

**United Nations Human Rights Council  
Universal Periodic Review of Member – The Islamic Republic of Pakistan**

**A. Freedom of Religion**

Pakistan was officially partitioned from India in 1947 to create a homeland for Indian Muslims, but religious minorities remained. The 1998 national census found that 95% of the population identified as Muslim, with two to four million additional Ahmadis who considered themselves Muslims despite Pakistani law's rejection of their claims. Non-Muslims including Christians, Hindus, Zoroastrians, Baha'is, Sikhs, and Buddhists constitute the remaining five percent.<sup>1</sup> Estimates of the Christian population range from 0.7%<sup>2</sup> to five percent.<sup>3</sup>

Christian-Muslim relations began to deteriorate in the 1980's and 1990's, partly due to General Muhammad Zia-ul-Haq's support of the Islamization of Pakistan. Unrest evolved into hostility after the introduction of fundamentalist Sunni teachings from the Middle East. Such teachings viewed Pakistani Christians as products of "the West" and instigated social and political marginalization. Today they continue to suffer persecution from Islamists who believe a strict interpretation of Islamic law should govern Pakistan's legal system.

Christians in Pakistan are viewed as unclean by Muslims and often face discrimination at work and school. Pakistani Christians often leave the country because of religious persecution or accusations of blasphemy such as desecrating the Quran or insulting the Prophet Mohammad. These verdicts can carry the death penalty under Pakistan's blasphemy laws. These laws are often misused to persecute religious minorities and settle personal disputes.<sup>4</sup> Experts estimate at least 1,000-4,000 blasphemy cases have been registered since the last amendments in the 1980s.<sup>5</sup>

The 2016 report by the U.S. Commission on International Religious Freedom (USCIRF) notes:

“More people are on death row or serving life sentences for blasphemy in Pakistan than in any other country in the world. Aggressive enforcement of these laws emboldens the Pakistani Taliban and individual vigilantes, triggering horrific violence against religious communities and individuals perceived as transgressors, most recently Christians and Muslim bystanders on Easter Sunday 2016 in Lahore.”<sup>6</sup>

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<sup>1</sup> <http://www.pbs.gov.pk/sites/default/files/other/yearbook2011/Population/16-16.pdf>

<sup>2</sup> [http://www.persecution.com/pdfs/Global\\_Report\\_2016.pdf](http://www.persecution.com/pdfs/Global_Report_2016.pdf)

<sup>3</sup> <https://www.washingtonpost.com/news/worldviews/wp/2016/03/28/the-plight-of-pakistans-christian-minority/>

<sup>4</sup> <http://www.state.gov/documents/organization/256199.pdf>,

[https://www.ecoi.net/local\\_link/237378/346411\\_en.html](https://www.ecoi.net/local_link/237378/346411_en.html)

<sup>5</sup> <https://www.washingtonpost.com/news/worldviews/wp/2016/07/12/police-in-pakistan-hunt-christian-accused-of-blasphemy-for-online-poem/>,

[https://www.ecoi.net/local\\_link/237378/346411\\_en.html](https://www.ecoi.net/local_link/237378/346411_en.html)

<sup>6</sup> <http://www.uscifr.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

Forced conversion to Islam is another common attack against Pakistani minorities. A 2014 report<sup>7</sup> by Movement for Solidarity and Peace in Pakistan estimates that 100-700 Christian girls between the ages of 12 and 25 are forced to convert each year. Another 2014 report by the Pakistani Aurat Foundation found that around 1,000 girls are forcibly converted to Islam every year. These conversions are usually paired with forced marriages or bonded labor. The report blamed public pressure for biased or ineffective police investigations and coerced testimonies of willing conversions.<sup>8</sup>

Recent USCIRF reports confirm that “forced conversions and marriages of Christian and Hindu girls and women” remain a systemic problem.<sup>9</sup> The 2016 report criticizes the Pakistani government’s failure to accomplish systemic changes in favor of religious freedom issues.<sup>10</sup>

#### a. Reform Attempts

The ongoing struggle to protect religious minorities recently brought three attempts to reform Pakistan’s Islamic laws. First, the Pakistani National Assembly passed a law amending certain criminal laws in February 2017 and awaits President Mamnoon Hussain’s approval. The Criminal Laws (Amendment) Act 2016 explicitly seeks to improve the conditions of the country’s religious minorities and combat “terrorism, sectarianism and extremism.” It would punish lynching and forced marriage for the first time in Pakistan’s history. It also penalizes perpetrators of forced marriages of underage girls or non-Muslim women with five to ten years in prison and a fine of up to one million Pakistani rupees.

