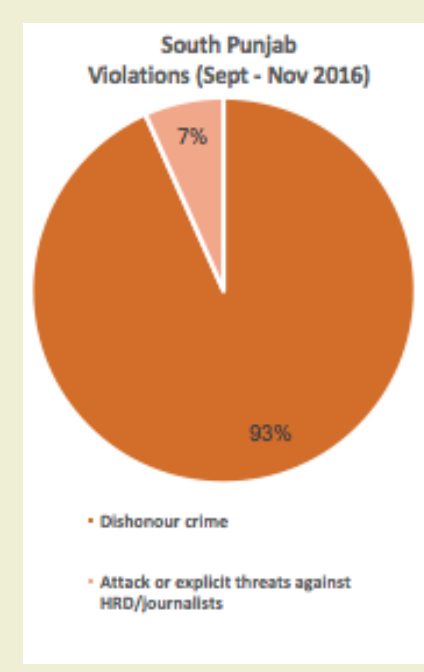
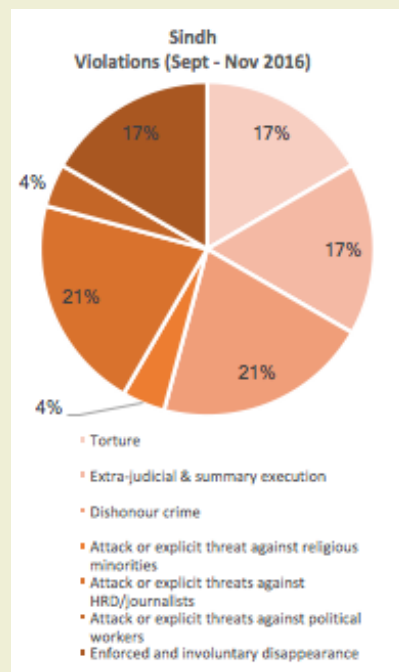
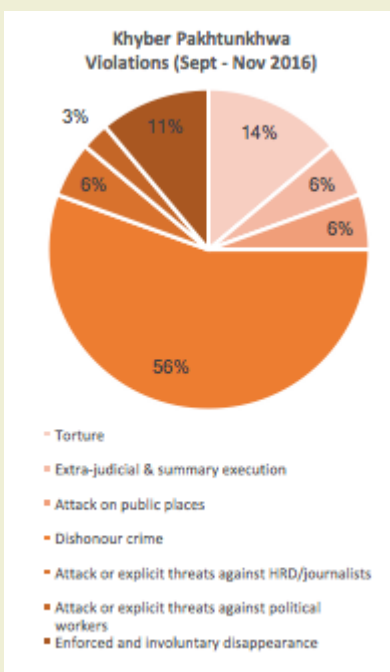
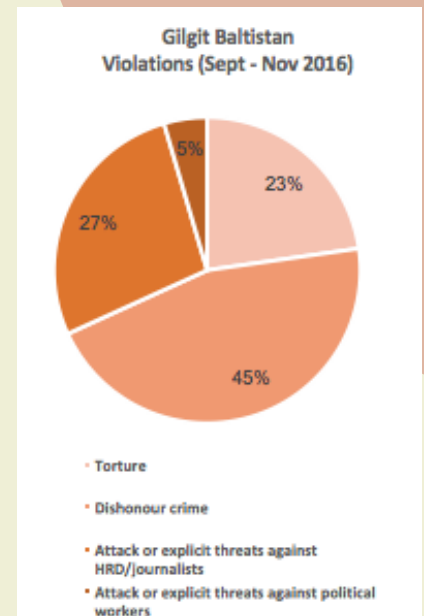
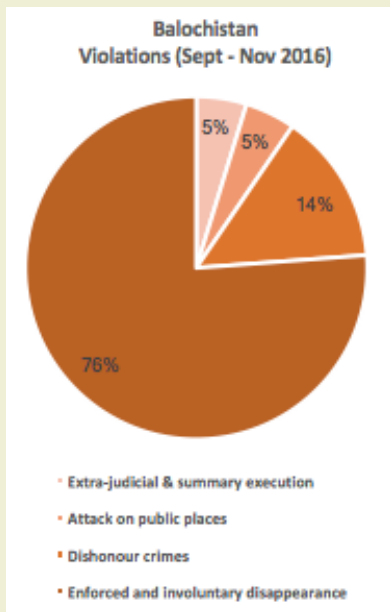


