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NGO Report on the Republic of Pakistan for the 142nd Session of the Human Rights Committee / Rapport des ONG sur la République islamique du Pakistan pour la 142ème session du Comité des droits de l'homme

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Introduction

1. The Centre for Voters Initiative & Action presents this report to the United Nations Human Rights Committee ahead of the 142nd Session for the review of Pakistan. The Centre is a non-governmental organisation based in the Americas with an international focus. The Centre acknowledges there can be no secure tomorrow without ensuring youth have knowledge to vote, participate, and engage with the democratic processes.
2. The Centre works with multiple international mechanisms to convey dialogue, conduct research, and bring awareness to the thematic issues of electoral engagement around the world. We closely follow and participate in the United Nations human rights mechanisms in Geneva and abroad, including the Human Rights Committee.
3. Our human rights reporting process includes preliminary research of nation-states to be reviewed in the next session of the respective UN human rights body, researching and coordinating with civil society members of the respective nation to create a report on the successes and limitations of that nation implementing youth civic engagement, then working on-the-ground in Geneva to network and speak to leaders on issues we see.
4. The Centre submits this ahead of the second periodic review of Pakistan under the International Covenant for Civil and Political Rights. Recognizing the complex nature of the recent challenge Pakistan faces, the Centre hopes to provide valuable information to the Committee regarding the State’s compliance with issues regarding participation in the public affairs process, corruption in government exacerbated by weak elections, and lacks in education and quality civic encouragement, perpetuating a weakened democracy. The Centre aims to promote the political implementations of civics education policy, and we urge the Committee to strongly consider including the lack of current civics education in the concluding observations of the State party. As this report will outline, civics education has the potential to instil principles of sustainability and future leadership in Pakistan’s youth, contributing to a more prosperous tomorrow.
5. This petition is centred on five specific violations: (1) lack of civil equality, particularly amongst women and girls, resulting in a lack of proper electoral and political

representation; (2) the lack of quality civics education and encouragement stifling participation for youth and marginalized groups to participate in the electoral process; (3) political violence stifling proper electoral turnout; (4) establishment of a culture of fear for individual speech and self-expression; and (5) widespread corruption resulting in an ultimately weak democracy.

6. This report contains many metrics made to help the Committee in understanding the social, political, and economic situation in Pakistan as it relates to electoral participation. Perhaps most significant to note before considering this report is the simple solution: an inquiry to the State party on their programmes for youth which relate to civics education. Early civics education can cultivate future prosperity and representation, bringing a young to the voice to the issues faced. Civics education may very well be the root to solving many other issues.

Violation 1: Cultural Inequities in Civil Rights Stifling Participation in the Public Affairs Process

Lack of Female Voter Turnout

7. Across the world, cross-national surveys have found that men have a higher probability to vote than women.¹ In Pakistan, the margin for male-to-female voter turnout is 52% to 43% displaying a notable discrepancy.² At least 3.5 million eligible women still remain absent from Pakistan's voter rolls.³ The World Economic Forum in 2023 reported that Pakistan ranks 95th out of 146 countries for political empowerment in the Global Gender Gap Report.⁴ Absent political empowerment, women are less likely to cast their votes as there are both visible and invisible obstacles to civic engagement. With limited female voter turnout, Pakistan's politicians do not truly represent the interests of all people serving as a hindrance to an effective representative democracy.
8. Pakistan has taken steps to increase female voter turnout. The Election Commission of Pakistan (ECP) and others have reduced the overall gender gap on voter rolls between women and men from 12.4 million in 2018 to 9.9 million in 2024.⁵ The state implemented Section 9 of the Elections Act, 2017 which established that if the turnout

¹ Daniel Stockemer & Aksel Sundstrom: "The gender gap in voter turnout: An artefact of men's over-reporting in survey research?". Published in the British Journal of Politics and International Relations 2023, Vol. 25(I) 21–41. <https://journals.sagepub.com/doi/pdf/10.1177/136914812111056850>.

² Free & Fair Election Network: Fafen Analysis of Voter Turnout: 14 February 2024. https://fafen.org/wp-content/uploads/2024/02/FAFEN_GE-2024_Turnout_Analysis_Final.pdf.

³ Ahmed Bilal Mehboon on "Electoral gender gap". Published by DAWN on 24 September 2023: <https://www.dawn.com/news/1777598/>.

⁴ World Economic Forum, "Global Gender Gap Report 2023". Published 20 June 2023: <https://weforum.org/publications/global-gender-gap-report-2023/>.

⁵ Blog from IGC on gender equality; published 15 April 2024. "Where are the women voters? Insights from Pakistan's 2024 elections". Refer to <https://www.theigc.org/blogs/gender-equality/where-are-women-voters-insights-pakistans-2024-elections/>.

of women falls below 10% of total votes cast in a constituency, the Election Commission has the authority to infer foul play and declare the election void. While this progress is admirable, the Pakistani government must do more to address the issue of resolving the social, cultural, and economic factors that keep women from voting.