Second, Pakistan’s Senate Committee on Human Rights began discussing the modification of the blasphemy laws to prevent their abuse in January 2017. Political and religious leaders quickly opposed the initiative, claiming the law can never be changed. A blasphemy law reform bill was recently brought to the National Assembly by the National Party, but it was blocked from proceeding to the Senate. Pakistan’s Minister for Religious Affairs, Sardar Muhammad Yousuf, said the government had no plans to modify the existing blasphemy law.

Some politicians claim the blasphemy laws do not target Christians, citing that most cases are against Muslims. The Pakistani non-profit CLAAS (Centre for Legal Aid Assistance and Settlement) and other advocates counter that the small percentage of Pakistani Christians (1.6%) makes their persecution disproportionately heavy in comparison to that of the majority Muslim population.<sup>11</sup> USCIRF’s 2016 report found that about two-thirds of all blasphemy cases occurred in Punjab, where the majority of Pakistan’s religious minorities live.<sup>12</sup>

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<sup>7</sup> [http://www.msp-pk.org/forced\\_marriages\\_forced\\_conversions\\_in\\_the\\_christian\\_community\\_of\\_pakistan\\_msp\\_report](http://www.msp-pk.org/forced_marriages_forced_conversions_in_the_christian_community_of_pakistan_msp_report)

<sup>8</sup> [https://www.af.org.pk/pub\\_files/1416847483.pdf](https://www.af.org.pk/pub_files/1416847483.pdf)

<sup>9</sup> [www.uscirtf.gov/sites/default/files/Pakistan%202015.pdf](http://www.uscirtf.gov/sites/default/files/Pakistan%202015.pdf),  
<http://www.uscirtf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

<sup>10</sup> <http://www.uscirtf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

The third legal reform attempt aimed to prohibit the forced conversion of non-Muslim minorities, especially women and minors. The Sindh Provincial Assembly unanimously passed the Pakistan People's Party's Criminal Law (Protection of Minorities) Act in November, but Islamic political parties adamantly protested the bill as "un-Islamic" and the Sindh governor sent back the bill in January. Pakistan currently allows forced conversions to Islam, and authorities sometimes fail to consult or verify birth certificates of underage girls before Muslim men marry them.

## **B. Current Leadership**

Prime Minister Nawaz Sharif has addressed human rights issues in the last few years, but his initiatives lack implementation. After a 2014 attack on a public school by the Pakistani Taliban (Tehrik-e-Taliban), the government immediately created a National Action Plan to combat terrorism and the regional violence decreased significantly by March 2016.<sup>13</sup> As reported USCIRF's 2016 Annual Report, "In November 2015, the government declared the Ministry of Human Rights (MoHR) independent from the Ministry of Law and Justice (MoLJ). The mandate of the MoLJ includes defending the state against human rights complaints, which could conflict with the mandate of the MoHR to redress human rights violations, including those perpetrated by the state. In May 2015, the government authorized the country's first independent National Commission for Human Rights, with the ability to conduct inquiries and take action, but provided it no budget... Societal violence and terrorist activity continues, and inherently discriminatory laws remain. In March 2015, a USCIRF delegation made its first ever Commissioner-level visit to Pakistan. Commissioners met with high-ranking Pakistani officials, including National Security Adviser Sartaj Aziz, as well as officials in the Ministries of Interior and Religious Affairs. Tragically, suicide bombers affiliated with the Pakistani Taliban attacked two churches in Lahore the day the USCIRF delegation departed Pakistan."<sup>14</sup>

## **C. Abuse of Blasphemy Laws**

The current laws that address blasphemy were originally an extension of British colonial laws created to prevent religious violence. They are found in Articles 295 through 298 of the 1860 Pakistan Penal Code, Section XV. Most commonly cited are Articles 295 and 298, which address insults to Islam and the Prophet Mohammad and mistreatment of the Quran, among other crimes. Now they assign death or life imprisonment sentences to blasphemy cases. In 1991, the Federal Sharia Court ruled that the punishment for this offense should be harsher, and Article 295-C was amended to make the death penalty mandatory for individuals convicted of insulting Mohammad.

