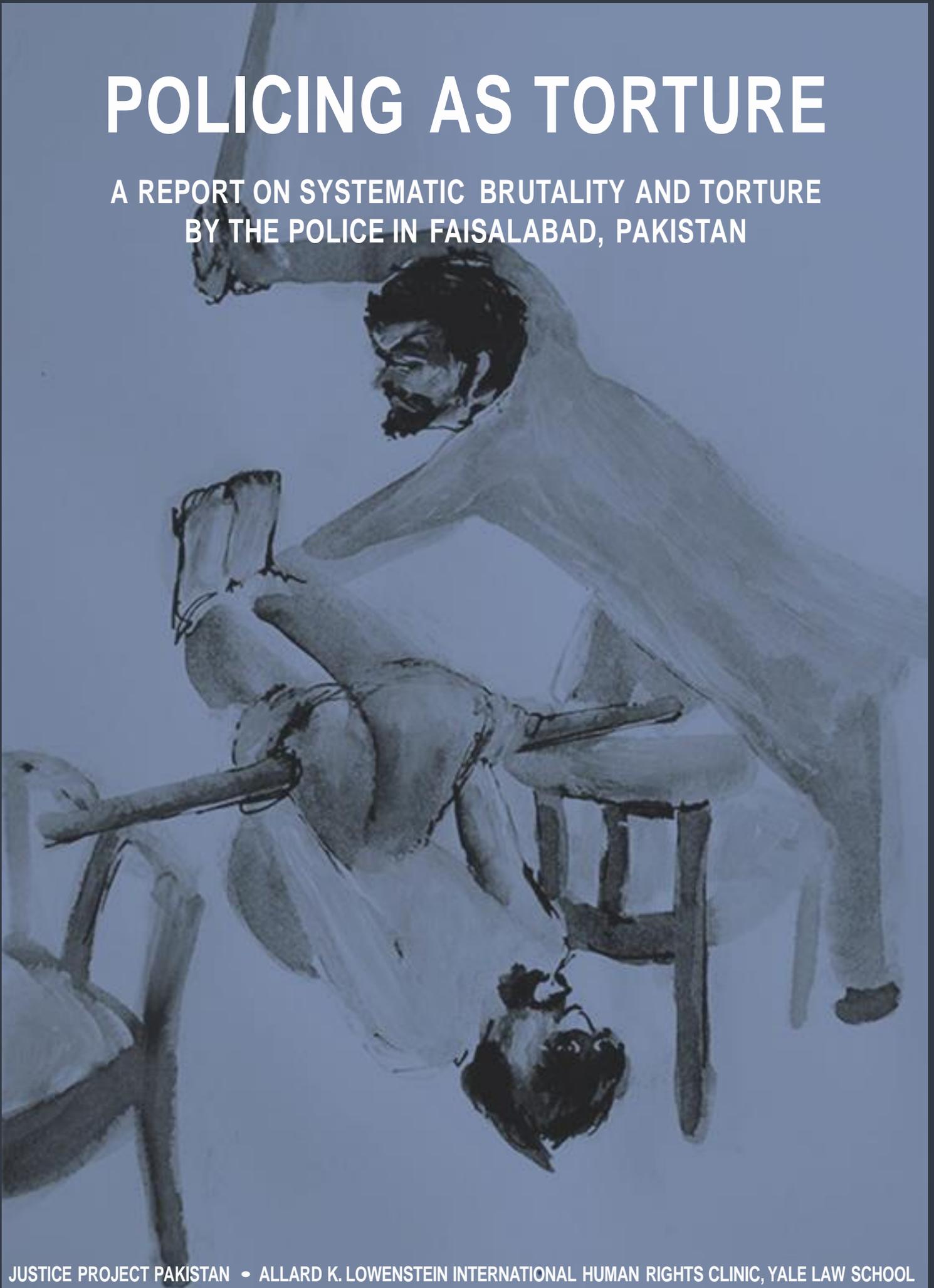


# POLICING AS TORTURE

A REPORT ON SYSTEMATIC BRUTALITY AND TORTURE  
BY THE POLICE IN FAISALABAD, PAKISTAN



## **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>.

# **POLICING AS TORTURE**

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**A REPORT ON SYSTEMATIC BRUTALITY AND TORTURE  
BY THE POLICE IN FAISALABAD, PAKISTAN**

Justice Project Pakistan

Allard K. Lowenstein International Human Rights Clinic  
Yale Law School

March 2014



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



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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.

We would like to thank Sandra Babcock, Joe Margulies, and Clive Stafford Smith for their support and guidance in this project. We would also like to thank Sara Khan for the illustrations used in this report.

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## GLOSSARY

**Cheera** – A stretching technique. Perpetrators make a victim sit and then stretch the victim's legs apart, either suddenly or gradually. Often, a perpetrator is behind the victim with a knee on his<sup>1</sup> back and pulling the victim's head back by the hair.

**Chittar** – A leather strap, about a meter long, used to whip victims. The chittar causes severe bruising, lacerations, and lasting scars.

**Danda** – A thick wooden stick routinely carried by police officers and used to beat victims.

**Dolli** – A technique in which perpetrators tie one of the victim's wrists to his opposite foot. The perpetrators then hang a one- or two-kilogram weight around the victim's neck and make him walk or run long distances.

**Falaka/Falanga** – Perpetrators beat the soles of the victim's feet with a wooden stick. Because feet have a large number of nerve endings, this torture method can be particularly painful. Falaka/falanga can produce chronic pain and making walking difficult.<sup>2</sup>The method is often used because it leaves few scars and is thus difficult to detect.

**Jack** – Perpetrators force a victim's legs backwards until they touch the victim's back.

**Kursi** – Perpetrators hang the victim from a bar. The perpetrators tie the victim's wrists together and pass the bar between the victim's arms and behind the back of his legs. This method places stress particularly on a victim's forearms and legs but causes pain throughout his body as he swings from the bar.

**Manji** – There are two types of *manji*:

1. Perpetrators put the victim on a bed (*manji*) with his legs tied to one end, then place a second bed on top of the victim. They stretch the victim's arms over the top of the second bed and tie his hands to his feet.
2. Perpetrators tie the victim's right arm and leg to the *manji* and his left arm and leg to a second parallel *manji*, leaving his body suspended in the middle. They pull the two *manji* apart, stretching the victim's body and forcing his joints to sustain the entire weight of his body.

**Roola/Roller** – Perpetrators make the victim lie down, facing up, and place a roola—a long, thick bamboo or wooden rod—on top of him. A perpetrator sits or stands on either side of the rod to weigh it down. Two other perpetrators push or pull the rod over the victim's body, crushing him. The heavy pressure caused by men sitting on the rod causes extreme pain. It is particularly painful on the thighs. The method can cause lasting harm, including limiting victims' ability to walk for years after the torture and limiting a man's ability to have sexual intercourse.

**Strappado** – Perpetrators tie the hands of the victim behind his back. They tie a rope around his wrists and suspend him, hanging above the floor. Strappado can cause both arms to dislocate. Perpetrators sometimes add weights to the victim's body to intensify the effect and increase the pain.

## I. INTRODUCTION

Police brutality and torture are widespread and systematic in the Faisalabad District of Pakistan. The violence takes many forms. Police beat victims, hang them by their arms or feet for hours on end, force them to witness the torture of others, and strip them naked and parade them in public, damaging their basic human dignity. This conduct amounts to torture. In Pakistan, there has been a lack of documentation that would allow for a rigorous assessment of the prevalence of torture by the police.

This report fills that gap. 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. JPP obtained 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 set up 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 record any physical marks, psychological trauma, or other signs of mistreatment in MLCs. Physicians found conclusive signs of abuse in 1,424 of the 1,867 cases. In 96 other cases, physicians found signs indicating injury but required further testing to confirm the injury. The 1,867 MLCs represent only cases where victims were willing to come forward and allege mistreatment. There are likely many more victims of police brutality and torture in Faisalabad who were unwilling to come forward, make a complaint against the police, and have an MLC filed.

JPP conducted in-person interviews with victims identified in the MLCs. These interviews more fully captured the experiences of victims than the medical assessments alone could. A number of victims mentioned that they often hesitated to report abuse, due to fear of retaliation by the police or to the belief that a complaint would come to naught.

Police often subjected victims to multiple forms of abuse.<sup>3</sup> Tactics included *strappado*, where police hang the victim by his wrists, with his arms pulled behind his back. Police used *manji*, which involves tying the victim's arms and legs to a bed and stretching them. Faisalabad police also beat people's feet with clubs and sticks in a method known as *falaka/falanga*. Police also sexually assaulted victims in a variety of ways, such as shoving chili peppers into their anuses. The most common method, however, was physical beatings. For example, police dragged a pregnant woman into the street and kicked her with such force that she was knocked unconscious for two to three days. She suffered a miscarriage. In many cases, violence was so severe that it constituted torture.

Both Pakistani law and international law prohibit torture and other forms of abuse of prisoners. Pakistan's Constitution guarantees individual rights, including the right not to be tortured. Also, Pakistan's National Assembly has passed various statutes that outlaw police brutality and torture.

Internationally, 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 treaties outlaw torture and cruel, inhuman, or degrading treatment. The treaties impose duties on states to act affirmatively to prevent torture and punish perpetrators. As the rest of this report will show, these many legal protections have not been effective at preventing police abuse in Faisalabad.

The government of Pakistan has not undertaken the reforms necessary to address the prevalence and severity of police violence. The police often face no consequences and enjoy impunity for their abusive conduct. This lack of accountability not only robs victims of justice, but also perpetuates the pattern of police violence by keeping offending officers in the force and signaling to others that such behavior is acceptable.

This report seeks to provide a clear record of widespread abuse and torture that police carried out in Faisalabad from 2006 to 2012. Many of these abuses have gone unpunished, and there are strong reasons to suspect that abuses persist. The Pakistani government has obligations to stop these crimes and enact reforms to end systematic brutality and torture. Pakistan's Constitution and statutes, its obligations under international law, and basic principles of human dignity require no less.