9. High female voter turnout can impact the makeup of the legislature as it would contribute to more than “13,000 voters on average in each of the 266 National Assembly constituencies. This number of votes exceeds the margin of victory in over 100 constituencies”, so the female voters could have changed the trajectory of the races. It is paramount that Pakistan increases communication, resources, and opportunities that incentivize women to vote.⁶

Democracy thrives when constituents feel empowered to vote despite their age, sexuality, race, or gender. We urge the Committee to probe the government of Pakistan to increase their efforts to fuel female political empowerment by easing access to voting, increasing political messaging, and enforcing Section 9 of the 2017 Elections Act. Furthermore, the Committee should inquire the measures it is actively taken to pursue the empowerment of young girls and women in the civics process to fulfil its obligations under Article 25.

Community Bans

10. Pakistan is plagued with rigid patriarchal norms that are tied to both culture and religion which have resulted on community bans on women voting in elections. Male authority figures prohibit women from civic participation contributing to democratic erosion and inequality in the country. Men use incorrect justification that women are inferior, unintelligent and therefore should not cast a ballot. Although the government of Pakistan allows all female citizens to vote, in provinces such as Dhurnal, Dhular, Balwal, Mogla, and Dhoke Dhall, women cannot exercise their constitutional rights. An Election Commission of Pakistan document shows that not a single woman cast her vote at the 17 polling stations set up in these villages for the 2013 election.⁷ This is common within Pakistan as in a parliamentary by-election in Lower Dir, none of the eligible 50,000 women in the constituency turned out to vote.⁸ This is a clear indication that women have barriers to exercising their rights as the probability that not a single person out of

⁶ Blog from IGC on gender equality; published 15 April 2024. "Where are the women voters? Insights from Pakistan's 2024 elections". Refer to <https://www.theigc.org/blogs/gender-equality/where-are-women-voters-insights-pakistans-2024-elections/>.

⁷ Ghulam Dastageer and Rizwan Safdar, "Why bans persist on women voting across Pakistan". Writing for People & Society on Herald; published 4 October 2018. Refer to <https://herald.dawn.com/news/1154065/why-bans-persist-on-women-voting-across-pakistan/>.

⁸ Jon Boone, "Women barred from voting in parts of Pakistan". Published by the Guardian on 29 May 2015. Refer to: <https://www.theguardian.com/world/2015/may/29/women-barred-voting-pakistan-khyber-pakhtunkh/>. Kindly note the article is more than nine years old.

50,000 would not vote is near zero. These bans are broadcast from social, political, and religious leaders and institute physical barriers on the ballot box. In some provinces, polling stations are blocked by weapon-wielding men, preventing women who try to skirt the community bans from engaging in their civic right to vote. These local bans by cultural officials and male authority figures are steeped in tradition and prevent civic equality.

11. The issue is fuelled by politicians and political parties like the Tehreek-e-Insaf (PTI) who sign agreements with opposing parties and communities to prevent women from voting. In Upper Dir, the PTI signed a written agreement with other parties barring women from voting and stipulating mass fines for anyone breaking the agreement. The politicians and parties whose job is to represent and protect women who represent 49.6% of the Pakistani population are embracing agreements that are antithetical to the Pakistani Constitution and democracy.⁹
12. Though Pakistan has made laws to declare elections without female vote null, it is often hard to enforce on a national level especially in socially conservative, rural parts of the country which are governed by male village elders. The socio-cultural environment of Pakistan makes it so that women can only make choices with the support of men in their community.

It is the constitutional right of women to vote, and therefore we respectfully ask the Committee to have Pakistan enforce the right for women to vote and eradicate community bans on voting in villages like Dhurnal. We also urge the government to institute legislation prohibiting parties or politicians from engaging in agreements that infringe on a women's right to vote.

Child Marriage

13. Child marriage is a large problem in Pakistan in which 18% of young women and 4.7% of young men between 20 and 24 years having married before the age of 18.¹⁰ Child marriage has long-term impacts on a female's mental and physical health as well as levels of education and civic engagement. Child marriage is often a parental decision steeped in cultural tradition to protect the honour of a family and control the destiny of a daughter.

⁹ World Bank staff estimates based on age/sex distributions of United Nations Population Division's World Population Prospects: 2022 Revision. Access data at <https://data.worldbank.org/indicator/SP.POP.TOTL.FE.ZS>.

¹⁰ National Institute of Population Studies and Demographic and Health Surveys Programme. "Pakistan Demographic and Health Survey, 2017-2018". <https://www.dhsprogram.com/pubs/pdf/FR354/FR354.pdf>.

