

From Occupied Gilgit-Baltistan to Gwadar

HUMAN RIGHTS IN PAKISTAN



• Report March 2017 •

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The Unrepresented Nations and Peoples Organization

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Pakistan

1

Executive Summary

Pakistan is constitutionally separated into four provinces – Punjab, Sindh, Balochistan and Khyber-Pakhtunkhwa (KP). These provinces, which are endowed with separately elected provincial parliaments, stand opposed to the Pakistan-occupied areas of Gilgit-Baltistan and Azad Jammu and Kashmir (AJK). Despite seemingly enjoying a form of self-determination through regional legislative assemblies and central legislation, such as the 2009 Gilgit-Baltistan Empowerment and Self-Governance Order (GB Order), these two regions remain under the rigid control of the Pakistani central Government, which enjoys superseding powers to nullify any act passed by the regional assemblies. In practice, the people of Gilgit-Baltistan live in a constitutional limbo and have no independent judiciary nor an appellate instance for human rights complaints. The disparity in political representation and lack of means of redress for violations of individuals' civil and political rights leaves Gilgit-Baltistan rated as “unfree” by the Freedom House 2016 *Freedom of the World Report*, whereas Pakistan is rated as “partly free”.¹

This report focus primarily on the oft-forgotten humanitarian crisis in the disputed, Pakistan-occupied Gilgit-Baltistan. Following decades of deprivation of its right to self-determination and under the ongoing illegal presence of Pakistani military in its territory, the people of Gilgit-Baltistan endure systematic human rights abuses. Worsening an already fragile situation, Gilgit-Baltistan is of key geographical importance to the US\$46 billion mega project that will further consolidate economic and political ties between Beijing and Islamabad known as China-Pakistan Economic Corridor (CPEC). Despite being in clear breach of international law, the project includes a 660 km stretch of highway and other infrastructure projects that cut through the disputed area and is being implemented without consultation nor compensation for the people of Gilgit-Baltistan. In addition to forcing the local population to accept the terms and conditions of the development project at face value, Pakistan state authorities have largely ignored the deeply concerning dangers that CPEC poses to the region's environment and natural resources.

Beyond the ongoing occupation of Gilgit-Baltistan, this report draws attention to the ruthlessness of the human rights violations in Balochistan and Sindh, where Pakistan's security forces have systematically persecuted both the

¹ Freedom House. 2016. “Freedom in World 2016”. Available at: https://freedomhouse.org/sites/default/files/FH_FITW_Report_2016.pdf [last accessed: 27 January 2017], p 24.

Baloch and Sindhi people. In a country where enforced disappearances and extrajudicial killings rank as one of the most common threats to minorities, outcries of human rights defenders have had no tangible impact in curbing Islamabad's repressive policies. Although Pakistan's "kill and dump" policy shows that central authorities in Islamabad pursue certain priorities in blatant disregard for international law, Pakistan state officials have adopted a progressive narrative. Speaking in Brussels to an audience of European businesspersons, diplomats, journalists, academics and EU officials, the Minister for Commerce of Pakistan, Engineer Khurram Dastgir Khan, announced "good news emanating from Pakistan"². After elaborating on his government's strategic choice to take on "terrorists of all hues and colours", the Minister explained how VISION PAKISTAN 2025 – the country's long-term development programme that aims to create a globally competitive state – can only be achieved with "political stability in the country, the rule of law and social justice"³.

The European Union is Pakistan's second largest trading partner, only behind China. Under the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+), bilateral trade relations between Brussels and Islamabad have reached a new level, giving the EU the status of a key stakeholder in Pakistan. Under the GSP+ framework, Pakistan was granted full removal of tariffs on over 66% of EU tariff lines covering a very wide array of products in exchange for committing to maintain ratification of 27 international conventions – including core human rights conventions – as

well as to implement them fully. In light of the fact that trade figures indicate that Pakistan has been intensively utilising the GSP+ benefits, this report evaluates the current overall situation of human rights in the country. Grounded solely in facts, it concludes that the obligations under the trade incentive – and under international law – have been neglected and without substantial implementation.

If the EU is to succeed in its ambition to help Pakistan to become a fully functional democracy that respects core human and labour rights, the environment and good governance principles through the GSP+ incentive, then the key lies in addressing Islamabad's sluggishness in implementation. And if Pakistan, in turn, is to achieve its ultimate goal of becoming one of the 10 largest economies in the world by 2047 underpinned by a democratic state, a welfare economy and a pluralistic society⁴, then it is imperative that it protects and fulfils its human rights obligations without further ado. Hence, by raising awareness of the UN-declared disputed territory of Gilgit-Baltistan, as well as by assessing the overall human rights situation in Balochistan and Sindh, this report hopes to contribute to the debate on the current challenges faced by ethnic minorities in Pakistan at a time when the country is increasingly benefitting from international trade incentives.

2 Speech delivered by the Minister for Commerce of Pakistan, Engineer Khurram Dastgir Khan, at the European Institute of Asian Studies, Brussels, on the 20th January 2017.

3 Ibid

4 Planning Commission of Pakistan, Ministry of Planning, Development & Reform, Government of Pakistan. "Pakistan 2025 – One nation, one vision"

● PAKISTAN-OCCUPIED GILGIT-BALTISTAN

Gilgit-Baltistan comprises approximately 72,000 km² of territory, bordering Afghanistan to the north, the Xinjiang province of China to the northeast, the Pakistan-administered state of AJK to the south and the Indian administered state of Jammu and Kashmir to the southeast. The multi-ethnic and majority Shia region consists of three divisions – Gilgit in the north-west, Baltistan in the east and Diamer in the south-west along the Indus River at the border with KP. With an estimated population of 2 million, Gilgit-Baltistan has ever since the Indo-Pakistani partition in 1947 been under occupation of Pakistan, in violation of the United Nations Commission for India and Pakistan (UNCIP) resolution of 28 April 1949. At the crossroads between China and the Middle East and Europe, transacted by 660 km of Karakorum Highway creating a land access for China to the Indian Ocean, Gilgit-Baltistan is today a crucial point in the geopolitical balance of the wider region.

● SINDH

Located on the northern shore of the Arabian Sea, girdling the fertile lower reaches of the Indus River over almost 150,000 km² and bordering the Pakistani provinces of Punjab and Balochistan to the north and the west and the Indian states of Rajasthan and Gujarat to the east and southeast, Sindh forms Pakistan's southeasternmost province with a population of over 45 million. In its thousands of years of history, the Sindhi nation has come under attack and, for periods, remained under control of outside forces and rulers, such as Persians, Greeks, Arabs, Mughals, Afghans and the British. These invasions were mainly motivated by a desire to gain control of the abundant resources of Sindh. Its people, however, were able to regain their independence from colonial rulers time and again and have consequently remained an independent nation for a significant majority of the last 5,000 years. Nowadays, besides being victims of gross human rights violations perpetrated by Pakistani security forces, the inhabitants of the Indus River valley are being threatened in their livelihoods by man-made changes in weather patterns. While the river's water flow has decreased by 90% compared to the 1970s, the ecologically indispensable mangrove forests in the river's estuary have shrunk to one fifth of their original size. Furthermore, Sindh features Pakistan's highest rate of food insecurity in 2016, with 75% of Sindhi people living below the poverty line.

● BALOCHISTAN

The Baloch people are a unique ethno-linguistic group who have been victims of marginalisation throughout history. In Pakistan, Balochistan borders Iran and Afghanistan, and is delimited to the south by the Arabian Sea. Although occupying 43% of Pakistan's total land mass of 796,000 square kilometres, it is the country's least populated province, accounting for a mere 5% of the total population. Given its strategic location as a gateway from the Middle East to different parts of Asia, Balochistan has been used as a buffer zone between ancient empires. The British occupation of the Baloch State of Kalat in 1839 eventually led to the partition of the Balochi people's land among modern-day states. Today, Balochistan bears the price of having in its territory one of China's most crucial priorities, the deep water Gwadar port, which gives access to the Arabian Sea. Traditionally a secular society, the century-old struggle for Baloch self-determination has given birth to many political and intellectual figures advocating for their people's basic rights.



Gilgit, the Capital city of Gilgit-Baltistan

2

The Case of Gilgit-Baltistan

In 1846, after having been a conglomerate of several independent princely states, the region of Gilgit-Baltistan was incorporated into the princely state of Jammu and Kashmir by the Dogras, one of the region's many ethno-linguistic groups. Following a century under domination, in 1947 the local population of Gilgit-Baltistan overthrew the rulers and declared independence as the Republic of Gilgit. The newly formed political entity, however, would last only 16 days, as the Indian Independence Act of 1947 led the British Government to assign the control over Gilgit-Baltistan to the Maharaja of Jammu and Kashmir, who – faced with the choice – refused to join either Pakistan or India. Following violent clashes between the Hindu and the Muslim population in his territory, the Maharaja asked for military assistance from India, leading to the signing of the Instrument of Accession, a decision that was not favoured by Pakistan.

On 16 November 1947, Pakistan forcefully took over the administration of Gilgit, which prompted India to address the United Nations Security Council, who in April 1948 passed Resolution 47. The resolution calls for Pakistan and India to both withdraw their military and civilians from the disputed territory, and to hold a plebiscite to determine the people's will on whether to

accede to Pakistan or to India. Pakistan refused to compromise and, as a result, Gilgit-Baltistan and AJK remained under Pakistani occupation. The UN established a cease-fire line in 1949, which to this day is referred to as the Line of Control and forms a de facto border between Indian controlled Jammu and Kashmir and Pakistani controlled AJK and Gilgit-Baltistan.