## II. THE STRUCTURE OF POLICING IN PAKISTAN

In Pakistan, both federal and provincial agencies perform policing tasks.<sup>4</sup> Within the Pakistani federal government, nearly twenty major law enforcement agencies have responsibilities ranging from intelligence gathering to border and coast surveillance.<sup>5</sup> The provincial governments are responsible for basic law and order. Pakistan has four provinces: Balochistan, Khyber Pakhtunkhwa, Sindh, and the Punjab. This report focuses on Faisalabad, a city district in the Punjab.<sup>6</sup>

The Punjab is Pakistan's largest province. The Punjab police includes nine administrative "regions" and is headed by an Inspector General. Police headquarters are located in Lahore.<sup>7</sup> Punjab has more than six hundred police stations throughout the province.<sup>8</sup> It has the largest police force in the country, with approximately 177,635 personnel. There is approximately one police officer for every 529 people.<sup>9</sup> The Punjab police Force includes both members of the Punjab Provincial Police and members of the Police Service of Pakistan (PSP).<sup>10</sup> PSP officers serve in senior positions in the provincial police but remain employees of the federal government. PSP officers may be rotated around the four provinces.<sup>11</sup> The federal government has authority over appointments and transfers of PSP officers.<sup>12</sup>

Faisalabad City District has approximately six thousand police officers.<sup>13</sup> Faisalabad City District is part of the Faisalabad Policing Region in the Punjab. A City Police Officer (CPO) oversees the policing of Faisalabad City District.<sup>14</sup> The district includes 13 police stations. Inspectors are assigned to head police stations and are often known as the Station House Officer (SHO). Faisalabad also has a women's police station, staffed by female police officers and with services tailored to female victims of crime. The station is one of three women's police stations in Punjab province.<sup>15</sup>

### III. EVIDENCE OF POLICE BRUTALITY AND TORTURE

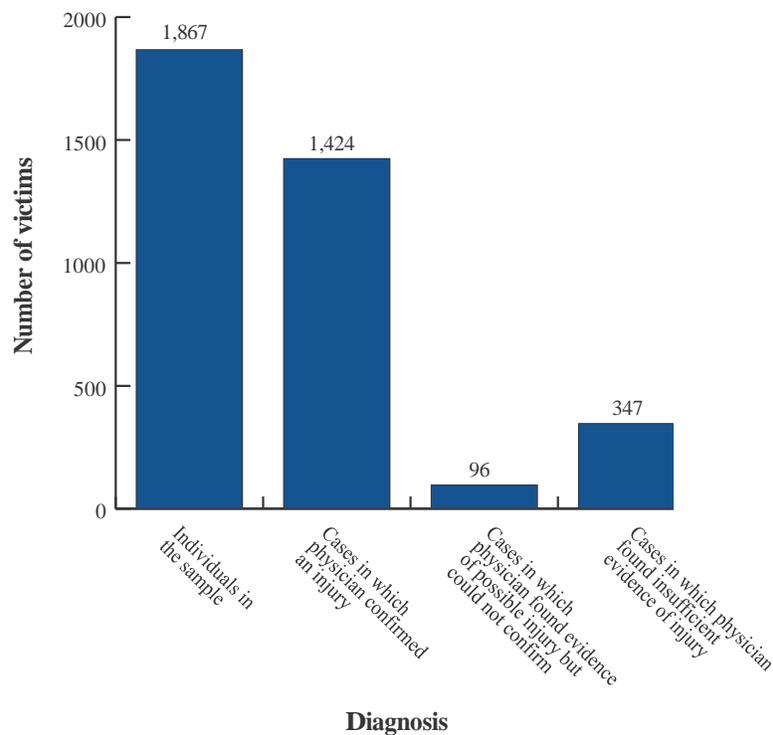
Police in the Faisalabad District have systematically committed torture and other brutality. To allege abuse by the police, a victim may bring a complaint before a magistrate and ask to be referred to the District Standing Medical Board (DSMB). The DSMB conducts medical examinations into allegations of torture or death of detainees while in police custody. The DSMB is made up of four physicians, who are government employees. These physicians evaluate the victim's allegations of abuse and document any physical or psychological signs of abuse in an MLC. JPP obtained 1,867 MLCs for physician evaluations carried out from 2006 to 2012 in the Faisalabad District. The physicians' assessments show 1,424 instances of police abuse. Table 1 and Figure 1 below provide a summary.

Abuse was likely even more widespread than the MLCs suggest. The 1,867 MLCs represent the total number of victims who were willing to come forward and make complaints against the police. After obtaining the MLCs, JPP contacted victims and their families to ask to meet with them in person. In some instances, victims explained to JPP that they had been reluctant to lodge complaints for fear of retaliation by the police. Thus, there are likely more victims of police abuse who did not have MLCs completed. Victims agreed to share their stories with JPP and the Lowenstein Clinic, elaborating upon the abuse documented in MLCs and explaining the impact of this abuse on their lives. Victims' names and other identifying details have been changed in this report to protect their privacy and safety.

**Table 1: Assessment of Injuries by Government-Appointed Physicians**

	<i>Total number</i>
Individuals in the sample. Each individual alleged mistreatment from 2006 to 2012	1,867 (100%)
Cases in which the physician confirmed an injury	1,424 (76%)
Cases in which the physician found evidence of a possible injury but could not confirm the injury (e.g., additional testing was necessary)	96 (5%)
Cases in which the physician found insufficient evidence of an injury	347 (19%)

**Figure 1: Assessment by Government-Appointed Medical Board**



The interviews and MLCs demonstrate that incidents of abuse were not isolated. The evidence shows that Faisalabad police abused at least 1,424 individuals in a span of just six years, strongly suggesting that police brutality and torture in Faisalabad is widespread and systematic. Police routinely subjected individuals to physical and psychological abuse, as summarized in Table 2 and Figure 2 and detailed in the sections below. Torture methods were varied and extreme: Police have beaten victims, suspended, stretched and crushed them, forced them to witness other people’s torture, put them in solitary confinement, subjected them to sleep and sensory deprivation, confined them to small spaces, exposed them to extreme temperatures, humiliated them by imposing culturally inappropriate or unpleasant circumstances, and sexually abused them. In a majority of the cases, physicians found scars, injuries, and other observable signs documenting the abuse. In others, physicians found significant evidence of injuries, but the physicians lacked the time or diagnostic tools to confirm that the victim suffered the injury. For instance, physicians often required additional testing to confirm sexual injuries. To confirm a sexual injury, physicians often had to take samples and send them for examination by a lab.

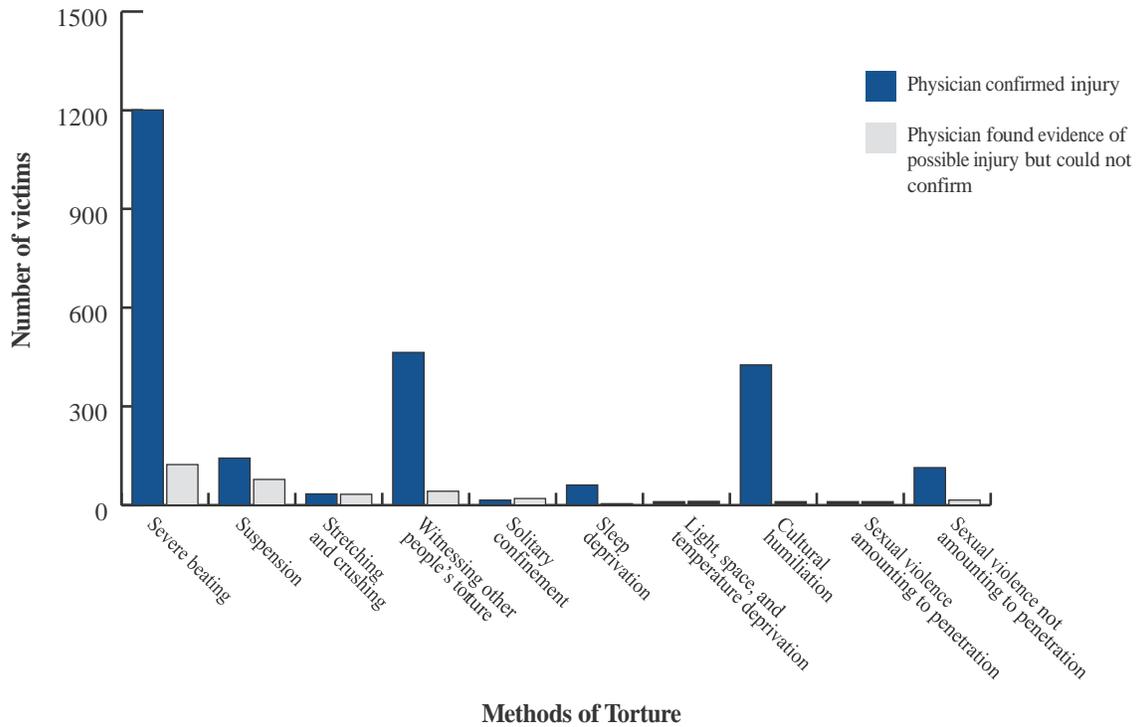
The evidence supplied by the MLCs and supplemented by victim interviews indicates that police brutality and torture is common and rampant in Faisalabad.

**Table 2: Prevalence of Torture Methods**

<i>Torture method</i>	<i>Cases in which physician confirmed an injury</i>	<i>Cases in which physician found evidence of possible injury but could not confirm</i>
Severe beating	1,201	123
Suspension	143	78
Stretching and crushing	34	33
Witnessing other people's torture	464	42
Solitary confinement	61	4
Sleep deprivation	15	20
Light deprivation, confinement to small spaces, or exposure to extreme temperatures	10	11
Cultural humiliation	426	10
Sexual violence amounting to penetration	10	10
Sexual violence not amounting to penetration	114	15

*Note: Many victims suffered from multiple methods of torture. So, one victim might appear in more than one row of Table 2.*

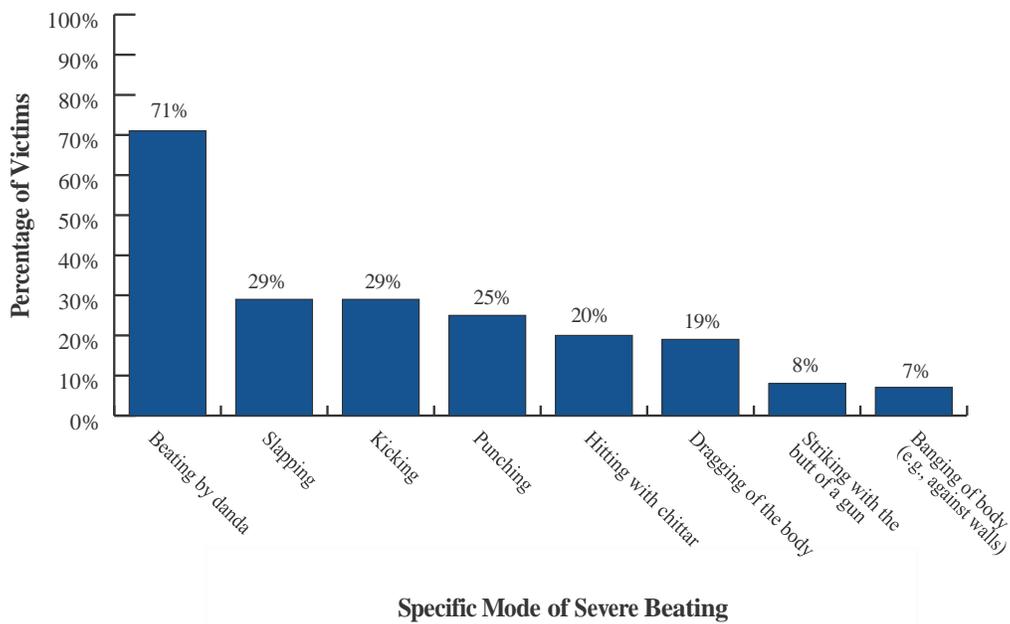
**Figure 2: Prevalence of Methods of Torture**



## A. Severe Beating

The MLCs reveal that the most common form of torture by the police in Faisalabad was severe beating. As Figure 3 below shows, these beatings included slaps, punches, kicks, whippings with leather objects, and beatings with blunt objects such as sticks, police batons, canes, and handgun grips. Physicians found that of the 1,867 victims identified in the MLCs, 1,201 had observable signs of having been beaten. Physicians found evidence of possible injuries for another 123 victims but could not confirm these injuries with certainty. A kick or slap in isolation might not amount to torture, but the cumulative effect of repeated beatings and the frequent combination of these assaults with other torture methods make the abuse severe.

