



## Pro Bono Practices and Opportunities in Pakistan

### INTRODUCTION

This chapter describes the legal practice in Pakistan, including major challenges to the rule of law, as well as efforts to promote the rights of marginalized communities. International and domestic human rights monitors have documented pervasive human rights abuses in Pakistan in several areas, including extra-judicial killings, gender-based discrimination and curtailed rights for refugee and displaced populations.<sup>1</sup> While many government-funded and non-governmental organizations (“NGOs”), as well as a handful of domestic law firms, offer legal services to the country’s underserved populations, there remains a strong demand for further action among the legal community.

### OVERVIEW OF THE LEGAL SYSTEM

#### The Justice System

##### Constitution, Governing Laws and the Courts

Pakistan is a federal republic,<sup>2</sup> made up of four provinces—Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh, and four territories—Islamabad Capital Territory, Federally Administered Tribal Areas, Azad Kashmir and Gilgit Baltistan.<sup>3</sup> Since its inception in 1947, the country has endured periodic bouts of military coups and interventions involving the abeyance of its Constitution.<sup>4</sup> In a milestone event, however, elections held in 2013 marked the first time a democratically elected government successfully transitioned power through the ballot after completing a full term.<sup>5</sup>

Pakistan’s legal system is based on common law, inherited from the British legal system, and Islamic (*Sharia*) law.<sup>6</sup> The Constitution recognizes fundamental human rights, such as the right to a fair trial,<sup>7</sup> and also requires that legislation be adopted in accordance with the tenets of Islam.<sup>8</sup> However, as a result of different interpretations of Islam, this mandate at times creates ambiguity and inconsistencies in the application and enforcement of the law.<sup>9</sup> Additionally, the jurisdiction of the Constitution is not extended evenly throughout Pakistan. For example, the territory of Azad Kashmir functions as an independent sovereign body, with its own constitution and judicial hierarchy.<sup>10</sup> Meanwhile, the jurisdiction

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<sup>1</sup> World Report 2015: Pakistan, HUMAN RIGHTS WATCH, see <http://www.hrw.org/world-report/2015/country-chapters/pakistan> (last visited on September 4, 2015).

<sup>2</sup> Special Rapporteur on the Independence of Judges and Lawyers, Mission to Pakistan, 4, U.N. Doc. A/HRC/23/43/Add.2 (April 4, 2013) (by Gabriela Knaul) (hereinafter “**U.N. Report**”).

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

<sup>4</sup> *Id.* Pakistan’s third and current Constitution was established on August 14, 1973 and has been through 20 subsequent amendments.

<sup>5</sup> BBC, Pakistan Country Profile, BBC NEWS, <http://www.bbc.com/news/world-south-asia-12965779> (last visited on September 4, 2015).

<sup>6</sup> U.N. Report, *supra* note 2, at 5.

<sup>7</sup> *Id.* at 6 (citing PAKISTAN CONST., Ch. 1, part II).

<sup>8</sup> *Id.* at 5.

<sup>9</sup> *Id.* at 5.

<sup>10</sup> *Id.* at 9.



of Pakistan's courts is either not extended, or in dispute in the remaining territories which continue to have a relatively high incidence of resolving conflict through informal tribal justice systems.<sup>11</sup>

The Pakistani Judiciary is an independent branch<sup>12</sup> of government consisting of three broad categories of courts: the superior judiciary, subordinate courts, and special courts and tribunals.<sup>13</sup> The Constitution contains detailed provisions on the composition, jurisdiction, power and function of the superior courts, which are tasked with responsibility to "preserve, protect and defend" the laws of the land.<sup>14</sup>

The Supreme Court is the apex court and exercises original, appellate and advisory jurisdiction.<sup>15</sup> The Supreme Court exercises original jurisdiction in disputes between the federal government provincial government as well as disputes among provincial governments.<sup>16</sup> It has appellate jurisdiction in criminal and civil matters.<sup>17</sup> Unlike U.S. courts, the Supreme Court of Pakistan has the jurisdiction to issue advisory opinions to the government on questions of law.<sup>18</sup> Additionally, the Supreme Court has original jurisdiction, on its own motion or through petition, over "Fundamental Rights" cases, where a question of "public importance" is involved.<sup>19</sup> This power is concurrently held by the High Courts.<sup>20</sup> Recognizing the high volume of these cases and the need for expeditious and inexpensive remedies for poor and vulnerable members of society, the Supreme Court established a Human Rights Cell under the supervision of the Chief Justice of Pakistan.<sup>21</sup> The Human Rights Cell performs expedited processes and receives over 4,000 applications for a review each month.<sup>22</sup> Matters under review can range from allegations of rape to claims of environmental pollution.<sup>23</sup> In 2014, the Supreme Court established a separate wing within the Human Rights Cell to address the rights of Pakistani citizens living abroad, which tend to primarily relate to property claims.<sup>24</sup>

