

Pakistan: Freedom of religion or belief

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Introduction

Freedom of religion or belief concerns in Pakistan range from everyday institutional and social discrimination to targeted mass violence against religious minorities, often in places of worship. In recent years the situation has been exacerbated by terrorist attacks, sectarian violence, discriminatory legislation, lack of accountability and perpetrator impunity. Pakistan has officially been an Islamic Republic since 1956, although a tension exists within the constitution whereby legislation must comply with both the Fundamental Rights chapter and the Islamic Provisions chapter.

Blasphemy laws

The so-called blasphemy laws, Section 295A, B and C of the Pakistan Penal Code, make it a criminal act to insult another's religion. Section A relates to 'outraging religious feelings' and is punishable with imprisonment and/or a fine; Section B relates to defiling the Qur'an, and carries life imprisonment; Section C criminalises insults against the Prophet Mohammed and can be punished by the death penalty or life imprisonment.

The blasphemy laws are widely misused to settle personal scores and target religious minorities. Though the majority of accusations are made against Muslims, in some cases where non-Muslims are accused their entire community may be attacked.

A recent and well-documented case of the use of these laws is that of Taimoor Raza, a Shi'a Muslim who on 10 June 2017 became the first person to be sentenced to death by the Anti-Terrorism Court for allegedly committing blasphemy on Facebook. In April 2017 Mashal Khan from Abdul Wali Khan University Mardan, in the province of Khyber Pakhtunkhwa, was murdered by a mob including students and staff who accused him of committing blasphemy.

Attacks on religious minorities

In recent years Muslim communities have suffered violent attacks. The Shi'a community has seen hundreds killed, with the Shi'a Hazara community particularly targeted in Quetta, Balochistan. In April 2018 Quetta's Hazara community, led by activist Jalila Haider, went on hunger strike in criticism of law enforcement and security agencies for their inaction and failure to prevent the murders of Hazaras.

On 27 March 2016 (Easter Sunday), the Christian community was targeted in a suicide bomb attack at the Gulshan-e-Iqbal Park, Lahore, in which over 72 people were killed and 300 injured. Other attacks on Christian communities include church bombings in Peshawar in September 2013 and in Youhanabad, Lahore, in March 2015. On 15 April 2018 two Christian men were killed and three were injured after unknown gunmen opened fire on the Christian neighbourhood of Essa Nagri in Quetta, as worshippers were leaving a church service.

On 25 June 2018 Qazi Muhammed Shoban, an Ahmadi Muslim, was shot dead when two masked men entered his home. While his wife was detained by one assailant in a room with their three children, the second assailant shot Mr Shoban three times in the stomach, killing him instantly. According to his wife he had received death threats from people in the local area in the days before his death. It is believed that he was targeted because he was an Ahmadi Muslim.

Abduction and forced conversion

The abduction, forced marriage and forced conversion of Christian and Hindu girls has increased in frequency in recent years, particularly in Punjab and Sindh. Girls from 'low' caste Hindu communities are particularly at risk. Many of these Christian and Hindu girls who are kidnapped, forcibly converted to Islam and married off to one of their abductors, are never recovered.

Such crimes are common, but often go unreported by family members due to lack of faith in the police, who often have biased attitudes towards Hindu and Christian families; and due to intense intimidation from the abductors. As a result of under-reporting and the complex nature of these crimes, figures are underestimated. However, a study by the Aurat Foundation¹ in 2011 estimated that 1,000 Christian and Hindu girls are abducted and forced to marry and convert annually.

Perpetrators are emboldened by the relatively low likelihood of conviction due to institutional biases, including weaknesses in police investigative procedures and judicial processes. Consequently, families are often harassed, threatened and intimidated by the abductor and his family before cases are filed and during court proceedings.

In a positive development, the National Assembly passed the Hindu Marriage Bill 2017 to regulate marriages of Hindus in Pakistan. The law relates to registration of marriage, separation and remarriage, and will assist the Hindu community to get documentary proof of their marriage, while setting the minimum age of marriage at 18 years for both boys and girls. However, stronger legislation is required to prevent the increasing number of cases of forced conversion and marriage, and to protect the right to education for minority girls as detailed in Article 25(A) of Pakistan's constitution.

