

Interrogation Techniques in Balochistan: A Critical Analysis of Legal Frameworks and Human Rights

Mahjabeen ur Rehman ¹, Nizamuddin Bareech ², Sumaira Zakir ³,

¹ LLM student & Judicial Magistrat Email: Mahjabeengull68@gmail.com

² Assistant professor University Law College, Quetta Email: lawyerofuob@gmail.com

³ Lecturer Department of Law & Mass Communication, BUITEMS, sumaira.zakir@buitmes.edu.pk

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Abstract

The study examined the interrogation practices in Balochistan with a critical exploration of legal boundaries. A critical analysis of relevant sources and the case study in the thesis revealed that Balochistan has a high prevalence of unethical interrogation practices most predominantly torture coupled with enforced disappearances. The study revealed a high number of individuals who had been abducted by law enforcement agencies including police officers, military, and Frontier Corps in Balochistan for various reasons including terrorism, crime, and militia insurgency. The application of unethical interrogation practices in Balochistan is partly attributed to socio-cultural and historical factors. After Pakistan's independence in 1947, the state has had an uncomfortable relationship with Balochistan with the province refusing to join the Pakistani federation, which triggered insurgencies from within the province against the Pakistani federal government. Pakistani's federal government response to ongoing unrest and political dissent in Balochistan has largely been framed through the lens of securitisation, resulting in an escalating reliance on military and paramilitary apparatuses to exercise control. The torture practices have also been a result of unclear legal framework to guide investigation; inadequate police resources; pressure from the courts, and lack of training on modern investigation practices.

Keywords: investigation, interrogation, legal framework, torture, insurgency

Introduction

The admission of guilt by a defendant is of considerable significance in Pakistan's legal system. When someone confesses to a crime, the courts evaluate whether this confession is admissible and make decisions accordingly. Such confessions can also expedite the investigative process for law enforcement, enabling them to solve cases more swiftly, with the ultimate decision resting with the judge. The legal framework in Pakistan, particularly under the QSO 1984, specifies crucial procedures for interrogation and the protocols for documenting confessions within the Criminal Justice System. While effective interrogation methods are crucial for solving crimes, problems arise when these methods breach legal and ethical standards. Pakistan has implemented legal safeguards that outline the procedures to be followed during interrogations, protecting both suspects and officers. For example, the Handbook of Criminal Investigation in Pakistan 2021 details the rules for conducting interviews during interrogations. According to the Handbook, detainees must be securely confined to prevent unauthorized access, and unrestricted visits are not allowed (Shah & Hussain, 2022). Police Rule 26.28 explicitly states that no communication with a detainee is allowed while in police custody unless authorized by the officer in charge or through written permission from the judiciary. This is consistent with Section 4(p) of the CrCP (Jamshed et al., 2020). Furthermore, any

authorized interviews must occur in the presence of a police sentry, with the interviewer maintaining a safe distance from the bars to prevent any exchange of items or physical contact (Shah & Hussain, 2022).

The study explores the interrogation techniques used by investigative officers in Balochistan Province, Pakistan, and their legal and ethical implications. Confessions hold significant importance in Pakistan's judicial framework, and while effective interrogation is crucial for crime resolution, concerns arise when methods violate legal and ethical standards. Despite legal protections, issues such as coercion, false confessions, lack of standardized guidelines, and insufficient awareness of legal rights persist. The study aims to investigate these techniques and their ramifications, highlighting challenges faced by police authorities and the potential for false confessions. The findings will provide insights into the effectiveness of interrogation methods and inform policymakers to improve the criminal justice system in Pakistan.

Research Objectives

To Analyze the effectiveness of current legal frameworks in preventing human rights abuses during interrogation in Balochistan.