Directly below the Supreme Court are the High Courts. There is a High Court in each of the four provinces and a High Court for the Islamabad Capital Territory.<sup>25</sup> The High Courts exercise original jurisdiction (concurrent with the Supreme Court) over Fundamental Rights matters and appellate jurisdiction over civil and criminal judgments entered by subordinate courts.<sup>26</sup>

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<sup>11</sup> Id. at 16.

<sup>12</sup> Dr. Faqir Hussain, *The Judicial System of Pakistan*, SUPREME COURT OF PAKISTAN, 10 (Feb. 15, 2011), available at [http://www.supremecourt.gov.pk/web/user\\_files/File/thejudicialsystemofPakistan.pdf](http://www.supremecourt.gov.pk/web/user_files/File/thejudicialsystemofPakistan.pdf) (last visited on September 4, 2015) (citing PAKISTAN CONST. art. 2A) (The Constitution calls for the "separation of the judiciary from the executive" and the "independence of the judiciary.").

<sup>13</sup> Id.

<sup>14</sup> PAKISTAN CONST. art. 178 & 194 read with 3rd Sched.; Hussain, *supra* note 12, at 10.

<sup>15</sup> PAKISTAN CONST. art. 184, 185 & 186.

<sup>16</sup> PAKISTAN CONST. art. 184 (1).

<sup>17</sup> PAKISTAN CONST. art. 185.

<sup>18</sup> PAKISTAN CONST. art. 186.

<sup>19</sup> PAKISTAN CONST. art. 184 (3). Fundamental Rights are protected in Chapter II of the Constitution.

<sup>20</sup> Id.

<sup>21</sup> Supreme Court of Pakistan Annual Report, April 2013 to April 2014 (Izzat J. Aqduş, et. al. eds.), available at <http://www.supremecourt.gov.pk/Links/sc-a-rpt-2013-14/index.html#p=130> (last visited on September 4, 2015).

<sup>22</sup> Id. at 119. The Human Rights Cell heard over 44,662 matters between April 2013 and April 2014.

<sup>23</sup> Id. at 125.

<sup>24</sup> Id. at 119.

<sup>25</sup> Id. at 16.

<sup>26</sup> Id. at 18.



Standing apart, the Federal Shariat Court was established in 1980 and has jurisdiction to determine, on its own motion or through petition by a citizen or the Federal or a provincial government, whether or not any government law is in conflict with the rules of Islam.<sup>27</sup> The Federal Shariat Court also exercises appellate jurisdiction over the criminal courts deciding cases relating to the *Hudood Ordinances*,<sup>28</sup> which criminalize activities thought to be in violation of Islamic principles such as adultery, fornication, theft and alcohol consumption.<sup>29</sup> Federal Shariat Court judgments are binding on the High Courts and the subordinate judiciary.<sup>30</sup> Appeals against Federal Shariat Court judgments are heard by the Shariat Appellate Bench of the Supreme Court.<sup>31</sup>

The subordinate judiciary is broadly made up of civil and criminal courts in the provinces established by statute.<sup>32</sup>

The Constitution also allows the legislature to establish special courts, as well as administrative courts and tribunals over federal issues.<sup>33</sup> These include drug courts, loan recovery courts, tax courts, labor courts, anti-terrorism courts, and anti-corruption courts, among others.

While the Constitution guarantees the functioning of an independent judiciary, as noted above, the Constitution itself has been suspended several times in Pakistan's short history. In what became known as the Lawyer's Movement in the spring of 2007, legal professionals engaged in weeks of protest after then-President Pervez Musharraf dismissed the Chief Justice of the Supreme Court.<sup>34</sup> Against a backdrop of social unrest, the Supreme Court ruled that the President did not have the power to dismiss the Chief Justice and reinstated him one month later.<sup>35</sup> The situation was further intensified a few months later when the Supreme Court presided over hearings to determine whether Musharraf was eligible to run for elected office while simultaneously serving as the country's military commander.<sup>36</sup> While the proceedings were pending, Musharraf suspended the Constitution, imposed emergency rule, required judges at all levels to take renewed oaths under a provisional Constitution and placed others under house arrest.<sup>37</sup> Lawyers across the country protested and received widespread international media coverage, becoming regarded as the protectors of Pakistan's independent judiciary.<sup>38</sup> Many lawyers, including one

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<sup>27</sup> PAKISTAN CONST. art. 203-D.