14. In Pakistan, about one third of women aged 15-24 years, 31.8% reported experiencing controlling behaviour and 31.1% reported spousal violence by their husbands.¹¹ Child marriage entrenches cycles of abuse as women are often not allowed to choose their partners, get an education to be independent of a male figure, and divorce their husbands.¹²
15. Covid-19 was problem multiplier for child marriage, posing problems for Pakistani progress on the issue. The pandemic and the lockdowns that ensued hampered education and increased the likelihood of child marriage. In a holistic survey by Oxfam, 42% of girls in Punjab and 30% in Sindh, two populous regions of Pakistan, agreed that women were more likely to be married off during the pandemic.¹³
16. Pakistan has taken steps to address the issue with provinces enacted laws such as the Sindh Child Marriage Restraint Act which sets the minimum age to marry at 18, increasing the requirement by 2 years. However, child marriage is still prevalent and faces the risk of bounce backs in the context of economic downturns and health crises. Policies and enforcement on a federal level that reject the practice of child marriage must be supported by the Pakistani government to protect the rights of women.
17. Child marriage only amplifies gender inequality; the addition of more and more children into the State, who are even more likely to continue the process of inequality, further exacerbate the situation. Child marriage prevents children from going to school; women are forced to stay at home and perform household activities rather than educating themselves.
18. The right to education is an undeniable right established by the United Nations time and time again, but specifically enshrined in the Covenant. It is the duty of Pakistan to oblige by these principles and ensure that children have access to school through all means necessary, and in order to achieve that, must prevent frequent occurrence of child marriage and gender inequality. The longer children, specifically female children, are kept in school, the more likely they are to engage themselves in the workforce. Statistics show that in several more developed countries, females who complete a four-year education, followed by another higher-level education, have up to 40% less children

¹¹ Muazzam Nasrullah et al. "Child marriage and its associations with controlling behaviors and spousal violence against adolescent and young women in Pakistan." *The Journal of adolescent health: official publication of the Society for Adolescent Medicine* vol. 55,6 (2014): 804-9. <https://doi.org/10.1016/j.jadohealth.2014.06.013/>.

¹² Article written by Maham Javaid, reporter from Al-Jazeera on 7 March 2019, "Why women in Pakistan struggle to get 'divorced with dignity'". View at: <https://www.aljazeera.com/features/2019/3/7/why-women-in-pakistan-struggle-to-get-divorced-with-dignity>.

¹³ A report by Oxfam: "More Than Brides Alliance: Pakistan". "Endline of the 'marriage, no child's play' project in Pakistan", April 2021. Access at <https://www.oxfamnovib.nl/oxfam-novib/beheer/images/35357-mtba-endline-report-of-the-mnccp-project-in-pakistan-final-version-external-pdf.pdf>.

than their counterparts who choose to not complete their education.¹⁴

19. Dropping out has serious consequences on women, both socially, politically and economically, from lack of general literary comprehension to the inability to involve themselves in the government, resulting in further oppression. To truly ensure a democracy representative of the people, the women must have an equal say to the men, which can only be done so by assuring quality education by removing barriers e.g., child marriage.

It is the fundamental right of children to receive education, and therefore we respectfully ask the Committee to have Pakistan to enact and enforce legislation like the Sindh Child Marriage Restraint Act setting the minimum age to marry at 18, ensuring girls stay in schools longer to receive proper education.

Educational Disparities from Gender Division

20. Pakistan has a widespread education problem with 20.3 to 22.1 million children out-of-school. There are numerous reasons for these issues including lack of education funding, lack of truancy laws, cultural norms surrounding education, etc. On a general level, the lack of schooling is a major problem, but it is compounded by the disparity between male and female education. In 2018, 26 percent of girls and 19 percent of boys had never been to school, a 7-percentage point difference. About 2 million more girls than boys are out of school in Pakistan or about 12 million girls in total.¹⁵
21. On an individualized level, boys are 15 % more likely to have the opportunity to go to school than girls, as boys are viewed as financial assets by their parents. This has been proven to be false as often girls outperform boys in class, and in an equal world contribute to economic growth. Pakistan must take a pro-active role in dispelling cultural myths surrounding female education. Pakistan has been ranked 151 out of 153 countries by the Gender Parity Index.¹⁶
22. Knowledge stimulates the stock of human capital in an economy. The “existence of patriarchy, cultural norms, regional conflicts, son preference, and traditional notions of

¹⁴ Berhanu Teshome Woldeamanuel, Takele Gezahegn Demie, et al. "Women's education, contraception use, and high-risk fertility behavior: A cross-sectional analysis of the demographic and health survey in Ethiopia", *Front. Glob. Womens Health*, published on 28 February 2023 under sec. Maternal Health. Volume 4 - 2023. <https://doi.org/10.3389/fgwh.2023.1071461>.

¹⁵ Information derived from Juan D. Barón and May Bend from "Facing the Challenges of Girls' Education in Pakistan", published 5 March 2023 on Education for Global Development. <https://blogs.worldbank.org/en/education/facing-challenges-girls-education-pakistan/>.

