

Women's Rights Under Siege: A Spotlight on Recent Human Rights Violations and Political Imprisonment in Pakistan

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Abstract

The study explores Pakistan's challenges in women's rights and political incarceration, highlighting political bias, delayed justice, legal interference, violence, discrimination, human rights abuses, and women's repression. It calls for a robust criminal justice system and a more transparent judiciary to promote an egalitarian society. The research includes interviews with women, human rights defenders, legal experts, and civil society representatives, as well as qualitative and quantitative analyses of women's rights violations. The study reveals severe human rights abuses against women in Pakistan, including arbitrary detentions, torture, sexual violence, and denial of due process. To address these issues, it recommends new legislation, strengthening institutional capacity, improving monitoring mechanisms, establishing accountability procedures, seeking international assistance, ensuring fair treatment for female political prisoners, and empowering female human rights advocates. This study is significant in the urgent need to address and mitigate the escalating human rights violations and political imprisonment targeting women in Pakistan, aiming to inform and influence global efforts towards gender equality and justice. It identifies factors like patriarchal norms, weak institutions, ignorance, corruption, economic conditions, global conspiracies, and ineffective criminal justice as root causes. The paper calls for sustained activism to hold the Pakistani government accountable and support grassroots movements.

Keywords: women's rights, political incarceration, political bias, delayed justice, legal system

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interference, human rights abuses, gender discrimination, criminal justice reform, independent judiciary, arbitrary detentions, torture, sexual violence, due process, and institutional capacity.

Introduction:

Pakistan faces significant human rights challenges, particularly concerning violence against women, political activists, and women prisoners. The country's political landscape is marked by instability, power struggles, and weak democratic institutions, leading to significant human rights violations, especially against women. The rule of law is weak, accountability is scarce, and the militarization of politics contributes to systemic discrimination. Addressing these issues requires a robust overhaul of the political system to strengthen democratic institutions and uphold human rights.

Public trust in Pakistan's criminal justice system is eroding due to power abuses, with political detainees symbolizing broader injustices. The significant number of imprisoned women in Pakistan reflects a deeper societal malaise. Advocating for transparency and protecting rights is crucial to prevent the erosion of justice and democracy.

Pakistan's prisons are notoriously overcrowded and unsanitary, leading to neglect and abuse. Reports from Human Rights Watch highlight the dire conditions faced by the over 88,000 inmates, particularly female prisoners. The Islamabad High Court has called for improved health conditions and early release policies. Reforms recommended by HRW include revising bail laws, considering non-custodial alternatives, expediting trials, increasing healthcare professionals, and establishing independent mechanisms to hold prison officials accountable.

The handling of political crimes in Pakistan, especially against female activists and their families, has drawn international criticism. Financial and political constraints have limited the efforts of NGOs, feminist groups, and human rights organizations. There is a pressing need for coordinated international support to address these deep-seated problems and advocate for the rights of political prisoners.

Pakistan's societal norms and cultural practices significantly limit women's autonomy and opportunities, reinforcing patriarchal power structures. Women's rights activists face harassment and threats, making it difficult to advocate for change effectively. International bodies like the United Nations, Amnesty International, Human Rights Watch, and the European Union have expressed grave concerns about the human rights situation in Pakistan, particularly highlighting issues of arbitrary detention, torture, and unfair trials of political prisoners.

The Pakistani prison system operates under various legal rules, but the female prison population faces numerous challenges, particularly in reintegration after release. These challenges stem from abuse, trauma, and mental illness experienced during incarceration. International organizations like UN Women, Amnesty International, Human Rights Watch, and the International Rescue Committee need to monitor the current situation and work for improvement in relevant institutions, actively working to promote women's rights, improve

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access to education and healthcare.

The treatment of female political prisoners in Pakistan has raised significant concerns about fairness and political bias. Historically, women activists have faced harsh treatment during dictatorial regimes, and prominent political figures have been subjected to repeated arrests and charges, including sedition and criminal conspiracy. Critics and legal experts condemn these harsh conditions and lack of due process in these cases, viewing the legal actions as part of a broader crackdown on the Pakistan Tehreek-e-Insaf (PTI) and its supporters.

The international community can exert pressure on Pakistan to improve the treatment of women prisoners through diplomatic measures, conditional aid, and support for civil society initiatives. This multifaceted approach is essential to fostering meaningful changes in Pakistan's human rights landscape. Strengthening democratic institutions, ensuring judicial independence, and protecting women's rights are crucial steps towards creating a just and equitable society.

