



Pakistan – Researched and compiled by the Refugee Documentation Centre of Ireland on 4 September 2013

Reports on the police and/or the judiciary being vulnerable to bribes.

The Introduction to a report from the Institute for Social Policy and Understanding states:

“The police infrastructure is one of Pakistan’s most poorly managed organizations. It is aptly described as ill-equipped, poorly trained, deeply politicized, and chronically corrupt.” (Institute for Social Policy and Understanding (April 2009) *Police & Law Enforcement in Pakistan: Crucial for Counterinsurgency and Counterterrorism Success*, p.7)

In a section headed “Lack of funds and Corruption” this report states:

“According to Transparency International’s ‘Global Corruption Barometer 2007,’ the police are the most corrupt public sector agency in Pakistan.²⁷ It has only 350,000 police for a population of around 172 million, a ratio of 1:477. In the prevailing circumstances, the police frequently perform guard and VIP duties for an increasing number of foreign dignitaries, politicians, and officials, tasks that only further diminish its overall capacity. Earning around \$100 per month, low-ranking officers can hardly make ends meet. In my recent interview with a chief of police in an important and major Punjabi city, the officer stated that around a quarter of his force is directly involved in crime – a claim substantiated by his arrest of many police officials under his command.” (ibid, p.13)

An International Crisis Group report, in a section titled “Corruption”, states:

“Police officers agree that there is widespread corruption, from petty bribery at the lower rungs of the hierarchy to more substantial graft at the top. In an attempt to justify their force’s shortcomings, they blame the government for failing to take action and also for not addressing its own shortcomings. ‘How can corruption in the police go down when people known to be corrupt are made its bosses?’ asked an officer. ‘Many in the police, particularly those at the bottom of the pile, feel that when those at the top are making money right, left and centre, what incentive is there for them to remain clean?’ This is certainly no justification, but those at the top of the police hierarchy must understand that police professionalism and efficiency and the force’s public image are badly tarnished by such practices.” (International Crisis Group (14 July 2008) *Reforming Pakistan’s Police*, p.13)

See also International Crisis Group which, in a section titled “Prosecutors”, states:

“With public prosecutors widely perceived as incompetent, if not corrupt, victims of crime or their relatives often solicit private counsel to prosecute a

case. The private party is deeply invested in the outcome of the case but handicapped by a very limited capacity to collect evidence. 'Police will shirk their duty [in such cases]', said a prominent Lahore-based senior advocate. 'They feel it is not their case, and will demand bribes to collect the evidence'." (International Crisis Group (6 December 2010) *Reforming Pakistan's Criminal Justice System*, p.18)

A report published by the Asia Society Independent Commission on Pakistan Police Reform, in a section titled "Police Corruption and Accountability", states:

"The police in Pakistan are perceived to be corrupt as a matter of course, and are thought to be largely, if not solely, responsible for the breakdown of law and order in the country and for the steady erosion of the criminal justice system. Apart from its effect on law and order, police corruption is also responsible for the weak prosecution of criminals, the failure of trial prisoners to appear in court, flawed court processing, and an alarmingly high rate of acquittal. Some have argued that police corruption merely reflects the corruption of Pakistani society at large." (Asia Society Independent Commission on Pakistan Police Reform (July 2012) *Stabilizing Pakistan Through Police Reform*, p.24)

In a paragraph headed "Political Interference in Policing" this report states:

"Among the factors working against transparent and honest policing in Pakistan, political interference is particularly pernicious. In the name of political expediency, successive Pakistani governments have used the police as a tool to suppress political opposition, while military rulers have used the police to stifle dissent. Corruption thrives in such an environment, in which the police are used as an instrument of suppression rather than a service to the people. The government not only tolerates corruption but actually encourages it, with an eye on short-term gains. Command-level officers are often chosen on the basis of their willingness to comply with illegal orders, flout the law, or harass political opponents. In exchange, the same officers are given license to indulge in corruption, with their illegitimate gains shared among fellow officers and their political masters. (ibid, pp.24-25)

The 2012 annual report from the Asian Human Rights Commission, in a paragraph headed "Flaws in Criminal Justice System, to the Detriment of Women", states:

"Pakistani citizens have to confront themselves with an untrustworthy justice system. Women in particular, have to deal with corrupted police staff members and other foul justice officers, who do not fulfill their duties in an ethical manner. Investigations on rape and other forms of violence against women are often faulty and intentionally carried out with feebleness. Police are also reluctant to file cases, as often those responsible of the reported crimes are affluent people. Therefore, victims are "invited" to withdraw their complaint under the suggestion of settlement offers. Furthermore, many times it is also the case of police officers who accept bribes from the accused parties in order to highly discourage victims to report violence. In doing so, they become themselves big culprits of the offense." (Asian Human Rights Commission (10 December 2012) *The State of Human Rights in Pakistan in 2012*)