Figure 3: Most Common Methods of Severe Beating



Note: A victim could be subjected to a severe beating by multiple methods. Percentages will not total 100.

## B. Suspension

Physicians found that 143 victims had been suspended by the police. Seventy-eight others had possible but unconfirmed signs of being suspended. As a general matter, suspension “can produce extreme pain, but [leave] little, if any, visible evidence of injury.”<sup>16</sup> In Faisalabad, the lack of physical evidence complicates the task of documenting victims’ allegations of this form of torture. Victims reported that police hung them from their hands and feet and used the *manji* and *strappado*, both of which are particularly extreme forms of suspension. In *manji*, police tie the victim’s right arm and leg to a rope cot and the left arm and leg to a second parallel cot, leaving the

body hanging in the middle; the cots are then separated further, forcing the joints to sustain the entire weight of the body. *Strappado*<sup>17</sup> consists of “suspending the victim with the forearms bound together behind the back, the elbows flexed ninety degrees and the forearms tied to a horizontal bar. Alternatively, police suspend the prisoner from a cord tied around his elbows or wrists with his arms behind his back.”<sup>18</sup> Another form of suspension involves “suspending a victim by the flexed knees from a bar passed below the popliteal region, usually while the wrists are tied to the ankles.”<sup>19</sup> Suspension can cause severe injuries. In the short term, victims may experience “weakness of the arms or hands, pain and parasthesias, numbness, insensitivity to touch, superficial pain and tendon reflex loss.”<sup>20</sup> Injuries may also include dislocations, continued muscle wasting, and damage to ligaments and nerves, leading to chronic pain.<sup>21</sup> Suspension is depicted in Figure 4 below.

**Figure 4: Suspension Torture Method**



### **C. Stretching and Crushing**

The MLCs show that 34 people had been subjected to stretching or crushing. Physicians found evidence of possible injuries for another 33 victims but could not confirm these injuries with certainty. Generally, the *cheera*, the jack, and the *roola*/roller all involve police officials stretching or crushing the limbs of victims to cause intense

pain. *Cheera*, or stretching, is a technique in which “[t]he victim is seated on the floor, often with an officer behind him with a knee in his back and pulling the head back by the hair. The legs are stretched apart, either suddenly or gradually, until they reach as much as 180 degrees. There is often a sound and sensation of tearing and, of course, the pain is excruciating.”<sup>22</sup> Similarly, the jack involves officers stretching the victim’s legs until they touch the victim’s back. The *roola/roller* involves police officers crushing the victim’s limbs with a wooden roller or a metal rod. As illustrated in Figure 5 below, officers apply a roller against the thighs and buttocks of the victim and sometimes stand on the roller to increase its weight. “The immediate effects are extensive bruising and inability to walk and even years later there is usually pain on walking far.”<sup>23</sup>

**Figure 5: Roola/Roller Torture Method**



#### **D. Witnessing Other People’s Torture**

In addition to directly torturing the victims, the Faisalabad police also forced 464 detainees to witness the torture of their friends, family members, or other prisoners. In 42 other cases, physicians found indications that, but could not confirm, victims had been forced to witness the torture of others. As a general matter, this psychological form of torture instills fear in the victims and can cause trauma with long-lasting effects that are not always readily detected. This includes cognitive impairments, depression, anxiety, and post-traumatic stress disorder.<sup>24</sup> Thus, the number of victims of this form of abuse may, in fact, be greater; others may have suffered it but did not have visible signs or did not report it to the physician.

## **E. Solitary Confinement**

The MLCs document 61 individuals whom the police placed in solitary confinement, and that four others may have been as well. Generally, when police commit a prisoner to solitary confinement, he cannot contact other human beings, including other prisoners, for prolonged periods of time.<sup>25</sup> Solitary confinement can result in psychological trauma, including “depression, anxiety, difficulties with concentration and memory, hypersensitivity to external stimuli, hallucinations and perceptual distortions, paranoia, suicidal thoughts and behavior, and problems with impulse control.”<sup>26</sup> The UN Committee Against Torture has encouraged states to abolish solitary confinement.<sup>27</sup>

## **F. Sleep Deprivation**

Faisalabad police subjected 15 individuals to sleep deprivation. Physicians found evidence of possible sleep deprivation for another 20 victims but could not confirm these injuries with certainty. Generally, this form of psychological torture involves the police depriving victims of normal sleep for extended periods of time through such means as forcing them into extreme and painful positions or imposing sensory overload.<sup>28</sup> Captors using the method of sleep deprivation usually keep the victim awake for several days. Often, when the captors finally give the individual a chance to sleep, they suddenly wake him up.<sup>29</sup> Sleep deprivation is “known to cause mental harm [and] is calculated to disrupt the senses or personality.”<sup>30</sup> It causes “significant cognitive impairments, including deficits in memory, learning, logical reasoning, complex verbal processing, and decision-making.”<sup>31</sup> Even short-lived sleep deprivation can cause hallucinations, paranoia, and disorientation.<sup>32</sup> Sleep deprivation has been found to be correlated with decreased pain tolerance, which is particularly significant when police use it in tandem with physical torture.<sup>33</sup>

## **G. Light Deprivation, Confinement to Small Spaces, and Exposure to Extreme Temperatures**

Physicians found conclusive signs that ten individuals were subjected to light deprivation, confined to small spaces, or exposed to extreme temperatures. Eleven others showed possible but unconfirmed signs that the police had subjected them to these treatments. Generally, sensory deprivation, such as light deprivation, is “calculated to disrupt profoundly the sense and the personality”<sup>34</sup> and can result in “complete dependency” on prison officials, and even in the short term, can result in “inability to think or concentrate; anxiety; somatic complaints; temporal and spatial disorientation; deficiencies in task performance; hallucinations; and loss of motor coordination.”<sup>35</sup> Cramped confinement consists of placing an individual in a space so limited that it restricts his or her movement. It results in great discomfort and can aggravate other physical injuries. Subjecting prisoners to extreme temperatures, either heat or cold, can result in serious health consequences, including heat stroke, hypothermia, amnesia, and organ failure.<sup>36</sup> The UN Committee Against Torture has found that exposure to extreme temperature constitutes cruel, inhuman, or degrading treatment and, if severe, can constitute torture.<sup>37</sup>

## H. Cultural Humiliation

The MLCs document 426 victims who suffered cultural humiliation or other forms of psychological torture. In ten other cases, the MLCs showed possible but unconfirmed evidence of cultural humiliation. Cultural humiliation, as defined in the literature, consists of forcing victims to engage in or observe conduct that violates their cultural or religious rules or values. In one instance, for example, the police forced victims to strip nude and parade outside in front of their neighbors. In another instance, police dragged victims on the street and smeared mud on their faces. These techniques are designed to exploit victims' values and induce feelings of shame and guilt.<sup>38</sup> Although such treatment is ostensibly petty, appearing to be no more than ethnic or religious insults, such abuse can have profound effects on a victim, causing him to feel dishonored. Forcing a person to undergo treatment that is culturally humiliating is likely to affect the victim's social status within his family or community, cause the victim immense grief, and socially isolate him.

## I. Sexual Violence

The MLCs reveal that the police subjected victims to multiple forms of sexual violence. One form included anal and vaginal penetration with an object or another person's body part. The MLCs indicate that ten individuals experienced this type of violence, and physicians confirmed the allegations in each of these cases. For ten other individuals, physicians found significant evidence of penetration, but additional testing was needed for confirmation. The MLCs describe cases of the police raping both men and women and inserting chili powder into victims' anuses. In particular, women and children were victims. Physicians found evidence that two women may have been raped, but additional testing was necessary to confirm these claims. Among juveniles, physicians found and confirmed that one male under the age of 18 had been sexually penetrated. There was evidence that four more juveniles had been so harmed, but more testing was needed for confirmation.

The MLCs also indicate a significant number of instances of sexual violence that did not involve penetration of the victim. These acts included situations in which the police forced victims to strip naked or touched victims in an unwanted fashion. The MLCs indicate that 114 individuals suffered from confirmed instances of non-penetrative sexual violence. Physicians also found evidence of non-penetrative sexual violence for 15 additional victims, but further testing was required to confirm these violations.

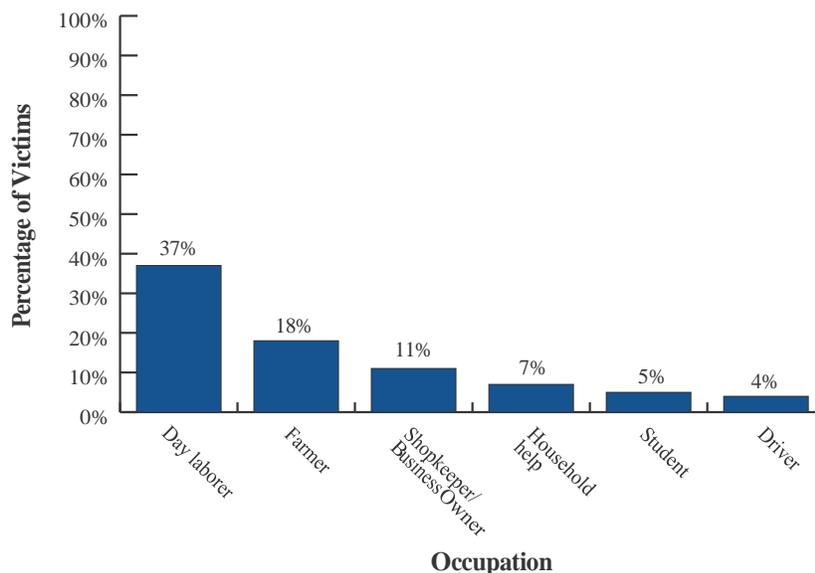
Sexual violence causes lasting harm. Victims of sexual violence often suffer from feelings of shame, guilt, and social isolation.<sup>39</sup> Indeed, sexual violence is often part of an overall attempt to degrade the victim.<sup>40</sup> Sexual violence can lead to a number of physical complications, including sexually transmitted diseases (STDs), incontinence or dysuria, pregnancy, miscarriages, abortion or vaginal hemorrhage, problems with sexual activity, including anal pain and bleeding, and constipation.<sup>41</sup> Sexual violence causes severe psychological problems and can lead to difficulty sleeping, nightmares, depression, and post-traumatic stress.<sup>42</sup> The cultural stigma that often attaches to someone who is a victim of sexual violence can add to the victim's trauma. For both genders, being a victim of rape can lead to ostracism from the community.<sup>43</sup> In interviews, victims described how having been sexually violated caused them to be stigmatized and limited their marriage options. The stigma that attaches to people who have been sexually tortured is often a barrier that prevents victims from reporting the abuse or seeking redress.<sup>44</sup>

## IV. STORIES OF TORTURE

The raw data from the MLCs cannot capture the full impact of torture on individual victims' lives, but interviews that JPP conducted helped provide a more complete picture of the short- and long-term effects of torture. Several troubling patterns emerged from the interviews with victims:

- F The police generally tortured people who were already vulnerable, including the poor. As shown in Figure 6, for example, victims tended to have low-income occupations, such as day laborer, farmer, shopkeeper or business owner, household help, student, or driver.
- F Police subjected individuals to multiple forms of torture. In their interviews, victims often described being subjected to many types of torture, including severe physical abuse, sexual assault, and various tactics that degraded them and damaged them psychologically.
- F The effects of torture lasted long after the abuse had ended. Victims often described long-standing physical pain and harms to their reputation in the community and to their financial standing. For example, victims expressed fear that having been abused by the police would bring shame upon their families. In some instances, victims felt their businesses would suffer as others in the community would be reluctant to work for them or to patronize their businesses. In addition, some victims worried that the shame associated with the abuse would endanger their children's prospects for marriage.
- F Police took steps to hide abuses, suggesting they recognized that their conduct was unlawful or morally wrong or that they were afraid criminal charges would be filed against them. In some cases, the police offered victims bribes not to press charges. In others, police tried to apologize after the torture had ended. Police occasionally threatened or intimidated victims in order to get them not to report abuse.