Pakistan faces significant human rights issues, including violence against women, political activists, and female prisoners. The country's societal and political institutions are fraying due to instability, power struggles, and weak democratic foundations. The erosion of the rule of law and accountability, exacerbated by militarization, is a systemic issue. Prisons are overcrowded, unsanitary, and abuse inmates, particularly women. The Islamabad High Court's calls for reforms and recommendations from Human Rights Watch offer a roadmap for ameliorating these conditions. A comprehensive overhaul of Pakistan's political and judicial systems is needed.

International bodies play a crucial role in Pakistan's human rights struggle, promoting reforms through diplomatic pressure, conditional aid, and civil society initiatives. Advocacy from organizations like the United Nations, Amnesty International, and Human Rights Watch is vital for global attention. The struggle for human rights in Pakistan is a spiritual one, requiring a shift from a culture of repression and patriarchy to one that values empathy, justice, and equality. This transformation necessitates legal and political changes, societal awakening, universal human rights principles, and a commitment to protecting the most vulnerable. Only through these efforts can Pakistan create a future with upheld individual rights and a truly equitable society.

Methodology:

The study "Women's Rights Under Siege: A Spotlight on Recent Human Rights Violations and Political Imprisonment in Pakistan" employs a comprehensive approach to analyze human rights violations and political imprisonment affecting women in Pakistan, using qualitative research methods, quantitative data analysis, and comparative analysis with international human rights standards to assess the scale and prevalence of violations.

Literature Review:

This/* literature review examines the state of women's rights in Pakistan, focusing on

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historical context, current challenges, and human rights violations faced by women. The issue is deeply rooted in a complex historical context, characterized by systemic challenges, judicial prejudice, establishment hurdles, and media biases. Historical factors such as patriarchal traditions, colonial legacies, and religious conservatism have significantly contributed to gender inequality and discrimination against women in Pakistan. Despite ratifying international human rights treaties like the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the implementation of these laws remains inadequate due to systemic challenges and institutional biases.

Pakistan's judiciary has been criticized for its perceived bias against women, particularly in cases involving gender-based violence, honor crimes, and family law matters. Reports from human rights organizations and legal advocacy groups indicate that women frequently face discrimination, denial of justice, and numerous obstacles when seeking redress. Cultural norms and societal biases further complicate the judicial process, hindering the realization of justice for women.

Current challenges and human rights violations include violence against women and girls, including rape, murder, acid attacks, domestic violence, and forced and child marriages. Despite governmental ratification of international treaties, there is little effort to curb these practices at the national level. The parliament has been slow to adopt measures and ordinances necessary to protect women, underscoring the challenges in implementing women's rights laws effectively.

Political imprisonment and activism raise concerns about fairness and political bias. Prominent women activists such as Dr. Rashid Yasmeen, Khadija Shah, and Sanam Javad have faced repeated arrests and charges, including sedition and criminal conspiracy. Media bias and establishment hurdles also contribute to the repression of women's rights activists and civil society organizations. Vulnerable and marginalized groups, including religious minorities, transgender individuals, and rural populations, face intersecting forms of discrimination and violence, underscoring the need for targeted interventions and support from both national and international organizations.

Pakistan's women's rights activists and civil society organizations are facing increasing challenges due to political tensions and governmental crackdowns on dissent. Activists have experienced increased arrests, harassment, and censorship, with restrictive laws and policies further curtailing freedom of expression and assembly. The Digital Rights Foundation (2023) highlights growing concerns over online harassment and intimidation against women activists, reflecting broader trends of digital threats and gender-based violence in the country.

A comparative analysis of the criminal justice systems in South Korea and Pakistan reveals significant differences in their approaches to protecting women's human rights. South Korea has made substantial improvements in its legal frameworks and established specialized units to address gender-based violence, while Pakistan continues to face significant challenges in

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this area, including inadequate legal frameworks, limited access to justice, and poor treatment of women prisoners. Critics argue that Pakistan's legal framework requires comprehensive reform, including legislative changes, institutional strengthening, capacity-building, and societal norm transformation.

The literature on women's rights and political imprisonment in Pakistan is underrepresented due to challenges in accessibility, documentation, political sensitivity, and the risk of retaliation. Women's experiences are often marginalized in academic and public discourse, which tends to focus on broader human rights issues or male political prisoners. Limited research capacity and funding further hinder the development of a robust body of literature on this topic.

Addressing the women's rights issue in Pakistan necessitates collaboration between local and international human rights organizations, academics, and journalists. Advocacy efforts should focus on greater transparency and access within the Pakistani criminal justice system, utilizing international human rights mechanisms and diplomatic pressure. Prioritizing women's experiences and narratives within the context of political imprisonment and human rights violations is crucial. To ensure a brighter future for women's rights in Pakistan, comprehensive reforms and concerted efforts from both domestic and international actors are necessary to create a more just and equitable society for women.

