



Abuse of Women

by the Faisalabad Police

JUSTICE PROJECT PAKISTAN,

ALLARD K. LOWENSTEIN
INTERNATIONAL HUMAN
RIGHTS CLINIC, YALE LAW
SCHOOL

About Justice Project Pakistan

Justice Project Pakistan, or JPP , is a non-profit human rights law firm established in Lahore in December 2009. JPP provides direct pro bono legal and investigative services to the most vulnerable prisoners in the Pakistani justice system, particularly those facing the death penalty, victims of police torture, mentally ill prisoners and victims of the “War on Terror.” Extensive research and investigation is essential to our litigation strategy. We also conduct strategic litigation to challenge unjust laws and to create progressive legal precedent. Our litigation aims, among other things, are to improve the rights of the mentally ill, restrict the application of the death penalty, bring freedom of information to Pakistan, and enforce the fundamental rights of prisoners. We also organize conferences and trainings on our areas of expertise for judges and lawyers to build capacity within the legal community.

For more information, please visit our website: <http://www.jpp.org.pk/>.

About the Allard K. Lowenstein International Human Rights Clinic at Yale Law School

The Allard K. Lowenstein International Human Rights Clinic is a Yale Law School course that gives students first-hand experience in human rights advocacy under the supervision of international human rights lawyers. The Clinic undertakes litigation and research projects on behalf of human rights organizations and individual victims of human rights abuses. Recent work has included involvement in human rights litigation in U.S. courts; preparing amicus briefs on international and comparative law for U.S., foreign, and international fora; advocacy before international and regional human rights bodies; and investigating and drafting reports on human rights situations.

More information about the Clinic is available at
<http://www.law.yale.edu/intellectuallife/lowensteinclinic.htm>.



Table of Contents

<i>Acknowledgments</i>	1
Introduction	2
Evidence of Police Brutality and Torture	3
A. Data	3
B. Interviews	7
Legal Standards	20
Conclusion	22
<i>Endnotes</i>	23

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This report is dedicated to the victims of police abuse in Faisalabad and the investigators at Justice Project Pakistan who found them. We are humbled and inspired by the extraordinary courage of the victims in the face of such violence and their determination to survive the trauma that has been inflicted on them.

This report would not have been possible without the courage of those who spoke up for people who could not speak for themselves.

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Introduction

Police brutality and torture are widespread in the Faisalabad District of Pakistan. Although most victims are men, the Faisalabad police have also tortured women. Male police officers have sexually assaulted women, ripped their clothes in public, and forced them to witness the torture of their family members. Taking advantage of women's vulnerable position in society, police harassed female victims when their husbands were not home and brutally retaliated when the women protested the abuse. These actions are clear violations of Pakistani and international law. In most instances, the perpetrators were not held accountable.

Justice Project Pakistan (JPP) and the Allard K. Lowenstein International Human Rights Clinic at Yale Law School (Lowenstein Clinic) investigated allegations of abuse that occurred in Faisalabad from 2006 to 2012. In June 2014, JPP and the Lowenstein Clinic released a report entitled *Policing as Torture: A Report on Systematic Brutality and Torture by the Police in Faisalabad, Pakistan*. The first report and this follow-up report are based on two sources of evidence: Medico-Legal Certificates (MLCs) prepared by government-appointed physicians¹ and in-person interviews conducted by JPP with victims. This report includes accounts from interviews with women that are not contained in the initial report on police torture in Faisalabad. JPP and the Lowenstein Clinic have sought to protect the identities and the safety of interviewees by changing their names and withholding other identifying information.

In the 1,867 MLCs reviewed, physicians found conclusive signs of abuse in 1,424 cases. Women made up 9% of the victims, or 134 individuals. There have likely been more female victims of abuse than the MLCs suggest. During in-person interviews, a number of women mentioned that they hesitated to report abuse, due to fear that having the abuse made public would harm their reputations. Others reported that they feared retaliation from the police or that they felt their complaint would come to naught.

This report focuses on the abuse that the police in Faisalabad inflicted upon women and the effects of such violence. Women suffered from many of the forms of mistreatment that police committed against men, but they also experienced gendered forms of violence. Women were more likely than men to be sexually assaulted, culturally humiliated, or forced to witness others' torture. Of the 134 women who had their abuse confirmed by an MLC examination, 61% had been sexually assaulted, 81% had been subjected to cultural humiliation, and 61% had been forced to witness others' torture. Often, abuse included gender-based violence. The interviews indicated that the police were more likely to abuse women than men in their own homes. The available evidence suggests that the Faisalabad police often failed to comply with international and domestic requirements for the protection of women, both before and during detention.

Evidence of Police Brutality and Torture

Based upon MLCs and interviews, Justice Project Pakistan and the Lowenstein International Human Rights Clinic concluded that there is credible evidence that police in the Faisalabad District have regularly subjected people in their custody, including women, to brutality and torture.²