¹⁶ World Economic Forum's Insight Report, "Global Gender Gap Report 2020", https://www3.weforum.org/docs/WEF_GGGR_2020.pdf.

womanhood regarding procreation, domestic chores, and early marriage have deep roots in society” but negatively impact growth.¹⁷

It is right that men and women have equitable education; early education encourages future State compliance under both Articles 2 and 25. Fundamental equal education to break down gender barriers will undoubtedly promote increased participation in public affairs. We urge the government of Pakistan to ensure that both genders stay in school through truancy laws and messaging to stress the importance of education. The government must ensure that all have the same opportunities to succeed, excel, and learn.

Civic Inequality Resulting in a Limitation of Civic Engagement

23. The issues outlined previously are all but a handful of those that Pakistanis face. These issues exacerbate the lack of civic engagement. Without respect to gender equality, women will continue to remain uneducated and disadvantaged in respect to their physical, emotional, psychological, and social lives, furthering their engagement with the civic process.
24. The voting process has remained one for the economically superior and educated to participate in. With women not being able to learn about their fundamental rights or how to get involved, they will continue to abstain from the democracy which they can represent themselves in. Even with education, they are often prevented from voting through community bans contributing to low female voter turnout. Proper democratic political representation in Pakistan relies heavily on gender equality; the equality of women promotes further representation and engagement in democracy.

Violation 2: Lack of Quality Civic Education and Encouragement

Low Education

25. Economic factors like poverty in Pakistan play a contributing role to a lack of consistent education, fuelling dropout rates, and lack of proper infrastructure. Approximately 13% of parents attribute poverty as the reason their child had to drop out of school.¹⁸ This also disproportionately impacts women as they are seen as less likely to provide less future financial earnings. In addition, impoverished communities especially those that are rural deprioritize education in the face of economic benefit putting work ahead of learning. This is fuelled by a lack of enforcement on labour laws.¹⁹ Access and

¹⁷ Humaira Kamal Pasha, "Gender Differences in Education: Are Girls Neglected in Pakistani Society?". Published on 22 March 2023 under J Knowl Econ. Access at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10031191/>.

¹⁸ The World Bank, "Five major challenges to girls' education in Pakistan". Access at <https://datatopics.worldbank.org/dataviz/girls-education-pakistan/>.

¹⁹ Research Society of International Law. "How Pakistan's Socioeconomic Problems are Leading to Child Labour". <https://rsilpak.org/2023/how-pakistans-socioeconomic-problems-are-leading-to-child-labour/>.

attendance in education is often divided by socio-economic lines in which the wealthy have opportunity while the poor do not. This fuels cyclical poverty and a lack of social mobility, as those who are impoverished are not given the means to succeed as they do not have accessible and consistent education.

26. Serious absenteeism plagues much of Pakistan as a lack of truancy laws and the need to work outweigh the benefits of education. In addition, cultural and social norms that deprioritize education from women serve as justification for female absenteeism. A student that does not attend school, is a student who does not develop to their full potential and will earn less in the future. Lack of attendance increases the risk of violence, death, and harassment.
27. The quality of education in Pakistan is low as there are not enough teachers, a lack of a developed curriculum, and widespread absenteeism. 65 percent of students still need to achieve a minimum proficiency level in reading by the end of primary education.²⁰ Extremely low literacy rates indicate that the Pakistani government must invest in their education system, to improving their quality of teachers, curriculum, and resources.
28. Rural areas are often overlooked in terms of education as 35 percent of rural children aged 5 to 16 were out of school, compared with 20 percent of urban children.²¹ This gap has remained constant over the past two decades showing that no progress has been made. The government of Pakistan must do targeted investment in underrepresented geographical areas to promote the importance of education and build new, accessible schools.

Poverty, chronic absenteeism, poor quality of education, and inequitable distribution of education resources exacerbates the intellectual weakness throughout the State of Pakistan Therefore, we respectfully persuade the Committee to recommend Pakistan more strictly enforce child labour laws to keep students in school for longer, implement series of truancy laws to order compulsion within schools throughout the State, increase investment in school resources and teacher quality, and create a distribution model that closes the urban-rural education gap by concentrating resources on rural communities.

Lack of Engagement due to Lack of Civic Education

²⁰ EduAnalytics, "Pakistan Learning Poverty Brief". Published in October 2019:

<https://thedocs.worldbank.org/en/doc/214101571223451727-0090022019/original/SASSACPKPAKLPBRIEF.pdf>.

²¹ Information derived from Juan D. Barón and May Bend from "Facing the Challenges of Girls' Education in Pakistan", published 5 March 2023 on Education for Global Development.

<https://blogs.worldbank.org/en/education/facing-challenges-girls-education-pakistan/>.