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<sup>13</sup> [http://www.acleddata.com/wp-content/uploads/2016/09/ACLED\\_Asia\\_TrendReport\\_September2016.pdf](http://www.acleddata.com/wp-content/uploads/2016/09/ACLED_Asia_TrendReport_September2016.pdf)

<sup>14</sup> <http://www.uscifr.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

On Open Doors USA's World Watch List, a report of the countries with the most severe Christian persecution, Pakistan ranked sixth in 2016<sup>15</sup> and fourth in 2017<sup>16</sup>. While government representatives claim all Pakistani citizens receive equal rights and religious minorities are "happy," groups like CLAAS frequently report and protest attacks against Christians. Pakistan's blasphemy laws play a notable role in this. Amnesty International's latest report documents the abuse of Pakistan's blasphemy laws and urges the government to abolish them in accordance with international standards for freedoms of life, thought, conscience, religion, and expression.<sup>17</sup>

Joseph Francis, the co-founder and National Director of CLAAS Pakistan, has provided legal assistance, settlement, protection, and rehabilitation for victims of religious persecution since 1992. He has defended many Christians falsely accused of blasphemy. Unfortunately, CLAAS's resources are consumed with providing immediate relief to victims of false blasphemy allegations and cannot address the systemic issues that cause them. The group says Pakistani society is becoming more intolerant and radicalization is growing daily.

#### a. Systemic Religious Discrimination

USCIRF's annual reports for 2015 and 2016 condemn Pakistan for its "religiously-discriminatory" legislation, including constitutional provisions, blasphemy laws, and anti-Ahmadiyya laws.<sup>18</sup> They argue that the legal protection/prioritization of beliefs before individuals violates international standards of freedom of religion or belief. In the 2016 report, USCIRF notes that the failure to require evidence for blasphemy accusations "leads to abuse, including false accusations."<sup>19</sup> It adds that Shi'a Muslim, Ahmadiyya Muslim, Christian, and Hindu minority communities experience violence from individuals as well as organizations.

The Constitution of Pakistan claims to guarantee equal rights and status to all citizens, regardless of race, religion, caste, or place of work (Articles 25, 26 and 27). Although their rights include the freedom of religion, it is mostly unenforced. Pakistan's constitution requires the president to be Muslim and establishes Islam as the state religion (Articles 41:2, Article 2). Most Pakistani Muslims reject Ahmadis' self-identification as Muslims and in 1974 the government officially declared them to be "non-Muslims" with the creation of the second constitutional amendment. Additional clauses restrict them from identifying as Muslims, sharing their faith, or voting.

The 2016 USCIRF report also raises concern for "discriminatory content against minorities in provincial textbooks" and says the Pakistani government has failed to accomplish systemic changes in favor of religious freedom issues.<sup>20</sup> Another USCIRF report criticizes bias and distrust toward non-Muslims found in Pakistani public school curricula: "These grossly generalized and stereotypical portrayals of religious minority communities signal that they are untrustworthy,

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<sup>15</sup> <file:///C:/Users/User/Downloads/wwl2016downloadsmall.pdf>

<sup>16</sup> <file:///C:/Users/User/Downloads/2017-World-Watch-List.pdf>

<sup>17</sup> <https://www.amnesty.org/en/documents/asa33/5136/2016/en/0/>

<sup>18</sup> <http://www.uscifr.gov/sites/default/files/USCIRF%20Annual%20Report%202015%20%282%29.pdf>,

<http://www.uscifr.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

<sup>19</sup> <http://www.uscifr.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

<sup>20</sup> <http://www.uscifr.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

religiously inferior, and ideologically scheming and intolerant.”<sup>21</sup> The same report found that “while 16 problematic passages outlined in the 2011 report were removed, 70 new intolerant or biased passages were added.” In 2014 the Supreme Court tasked the federal government with creating a special police force to protect religious minorities and revise biased school textbooks, but the report found the government had not accomplished either.<sup>22</sup> This kind of education about religious minorities serves to reinforce interfaith tensions and encourage mistreatment of non-Muslims.