A. THE DATA

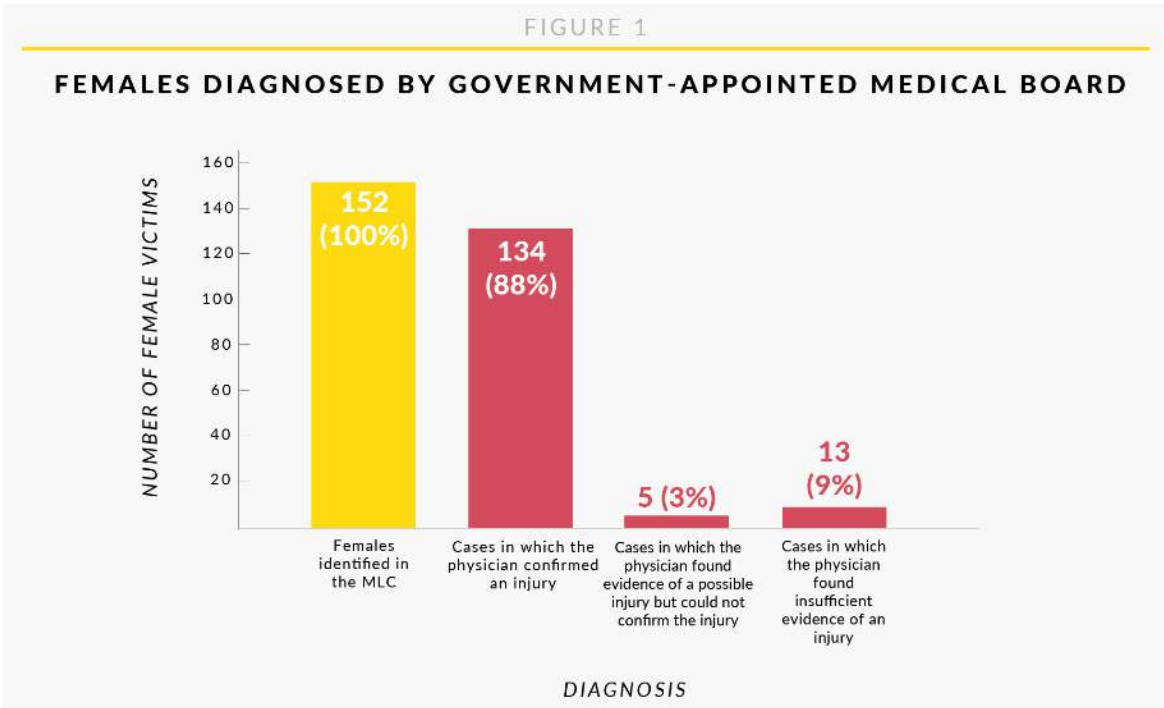
The MLCs show that 1,424 individuals, including 134 women, suffered from brutality or torture at the hands of the Faisalabad police. Table 1 and Figure 1 provide a summary.

TABLE 1

ASSESSMENT OF INJURIES BY GOVERNMENT-APPOINTED MEDICAL BOARD

	Male victims	Female victims
Individuals in the sample: Each individual alleged mistreatment sometime between 2006 to 2012	1,715 (100%)	152 (100%)
Cases in which the physician confirmed an injury	1,290 (75%)	134 (88%)
Cases in which the physician found evidence of a possible injury but could not confirm the injury (e.g., additional testing was necessary)	91 (5%)	5 (3%)
Cases in which the physician found insufficient evidence of an injury	334 (19%)	13 (9%)

FIGURE 1

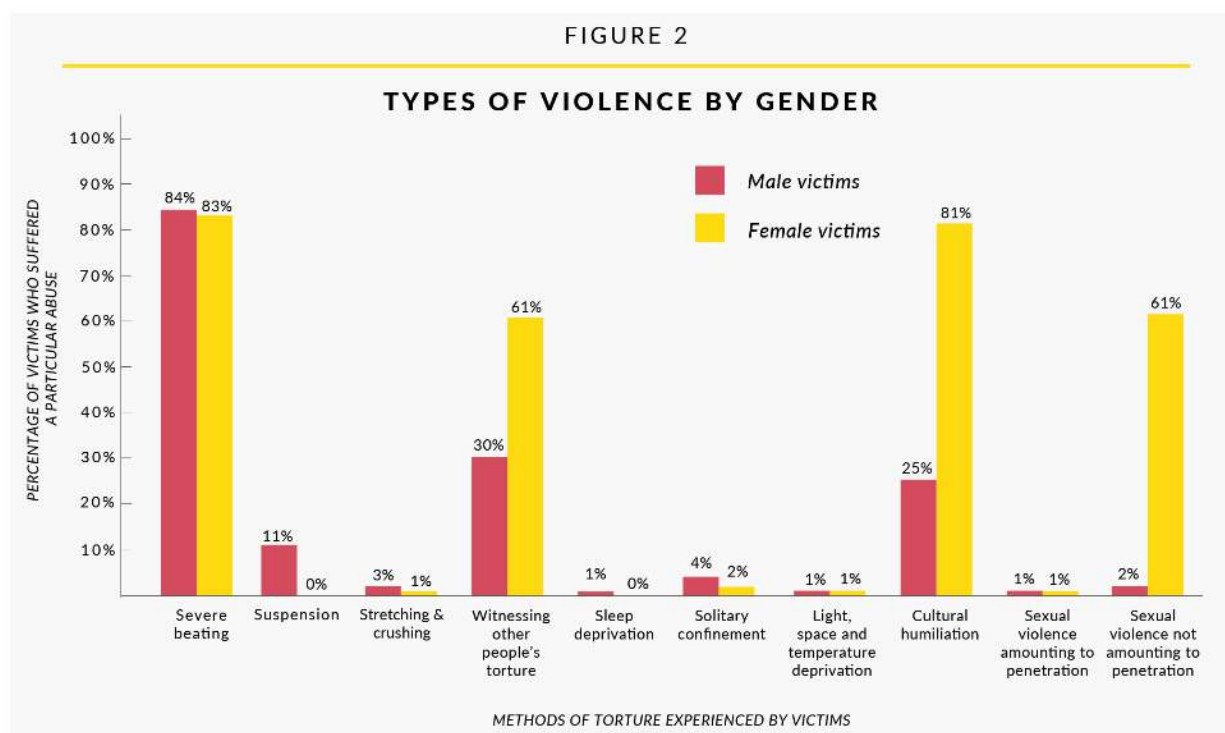


There were significant differences in the ways the Faisalabad police treated men and women. A far higher proportion of female victims suffered from sexual assault, cultural humiliation, and forced witnessing of torture. Much of the sexual abuse and cultural humiliation amounted to gender-based violence. The tables and figures on the following pages show the numbers and percentages of women and men who suffered particular kinds of violence.