29. Established civic education and civics curricula within Pakistan are necessary to create a stable, democratic society. The current state of civics education is lacklustre contributing to a politically volatile environment with low voter turnout and trust. An in-depth study by Bernadette Dean in 2005 finds that while there is education about the structure of government, there is no priority on citizenship education. There is no clear distinction between Islamic education and citizenship education which breeds problems in confusion and civic engagement.²² While access to education is the first barrier that must be overcome, Pakistan must also refine and prioritize civic education within its curriculum. This will increase the amount of people that know their rights, their systems of governance, and incentivizes increased participation.
30. Proper civic engagement can only occur when the population is properly educated on their rights in a proper democracy. In the United States of America, surveys have found that those who are educated on mechanisms for engaging with the political process are more likely to express their engagement in the civic process later in life.
31. Civic engagement ties directly with the viability of a democracy: without proper education, people are misguided on their rights in the respective State, which therefore allows States to exploit the people. Without the education they need, Pakistan will continue to not recognize their proper rights as granted in the ICCPR. Forming a strong democracy needs educated people, and proper education would greatly increase civic engagement in Pakistan.

The lack of civic education exacerbates political instability and low voter participation. We urge the government of Pakistan to develop a robust civic education curriculum within its school system, allowing for future increased compliance under Article 25.

Violation 3: Political Violence Resulting in Reduction of Participation in the Democratic Processes

Targeted Violence and Intimidation at Election Centres

32. During the 2018 general elections, violence and intimidation at polling stations were rampant in regions such as Balochistan and Khyber Pakhtunkhwa. On election day, a suicide bombing at a polling station in Quetta (Balochistan) killed at least 31 people and injured dozens more. The attack was claimed by ISIS and targeted voters as they lined up to cast their ballots. This act of terror instilled fear in voters, particularly in the region's minority communities, many of whom opted to stay home rather than risk their lives by going to vote. The fear generated by such violence establishes a culture of fear

²² Dean, B. L. (2005). Citizenship education in Pakistani schools: Problems and possibilities. *International Journal of Citizenship and Teacher Education*, 1(2), 35-55. Available at: https://ecommons.aku.edu/pakistan_ied_pdck/30.

and prevents civil society from wanting to participate in the electoral process, undermining fundamental rights under Article 25.

33. In another instance, during the 2021 by-elections in Daska, Punjab, there were allegations of ballot tampering and voter intimidation. Armed men reportedly entered polling stations, threatening both voters and election officials. In response to these incidents, the Election Commission of Pakistan voided the election in the constituency, acknowledging that the violence and intimidation prevented a free and fair process. This instance highlights the importance of safeguarding election centres from intimidation and ensuring that voters can participate without fear.

The Committee should request Pakistan to provide transparent updates on measures taken to protect voters in volatile regions like Balochistan. Additionally, the Committee should ask for concrete steps to investigate and prevent election-related violence, particularly in regions where militant activity is prevalent.

Marginalised Groups Subject to Heightened Violence

34. Women in Khyber Pakhtunkhwa (KP) are often subject to cultural and militant restrictions that prevent them from voting, leading to a significant gender disparity in electoral participation. In the 2018 general elections, multiple reports surfaced where community elders in KP reached informal agreements to ban women from voting in certain constituencies.²³ One notorious case occurred in the Lower Dir district, where women were barred from voting during a by-election in 2015 due to the region's conservative and patriarchal social norms.²⁴ Local politicians, fearing backlash from tribal and religious leaders, did little to stop these illegal bans.
35. Although Section 9 of the 2017 Elections Act nullifies elections with female voter turnout under 10%, enforcement remains weak in remote areas where women are either threatened or physically prevented from voting.²⁵ This practice is a direct violation of Article 25 and Article 3, underscoring the consequences of the intersectional reliance of gender equality on electoral participation, and vice versa.
36. Similarly, ethnic and religious minorities, such as the Hazara and Christian communities, often face targeted violence and intimidation during elections. For example, in the 2013 general elections, militants targeted Hazara neighbourhoods in Quetta, bombing polling

²³ International Crisis Group. "Women and Peacebuilding in Pakistan's North West", published on 14 February 2022. Available at: <https://www.crisisgroup.org/asia/south-asia/pakistan/women-and-peacebuilding-pakistans-north-west/>.

²⁴ Ibid.

²⁵ Ibid.

stations and killing over a hundred people.²⁶ This pattern of targeted violence, particularly against ethnic minorities, prevents these communities from safely engaging in the democratic process, violating the rights of certain groups of Pakistan civil society.

The Committee should request Pakistan to report on the enforcement of Section 9 of the 2017 Elections Act, ensuring that women are not disenfranchised in rural or conservative regions. The Committee should also ask Pakistan to provide concrete steps it is taking to protect vulnerable minority communities from targeted election-related violence, ensuring that all citizens can safely exercise their political rights.