Pakistan’s political landscape is heavily influenced by Muslim clerics who seek to bring Pakistani law into compliance with their interpretations of Sharia (Islamic law). As religious extremists consider discussions about amending Islamic laws to be blasphemous, critics of the laws/advocates of legal change commonly face threats and violence.

#### **D. Communal Violence**

Religious minorities in Pakistan fear to report violence committed by Muslims because of fear of retribution. In addition, non-state actors including the Pakistani Taliban continue to threaten religious minorities and national security in general. Although Pakistan has not yet executed anyone convicted of blasphemy, those accused of or charged with insulting Islam usually receive heavy fines and years in prison.

In most cases blasphemy suspects suffer communal violence before they receive due process, since the blasphemy laws are commonly abused and used for personal gain or revenge among multi-faith communities. USCIRF blamed the laws and government failures for creating a climate of vigilantism and impunity in its 2013 annual report.<sup>23</sup> Christians face “honor killings,” suicide bombings, and other attacks from local Pakistanis and radical Islamist groups. Unfortunately, the government rarely investigates and prosecutes the perpetrators. On January 28, 2017, an anti-terrorism court acquitted over 100 suspects from the 2013 burning of more than 100 Christian homes near Lahore. The attack occurred after a man was accused of insulting the Prophet Mohammad.

On March 24, 2017, atheist blogger who goes by the pseudonym Ayaz Nizami was arrested for blasphemy following Prime Minister Nawaz Sharif’s order on March 14 to remove “blasphemous” content from the internet<sup>24</sup>. Following his arrest, the hashtag #HangAyazNizami began trending in Pakistan, in addition to tweets stating messages such as “He must be dragged

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<sup>21</sup> U.S. Commission on International Religious Freedom (USCIRF), *Teaching Intolerance in Pakistan: Religious Bias in Public School Textbooks* (2016).

<sup>22</sup> <http://www.uscirtf.gov/sites/default/files/USCIRF%202016%20Annual%20Report.pdf>

<sup>23</sup> [https://www.uscirtf.gov/sites/default/files/resources/Pakistan%202013\(1\).pdf](https://www.uscirtf.gov/sites/default/files/resources/Pakistan%202013(1).pdf)

<sup>24</sup> <http://www.rferl.org/a/pakistan-bloggers-charged-blasphemy/28390360.html>

in the streets then hanged”.<sup>25</sup> Other tweets suggested that community violence would take place if Ayaz Nizami is not given the death penalty.

A 2014 mob attack on a Christian brick kiln couple has become the prime example of communal violence in Pakistan. On November 4, 2014 a mob of hundreds of Muslims brutally beat and burned alive Shahzad Masih and Shama Bibi. The couple was accused of desecrating the Quran.<sup>26</sup>

## **E. Recommendations**

Urge the Pakistani government to support current efforts to reform the blasphemy laws and thereby prevent its abuse and provide adequate and effective guarantees of freedom of religion and belief for Pakistanis of all faiths.

Urge the Pakistani government to provide due process for those accused of blasphemy, protect them from mob violence, and uphold basic principles that the accused is innocent until proven guilty.

Urge the Pakistani government to review all cases of people accused of blasphemy and to apply international legal standards to acquit and release the accused, starting with Mrs. Asia Bibi.

Encourage changes to national textbook and curricula that promote tolerance towards members of all religions, both in government schools and the madrassa system under the religious affairs ministry.

Encourage a public information campaign that explains the historic role of Pakistan’s religious minorities, their contributions to society, and their equal rights and protections.

Urge the Pakistani government to ensure the equal protection of all religious minorities by punishing any advocacy of hatred against them that constitutes incitement to discrimination, hostility, or violence.

Urge the Pakistani government to implement its Supreme Court decision to create a special police force to protect religious groups from violence and prosecute perpetrators, both militant group members and individuals involved in mob attacks.

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<sup>25</sup> <http://www.patheos.com/blogs/friendlyatheist/2017/03/26/with-hangayaznizami-its-clear-the-anti-atheist-sentiment-in-south-asia-is-getting-worse/>

<sup>26</sup> <http://www.christianpost.com/news/pakistan-no-justice-2-years-muslim-mob-burn-christian-couple-alive-brick-kiln-171399/>