<sup>28</sup> PAKISTAN CONST. art. 203-D, 203-G.

<sup>29</sup> In Islamic jurisprudence, the term *Hudood*, or *Ḥudūd*, refers to fixed and mandatory punishments for certain offenses mentioned in the *Qur'ān* and *Sunnah*. The *Hudood Ordinances* as well as the *Shariat Courts* were established as part of a controversial Islamicization policy under the military rule of Zia-ul-Haq in the 1980s. See Rudolph Peters, *Ḥudūd*, THE OXFORD ENCYCLOPEDIA OF THE ISLAMIC WORLD, OXFORD ISLAMIC STUDIES ONLINE, available at <http://www.oxfordislamicstudies.com/article/opr/t236/e0322> (last visited on September 4, 2015) (Although the court's jurisdiction was narrowed with regard to so-called *Zinā* offenses relating to forbidden sexual acts such as adultery in connection with the Protection of Women Act in 2006, human rights activists continue to press for further reform).

<sup>30</sup> *Id.*

<sup>31</sup> PAKISTAN CONST. art. 203-F.

<sup>32</sup> Hussain, *supra* note 12, at 21. Civil courts are established under the West Pakistan Civil Courts Ordinance, W. P. Ord. II of 1962; criminal courts are established under the Code of Criminal Procedure (Pakistan), Act. V of 1898.

<sup>33</sup> *Id.*

<sup>34</sup> Jane Perlez and David Rohde, Pakistan Attempts to Crush Protests by Lawyers, N.Y. TIMES, Nov. 6, 2007, available at <http://www.nytimes.com/2007/11/06/world/asia/06pakistan.html?pagewanted=all> (last visited on September 4, 2015).

<sup>35</sup> *Id.*

<sup>36</sup> U.N. Report, *supra* note 2, at 5.

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*



of Pakistan's most prominent corporate lawyers, were arrested or beaten by state forces during the period of unrest.<sup>39</sup> The rule of law was eventually restored with elections in 2008 and subsequent transition of power in 2013.<sup>40</sup>

### The Practice of Law

The practice of law in Pakistan is primarily governed by the Legal Practitioners and Bar Councils Act of 1973, last amended in 2005 (the "**Bar Councils Act**").<sup>41</sup> The Bar Councils Act established the Pakistan Bar Council, as well as provincial bar councils in each of the four provinces.<sup>42</sup> The provincial bar councils are representative bodies consisting of council members elected for five-year terms from districts within each province.<sup>43</sup> The Pakistan Bar Council, together with the provincial councils, nominates judges to the bench, engages in rulemaking, promotes legal reform, holds examinations for the purpose of admission to the bar, accredits law schools, admits persons as lawyers on the council's roll and determines cases of misconduct against lawyers.<sup>44</sup>

Under the Bar Councils Act, there are four classes of lawyers or "advocates": senior advocates of the Supreme Court; advocates of the Supreme Court; advocates of the High Court; and all other advocates.<sup>45</sup> The Bar Councils Act makes clear that "unless otherwise provided for in the Bar Councils Act, no person shall be entitled to practice the profession of law unless he is an advocate."<sup>46</sup> It further sets forth the qualifications for admission as an advocate, which include: (i) Pakistani citizenship, or one year of residency in Pakistan and citizenship in a country that allows Pakistani citizens to qualify in the practice of law; (ii) a law degree from a university recognized by the Pakistan Bar Council; (iii) passing the bar exam; and (iv) payment of related accreditation and other fees.<sup>47</sup> In 2014, the Supreme Court reported that there were approximately 114 law colleges in Pakistan located at 18 universities.<sup>48</sup> The court also reported a total of 57,494 advocates enrolled with the provincial bar councils at the lower court levels, and 69,285 advocates enrolled with bar councils at the High Court levels.<sup>49</sup> Of these, Punjab, the most populous province, contains the largest legal population.<sup>50</sup>

The relative stability achieved through successful democratic elections in 2013 has increased investment in Pakistan's capital markets, energy and banking sectors, leading in turn to increased activity across law firms in Pakistan.<sup>51</sup> While international transactions are mainly handled by a handful of large successful multi-practice firms, most lawyers in Pakistan practice law in smaller organizations.<sup>52</sup> Further, many legal

<sup>39</sup> Perlez and Rhode, *supra* note 34.