Summary of key violations in selected districts

A summary of violations recorded in focussed monitoring by HRCP volunteers in 60 districts across Pakistan from September - November 2016. These include cases that were often not covered by the national news media.

Type of violation	September	October	November	Total (September to November)
Torture	5	5	5	15
Extra-judicial, arbitrary and summary execution	2	5	2	9
Attack on public places	3	1	1	5
Dishonour crimes	16	20	18	54
Attack or explicit threats against religious minorities	1	0	0	1
Attack or explicit threats against human rights defenders/journalists	7	1	7	15
Attack or explicit threats against political workers	2	0	1	3
Enforced and involuntary disappearance	13	4	7	24
Total	49	36	41	126

Region-wise violations



Notable cases of human rights violations

Following are some of the more prominent cases drawn from focused monitoring by HRCP volunteers and media monitoring from September to November 2016.

- On September 1, Essa Haleem, a journalist in Gilgit Baltistan (GB) was given death threats by the GB legislative assembly deputy speaker, who warned him to stop criticizing the GB government. The journalist's reporting had included allegations of corruption in the GB government. The journalist reported the threat to the authorities but the police advised him to settle the issue instead of filing a criminal case. The local journalists staged protests against the threat. Three days later, the perpetrator tendered an apology, following which the victim pardoned him. No action was taken against the perpetrator.
- On September 2, at least 14 people were killed and 30 injured when a suicide bomber blew up his explosives at the entrance of Mardan District and Session Courts. The Jamaatul Ahrar (JA) militant group claimed responsibility.
- In Umerkot, Sindh on September 4, some Muslim men attacked a Hindu rickshaw driver with an axe after he asked a Muslim rickshaw driver, who had reportedly made derogatory remarks about Hinduism, to respect everyone's religious beliefs. The Hindu man was kicked, punched and beaten up with sticks until he fell unconscious. Police were alerted and the victim hospitalised. The victim's family approached the police to register a case but the police refused to do so. A few days later, several men came to the victim's house and requested that police should not be involved and the matter should be settled. The victim's family said that they did not wish to pursue the quarrel and the matter was settled.
- On September 13, a man was abducted from his agricultural land in Giraani area of Kalat district by around 10 men in security forces' uniforms, allegedly over suspicion that he provided support to separatist insurgents in the region. The incident was witnessed by several of the victim's friends. The family did not report the case for fear that the victim would be harmed. Two days after his disappearance, the victim's dead body was found near his house. He was shot in the head and his body showed signs of torture.
- On September 20, an activist of Awami Workers Party (AWP) in Sost Gojal, Hunza district, received threatening phone calls from several people, asking him to quit the party if he valued his life and those of his relatives. The activist was in charge of the AWP campaign office in a by-election in his constituency. The threat was reported to the authorities. The police assured him that he would be protected and that he should continue his work. However, no action was taken against the individuals making the threats.
- On October 20, three brothers shot and killed a man in Gilgit. The attackers believed the victim had uploaded objectionable pictures and videos of their sister on the Internet a year ago. The girl's husband had subsequently divorced her. The victim had gone abroad to escape death threats from the girl's family. He had recently returned after assurances from the community elders that they would intervene to resolve the matter. The family of the victim registered a case and the three perpetrators were arrested.
- On October 24, at least 61 people were killed and another 117 injured when three militants attacked a police training college in Quetta. The attackers scaled a run-down wall to enter the premises, went to the sleeping quarters of the unarmed trainee cadets and started shooting at them. In a four-hour gun battle with the troops, who were sent to rescue the cadets, two of the attackers blew up their explosives and the third was shot and killed by law enforcement personnel. Banned extremist group Lashkar-e-Jhangvi claimed responsibility for the attack.

