

2/25/09: Pakistan: USCIRF Alarmed by Proposed Measures Endangering Religious Freedom and Human Right

FOR IMMEDIATE RELEASE

February 25, 2009

Contact: communications@uscirf.gov

(202) 523-3240, ext. 114

WASHINGTON, DC - The U.S. Commission on International Religious Freedom (USCIRF) today expressed its serious concern about an agreement proposed last Monday that could enact a system of Taliban-influenced Islamic jurisprudence, or sharia law, in the Swat Valley of the North-West Frontier Province (NWFP) of Pakistan. While the proposed agreement, described by some as a "peace plan," remains under negotiation and details are still not fully known, the Commission is concerned that such a pact could concede local control to Taliban-associated extremists who routinely use violence to enforce their political and theological agendas, resulting in systematic human rights abuses and severe limitations on religious freedom.

"This deal is being brokered with Taliban-associated extremists who consistently demonstrate utter disregard for human life and the essential freedoms sanctioned by international human rights mechanisms," said Commission Chair Felice D. Gaer. "Granting power to these individuals' interpretations of sharia could easily result in further human rights abuses and religious freedom restrictions. The Commission calls on the U.S. State Department to communicate that the protection of human rights in Swat Valley and throughout Pakistan is a top priority of the United States. "

The provincial government is negotiating the deal in an effort to end the fighting in the Swat Valley between government troops and Taliban-associated extremists. The latter have announced a ceasefire, and government forces have stated they will no longer pursue violent extremists in Swat; they will now fire only in self-defense. Any deal must be approved by Pakistan's central government.

If the proposed agreement enacts or otherwise strengthens sharia law under Taliban-associated extremists, human rights stand to suffer. As the Commission has previously documented, the Taliban's implementation of sharia law in Afghanistan led to serious human rights abuses, such as the forced implementation of their social and religious norms, the imposition of discriminatory evidentiary standards against women and non-Muslims, repression of religious minorities, and abuses targeting women and girls. "The women and girls of Swat have already endured egregious and abusive limitations on their mobility and right to education, and will be particularly vulnerable under a Taliban-influenced sharia legal code," said Gaer.

The Commission is concerned that the proposed agreement would represent a significant victory for Taliban-associated extremists fighting in the Swat Valley, and could embolden other violent extremists and Taliban militants who would seek to expand their influence and control elsewhere in Pakistan and Afghanistan.

State enforcement of sectarian laws is always problematic since by definition it is coercive, and the implementation of sharia law in extremist-controlled Swat Valley would make it impossible for Pakistan to guarantee the right to express oneself and worship freely, along with other basic human rights. Article 18 of the Universal Declaration of Human Rights guarantees everyone the right to freedom of thought, conscience and religion.

Following an extraordinarily sharp rise in violence in the Swat Valley in 2003, thousands of civilians have endured unspeakable brutality and social tumult, as Taliban-linked groups summarily issue edicts restricting movement, education, and local customs in the name of their interpretation of Islam. According to news reports, by December 2008, approximately 60 per cent of 1.8 million Swat residents had fled heavy violence and over 150 schools were destroyed, the majority of which were providing education to girls. Women refusing to give up their jobs have been murdered, and police, political opponents and other critics of the Taliban have been beheaded in public. In December 2008, female education was wholly banned amidst widespread protest. The ban was eased in late January 2009 to allow for education up to the fifth grade. Nightly Taliban radio broadcasts in Swat have communicated edicts against so-called un-Islamic activities, including singing, dancing, watching television, and shaving beards.

"Protections for human rights should not be bartered away," noted Gaer. "We are concerned about the glaring lack of safeguards for the human rights and religious freedoms of Swat's residents. Pakistani officials should be redoubling their efforts to protect the human rights and the security of all its citizens."