TABLE 2

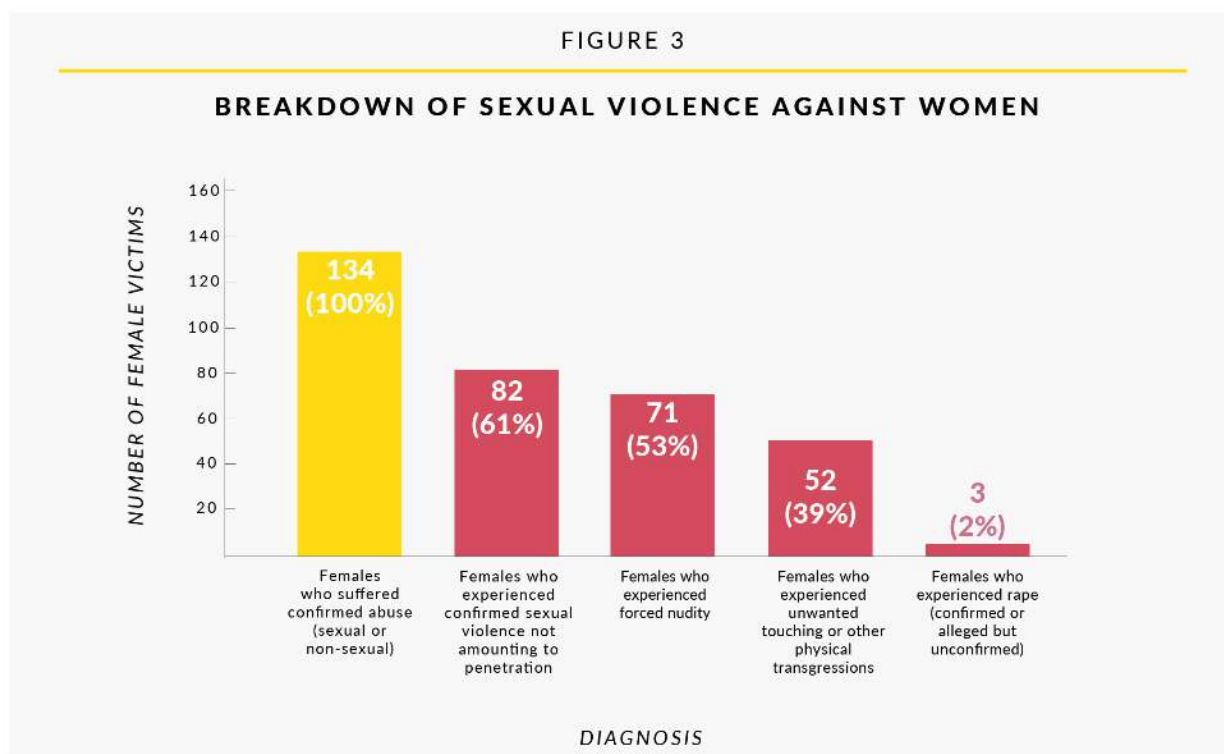
TYPES OF INJURY	Male victims	Female victims
Any confirmed injury	1,290 (100%)	134 (100%)
Severe Beating	1,090 (84%)	111 (83%)
Suspension	143 (11%)	0 (0%)
Stretching and Crushing	33 (3%)	1 (1%)
Witnessing Other People's Torture	382 (30%)	82 (61%)
Sleep Deprivation	15 (1%)	0 (0%)
Solitary Confinement	58 (4%)	3 (2%)
Light Deprivation; confinement to small spaces, or exposure to extreme temperatures	9 (1%)	1 (1%)
Cultural Humiliation	317 (25%)	109 (81%)
Sexual violence amounting to penetration	9 (1%)	1 (1%)
Sexual violence not amounting to penetration	32 (2%)	82 (61%)

Note: Percentages in parenthesis represent the portion of all confirmed victims who suffered that method of torture. Many victims suffered from multiple methods of torture. So one victim might appear in more than one row of Table 2.



Note: Many victims experienced more than one form of torture. As a result, victims may appear in multiple columns, so the percentages do not total 100%.

FIGURE 3



Note: Physicians confirmed that one female was raped. Two additional females suffered from possible but unconfirmed rapes.

Police sexually abused women in a variety of ways. Eighty-two women suffered sexual violence that did not amount to penetration. Of these 82 women, 71 were forced to remove all of their clothing. Being nude in front of others violates strong cultural and religious norms. Police also subjected 52 of the 82 women to unwanted touching and various other physical transgressions. One woman was raped. The numbers of women who suffered each of these types of abuse are displayed in Figure 3.

In the one confirmed case of rape, the victim was a child—a fifteen-year-old girl. The MLCs also document two possible but unconfirmed cases of rape, one of a 28-year-old woman and one of a 30-year-old woman. The alleged but unconfirmed instances of rape are included in Figure 3 because examining physicians often struggled to confirm allegations of rape. Confirmation of rape requires special testing shortly after the incident. For more conclusive results, the test requires the victim not to have bathed or changed clothing before the medical exam.³ Also, to confirm a rape, physicians had to take samples and send them to a lab for examination. The MLCs reviewed for this report do not indicate the lab results. Many people in Pakistan consider the testing required to confirm rape to be invasive and humiliating. Because of this and the fear of police retaliation, many women likely would not report rape, and—for those who do—many would be reluctant to undergo the required testing to confirm the allegation. In this context, the one confirmed case of rape and the two reported cases that were not confirmed likely represent only a portion of the actual number of victims raped by the Faisalabad police.