Violation 4: Establishment of a Culture of Fear in Individual Speech and Self-Expression

Free Speech and Media Censorship

37. A culture of fear surrounding free speech and media expression is prevalent. Journalists, activists, and ordinary citizens face intimidation, threats, and violence for expressing dissenting views or reporting on government malpractices. The government's use of censorship laws (such as the Defamation Law) and crackdowns on media outlets further restricts the freedom of the press. This environment stifles open discourse and prevents individuals from freely sharing their opinions or challenging government actions. There's been records of press freedom violations: At least 104 cases of violations – including murder, attacks, injuries, kidnapping, threats and legal cases – were documented by Freedom Network from May 2023 to March 2024 against journalists and other media practitioners.²⁷

Intimidation of Political Opponents

38. Political opponents and activists in Pakistan often experience intimidation from both state and non-state actors. This includes arbitrary arrests and threats of violence, aimed at silencing dissent and discouraging political engagement. Such tactics create a climate of fear that discourages individuals from participating in political processes or expressing critical viewpoints. This suppression undermines democratic engagement and limits the ability of citizens to influence political decisions. For example, for months,

²⁶ BBC World News, "Violent backdrop for crucial Pakistan elections", 15 March 2023.

<https://www.bbc.com/news/world-asia-21761133>.

²⁷ Adnan Rehmat, "Pakistan Freedom of Expression and Media Report 2024, Erosion of free speech: The silencing of citizens, political parties and media". Published on 3 May 2024. Available at <https://www.fnpc.org/wp-content/uploads/2024/05/FINAL-MAY-3-Report-PDF.pdf>.

“police have blocked Arsalan Hafeez from entering into the Pakistani constituency where he will be standing for election.”²⁸

Civic education programmes should emphasize the importance of human rights and personal safety. Educating citizens about their right to self-determination and the mechanisms for protecting this right can empower individuals to voice views without fear.

Legal and Extrajudicial Actions Against Dissidents

39. Legal and extrajudicial actions against those who criticize the government or challenge the status quo are common in Pakistan. Authorities often use vague anti-terrorism and anti-extremism laws to justify the detention of dissidents and activists without due process. This includes arbitrary detentions and enforces disappearances, which instil fear among the public and deter individuals from engaging in political and social discourse. The misuse of legal mechanisms to suppress dissent undermines individual rights and democratic principles. An example from Aljazeera’s latest report by Abid Hussain: “The arrest of several legislators and leaders of former Pakistani Prime Minister Imran Khan’s party in overnight police raids could trigger yet another showdown between the opposition and the government”.²⁹

Violation 5: Widespread Corruption Resulting in a Weakened Democracy

Electoral Corruption: Jailing of Imran Khan

40. On 8 August 2023, the Pakistani Election Commission declared Former Pakistani Prime Minister Imran Khan has been barred from politics for five years, thereby making him ineligible to run for, or hold, office.³⁰ The disqualification of Khan from public office, in addition to corruption charges filed in 2023, has sparked widespread accusations that the legal proceedings were politically motivated to bar Khan from contesting future elections.

²⁸ Hannah Ellis-Petersen and Shah Meer Baloch, “‘Harassed constantly’: Imran Khan’s party fights state pressure in Pakistan election”. Published in The Guardian on 7 February 2024, <https://www.theguardian.com/world/2024/feb/07/harassed-constantly-imran-khans-party-fights-state-pressure-in-pakistan-election>.

²⁹ <https://www.abidhussain.com/news/2024/9/10/is-pakistan-set-for-new-khan-vs-government-showdown-after-pti-arrests>. Published in Al-Jazeera on 10 September 2024. Access at <https://www.aljazeera.com/news/2024/9/10/is-pakistan-set-for-new-khan-vs-government-showdown-after-pti-arrests>.

³⁰ Munir Ahmed, “Pakistan’s imprisoned former Prime Minister Imran Khan is convicted again, days before elections”. Published by AP News on 31 January 2024: <https://apnews.com/article/pakistan-prime-minister-imran-khan-corruption-court-prison-06fe83543eedfd8e7c329206864a0652>.

41. Indications point towards political motivations for Khan's imprisonment, and subsequent conviction. According to reports, Pakistan has "a history of arresting former prime ministers or side-lining them ahead of elections if they are deemed to pose a challenge to the security establishment...more than two-thirds of its civilian rulers have been arrested...since 1947".³¹ The jailing of political figures in Pakistan is not new, but it indicates a society which is governed by a select group of persons and not the rule of civil society.
42. Pakistani actions towards "untraditional" prime ministers have, are, and will continue to demolish the fundamental rights of the Pakistani people under Article 25 should this situation continue. Further enabled by the politically corrupt system, Pakistan will continue to face leadership which is not representative of its population unless action is taken. Undoubtedly, the government of Pakistan has justification for the detention of Khan for apparent violations of non-corruption rules in accepting gifts which were not disclosed; however, the crime does not match the 14-year punishment which Khan now faces.