Notable cases of human rights violations

- On October 21, in Ghizer, three policemen from Yaseen police station allegedly kicked a man and beat him up with sticks over suspicion that he had sexually assaulted a seven-year-old boy. They used abusive language against his relatives and threatened to kill his family members due to which the victim reportedly struggled to sleep at night. According to the victim, the policemen spit into his mouth along with the beatings, in order to force him to confess to the crime. He was beaten up for around 30 minutes every night until he was sent to the judicial lockup on October 28, after eight days of questioning. The victim did not seek a medico-legal examination because he believed that the police will apprehend him again if he visited a hospital for that purpose.
- In the first week of November, a fire raged for three days on a fuel tanker being dismantled at Gadani Shipbreaking Yard, in Balochistan. At least 28 people were killed and 58 injured. However, the workers claimed the death toll was double the official count. An HRCP fact-finding concluded that the fire started when welding torches were used on the vessel without cleaning up a sludge-like mixture of fuel and water from the vessel's floor. Due to the lack of basic medical facilities in Gadani town, the injured could not be helped in time. The fire-fighting capability there was so poor that the flames eventually died after nothing was left on the vessel to sustain them. The HRCP mission concluded that the disaster was a combination of businesses preferring profit over workers' safety and the state machinery's failure to introduce and implement health and safety rules.
- On November 13, at least 52 people were killed and over 100 injured in a bombing at a sufi shrine in a remote area of Khuzdar district in Balochistan. Around 500 people were present at the Shah Norani shrine to witness the evening dhamaal (a trance-like dance), when a suicide bomber blew himself up in the middle of the crowd. Militant group Islamic State of Iraq and the Levant and Lashkar-e-Jhangvi both claimed responsibility for the attack.
- On December 5, in the village of Druzanda, in North Waziristan Agency, a man was allegedly killed by another who suspected the victim of having an affair with the perpetrator's sister. The woman in question was handed over to the elders of the community for them to decide her punishment according to local customs. HRCP learned of the incident and was apprehensive that she might be killed on the orders of a Jirga, community elders or her family. HRCP brought the issue to the attention of the Khyber Pakhtunkhwa governor, on whose order the woman was rescued from the village and shifted to a women's shelter in Peshawar.
- Activist Abdul Wahid Baloch, who was believed to have become a victim of enforced disappearance in Karachi on 26th July 2016, returned home on the afternoon of December 5. Sindh High Court had heard petitions regarding his disappearance. Numerous rallies and protests across the country and a Senate hearing had also been held in that regard. He did not speak about his the identity of his captors, who had encouraged him to pray and gave him the Quran when he asked for something to read. While details of where he was kept remained unknown, he was apparently locked up in a 4 ft x 6 ft cell. Before being released, he was pressured into not talking about his ordeal in captivity.
- On December 12, hundreds of marchers in an Eid Milad-un-Nabi procession, who were later joined by a couple of thousand more, surrounded an Ahmadi place of worship in Dualoimal village in Chakwal district of Punjab. Around 50 Ahmadi worshippers inside the worship place managed to leave the premises, after which a fire was started there and furniture destroyed. One of the Ahmadi worshippers died of a heart attack later. The attackers wanted to turn the place into a mosque for Muslims. Ahmadis in the area had alerted the district administration head and the Punjab chief minister in advance to the possibility of mischief after provocative announcements were made from mosque loudspeakers in the area. A small police contingent was deployed but that could not stop the multitude of marchers from leaving the permitted route of the procession and marching on to the Ahmadi place of worship. Military troops had to be called in to control the situation. The district administration sealed the premises, which had the effect of depriving the Ahmadis of their worship place.