Research Questions

The study examines the nature of the interrogation systems in Balochistan with a critical exploration of legal boundaries. It is guided by the following research questions:

1. How legal frameworks govern and regulate interrogation practices in Balochistan?

Literature Review

Understanding the investigation and interrogation techniques in Balochistan Province requires an in-depth understanding of the investigation techniques in Pakistan since the Pakistan Federal government has been majorly involved in criminal investigations in Balochistan (Muzaffar, Karamat, & Saeed, 2018). This section highlights a literature review of the investigative practices in Pakistan as well as an overview of the interrogation techniques conducted by police in Balochistan Province. The section also highlights the principles underpinning great interrogation practices in criminal psychology to provide a basis for comparing interrogation techniques in Balochistan and what are considered acceptable practices in criminal psychology.

“**Interrogation**” techniques are integral to criminal investigations, with various methods being developed to extract reliable information from suspects. Over the years, psychological approaches to interrogation have become more prominent, focusing on ethical and cognitive methods rather than coercion or manipulation. This section explores two primary theories of interrogation: the **Reid Technique** and the **PEACE model**, alongside their psychological underpinnings and ethical considerations.

The **Reid Technique**, developed by John E. Reid in the 1940s, is one of the most widely used interrogation methods worldwide (Inbau, Reid, Buckley, & Jayne, 2020). It is based on the principle that guilt can be detected through specific behavioral cues, and it aims to elicit confessions by applying psychological pressure. The technique involves three main stages: factual analysis, interviewing, and the interrogation process itself, which is confrontational. Reid’s method suggests that the interrogator should directly accuse the suspect and present evidence of their guilt, inducing feelings of anxiety and fear in the suspect, which often leads to confessions (Inbau et al., 2020). However, the Reid Technique has faced significant criticism for its high risk of eliciting false confessions, especially in vulnerable suspects such as juveniles or individuals with mental impairments (Leo, 2021). The confrontational nature of the Reid Technique is seen as coercive and manipulative, with critics arguing that it can lead to miscarriages of justice (Kassin, 2020). False confessions are a serious concern, and studies suggest that suspects may confess to crimes they did not commit simply to end the psychological pressure (Kassin & Kiechel, 2021).

In contrast, the **PEACE model**, developed in the UK in the 1990s, represents a more ethical and psychologically grounded approach to interrogation (Bull, 2020). The PEACE model is a non-confrontational technique that prioritizes gathering reliable information through open-ended questions and the establishment of rapport. The model's five stages—Planning and Preparation, Engage and Explain, Account, Closure, and Evaluation—emphasize a structured yet flexible approach where suspects are encouraged to provide a full and accurate account of the events (Gudjonsson, 2020). The PEACE model is rooted in cognitive psychology, focusing on the suspect's ability to recall details without leading questions or manipulation. This method aims to reduce the likelihood of false confessions and improve the accuracy of the information obtained (Bull & Milne, 2020). It is particularly effective because it places less pressure on suspects and relies on their natural ability to recall events, rather than manipulating their emotions to elicit confessions.

Psychological Approaches to Interrogation

Psychological theories play a critical role in shaping both the Reid Technique and the PEACE model. The Reid Technique is grounded in behavioral psychology, where the interrogator looks for psychological cues such as body language, speech patterns, and inconsistencies in the suspect's story to determine guilt (Inbau et al., 2020). The technique's focus on high-pressure tactics aims to break down the suspect's resistance and force a confession. This confrontational approach, however, often risks misjudging a suspect's psychological state, especially if the individual is already under stress, mentally impaired, or emotionally vulnerable (Leo, 2021).

Conversely, the PEACE model aligns with cognitive psychology, which focuses on how people encode, store, and retrieve memories. The model's use of open-ended questions allows for a free narrative, reducing the risk of contamination or distortion of memories (Gudjonsson, 2020). This method assumes that suspects will provide accurate and truthful information when given the chance to explain themselves fully. The cognitive approach in the PEACE model also acknowledges the suspect's emotional state and builds a rapport to ensure the interview remains non-confrontational, which increases the likelihood of obtaining truthful and reliable information (Gudjonsson, 2020).