We hope the Committee will discuss the justification for the imprisonment and excessive charges which Mr. Khan now faces, and question the State party on its past and future actions in dealing with Prime Ministers who do not necessarily support set-in-stone customs. Furthermore, the Committee should reflect the dangerous precedent these political persecutions set forth, particularly in concern to Articles 1 and 25 of the Covenant.

Khan's situation is hardly novel. This situation has occurred in the past and will inevitably continue unless meaningful action is taken to end the political persecution of opponents who do not support time-old traditions. Khan's imprisonment is not just a violation under Article 25, preventing the Pakistani people to be properly represented, but indeed a violation against the self-determination and freedom of expression which is granted under the Covenant to the Pakistani civil society, and indeed, Imran Khan. For instance, former Prime Ministers Benazir Bhutto and Nawaz Sharif were also arrested or exiled before key elections, further solidifying Pakistan's history of state-sponsored repression against political opponents.³² Such actions are a violation of ICCPR Article 25, which guarantees the right to participate in public affairs, and Article 9, which protects the liberty and security of persons.

43. In another case, Asad Umar, a senior PTI leader, was arrested in May 2023 during a crackdown on PTI following nationwide protests in support of Imran Khan. Security

³¹ Kieren Williams, "Imran Khan and his wife jailed 14 years for corruption - day after ten year sentence". Published 31 January 2024 by the Mirror. <https://www.mirror.co.uk/news/world-news/former-pakistan-pm-wife-jailed-32007635>.

³² Refer to <https://www.thehindu.com/news/international/pakistans-history-of-jailing-its-former-prime-ministers/article67161711.ece>.

forces targeted PTI leaders and activists under the guise of national security concerns, with many of them facing arbitrary detentions under Pakistan's anti-terrorism laws.³³ This suppression of political opposition violates Articles 9 and 19, as the arrests were designed to stifle dissent and limit political participation.

The Committee should ask Pakistan to justify its use of anti-terrorism laws to suppress opposition parties and to report on any reforms it intends to implement to ensure these laws are not abused for political purposes. The Committee should also demand an independent investigation into the specific cases of political leaders like Imran Khan and Asad Umar to ensure transparency and accountability.

Political Corruption and Electoral Manipulation: Pakistan Tehreek-e-Insaf

44. In the lead-up to Pakistan's 2024 general elections, political corruption and electoral manipulation have raised significant concerns about the credibility of the democratic process. With more than 128 million eligible voters in the country, and 266 of the 336 National Assembly seats directly elected under a first-past-the-post system, questions surrounding the fairness of the election have come to the forefront, particularly regarding the side-lining of the Pakistan Tehreek-e-Insaf (PTI) party.³⁴

45. The PTI, which won the largest number of seats in the last general election, has been severely undermined in the current political climate. Imran Khan, the leader of PTI and former Prime Minister, was jailed on corruption charges in 2023 and disqualified from running for public office. His conviction, which has since been followed by three more charges, has led to accusations of political motivation, as Khan has claimed that the charges are designed to prevent him from contesting future elections.

46. This situation mirrors previous instances of political manipulation in Pakistan, where former Prime Ministers like Nawaz Sharif have been ousted or imprisoned, only to return to politics once favourable arrangements were made with the establishment. Sharif, who was jailed during the last election, is now the front-runner in the 2024 elections. Analysts suggest that Sharif's return to the political arena may have been

³³ "Pakistan arrests Imran Khan's party leaders as protests continue", Al-Jazeera News. Published on 11 May 2023. Access at: <https://www.aljazeera.com/news/2023/5/11/pakistan-arrests-imran-khans-party-leaders-as-protests-continue>.

³⁴ Simon Fraser and Saher Baloch, "Pakistan election: Two blasts kill 28 in Balochistan day before vote". Published by BBC News on 7 February 2024; access at <https://www.bbc.com/news/world-asia-68226516>.

facilitated by a deal with the military, raising concerns about the integrity of the electoral process and the role of state institutions in influencing election outcomes.³⁵

The Committee should raise concerns about the fairness of the election, inquire about the treatment of PTI leaders, and press Pakistan to ensure that the electoral process remains free from manipulation by state actors. The Committee should also emphasize the need for transparency in the announcement of election results and the protection of voter rights.