The 2012 US Department of State country report on Pakistan, in “Section 4. Corruption and Lack of Transparency in Government”, states:

“Corruption within the lower levels of the police was common. A 2010 survey by Transparency International noted that the major cause of corruption was lack of accountability, followed by low salaries. Some police charged fees to register genuine complaints and accepted money for registering false complaints. Bribes to avoid charges were commonplace. Critics charged that appointments of station house officers were politicized. (US Department of State (19 April 2013) *2012 Country Reports on Human Rights Practices – Pakistan*, p.39)

This report also states:

“Anecdotal reports persisted about corruption in the judicial system, including reports of small-scale facilitation payments requested by court staff. Lower-court judges lacked independence, and superior court judges sometimes pressured them on how to decide a case. Lower courts remained corrupt, inefficient, and subject to pressure from prominent wealthy, religious, and political figures. Government involvement in judicial appointments increased the government’s control over the court system.” (ibid, p.39)

A UN Human Rights Council report, in a section titled “Budget and conditions of work” (paragraph 45), states:

“Over the last four to five years, a lot of commendable efforts have been made to improve the general conditions of work in the judicial system at all levels. For example, the salaries of judges of first instance courts have been substantially raised. According to the Ministry of Law, in a bid to fight and prevent corruption, judges are now the highest paid State officials in the country. According to many, the positive effect of the increase in salaries on combating corruption has yet to be seen.” (UN Human Rights Council (4 April 2013) *Report of the Special Rapporteur on the independence of judges and lawyers, Addendum : Mission to Pakistan*, p.11)

In a section titled “Backlog of cases, judicial delays and access to justice” (paragraph 50) this report states:

“There is also a general perception among the public that the judiciary is massively corrupt, especially at the level of the High Courts and the lower courts.” (ibid, p.12)

An article published by the Pakistan Observer states:

“The survey by Transparency International, a global non-governmental body which studies bribery and corrupt practices around the world, categorised different sectors of the Pakistani society including the police, public officials, political parties, the parliament, medical and health services, the judiciary, the education system, business and private sectors, non-governmental organizations (NGOs), the media, military and religious groups over their involvement in corrupt practices. The survey with 1,000 respondents showed that the police department and public officials were the most corrupt with 86

per cent, followed by political parties with 84 per cent, the parliament with 76 per cent, medical services and judiciary with 66 per cent, the education system with 64 per cent and the NGOs with 62 per cent. Religious groups were found to be least corrupt with 54 per cent, followed by the military and the media. The survey also revealed that the most Pakistanis paid bribes when they came into contact with the land services department. Police was second in taking bribes with 65 per cent, the judicial system with 36 per cent, and the education department with 16 per cent.” (Pakistan Observer (11 July 2013) *Land services, police most corrupt in Pakistan: TI*)

An article published by Pakistani newspaper Dawn states:

“The law provides for a police force that relies on fear, intimidation and officially sanctioned violence to protect the state. Missing from the act is language promoting the idea of the police protecting the people or having good relations with the community. Beyond the archaic legal framework, police services suffer from several contemporary problems. The rank and file of the 625,000-member police departments is not recruited on merit; the policemen are poorly educated, ill-trained, badly equipped and underpaid. Most of the nation’s police stations are in dilapidated buildings. Some posts and substations are in makeshift structures. Police are expected to work long hours seven days a week and often go months without time off.” (Dawn (9 July 2013) *Who will police the police?*)

An article from The Nation states:

“Eleven police officials including one inspector, two sub-inspectors, five assistant sub-inspectors and three constables faced disciplinary action on Wednesday over poor performance and involvement in corrupt practices. According to details, SSP Islamabad Yaseen Farooq conducted inquiries into the complaints against police officials and took disciplinary action against 11 cops of Islamabad police. One Inspector was demoted to the rank of sub-inspector for poor investigation. Four assistant sub-inspectors (ASIs) have been reverted to rank of head constable over involvement in corruption. Similarly, services of one sub-inspector and a constable were deducted for two years over poor investigation and lack of interest in job affairs. Two-year increment of an ASI has been also stopped while an ASI and two constables were also dismissed from their services over corruption charges.” (The Nation (18 July 2013) *11 cops face action over corruption*)

A Daily Times article states:

“The Khyber Pakhtunkhwa government beefed up its action against corrupt and inefficient government servants on Thursday by dismissing one police inspector, nine cops, six patwaris and four girdawars, an official communiqué read. “In the light of the directives of KP Chief Minister Pervez Khattak to expose and weed out ill-reputed, corrupt inefficient government servants, a number of ill-reputed officers and officials for being involved in corruption, inefficiency, negligence from duties and other malpractices in various departments, divisions and districts have been dismissed, suspended, demoted or transferred whereas a number of such other officers and officials have been identified and disciplinary actions have been recommended against them,” the communiqué said.” (Daily Times (23 August 2013) *KP govt intensifies action against corrupt officials*)

See also Daily Times article which states:

“As many as 55 percent of the complainants who went to police stations in select districts of Punjab had to bribe police to get FIRs registered. Furthermore, 92 percent of the complainants said that investigation process was changed despite their requests not to do so. These facts emerged from a comprehensive baseline survey conducted by an NGO, the Democratic Commission for Human development (DCHD), in three districts of Punjab – Faisalabad, Multan and Rahim Yar Khan. The survey report was launched in the form of a study at a local hotel on Tuesday, with the collaboration of the Foundation Open Society Institute (FOSI). The report carried striking revelations that pointed towards gaping holes in the criminal justice system of Pakistan. A whopping 57 percent of the complainants said that they were ‘tortured’ during investigation, while 83 percent said that police were abusive and misbehaved with them at the time of arrest. 50 percent of the accused said that their families had bribed the police to escape torture while 72 percent said that their defence statement was not recorded.” (Daily Times (29 August 2013) *Bribery rampant in police*)

A recent article from Dawn states:

“The Anti-Corruption Establishment (Lahore region) has arrested 31 officials up to Grade-17 of Revenue, Police and other departments for taking bribe and committing other corruption.” (Dawn 4 September 2013) *ACE arrests 31 officials*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

References:

Asian Human Rights Commission (10 December 2012) *The State of Human Rights in Pakistan in 2012*

http://www.humanrights.asia/resources/hrreport/2012/ahrc-spr-008-2012.pdf/at_download/file

(Accessed 4 September 2013)

Asia Society Independent Commission on Pakistan Police Reform (July 2012) *Stabilizing Pakistan Through Police Reform*

http://asiasociety.org/files/pdf/as_pakistan_police_reform.pdf

(Accessed 4 September 2013)

Daily Times (29 August 2013) *Bribery rampant in police*

http://www.dailytimes.com.pk/print.asp?page=2013\08\29\story_29-8-2013_pg7_17

(Accessed 4 September 2013)

Daily Times (23 August 2013) *KP govt intensifies action against corrupt officials*

http://www.dailytimes.com.pk/print.asp?page=2013\08\23\story_23-8-2013_pg7_26

(Accessed 4 September 2013)

Dawn 4 September 2013) *ACE arrests 31 officials*

<http://www.lexisnexus.com>

(Accessed 4 September 2013)

This is a subscription database

Dawn (9 July 2013) *Who will police the police?*

<http://dawn.com/news/1023792/who-will-police-the-police/print>

(Accessed 4 September 2013)

Institute for Social Policy and Understanding (April 2009) *Police & Law Enforcement in Pakistan: Crucial for Counterinsurgency and Counterterrorism Success*

<http://www.ispu.org/pdfs/ISPU%20-%20Police%20Reforms%20in%20Pakistan%20Report.pdf>

(Accessed 4 September 2013)

International Crisis Group (6 December 2010) *Reforming Pakistan's Criminal Justice System*

<http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/196%20Reforming%20Pakistans%20Criminal%20Justice%20System.pdf>

(Accessed 4 September 2013)

International Crisis Group (14 July 2008) *Reforming Pakistan's Police*

http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/157_reforming_pakistan_s_police.pdf

(Accessed 4 September 2013)

The Nation (18 July 2013) *11 cops face action over corruption*

<http://www.lexisnexus.com>

(Accessed 4 September 2013)

This is a subscription database

Pakistan Observer (11 July 2013) *Land services, police most corrupt in Pakistan: TI*

<http://www.lexisnexus.com>

(Accessed 4 September 2013)

This is a subscription database

UN Human Rights Council (4 April 2013) *Report of the Special Rapporteur on the independence of judges and lawyers, Addendum : Mission to Pakistan*

<http://www.refworld.org/docid/51b9a0794.html>

(Accessed 4 September 2013)

US Department of State (19 April 2013) *2012 Country Reports on Human Rights Practices – Pakistan*
<http://www.state.gov/documents/organization/204621.pdf>
(Accessed 4 September 2013)

Sources Consulted:

Asian Human Rights Commission
Austrian Centre for Country of Origin and Asylum Research and Documentation
European Country of Origin Information Network
Google
Immigration and Refugee Board of Canada
International Crisis Group
Lexis Nexis
Refugee Documentation Centre Query Database
UK Home Office
UNHCR Refworld
US Department of State