B. THE INTERVIEWS

Interviews conducted by JPP with female victims of police abuse provide further details about the types of violence that Faisalabad police committed. In many cases, police abused women in their homes when they came to arrest male family members. In other instances, the police deliberately took advantage of women's vulnerable position in society, harassing them when male family members were not present. Police also forced women to watch the abuse of their family members, including children.

Police often humiliated women in the course of abusing them. In some cases, the police tore women's clothes and veils, exposing their faces, hair, or parts of their bodies in public. In a context in which women's veiling and dressing themselves appropriately are essential expressions of respect, having their faces, hair, or bodies exposed is humiliating. In other instances, people in the community witnessed policemen touching women. This inappropriate touching, even if not sexual in nature, was demeaning. Although many of the MLCs show that the police sexually assaulted women, none of the women were willing to speak to JPP in their interviews about their sexual assault. At least one of the victims JPP interviewed did not mention sexual violence, even though her MLC documented that the police had sexually assaulted her. It is likely that the police in Faisalabad sexually abused more women than those who were willing to file MLCs or speak with JPP. Sexual abuse carries a heavy social stigma. Many women reported fear that their reputations would be profoundly harmed simply by acknowledging the police had mistreated them. Women who acknowledge mistreatment by the police are likely to be treated as pariahs and be unable to marry. Nevertheless, several women were willing to tell stories of the abuse they suffered.

Zakia & Zahira

The police knew Zahira's husband was often not at home. They came repeatedly to harass her. When Zahira, her mother, Zakia, and other women decided to protest the police abuse, the police responded by severely beating the women and detaining Zahira and Zakia. Police have taken advantage of women's vulnerable position in society to harass them, and they have often attempted to cover-up their abuses.

“While they were beating me with sticks, the police kept saying, ‘Old woman, don't pretend to be hurt, nothing is wrong with you. Get up.’ ... When I fell to the ground, dizzy from the persistent beating, they beat me further with large, strong, sugarcane sticks.”

Zahira stated that police harassed her at home because they knew that her husband's work often caused him to be away, leaving Zahira home alone with her children. In each of these incidents, a large group of police officers came to Zahira's house. They asked her where her husband was and then threatened to hurt her children or abuse her.

In 2012, the police came to Zahira's home several nights in a row and harassed her. One night, the policeman leading the group appeared drunk. His eyes were bloodshot, and he was staggering. After learning that Zahira's husband was not home, the policemen entered her house and broke lights and other household items. When Zahira became frightened and began shouting, the policemen left.

Following this incident, a group of other women, including Zahira's mother, Zakia, decided to protest the police harassment. Many women joined the protest against the police. When the police saw the protestors, they began beating the women with sticks and kicking them with their boots. Some policemen were in uniform, while others were wearing ordinary clothes.

The police beat many of the women, but Zahira told interviewers that she was the main target. The police knew Zahira had started the protest in response to their frequent visits to her home. The police beat Zahira with sticks, hitting her in the abdomen, arms, legs, shoulders, and neck. They also slapped her face several times. Zahira explained that although some women ran away because they were "afraid of being humiliated and shamed" by the police, the women of her family stayed to help her. The police beat the women who stayed.

Policemen wearing boots kicked Zahira's mother, Zakia, breaking one of her legs and badly bruising the other. Zakia reported: "While they were beating me with sticks, the police kept saying, "Old woman, don't pretend to be hurt, nothing is wrong with you. Get up." ... When I fell to the ground, dizzy from the persistent beating, they beat me further with large, strong sugarcane sticks. They also hit me with the butts of their rifles."

Zakia was seriously injured, and her clothes were torn. When Zahira tried to help her mother, the police pulled her back. The police held Zahira by her hair to keep her from reaching her mother. They beat Zahira on her back, legs, and shoulders with their hands and sticks. The police sexually humiliated both Zahira and Zakia. Policemen tried to tear the women's clothes off. When Zahira tried to stop them, they beat her more severely. Both women's clothes were torn during the beating on the street, leaving their chests bare in public. Zahira said, "This was a very humiliating and shameful day for us." She ended up lying on the ground badly hurt and bruised. Zakia told the JPP interviewer, "Even though I was not sexually assaulted, one policeman kicked me with his boot between my legs so hard that a piece of flesh came out. I was barely conscious so do not remember, but the nurse at the hospital later told me what happened."

After being beaten, the women went to the hospital for medical exams. The police were already there. The police took the women into custody—Zahira concluded that this was to prevent the women from getting an MLC examination. Instead of using a police vehicle, the policemen entered Zahira and Zakia's car. One officer sat on top of Zahira, and another sat on top of Zakia. The police continued to harass and humiliate the women in the car on the way to the police station.

When they arrived at the police station, the police dragged the women out of the car. They left Zakia lying outside the police station without a mat or blanket. She was barely conscious, but the police kept pinching and prodding her. The police took Zahira into the station and put her in a dark room. According to Zahira, it was very hot and "there were policemen everywhere." They left her on the floor, kicked her with their boots, and hit her with sticks. Zahira was in so much pain that she could not comprehend what the policemen were saying to her. The police kept the women at the station until late at night.

Zahira remained in bed for several weeks. She said, "The nurse was shocked to see the condition of my body, since there were bruises on my entire upper body, arms, legs, stomach, chest, neck, and shoulders." Zakia told JPP, "My whole body was in severe pain. My arm was broken due to continuous beating. It hurt between my legs... Our upper bodies were blue due to bruising caused by the beatings." It took Zakia two or three months to recover from her injuries. The women did not file a complaint in court, because the panchayat, the village assembly made up of respected elders, told the family to forgive the police.

Malika

A group of police officers came to Malika's home late at night and beat her, her husband, and her children. For Malika, the worst part of the abuse was being forced to watch the police hurt her children. Women have been abused in their homes when the police came to arrest male members of their families. Police have often forced women to witness the abuse of their loved ones.