**Figure 6: Most Common Occupations Among Victims**



*Note: Chart represents the most common occupations. Percentages will not total 100.*

## ALI

*Ali, a poor man, was accused by the police of stealing cattle. According to Ali, the police were working at the behest of a powerful local landowner. Ali's story shows how wealth and class distinctions can make the poor especially vulnerable to official abuse. Members of marginalized groups are less likely to have the social clout or financial capacity to bring a case to court or hold the police accountable in other ways.*

Ali, a truck driver, was accused of stealing cattle from a local landowner. The police arrested him. During questioning, Ali insisted he was not guilty. The cattle had disappeared overnight, and Ali said he had been working the entire evening; he told the landowner that the owner of the truck he drove could confirm this.

The landowner led a crowd to Ali's home and accused him of stealing the cattle. The landowner then detained Ali for an entire day without food, refusing to let him go until he returned the stolen cattle. That evening, the police arrived to arrest Ali and his brother. The police took the brothers to a canal, where the police beat them for four or five hours with wooden sticks. After the beating, the police took the men to a farm, where they beat them with a *chittar* throughout the night. During the abuse, the police forced Ali to remain squatting naked, with his head between his legs and his hands wrapped behind the back of his legs, causing him great physical pain and humiliation.

The police detained Ali, based on the allegation of theft, for at least 29 days. They did not file their initial report until 11 days after they took Ali into custody. Throughout the detention, the police tortured him in a variety of ways. They took him to a police facility, where they used the *kursi* method and beat him with a *danda* for thirty minutes at a time. He was not allowed to go to the bathroom and had to urinate while still in the *kursi* position. The police also beat him with wooden sticks, hitting him in the testicles and causing his penis to bleed. Ali had to be admitted to the hospital. After ten days of detention, Ali's injuries were so severe that the police officer in charge of the station, not wanting to be responsible for Ali's death—as he explained to other officers—ordered him transferred to another facility. Police took Ali to a private house and then to another police station. There, they kept Ali in a hot, stuffy room without any fan or lighting. It was the middle of the summer. The torture continued. The police applied the *manji* method for periods of two hours at a time. They also used the *dolli* method.

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**The police used the dolli method to torture Ali. The MLCs confirm that eight victims were subjected to the dolli method of torture. In fifteen other cases, there was significant evidence, but not confirmation, that victims had been subjected to the dolli method.**

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Throughout Ali's incarceration, the police threatened that they would torture his family unless he confessed to the theft. The police also visited his family's home on many occasions to harass them for information regarding the stolen cattle. The family insisted that they were innocent. They owned a small plot of land, and the police tried to extort them into surrendering the property. According to Ali, the landowner also intimidated neighbors to prevent them from testifying in Ali's defense.

The police released Ali after he finally obtained bail. He obtained a medical evaluation and lodged a complaint. Ali did not inquire to see if his complaint resulted in any action against the police, as he feared what the landowner

or police might do to his family if he continued to press the issue. In 2013, nearly two years after the incident, he was still suffering from back pain as a result of the injuries he had sustained while in police custody.

## NOOR

*The police abused Noor in ways that she believed were vindictive. Years before, the police had killed her husband. In 2011, the police tortured Noor and members of her family with impunity. Failure to adequately supervise the police heightens the risk of this kind of abuse of authority to settle scores or exact vengeance.*

The police tortured Noor, an elderly woman, and publicly humiliated her and her family. Years before, the police had killed Noor's husband after he had allegedly killed a policeman who had been harassing the family. In 2011, officers in civilian clothing came to arrest Noor's adolescent son, Kareem, and an adult male relative. The police did not specify any charge and refused to show any form of identification to prove that they were police officers. A fight ensued, and the police called for back-up support. More than ten officers arrived and broke down the gates to the family home, forcing their way in. They beat Noor and her young daughters with bamboo whips and batons. The officers grabbed Noor, her daughters, and her father-in-law and dragged them out into the streets, where they publicly humiliated them, smearing mud over their faces and beating them in front of the neighbors.

Noor said of the incident, "The neighbors watched us being beaten in our home. They saw the girls crying and begging for mercy. The police kicked the children around like footballs, while they punched us older women, beating us to a pulp." One daughter was beaten unconscious. The officers then ordered Noor's son, Kareem, to run away, but he did not. Noor suspected that the police ordered him to run away because they could then justify shooting him on the pretense that he had been trying to escape. Noor told JPP that she begged the police to spare her child, but they yelled back that he was the "offspring of a snake" who did not deserve pity. According

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**The police culturally humiliated Noor and her family, smearing mud on their faces and beating them in front of their neighbors. The MLCs provide evidence of 426 cases of cultural humiliation or other forms of psychological torture.**

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to Noor, they then took Kareem and his relative to the police station. Kareem was later charged with drug possession and was sentenced to six months' imprisonment. In Noor's interview with JPP, she maintained that her son was innocent.

Noor filed a complaint about the police raid and mistreatment but has obtained no relief. When she approached a police official, he told her, "Go commit suicide. No one is going to listen to you." She registered a case of police torture against the

Station House Officer (SHO)—the officer in charge of the police station—who had abused her and her family, but the new SHO suppressed the case. The SHO who committed the abuse was never summoned to court, and the case never moved forward. Noor reported to JPP that the financial setback and humiliation the family endured prevented Noor from finding husbands for her daughters, who were well past marrying age in Pakistan. After the raid, the police continued to harass Noor and her family, arresting various members of the family on fabricated accusations.

## USMAN

*The police detained and tortured Usman until someone paid a significant bribe for his release. The practice of securing cash payments from the family and friends of torture victims is an abuse of authority to which poor people with no resources or connections are particularly vulnerable.*

Usman was a day laborer who earned a living by performing miscellaneous tasks for a rich and powerful man in the area. One day, his employer accused him of stealing cattle. The employer detained Usman for a day and beat him. He then turned Usman over to the police, who detained and tortured him.

The police held Usman at the police station for one day and night. They applied the *strappado* by hanging him from the ceiling three times, for 10 to 15 minutes each time, until he fell unconscious. Each time, they revived him with water and resumed the torture. Throughout the *strappado*, the police demanded that Usman tell them where he had taken the cattle. Usman told JPP, “I was, however, innocent and really didn’t know.”

Late at night over the course of an hour, the police applied the *manji* three times. They stretched his limbs for five to six minutes at a time and then laid him on the floor. With shouts and threats, the police demanded that Usman confess to a crime he insisted he did not commit. The police stripped him naked and beat him with a *chittar*, hitting him repeatedly on the buttocks.

The police then transferred Usman to another police station for more questioning. The police blindfolded him and asked about the cattle. During an interview with JPP, Usman described the situation: “I was under so much pressure at that point because I couldn’t see and expected to be beaten with a baton after every question they asked me.” The police threatened Usman, telling him they would bring rope to hang him. He was constantly afraid he would be killed.

The police asked for bribes from both Usman and his family, threatening that if the bribes were not paid, they would further torture Usman and perhaps kill him. While Usman was incarcerated, the police forced him to watch and hear other prisoners being tortured. The police threatened that they would do the same to Usman and that they would torture him if he did not pay the bribe. They illegally detained Usman for more than a month without registering an initial police report or charging him. Eventually, the police released Usman after his family sold their house to pay Usman’s employer a substantial bribe—amounting to more than a year’s wages for a laborer in Pakistan—to pardon him for the alleged theft.

Usman lodged a complaint with a local magistrate and received a medical evaluation. However, paying the bribe ruined him financially and made it impossible for him to afford to follow through with his complaint. As of 2013, he was still suffering from lingering effects of the torture and detention—both economically and due to the physical pain he continued to feel in his back, arms and legs.

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**The police used the strappado method on Usman three times. The MLCs confirmed that 34 victims were subjected to the strappado. In 43 other cases, there was significant evidence, but not confirmation, that victims had been subjected to the strappado.**

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## WASIF

*The police tortured Wasif and his friend over the course of four days in order to extract a confession. Other victims interviewed by JPP reported that the police had tortured them in various ways to force them to confess to crimes. Using torture or cruel, inhuman, or degrading treatment to elicit a confession violates international and Pakistani law.*

Wasif and his friend Bilal were sitting outside a shop on a hot summer day when police approached them. The police arrested the two men and took them to an unknown house. When Wasif denied having been involved in the robberies, the police began torturing him to induce a confession. When Wasif spoke with JPP, he knew the name of the police inspector who ordered his men to torture him but did not know the individual police officers.

The police detained Wasif and Bilal for four days in a small, dark room in the house. The police provided food to the men only once over the course of four days. This detention took place in the middle of summer, and the room in which the two men were kept was extremely hot—temperatures reach up to 45°C in Faisalabad in the

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**The police applied the roola/roller to Wasif three times during his detention. The MLCs confirm that 27 victims were subjected to the roola/roller method of torture, while 28 others showed possible, but not confirmatory, signs that they too had the roola/roller used on them.**

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summer. There was little or no ventilation, and the police cut all the electric wires in the room so that the fan and lighting could not be switched on. Throughout the detention, the police threatened Wasif. They insisted that he confess to the robbery and threatened that if he did not, they would falsely accuse his brother of robbery as well.

Throughout the four days, the police tortured Wasif and Bilal in a number of ways. They repeatedly beat them with a *danda* and a *chittar*. The police also burned Wasif's skin with cigarettes in a number of places. The police officers stuck needles into the soles

of Wasif's feet. One needle broke, part of it remaining lodged in his foot. Police also subjected Wasif and Bilal to the *kursi*, *manji*, and *roola/roller* methods of torture. Four officers used the *roola/roller* on Wasif three times during his detention. They rolled it all over his body from his feet to his chest for four or five minutes at a time. The police crushed Wasif so badly with the *roola/roller* that he still felt severe pain all over his body two weeks later. Finally, the police suspended Wasif with the *strappado*, dislocating his arms. The pain Wasif felt while being tortured was so acute that it caused him to fall unconscious many times during the course of the four days. During Wasif's detention, he was deeply afraid he would be tortured to death. Bilal, who was also severely tortured by the police, became extremely ill while incarcerated. At one point during the abuse, Bilal began spitting blood.

The extreme physical pain Wasif and Bilal experienced throughout the torture was compounded by the sexual humiliation to which they were both subjected. The police stripped both men naked and then tortured them in front of each other. At one point, officers strung Wasif up in the *kursi* position while he was naked. A police officer with a plastic bag covering one of his hands inserted red-hot chilies into Wasif's anus. The frequent presence of a guard who watched their abuse heightened Wasif and Bilal's humiliation.