Psychological research supports the use of the PEACE model in various settings, showing that non-coercive interviews yield better-quality information and fewer false confessions (Milne & Bull, 2021). In contrast, coercive interrogation techniques like the Reid Technique have been linked to an increased risk of obtaining false confessions, which undermines the integrity of the investigation (Kassin, 2020).

Ethical Considerations in Interrogation

Ethics in interrogation have long been a subject of debate, especially with regard to the methods employed to extract confessions. The ethical concerns surrounding interrogation primarily focus on the potential for human rights abuses, such as the use of torture or manipulation, and the preservation of the suspect's dignity and rights during the interrogation process (Kassin & Kiechel, 2021). Both the Reid Technique and the PEACE model raise important ethical questions, but they do so in contrasting ways.

The Reid Technique has faced widespread criticism for its reliance on manipulative tactics that can compromise a suspect's rights. For instance, the Reid Technique often uses psychological pressure and deceit, such as falsely presenting evidence of the suspect's guilt or fabricating confessions from other individuals (Leo, 2021). These tactics are viewed as ethically problematic because they can induce false confessions, especially in vulnerable suspects (Kassin, 2020). Additionally, such methods may violate international human rights standards, including the prohibition against torture and cruel, inhuman, or degrading treatment, as outlined in the United Nations Convention Against Torture (UN, 2020).

On the other hand, the PEACE model emphasizes ethical interrogation practices that align with international human rights standards. This approach encourages fair treatment, non-coercive questioning, and respect for the suspect's rights throughout the interrogation process. Ethical considerations in the PEACE model include ensuring that suspects are fully aware of their legal

rights, including the right to remain silent, and ensuring that the interview is conducted in a non-threatening manner (Gudjonsson, 2020). Research suggests that when suspects feel that they are being treated fairly and with respect, they are more likely to provide truthful and accurate information (Bull & Milne, 2020). Therefore, the PEACE model not only promotes effective interrogation but also safeguards against ethical violations.

Ethical interrogation methods are essential in maintaining public trust in the criminal justice system. When law enforcement agencies use coercive methods that violate human rights, it undermines the credibility of the justice system and increases the likelihood of wrongful convictions. By adhering to ethical principles, the PEACE model helps ensure that the interrogation process is both effective and humane, reducing the risk of false confessions and improving the overall quality of criminal investigations (Kassin & Kiechel, 2021).

Psychological approaches to interrogation, such as the Reid Technique and the PEACE model, offer distinct frameworks for obtaining information from suspects. While the Reid Technique emphasizes behavioral psychology and confrontational tactics to extract confessions, the PEACE model promotes a cognitive approach that prioritizes rapport-building and ethical, non-coercive methods. Although both approaches have been used effectively in various contexts, the ethical implications of each method are of paramount importance. The Reid Technique's reliance on pressure and manipulation risks eliciting false confessions, which can undermine justice, while the PEACE model's ethical focus ensures that interrogations remain fair, accurate, and aligned with human rights standards. As such, the PEACE model is increasingly regarded as the preferred approach for ethical and effective interrogations.

Interrogation in Legal Contexts

Interrogation, in both national and international legal contexts, is subject to numerous regulations aimed at safeguarding human rights and ensuring that law enforcement practices remain ethical and just. Legal frameworks governing interrogation not only focus on the process of extracting information but also ensure that coercive methods, torture, and mistreatment do not occur during interrogations. This section delves into both national and international laws regarding interrogation, providing comparative case studies and examining the unique challenges of interrogation within the context of Balochistan, Pakistan.

National and International Laws Governing Interrogation

International law is clear in its prohibition of torture and ill-treatment during interrogations. The **United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (UNCAT)**, adopted in 1984, stands as a cornerstone for international human rights law concerning interrogations (United Nations, 2020). The convention explicitly prohibits torture in all forms, asserting that no individual should be subjected to torture or cruel, inhuman, or degrading treatment under any circumstances. Article 2 of the convention obligates state parties to take effective measures to prevent torture, including during interrogation processes. This is particularly pertinent to law enforcement agencies, as the convention emphasizes that torture cannot be justified under any legal or emergency circumstance, including acts of national security or terrorism.