Malika explained that “the worst part was that I had to witness my young children being brutally beaten.”

A group of non-uniformed policemen came to Malika's house late at night. Malika, her husband, and her four young children were at home. The police demanded bribes, but because Malika's husband had no money, they began to harass him.

The police falsely accused Malika's husband of a crime. They said they wanted to take him with them to the police station, but he told them he would prefer to go to the station the following morning. A fight ensued, and the police began beating Malika's husband. Malika and her children tried to stop them. Malika reported, "One policeman shoved me aside and said, 'Move aside, woman.' His blow struck me so hard that I fell over and hit the ground. To date, my two front teeth are loose because of his blow." When her children saw the policeman hit her, they became upset and ran to help. The police continued to slap, kick, and punch her in the neck and shoulders. They also choked her in front of her husband while other policemen held him down. When Malika's elder daughter brought water for Malika's husband, the police slapped her so hard that she dropped the water. Due to the noise, Malika's sister-in-law, who lived next door, went to the house. She was pregnant at the time. When the police slapped her face and kicked her, she fell. She miscarried a few days later.

The police began dragging Malika's husband out of the house. When their youngest son, who was two years old, clung to his father's body, a policeman kicked the boy away, sending him flying backwards. His head hit a wall, and his forehead bled profusely. The injury left a scar. Malika's young daughters also ran outside and held on to their father, but the police shoved them aside and kicked them. When Malika followed the police outside and tried to pull her husband away, the police beat her and pulled her chaddar (veil) away from her face and body. She explained, "This was quite humiliating for me. From that day forward, I have not done pardah (the practice of veiling oneself in front of men outside the family), because the entire neighborhood saw my face and hair when my chaddar was taken off by one policeman ... There was no point of pardah thereafter." The police stopped beating the family when a group of men arrived and frightened them off. The police had abused Malika's family for more than two hours.

After the incident, Malika's face was swollen and her arms and legs were covered in bruises. She had fainted and appeared to be seriously injured. A friend of her husband took her to the hospital. Malika said, "My children were absolutely distraught because the doctors told them that I might not survive my injuries. They were terrified that I was going to die." While she was in the hospital, the police went there and asked about her. Malika believed the police were trying to prevent her from having an MLC taken. A nurse advised Malika to flee. Although she had not completed her treatment, Malika fled the hospital.

Malika's husband registered complaints against the policemen and had Malika get an MLC. When nothing came of these complaints, the family hired a lawyer. The case did not move forward. The police continued to come to the family's home and ask Malika's husband for money or accuse him of various crimes. The family sold many belongings to pay the police bribes.

After the abuse, Malika and her children went to stay with her parents in another part of Pakistan. She was ill for a year, and her children "used to cry all the time because they thought [she] was going to die." Malika said that her children missed a year of school because they stayed home to take care of her. At the time of the interview with JPP, Malika still had frequent headaches due to her head injuries and her front teeth still ached. For Malika, though, "the worst part was that I had to witness my young children being brutally beaten."

Malika's children were traumatized by the incident. Her eldest son had nightmares for several months and often woke up in the middle of the night crying. He became angry whenever he saw a policeman. The other children remained fearful that the police might come back. They often woke up screaming due to nightmares.

Abeer

Police abused Abeer in her home when they came to arrest her husband. Abeer was pregnant. After the police beat her and pushed her down the stairs, she had a miscarriage. Effects of torture often go beyond the immediate injuries from beatings and can be devastating to both the victim and her family.

Abeer was one and a half months pregnant when the police raided her home. Two days after the abuse, she had a miscarriage.

The Faisalabad police raided Abeer's house. Two families, including Abeer's, lived in the house. Guests, who had brought a proposal for the daughter of Abeer's brother-in-law, were also at the house. At first, Abeer thought the men entering her home were robbers. The police were not in uniform, and there were no female police officers with them. The men searched the house and asked about Abeer's husband. They accused Abeer's husband of a crime.

Abeer tried to stop the police from arresting her husband. She was on the first floor of the house, standing by the stairs. The police pushed her around, kicked her, and slapped her. One police officer pushed Abeer so hard that she fell down the stairs. The abuse lasted about half an hour. During that time, the police also beat Abeer's brother and damaged furniture. After the abuse, the police took Abeer's husband to the police station.

Abeer was one and a half months pregnant when the police raided her home. Two days after the abuse, she had a miscarriage. She told JPP, "I started bleeding and lost my baby. The doctors said that I would not be able to have a child again." It took four years for Abeer to be able to have a child. The abuse also injured Abeer's head and shoulders and fractured her back. Her injuries prevented her from doing household chores, so she hired a maid to do them. At the time of the interview with JPP, it still hurt Abeer to stand for long periods of time, and she continued to take medicine for the pain.

Abeer noted that the incident had a devastating impact on her family. At the time of the incident, the daughter of Abeer's brother-in-law was engaged to be married, but the other family retracted the proposal. After the incident, in a neighborhood where many people already feared the police, Abeer and her family no longer felt safe to leave their house after dark. They tried to remain indoors after 8:00 p.m. Abeer also reported that members of the community had stopped trusting the family. The incident had harmed the family's reputation, and her husband's business had suffered as a result.

Zainab

The police abused Zainab when they went to her house to arrest male members of her family. Inside the house, the police beat the women. After the incident, the police tried to cover up the torture by asking for forgiveness and attempting to deceive the head of the family to get him to accept a settlement rather than bring a complaint in court. Police who have tortured people have often tried to cover up their abuses.

“They beat me up so badly that my leg was broken in several places. My leg was broken so badly that I needed to get metal plates put in my leg”

A large group of uniformed policemen went to Zainab's house at night. Five women, including Zainab, and three men were at home. At first, the family thought burglars had come to the home. Zainab's husband shouted for help. The police forced their way into the house and beat Zainab and the other members of her family.