After four days at the house, the police took Wasif and Bilal to the police station. The police kept the men at the station for nearly two weeks before presenting them to a court. Ultimately, Wasif and Bilal confessed to a number of thefts. The two men were then jailed for an additional several months.

Wasif continued to suffer even after his release. The police threatened Wasif's father when the father tried bringing a case against the police. The police repeated their threat that they would arrest Wasif's brother in a fake robbery case if the father pursued legal action against the police. Wasif's father was afraid for his other son and withdrew the case. At the time of his interview with JPP, Wasif's arms still ached in the winter as a result of the damage done by the *strappado* hanging.

## SHAHBAZ

*The police subjected Shahbaz to various types of torture, including beatings and sexual assault and humiliation. His abuse was so severe that it left him paralyzed. Shahbaz's story is not unique. In many instances, the police used several forms of torture on a single victim. Abuse often ran the gamut from the infliction of physical pain to humiliation to psychological abuse.*

The police detained Shahbaz for six days. For three days, they continuously tortured him at an undisclosed location, and for the other three, they kept him at a police station. A man had accused Shahbaz and Shahbaz's brother of being involved in a crime. The police identified Shahbaz's brother as a suspect but did not find any evidence against either of them and thus initially dismissed the case. No one ever filed a criminal complaint against Shahbaz. When the investigation continued, however, several police officers arrested Shahbaz, his brother, and another man.

Police arrested the men early in the morning, blindfolding them and taking them to what Shahbaz believed was a deserted house. Once at the house, the police first tied up the men, placing a baton beneath their legs to force them into a sitting position. As Shahbaz explained to JPP, "The hot weather that day added to our intense discomfort, and we cried bitterly." The room was completely dark, and the police gave the men only small amounts of water that they had to drink with their tied hands.

The police gave the men food, but Shahbaz explained to JPP that that the men "were not in any condition to eat it." One of the three fell unconscious and had to be admitted to a hospital.

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**Shahbaz's injuries were so severe that he was left paralyzed from the waist down.**

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The police used various techniques to inflict pain on Shahbaz.

Initially, police hung him by his feet from a tree and beat him. Later they hung him from his arms, dislocating both shoulders. The police beat him with a *chittar*, causing heavy swelling to his head. They also applied the *kursi* and *falaka/falanga* methods. Later, police stretched Shahbaz's body between two beds using the *manji* method. He lost consciousness. The police revived Shahbaz with water but started beating him again when he regained consciousness.

The police also sexually abused and humiliated Shahbaz. They kept him naked during his detention. The police applied a metallic rod with an electric current to Shahbaz's penis, causing him to pass out from the pain. While Shahbaz was hung from the tree, the police tied his penis with a thread and used it to pull and play with his genitals. Throughout the torture, the police forced Shahbaz's brother to witness the abuse. The police did not inform Shahbaz's family of his whereabouts during his detention. The family was left to worry, having no idea what was happening to him or when he would be released.

This abuse has deeply affected both Shahbaz and his family. When JPP spoke with Shahbaz, he still suffered physical and financial hardships as a result of the torture. After the three days of torture, the police transported Shahbaz to a police station, where he spent another three days receiving medical treatment. He also received a medical checkup at a hospital. Nevertheless, the injuries were so severe that Shahbaz has been left paralyzed from the waist down. Seven years after the abuse, he was still on daily medication for injuries and ailments caused by the torture.

At the time Shahbaz interviewed with JPP, his paralysis prevented him from working to support his family, which includes several children who were attending university. His condition also prevented him from visiting his brother, who, at the time of the interview with JPP, was still in jail. Shahbaz explained to JPP that he has had to spend a great deal of money on his case in court and on his medical treatment. His friends encouraged him to file an action against the police, but he was afraid to do so, especially because of his weak physical condition.

## FAROOQ AND AADIL

*Farooq and Aadil suffered long-term consequences as a result of their abuse, including permanent physical impairment and social harm. Like Farooq and Aadil, other victims reported to JPP that their abuse affected their entire families and many aspects of life, including physical well-being, business opportunities, and marriage options.*

Faisalabad police beat and arrested Farooq, Aadil, Aadil's brother Naveed, and a friend in 2011. In interviews with JPP, Farooq and Aadil reported that they believed the arrest followed false accusations about Naveed made by his enemies. Farooq was staying at the home of Naveed and Aadil when the SHO and a large group of armed police officers in civilian clothing arrived at their home in the middle of the night while the family was asleep. The policemen climbed over the boundary walls and broke into the house.

At first, the family believed the police to be robbers. The officers began beating the men without explaining who they were or why they were there. Farooq, who was downstairs with Naveed and the other friend, told JPP that the police punched and kicked the three men and beat them with iron rods, a *danda*, and the butts of their guns. Farooq said that the police were "beating us like animals" and that "due to this torture, my back and neck were bleeding." The police searched them and took a large sum of money that one of the men was carrying for business purposes. Meanwhile, Aadil was upstairs with his family. Officers beat him in front of his wife and children, who were terrified. One officer kicked Aadil's wife with such force that she fell to the ground. They used abusive

language to threaten his wife and children and pointed loaded guns at them. They then looted the house. Other officers dragged Aadil by his hair and beat him “in [a] frenzy” until he was “almost faint.” According to Aadil, most of the officers smelled of alcohol and could not keep their balance.

According to Aadil, the SHO then ordered the officers to force all of the men to strip naked in front of the large gathering of people who had congregated outside their house. They tied the men’s hands with ropes and made them march naked to the local police station, which was nearly an hour’s walk. Aadil, Farooq, and Naveed were humiliated at having to march through the town naked, with their hands tied, as shopkeepers and passersby watched. The officers ordered the men to walk slowly, beat them with iron rods and with butts of their guns, and then, when the men slowed down, yelled at them to walk faster. When the men complied and started walking faster, the officers again beat them and ordered them to slow down. As Farooq explained, the march “was very inhuman, and we were treated in a way that was more brutal than the way one would behave with animals.”

When they reached the police station, Farooq and Aadil fell unconscious. According to Aadil, this was the first time the officers began to panic. The officers threw water over the men to revive them. The police then locked the men in one cell, where they illegally detained them for three days. The period of detention included a Friday, but the police refused to allow the men to say their Friday prayers.

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**The police tied the men’s hands with ropes and made them march naked to the local police station, which was nearly an hour’s walk. Aadil, Farooq, and Naveed were humiliated at having to march through the town naked, with their hands tied, as shopkeepers and passersby watched.**

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Following this detention and abuse, the police took the men to the Magistrates’ Court. The court observed the men’s severe injuries and ordered the police to take them for medical examinations.

Outside the courthouse, the police threatened the men with “serious consequences” if they told the judge about the abuse. The men initially feared saying anything to the judge. It took Aadil several weeks and the support of his family to overcome his fear and finally seek a medical examination. Farooq ultimately lodged a complaint against the police, but he told JPP that no legal actions had been taken against the officers.

Farooq and Aadil continued to maintain their innocence. When JPP interviewed him, Farooq stressed that the beatings and forced public nudity made him feel like an animal and brought dishonor on him and his family. Aadil explained that he suffered both physically and economically as a result of this abuse. Due to a blow to his ear, for example, he had trouble hearing. One of his fingers was still damaged, preventing him from performing his manual work properly. His business suffered as well because he had to close his shop during his illegal detention, leaving his family without any source of income. He was also concerned because the business of his shop depends on the “goodwill of the person who runs it.” He feared that the dishonor brought on him and his family by the incident had destroyed this goodwill. He reported to JPP that he worried that the consequences of the abuse will haunt his children in the future since they live in a society in which “marriage proposals of . . . children can be withdrawn due to such events.” Aadil expressed his belief that the public humiliation has destroyed his respectability and tarnished his reputation in society.

## HURIYA

*The police tortured Huriya and then went to great lengths to convince her to remain silent. These acts of post-abuse intimidation and bribery, which are common, suggest that the police understand that their brutal methods are wrong.*

Huriya and her husband were at home when the police barged in. A group of officers dragged the couple out into the open and began to beat and kick them. Huriya and her husband did not know what they had done to warrant this abuse. Huriya asked, “If we are culprits, tell us what the offence is that you are beating us up for.” The police yelled, “We shall tell you in court.”

The police repeatedly kicked Huriya and her husband. Wearing jackboots, the police struck the couple in the abdomen and back. Huriya was pregnant. She protested that she was carrying a child. But, she said in an interview,

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**On the day after the police attack, Huriya miscarried. She remained in a coma for two or three days following the attack.**

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“They took no pity and kept on abusing me.” The abuse continued for 10 to 15 minutes. Eventually, Huriya fell unconscious. The police stopped and left. Huriya’s family carried her, unconscious, to the Faisalabad hospital. Eventually, the family learned that the police thought Huriya and her husband had committed acts of theft. The couple denied the charges.

On the day after the attack, the hospital found that Huriya had miscarried. She remained in a coma for two or three days following the attack. Huriya later lodged a complaint with the magistrate and took steps to launch an investigation.

The police offered Huriya money in exchange for not pressing charges. When Huriya and her family refused, the police began to make threats. The police accused Huriya and her husband of theft and pressured the couple to drop their complaints in exchange for being left alone. Huriya denied the allegations of theft and continued to press charges. She registered a case against the police, but, because she was unable to afford the lawyer’s fees, the case went no further.

## ASLAM

*When the police tortured Aslam, they moved him to a number of detention facilities. These frequent transfers suggest that the police knew they were breaking the law and wanted to hide their crimes.*

Aslam was traveling when police stopped the bus at a checkpoint. The police searched Aslam and found that he was carrying an illegal weapon. Aslam explained that the weapon was for protection because his family was feuding with another group that had threatened Aslam. He produced a police report detailing an earlier crime that was related to the dispute and supported his belief that he needed to carry a weapon.

The police detained him and took him to a police station. The police beat him with bamboo whips, causing serious injury to his head. Then, the police moved him to other stations, where they beat him again. Aslam was blindfolded and taken to yet another station, where he was detained for more than a week.

At the last station, the police did not torture him. He believed the officers feared visits from senior police officials who would discover their misconduct. The police took Aslam to a cell in a nearby village to torture him. In interviews with JPP, Aslam said that the police hired men to commit the torture. One man forced Aslam to do extreme physical exercise while he beat him with bamboo sticks. He applied *strappado* to Aslam three times. Aslam said that “they hung me to the roof with my hands tied back for a long time.” The treatment resulted in severe injury to Aslam’s shoulders and back muscles.

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**Aslam was subjected to the manji method of torture. The MLCs provide evidence that 13 other victims were subjected to the manji method. In 24 other cases, there were possible, but not confirmed, injuries from the manji method.**

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The torturers also applied the *manji* method. Aslam described how the police tied his legs and arms to the corners of a bed. According to Aslam, he was “in agony,” as the suspension caused “pains to all parts of [his] body.” Then, the police applied the jack technique. Aslam explained, “They laid me on a bed with my face downward and then made my feet forcefully touch [the back of] my head.”

The police also used the *roola/roller* method. Two police officers held Aslam against a wall. Two other officers pressed a bamboo rod against the back of Aslam’s thighs, and rolled the bamboo up and down repeatedly. The police applied this *roola/roller* treatment for 10 to 15 minutes. They also beat Aslam with batons and a *chittar* for 25- to 30-minute spells.