In 1949, with the notorious Karachi Agreement, Pakistan's Ministry of Kashmir Affairs and Northern Areas (KANA) took full control over Gilgit-Baltistan. The people of Gilgit-Baltistan had no active participation nor were they consulted in the process. Governed by the Frontier Crimes Regulations, laws applying to "tribal people" imposed fines and punishments and denied their freedom of movement, legal representation and right to appeal. In the early 1970s, the newly created Northern Areas Advisory Council (NAAC) only reinforced Gilgit-Baltistan's lack of any significant representation in Pakistani politics. Throughout the following decades, several reforms were introduced, but all of them kept the people of Gilgit-Baltistan disenfranchised from the political process. The most emblematic case is the Gilgit-Baltistan "Empowerment and Self-Governance" Order, promulgated by the Pakistani Government in 2009. Designed to create the impression of

liberal self-rule, the executive order created the Gilgit-Baltistan Legislative Assembly, a body devoid of any constitutional authority and under the Gilgit-Baltistan Council's management, headed by the Pakistani Prime Minister.

2.1 Sectarian Conflicts Fuelled by Pakistan

Apart from the arbitrary application of blasphemy laws and the lack of judicial redress, the people of Gilgit-Baltistan are hard-hit by sectarian conflicts fuelled by Pakistan's assimilationist policies. The region is comprised of several different ethnic groups and tribes who prior to the occupation lived peacefully with respect for each other's identities and faiths. However, in 1947 Prime Minister ZA Bhutto abrogated the State Subject Rule, a 1927 law that protected the local demographic composition. Since then, Pakistan has encouraged Sunnis from other parts of the country to acquire land and settle in Gilgit-Baltistan, profoundly altering the demography of the region and thus reducing the indigenous populations to a minority. Deeply concerning is the large number of Salafi militants among the resettled Pakistanis, who are responsible for numerous terrorist attacks in the region. The construction of the Karakorum Highway, which allowed Islamabad to deploy its military and settle its civilians in the region even more efficiently, has only goaded Pakistan's cultural assimilationist policies.

Against the backdrop of Pakistani Sunni sectarianism and in a region where employment opportunities are anyway scarce, the Pakistani occupiers also victimise indigenous employees and civil servants. Around 90% of local government and administration jobs have been given to Sunni immigrants, while the few locals who are working in the government sector keep

being harassed, arrested and dismissed for flimsy reasons.⁵

By depriving the indigenous peoples of a constitutionalised identity, political rights and access to justice, Pakistan creates a portentous environment for the escalation of sectarian divisions, which can be verified by the increasing tensions between Shia and Sunni communities since the 1980s. The first major sectarian clash in Gilgit-Baltistan occurred when anti-Shia riots broke out in May 1988 over a religious matter, which led to hundreds of deaths when 23 villages and places of worship were burnt to the ground. In 2012, sectarian violence resurged, triggered by a quick succession of well-organized killings targeting Shia travellers on the three routes that connect Gilgit-Baltistan with Islamabad, killing more than sixty indigenous people.

2.2 The Diamer-Bhasha Megadam - A Recipe for Disaster

Not the largest – with 4,500 MW projected power output – but certainly the most controversial of Pakistan's six megadam projects in the occupied territory of Gilgit-Baltistan, the Diamer-Bhasha Dam will be located in the upper Indus River valley in Gilgit's district of Diamer, while its turbines will be located near the village of Bhasha in Pakistan's KP Province. This subterfuge will allow the Pakistani Government, the project's main stakeholder, to withhold the dam's royalties from the most severely affected

5 GBDA. 2016. "Human Rights Violations in Pakistan Occupied Gilgit Baltistan", p 4.

communities in Gilgit-Baltistan, where 90% of its catchment area will be located, which will inundate thousands of acres of the region's most fertile land, displacing over 50,000 people from 32 villages. Judging from previous experience with the Mangla Dam situated in the equally disputed area of AJK, the Pakistani Government is likely to destroy the locals' living environment and cultural heritage, use their land to produce cheap energy and resell it to them at overpriced rates. The estimated cost of the Diamer-Bhasha project lying at US\$14 billion, Pakistan encountered major difficulties in securing funding, as both the World Bank and the Asian Development Bank refused to finance the project due to its location in a disputed territory. Regardless, the project's cornerstone ceremony went ahead in October 2011, supported by Chinese investment. The land for the dam has already been acquired, though the affected population is yet to be compensated.

The people of Gilgit-Baltistan insist that Pakistan has no right to build a dam in an area which is disputed and whose fate is still to be settled under the UNCIP framework, prompting the local populations of Diamer in Gilgit-Baltistan and Bhasha village of KP to form the "Diamer Dam Affectees Committee" to defend indigenous interests. They have been holding regular demonstrations to demand better compensation for the land they have been dispossessed of and to call for the affected residents of Diamer to be given employment opportunities in the project on a priority basis. The Committee also request a guarantee that the right of dam ownership be given to Gilgit-Baltistan. So far, the Pakistani security forces have reacted to the protests with brutal repression, detaining, injuring, torturing and killing scores of indigenous people who are trying to defend their identity.

2.3 Environmental Degradation

The multitude of megadam projects in Gilgit-Baltistan will have repercussions that far surpass the irreparable loss of arable land under the deluge of their reservoir water. For one, the fluctuations in the reservoirs' water levels will cause instability in irrigation channels. During the summer months, when the water heats up, more precipitation will be expected in the cold but arid region, leading to an increase in rockslides and avalanches. Moreover, most of the dams are located in seismically sensitive areas, being in the ranges of the Hindu Kush and Himalayan mountains.

Some research indicates that creating large water reservoirs in the vicinity of a fault line area enhances the risk of earthquakes. Thus, the decision to have so many dams constructed in this very region must be considered problematic even for geological reasons, and could cause a major catastrophe when a high magnitude earthquake hits the area.

Gilgit-Baltistan is, further, home to the world's largest frozen fresh water reserves outside the Polar Regions, and its indigenous populations depend on this resource for their survival. Due to global warming, hundreds of glacial lakes have formed, which could devastate many villages in Glacial Outburst Floods (GLOF). To address this phenomenon, the Green Climate Fund (GCF) – a global intergovernmental entity under the UN Framework Convention on Climate Change – has approved in October 2016 a highly controversial project proposed by the Pakistani Government to reduce the GLOF risk for Gilgit-Baltistan. The suggested undertaking, which will be monitored and partially funded by the UNDP, would heavily interfere with the fragile alpine ecosystem through the erection

of engineering structures, such as dams and artificial ponds and waterways. Although the GCF deems the project to carry only minimal and reversible adverse risks, experts are warning that the region is ecologically far too unstable to support a project of that scale.⁶

Altered flow of water and nutrient contents of the Indus River, caused by damming up water in Gilgit-Baltistan, will also result in changes in the habitat further downstream, affecting water supply and fishery. In fact, the repercussions have already been felt in Sindh, where the water flow has decreased by 90% compared to the 1970s, according to Dr Lakhu Luhana of the World Sindhi Congress (WSC). Due to the melting glaciers, on the other hand, more rain falls in the Indus valley, which has already led to an unprecedented flash flood in 2010. The combined effects of decreased water flow, increased precipitation and salinisation caused by rising sea levels have left 27% of Sindh's arable land barren. In the river's estuary, the vegetation loss of mangroves on 6.6 ha of land, caused by massive saltwater influx, is jeopardising the livelihood of half a million people, while floods and droughts alike keep displacing and robbing the Sindhi population at the river's lower reaches of their means to subsist.

⁶ Times of India (TOI). 14 October 2016. "India opposes Pakistan's project in Gilgit-Baltistan". Available at: <http://timesofindia.indiatimes.com/india/India-opposes-Pakistans-project-in-Gilgit-Baltistan/articleshow/54842160.cms> [last accessed: 27 January 2017].



Flood in Gilgit-Baltistan





Protest in the Pakistani-occupied disputed territory of Gilgit Baltistan

3

Human Rights Situation in Pakistan-occupied Gilgit-Baltistan, Balochistan and Sindh

In 2010, Pakistan ratified the International Covenant on Civil and Political Rights and authorised its Supreme Court to receive individual complaints on human rights violations. However, as Gilgit-Baltistan is neither a constitutional part of Pakistan nor possesses genuine regional autonomy, its population cannot claim violations of any individual rights guaranteed in the constitution and cannot, therefore, make their grievances heard at any level of the Pakistani judiciary. Although the 2009 GB Order grants an extensive list of fundamental freedoms, violations of those rights cannot be adjudicated by even the highest regional court, which renders the provisions useless to victims of human rights abuses.

In February 2016, acknowledging systemic human rights abuses by Pakistani administrative officials, the Ministry of Human Rights issued an ambitious so-called “Human Rights Action Plan” which promises, among other things, better protection of women and minority rights,

to increase human rights sensitivity of public servants, implementation of international human rights treaties and the institutionalisation of human rights in development planning. Despite commendations by the European Union, the international community remains cautious as to its implementation, worried that the Action Plan may follow the same road as the severely underfunded and understaffed Commission on the Status of Women and National Commission for Human Rights, established in 2000 and 2012, respectively. The European Parliament pointed out in a 2016 resolution⁷ the systematic and grave violations of religious freedom taking place in Pakistan, which are being exacerbated by widespread sectarian violence against religious and ethnic minorities.

7 The European Parliament (EP). 14 April 2016. “European Parliament resolution of 14 April 2016 on Pakistan, in particular the attack in Lahore”. Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0128+0+DOC+XML+V0//EN> [last accessed: 27 January 2017].

Another parliamentary resolution⁸ passed in 2014 was specifically designed to expose the country's misuse of its blasphemy laws and to denounce the government's inaction on forced marriage and conversion of minority women.

The US State Department's 2015 Human Rights Report on Pakistan⁹ named as major deficiencies in Pakistan's human rights record, inter alia, extrajudicial killings, torture, gender inequality and sectarian violence. Human Rights Watch (HRW) has stressed in its 2016 World Report's section on Pakistan¹⁰ the fallout from de facto military rule in law enforcement and abuses of the country's antiterrorism legislation in Karachi, Gilgit-Baltistan and large parts of Balochistan for the freedom from torture, arbitrary arrests and extrajudicial killings and enforced disappearances.