Recommendations to the Committee

47. The human rights violations in Pakistan are rising and must be fully addressed. Should these violations continue, Pakistani civil society may not be entirely able to fulfil their given rights under the Covenant. In response to the current situation and issues outlined in this report, we urge the Committee to do the following:

- Democracy thrives when constituents feel empowered to vote despite their age, sexuality, race, or gender. We urge the Committee to probe the government of Pakistan to increase their efforts to fuel female political empowerment by easing access to voting, increasing political messaging, and enforcing Section 9 of the 2017 Elections Act. Furthermore, the Committee should inquire the measures it is actively taken to pursue the empowerment of young girls and women in the civics process to fulfil its obligations under Article 25.
- It is the constitutional right of women to vote, and therefore we respectfully ask the Committee to have Pakistan enforce the right for women to vote and eradicate community bans on voting in villages like Dhurnal. We also urge the government to institute legislation prohibiting parties or politicians from engaging in agreements that infringe on a women's right to vote.
- It is the fundamental right of children to receive education, and therefore we respectfully ask the Committee to have Pakistan to enact and enforce legislation like the Sindh Child Marriage Restraint Act setting the minimum age to marry at 18, ensuring girls stay in schools longer to receive proper education.
- It is right that men and women have equitable education; early education encourages future State compliance under both Articles 2 and 25. Fundamental equal education to break down gender barriers will undoubtedly promote increased participation in public affairs. We urge the government of Pakistan to ensure that both genders stay in school through truancy laws and messaging to stress the importance of education. The government must ensure that all have the same opportunities to succeed, excel, and learn.

³⁵ Tarhub Asghar and Simon Fraser, "Nawaz Sharif: The Pakistan army's one-time arch-rival returns". Published by BBC News on 20 October 2023, <https://www.bbc.com/news/world-asia-67167601>.

- Poverty, chronic absenteeism, poor quality of education, and inequitable distribution of education resources exacerbates the intellectual weakness throughout the State of Pakistan. Therefore, we respectfully persuade the Committee to recommend Pakistan more strictly enforce child labour laws to keep students in school for longer, implement series of truancy laws to order compulsion within schools throughout the State, increase investment in school resources and teacher quality, and create a distribution model that closes the urban-rural education gap by concentrating resources on rural communities.
- The lack of civic education exacerbates political instability and low voter participation. We urge the government of Pakistan to develop a robust civic education curriculum within its school system, allowing for future increased compliance under Article 25.
- The Committee should request Pakistan to provide transparent updates on measures taken to protect voters in volatile regions like Balochistan. Additionally, the Committee should ask for concrete steps to investigate and prevent election-related violence, particularly in regions where militant activity is prevalent.
- The Committee should request Pakistan to report on the enforcement of Section 9 of the 2017 Elections Act, ensuring that women are not disenfranchised in rural or conservative regions. The Committee should also ask Pakistan to provide concrete steps it is taking to protect vulnerable minority communities from targeted election-related violence, ensuring that all citizens can safely exercise their political rights.
- Civic education programmes should emphasize the importance of human rights and personal safety. Educating citizens about rights to self-determination and the tools for protecting this right can empower persons to voice views without fear.
- We hope the Committee will discuss the justification for the imprisonment and excessive charges which Mr. Khan now faces, and question the State party on its past and future actions in dealing with Prime Ministers who do not necessarily support set-in-stone customs. Furthermore, the Committee should reflect the dangerous precedent these political persecutions set forth, particularly in concern to Articles 1 and 25 of the Covenant.
- The Committee should ask Pakistan to justify its use of anti-terrorism laws to suppress opposition parties and to report on any reforms it intends to implement to ensure these laws are not abused for political purposes. The Committee should also demand an independent investigation into the specific cases of political leaders like Imran Khan and Asad Umar to ensure transparency and accountability.
- The Committee should raise concerns about the fairness of the election, inquire about the treatment of PTI leaders, and press Pakistan to ensure that the electoral process remains free from manipulation by state actors. The Committee should also emphasize the need for transparency in the announcement of election results and the protection of voter rights.

Conclusion

48. The current political situation in Pakistan is deeply concerning and poses a significant threat to the democratic principles enshrined in the Covenant. The issues above, particularly the lack of proper civics education, limited civil rights, culture of violence, and the manipulation of electoral processes threaten to undermine the very core of Pakistan's democratic system. Should these actions continue, the rights of the 128 million eligible voters and the integrity of the electoral process will be further eroded, leading to weakened democracy and representation for the people of Pakistan.
49. Civic engagement and free political participation are critical components of a functioning democracy. As outlined in this report, it is essential for the Committee to press the Pakistani government to uphold these principles. Without them, the political landscape in Pakistan risks being unrepresentative of the true nature of its civil society. We kindly implore you to remember that civics education is the most valuable tool in securing a more prosperous tomorrow; we hope the Committee will recognise that and take this, along with many other recommendations, to the table. We look forward to the interactive dialogue which will follow.
50. This submission may be published on the OHCHR website or any other places necessary. For any inquiries regarding this submission, please contact primary contributor Nikhil Daniel with any inquires at ndaniel@cvia.ch. Kindly contact supplementary contributors Samad Quraishi and Iren Neeranzona Khan at squraishi@cvia.ch and nkhan@cvia.ch, respectively.