<sup>40</sup> BBC, Pakistan Country Profile, *supra* note 5.

<sup>41</sup> Legal Practitioners and Bar Councils (Amendment) Act, chs. II & III, 2005, available at [http://www.pbbarcouncil.com/downloads/barcouncil\\_act\\_amended\\_2005.pdf](http://www.pbbarcouncil.com/downloads/barcouncil_act_amended_2005.pdf) (last visited on September 4, 2015).

<sup>42</sup> *Id.*

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

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

<sup>45</sup> *Id.* at ch. VI, § 21.

<sup>46</sup> *Id.* at ch. VI.

<sup>47</sup> *Id.* at ch. VI, § 26.

<sup>48</sup> Supreme Court of Pakistan Annual Report, *supra* note 21, at 298-301.

<sup>49</sup> *Id.* at 295-297.

<sup>50</sup> *Id.*

<sup>51</sup> THE LEGAL 500, Pakistan, <http://www.legal500.com/c/Pakistan> (last visited on September 4, 2015).

<sup>52</sup> *Id.* (noting the legal market is dominated by a few domestic firms); See also Chambers & Partners, Country Practice Guide – Litigation 2014-2015 (Pakistan), available at <http://www.chambersandpartners.com/guide/practice-guides/location/241/7277/1202-0> (last visited on



professionals in the public sector continue to face poor working conditions, such as lack of stable electricity, water and sanitation, separate offices, libraries, and electronic equipment.<sup>53</sup>

## LEGAL RESOURCES FOR INDIGENT PERSONS AND ENTITIES

### State-funded Legal Aid Committees

Exercising rulemaking powers granted to it under the Bar Councils Act, the Pakistan Bar Council established rules for the provision of legal aid in 1988 and revised those rules in 1999 (“**1999 Rules**”).<sup>54</sup> The 1999 Rules state that their purpose is to establish a system to provide legal services to “the poor, destitute, orphans, widows, indigent and other deserving litigants”<sup>55</sup> needing assistance in the following categories of cases: accidents, succession certificate, family law, ejectment, illegal detention, abuse of power and authority by police, law enforcing agency, neglect of duties by government or local bodies, public interest litigation, and other cases as approved by a committee.<sup>56</sup> The 1999 Rules create legal aid committees at the national level, in each provincial bar council and in each bar council at the district level.<sup>57</sup> Administration of the committees is funded by the Pakistan Bar Council, provincial bar councils, government grants and other contributions.<sup>58</sup>

The national Central Free Legal Aid Committee seeks to provide legal aid to eligible litigants at the Supreme Court or federal tribunals.<sup>59</sup> Applications for legal aid are accepted at each registry of the Supreme Court.<sup>60</sup> Provincial committees provide representation in the High Court and any provincial-level tribunal, while the district committees provide aid at district-level proceedings.<sup>61</sup> The 1999 Rules provide a template application letter for those seeking legal aid to complete.<sup>62</sup>

The 1999 Rules require that each free legal aid committee maintain a panel of lawyers willing to provide pro bono services or work for reduced fees.<sup>63</sup> The 1999 Rules also set forth maximum legal fees by type of level of the judiciary; for example, a maximum fee of 5,000 Pakistani rupees (US\$ 52) is imposed on fees for legal aid cases litigated at the Supreme Court.<sup>64</sup> While the 1999 Rules do not require lawyers to offer pro bono services as a general matter, a free legal aid committee may request any lawyer to

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September 4, 2015) (explaining that although there are almost no large international firms in Pakistan, the dominant domestic firms often take on clients that are referred by law firms based in the United Kingdom, the United Arab Emirates or China).

<sup>53</sup> See U.N. Report, *supra* note 2, at 11 (reporting on the inadequate working conditions of judicial actors, including lawyers, practicing at the lower levels of the judiciary).