3.1 Enforced Disappearances and Extrajudicial Killings

Pakistan has not enacted any national legislation directed specifically against enforced disappearances or extrajudicial killings, neither

has it ratified the International Convention for the Protection of All Persons from Enforced Disappearance (CPED). What is more, inadequate regulations in Pakistan's Criminal Procedure Code (CPC), such as Section 173 CPC¹¹, which precludes superior police officials from ordering the filing of First Information Reports on criminal complaints, force victims' families to take the cumbersome route through the court system to avail themselves of a second instance. This practice opens the door to the intimidation of victims and often deters them from filing a complaint, eventually leading to the de facto exemption of police officers, members of the security forces and intelligence officials from criminal prosecution.

Considering that members of religious and ethnic minorities in Balochistan and Sindh, who speak out about human rights violations against their communities, tend to be hit hardest, the United States Department of State called extrajudicial killings and enforced disappearances "[t]he most serious human rights problems"¹² in Pakistan. At least 936 dead bodies bearing heavy marks of torture have been recovered since 2011 in Balochistan alone,¹³ while Pakistani security forces have also intensified this abominable practice in Sindh, where military abductions of civilians have become more frequent. Ethnic Sindhi human rights activists have been among the most targeted, such as in the case of Mr Zakir Hussain Bozdar, who was found dead on 10 December 2016, bearing marks of torture.

8 EP. 27 November 2014. "European Parliament resolution of 27 November 2014 on Pakistan: blasphemy laws". Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2014-0064+0+DOC+XML+V0//EN> [last accessed: 27 January 2017].

9 United States Department of State. 14 April 2016. "Pakistan 2015 Human Rights Report". Available at: <https://www.state.gov/documents/organization/253185.pdf> [last accessed: 27 January 2017].

10 Human Rights Watch (HRW). 2016. "World Report 2016: Pakistan". Available at: https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf [last accessed: 27 January 2017], pp 438-446.

11 The Code of Criminal Procedure. 1898, as amended by Act II of 1997.

12 United States Department of State. 2016. "Pakistan 2015 Human Rights Report". Available at: <https://www.state.gov/documents/organization/253185.pdf> [last accessed: 27 January 2017], p 1.

13 BBC. 28 December 2016. "Balochistan war: Pakistan accused over 1,000 dumped bodies". Available at: <http://www.bbc.com/news/world-asia-38454483> [last accessed: 27 January 2017].

One week before, the human rights and political activist and District President of Jeay Sindh Mutahida Mahaz had been abducted by police, paramilitary and intelligence personnel from his home in the Sindhi town of Ghotki.¹⁴ In 2015, after hosting an event on enforced disappearances of Baloch people, Ms Sabeen Mahmud, a popular human rights activist and her driver were killed by gunmen in Karachi.¹⁵ The UN Working Group on Enforced Disappearances,¹⁶ moreover, concluded after its visit to Pakistan in 2013 that the occurrence of enforced disappearances not only exists but that, according to some of their sources, more than 14,000 persons remained disappeared.

Having interviewed victims' families, the Working Group was able to make out a clear pattern of kidnappings, often in front of witnesses, by intelligence agencies or security forces, such as the Inter-Services Intelligence (ISI), Military Intelligence (MI) or "the Rangers" – a paramilitary force mainly employed in Sindh. What is worse, police officials, when approached by victims' families, often attempted to dissuade them from filing a case. In response to these grievances, the UN Working Group recommended to introduce a separate criminal offence of enforced disappearances following the definition given by the CPED, which has not happened since. They

also reiterated that the international community expects from Pakistan to have suspected perpetrators of enforced disappearances suspended from their public offices during the prosecution, again to no avail. On the contrary, especially the Criminal Procedure Code, the Maintenance of Public Order Ordinance and the Protection of Pakistan Act are perpetuating impunity of civil servants. In this context, Human Rights Watch reached the same conclusions and made the same recommendations as the UN Working Group, namely, to take all necessary measures to ensure that all cases of enforced disappearances be investigated by Pakistan's police force.¹⁷

The European Parliament, on 12 March 2014, also called on the Pakistani authorities "to end enforced disappearances, extrajudicial killings and arbitrary detentions notably in Balochistan".¹⁸ Although a Commission of Inquiry on Enforced Disappearances was established in 2010 and located 982 missing persons by 2016, no perpetrators have been held accountable yet, and 1,273 cases remain pending.¹⁹

14 World Sindhi Congress. 11 December 2016. "WSC Strongly Condemns Extrajudicial Killing of Zakir Bozdar by Pakistani Agencies on International Human Rights Day". Available at: <http://www.worldsindhicongress.org/2016/12/1963/> [last accessed: 27 January 2017].

15 United States Department of State. 2016. "Pakistan 2015 Human Rights Report". Available at: <https://www.state.gov/documents/organization/253185.pdf> [last accessed: 27 January 2017], p 3.

16 Human Rights Council. 2013. "Report of the Working Group on Enforced or Involuntary Disappearances on its mission to Pakistan". Available at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-45-Add-2_en.pdf [last accessed: 27 January 2017].

17 HRW. 2016. "This Crooked System: Police Abuse and Reform in Pakistan". Available at: <https://www.hrw.org/report/2016/09/25/crooked-system/police-abuse-and-reform-pakistan> [last accessed: 27 January 2017], pp 6-7.

18 EP. 12 March 2014. "European Parliament resolution of 12 March 2014 on Pakistan's regional role and political relations with the EU". Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2014-0208+0+DOC+XML+V0//EN> [last accessed: 27 January 2017], no 28.

19 EU HR. 28 January 2016. GSP+ Covering the Period 2014 – 2015, p 192.

3.2 Torture and Death Penalty

In 2010, Pakistan ratified the UN Convention against Torture (CAT). However, so far it has failed to define torture in its national legislation accordingly and does not recognise the individual complaint procedure in front of the CAT Committee. The last visit of the UN Special Rapporteur on Torture dates back to 1997, while a renewed visit has been pending since 2011. According to HRW, the EU's GSP+ 2016 report as well as the US State Department's 2015 human rights report on Pakistan, practices of torture and other cruel, inhuman or degrading treatment have remained rampant throughout the country, especially during criminal investigations. An alarming number of bodies of human rights activists abducted and killed by security forces also showed gruesome marks of physical abuse.

Torture continues to be widely used to coerce confessions, obtain information or to punish prisoners. The Faisalabad District Standing Medical Board concluded in 2015 that 76% of examined cases displayed unambiguous signs of maltreatment falling under the definition of torture,²⁰ while the Society for Human Rights and Prisoners' Aid – a Pakistani human rights NGO – reported 7,800 cases of torture in 2014 and more than 6,000 in 2015.²¹ The NGO, as well as HRW²², named beatings with batons and whips, burning with cigarettes, whipping of the soles of feet, prolonged isolation, electric shocks, denial

of food or sleep, hanging upside down, and forced spreading of the legs with bar fetters as most common methods of abuse. The EU's GSP+ report and the Asian Human Rights Commission²³, further, denounce the lack of effective remedies and specific complaint centres, where victims can claim redress from perpetrators. This failure of national law enforcement amounts to violations of Articles 12 and 14 of CAT.

HRW uncovered that police officers, interviewed in 2015, openly admitted to routinely using a whole range of torture methods, including sleep deprivation and whippings with leather strips, to obtain information or coerce confessions.²⁴ In Gilgit-Baltistan, for instance, an eight-year-old boy was severely tortured in detention after being arrested under terrorism and sedition charges in June 2015, and eleven political activists were detained for six months in 2015 in a Gilgit jail where they were brutally tortured.²⁵ HRW, further, recounts the horrific stories of two Sindhi men, one of them falsely suspected in a criminal case, the other abducted by a police special investigative unit in 2013 for the sole reason to extort money from his family.²⁶ The first told of several torture methods, including sexual assaults as well as beatings and stretching that eventually broke his foot, being used against him in order to get him to confess to a crime that did not take place. The body of the latter showed marks of extreme torture all over after it was found on a garbage dump, where the police officers must have discarded their victim after abducting him

20 See, EU HR. 28 January 2016. "GSP+ Covering the Period 2014-2015", p 196.

21 See, US Department of State. 2016. "Pakistan 2015 Human Rights Report", p 6.

22 HRW. 2016. "This Crooked System: Police Abuse and Reform in Pakistan", p 36.

23 See, US Department of State. 2016. "Pakistan 2015 Human Rights Report", p 6.

24 HRW. 2016. "This Crooked System: Police Abuse and Reform in Pakistan", p 36.

25 Gilgit Baltistan Democratic Alliance (GBDA). 2016. "Human Rights Violations in Pakistan Occupied Gilgit Baltistan", pp 10-11, 25.

26 Ibid. pp 37-40.



Protest against Torture and Death Penalty in Pakistan

because his father had initiated anti-corruption proceedings when the law enforcement officials had extorted a huge sum of money from him. Corresponding to this evidence, the UN Human Rights Committee, in a 2013 decision, found that a Christian pastor who had been accused of contravening Pakistan's highly questionable blasphemy laws "would be subjected to arrest and probable torture anywhere in Pakistan"²⁷.

In December 2014, following the terrorist attack on a school in Peshawar, the Pakistani Government lifted a moratorium on the death penalty which had been in place since 2008. Although, at first, limited to cases of terrorism, the death penalty has ever since been applied to numerous cases of convicts not related to terrorism charges, according to the EU High Representative for Foreign Affairs (EU HR).²⁸ The Cornell Center on the Death Penalty World Wide states that, within two years since December 2014, more than 400 individuals have been executed by hanging in Pakistan,²⁹ which constitutes, according to the European Parliament, "the highest number ever recorded [in Pakistan] and the third highest in the world".³⁰ To make things worse, there have been countrywide concerns about possible minors being punished by death, which constitutes a

violation of Art 6 ICCPR. Those steps have been strongly opposed by the European Union, who condemned the reinstitution of the death penalty, its extension to all capital crimes and especially its application to minors on many different occasions.³¹

Persons belonging to religious or ethnic minorities, again, suffer the most with the deterioration in Pakistan's respect for human dignity. For one, the death penalty is frequently imposed in cases of alleged violations of the country's highly dubious blasphemy laws. Moreover, the mainly Shiite indigenous populations of Gilgit-Baltistan are additionally suffering from the lack of a right to appeal against any sentence handed down by the unconstitutional courts in the occupied territory. As a result, as of 2016, twelve persons belonging to the region's indigenous people are suffering on death row in Pakistani-run jails in Gilgit-Baltistan.³²

3.3 Freedom of Religion

According to Art. 2 of the Constitution of Pakistan³³ ("the Constitution"), Islam is the country's state religion, which is palpable throughout Pakistan's legal framework. Article 31 of the Constitution, for example, makes the

27 UN Human Rights Committee. "Shakeel v Canada". Views adopted on 24 July 2013. Com No 1881/2009, § 5.5.

28 EU HR. 17 March 2016. "Statement by the Spokesperson on the lifting of the moratorium on the death penalty and recent executions in Pakistan". Available at: https://eeas.europa.eu/headquarters/headquarters-homepage/3294/statement-spokesperson-lifting-moratorium-death-penalty-and-recent-executions-pakistan_en [last accessed: 27 January 2017].