Result and Discussion:

Pakistan's women's rights situation is marked by systemic challenges, institutional biases, and widespread human rights violations. Despite progress, women continue to face gender-based violence and political crackdowns. Law enforcement agencies, plagued by corruption and inefficiency, struggle to protect women and hold perpetrators accountable. Factors contributing to this issue include deeply entrenched patriarchal norms, weak legal and institutional frameworks, perceived lack of political will, religious extremism, economic disparities, conflict, displacement, insecurity, and insufficient data and monitoring. Pakistan's legal framework for women's rights has been criticized for its inadequacies, with loopholes, discriminatory provisions, and lax enforcement. Institutions responsible for upholding the law have been criticized for their gender biases and failure to effectively investigate and prosecute cases of violence against women.

Pakistan's women's rights are being eroded by religious extremism, economic disparities, and lack of access to resources, making them more vulnerable to exploitation and abuse. The struggle for women's rights is rooted in patriarchal traditions, colonial legacies, and religious conservatism. Systemic challenges persist in implementing women's rights laws, including judicial bias, perpetuating gender biases by law enforcement agencies, stifling dissent, and perpetuating gender stereotypes in mainstream media.

To address Pakistan's human rights issues, a comprehensive reform agenda is needed, including strengthening the rule of law, discriminatory laws, improving access to justice, enhancing women's political participation, strengthening protection mechanisms, promoting

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gender-sensitive education, and enhancing international cooperation. The judiciary should be independent and impartial, and effective mechanisms should be established for investigating and prosecuting abuses against women.

Law enforcement agencies face challenges such as corruption, inadequate resources, and political interference, which hinder their ability to protect women's rights effectively. Comprehensive reforms, including strict anti-corruption measures, specialized training on gender sensitivity, adequate resources for gender-based violence units, and judicial independence, are essential for equal access to justice for women. Collaborative initiatives involving government, civil society, and international partners are needed to drive meaningful change and uphold women's rights and dignity in Pakistan.

Pakistani civil society groups can leverage the international community's support to monitor and report abuses against women prisoners. This can be achieved through capacity building, funding, facilitation of access, joint fact-finding and reporting, amplifying local voices, protection and security support, and coordination and information-sharing. Grants and technical assistance can help local organizations expand their work, while diplomatic relationships can secure greater access to visit prisons and speak with women prisoners. The international community can also offer protection and support for activists and monitors, and facilitate regular information exchanges to strengthen monitoring and advocacy efforts.

Pakistani civil society groups can establish prison monitoring programs, collect comprehensive data, advocate for access and transparency, collaborate with the media, build partnerships with international actors, pursue legal action and accountability, and engage in public awareness and advocacy campaigns. They can develop robust protocols for regular visits to women's prisons, train a network of monitors, and document cases of physical abuse, sexual violence, denial of medical care, and overcrowding.

Overall, the synthesis of findings underscores the urgent need for concerted action to address the entrenched challenges facing women's rights in Pakistan. By addressing judicial prejudice, combating establishment interference, challenging media biases, strengthening law enforcement, and implementing comprehensive reforms, Pakistan can move towards a more equitable and inclusive society where women can fully enjoy their rights and freedoms.

Conclusion:

Pakistan's justice system is under threat due to human rights violations and political imprisonments. A fair judiciary and prevention efforts are crucial. The international community and institutions can support Pakistan's efforts to achieve justice, equality, and democracy. International organizations and human rights groups can promote Pakistani nationals' rights, apply diplomatic pressure, and provide discussion forums. The international community can create a more just society by expressing sympathy and calling for justice and transparency. Pakistan's human rights violations and maltreatment of women political prisoners require a comprehensive approach. Strengthening the judiciary, implementing fair trial standards, and establishing independent oversight bodies are

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essential. Stringent policies, training of judges, lawyers, and law enforcement officers, and public awareness campaigns are also necessary. International human rights organizations and comprehensive legislative reforms are also needed to address these issues. The corrupt criminal justice system in Pakistan is causing significant harm to the country's future. It erodes public trust, perpetuates injustice, and fosters a culture of impunity, threatening societal stability and development. To address these issues, Pakistan needs to implement comprehensive reforms promoting transparency, accountability, and integrity within the judiciary and law enforcement agencies. This Includes establishing independent oversight bodies, enhancing legal education, and fostering ethical conduct among public officials. Prioritizing these steps can lead to a more just and equitable society. The study highlights the need for comprehensive reforms to address gender inequality in Pakistan, highlighting systemic issues like judicial prejudice and enforcement problems. It also highlights the role of Pakistani NGOs and religious parties in perpetuating inequality. Recent human rights violations and political imprisonments underscore the need for an impartial judiciary and global support for Pakistan's journey towards justice, equality, and democracy.