Not just a transgender tragedy

What the treatment of transgenders says about all of us



It is difficult to imagine the everyday trials and tribulations of transgender citizens who face stigmatization, discrimination and violence. One of the biggest obstacles that transgenders, as individuals and community, face is the humiliation and stigma attached to the third gender. Then there are the social constructs, which deny them protection from discrimination, and play a major role in depriving them of the rights available to other citizens of Pakistan. Many ‘minor’ incidents of discrimination and violence against the transgender go unreported because of a lack of sensitivity of the news media and society to their plight and because many of the victims accept their treatment as their God-ordained fate. While many incidents of violence against the transgenders go unreported, a cursory glance at some of the cases drawn from HRCP’s media monitoring from January to December 2016 suffice to offer a glimpse of the threats that the transgender face as well as society’s acceptance of or indifference to their wretched lot.

Instances of discrimination & violence against transgenders in 2016

- In January, a transgender was attacked with knives in Multan when she refused to participate in a musical programme arranged by the perpetrator. She was injured.
- Adnan Qamar, a transgender and co-administrator of TransAction page on Facebook and a member of TransAction Alliance, was shot and injured by unidentified men in Peshawar in January. He was taken to Lady Reading Hospital where the doctors provided him treatment only after deliberating for nearly three hours on whether to place him in the female or the male ward. All the while, the medical staff and police guards mocked him for being a transgender.
- In February, a number of policemen barged into a transgender’s house in Peshawar, and forced her to go with them to the police station. When the transgender refused to go along, they taunted her and threatened her of consequences.

- In April, a few transgenders were beaten up and injured during a wedding ceremony in Lahore when they argued with the family. The family members beat up the transgenders and also snatched money from them. When police arrived at the scene, they asked the transgenders to reconcile with the family and recovered the snatched money and returned it to the transgenders.
- In May, Alisha, a transgender and coordinator for Khyber Pakhtunkhwa Trans Alliance Action, was shot at multiple times by a young man. She was injured and taken to Peshawar's Lady Reading Hospital, where the hospital staff deliberated for an hour whether to treat her in the male or female ward. They finally operated upon her in front of the lavatory, where she passed away.
- Also in May, a transgender, Khurram Shehzad alias Nagina, was shot and killed by the police in Faisalabad after she refused to accompany them to an undisclosed location. According to the brother of the victim, she was with two of her friends in a car when a mobile police team stopped them near a picket. When the transgender person refused to go with the police, they got furious and threatened her. The person driving the car sped away from the picket. The police chased them and shot at the car. A bullet hit the transgender, who died instantly. The victim's friends later threw her body by the roadside. A case was registered against five policemen and the two friends of the victim.
- In July, a 42-year-old transgender, Mir Hussain alias Shehla, resident of Lahore, was shot dead in Rawalpindi. Her dead body was seen near a bridge by a passer-by who informed the police. The police shifted the body to the district headquarter hospital for conducting medico-legal examination. The reason for the murder could not be ascertained.
- Seven transgender citizens were kept in illegal detention for four hours and reportedly sexually assaulted by the police in Nowshera in July. According to the victims, the policemen raided their living quarter and forced them to go to the police station with them. At the police station, they were allegedly raped and forced to dance in front of the policemen. The victims reported that a policeman had told them to leave the district within 24 hours.
- Also in July, three transgender persons were illegally arrested from Bara Gata area in Peshawar and taken to the police station in Pishtakhara, where they were reportedly beaten up for not paying Rs 1,000 to the police when they stopped them and asked for a bribe. Senior police officials said that they had received a complaint from the residents of Bara Gata area that the transgenders in their area used to drink and should be proceeded against.
- In September, a transgender, who was diagnosed with HIV and had been denied treatment at a Peshawar hospital, passed away. When the transgender community found out about her disease, they abandoned her and since then she had been living near a rubbish dump in Hashtnagri area. Clerics in Peshawar reportedly refused to lead her funeral prayers and her burial rites could only be performed after a cleric from Nowshera agreed to do so.
- In September, a transgender, Deedar, was shot and injured by a man in Bara Gata area of Peshawar in a money dispute. She received a bullet in her thigh and was hospitalised where she made full recovery.
- In November, a transgender returning home after attending a wedding reception in Lahore was abducted by five men. The suspects forcibly took her to a house where they severely beat her up and burned her with cigarette stubs. The men tortured her for the whole night until she fell unconscious. Police arrested the five suspects and launched an investigation.
- In November, a video on social media showed a transgender in Sialkot being flogged by several men. Media reports suggested that the transgender was beaten up because she had refused extortion demands of one of the offenders. The video showed the victim laying face down on a bed with a man holding her down with his foot, while she was being repeatedly hit with what appeared to be a leather belt. The main offender is reported to have said after being arrested that the transgender was his paramour. He said he wanted to teach her a lesson for cheating on him. He said the incident was a private matter and police should not be involved. According to an eyewitness, the perpetrators barged into the house of the transgender, where several other transgenders were also present. The witness said the perpetrators also shaved the heads of other transgenders present at the scene. Five suspects were charged with torture and extortion while another five were being investigated.

