predominate receive significantly less government development and assistance funds.

Local governments and the provincial and national assemblies are directly elected. However, local government bodies were dissolved in 1993 as the result of a political compromise between the ruling party and the opposition. New elections have not been held. In the meantime, provincial and federal officials are responsible for governance.

The more than 2 million Pushtun people living in the Federally Administered Tribal Areas do not vote for their National Assembly representatives and have no representation in the assembly of the Northwest Frontier province. In keeping with local traditions, FATA's National Assembly members

are elected by tribal leaders, or maliks, who are appointed in the Governor's name by the central Government's political agents. Many people living in this area have expressed dissatisfaction at having no vote. However, the majority of Pushtun people live outside the FATA and, while retaining their tribal identity, are fully integrated into politics and society.

Because of a longstanding territorial dispute with India, the political status of the Northern Areas--Hunza, Gilgit, and Baltistan--is not resolved. As a result, more than 1 million inhabitants of the Northern Areas are not covered under any constitution and have no representation in the federal legislature. The area is administered by an appointed civil servant. While there is an elected Northern Areas Council, this body serves in an advisory capacity to the Federal Government and has no legislative authority. In 1994 in response to concerns of lack of representation, the Federal Cabinet decided that residents of the Northern Areas would vote in elections for representatives to serve on an expanded Council. However, the expanded Council does not have the authority to change laws or raise and spend revenue.

In 1993 the High Court of Azad Jammu and Kashmir (AJK) ruled that the Northern Areas should be incorporated into the semiautonomous state of Azad Jammu and Kashmir and its inhabitants given a right to be represented in the AJK legislative assembly. In August the High Court ruled that the Federal Government has authority over the Northern Areas until final status of Jammu and Kashmir is resolved.

Although women participate in government, they are underrepresented in political life at all levels. Only 4 women hold seats in the 217-member National Assembly. However, for the first time, the Government appointed at least five women to the previously all-male high court benches. While women participate in large numbers in elections, some women are dissuaded from voting in elections by family, and religious and social customs in rural areas.

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

There are several domestic human rights organizations, and new human rights and legal aid groups continue to form and are generally free to operate without government restriction. Senior members of the Bhutto government, including the former Minister of Law and Justice, have been active members of respected human rights organizations and participate in human rights organization functions.

Religious extremists distributed material that accused several human rights activists of blasphemy and called for them to be killed. Various international human rights organizations have been permitted to visit Pakistan and travel freely.

In 1994 the Government formed a human rights unit in the Ministry of Interior as a sort of ombudsman for human rights. The unit brought attention to the problem of spouse abuse by arranging visits by the Prime Minister to hospitalized abuse victims. A human rights committee was also established in the National Assembly; a similar committee was formed in the Senate in 1993. These committees have taken little action to date.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Women

There are significant barriers to the advancement of women, beginning at birth. In general, female children are less valued and cared for than male children. According to a United Nations study, girls receive less nourishment, health care, and education than their brothers. According to the Government, only 23.5 percent of the females over 10 years old are literate, compared with 48.9 percent for males. Only 12 percent of women use family planning methods. As a result, the fertility rate is six children per woman. In rural areas, women in small farm families generally work alongside men in the fields. However, they remain subordinate to men and suffer discrimination in education, employment, and legal rights.

Human rights monitors and women's groups fear that the Shari'a Law would have a harmful effect on the rights of women and minorities. However, the Law states that women's and minority rights protected under the Constitution would not be affected. The Law's impact on these groups has been limited because the Government has not passed enabling legislation. Nonetheless, the Law reinforces popular attitudes and perceptions, and contributes to an atmosphere in which discriminatory treatment of women and non-Muslims is more readily accepted. Some Islamic leaders continue to stress a conservative interpretation of Islamic injunctions to justify discrimination against women. Many citizens interpret the Koran's injunctions on modesty to mean that women should remain either at home or veiled. It remains accepted practice to assign women subordinate roles in the civil, political, and managerial hierarchies.

Both civil and religious laws protect women's rights in cases of divorce, but, as in the case of inheritance laws, many women are unaware of them, and often the laws are not observed. In such cases women generally do not receive--or are pressed to surrender--their due share of the inheritance. In rural areas, the practice of a woman "marrying the Koran" is still widely accepted if her family cannot arrange a suitable marriage or wants to keep the family wealth intact. A woman married to the Koran is forbidden to have any contact with males over 14 years of age, including her immediate family members.