<sup>54</sup> Pakistan Bar Council Free Legal Aid Rules, PAKISTAN BAR COUNCIL NOTIFICATION, 139 (Sep. 8, 1999), available at <http://pakistanbarcouncil.org/wp-content/uploads/2012/07/1999.pdf> (last visited on September 4, 2015).

<sup>55</sup> The criteria for eligibility is described elsewhere in the 1999 Rules as “a person who is entitled to Zakat or his financial position and income resources are not sufficient to bear the expenses for engaging an Advocate to prosecute, defend and protect his legal rights in genuine litigation.” *Id.* at § 2(2).

<sup>56</sup> *Id.* § 3.

<sup>57</sup> *Id.* § 4.

<sup>58</sup> *Id.* § 9(i).

<sup>59</sup> *Id.* § 5.

<sup>60</sup> *Id.*

<sup>61</sup> *Id.* §§ 5-6.

<sup>62</sup> *Id.* sched.

<sup>63</sup> *Id.* § 8.

<sup>64</sup> *Id.* sched.



conduct one case in a year, free of charge.<sup>65</sup> Notably, some reports argue that because empaneled lawyers are prompted to work for reduced or no fees without direct government subsidy, they lack the financial capacity and incentive to offer pro bono services.

Further, despite the mandate of the 1999 Rules, a special United Nations report commissioned in 2013 concluded that “there [was] no institutionalized legal-aid program” in Pakistan at a national level and noted that access to justice for all populations is generally hindered by a backlog of cases in the judicial system.<sup>66</sup> The report noted that while the Punjab province had established a preliminary system of legal assistance, the program was not effective in practice because of stringent eligibility criteria and lengthy processing times.<sup>67</sup> That same year, a survey conducted by a local NGO concluded that the vast majority of vulnerable populations in Pakistan were unable to access free legal aid services.<sup>68</sup> The survey found that 95% of litigants surveyed in targeted low-income areas had never received free legal services and lacked awareness of how to enforce their basic legal rights.<sup>69</sup> Although in its 2014 annual study, the Supreme Court declared that an empirical study would be undertaken to examine deficiencies in the legal system, including financial barriers to judicial access, after which changes to the 1999 Rules would be recommended<sup>70</sup>, it is not clear what changes have been implemented.

Among the populations who continue to face barriers to judicial access or other legal remedies include the several thousand Afghani refugees who have cited harassment, arrests, detentions and evictions pushing them to return to their native country<sup>71</sup>; illegal child and bonded laborers<sup>72</sup>; women and girls who suffer from domestic abuse and gender-based violence<sup>73</sup>; and religious minority groups, many who seek asylum overseas to flee persecution.<sup>74</sup>

## PRO BONO ASSISTANCE

### Pro Bono Opportunities in Private Firms

In practice, pro bono work is only regularly taken on by a small number of firms and is not commonly part of firm culture in Pakistan. However, a thriving pro bono culture is sometimes found in Pakistani law firms

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<sup>65</sup> Id. § 8(f).

<sup>66</sup> U.N. Report, supra note 2, at 12.

<sup>67</sup> Id.

<sup>68</sup> SCHUNAIZIA RELIEF AND DEVELOPMENT ORGANIZATION, Rule of Law, available at <http://www.srdopakistan.org/ruleoflaw> (last visited on September 4, 2015) (surveying the targeted districts of Kohat, Karak, Bannu & Haripur).

<sup>69</sup> Id.

<sup>70</sup> Supreme Court of Pakistan Annual Report, supra note 21, at 44.

<sup>71</sup> BBC. Harassment drives Afghan refugees from Pakistan, BBC NEWS, February 26, 2015, available at <http://www.bbc.com/news/world-asia-31588821> (last visited on September 4, 2015).

<sup>72</sup> HUMAN RIGHTS COMMISSION OF PAKISTAN, State of Human Rights in 2013, 214 available at <http://www.hrcpweb.org/hrcpweb/report14/AR2013.pdf> (last visited on September 4, 2015) (citing an estimated 2,000,000 to 2,200,000 people in various forms of slavery in Pakistan).

<sup>73</sup> See U.N. Report, supra note 2, at 16 (noting that “access to justice for women remains illusory” because of high illiteracy and lack of awareness of their legal rights).