After Aslam’s arrest, the police held him at several detention sites and tortured him repeatedly. The police used the *strappado*, *manji*, *roola/roller* method, batons, and *chittar*. The police also repeatedly uttered “vulgar abuse” and “used racially disgraceful remarks.” At one point, the police made Aslam watch as they tortured other people. The experience was disorienting. Aslam said, “After looking at some men being tortured and thinking about myself, my mind became senseless.”

Aslam was detained for more than a week. During the detention, he managed to convince someone at the station to notify his brother that he was being detained. A court bailiff eventually compelled his release. Aslam soon filed charges with the magistrate and received a medical evaluation. His injuries persisted long after the release.

## SALMAN

*After Salman was tortured by the police, he filed charges with the local magistrate who ordered that the offending police officers be suspended. However, the police then approached Salman through religious figures in the community to ask forgiveness. Salman felt compelled to comply. Situations similar to Salman’s provide one example of the informal pressures victims face when seeking redress.*

Salman and his school-aged nephew were traveling. It was after dusk, the route was dangerous, and Salman was concerned. Salman carried a rifle for protection. Salman kept the license for the rifle at home. When the police stopped him and his nephew at a checkpoint, they accused Salman of illegal possession of a weapon. Salman protested, insisted he had a license, and offered to have his brother bring it.

The officers rejected Salman's offer of proof. They demanded a payment from Salman. Salman told interviewers that the police officers "asked me to give them a . . . bribe to release me." Salman refused, and the police threatened to charge him with illegal possession of a weapon for the purposes of terrorism. The police took Salman to a police station. After 15 minutes, they took him to a backroom that Salman described as a "torture cell."

Four officers tortured Salman. They applied the *falaka/falanga* method, beating his feet repeatedly with wooden batons. Police often employ this method because it does not leave lasting marks. But clear evidence of Salman's beating remained. He said that his feet "swell[ed] up badly," and "I couldn't even walk properly." Salman said that the police also "slapped me and used vulgar language" and insisted that "if I did not pay them the bribe, they would involve me in other charges."

The torture session lasted an hour and a half. The injuries eventually became so severe that the police stopped, and the SHO ordered the officers to treat Salman's injuries. The police detained Salman for the rest of the night. His cell was crowded, cold, and "suffocating," and he was unable to sleep.

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**The police abused Salman through the *falaka/falanga* method of torture, repeatedly beating his feet. According to the MLCs, 79 victims were abused through the *falaka/falanga* method. The MLCs also show possible, but not confirmed, injuries from the *falaka/falanga* in 28 other victims.**

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The police released Salman the next day. He filed charges with the magistrate. The magistrate initiated a medical examination and ordered that the police officers responsible be suspended. Through a religious figure in the community, the police approached Salman and asked for forgiveness, implicitly acknowledging their wrongdoing. Salman said that not only he, but also his family, suffered. He talked of "trying to rebuild our prestige," having lost

respect from the community as a result of the torture incident. Salman said he forgave his assailants because the religious leader ordered him to do so. But he also insisted in an interview that "there must be an independent body . . . not under the police to inquire and investigate such incidents of torture."

## V. LEGAL STANDARDS AND BARRIERS TO OBTAINING REDRESS

As this report has documented, torture and other abuse by the Faisalabad police are widespread and systematic. Both international and domestic Pakistani law prohibit the use of torture and brutality by the police. International law also requires the state to punish perpetrators and provide opportunities for victims to seek compensation and hold their torturers accountable. However, as the interviews show, victims of torture in Pakistan face significant barriers when seeking redress for the harms they have suffered at the hands of the police. This section first describes the legal standards that prohibit the use of torture in Pakistan. Then, the section discusses the obstacles—institutional, legal and practical—that victims face when seeking redress. For some victims, the strongest barriers are their fear of reprisal from the police, direct threats from police officers, or their fear of harm to their or their family's reputation. Problems within the legal system also make it difficult to hold police members to account. Pakistan's laws must more clearly penalize perpetrators of torture and must provide simpler processes for victims seeking redress. Independent oversight of the police must be strengthened to ensure that abuses will be fully investigated and in order to change police culture. Police leadership must communicate to all officers that no forms of abuse or retaliation will be tolerated. Torture and other abuses appear to be entrenched within the structure and culture of the Faisalabad police. Bringing an end to these widespread violations—by deterring police from further abuse, punishing perpetrators and ensuring victims are treated justly—will require a great deal of change.

### A. Legal Standards

Pakistan has ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the International Covenant on Civil and Political Rights (ICCPR).<sup>45</sup> Both treaties strictly forbid the use of torture and cruel, inhuman, or degrading treatment. These international conventions not only forbid the use of torture, but also impose a duty to take positive actions to prevent its occurrence and punish those who perpetrate it. Pakistan's Constitution also explicitly forbids the use of torture. Several Pakistani statutes prohibit the use of torture and excessive force by police officers.

#### 1. *International Law*

International law prohibits torture and cruel, inhuman, or degrading treatment. Under both the CAT and the ICCPR, Pakistan, as a party to the treaties, has an obligation to adopt all measures to prevent and to punish acts of torture and cruel, inhuman, or degrading treatment.

Torture is defined as:

[a]ny act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based

on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.<sup>46</sup>

The U.N. Special Rapporteur on Torture has explained that torture constitutes a horrible attack on human dignity.<sup>47</sup> International law also prohibits the use of cruel, inhuman, or degrading treatment that does not fully meet the definition of torture.<sup>48</sup>

State Parties to the CAT are required to take measures to prevent any act of torture or cruel, inhuman, or degrading treatment in their territory.<sup>49</sup> States are obligated to ensure that education and information regarding the prohibition against torture and cruel, inhuman, or degrading treatment are included in the training of law enforcement personnel.<sup>50</sup> According to the Human Rights Committee, the body established by the ICCPR to monitor states' compliance with its provisions, each state has a duty to "afford everyone protection through legislative and other measures as may be necessary against the acts prohibited."<sup>51</sup> The Committee has stressed that each state must adopt administrative and judicial measures to prevent and punish acts of torture.<sup>52</sup>

Under the CAT and the ICCPR, states have an obligation to provide adequate redress to victims of torture and cruel, inhuman, or degrading treatment. The CAT requires the state to guarantee that "any individual who alleges he has been subjected to torture . . . has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities."<sup>53</sup> States must ensure prompt and impartial investigations into allegations of torture and cruel, inhuman, or degrading treatment.<sup>54</sup> The CAT also requires states to ensure that victims of torture obtain redress and full compensation for any acts of torture they suffer. Similarly, the Human Rights Committee has emphasized that "states may not deprive individuals of the right to an effective remedy, including compensation and such full rehabilitation as may be possible."<sup>55</sup> As a party to both the CAT and the ICCPR, these obligations are binding on Pakistan.

## *2. Domestic Law*

Pakistan's Constitution and several statutes forbid torture. The Constitution includes a number of fundamental rights that entail protection from police abuse.<sup>56</sup> The Constitution guarantees security of the person,<sup>57</sup> protects the dignity of people and the privacy of the home,<sup>58</sup> and provides safeguards during arrest and detention, including the right to be informed of the reason for arrest, the right to consult a lawyer, the right to a fair trial, and the right to due process.<sup>59</sup> In addition, Article 14(2) of the Constitution prohibits torture to extract evidence.<sup>60</sup> The Constitution of Pakistan provides narrower protections against torture than international standards.<sup>61</sup> The CAT, for example, prohibits torture for any purpose, including to gain information or a confession from someone, to punish someone, to intimidate or coerce someone, or for any reason that is based on discrimination. The Constitution of Pakistan prohibits only torture used for the purposes of interrogation.

A number of statutory guarantees also provide protection against police brutality and torture in Pakistan. For example, the Penal Code prohibits a public servant from knowingly disobeying the law and acting in a way that would injure another person.<sup>62</sup> The Penal Code also prohibits wrongfully confining someone or injuring

someone in order to extort a confession.<sup>63</sup> Anyone found “using torture to extort a confession can be imprisoned for up to ten years.”<sup>64</sup> The Criminal Procedure Code requires police to conduct house searches in the presence of two or more witnesses.<sup>65</sup> Any confession made in police custody is inadmissible in court.<sup>66</sup> The Police Order of 2002 imposes penalties, including fines or imprisonment for up to five years, on police officers who torture or abuse a person in their custody.<sup>67</sup> The many formal legal protections against police abuse, however, are often not enforced.<sup>68</sup>

For victims of torture who successfully persuade a court that the police abused them, court-ordered remedies are, as a matter of law, available. A judge may order any of three remedies: (1) reinvestigation of any criminal charges against the victim (for victims who were formally charged with a crime), (2) monetary compensation, and (3) criminal charges against the accused police officers.<sup>69</sup> However, cases alleging torture are extremely difficult to litigate, and, as described below, victims often face barriers even to lodging a complaint.

## **B. Barriers to Redress**

There are significant barriers to redress for victims of torture in Pakistan. Institutional, legal, and practical barriers make it difficult to implement real reform. The complex structure of policing agencies in Pakistan makes reform challenging. The unwieldy nature of the laws prohibiting torture make it difficult for victims to succeed in cases alleging torture. Finally, extra-legal concerns, including direct police threats or victims’ fear of reprisal for reporting abuse, may lead victims not to bring complaints in the first place.

### *1. Lack of Independent Police Oversight*

Police departments operate with little or no oversight by independent institutions, and anecdotal evidence suggests that there is a culture in many police departments that ignores or belittles victims’ grievances. For example, in one of the narratives above, Noor approached the Deputy Superintendent of Police with her complaint about police mistreatment, but he told her to commit suicide and that no one would listen to her. She registered a case of police torture against the SHO who had abused her and her family, but the new SHO suppressed the case.

