

# **Pakistan: A Lawless State - “absolute power to the police, paramilitary, military, and state intelligence agencies”**

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A Statement by the Asian Human Rights Commission

PAKISTAN: A Lawless State

Speaking about the rule of law in Pakistan is fatuous. This is a state where “might is right” and anarchy, in its worst connotations, rule supreme. Corruption, nepotism, red tape, and a dishonest bureaucracy pollute the “land of the pure”.

In terms of enforcement, the government has failed to reform the criminal justice system, which has resulted in providing absolute power to the police, paramilitary, military, and state intelligence agencies. People have begun taking law in their hands and many incidents of lynching have been reported this year, with over a dozen persons killed.

The chaos can be exemplified by recalling the Christian couple thrown in a kiln on the charge of committing blasphemy and burned alive in presence of the police. The real cause of conflict was that the couple had been unable to pay back a loan from the kiln owner. In a similar case, a landlord that was upset with his tenants, beat their 10-year-old son and tied the boy to a well pump, mangling his arms to the point that they needed to be amputated. Likewise, killings in the name religious affiliation continue to plague the country. More than 2500 persons were killed in such sectarian and communal violence.

In 2014, there were a vast array of unconscionable acts, of omission and commission, by arms of the Pakistani state. The year began with killings, bombardments, and disappearances in the bloodbath associated with the operation of *Zarb-e-Azb*, where the Pakistan Army attempted to flush out militants from the North Waziristan region. The civil government was not taken into confidence by the military and media coverage was insufficient. According to the Fata Disaster Management Authority (FDMA) the number of internally displaced persons in the wake of the *Zarb-e-Azb* operation rose to 800,000.

Then there is the case of a political worker and seven human rights defenders who were booked on sedition charges in Gilgit and have been sentenced to life imprisonment. Baba Jan, one of those framed, has the distinction of being sentenced to life imprisonment for the second time. His first conviction was for holding protests for the payment of compensation to those displaced by floods, and to the family of a father and son having been killed by police.

The newly enacted Pakistan Protection Act (PPA), 2014, has given sweeping powers of arrest and detention to law enforcement agencies, to the extent that they now have powers to shoot on sight.

The Act has legalized disappearance following arrest and exonerated past incidents of disappearance. It has allowed law enforcement agencies to detain suspects for 90 days without producing them before the courts. Following the enactment of PPA, incidents of torture, disappearances, and extrajudicial killings have increased further in comparison to the same during the previous military government.

In 2014, more than 750 persons were killed in fake police encounters. In Karachi, the largest industrial and commercial city of the country, 260 persons were killed in operations against criminals, extortionists, and target killers. In Punjab Province alone, 350 persons were killed in encounters.

In Punjab, where Sharif's younger brother rules, police have been allowed to quash political protests and activists ruthlessly. On June 17<sup>th</sup>, 14 political activists, including two women of Pakistan Awami Tehreek (PAT) Party, were killed in a police shooting. The provincial police refused to file the criminal case on behalf of the deceased families, and instead filed a case against the opposition PAT leaders. The leader of the Parliamentary party of MQM, Mr. Altaf Hussain has claimed that in the past two years 379 of their supporters have been killed extrajudicially and this year 25 workers have disappeared.

In Balochistan and Sindh provinces, the nationalists and secular forces have been the main targets of state violence, in the form of arbitrary arrests, enforced disappearance, torture, and extrajudicial killings. In January, three mass graves were found and 169 mutilated bodies were recovered in Balochistan. The government announced an inquiry so Pakistan Army and its intelligence agencies would not be humiliated. In Sindh, more than 60 bodies of activists from Nationalist parties arrested by police have been found dumped this year. The Nationalist groups of Sindh, Jeay Sindh Qaumi Mahaz (JSQM) and Jeay Sindh Mutehida Mahaz (JSMM) have claimed that the security establishment killed more than 100 persons in 2014.

In Thar, at least 550 children died due to malnutrition and famine. The Sindh government, instead of taking responsibility and remedial action, blamed different political parties.

In terms of corruption, terrorism, and general law and order, the situation continues to deteriorate under Prime Minister Nawaz Sharif, whose return to power remains mired by protests that continue to erupt throughout the country.

The political uprising against the Nawaz Sharif government, spearheaded by Imran Khan and Maulana Tahir-ul-Qadri, alleged that Sharif rigged votes to grab power. The slogan "go Nawaz go" became a political mantra for the elite and neo-conservatives of Pakistan in 2014. The protest procession that began in Lahore on 12<sup>th</sup> August culminated in a "sit in" outside the National Assembly in Islamabad, with about 10,000 protestors arriving from across the country. Maulana Tahir-ul-Qadri played the religious card well, terming the "sit in" as a jihad against oppression.

On 31<sup>st</sup> August, three of the protestors were killed and around 534 injured, as violent clashes between PTI and PAT activists and law-enforcement personnel occurred in the "Red Zone" of Islamabad. The protestors turned violent on 2<sup>nd</sup> September 2014, when they attacked the Pakistan TV station located nearby, destroying equipment.

The grim reality facing Pakistan, which is struggling on political, social, and economic fronts, is that the nation has yet to confront the evils ailing its core. Pakistani society is polarized into "haves" and "have-nots". With the economic gap widening, the masses, with barely enough for two square meals a day, harbor hatred against elites that live in their "dreamland" where all is well. This polarization has yielded intolerance, illiteracy, militancy, and unemployment; and, as a result, the moral fabric of

the society is fast unraveling.

The situation in Pakistan is dire. There is constant conflict between powers jostling for control in Pakistan, as well as their mutual abuse of the civilian population. The only thing that is certain is that the rule of law cannot exist amidst such lawlessness.

### **The Asian Human Rights Commission**

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\* <http://www.humanrights.asia/news.php?id=AHRC-STM-209-2014>

\* About AHRC: The Asian Human Rights Commission is a regional non-governmental organisation that monitors human rights in Asia, documents violations and advocates for justice and institutional reform to ensure the protection and promotion of these rights. The Hong Kong-based group was founded in 1984.