Citations:

1. Human Rights Watch. (2023). "Pakistan: Events of 2022." Retrieved from <https://www.hrw.org/world-report/2023/country-chapters/pakistan>
2. UN Women. (2021). "Pakistan." Retrieved from <https://asiapacific.unwomen.org/en/where-we-are/pakistan>
3. Amnesty International. (2023). "Pakistan 2023." Retrieved from <https://www.amnesty.org/en/countries/asia-and-the-pacific/pakistan/report-pakistan>
4. Human Rights Watch. (2023). "Pakistan: Events of 2022." Retrieved from <https://www.hrw.org/world-report/2023/country-chapters/pakistan>
5. UN Women. (2021). "Pakistan." Retrieved from <https://asiapacific.unwomen.org/en/where-we-are/pakistan>
6. Amnesty International. (2023). "Pakistan 2023." Retrieved from <https://www.amnesty.org/en/countries/asia-and-the-pacific/pakistan/report-pakistan>
7. Ahmed, S. (2017). Gender and social justice in Pakistan. Oxford University Press.
8. Human Rights Watch. (2020). World report 2020: Events of 2019. Retrieved from <https://www.hrw.org/world-report/2020/country-chapters/pakistan>
9. Amnesty International. (2021). Pakistan: Human rights under attack: Crackdown on civil society deepens. Retrieved from <https://www.amnesty.org/en/latest/news/2021/02/pakistan-human-rights-under-attack-crackdown-on-civil-society-deepens/>
10. Khan, R. (2019). Media portrayal of women's rights issues in Pakistan. Journal of Media Studies, 16(2), 145-162.
11. Saleem, A. (2020). Silencing dissent: The role of media in undermining women activists in Pakistan. Women's Rights Journal, 8(3), 231-245.
12. Human Rights Commission of Pakistan. (2020). State of human rights in Pakistan: Annual report 2020. Retrieved from <https://hrcp-web.org/hrcpweb/wp-content/uploads/2021/04/HRC-Annual-Report-2020.pdf>
13. Freedom House. (2023). Freedom in the world 2023: Pakistan. Retrieved from <https://freedomhouse.org/country/pakistan/freedom-world/2023>
14. Pakistan Today. (2023). Clampdown on dissent: Recent legal amendments and their impact on women's rights activists. Retrieved from <https://www.pakistantoday.com.pk/2023/06/15/clampdown-on-dissent-recent-legal->

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- amendments-and-their-impact-on-womens-rights-activists/
15. Digital Rights Foundation. (2023). Online harassment and violence against women in Pakistan: A growing concern. Retrieved from <https://digitalrightsfoundation.pk/online-harassment-and-violence-against-women-in-pakistan-a-growing-concern/>
 16. Ahmed, S. (2017). *Gender and social justice in Pakistan*. Oxford University Press.
 17. Human Rights Watch. (2020). *World report 2020: Events of 2019*. Retrieved from <https://www.hrw.org/world-report/2020/country-chapters/pakistan>
 18. Amnesty International. (2021). *Pakistan: Human rights under attack: Crackdown on civil society deepens*. Retrieved from <https://www.amnesty.org/en/latest/news/2021/02/pakistan-human-rights-under-attack-crackdown-on-civil-society-deepens/>
 19. Khan, R. (2019). Media portrayal of women's rights issues in Pakistan. *Journal of Media Studies*, 16(2), 145-162.
 20. Human Rights Commission of Pakistan. (2020). *State of human rights in Pakistan: Annual report 2020*. Retrieved from <https://hrcp-web.org/hrcpweb/wp-content/uploads/2021/04/HRC-Annual-Report-2020.pdf>
 21. Freedom House. (2023). *Freedom in the world 2023: Pakistan*. Retrieved from <https://freedomhouse.org/country/pakistan/freedom-world/2023>
 22. Pakistan Today. (2023). *Clampdown on dissent: Recent legal amendments and their impact on women's rights activists*. Retrieved from <https://www.pakistantoday.com.pk/2023/06/15/clampdown-on-dissent-recent-legal-amendments-and-their-impact-on-womens-rights-activists/>
 23. Ahmed, S. (2017). *Gender and social justice in Pakistan*. Oxford University Press.
 24. Amnesty International. (2021). *Pakistan: Human rights under attack: Crackdown on civil society deepens*.
 25. Human Rights Watch. (2020). *World report 2020: Events of 2019*.
 26. Khan, R. (2019). Media portrayal of women's rights issues in Pakistan. *Journal of Media Studies*, 16(2), 145-162.
 27. Malik, A. (2022). Role of NGOs in women's rights advocacy in Pakistan: A critical analysis. *Journal of Gender Studies*, 29(3), 321-335.
 28. Nasir, F. (2020). Impact of religious parties on women's rights in Pakistan. *South Asian Studies*, 36(2), 189-203.