29 Cornell Law School. 2017. "Death Penalty Database: Pakistan". Available at: <https://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Pakistan> [last accessed: 27 January 2017].

30 EP. 14 April 2016. "European Parliament resolution of 14 April 2016 on Pakistan, in particular the attack in Lahore". Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0128+O+DOC+XML+VO//EN> [last accessed: 27 January 2017], lit H.

31 Cf. e.g., Council of Europe. 18 July 2016. "Council conclusions on Pakistan". <http://data.consilium.europa.eu/doc/document/ST-11246-2016-INIT/en/pdf>, no 7; EP. 14 April 2016. "European Parliament resolution of 14 April 2016 on Pakistan, in particular the attack in Lahore", no 11; EU HR. 10 June 2015. "Statement by the Spokesperson on executions in Pakistan". Available at: https://eeas.europa.eu/headquarters/headquarters-homepage/3334/statement-spokesperson-executions-pakistan_en [all last accessed: 27 January 2017].

32 GBDA. 2016. "Human Rights Violations in Pakistan Occupied Gilgit Baltistan", p 12.

33 The Constitution of the Islamic Republic of Pakistan. 1973. As amended by the 21st Amendment Act of 7 January 2015.

study of the Muslim's holy book – mostly from intolerant or biased state issued schoolbooks – compulsory for every citizen. Chapter XV of Pakistan's Penal Code³⁴ (PPC), in turn, comprises ten different “offences relating to religion”, commonly known as “blasphemy laws”, which tend to be used particularly against religious minorities and make defiling the Prophet Muhammad punishable by death. In 2016, at least 19 persons were awaiting execution for alleged violations of blasphemy laws.³⁵ On top of this, Art. 20 of the Constitution provides a worrying description of the individual's right to freely practice one's religion, starting with restrictions that may be imposed on the right, such as these blasphemy laws, instead of with the right itself. This approach to religious freedom must be considered particularly alarming as it “[protects] beliefs over individuals”³⁶, as the US Commission on International Religious Freedom (USCIRF) put it in their 2016 Annual Report.

Throughout 2015 and 2016, the US Department of State expressed particular concern for civilians being tried in front of military courts for charges of fomenting sectarian violence or religious hatred, including blasphemy.³⁷ This practice had been established in January 2015 in reaction to the terrorist attack on a school in Peshawar, in order to expedite the passing of judgement on

terrorism suspects, but was soon extended to other offences deemed severe enough by the government.

In Pakistan-occupied Gilgit-Baltistan, the indigenous and predominantly Shia population is particularly prone to judicial abuse of blasphemy laws, especially in light of the inadequate access to justice. In November 2014, Gilgit-Baltistan was the stage of the infamous case of an anti-terrorism court handing a 26-year prison sentence to a high-profile media producer and actress, under charges of blasphemy for enacting a marriage scene³⁸. The US State Department has expressed that “blasphemy complaints against neighbours, peers, or business associates [continue to be initiated] to settle personal grievances or to intimidate vulnerable people”³⁹. The UN Human Rights Committee, likewise, voiced its deep concerns at the blasphemy laws' vague language, disproportionate application on people belonging to minorities and the high number of fabricated allegations.⁴⁰ The Committee on the Elimination of Racial Discrimination (CERD), further, called on Pakistan, in 2016, to repeal all blasphemy laws that jeopardise the right to religious freedom or the freedom of expression and to investigate judicially cases of bogus blasphemy complaints, punishing those

34 Pakistan Penal Code. 1860. As amended by the Criminal Law Amendment Act 2012.

35 HRW. 2017. “World Report 2017: Events of 2016”. Available at: https://www.hrw.org/sites/default/files/world_report_download/wr2017-web.pdf [last accessed: 27 January 2017], p 470.

36 US Commission on International Religious Freedom (USCIRF). 2016. “2016 Annual Report”. Available at: <http://www.uscifr.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf> [last accessed: 27 January 2017], p 114.

37 US Department of State. 2015. “Pakistan 2015 International Religious Freedom Report”. Available at: <https://www.state.gov/documents/organization/256527.pdf> [last accessed: 27 January 2017], p 3.

38 See, The Independent. 26 November 2014. “Veena Malik sentenced to 26 years in prison for blasphemy after appearing in mock TV wedding scene”. Available at: <http://www.independent.co.uk/news/people/veena-malik-sentenced-to-26-years-in-jail-for-blasphemy-after-appearing-in-mock-tv-wedding-scene-9884985.html> [last accessed: 27 January 2017].

39 US Department of State. 2015. “Pakistan 2015 International Religious Freedom Report”, p 10.

40 UN Human Rights Committee. 15 November 2016. “International Covenant on Civil and Political Rights: List of issues in relation to the initial report of Pakistan”. CCPR/C/PAK/Q/1. Available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fPAK%2fQ%2f1&Lang=en [last accessed: 27 January 2017], § 21.



I WILL PROTECT MY
CHRISTIAN
SAVIOUR
PAKISTAN
BY
TERRORISM

اپنے دشمنوں سے مجھ سے ستانے والوں کے لئے
مستی

"STOP" 

Killing of Christians

Pakistan - from "Sacred Heart of Jesus Young Mens K..."

responsible.⁴¹ The European Parliament – stating “systemic and grave violations of freedom of religion”⁴² – repeatedly condemned Pakistan for the abuse of blasphemy laws and the religious intolerance that it breeds, while calling on the country to prevent sectarian violence against religious minorities, in particular killings related to accusations of blasphemy.⁴³

Except for Sindh, where in February 2016 the provincial assembly passed a law that finally recognises Hindu marriages, no other province has given legal effect to marriages concluded according to Hindu tradition. On the other hand, the Sindh provincial assembly introduced in April 2015 mandatory psychological examinations for persons accused of blasphemy crimes.

3.4 Women’s Rights

Despite ratifying the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1996, remarkable challenges persist for women in Pakistan. Domestic abuse, sexual violence and honour killings continue at an alarming rate. The World Economic Forum’s 2016 Gender Gap Index (GGI) has ranked the country

143rd out of 144 nations⁴⁴, and notwithstanding the 2012 establishment of a national commission on the status of women, support for the elimination of gender inequality remains low. In 2016, it was estimated that the country suffers 1,000 honour killings per year⁴⁵. CERD stresses the particular vulnerability of women belonging to minority groups and justifiably describes the 2004 Act criminalising honour killings as “not dissuasive”.⁴⁶ One such case of honour killing captured international attention in 2016. Qandeel Baloch was an actor, model and women’s rights activist, known for mocking religious leaders and pushing social boundaries. She was murdered by her brother, who proudly took credit for the attack, stating that she was “bringing disrepute to our family’s honour”⁴⁷. Although her murderer was arrested, there was a chilling debate in the country about whether or not his actions were justified.

Hindu and Christian women and girls are often faced with the danger of being coerced to convert to Islam through forced – and underage – marriages with Muslim men. In 2014, the Pakistan-based Aurat Foundation determined that approximately 1,000 girls per year are being forced to convert to Islam.⁴⁸ A bill proposed to the National Assembly, aimed at curbing child marriage by stipulating 18 as the minimum age for girls to get married, was withdrawn in January 2016 as a result of immense pressure from the Council of Islamic Ideology (CII), who considered

41 Committee on the Elimination of Racial Discrimination (CERD). 3 October 2016. “Concluding observations on the combined twenty-first to twenty-third periodic reports of Pakistan”. CERD/C/PAK/CO/21-23. Available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fPAK%2fCO%2f21-23&Lang=en [last accessed: 27 January 2017], § 22.

42 EP. 14 April 2016. “European Parliament resolution of 14 April 2016 on Pakistan, in particular the attack in Lahore”, no 4.

43 Ibid., lit B, D, no 4, 9; EP. 27 November 2014. “European Parliament resolution of 27 November 2014 on Pakistan: blasphemy laws”. Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2014-0064+0+DOC+XML+V0//EN> [last accessed: 27 January 2017].

44 World Economic Forum. 2016. “Global Gender Gap Index 2016”. Available at: <http://reports.weforum.org/global-gender-gap-report-2016/rankings/> [last accessed: 5 February].

45 HRW. 2017. “World Report 2017: Events of 2016”, p 472.

46 CERD. 3 October 2016. “Concluding observations on the combined twenty-first to twenty-third periodic reports of Pakistan”, § 25.

47 The Economist. July 23rd, 2016. Can the licence to kill be revoked? Crimes against women. Page 32. IOD: 420.8999

48 See, USCIRF. 2016. “2016 Annual Report”, p 115.

the proposal to violate basic principles of Islam. As a result, to this day, 21% of Pakistani girls marry before they reach majority.⁴⁹

Another proposed bill, the Punjab Protection of Women against Violence Act of 2015, faced intense opposition from 30 religious groups, including the CII and all mainstream Islamic political parties. This bill, finally passed by the provincial assembly in February of 2016⁵⁰, launched a “women’s force” to respond to physical, psychological and financial abuse, including the establishment of abuse-relief shelters and a universal toll-free telephone number that would allow women to report crimes more easily⁵¹. To date, it is too early to determine the effectiveness of the bill. Unfortunately, the ICC and others continue to label the bill “un-Islamic⁵²” and petition for its abolition.