In 1992 the Supreme Court invalidated the requirement that a husband must give written notice of a divorce to a local union council. The husband's statement, with or without witnesses, is the defining legal step. The woman, lacking written proof of divorce, remains legally and socially vulnerable. Human rights organizations expressed concern that a woman could be charged with adultery if her former spouse were to deny having divorced her.

Although a small number of women study and teach in universities, postgraduate employment opportunities remain largely limited to teaching, medical services, and the law. Nevertheless, an increasing number of women are entering the commercial and public sectors. Karachi lawyers estimate that the number of female judges in civil courts there has increased to about 30 percent of the total. There are reports that women who apply to professional colleges face discrimination. Women may now participate in international athletic competition, although few do.

There is no reliable information on the extent of domestic violence, primarily because it is viewed as a private matter and many women do not acknowledge that it is a serious problem. A survey of burn victims at two hospitals in Rawalpindi and Islamabad conducted by the Progressive Women's Association from March to October reported 35 cases of burned women, only 4 of whom survived. So far the Government has taken legal action against the perpetrators in seven cases and obtained two convictions.

While abusive spouses may be charged for assault, cases are rarely filed. Police usually return battered wives to their abusive husbands. A notable exception occurred in 1994 when a man convicted of mutilating his wife was sentenced to 30 years in prison and required to pay \$4,000 in compensation. That case had received extensive media coverage and the attention of the Prime Minister.

Rape is a widespread problem, although there was a slight decline in the reported incidence of rape during 1994 compared to 1993. There were about 800 cases of rape reported in the press during the year. It is estimated that less than one-third of all rapes are reported to the police. Marital rape is not a crime. The rape of another man's wife is a common method for revenge in rural and tribal areas. The HRCP reports that there were 92 cases of public humiliation of women during 1994, including stripping in public, dragging them by the hair through the streets, throwing acid in their face, or public sexual harassment. There is little evidence of efforts by police to stop such activities. In 1994 the press continued to draw attention to the problem of so-called dowry deaths in which married women may be killed by relatives in a dowry dispute. Most of the victims are burned to death, allegedly in kitchen stove accidents. It is difficult to differentiate criminal conduct from stove accidents which are common because of the use of unsafe wood or gas stoves and because women wear garments of highly flammable material.

There are an increasing number of reports of women killed or mutilated by male relatives who suspect them of adultery. Few such cases are investigated seriously. An article in the magazine *Newsline* alleged that hundreds of men and women from Balochistan and rural areas of Sindh and Punjab provinces are killed annually for illicit sexual relations. While the tradition of such killing applies equally to offending men and women, women are more likely to be killed than men.

Women's organizations operate primarily in urban centers. Many concentrate on educating women about existing legal rights. Other groups concentrate on providing legal aid to poor women in prison who may not be able to afford an attorney. The Government began implementation of an internationally funded program to train and deploy 33,000 female health care workers in rural areas. By December, it had hired 1,760 workers. The Government also produced television documentaries on women in development and family planning, and promoted population services in advertisements and by enlisting the support of religious leaders. The Prime Minister spoke at the September 1994 Cairo International Conference on Population and Development. All these efforts were seen as important for the reversal of Pakistan's poor record in this area.

Children

Legal rights for children are theoretically protected by numerous laws which incorporate elements of the U.N. Convention on the Rights of the Child. However, the Government frequently fails to enforce these laws. Federal law allows, but does not require, offenders under the age of 14 to be placed in reform schools; however, no such facilities exist. There is only one jail in each province for convicted prisoners under age 21. A United Nations report estimates that there are 250 children under the age of 14 in Pakistani prisons at any time. Although Punjab and Sindh provinces have laws mandating special judicial procedures for child offenders, in practice, children and adults are essentially treated equally. Very young children accompany their convicted mothers to jail.

Many children begin working at a very early age. At the age of five or six, female children are often responsible for younger siblings. Children are sometimes kidnaped to be used as forced labor, for ransom, or to seek revenge against an enemy. The HRCP reported an average of 400 kidnappings of

children per month in Punjab province alone in 1993. The HRCP also reported that half of the 4,000 rapes that were registered in Pakistan in 1993 were of minors or teenagers.