<sup>74</sup> HUMAN RIGHTS WATCH, World Report 2014: Pakistan, available at <https://www.hrw.org/world-report/2014/country-chapters/pakistan> (last visited on September 4, 2015). See also, Suhail Obed, Exodus of Religious Minorities, DAILY TIMES, June 5, 2015, available at <http://www.dailytimes.com.pk/opinion/05-Jun-2015/exodus-of-religious-minorities> (last visited on September 4, 2015) (a Pakistani opinion page noting that an estimated 1,338 Pakistani’s applied for asylum abroad in 2013, most of whom were religious minorities).



that employ a high number of foreign-trained lawyers.<sup>75</sup> For example, several large corporate law firms in Pakistan have litigated appeals of blasphemy prosecutions, race and gender discrimination claims, and advocated for reform of the juvenile justice system.<sup>76</sup> Some firms also engage in pro bono services by advising charitable bodies, setting up charitable corporate trust structures, helping to form non-profit organizations and assisting rights organizations to navigate various local laws.<sup>77</sup>

NGOs also solicit lawyers offering pro bono services in support functions during seminars and human rights conferences. In 2013, for example, the Human Rights Commission of Pakistan (the “HRCP”) joined with the International Commission of Jurists to initiate dialogue on Pakistan’s engagement with the United Nations. Lawyers as well as other community activists attended and discussed ways to strengthen the role of human rights efforts in Pakistan.<sup>78</sup> Additionally, in 2015, Islamabad-based NGO, Struggle for Change (“SACH”), organized a workshop for the public with a special focus on the legal status of refugees in Pakistan, as well as available legal support for victims of sexual gender based violence.<sup>79</sup>

### Barriers to Pro Bono Work or Participation in the Formal Legal System

There are a number of obvious barriers to foreign-trained lawyers engaging in pro bono work in Pakistan. As discussed above, under the Bar Councils Act, only individuals admitted as lawyers may formally practice law in Pakistan.<sup>80</sup> Citizenship and residency requirements make admission unworkable for the typical pro bono attorney. Additionally, while much of the Pakistani legal system operates in English, client-based services likely require some linguistic fluency.<sup>81</sup>

Nonetheless, foreign lawyers can make an important impact by partnering with local counsel and NGOs in support roles of capacity building, training, organizing, and public education and human rights abuse documentation projects.

When engaging in such capacities, it is important that practitioners be cognizant that progressive legal reform remains controversial and, as noted above, can at times be dangerous. Lawyers, particularly those in the public sector, continue to face threats by both private and state actors in the defense of human rights. In May 2014, a lawyer working for the HRCP was killed after facing threats for defending a university professor accused of blasphemy.<sup>82</sup> That same month, 68 lawyers were themselves charged with blasphemy after protesting the detainment of a colleague by police forces.<sup>83</sup>

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<sup>75</sup> Id.

<sup>76</sup> See, e.g., MINTO & MIRZA, Pro Bono Work, <http://www.mintoandmirza.com.pk/probono.htm> (last visited on September 4, 2015) (identifying involvement in several “landmark cases involving minority rights, labor rights, gender discrimination, freedom of movement, assembly, political participation . . .”).

<sup>77</sup> See, e.g., HAIDERMOTA & CO., Areas of Practice, <http://www.hmco.com.pk/main.htm> (last visited on September 4, 2015).

<sup>78</sup> HUMAN RIGHTS COMMISSION OF PAKISTAN, STATE OF HUMAN RIGHTS IN 2013, 297 (March 2014).

<sup>79</sup> SACH – Struggle for Change, Workshop with “Public Prosecution,” <http://sach.org.pk> (last visited on September 4, 2015).

<sup>80</sup> Legal Practitioners and Bar Councils (Amendment) Act, *supra* note 41.

<sup>81</sup> See generally, Chambers & Partners, *supra* note 52 (noting that regional and lower courts tend to use Urdu as the preferred language).

<sup>82</sup> Katharine Houreld, Gunmen Kill Pakistan Lawyer Defending Blasphemy Case, REUTERS (May 8, 2014), available at <http://www.reuters.com/article/2014/05/08/us-pakistan-blasphemy-idUSBREA4709N20140508> (last visited on September 4, 2015).

<sup>83</sup> Syed Raza Hassan, Pakistani Police Charge 68 Lawyers with Blasphemy over Protest, REUTERS (May 13, 2014), available at <http://www.reuters.com/article/2014/05/13/us-pakistan-blasphemy-charges-idUSBREA4C08220140513> (last visited on September 4, 2015).