The legal system in Pakistan is a combination of civil law and *Shari’a* (Islamic religious law), giving credence to institutionalised discrimination against women. Although interpretations of *Shari’a* vary between Imams and schools of law, family disputes tend to favour patriarchal norms,

including the denial of custodial rights to women, a lack of options during marriage and divorce, and an undervaluing of women’s testimonies. Statistical analysis shows that there is a correlation between countries with low gender equality in family law and violence against women⁵³. Legal experts have suggested that in order to adhere to CEDAW, religious arbitration in family courts should be non-binding and fundamentally secondary to civil law⁵⁴. Unfortunately, this is not yet the case in Pakistan.

The 2016 GGI demonstrated two major areas of gender equality in the country: economic opportunities and political empowerment. Women make up only 22% of the labour force and only 3% of legislators, senior officials or managers⁵⁵. Further, no law stipulates non-discrimination of gender in hiring. Once hired, many women struggle against wage-gap issues and work-place harassment. Although women received the right to vote in 1956, they comprise only 16% of the seats in the upper house⁵⁶. These inequities have lasting consequences on the population as they reaffirm and perpetuate societal norms. It is the responsibility of the government to take the necessary steps to reduce barriers that prevent women from excelling in the economic and political sphere.

Between 2014 and 2016, the European Parliament has called attention to widespread honour

49 HRW. 2017. “World Report 2017: Events of 2016”, p 472.

50 Center for Strategic and Contemporary Research (2016). The Punjab Women Protection Law 2016; Research Brief. Available at: <http://cscr.pk/pdf/rb/PPWVA2016.pdf>

51 Khan, Ilyas (2016, March 16th), Why is a Pakistani Bill to Protect Women unpopular? BBC News. Accessed: February 5th, 2017. Available at: <http://www.bbc.com/news/world-asia-35811180>

52 Fenton, Siohban. (2016, March 4th). Anti-domestic violence law to protect women is un-Islamic, Pakistani advisory group rules. *Independent*. Accessed: February 5th, 2017. Available at: <http://www.independent.co.uk/news/world/asia/bill-protecting-women-against-domestic-violence-is-un-islamic-pakistani-advisory-group-rules-a6911161.html> see also: Craig, Tim (2016, March 27th). Pakistani husbands can ‘lightly beat’ their wives, Islamic council says. *The Washington Post*. Accessed: February 5th, 2017. Available at: https://www.washingtonpost.com/news/worldviews/wp/2016/05/26/pakistani-husbands-can-lightly-beat-their-wives-islamic-council-says/?utm_term=.e7b1c9b6406d

53 Hudson, V.M., Bowen, D.L. and Nielsen, P.L. (2011) ‘What Is the Relationship between Inequity in Family Law and Violence against Women? Approaching the Issue of Legal Enclaves’, *Politics & Gender*, 7(4), pp. 453–492. doi: 10.1017/S1743923X11000328.

54 Ibid, page 482.

55 World Economic Forum. 2016. “Global Gender Gap Index 2016”. Available at: <http://reports.weforum.org/global-gender-gap-report-2016/rankings/> [last accessed: 5 February 2017].

56 Ibid.



Malala Yousafzai and friends visits the UN

killings and sexual violence against women and girls on several occasions. Also noted by the EU is the extensive lack of quality education for girls.⁵⁷ Although educational attainment is an area of significantly more optimism, according to the GGI, strong opposition to the education of girls exists at the local and provincial level. The world was shocked when 12-year-old Malala Yousafzai was shot in the face in 2009 for the simple crime of advocating for girls' education. This issue, however, is part of a long and complicated history, particularly in the Pashtun areas⁵⁸ in the regions with lasting armed conflicts. Due to the activism of women like Malala and the international repercussion of the case, the Pakistani government is taking steps towards the full support of girls' education, but international pressure must remain high in order to ensure this path continues in the right direction.

Although it is difficult to find statistics about the situation of women in Gilgit-Baltistan and AJK, evidence shows that Pakistan's occupation of these regions creates a particularly precarious situation for women and children. By denying the region constitutional autonomy, the rule of law is limited and women lack access to basic legal services, especially in the face of sexual violence.

3.5 Right to a Fair Trial

The extension of powers of military tribunals for two years, in the aftermath of the Peshawar school attack in December 2014, to try civilians accused of terrorism-related offenses is especially worrying. Many individuals charged under blasphemy laws and other non-terrorism related indictments have been tried by these extraordinary courts due to the vague definition of terrorism in Pakistan's legal framework. In January 2017, as the military's special powers expired, many Pakistani politicians called for the maintenance of this temporary arrangement, which sparked a heated debate in the National Assembly.

In Pakistan-occupied Gilgit-Baltistan, the majority of human rights activists charged with sedition or terrorism for participating in peaceful demonstrations are being tried in front of military anti-terrorism courts that are organised outside the scope of the Constitution, which is not applicable in the region because Gilgit-Baltistan does not belong to the territory of Pakistan. Gilgit-Baltistan's Chief Court as well as its Appellate Court, which were established by Pakistan also outside its Constitution, do not allow Constitutional matters to be adjudicated by the courts. Furthermore, the judges are appointed by the Ministry of Gilgit-Baltistan and Kashmir Affairs in Islamabad exclusively based on their political and religious affiliations.⁵⁹ The indigenous people, therefore, suffer with the lack of an unbiased instrument to take legal action against human rights violations committed by the Pakistani occupation forces. In 2016, the National Action Plan for Human Rights initiated a free legal assistance programme

57 EP. 14 April 2016. "European Parliament resolution of 14 April 2016 on Pakistan, in particular the attack in Lahore", lit J; EP. 15 January 2015. "European Parliament resolution of 15 January 2015 on Pakistan, in particular the situation following the Peshawar school attack". Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2015-0007+0+DOC+XML+V0//EN> [last accessed: 27 January 2017], lit F; EP. 12 March 2014. "European Parliament resolution of 12 March 2014 on Pakistan's regional role and political relations with the EU", no 26.

58 Aamir Jamal, 2016. *Why He Won't Send His Daughter to School—Barriers to Girls' Education in Northwest Pakistan*, SAGE Open, Vol 6, Issue 3, 10.1177/2158244016663798; see also Aamir Jamal, 2014. *Engaging men for gender justice: overcoming barriers to girls' education in the Pashtun tribes of Pakistan*. *International Journal of Social Welfare*, July 2015, Vol.24(3), pp.273-286

59 See, GBDA. 2016. "Human Rights Violations in Pakistan Occupied Gilgit Baltistan", p 3.



Prisoners awaiting trial

in Pakistan. CERD, however, determined that applicants belonging to ethnic minorities were still impeded in their access to justice, seeing the vague formulation of application criteria and procedural requirements,⁶⁰ which fails to produce relief for the already unequal access to qualified legal representation. On top of these administrative obstacles, corruption persists in Pakistan's judiciary and many – notably first instance – courts are suffering an immense backlog of cases due to insufficient budgets and staff. The widely practiced custom of *Diyat* – Arabic for “blood money” or “ransom” – additionally thwarts the right to a fair trial; *Diyat* is the practice of Islamic law which allows perpetrators of murders, physical assaults or property damages to buy their way out of a criminal proceeding by paying a sum of money to the victim or their family.

Sections 54 and 151 CPC give police the authority to arrest without a warrant persons suspected of having committed a criminal offence and persons “designing” to commit a “cognisable” offence. Police may hold those persons for up to 24 hours before they are obliged to present their case to a magistrate as stipulated under Sections 60 and 61 CPC and established as a fundamental right in Art 10 (2) of the Constitution. A magistrate is, finally, by Section 167 CPC empowered to issue an order to hold the suspect for up to 15 days in pre-trial detention. Nonetheless, in Sindh and Balochistan arbitrary arrests – often followed by torture and extrajudicial killings – remain a commonplace means of extorting money from the victims' families without the victims ever being presented to a magistrate. The originally proposed draft of the 2002 Police Act was providing significant redress and accountability mechanisms against such abuses of power. Unfortunately, political

pressure created a much weakened version, which is additionally being very poorly implemented by the courts and by law enforcement, whereas in Balochistan and Sindh, only an amended version of the even more inadequate 1861 Police Act is in force. Any accountability mechanisms introduced by the deficient legislation have remained largely without impact, often because of the deeply rooted fear of oft-abused of police powers, including abductions, torture and extrajudicial killings to extort money.

3.6 Freedom of Speech and Assembly

The freedom of speech, in Art 19 of the Constitution, is subjected to severe and vaguely worded “reasonable restrictions in the interest of the glory of Islam”. Giving a wide margin to the highly controversial blasphemy laws, this formulation poses a great threat to the realisation of a universal understanding of human rights, as embodied by the ICCPR. Art 16 of the Constitution protects the freedom of assembly but also works with an ambiguous limitation of “reasonable restrictions”. As the UN Human Rights Committee noted in its assessment of Pakistan's country report on the implementation status of ICCPR rights of 2016, it remains unclear what requirements an assembly must meet to be considered legal according to the Constitution and under which circumstances a magistrate may forbid a public gathering.⁶¹ Further enabled by the Anti-Terrorism Act (ATA) and a military judiciary, Gilgit-Baltistan's population is stripped of its communicative freedoms; scores

60 CERD. 3 October 2016. “Concluding observations on the combined twenty-first to twenty-third periodic reports of Pakistan”, § 23.

61 UN Human Rights Committee. 15 November 2016. “International Covenant on Civil and Political Rights: List of issues in relation to the initial report of Pakistan”, § 25.