Child prostitution involving boys and girls is widely known to exist but is rarely discussed. The Government does little to deter it. In Lahore, there are reported to be 2,900 full-time prostitutes in over 1,200 brothels. It is estimated that 20 percent of the prostitutes are minors.

In July human rights groups and the press reported that 27 boys were being kept in chains in an Islamic school in the Punjab. The boys, who had been turned over to the school by their parents, often for disciplinary reasons, had been shackled in groups to wooden blocks. Some had been chained for several years. The school's existence and the chaining was known to the parents and the community where it had operated for 20 years. Police raided the facility and cut the chains but no further action was taken to arrest the school's owner or remove the children. There were unconfirmed reports of the existence of other such institutions.

Religious Minorities

In addition to the violence and harassment noted in previous sections of this report, religious minority groups experience much discrimination in employment and education; Pakistani laws facilitate discrimination in employment based on religion. In Pakistan's early years, minorities were able to rise to the senior ranks of the military and civil service. Today, many are unable to rise above midlevel ranks. Because of the lack of educational opportunities for some religious minority groups, discrimination in employment is believed to be increasingly prevalent. Christians, in particular, have difficulty finding jobs above those of menial labor. Ahmadis find that they are prevented from entering management levels in government service. Even the rumor that someone may be an Ahmadi or have Ahmadi relatives can stifle opportunities for employment or promotion.

Officially designated as non-Muslims, Ahmadis in particular, suffer from harassment and discrimination and have limited chances for advancement in the public sector. Young Ahmadis and their parents complain of increasing difficulty in gaining admittance to good colleges, forcing many children to go overseas for higher education. Among religious minorities, there is a well-founded belief that the authorities afford them less legal protection than they afford Muslim citizens.

Many Christians continue to express the fear of forced marriages between Muslim males and Christian women, although the practice is relatively rare. Christians are also subject to harassment by the authorities, notably including the blasphemy laws and difficulty in obtaining permission to build churches.

People with Disabilities

Pakistan has no laws requiring equal accessibility to public buildings for disabled persons.

Section 6 Worker Rights

a. The Right of Association

The Industrial Relations Ordinance of 1969 (IRO) enunciates the right of industrial workers to form trade unions but is subject to major restrictions in some employment areas. In practice, labor laws place significant constraints on the formation of industrial unions and their ability to function

effectively. For example, the law prohibits workers in export processing zones (EPZ's) from forming trade unions. Under the Essential Services Maintenance Act of 1952 (ESA), workers in sectors associated with "the administration of the State," which covers a wide range of government services and state enterprises, such as education, health care, oil and gas production, and transport, are allowed to form unions. However, the ESA sharply restricts normal union activities, usually prohibiting, for example, the right to strike in affected industries.

Union members make up only about 13 percent of the industrial labor force and 10 percent of the total estimated work force. Contract labor continues to flourish, undercutting the power of the unions and exploiting workers willing to work on temporary contracts. These workers receive fewer benefits and have no job security. There is no provision in the law granting the right of association to agricultural workers.

Legally required conciliation proceedings and cooling-off periods constrain the right to strike, as does the Government's authority to ban any strike that may cause "serious hardship to the community" or prejudice to the national interest. The Government may also ban a strike that has continued for 30 days.

Strikes are rare. When they occur, they are usually illegal and short. The Government regards as illegal any strike conducted by workers who are not members of a legally registered union. Police do not hesitate to crack down on worker demonstrations. The law prohibits employers from seeking retribution against leaders of a legal strike and stipulates criminal penalties for offenders. The courts may imprison employers for violating this prohibition but they are more likely to fine them. The law does not protect leaders of illegal strikes.

Unions may belong to federations. There are seven major federations which are free to affiliate with international federations and confederations. The Government permits trade unions of all political orientations. While many unions remain aloof from party politics, the most powerful are those associated with political parties. After the PPP came to power in 1988, it successfully organized trade unions under the banner of the People's Labor Bureau (PLB). The PLB's main competitors are the Jamaat-i-Islami's National Labor Federation and the MQM-backed labor unions.