Furthermore, the **International Covenant on Civil and Political Rights (ICCPR)**, ratified by Pakistan, supports this prohibition, emphasizing the right to fair treatment during detention and interrogation (UNHRC, 2020). ICCPR, particularly in Article 7, ensures that no one is subjected to torture, cruel, inhuman, or degrading treatment or punishment. These international instruments obligate signatory states to ensure that their national laws are aligned with international standards, creating a robust framework for the protection of individuals' rights during interrogation.

Nationally, **Pakistani law** also provides mechanisms to safeguard against illegal interrogation practices. Pakistan's **Constitution** enshrines basic human rights, including the prohibition of torture. Article 14 of the Constitution of Pakistan guarantees the dignity of the individual and prohibits torture or cruel, inhuman, or degrading treatment. However, in practice, the implementation of these

protections can be inconsistent, especially in regions affected by political unrest and ethnic conflicts, such as Balochistan.

Pakistani laws regarding interrogation are primarily governed by the **Criminal Procedure Code (CrPC)**, which lays out procedures for arrest, detention, and interrogation (Criminal Procedure Code, 1898). According to Section 167 of the CrPC, individuals can only be detained under specific conditions, with regular judicial oversight to prevent abuse. Moreover, the **Anti-Terrorism Act of 1997** introduced more stringent powers for law enforcement agencies, including extended detention periods, but it still insists on judicial scrutiny and protection against torture. In theory, these laws align with international standards by protecting detainees from torture and coercion during interrogation. However, challenges in enforcement persist, particularly in conflict zones like Balochistan.

Challenges related to Interrogation and Legal Boundaries in Balochistan

Balochistan, located in southwestern Pakistan, faces significant challenges that impact law enforcement practices, including interrogation methods. The region has long been affected by **political instability, ethnic conflicts, and security concerns**. The Baloch nationalist movement has driven political unrest, and this, combined with tensions between the central government and Baloch separatist groups, has created a volatile environment for law enforcement (Ahmed, 2021). In such a setting, interrogation techniques can be influenced by security concerns, leading to the potential for violations of legal and human rights protections.

One of the central challenges is the **security situation** in Balochistan. The province has been the site of frequent insurgencies and militant activities, often resulting in the military and paramilitary forces taking a leading role in law enforcement. These security forces are sometimes accused of using aggressive tactics during interrogations, including physical abuse and psychological pressure, to extract information from suspected militants or separatists (Baloch, 2020). The conflict, compounded by the influence of external actors such as foreign governments, complicates the ability of law enforcement agencies to adhere to international standards for interrogation, despite legal safeguards. Ethnic tensions also complicate the interrogation process in Balochistan. The Baloch people, who comprise the majority in the province, have long voiced grievances over perceived marginalization and the exploitation of natural resources in the region by the central government. This ethnic divide has made law enforcement operations in the region particularly sensitive, as members of the Baloch ethnic group may be disproportionately targeted by security forces (Baloch, 2020). In many instances, Baloch activists and politicians have been subjected to arbitrary detention and torture during interrogations, further exacerbating the ethnic and political tensions (Khan, 2020).

A **2019 report** by the **Human Rights Commission of Pakistan (HRCP)** further documents allegations of torture, forced disappearances, and inhumane treatment of detainees in Balochistan. The report emphasizes that these practices are widespread, especially during periods of heightened political instability or insurgent activity. This research highlights the failure of both governmental and non-governmental organizations to hold security forces accountable for violations, revealing a systemic issue within law enforcement in the region (HRCP, 2019).

Furthermore, the **International Crisis Group (2020)** has pointed out that Balochistan's security situation, characterized by militant attacks and an insurgent presence, has led to the militarization of law enforcement. The report suggests that the reliance on military forces for routine policing has created an environment where human rights abuses during interrogations are more likely, as military personnel are often not trained in legal interrogation practices and are less subject to oversight.