Protest against the "reasonable restrictions"

of peaceful activists are being persecuted by Pakistan for voicing their grievances with the Pakistani occupiers. The case of Baba Jan, a progressive youth leader and regional politician of Gilgit-Baltistan, who in 2014 was sentenced to life imprisonment along with eleven other human rights defenders,⁶² illustrates the indigenous peoples' persecution on grounds of political opinion. In the aftermath of the destruction of a Gilgit village by a landslide in January 2010, indigenous land rights defenders organised advocacy campaigns in favour of government compensation and reconstruction efforts. Instead of receiving government assistance, the police cracked down on protesters who took to the streets after having waited over one and a half years for an official response, killing two of them and arresting Baba Jan alongside more than a hundred other demonstrators. The immensely popular politician and activist, who received almost as many votes in the last Gilgit-Baltistan Legislative Assembly (GBLA) elections as the current governor, is also supported by several Pakistani opposition parties, which is hoped to qualify him for a presidential pardon. Furthermore, the Pakistani Government has systematically silenced any attempt at media coverage of the human rights violations in the region; journalists who report on the government's abuse of power are murdered or, more commonly, prosecuted under the ATA. In August 2016, Pakistani security forces in Gilgit and other towns throughout Gilgit-Baltistan arrested over 500 youths protesting human rights abuses and demanding the Pakistani occupation forces to leave Gilgit-Baltistan.⁶³ Moreover, more than 140 journalists and religious

personalities have been placed under house arrest in Gilgit-Baltistan under strict supervision of the police and ISI.⁶⁴

Likewise, in Sindh and Balochistan, journalists and activists, who have engaged with minority and self-determination issues, have regularly been falling victim to targeted killings by unknown and unprosecuted assailants. More and more persons working in the profession have started, consequently, to subject themselves to self-censorship.

3.7 Right to Self-Determination

In 2009, the Ministry of Kashmir Affairs (GB Order) passed the so-called "Gilgit-Baltistan Empowerment and Self-Governance Order 2009". In an attempt to deceive the international community, the order created a bogus legislative body called "Gilgit-Baltistan Legislative Assembly" (GBLA), which not only failed to grant self-rule to the people of Gilgit-Baltistan, but also consolidated the dominance of Pakistan over the region. The GBLA has no legislative power because its resolutions need to be submitted to the Ministry of Kashmir Affairs in Islamabad for approval. The other legislative body which has been established as per Art 33 of the GB Order, the Gilgit-Baltistan Legislative Council, is comprised of 14 members, of which 6 are elected by the GBLA while 6 more are nominated by the Prime Minister of Pakistan, who is also Chairman of the Council. This twofold and absolute rule

62 GBDA. 2016. "Human Rights Violations in Pakistan Occupied Gilgit Baltistan", p 9.

63 Times of India (TOI). 13 August 2016. "In PoK's Gilgit, protests against crackdown by Pakistani security forces". Available at: <http://timesofindia.indiatimes.com/india/In-PoKs-Gilgit-protests-against-crackdown-by-Pakistani-security-forces/articleshow/53682841.cms> [last accessed: 27 January 2017].

64 GBDA. 2016. "Human Rights Violations in Pakistan Occupied Gilgit Baltistan", p 14.

over the indigenous people of Gilgit-Baltistan precipitated the Punjabi occupiers' total control over the region's natural resources, like electricity production, water or minerals. Under the absence of a representative political system as well as of an independent judiciary in the region, all political power remains in Islamabad, while the people of Gilgit-Baltistan continue to live without basic rights and representation.

For the four provinces of Pakistan, a National Commission on Minority Rights was established in 2014, implementing a Supreme Court decision. CERD, however, voiced their concerns about the government's policy only to recognise religious minorities instead of widening their concept to ethnic minorities,⁶⁵ such as the Baloch and Sindhi people, further impeding their struggle for self-determination. Respecting the rights of all minorities is, according to the European Parliament, an indispensable step towards raising the living conditions of those socially and economically marginalised groups.⁶⁶ Dr Lakhu Luhana of the World Sindhi Congress (WSC) submits that, despite producing 70% of Pakistan's wealth, over 75% of Sindhi people are living in poverty, 70% of children suffer from malnutrition and 6.2 million children are unable to attend school. In Balochistan, since the 2006-2007 wave of mass enforced disappearances, killings and arbitrary arrests of leading BNP members, all renewed attempts of the secular political landscape to regain control over their natural resources and lift their people out of abject poverty have been quashed by the Punjabi elite, who are now in control of the Baloch provincial assembly.

65 CERD. 3 October 2016. "Concluding observations on the combined twenty-first to twenty-third periodic reports of Pakistan", § 29.

66 EP. 14 April 2016. "European Parliament resolution of 14 April 2016 on Pakistan, in particular the attack in Lahore", no 8.



Sindhi people in poverty



Port of Gwadar in Balochistan

4

The China-Pakistan Economic Corridor

China is not the first global power that has been attracted over the centuries to the mountainous melting pot of cultures that is Gilgit-Baltistan and to the largely barren landscapes of Balochistan. Promises of trade between the world's eastern and western hemispheres have always made the larger region a coveted prize for many regional or global powers trying to protect or extend their economic interests in Eurasia. The China-Pakistan Economic Corridor (CPEC) is part of China's *One Belt, One Road* project, which aims to revive the ancient Silk Road, which connected the Middle Kingdom to Europe, the Middle East and Africa by land and by sea. In theory, CPEC is supposed to not only act as a transport corridor for shipping containers, but also aim at connecting manufacturing hubs, supporting industrialisation and promoting energy production along the way. In fact, 70% of investment has been earmarked for energy projects, including solar, wind, coal and hydropower. In Gilgit-Baltistan and Pakistan, it manifests as a collection of different development projects currently under construction at a cost of US\$46 billion. CPEC will connect the Xinjiang region of China with the port of Gwadar in Balochistan, running 660 km along the Karakorum Highway through the

territory of Gilgit-Baltistan and criss-crossing the provinces of Punjab and Sindh on its way to the Indian Ocean.

4.1 Impact on Gilgit-Baltistan

In Gilgit-Baltistan, CPEC is directly affecting more than 400,000 indigenous people and at least 200 km² of natural environment and cultural heritage sites. Since the project's 2014 upgrade, Gilgit-Baltistan has been seeing a considerable increase of container trucks battering its roads, many of them carrying nuclear technology or explosives; the local population, not having a single representative in the CPEC Committee, cannot adequately voice their concerns about the entailing severe environmental impact.

Pakistan's security agencies are ruthlessly committing gross human rights violations while intensifying their operations to violently implement CPEC against the express will of the indigenous locals; bulldozing villages without

compensation to make way for army camps or other CPEC infrastructure and leaving the local population homeless and exposed to the region's harsh climate has become the norm.⁶⁷ The local people of Gilgit-Baltistan fear that once the project is completed, an even larger number of outsiders from Pakistan will settle in the area, further hurting the demographic balance of the region and aggravating the sectarian divide. Already today, the easier access to the region has led to the presence of 30,000 Pakistani military personnel, 8-10,000 militia members and 2,000 intelligence officials while, according to UNCIP, none should be stationed on Gilgit-Baltistan's territory at all. Moreover, CPEC – and the projected mega dam constructions – appear to become more of a curse than a blessing for Gilgit-Baltistan's indigenous population, even considering the employment opportunities. According to Mr Senge Hasnan Sering, President of the Institute for Gilgit-Baltistan Studies, 15-20,000 jobs – many of them held by locals – will be lost by the relocation of a large dry port at Sost, Gilgit, downstream to the Pakistani province of KP due to the construction of a mega dam. The locals' economic outlook is being further impaired, on the one hand, by the failure to establish special economic zones or even one single CPEC investment project in Gilgit-Baltistan and, on the other, by the bulk of economic growth and employment going towards people and enterprises from either Pakistan or China. Those entities harass their indigenous labourers or employees – if they even recruit locals – who, then, often have to work and live under unsanitary conditions without access to healthcare, which has led to strikes in the past.⁶⁸

Protests against CPEC in Gilgit Baltistan have also continued throughout 2016. Locals were opposing the failure to be included in the decision-making process and the fact that no part of the enormous infrastructure project was designed to benefit their local communities but would eventually be claimed by Chinese and Punjabi investors.⁶⁹ If locals dare to voice dissent against major investment projects, such as negative environmental impacts from mining activities or road expansion, they face legal charges of sedition, often in front of military courts and accompanied by torture or other inhuman or degrading treatment.⁷⁰

These displays of widespread dissent underline the local population's sustained opposition to a so-called development project that has been only consented to by the GBDA, thus not representing the people who are directly affected by it.

4.2 Impact on Sindh and Balochistan

Sindh can be considered the powerhouse of CPEC; ten out of eighteen power projects, all

67 GBDA. 2016. "Human Rights Violations in Pakistan Occupied Gilgit Baltistan", p 11.

68 See, Mountain TV. 2014. "Labors at Pak China Sost Dry Port are on strike; facilities are minimum". Available at: <http://mountaintv.net/labors-at-pak-china-sost-dry-port-are-on-strike-facilities-are-minimum/> [last accessed: 27 January 2017].

69 TOI. 13 August 2016. "In PoK's Gilgit, protests against crackdown by Pakistani security forces". Available at: <http://timesofindia.indiatimes.com/india/In-PoKs-Gilgit-protests-against-crackdown-by-Pakistani-security-forces/articleshow/53682841.cms>; TOI. 1 August 2016. "Resentment mounts against growing Chinese presence in Pakistan-occupied Kashmir, Gilgit-Baltistan". Available at: <http://timesofindia.indiatimes.com/world/pakistan/Resentment-mounts-against-growing-Chinese-presence-in-Pakistan-occupied-Kashmir-Gilgit-Baltistan/articleshow/53489167.cms> [all last accessed: 27 January 2017].

70 Sering, Senge, in: Sharnoff's Global News. 25 September 2014. "China at the Crossroads in Gilgit-Baltistan". Available at: <http://www.sharnoffsglobalviews.com/china-crossroads-baltistan-391/> [last accessed: 27 January 2017].

of them coal power plants, have been allocated to Sindh. Environmental degradation in form of a worsening air quality – besides the already pervasive water shortages – is, therefore, the main concern that CPEC raises with the Sindhi people. Dr Luhana of the WSC, on the occasion of a UNPO Conference in November 2016,⁷¹ further, strongly criticised the government's secrecy; not only have local stakeholders not been involved at any stage of the project in Sindh, but the government has not revealed financial and implementation details to the parliament.