## Pro Bono Resources

Given the nascent pro bono environment in Pakistan and the lack of major clearinghouse organizations for pro bono opportunities, finding meaningful projects requires research and building relationships with local contacts. However, since many well-regarded NGOs in Pakistan have a limited formal web presence, this initial contact can be challenging.<sup>84</sup> A few well-known organizations are noted below:

Established in 1980 by Asma Jahangir,<sup>85</sup> AGHS Legal Aid (“AGHS”) was the first free legal aid organization in the Pakistan.<sup>86</sup> AGHS focused on the rights of women, children and minorities in Pakistan.<sup>87</sup> It established a women’s shelter in 1990, and has expanded its mandate to support other disadvantaged and marginalized populations.<sup>88</sup> AGHS is involved in litigation, education, publication, domestic and international lobbying, organizing and abuse documentation projects.<sup>89</sup>

The HRCP has also been a leading voice in the struggle for human rights and democratic development in Pakistan since 1987.<sup>90</sup> The HRCP provides legal aid and assistance to victims of human rights abuses, and engages in education, organizing and advocacy work around the ratification and implementation by Pakistan of the Universal Declaration of Human Rights and of other related internationally adopted norms.<sup>91</sup> It also publishes comprehensive annual reports on the status of human rights in Pakistan.<sup>92</sup>

In addition, several NGOs provide legal and other support services to the estimated over 2.9 million refugees, asylum seekers and internally displaced persons in Pakistan.<sup>93</sup> These include CHC-Community Help Community, Norwegian Refugee Council Pakistan, Rights Now Pakistan and Society for Human Rights and Prisoners Aid (SHARP).<sup>94</sup>

A number of international NGOs also engage in important project-based work in Pakistan. Projects are usually targeted in scope and benefit from long-standing relationships with local NGOs. For example, Reprieve, a London-based international NGO focused on the human rights of prisoners, has two employees in Pakistan working on various detention issues.<sup>95</sup> International Crisis Group is also regularly

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<sup>84</sup> Although many NGOs lack formal websites, many are more active on social media platforms such as Facebook and Twitter.

<sup>85</sup> Asma Jahangir is an internationally renowned human rights activist, a Supreme Court advocate and a critical voice against anti-democratic forces in Pakistan. She helped to establish AGHS, Women’s Action Forum and the HRCP. She has served as U.N. Special Rapporteur on Extrajudicial Executions, U.N. Special Rapporteur on Freedom of Religion or Belief and President of the Supreme Court Bar Association of Pakistan.

<sup>86</sup> See AGHS LEGAL AID CELL, About AGHS (Jul. 6, 2007), <http://aghsblog.wordpress.com> (last visited on September 4, 2015).

<sup>87</sup> Id.

<sup>88</sup> Id.

<sup>89</sup> Id.

<sup>90</sup> HUMAN RIGHTS COMMISSION OF PAKISTAN, HRCP, About Us, <http://hrcp-web.org/hrcpweb/> (last visited on September 4, 2015).

<sup>91</sup> Id.

<sup>92</sup> Id.

<sup>93</sup> 2015 UNHCR Country Operations Profile – Pakistan, UNHCR: THE UN REFUGEE AGENCY, available at <http://www.unhcr.org/pages/49e487016.html>, (last visited on September 4, 2015) (reporting as of December 2014).

<sup>94</sup> See Rights in Exile Programme (IRRI), <http://www.refugeelegalaidinformation.org/about-us-0> (last visited on September 4, 2015) providing contact details for the above named organizations.

<sup>95</sup> REPRIEVE, About Reprieve, <http://www.reprieve.org.uk/about/> (last visited on September 4, 2015).





engaged in research and documentation projects in Pakistan, covering areas from natural disasters to political unrest.<sup>96</sup>

Finally, top-tier law firms may have a pro bono docket, and foreign-trained graduates might serve as an important inroad to that work. Interested attorneys can reach out to such firms to build local connections.

## CONCLUSION

Despite human rights abuses by government forces and widespread social discrimination, Pakistan's legal community remains invested in the rule of law and opposed to anti-democratic forces. Local NGOs, law firms and international organizations are engaged in direct representation and broader reform work. Foreign lawyers interested in pro bono opportunities in Pakistan have ample opportunity to assist if they are willing to think creatively about how their skills could be deployed.

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<sup>96</sup> See INTERNATIONAL CRISIS GROUP, Pakistan, <http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan.aspx> (last visited on September 4, 2015).