Pakistan does not have any independent state-sponsored mechanism for investigating or documenting allegations of torture.<sup>70</sup> Pakistan’s provincial police forces have engaged in excessive violence and abuse that has been well documented.<sup>71</sup> The Pakistani public perceives the police as corrupt and brutal.<sup>72</sup> In public opinion surveys, Pakistanis routinely rank the police as one of the most corrupt organizations in Pakistan.<sup>73</sup> The Punjab police have also conducted assessments that confirm the police force’s lack of credibility with the public and the need to improve the force’s image.<sup>74</sup>

The Police Order of 2002 established the organization of the provincial police force in Punjab.<sup>75</sup> Pakistan’s President Pervez Musharraf issued the Police Order in 2002. The Order was promulgated partially in response to widespread recognition of various abuses of authority and had the stated objective of making the police publicly accountable, professionally efficient, and responsive to the needs of the community.<sup>76</sup> By the late 1990s, public confidence in the police force was at an all-time low, with complaints ranging from routine neglect and incompetence to institutionalized and widespread corruption.<sup>77</sup>

In 2004, President Musharraf amended the Order, greatly weakening its potential for police reform. Under the amendments, for example, the provincial government selects the Provincial Police Officer after reviewing recommendations from the federal government, not from the National Public Safety Commission (NPSC), as was the process under the original Order. The removal of the NPSC from the process of selecting the PPO means that the recommendations given to the provincial government are not vetted by an independent body, thereby increasing the likelihood that politics will play a role in the selection.<sup>78</sup> The amendments also weakened the mechanisms for registering complaints against police. Under the original Order, a separate Police Complaints Authority (PCA) existed at the provincial level and reviewed complaints from individuals, the DPSC, and the Head of District Police. The 2004 amendments merged the PCAs with the public safety commissions—two bodies that were established for different functions—thereby eliminating a body dedicated solely to accepting complaints at the provincial level.<sup>79</sup>

The Order's provisions have not been fully implemented. For example, under the Order, public safety commissions, which were to include both elected and appointed members, are to exercise oversight of police units at the district, provincial, and national levels.<sup>80</sup> The Police Order 2002 created accountability mechanisms for reporting police abuse.<sup>81</sup> At the district level, the Police Order established District Public Safety and Police Complaints Commissions (DPSPCC). The purpose of these commissions is to prevent the police from engaging in unlawful acts, including torture. Only a few of the commissions, however, have been established in Pakistan, and those that exist lack enforcement mechanisms and have had very little impact.<sup>82</sup> The commissions typically lack binding enforcement mechanisms. The Faisalabad Public Safety Commission has not been in operation since 2005.<sup>83</sup> At the provincial level, the Provincial Public Safety and Police Complaints Commissions (PPSPCC) are tasked with coordinating the DPSPCCs and prosecuting allegations of torture. Very few PPSPCCs are functioning; the Punjab PPSPCC has not met for the past five years.<sup>84</sup>

## *2. Legal Barriers*

Although the Pakistani legal system prohibits torture, the complicated nature of the laws and the multiple sources from which they are drawn make torture and police-abuse claims difficult and time-consuming to litigate.<sup>85</sup> One weakness is that there is not a consolidated source of law for the prohibition against torture. Rather, relevant laws are scattered in the Constitution, statutes governing criminal law and procedure, regulations on police and prisons, and executive orders. Relevant statutes, regulations and orders include the Pakistan Penal Code 1860, the Criminal Procedure Code 1898, the Quanan-e-Shahadat 1984, High Court Rules and Orders, Police Order 2002, Police Rules 1934, Prisons Act 1894 and Pakistan Prison Rules 1978. Different sources and provisions of law are relevant at different stages of arrest and imprisonment. In some instances, the provisions are contradictory. For example, the Criminal Procedure Code and the Constitution each allow for prisoners to petition for the writ of habeas corpus. Neither of these habeas provisions refers to the other, and the procedural requirements of each are different from those of the other.<sup>86</sup> Moreover, for habeas applications to be successful, lawyers must also bring charges, under the Penal Code and the Police Order 2002, against the police officers concerned. As a result of this legislative disarray, few victims—or their lawyers—have the resources to effectively litigate torture cases. In order to make it feasible for victims of torture to secure redress through the legal system, these laws must be reviewed, clarified and improved.<sup>87</sup>

Victims often have difficulty proving allegations of torture. For example, when a victim presents a torture claim to a court, the court often requires a police report substantiating the torture allegation. Victims have to file a First Information Report (FIR) at a police station if they wish to allege a crime has been committed. Police often delay filing or refuse to file reports containing allegations of torture by police.<sup>88</sup> The police use various tactics to delay registering FIRs, and the delays can prejudice cases. However, if police significantly delay registering a FIR, a victim of torture may directly approach a magistrate to register a complaint.<sup>89</sup> In addition, under the Police Order 2002 (s.35), a lawyer can file a complaint if he or she believes the client has been tortured.

Torture usually takes place during the initial stages of an arrest. Thus, a lawyer who visits a client in detention is more likely to secure evidence of torture and be able to bring it promptly to the attention of a magistrate than a lawyer who is contacted after a victim is released. If a lawyer contacts a victim after release from detention, there is a risk that visible signs of torture will have faded and that it will be more difficult to prove allegations of abuse. However, lawyers in Pakistan seldom visit people in police custody.

### *3. Practical Barriers*

Many victims of torture face barriers to redress that are outside the legal system. For some victims, extra-legal concerns may be the strongest barriers to redress. For example, many people fear reprisals from the police if they report abuse. Others are directly threatened by the police.

Shahbaz, whose abuse is described above, was afraid to file an action against the police. When Wasif's father tried to bring a case against the police, the police directly threatened him, saying they would arrest Wasif's brother in a fake robbery case if the family pursued legal action. The police tried to bribe Huriya not to bring a case against them. When his family refused, the police began to threaten family members. The stories of Wasif, Shahbaz, and Huriya are not unique. Other victims interviewed by JPP said that the expense of bringing a case to court was a barrier to seeking justice through the legal system. Still others noted that they feared harm to their or their family's reputation after reporting the abuse. These victims prefer that the public not know they had been mistreated and abused by the police, so going to court to complain of torture is an unattractive option.

## VII. CONCLUSION

The pervasiveness of police brutality and torture in Pakistan is no secret. There is a general perception that Pakistani police are corrupt and that justice is elusive. This fosters an atmosphere of impunity for torture that has persisted, in part, because of the lack of convincing documentation of acts of torture and because victims face significant barriers to redress.

This report offers evidence, unprecedented in Pakistan in its scale and reliability, that Faisalabad police have routinely abused and tortured their suspects and detainees. Using 1,867 MLCs, as well as individual interviews of victims, JPP and the Lowenstein Clinic were able to analyze 1,424 allegations of police abuse that occurred from 2006 to 2012 in the Faisalabad District of Pakistan. The MLCs and narratives consistently demonstrate that (1) the police typically tortured people who were already vulnerable, (2) police tended to use combinations of various torture methods on victims, (3) victims suffered long-term effects of torture, and (4) police often took steps to hide their abuses.

The Pakistani government has failed to take effective measures to prevent police brutality and torture and to punish perpetrators. Although Pakistan has ratified treaties prohibiting the use of torture, it has taken few steps to implement its international obligations not only to refrain from torture, but also to prevent it. The government has failed to define torture in relevant national laws, to coordinate the various pieces of existing legislation that prohibit torture, and to provide victims meaningful redress.

In this report, JPP and the Lowenstein Clinic have provided an overview of police mistreatment in Faisalabad and its effects on victims. This is the first in a series of reports that JPP and the Lowenstein Clinic will release. Others will describe the impact of abuse by the Faisalabad police on two particularly vulnerable groups: women and children. JPP and the Lowenstein Clinic hope that these reports will not only raise awareness of the prevalence of police brutality and torture, but also provide an impetus for reform.

## APPENDIX

This appendix describes the evidence that serves as the basis for findings of unlawful police abuse and torture. The first source is a set of 1,867 Medico-Legal Certificates (MLCs). The second source is a set of interviews conducted by JPP with individual victims whose treatment is documented in the MLCs.

The Medico-Legal Certificates are medical evaluations of allegations of abuse. When victims reported police mistreatment, a magistrate could refer the victims to a District Standing Medical Board. The Board consisted of four government-appointed physicians. For each victim referred to the Board, a physician conducted a medical evaluation and documented the results in an MLC. The MLC contains the victim's allegations and the physician's assessment of physical, psychological, and other observable conditions.

JPP read each MLC and entered its contents into a database. The MLC form instructed the physician to make a variety of assessments and to document them in a standardized way. Some of the questions on the MLC form asked physicians to write descriptions or qualitative assessments. For example, the form asked the physicians to note the "Kind of weapon used / Poison suspected" or "Possibility of fabrication." The MLC form also allowed physicians to mark the location of injuries on a diagram and to record notes about sizes and measurements. JPP read the observations in the MLCs and entered them in a computerized database. The database permitted JPP and the Lowenstein Clinic to evaluate the injuries and abuse in the aggregate.

JPP coded two variables that feature prominently in this report. First, JPP created a variable that indicated whether the physician confirmed the presence of an injury. Most victims alleged that they had been mistreated, and physicians looked for evidence of beatings, psychological deprivation, or other abuse. For each victim, the physician noted whether there were marks or other evidence of abuse. Often, this assessment was recorded in paragraph form or on a diagram. JPP denoted in the database whether the alleged injury was confirmed, possible but not confirmed, or not present. Generally, JPP noted an alleged injury as possible but not confirmed in situations in which the physician did not have the tools or time to fully assess the allegation. For example, when a victim alleged sexual mistreatment, confirmation required special tools and diagnostics. The physicians recorded the allegation and wrote that follow-up testing was required.

Second, JPP noted the method of torture the police had used on each victim. The MLC form asked the physician to describe the injuries and to mark the location on a diagram. JPP read these descriptions and diagrams and created several categories for methods of torture used by the police. It was common for a single victim to have experienced multiple methods of torture. The Lowenstein Clinic summarized the methods of torture in Table 2 and Figure 2 (in Section III).

The second source of evidence in this report is a set of in-person interviews. After JPP obtained the MLCs, it interviewed individual victims identified in the MLCs. During these interviews, JPP explained that it wanted to educate the public about the prevalence of mistreatment and then obtained consent from each individual to publish his or her story. This report contains narratives only from victims who consented to having their stories published. To protect victims' privacy and, in particular, to protect them from retaliation, this report withholds victims' names and identifying details.

## ENDNOTES

<sup>1</sup> As most victims of police brutality and torture in Faisalabad were male, the male pronoun is used throughout the glossary. However, victims also included females.

<sup>2</sup> U.N. Office of the High Commissioner for Human Rights, Istanbul Protocol Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, at 39, U.N. Doc. HR/P/PT/8/Rev.1, U.N. Sales No. E.04.XIV.3 (2004) [hereinafter Istanbul Protocol].

<sup>3</sup> See Glossary for definitions of forms and implements of torture used by the Faisalabad police.

<sup>4</sup> Hassan Abbas, *Reforming Pakistan's Police and Law Enforcement Infrastructure: Is It Too Flawed to Fix?*, United States Institute of Peace 4 (2011), <http://www.usip.org/sites/default/files/resources/sr266.pdf>.

<sup>5</sup> *Id.*

<sup>6</sup> Faisalabad is also the name of a policing “region” within Punjab that encompasses Faisalabad City District. Faisalabad city is also the major metropolitan area that gives Faisalabad City District its name. *Faisalabad Region*, Punjab police, <http://www.punjabpolice.gov.pk/fsbregion> (last visited February 7, 2014).

<sup>7</sup> *Police Formations*, Punjab police, <http://www.punjabpolice.gov.pk/policeformations> (last visited February 7, 2014).

<sup>8</sup> Abbas, *supra* note 4, at 5.

<sup>9</sup> *Annual Administration Report*, Punjab police Headquarters 9 (2011), <http://www.punjabpolice.gov.pk/system/files/Annual%20Admin%20Report-2011.pdf> [hereinafter *Annual Administration Report*].

<sup>10</sup> *Id.*

<sup>11</sup> Abbas, *supra* note 4, at 5.

<sup>12</sup> *Id.* at 8.

<sup>13</sup> *Strength*, Faisalabad Police, <http://www.faisalabadpolice.gov.pk/userPage.aspx?p=Strength> (last visited January 25, 2014).

<sup>14</sup> *Organizational Chart*, Faisalabad Police, [http://www.faisalabadpolice.gov.pk/userPage.aspx?p=Org\\_Chart](http://www.faisalabadpolice.gov.pk/userPage.aspx?p=Org_Chart) (last visited February 7, 2014).