Key human rights developments

In October, a joint sitting of parliament adopted the **Offences in the Name or Pretext of Honour Act 2016**. Through this law, amendments were made to the Pakistan Penal Code (PPC) and the Code of Criminal Procedure (CrPC) ostensibly to end impunity for so-called honour crimes. Under the law, the family can still pardon the killer. However, if heirs of the victim of an honour killing enter into a compromise with the perpetrator, judges have the discretion to give a mandatory life sentence. The new law still does not provide certainty of punishment for the perpetrator and leaves it at the discretion of the judge. Furthermore, in the absence of a specific confession, it would also be difficult to establish the motive of the perpetrator, which is essential to bring a case within the ambit of the so-called honour crime.

In October, **Anti-Rape Law (Criminal Amendment Bill) 2015** was adopted in a joint setting of parliament. The law made amendments to the PPC, CrPC and the evidence law. The law gave legal cover to the collection and use of DNA in evidence. It declared that the trial for offences such as rape and related crimes shall be conducted in-camera and allowed the use of technology to record statements of the victim and witnesses, to spare them from court appearance. The laws also provides that a female police officer must be present when information is being recorded in cases of sexual violence.

In November, Sindh Assembly unanimously adopted a private member's bill, **The Sindh Minorities Rights Commission Bill, 2015**, to establish a commission to protect the rights of religious minorities at the provincial level. The law defined 17 specific functions of the commission, which included examination of government policy related to religious minorities; review of existing laws affecting their rights and suggesting repeal or amendment; suggesting new laws to promote their welfare; investigating specific complaints; and undertaking research and programs to eliminate hate speech and encourage education, social interaction and political participation for the minorities. The Commission's chairperson and six of the 11 government-nominated members will be from various ethnic and religious minorities. Women will constitute at least 33% of the commission membership. It will also have one youth representative, one lawyer, and two civil society activists.

In December, the Sindh legislature adopted **Sindh Criminal Law (Protection of Minorities) Bill 2015**, criminalising forced conversions. However, the provincial government faced pressure from conservative quarters to scrap the law and did in fact back paddle later the same month. The Sindh government issued a policy statement, defending the bill as being in line with the constitution but stated that the government would review the clauses religious leaders had objected to. The law recommended prison terms for perpetrators and a fine to be paid to the victim. It allowed adult alleged victims of forced conversion 21 days to reconsider, while conversion of children under the age of 18 was prohibited. Anyone performing or facilitating the marriage of a victim of forced conversion was also liable to imprisonment and a fine payable to the victim.

In November, **Pakistan ratified the Paris Agreement on Climate Change**, which obliges member states to lower planet-warming greenhouse gas emissions in a combined effort to stave off the most drastic effects of global warming. Pakistan's permanent representative to the United Nations, Ambassador Maleeha Lodhi, deposited the instrument of ratification, signed by the President of Pakistan, at a ceremony held at United Nations Headquarters in New York.