When the police entered the house, they asked for Zainab's husband, father-in-law, and brother-in-law. When they did not immediately find the men, the police began beating Zainab and her sister-in-law in the courtyard. At first, they hit Zainab on her arms and shoulders, leaving her severely bruised. Zainab reported: "They beat me up so badly that my leg was broken in several places. My leg was broken so badly that I needed to get metal plates put in my leg. They hit my arms and shoulders until I fell to the ground. When I fell, one policeman began kicking me with his boot. My foot was cut very badly, and it bled. I also remember being hit very hard on my leg with a rifle butt... They pulled my hair very hard and hit me on my arms, neck, face, shoulders, back, and legs."

The police hit the women with sticks and kicked them. One policeman hit Zainab's sister-in-law on the head with the butt of his rifle. Her head bled profusely, and she fainted. The police attack on Zainab's family lasted for several hours.

The police also beat the men in the family. When the police realized the men were at home, they beat them with the butts of their rifles. They continued hitting the men until their heads bled. The police also used their sticks to hit them on their backs and legs. Zainab said, "When my father-in-law and brother-in-law fell to the ground after getting a hard beating, one policeman tore their clothes apart in order to get them naked." It was winter and very cold outside. The police dragged the naked men from the house to the nearest crossroads. In the middle of the road, the police continued kicking Zainab's brother-in-law and father-in-law and hitting them with sticks.

Zainab said that all the policemen, except the Station House Officer, took part in beating the women. According to Zainab, even the Station House Officer joined in the abuse of the men on the road. After this abuse, the police took Zainab's brother-in-law to the police station and kept him there for a couple of days.

As a result of the police beating, Zainab's arms and shoulders were badly bruised, her head cut, and her leg broken. When she went to the hospital, a doctor told her that her leg would not heal without surgery. It took Zainab four years to fully heal. Although she began walking again a few months after the incident, she had to use crutches and walk carefully because her leg was still healing. Eventually, she was able to walk using a single stick for support, but for a long time, she was unable to bend or sit. Zainab's father-in-law also became seriously ill after the abuse.

Zainab said that he had been a respected man of the village and that he found it unbelievable that the police could have subjected a person of his status to such horrific abuse. He was traumatized, began to have nightmares, and became depressed. He died four months after the abuse. Zainab believed the abuse contributed to his death.

The entire village stood by the family after the incident. The family told its story to a local newspaper, and the paper published it. The family also filed a writ in the High Court. Police went to the family's house and begged Zainab's father-in-law to drop the complaint against them. Zainab said that the police made her father-in-law put his thumb print on a blank piece of paper on which they later printed a *sulah nama* (settlement agreement) that said the family had resolved its issues with the police and no longer wanted to pursue the matter in court. Zainab explained, "This was false. We did not want to drop our complaint. When we heard about the false *sulah nama*, we realized that the police had schemed to obtain my father-in-law's thumb impression." The family did not try to file a case again.

Maryam

The police beat Maryam's family. Afterwards, she and her female relatives did not want to report the abuse. They feared it would harm their reputations. Instead, the family forgave the police. For many women, fear that reporting abuse might harm their reputations is a significant barrier to securing redress.

The police slapped Maryam, kicked her, hit her with the butts of their guns, and verbally abused her.

Someone accused Maryam's husband of stealing. A large group of police officers went to her house to arrest him. Although he was at home, Maryam told the police he was not. In response, the police broke down the door and forced their way past Maryam. The door hit Maryam's arm, she fell down, and the police started beating her. They slapped her, kicked her, hit her with the butts of their guns, and verbally abused her. Maryam's four young children were at home. The police slapped her children and beat her husband. While they were abusing the family, the police repeatedly asked questions about the stolen goods. They also searched the house, breaking household items in the process. The abuse lasted ten to fifteen minutes. During that time, a few neighbors went to the house and saw the police beating the family. The police took Maryam's husband to the police station, where they tortured him.

After the police left, Maryam's arm continued to bleed. She needed stitches and went to the hospital. She had trouble sleeping the next night. At the time of her interview with JPP, three years after the attack, she still suffered from pain in winter. The torture of Maryam's husband severely injured his hands. He could not feed himself for a month, and he continued to have trouble working with his hands. Maryam noted that before the abuse, her family was respected in the area. After the abuse, they lost their position of respect and were humiliated and ashamed.

The family filed an application against the police with the area magistrate. The magistrate ordered an inquiry, but the police officers and the person who had originally accused Maryam's husband of stealing approached the male members of her family through a respected religious leader. The leader ordered the family to forgive the police. To pursue the case, the women would have had to go to the police station and the courts. Maryam said, "For the women to engage in such activity would not have been well looked upon in society, and it would have harmed out family's honor. Therefore, we decided to forgive the police."

Fariha & Asma

Faisalabad police attacked the family of two women, Fariha and Asma, at their home and abused the women in the street, tearing their clothes and publicly humiliating them. Fariha and Asma were doubly vulnerable – female and poor. When they tried to bring a complaint against the police, it went nowhere. Police in Faisalabad often abuse the most vulnerable.

The police held the women by their clothes, hair, and scarves while beating them, ripping their shirts and *dupattas*, and exposing the women's bodies in public.

Fariha, a middle-aged woman, was alone in her house, cooking, when police arrived at her door. When she opened the door, she saw several police cars outside. An officer ordered her to vacate the premises, but Fariha told him she had legal documents to prove she was the rightful owner. The officer pulled her by her braid and threw her against the front door. Fariha still refused to leave. The officer told the other policemen to enter the house, gather her belongings and throw them outside.

Asma, Fariha's sister-in-law, was in the house next to Fariha's. She heard a commotion and went outside to see what was happening. She saw the police cars and heard Fariha screaming, so she went to help Fariha. When Asma entered the house, she saw a police officer dragging Fariha by her hair.