The International Labor Organization (ILO) encourages the Government to lift prohibitions against union activity in EPZ's and with respect to radio, television, and hospital employees, as well as to rescind the existing ban on strikes. The Government was also asked to amend any provisions of the Industrial Relations Ordinance, the Press and Publications Ordinance, and the Political Parties Act which impose compulsory prison labor in a manner inconsistent with ILO Convention 105. In response to a government request, the ILO agreed to provide technical assistance to bring the country's labor laws into conformity with the world body's conventions.

In 1994 a government task force on labor prepared a report recommending improvements on worker rights problems.

b. The Right to Organize and Bargain Collectively

The right of industrial workers to organize and freely elect representatives to act as collective bargaining agents is established in law. The IRO prohibits antiunion discrimination by employers. If found guilty of antiunion discrimination, employers are required to reinstate workers fired for union activities. In general, legally constituted unions have the right to bargain collectively. However, the many restrictions on forming unions discussed above preclude collective bargaining by large sections

of the labor force, e.g., agricultural workers, who are not guaranteed the right to strike, bargain collectively, or make demands on employers.

The Essential Services Act also restricts collective bargaining. For each industry subject to the ESA, the Government must make a finding, renewable every 6 months, on the limits of union activity. In cases in which the Government prohibits collective bargaining, special wage boards decide wage levels.

These boards are established at the provincial level and are comprised of representatives from industry, labor, and the provincial labor ministry, which provides the chairman. The chairman may name additional industry and labor representatives to the board. Despite the presence of the labor representatives, unions are generally dissatisfied with the boards' findings. Disputes are adjudicated before the National Industrial Relations Commission (NIRC). A worker's right to quit may also be curtailed under the Essential Services Act. Dismissed workers have no recourse to the labor courts. Most unions call for the abolition of the ESA.

c. Prohibition of Forced or Compulsory Labor

The Constitution and the law prohibit forced labor. However, critics argue that the ESA's limitation on some worker rights constitutes a form of compulsory labor. The Government informed the ILO's Committee on the Application of Standards in 1990 that amendments were under consideration to rectify the problem. However, the Government has taken no further action. Illegal bonded labor is widespread. Bonded labor is common in the brick, glass, and fishing industries and is found among agricultural and construction workers in rural areas. Conservative estimates put the figure of bonded workers at several million.

The Bonded Labor System (Abolition) Act, adopted in 1992, outlawed bonded labor, canceled all existing bonded debts, and forbade lawsuits for the recovery of existing debts. However, the provincial governments, which are responsible for enforcing the law, have failed to establish enforcement mechanisms. Hence, the law is largely ineffective. Lacking employment alternatives, many workers have voluntarily returned to bonded labor.

d. Minimum Age for Employment of Children

Child labor is common and results from a combination of severe poverty, weak laws, and inadequate enforcement of those that do exist. A key factor is the absence of any compulsory primary education. The Government acknowledges that violations of existing laws are common.

Unofficial estimates indicate that workers under 18 years old make up one-third of the total labor force. While much child labor is in the traditional framework of family farming or small business, the employment of children in larger industries and, according to labor activists, in state-sponsored training programs, is also widespread. Child labor is widely employed in the carpet industry, much of which is family-run. This appears to be the only export industry in which child labor is employed on a significant scale.

In June the Government signed a Memorandum of Understanding with the ILO on cooperation toward elimination of child labor. The two sides will conduct a nationwide survey to develop an accurate assessment of the scale of child labor.

e. Acceptable Conditions of Work

Labor regulations are governed by federal statutes applicable throughout the country. The monthly minimum wage is approximately \$50 (1,500 rupees). Although this wage provides a meager subsistence living for a small family, minimum wage benefits affects only a small part of the work force.

The law, applicable nationally, provides for a maximum workweek of 54 hours, rest periods during the workday, and paid annual holidays. These regulations do not apply to agricultural workers, workers in factories with fewer than 10 employees, and to the small "contract groups," which are subdivisions within factories of 10 or fewer workers. Many workers are unaware of the regulations protecting their rights because of their lack of education.

The provinces have been ineffective in enforcing labor regulations, because of limited resources, corruption, and inadequate regulatory structures. In general, health and safety standards are poor. Although organized labor presses for improvements, the Government has done little and weakly enforces existing legal protections.

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