For the people in Balochistan, CPEC is just the most recent case of the heist of their natural resources since joining Pakistan after the Indo-Pakistani partition in 1947. Looking at land grabs, enforced displacement of local communities to make way for military camps or CPEC projects that will almost exclusively benefit Chinese or Punjabi conglomerates, the plight of the Baloch people is very much like that of the people in Gilgit-Baltistan. Like Gilgit-Baltistan, Balochistan has also been experiencing an increasing Punjabi takeover of their legislative assembly, administration and economic sector, which must be expected to grow worse considering the substantial Chinese investment – aggravated by a massive influx of Chinese workers – aimed at exploiting any assets the region may bear.

71 See, UNPO, 10 November 2016. "European Parliament Conference Discusses Environmental Degradation and Human Rights Violations in Pakistan-occupied Gilgit-Baltistan". Available at: <http://unpo.org/article/19630> [last accessed: 27 January 2017].



Coal power plants workers in Sindh



5

EU-Pakistan Bilateral Trade Relations

The European Union and the Islamic Republic of Pakistan signed a Cooperation Agreement⁷² on partnership and development on 29 April 2004. Regarding the basis of the agreement, Article 1 states that “respect for human rights and democratic principles as laid down in the Universal Declaration on Human Rights underpins the domestic and international policies of the Community and the

Islamic Republic of Pakistan and constitutes an essential element of this Agreement”. Bilateral trade relations were further enhanced by the EU-Pakistan 5-year Engagement Plan⁷³, in which paragraph 11 clearly provides for a stronger “dialogue on human rights and on the ratification and effective implementation of international conventions in this field”.

European
Commission



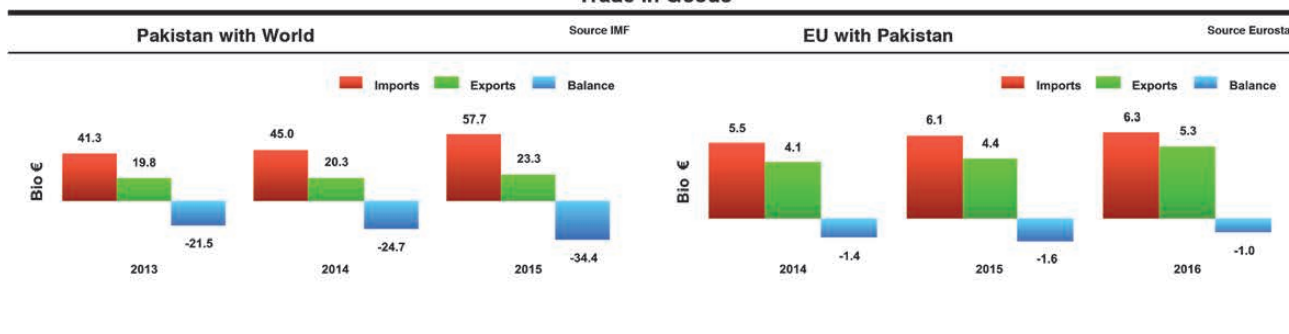
Directorate-General
for Trade

Pakistan

Main Indicators

Indicator	Source	IMF (World Economic Outlook)	unit	2012	2013	2014	2015	2016
Population			Millions of inhabitants	181	184	186	190	193
GDP			Billions of euros	175	174	184	244	
GDP per capita			Euros	966	948	988	1,287	
Real GDP growth			%	3.8	3.7	4.1	4.0	4.7
Inflation rate			%	11.0	7.4	8.6	4.5	2.9
Current account balance			% of GDP	-2.1	-1.1	-1.3	-1.0	-0.9

Trade in Goods



72 http://trade.ec.europa.eu/doclib/docs/2014/september/tradoc_152787.pdf

73 http://eeas.europa.eu/archives/docs/pakistan/docs/2012_feb_eu_pakistan_5_year_engagement_plan_en.pdf

5.1 Conditions for GSP+ beneficiary status

Since 1 January 2014, Pakistan is a major beneficiary of the trading opportunities offered by the EU Generalised Scheme of Preferences (GSP)⁷⁴, an instrument of the EU trade policy that aims to encourage third countries to comply with core international standards in the areas of human rights, labour rights, environmental protection and good governance.

To be eligible for GSP+ status, countries must first fulfil the precondition of being beneficiaries of the Standard GSP and be considered ‘vulnerable’⁷⁵ due to a low level of economic diversification and a low level of integration within the international economy. When applying for GSP+, a country is required to have already ratified the 27 core international conventions, among which are seven United Nations conventions on human rights and eight International Labour Organisation (ILO) conventions on labour rights. Additionally, eight conventions on the protection of the environment and four conventions on good governance principles complete the list.

The Seven UN conventions on human rights that are relevant to the GSP+ are:

- *Convention on the Prevention and Punishment of the Crime of Genocide*
- *International Covenant on Civil and Political Rights (ICCPR)*
- *International Covenant on Economic, Social*

and Cultural Rights (ICESCR)

- *International Convention on the Elimination of All Forms of Racial Discrimination (CERD)*
- *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*
- *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*
- *Convention on the Rights of the Child (CRC)*

While the standard GSP arrangement generally grants tariff reductions or suspensions to developing countries on about 66% of EU tariff lines, the GSP+ offers additional advantages through complete duty suspensions for essentially the same goods. Today, Pakistan enjoys the latter’s immense benefits.

5.2 Pakistan’s utilisation of the GSP+ Status

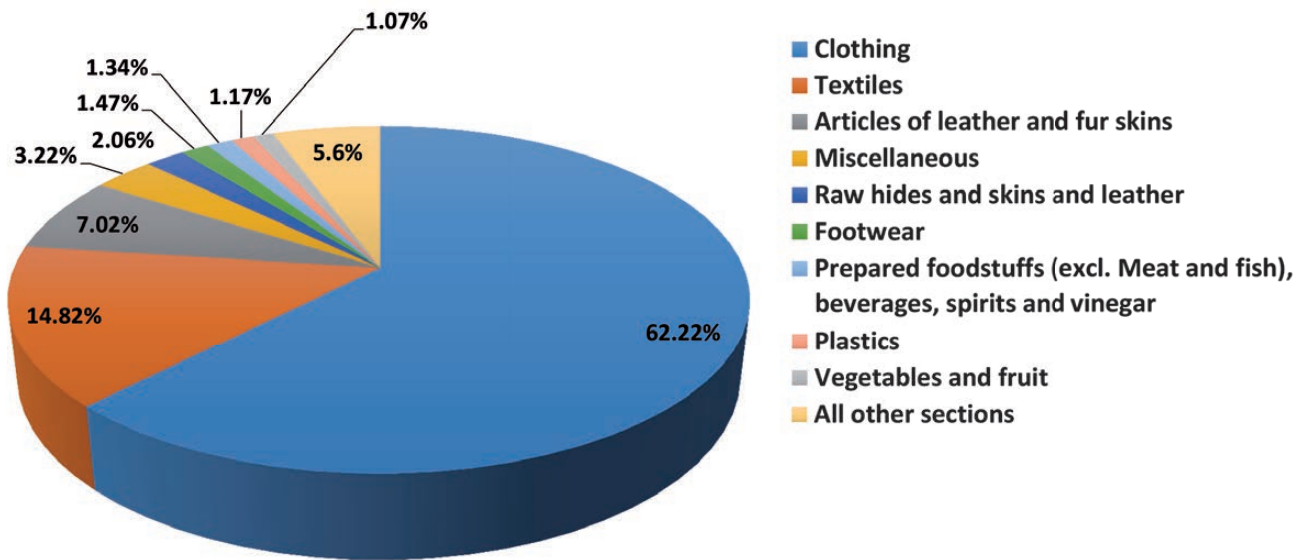
Until 2013, Pakistan was a beneficiary of the standard GSP. Since 1 January 2014, its status was upgraded to the enhanced version of the scheme. Today, around 87 % of Pakistan’s exports to the EU are eligible for GSP+ and over 95 % actually use the preferences. This means that Pakistan’s top export products enter the EU duty free, which would otherwise be subject to the normal GSP rate of 9.6 % or to the most favoured nation status (MFN) rate of 12 %. Figures indicate that, today, more than 78% of Pakistan’s exports enter the EU at preferential rates.