When Asma tried to stop the policeman, he slapped her face several times and pulled her by her braid. The police officer repeatedly ordered both of the women to vacate the premises. The police threatened the women and used obscene language. They dragged Fariha and Asma out of the house onto the main street, where they continued to abuse them. They beat the two women with sticks and pushed them against walls. They hit the two women repeatedly and dragged them around. Fariha received a blow to her head. The police beat her legs so badly that they bled.

The police also treated the women in ways that humiliated them. Almost twenty police officers were present, as well as the women's families, including their children. As the police began abusing the women in the street, people from the village gathered around. The police held the women by their clothes, hair, and scarves while beating them, ripping their shirts and *dupattas* (long scarves that are an essential part of many women's outfits), and exposing the women's bodies in public. At least four police officers took part in the abuse while two or three others broke household items and threw them outside. The abuse lasted for at least three hours. Asma's and Fariha's husbands and a few young cousins were at home during the incident. The police slapped and kicked Asma's and Fariha's husbands and beat a few of the young cousins. They broke Asma's husband's jaw. The police asked no questions. They just beat the women and ordered them to leave the premises.

That evening, the police officers returned and threatened Fariha and Asma again. They threatened to arrest and detain them and Fariha's son. They allowed the women to remain in the house but detained Fariha's younger son for one night. He was released only after the family bribed the police.

For more than a month after the incident, Fariha and Asma had trouble sleeping. Asma's knees were badly bruised. Fariha's wounds took weeks to heal, and she continued to have severe pain in her legs. Both women's heads hurt for more than a week after the incident because of the frequent blows they received. Fariha reported that even when the pain diminished, she felt nervous and agitated for more than a month after the abuse. She could not sleep or do her chores efficiently and took great care to guard her belongings. Asma's knee still had not healed at the time of the interview, and she still walked with a limp. The destruction of a number of her belongings by the police also caused Fariha a financial loss. The incident humiliated both women. Asma said, "It completely enraged us. We felt helpless at the time at having no support at all. Everyone seemed to be against us, including the head of the village." Fariha told JPP interviewers that she believed the police had been bribed by a third party to try to make her move from her property. Fariha eventually filed a complaint, but nothing came of it. She said, "Nothing can be done about it. Someone with power and money could potentially tackle the police. The poor and the weak will remain helpless."

Legal Standards

Domestic Pakistani law and international law binding on Pakistan forbid torture and other forms of abuse of detainees. Pakistan's Constitution guarantees individual rights, including the right not to be tortured. Pakistan's National Assembly has passed statutes that outlaw police brutality and torture. Pakistan is a party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and to the International Covenant on Civil and Political Rights, both of which outlaw torture and cruel, inhuman, or degrading treatment. These treaties impose duties on state parties, including Pakistan, to take actions to prevent torture and punish perpetrators.⁴

Pakistan has enacted laws and policies to protect women generally and, more specifically, to protect them from police abuse. Article 25 of Pakistan's Constitution forbids discrimination on the basis of gender, although the government may enact special provisions to protect women.⁵ Article 35 of the Constitution declares that the state shall protect families, mothers, and children.⁶ Pakistani law has a number of legal requirements for arresting and detaining women. When attempting a search or making an arrest in a home that is occupied by a woman who customarily does not appear in public, police must give notice, and allow the woman time to withdraw.⁷ Only female police officers may search other women and only with "strict regard to decency."⁸ Women prisoners must be separated from male prisoners.⁹ Authorities may not use certain physical punishments, for example, whipping, on women.¹⁰

Pakistan has also instituted specific measures to control the conditions and treatment of women who are victims of crime. Faisalabad, for example, has a women's police station, staffed by women police officers and with services tailored to female victims of crime; there are only three such stations in all of Punjab province.¹¹ Other police stations have set up separate complaint units headed by women police officers to assist abused women and female victims of crime.¹² Key non-governmental organizations, including the Asia Society, a U.S. NGO, and Rozan, a Pakistani NGO, have advocated for and worked with the government of Pakistan to develop materials on gender for use in police training colleges to train new officers on the particular challenges women face.¹³

Pakistan also has international obligations to protect women from police violence. Pakistan is a party to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).¹⁴ CEDAW, often described as an international bill of rights for women,¹⁵ defines discrimination against women and sets an agenda for national action to end such discrimination. The Committee on the Elimination of Discrimination against Women (CEDAW Committee), established by the treaty

to monitor states' compliance with CEDAW and to interpret CEDAW, has found that gender-based violence is a form of discrimination against women. According to the Committee, gender-based violence is any "violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and other deprivations of liberty."¹⁶ Gender-based violence "seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men."¹⁷

The Committee found that states are legally obligated to take affirmative steps to end all forms of gender-based violence. The Committee recommended a number of steps that states could take in order to fulfill their obligations under CEDAW. First, states should ensure that laws against "abuse, rape, sexual assault, and other gender-based violence give adequate protection to all women, and respect their integrity and dignity."¹⁸ Second, states should provide protective and support services to victims and ensure that judicial and law enforcement officers receive gender-sensitive training.¹⁹ Third, states should establish effective complaint mechanisms for victims of violence.²⁰ Remedies should include compensation for victims²¹ and criminal sanctions against perpetrators.²²

The United Nations General Assembly has adopted specific guidelines on the treatment of women in police custody. The U.N. Bangkok Rules, adopted in December 2010, protect women in jail awaiting trial, women in prison who have been convicted, and women in protective state custody. The Bangkok Rules provide guidance on how to ensure humane treatment, adequate health care, and proper admissions and search procedures for women prisoners. Under the Bangkok Rules, for example, when women are victims of sexual abuse or other violence while in custody, prison authorities should help them take legal action, provide them with psychological support, and ensure that any female prisoners who take legal action are protected from retaliation.²³