In sum, while Pakistani law provides legal safeguards against torture and mistreatment, the context in Balochistan reveals significant challenges. Political instability, ethnic conflicts, and the security situation in the region contribute to the erosion of legal protection and human rights standards during interrogations. The gap between theory and practice is evident in the prevalence of torture and unlawful interrogation methods, highlighting the need for reform in both law enforcement practices and accountability mechanisms in Balochistan.

Research Methodology

The study employs a qualitative research design, specifically utilizing a secondary-based literature review. This method involves a systematic examination of existing data and literature that investigates interrogation methods and relevant legal frameworks impacting Balochistan Province. This approach is chosen for its benefits, such as allowing a thorough, ethical, and resource-efficient exploration of the topic without the need for human participants (Corti, 2018). The secondary-based method is also suitable due to the abundance of sources that have examined legal frameworks and interrogation practices in both Balochistan Province and Pakistan overall. By synthesizing these diverse sources, the study aims to provide valuable insights into the subject. Additionally, this approach will help establish a theoretical framework to guide future research on criminal justice systems, interrogation practices, investigations, and legal frameworks (Mazhar, Anjum, Anwar, & Khan, 2021). The research approach adopted is a structured exploratory case study focusing on a sample of police officers from Balochistan. A case study is fitting for this research as it offers an explanation of the topic from the subjective perspective of police officers involved in interrogations (Ponelis, 2015). The case study includes interviews aimed at understanding the background of the officers' interrogation practices, the types of interrogation methods used, and the legal framework supporting these actions, among other aspects. The interviews also seek to comprehend the experiences of Balochistan police officers as they perform their duties.

The process of gathering data will involve obtaining information from selected secondary sources. Key sources will include peer-reviewed articles from reputable journals in the fields of criminal psychology, criminal justice, and legal processes (Corti, 2018). Additionally, data will be sourced from theses and dissertations by other researchers. For statistical data, reliable websites such as those of the WHO, UN, and other international agencies will be utilized. Regarding legal matters and Acts, law websites and other resources that provide access to these legal documents will be considered in the study. For information on cases of torture or details about police interrogations, press releases and news articles serve as trustworthy secondary data sources. To obtain primary data, interviews with participants conducted. Open-ended interviews are particularly suitable as they allow participants to express themselves, thereby offering valuable subjective insights (Mwita & journal, 2022). In this context, police officers working in Balochistan are interviewed to shed light on the types of interrogation practices and their experiences. The interview questions aim to gain a first-hand understanding of the background and experiences of police officers stationed in Balochistan Province. Another focus of the questions is on the interrogation techniques employed by the officers with suspects. Additionally, the influence of cultural experiences on the officers' interrogation practices will be explored. The interview questions also seek to comprehend the legal frameworks governing interrogation techniques in Balochistan from the officers' subjective experiences. This helps to determine whether the police officers are aware of the legal requirements during interrogations. The questions also evaluate the training and capacity of Balochistan officers, as well as their overall perception of their work. Through this, the questions aim to explore the types of interrogation practices, their legal basis, and the challenges and shortcomings encountered.

Research Analysis

The study employs thematic analysis and synthesis as its data analysis approach. This involves extracting and interpreting both secondary and primary data into various themes that correspond with the research goals. Thematic analysis begins with identifying patterns and themes related to the research subject. Subsequently, these patterns are discussed and synthesized into sub-topics that align with the research objectives (Clarke & Braun, 2017). A potential limitation of the secondary data analysis is its lack of subjectivity; however, incorporating case study analysis provides insight into the subjective aspects of the topic, particularly concerning interrogation practices and legal boundaries.