The enhanced trade preferences under GSP+ have a particular positive impact on Pakistan’s textiles and clothing industry, the backbone of the Pakistan’s economy – accounting for 8 % of the country’s GDP, contributing to 50-60 % of total export earnings and providing employment to 38 % of the manufacturing

⁷⁴ <http://ec.europa.eu/trade/policy/countries-and-regions/development/generalised-scheme-of-preferences/>

⁷⁵ “Economic vulnerability index” is one of the criteria used by the United Nations Committee for Development Policy,

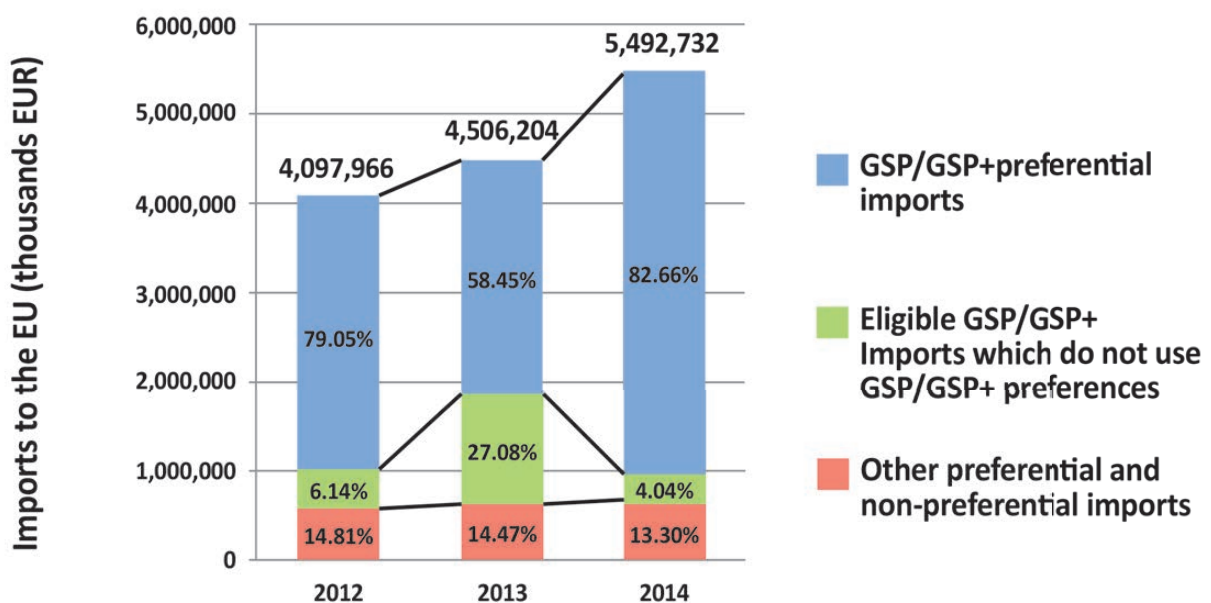
Pakistan - Product Diversification + Preferential Imports - 2014



labour force. Textiles and the clothing industry account for around 75% of Pakistan's exports to the EU, of which around 80% of enter the EU

at a preferential tariff rate. Around a quarter of these imports are bed linen, table linen and toilet and kitchen linen⁷⁶.

Pakistan - Imports to the EU - 2012-2014



⁷⁶ Source for all statistics: Eurostat data, as of September 2015.

5.3 Assessment of Pakistan's compliance with GSP+ obligations

Every two years, the European Commission presents to the European Parliament and to the European Council a status report on the compliance of GSP+ countries with reporting obligations and the status of the effective implementation. The report covering the period 2014-15 was published in January 2016⁷⁷.

As far as Pakistan's compliance with its obligations under the GSP+ scheme is concerned, throughout the European Commission report it becomes clear that the EU is aware of the abysmal lack of implementation of the human rights conventions. While the threat of terrorism creates constraints and may shift the attention to what some may consider more urgent issues, the European Commission observed, "the need to respect, protect and promote human rights remains as acute as ever".

More specifically, regarding the International Covenant on Civil and Political Rights (ICCPR), the Commission expresses deep concern with the lack of implementation of the right to a fair trial as enshrined in ICCPR, article 14. Moreover, as far as the protection of freedom of expression is concerned, the European Commission is aware of the situation in the country: "threats, violence and killing of journalists are the most

extreme examples, which reinforce the habit of exercising self-censorship". Concerning enforced disappearances, the Commission is sceptical of Pakistan's explanation of the phenomena as being linked to its war on terrorism and of the need to protect its population. The report comments on the Protection of Pakistan Act adopted in 2014 as "a matter of concern in relation to disappearances, since it allows the security forces to detain suspects without trial for prolonged periods of time and to keep them in secret detention facilities without informing their families or providing access to legal representation".

As far as freedom of religion and minority rights are concerned, the European Commission provides inaccurate assessment in the report. Although article 25 (1) of the Constitution of Pakistan guarantees that "all citizens are equal before law and are entitled to equal protection of law", article 2 declares that "Islam shall be the State religion of Pakistan," and article 31 states that it is the government's duty to foster the Islamic way of life, formalising government support, in terms of policies, legislation, and resources, for Islam above all other religions." Further contradiction is found on article 41 (2) which provides that "a person shall not be qualified for election as President unless he is a Muslim," and article 227 (1) which states that "all existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Holy Qur'an and Sunnah, in this Part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions." Nevertheless, the Commission is aware of the controversial sections 295 (B) to 298 (C) of Pakistan's penal code, often referred to as the blasphemy law. The report states that such laws are "frequently misused to settle personal animosities or to seize property" and that the misuse of the blasphemy law has continued largely unabated.

77 Joint Staff Working Document 'The EU Special Incentive Arrangement for Sustainable Development and Good Governance ('gsp+') Covering the Period 2014 - 2015' https://eeas.europa.eu/sites/eeas/files/european_commission_2016_report_on_the_generalised_scheme_of_preferences_during_the_period_2014-2015.pdf

Concerning the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Commission acknowledges that “violence and discrimination against women is frequent, with reports of domestic abuse, rape and honour killings. Women are subject to widespread discrimination, in the home, the educational system and the workplace and lag far behind men in virtually all social indicators, including education and health.” Concerning the implementation of the *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (CAT), the report shows awareness of the fact that the practice of torture and cruel, inhuman and degrading treatment and punishment persists in the country. Especially in light of the fact that “current legislation does not provide meaningful redress for victims in line with Article 14 of CAT including restitution, rehabilitation, satisfaction and guarantees of nonrepetition”.

Regarding implementation of the *Convention on the Rights of the Child* (CRC), the Commission comments that sexual exploitation of children “remains a serious problem throughout Pakistan, although difficult to document and largely absent from the public debate”. The Commission is aware that child and forced marriage, linked to forced conversion, “constitutes a specific and widespread problem”. Finally, regarding the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Commission acknowledges that “...it is unclear to what extent measures to raise awareness, incorporating educational objectives of tolerance and respect with a view of achieving true social cohesion — as recommended by CERD — have been taken”. In fact, as pointed out by FIDH, in addition to the serious concerns about such hate speech, inter-sectarian violence and negative stereotypes of ethnic or religious minorities in school textbooks, discrimination and violence against members of minority

groups continues to manifest itself through discriminatory laws, forced conversions, and impunity for crimes committed against members of minority groups⁷⁸.

78 Assessment of Pakistan's compliance with GSP+ obligations (2014-2015) Responses by FIDH and HRCP to the European Commission's Joint Staff Working Document. Available at: https://www.fidh.org/IMG/pdf/20160215_pakistan_gsp_report_final.pdf

6

Conclusion

From Gilgit-Baltistan in the north, to the deep water Gwadar port in the south, the Government of Pakistan and its armed forces have been directly responsible for gross human rights violations. Since the early days of the state's existence, when the United Nations Commission for India and Pakistan ordered all Pakistani military to withdraw from the disputed territory of Gilgit-Baltistan, Islamabad has been defying international law. For over sixty years now, Pakistan's occupation has left Gilgit-Baltistan without political autonomy, a working legal system or a genuine international or constitutional status that could endow its indigenous peoples with a system for basic human rights protection. This critical lack of a democratic setup has led to constant human rights violations, extreme poverty, low literacy rates, slow economic development and growing sectarian turbulence.

As exposed in this report, Balochistan and Sindh, ancestral lands of ethnic groups that today represent a minority in Pakistan, endure constant and severe persecution by state forces. A central point of concern is Pakistan's broad definition of terrorism. Subsection (b) of Section 6(1) of the Anti-Terrorism Act 1997⁷⁹, as amended in 2013,

defines terrorism as "the use or threat of action" intended "to coerce and intimidate or overawe the Government or the public" or "create a sense of fear or insecurity in society." Backed by this vague description and underpinned by decision-making authorities, the Pakistani military has assumed control of the operations to tackle terrorism, largely without civilian input. Between December 2014 and February 2017 alone, 428 persons were executed in Pakistan⁸⁰. Since the establishment of the current military court system in 2015, eight civilians have so far been hanged after being sentenced to death by military courts. The procedures, location of courts, timing of trials and details about alleged offences are kept secret, while hearings continue to be held in camera without explanation, and information and verdicts are not only withheld from the public, but also from concerned parties such as the families of the defendants⁸¹.

The European Union is a major stakeholder in Pakistan, largely due to its trade incentives under the GSP+ framework. The European Commission,

79 <http://www.ppra.org.pk/doc/anti-t-act.pdf>

80 According to the NGO, Human Rights Commission of Pakistan (HRCP)

81 https://www.fidh.org/IMG/pdf/20160215_pakistan_gsp_report_final.pdf



The symbol of the city of Gilgit

in its report evaluating Pakistan's implementation of the conventions for the period of 2014-2015, clearly acknowledges that human rights violations remain widespread in the country. As several human rights organisations have remarked, not only have certain violations persisted over the reported period, such as enforced disappearances and torture, but there have also been important legislative and political regressions. Most notably, the lifting of the moratorium on the death penalty and the introduction of the Prevention of Electronic Crimes Bill, on 16 January 2015, which imposed further restrictions of the right to freedom of opinion and expression.

In light of the worrying lack of tangible progress - and in some cases regression - of Pakistan's human rights situation, the European Union must take a firm stand in its dialogue on GSP+ compliance with Pakistani authorities. Clarifications on the concrete actions to be implemented regarding ongoing violations related to enforced disappearances, discrimination and violence against ethnic and religious minorities, fair trial standards and the death penalty must be raised with priority. Should the lack of effective implementation of the relevant human rights conventions persist, temporarily withdrawing GSP+ trade benefits to Pakistan could represent, paradoxically, an incentive for Pakistan to comply with its obligations rather than a punishment. Finally, the European Union has the responsibility to remind Pakistan of its obligations in regard to Gilgit-Baltistan under international law and request that Islamabad end the illegal occupation that has lasted for more than six decades. Most importantly, as the respect for human rights is undoubtedly the axis of the Cooperation Agreement between the EU and Pakistan, it must represent a non-negotiable aspect of the bilateral relations.



The Unrepresented Nations and Peoples Organization

Mahatma Gandhi International AISBL

The Unrepresented Nations and Peoples Organization (UNPO) is an international, nonviolent, and democratic membership organisation. Its members are indigenous peoples, minorities, and unrecognised or occupied territories who have joined to protect and promote their human and cultural rights, to preserve their environments, and to find nonviolent solutions to conflicts that affect them.



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