Pakistan is obligated under domestic and international law to end gender-based violence, but many women in Pakistan face significant barriers to redress. In their interviews with JPP, a number of women noted that they were hesitant to report abuse, as they feared the police might retaliate, that their complaints would come to naught, or that making their abuse public would harm their reputations. Also, many women who reported abuse indicated that the police tried to cover up their misconduct. In some cases, police followed women to the hospital, making it difficult for the women to complete medical examinations. In other instances, the police sought forgiveness from their victims, begging them not to take their cases to court. Barriers to redress compound the disempowerment experienced by women who have been abused by the police.²⁴

Conclusion

Police brutality and torture are widespread in the Faisalabad District of Pakistan. The Faisalabad police abused at least 134 women between 2006 and 2012. Police abuse of women often included gender-based violence and torture. This abuse has violated international law, including the Convention on the Elimination of All Forms of Discrimination Against Women, and the domestic law of Pakistan. Male police officers entered women's houses, beat them in their homes, and tore their clothes in public. Female police officers were usually not present. When police in Faisalabad abused women, they beat them comparably to the way they beat men. However, women were far more likely than men to be sexually assaulted, culturally humiliated, or forced to witness other people's torture. Interviews with victims also revealed that the police took significant steps to cover up their misconduct and that women were often afraid to report abuse, because they feared reprisal or harm to their reputations. The police have rarely been brought to justice, and victims are left without redress or apology. This report seeks to raise awareness of the prevalence of police brutality, including torture, in Faisalabad and to fuel efforts to reform police practices there and throughout Pakistan.

Endnotes

- ¹ JPP examined 1,867 Medico-Legal Certificates (MLCs), which provide a unique opportunity to assess police misconduct in Pakistan. MLCs are prepared by the Faisalabad District Standing Medical Board (DSMB), which was established by the government to conduct medical examinations in response to allegations of torture. The DSMB includes four government-appointed physicians. These physicians evaluate victims' allegations of police abuse and prepare MLCs, in which they record any physical marks, psychological trauma, or other signs of mistreatment. See *Policing as Torture: A Report on Systematic Brutality and Torture by the Police in Faisalabad, Pakistan*, JUSTICE PROJECT PAKISTAN & ALLARD K. LOWENSTEIN INTERNATIONAL HUMAN RIGHTS CLINIC 1 (2014) [hereinafter *Policing as Torture*].
- ² See *Policing as Torture*, at 1.
- ³ See, e.g., *Preserving and Collecting Forensic Evidence*, RAINN: RAPE, ABUSE & INCEST NATIONAL NETWORK, <https://www.rainn.org/get-information/aftermath-of-sexual-assault/preserving-and-collecting-forensicevidence>; *Medical Examination of the Rape Victim*, THE MERCK MANUAL FOR HEALTH CARE PROFESSIONALS, http://www.merckmanuals.com/professional/gynecology_and_obstetrics/medical_examination_of_the_rape_victim/medical_examination_of_the_rape_victim.html.
- ⁴ For further information on the legal standards—both domestic and international—prohibiting torture and police brutality in Pakistan, see *Policing as Torture*, at 23-27.
- ⁵ PAKISTAN CONST. art. 25.
- ⁶ *Ibid.* at art. 35.
- ⁷ Code of Criminal Procedure (1898), ch. V, § 48 (Pak.).
- ⁸ *Ibid.* at ch. V, § 52.
- ⁹ The Prisons Act (1894), ch. V, § 27 (Pak.).
- ¹⁰ *Ibid.* at ch. XI, § 46 (12).
- ¹¹ *Women Police Stations*, PUNJAB POLICE, <http://www.punjabpolice.gov.pk/womenps>.
- ¹² *Towards Empowerment: Women Complaint Units Set Up in 56 Police Stations*, THE EXPRESS TRIBUNE, July 25, 2013, <http://tribune.com.pk/story/581406/towards-empowerment-women-complaint-units-set-up-in-56police-stations/>.
- ¹³ See, e.g., *Police Training Program Rabta*, ROZAN, <http://www.rozan.org/rabta.php>; Hassan Abbas, *Stabilizing Pakistan Through Police Reform*, ASIA SOCIETY 7-8 (July 2012), available at http://asiasociety.org/files/pdf/as_pakistan_police_exec_sum.pdf.
- ¹⁴ Pakistan ratified CEDAW in 1996. However, under Pakistani law, ratification alone does not make a treaty directly applicable in domestic law. The CEDAW Committee's most recent report on Pakistan expressed concern that the Convention had not yet been fully incorporated into domestic law and that a number of laws continued to include provisions that discriminate against women. Committee on the Elimination of Discrimination Against Women, Concluding Comments of the Committee on the Elimination of Discrimination Against Women: Pakistan, U.N. Doc. CEDAW/C/PAK/CO/3, 38th Sess. (June 11, 2007).
- ¹⁵ See, e.g., Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 20378 (entered into force Sept. 3, 1981).

¹⁶ Committee on the Elimination of Discrimination Against Women, General Comment No. 19: Violence Against Women, ¶ 6, U.N. Doc. A/47/38, 11th Sess. (1992).

¹⁷ *Ibid.* at ¶ 1.

¹⁸ *Ibid.* at ¶ 24 (b).

¹⁹ *Ibid.*

²⁰ *Ibid.* at ¶ 24 (i).

²¹ *Ibid.* at ¶ 24 (t)(i).

²² *Ibid.*

²³ United Nations Rules for the Treatment of Female Prisoners and Non-Custodial Measures for Women Offenders (The U.N. Bangkok Rules), G.A. Res. 65/229, U.N. Doc. A/RES/65/229 (Dec. 21, 2010).

²⁴ See *Policing as Torture*, at 25-27.