<sup>15</sup> *Women Police Stations*, Punjab police, <http://www.punjabpolice.gov.pk/womenps> (last visited February 7, 2014).

<sup>16</sup> Istanbul Protocol, *supra* note 2.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

- <sup>19</sup> *Istanbul Protocol Model Medical Curriculum: Crushing and Stretching Injuries*, Physicians for Human Rights (2009), <http://phrtoolkits.org/toolkits/istanbul-protocol-model-medical-curriculum/module-4-torture-methods-and-their-medical-consequences/torture-methods/suspension/> [hereinafter *Crushing and Stretching Injuries*].
- <sup>20</sup> Istanbul Protocol, *supra* note 2.
- <sup>21</sup> *Id.* at 39-40.
- <sup>22</sup> *Crushing and Stretching Injuries*, *supra* note 19.
- <sup>23</sup> *Id.*
- <sup>24</sup> See, e.g., Metin Basoglu, *Psychiatric and Cognitive Effects of War in Former Yugoslavia: Association of Lack of Redress for Trauma and Posttraumatic Stress Reactions*, 294 J. Amer. Medical Assoc. 580 (2005).
- <sup>25</sup> *Istanbul Protocol Model Medical Curriculum: Prolonged Isolation and Sensory Deprivation*, Physicians for Human Rights (2009), <http://phrtoolkits.org/toolkits/istanbul-protocol-model-medical-curriculum/module-4-torture-methods-and-their-medical-consequences/torture-methods/prolonged-isolation-and-sensory-deprivation/> [hereinafter *Prolonged Isolation and Sensory Deprivation*].
- <sup>26</sup> *Id.*
- <sup>27</sup> Committee Against Torture, Decision on Admissibility: Helle Jensen v. Denmark ¶ 5.6, U.N. Doc. CAT/C/32/D/202/2002 (May 5, 2004).
- <sup>28</sup> *Istanbul Protocol Model Medical Curriculum: Sleep Deprivation*, Physicians for Human Rights (2009), <http://phrtoolkits.org/toolkits/istanbul-protocol-model-medical-curriculum/module-4-torture-methods-and-their-medical-consequences/torture-methods/sleep-deprivation/>.
- <sup>29</sup> *Leave No Marks: Enhanced Interrogation Techniques and the Risk of Criminality*, Physicians for Human Rights 22-24 (2007), <https://www.humanrightsfirst.org/wp-content/uploads/pdf/07801-etn-leave-no-marks.pdf>.
- <sup>30</sup> *Id.* at 24.
- <sup>31</sup> *Id.* at 22.
- <sup>32</sup> *Id.* at 22, 23.
- <sup>33</sup> *Id.*
- <sup>34</sup> *Prolonged Isolation and Sensory Deprivation*, *supra* note 19.
- <sup>35</sup> *Id.*
- <sup>36</sup> *Istanbul Protocol Model Medical Curriculum: Temperature Manipulation*, Physicians for Human Rights (2009), <http://phrtoolkits.org/toolkits/istanbul-protocol-model-medical-curriculum/module-4-torture-methods-and-their-medical-consequences/torture-methods/temperature-manipulation/>.

<sup>37</sup> Rep. of the Committee Against Torture, Sept. 10, 1997, ¶ 257, U.N. Doc. A/52/44; GAOR, 52nd Sess., Supp. No. 44 (1997).

<sup>38</sup> *Istanbul Protocol Model Medical Curriculum: Sexual Humiliation*, Physicians for Human Rights (2009), <http://phrtoolkits.org/toolkits/istanbul-protocol-model-medical-curriculum/module-4-torture-methods-and-their-medical-consequences/torture-methods/sexual-humiliation/>.

<sup>39</sup> *Id.*

<sup>40</sup> “*We Will Teach You a Lesson*”: *Sexual Violence Against Tamils by Sri Lankan Security Forces*, Human Rights Watch 39 (2013), [http://www.hrw.org/sites/default/files/reports/srilanka0213webwcover\\_0.pdf](http://www.hrw.org/sites/default/files/reports/srilanka0213webwcover_0.pdf) [hereinafter “*We Will Teach You a Lesson*”].

<sup>41</sup> *Id.* at 40; *Istanbul Protocol Model Medical Curriculum: Sexual Assault*, Physicians for Human Rights (2009), <http://phrtoolkits.org/toolkits/istanbul-protocol-model-medical-curriculum/module-4-torture-methods-and-their-medical-consequences/torture-methods/sexual-assault/>.

<sup>42</sup> “*We Will Teach You a Lesson*,” *supra* note 40, at 40.

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> International Covenant on Civil and Political Rights, Dec. 16, 1966, 999 U.N.T.S. 171 [hereinafter ICCPR]; Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, 1465 U.N.T.S. 85 [hereinafter CAT].

<sup>46</sup> CAT, art. 1 (further specifying that torture “does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”); *see also* ICCPR, art. 7 (“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”).

<sup>47</sup> Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *Study on the Phenomena of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in the World, Including an Assessment of Conditions of Detention*, Human Rights Council, ¶188, U.N. Doc. A/HRC/13/39/Add.5 (Feb. 5, 2010) (by Manfred Nowak).

<sup>48</sup> CAT, art. 16.

<sup>49</sup> CAT, art. 2.1 (“Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.”); CAT, art. 16.1 (“Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture.”).

<sup>50</sup> CAT, arts. 10, 16.

<sup>51</sup> Human Rights Committee, General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment) ¶ 1, U.N. Doc. HRI/GEN/1/Rev.9 (Vol. I) (Mar. 10, 1992).

<sup>52</sup> *Id.* ¶ 8.

<sup>53</sup> CAT, art. 13.

<sup>54</sup> CAT, arts. 12, 16.

<sup>55</sup> Human Rights Committee, General Comment No. 20: Article 7 (Prohibition of Torture, or Other Cruel, Inhuman or Degrading Treatment or Punishment) ¶ 15, U.N. Doc. HRI/GEN/1/Rev.9 (Vol. I) (Mar. 10, 1992).

<sup>56</sup> Other relevant sources of law regarding torture include The Rules and Orders of the Lahore High Court, Lahore: Instructions to Criminal Courts (1996) (Pak.); The Chief Executive's Order No. 22 (2002) (Pak.) [hereinafter Police Order of 2002]; The Punjab police Rules of 1934 (Pak.); The Prisons Act of 1894 (Pak.); Pakistan Prison Rules of 1978 (Pak.), Pakistan Extradition Act of 1972 (Pak.); The Pakistan Army Act of 1952 (Pak.); Parliamentarians Commission for Human Rights, *Torture in Pakistan: A Lawyer's Handbook* 6 (2012).

<sup>57</sup> Pakistan Const. art. 9 (“No person shall be deprived of life or liberty save in accordance with law.”).

<sup>58</sup> *Id.* art 14 § 1 (“The dignity of man and, subject to law, the privacy of home, shall be inviolable.”).

<sup>59</sup> *Id.* art 10.

<sup>60</sup> Mehboob Pervez Awan, *Civil Liberties, Human Rights, Constitutional Protection* 72-73 (2003).

<sup>61</sup> Parliamentarians Commission for Human Rights, *supra* note 56, at 9.

<sup>62</sup> Pakistan Penal Code (1860), ch. XV, § 166 (Pak.).

<sup>63</sup> Pakistan Penal Code (1860), ch. XVI, §§ 337-K, 348 (Pak.).

<sup>64</sup> Pakistan Penal Code (1860), ch. XVI, § 337-K (Pak.).

<sup>65</sup> Code of Criminal Procedure (1898) (Pak.); Parliamentarians Commission for Human Rights, *supra* note 56, at 10-11.

<sup>66</sup> Qanun-e-Shahadat Order (1984) (Pak.); Parliamentarians Commission for Human Rights, *supra* note 56, at 11.

<sup>67</sup> Police Order of 2002, ch. XVII, § 156 (Pak.).

<sup>68</sup> “*We Can Torture, Kill, or Keep You for Years*”: *Enforced Disappearances by Pakistan Security Forces in Balochistan*, Human Rights Watch 23 (2011), <http://www.hrw.org/sites/default/files/reports/pakistan0711WebInside.pdf>.

<sup>69</sup> Parliamentarians Commission for Human Rights, *supra* note 56, at 32-36.

<sup>70</sup> *Id.* at 3.

<sup>71</sup> See, e.g., Sikander Ahmed Shah et. al., *Police Order 2002: Police Reforms in Pakistan*, in *Devolution and Governance: Reforms in Pakistan* 221 (Syed Mubashir Ali & Muhammad Amjad Saqib eds., 2008); Abbas, *supra* note 4, at 9, 25; *Reforming Pakistan's Police*, International Crisis Group 1-4, 9 (2008), [http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/157\\_reforming\\_pakistan\\_s\\_police.pdf](http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/157_reforming_pakistan_s_police.pdf) [hereinafter *Reforming Pakistan's Police*].

<sup>72</sup> Abbas, *supra* note 4, at 9.

<sup>73</sup> *Pakistan, National Corruption Perception Survey 2011*, Transparency International 6 (2011), <http://www.transparency.org.pk/report/ncps2011/ncps2011.pdf> (showing that the police were ranked the most corrupt institution in Pakistan in 2009 and 2010, and the second most corrupt institution in 2011).

<sup>74</sup> Jam Sajjad Hussain, *Police Plan Steps to Restore Public Confidence*, *The Nation*, Nov. 2, 2010, <http://www.nation.com.pk/lahore/02-Nov-2010/Police-plan-steps-to-restore-public-confidence>.

<sup>75</sup> *Annual Administration Report*, *supra* note 9, at 9.

<sup>76</sup> *Reforming Pakistan's Police*, *supra* note 71, at 6.

<sup>77</sup> *Id.*

<sup>78</sup> Sanjay Patil, *Feudal Forces: Reform Delayed: Moving from Force to Service in South Asian Policing*, Commonwealth Human Rights Initiative 58 (2008), [http://www.humanrightsinitiative.org/publications/police/feudal\\_forces\\_reform\\_delayed\\_2010.pdf](http://www.humanrightsinitiative.org/publications/police/feudal_forces_reform_delayed_2010.pdf).

<sup>79</sup> *Id.*

<sup>80</sup> Abbas, *supra* note 4, at 9, 17.

<sup>81</sup> *Id.* at 9.

<sup>82</sup> *Reforming Pakistan's Police*, *supra* note 71, at ii.

<sup>83</sup> Abbas, *supra* note 4, at 9.

<sup>84</sup> *Police Organisations in Pakistan*, Human Rights Commission of Pakistan & Commonwealth Human Rights Initiative 31 (2010), [http://www.humanrightsinitiative.org/publications/police/police\\_organisations\\_in\\_pakistan.pdf](http://www.humanrightsinitiative.org/publications/police/police_organisations_in_pakistan.pdf).

<sup>85</sup> Parliamentarians Commission for Human Rights, *supra* note 56, at 3.

<sup>86</sup> Code of Criminal Procedure (1898), ch. XXXVII (Pak.); Pakistan Const. art. 199(1)(b)(i).

<sup>87</sup> Parliamentarians Commission for Human Rights, *supra* note 56, at 3.

<sup>88</sup> *Id.*

<sup>89</sup> *Id.* at 14-15.