¹ Aurat Foundation (2014), *Forced Marriages and Inheritance Deprivation in Pakistan* www.af.org.pk/pub_files/1416847483.pdf

Biased and discriminatory education

Some textbooks include biased and derogatory language towards Ahmadis, Christians, Hindus, Sikhs and Shi'as. Islam is promoted above other religions, Islamic thought is included in subjects other than Islamiyat (Islamic religious studies), and books contain factual/historical inaccuracies and omissions and exclude the contributions of religious minority heroes. Textbooks also contain concepts that are contrary to the religious beliefs of religious minorities.

Students from religious minorities face discrimination. They endure physical and psychological abuse including beating, bullying and taunting because of their religion, from both teachers and classmates. They are made to sit, eat and play separately from mainstream Muslim students, and face persistent pressure to convert to Islam. Muslim students who memorise the Qur'an get 20 extra marks towards admission applications for institutions for higher education, employment and professional studies. Non-Muslims who can opt instead to study ethics are reluctant to do so, as this immediately identifies them and increases discrimination.

Ahmadiyya Muslims

The Ahmadiyya community is the most widely institutionally and constitutionally persecuted religious group in Pakistan. Persistent and systematic structural discrimination, as well as targeted physical violence, affects their economic, social and employment status, political life and educational activities. In 1974 a constitutional amendment declared persons not believing in the finality of the Prophet Mohammed to be non-Muslims, thereby making the propagation and practice of Ahmadi religious beliefs punishable by law. 1984 saw the promulgation of Ordinance XX (20), and Sections 298(B) and 298(C) added to the penal code, which categorise Ahmadiyya Muslims as 'non-Muslims' and impose strict restrictions on the members of the community.

Human rights defenders

CSW is concerned about increased risks to human rights defenders (HRDs), lawyers and judges. Lawyers defending blasphemy-related or other sensitive cases relating to minority issues frequently face intimidation and threats of violence, and in some cases extra-judicial killings. Judges have been physically attacked and threatened with torture, even during court hearings. Many are afraid to hear prominent minority cases for fear of reprisal, making progress in these cases painfully slow.

Violence against HRDs is also on the rise. CSW has reported on the killing of a number of activists, including Khurram Zaki in May 2016 and Zafar Lund in July 2016.

Recommendations

- Engage with international partners to jointly raise FoRB concerns with officials in Islamabad and in multilateral settings.
- Urge the government of Pakistan to fully cooperate with all UN Special Procedures and issue a standing invitation to the UN Special Rapporteur on freedom of religion or belief to visit Pakistan, with unhindered access to all parts of the country.
- Urge the government of Pakistan to implement the recommendations of the first, second and third UPR cycles.
- Support improvements in the education system, including the development of unbiased textbooks and non-discriminatory curricula for schools and colleges, which promote a culture of religious and social tolerance and include the positive contributions of religious minorities.
- Urge the government of Pakistan to comply with the international commitments it accepted when it signed and ratified the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).
- Encourage the government of Pakistan to amend the blasphemy laws as a step towards full repeal, and to ensure that they are not misused or used to target religious minorities unfairly.
- Urge the government of Pakistan to ensure that proper investigations are carried out into attacks on religious minorities, including on their places of worship, instances of abduction, and forced marriage and conversion of religious minority girls and women. In all these cases efforts must be made to ensure that the perpetrators are arrested and brought to justice.
- Urge the Pakistani government to conduct thorough and transparent investigations into threats and violence against human rights defenders, to end the culture of impunity for attacks against them.
- Call on the government of Pakistan to repeal the second amendment to the constitution of Pakistan and Ordinance XX, which categorise Ahmadis as non-Muslims and make the practice of Ahmadi religious beliefs punishable by law.

As Christians, we stand with everyone facing injustice because of their religion or belief.