Results & Discussion

- The Pakistani police have the exclusive mandate of conducting criminal investigations whose outcomes are important for court determinations.
- The criminal investigation process in Pakistan begins with the receipt of information that an offense has been committed.
- The First Information Report (FIR) is a critical component of the Pakistani criminal justice system, especially for criminal cases.
- Pakistani police officers lack the skills to perform both administrative justice and crime control duties effectively.
- Police interrogations in Pakistan have been heavily criticized for their inefficiency and failure to uphold the human rights of suspects.
- The predominant investigation technique to derive information from witnesses conducted by Pakistani police is interrogation, often involving custodial torture.
- Torture has been used by the Pakistani federal government to enforce a unified national unity and silence dissenting voices in Balochistan.
- Police officers in Balochistan sometimes apply unethical interrogation practices due to lack of resources.
- Training infrastructure for law enforcement in Balochistan remains critically underdeveloped, leading to low-quality instruction.
- Recent efforts by UNODC and EU have focused on training officers in advanced interrogation techniques.
- The Reid technique consists of investigation, interview, and interrogation, and relies on behavioral assessment.
- The PEACE model employs psychological principles to obtain accurate information from suspects without coercion.
- International support for enhancing law enforcement capacity in Pakistan is evident but lacks coordination.
- Recent trainings in Balochistan represent a significant step in professionalizing investigative functions and mitigating human rights violations.

The criminal investigation process in Pakistan, including interrogation practices, is a critical component of the criminal justice system. However, the interrogation techniques used by police officers in Pakistan, particularly in Balochistan, have been heavily criticized for their inefficiency, human rights violations, and use of torture to extract information from suspects. The Pakistani police force lacks specialized agencies with the necessary education, training, and skills to conduct effective criminal investigations. Custodial torture has been widely used as an interrogation technique in Balochistan, with various forms of torture reported, such as blunt trauma, positional torture, burns, electric shocks, and psychological abuse. These practices have been influenced by political control, corruption, and the normalization of torture by military forces in the region. Balochistan has a history of state-sanctioned torture practices, enforced disappearances, and mass crackdowns targeting political activists and communities suspected of harboring militants. Despite the existence of international and local regulatory frameworks prohibiting torture, such as the Universal Declaration of Human Rights and the United Nations Convention against Torture, the practical enforcement of these prohibitions remains fragmented and inconsistent in Pakistan. The absence of explicit anti-torture legislation and the circumvention of constitutional protections through preventive detention provisions have hindered the effective enforcement of anti-torture protections in Balochistan.

The interview with a Balochistan police officer provided insights into their operating environment, regulatory framework, and interrogation practices. The officer, with 7-10 years of experience, handled cases such as robbery, theft, attempted murder, and foreigner-involved cases. Initially, calm interrogation techniques are used, but unethical practices may be applied due to lack of resources and

strict timelines. Police training infrastructure in Balochistan is underdeveloped, with low-quality instruction. However, recent efforts by the UNODC and EU have provided intensive training on legal and ethical interrogation techniques, focusing on the PEACE model. The Reid technique, used by the U.S. police, consists of investigation, interview, and interrogation, while the PEACE model employs psychological principles to obtain accurate information without painful procedures. International support for enhancing law enforcement capacity in Pakistan is evident, but coordination among donors is limited. Recent trainings in Balochistan represent a significant step towards professionalizing investigative functions and mitigating human rights violations.

Conclusion

The criminal investigation process in Pakistan, particularly in Balochistan, has been criticized for its inefficient and unethical interrogation practices, including the use of torture to extract information from suspects. Despite international and local regulatory frameworks prohibiting torture, the practical enforcement of these prohibitions remains inconsistent in Pakistan. The absence of explicit anti-torture legislation and the circumvention of constitutional protections have hindered the effective enforcement of anti-torture protections in Balochistan. Recent efforts by international organizations have provided training on legal and ethical interrogation techniques to police officers in Balochistan, representing a significant step towards professionalizing investigative functions and mitigating human rights violations. However, the application of unethical interrogation practices in Balochistan is partly attributed to socio-cultural and historical factors, with the Pakistani federal government's response to ongoing unrest and political dissent in the province being framed through the lens of securitization, resulting in an escalating reliance on military and paramilitary apparatuses to exercise control.

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