

# PAKISTAN

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## RULES/GENERAL LAWS

<b>General</b>	<p><b>1. The Pakistan Army Act, 1952, (Act No. XXXIX of 1952)</b> <b>2. The Manual of Pakistan Military Law</b> <b>3. Pakistan Penal Code</b></p> <p>Armed Forces of Pakistan, when deployed on UN Mission remain subject to their respective Services Laws/Acts and remain on duty for twenty four hours. UN Secretary General's Bulletins on Sexual Exploitation and Abuse are valued to highest esteems. These bulletins are not only frequently read out to the deployed troops but are also placed in local languages at prominent places in the units for easy assimilation. Even before deployment in the mission areas, the troops are educated and sensitized about the gravity and consequences of such violations. Local intelligence and legal officers also remain vigilant and assist the Commanding Officers in implementation of the policies in letter and spirit.</p>
<b>SEA: military offence?</b>	<p>Sexual exploitation and abuse, either through a position of vulnerability or through actual or threatened physical intrusion of a sexual nature, are dealt with very strictly and often punished with grave sentences. Such cases are normally tried under <b>Pakistan Army Act Section 41</b> (disgraceful conduct of cruel, indecent or unnatural kind), <b>Pakistan Army Act Section 55</b> (conduct prejudicial to good order and military discipline) read with <b>Pakistan Penal Code Sections 375-377</b> (rape, unnatural offence etc).</p>
<b>Powers of the Commanding Officer (CO)</b>	<p>Commanders at all levels are empowered under the Pakistan Army Act/respective Service Laws, Rules and Instructions to promulgate polices, instructions and issue camp orders etc for regulating and monitoring conduct and behaviour of the personnel under their commands and control their movement by placing restrictions such as non fraternization with locals, leaving camp areas without permission, indulging in business etc. Violators are dealt with strictly and even repatriated from the missions.</p> <p>Pakistan Army Act bestows upon the Commanding Officers sufficient powers to run day to day affairs of the unit. A Commanding Officer has investigative, disciplinary, criminal and administrative powers to handle offences committed by personnel under his command. A Commanding Officer by conducting Summary Court Martial can award up to one year rigorous imprisonment and dismissal from the service to the soldiers (up to NCO level); while cases against officers/JCOs may be referred for summary disposal or Field Gen Courts martial.</p>

## INVESTIGATION

<b>Who can investigate?</b>	<p>Commanding Officer and personnel of Military Police are empowered to investigate allegations of Sexual Exploitation and Abuse in the mission areas.</p>
<b>National Investigation Officer (NIO)</b>	<p>National Investigation Officers are part of every Infantry Battalion and formed Police Unit. They are specialized officers who are well trained to investigate heinous offences with special focus on Sexual Exploitation and Abuse cases.</p>

## PROSECUTION

<b>Referral</b>	<p>The investigation reports are shared with Commanding Officers, chain of command and relevant UN authorities for disposal of the offenders.</p>
<b>Who can charge?</b>	<p>A military person while subject to the military law, also remains amenable to other civil laws of the country. Any violation of civil laws may also be punished under military laws by the Commanding Officer/competent authority.</p>

## JUSTICE

<b>Military justice</b>	<p>Yes, The <b>Manual of Pakistan Military Law</b> regulates conduct and behavior of the persons subject to the Act.</p>
<b>Deployable Court Martial?</b>	<p>Under the law, a military offender may be tried by a court martial at any time and at any place, unless the offence is time-barred.</p>

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