



PAKISTAN

Key Findings

Pakistan represents the worst situation in the world for religious freedom for countries not currently designated by the U.S. government as “countries of particular concern.” In the past year, conditions hit an all-time low due to chronic sectarian violence targeting mostly Shi’a Muslims but also Christians, Ahmadis, and Hindus. The previous and current governments failed to provide adequate protection or to arrest perpetrators. Also, Pakistan’s repressive blasphemy laws and anti-Ahmadi laws are widely used to violate religious freedoms and foster a climate of impunity. USCIRF again recommends in 2014 that Pakistan be designated as a “country of particular concern” (CPC). Since 2002, USCIRF has recommended Pakistan be named a CPC.

Background

Despite the first transfer of power in Pakistan’s history, from one civilian government to another the exceedingly poor religious freedom environment worsened. Both the previous and current governments engaged in and tolerated systematic, ongoing, and egregious violations of freedom of religion or belief. Despite democratic institutions, Pakistan’s legal environment is particularly repressive due to its blasphemy laws and other religiously discriminatory legislation and constitutional provisions. The government failed to protect citizens, minority and majority alike, from sectarian and religiously-motivated violence, and Pakistani authorities have not consistently brought perpetrators to justice or taken action against societal actors who incite violence. In April 2013, the Human Rights Commission of Pakistan concluded that Pakistan is “on the verge” of becoming an undemocratic society where violence is the accepted form of communication.

The previous Zardari government established a special Federal Ministry for Interfaith Harmony led by the brother of the late Shahbaz Bhatti, Dr. Paul Bhatti.

Shahbaz Bhatti was assassinated by the Pakistani Taliban in March 2011. Dr. Bhatti convened a major interfaith conference in Islamabad in February 2013 and the then prime minister participated. After the election of Nawaz Sharif as Prime Minister, the interfaith harmony ministry was folded into the ministry for religious affairs, which

Conditions hit an all-time low due to chronic sectarian violence.

primarily deals with concerns of the Muslim community, such as *hajj* participation. The Sharif government did keep the Minorities Day holiday, established by Shahbaz Bhatti, although the level of participation by government officials was low. In September, authorities arrested individuals who later admitted to killing Shahbaz Bhatti. A prosecution was initiated, but courtroom security has been lax and witnesses have received death threats from the terrorist groups Pakistani Taliban and Lashkar-e-Jhangvi. At the end of the reporting period, the trial was ongoing.

Religious Freedom Conditions 2013–2014 Targeted Sectarian Violence

The previous and current Pakistani government failed to intervene effectively against a spike in violence targeting the Shi’a minority community, as well as violence against Christians, Hindus, and Ahmadis. Authorities have not consistently brought the perpetrators of such violence to justice. Pakistani Chief Justice Tassaduq Hussain Jiliani has on several occasions taken notice of the poor security situation for religious minorities and tasked the government to take remedial steps. Religious minorities were not the only victims, as members of the majority faith also were targeted. For instance in January 2014, the Pakistan Taliban

allegedly slit six people's throats while they were visiting a popular Sufi shrine in Karachi.

Shi'a

During the reporting period, militants and terrorist organizations targeted Shi'a processions and mosques, as well as social gathering places, with impunity. Particularly large bombings occurred at a pool hall frequented by Shi'a in Quetta in January 2013 and on a busload of Shi'a pilgrims returning from Iran in January 2014. Overall, advocacy organizations put the number of Shi'a killed across Pakistan during the past year at close to 700, with over 1000 wounded. The response by the Pakistani government has been grossly inadequate. Police, if present, have been unwilling to stop attackers before people are killed, and the government has not cracked down on the groups that repeatedly target Shi'a.

Christians

Violence against Christians continued. The largest attack against the Christian community in Pakistan's history occurred in September 2013, when Pakistani Taliban suicide bombers attacked the All Saints Church in Peshawar as services were ending, killing 100 individuals. In addition, two large mob attacks against Christian villages in Punjab province occurred in March and April, with over 100 homes destroyed. While the provincial government provided some reparations, few, if any, perpetrators were held to account. In addition, in August 2013, the charges brought against a prayer leader for planting blasphemy evidence against an underage, mentally-handicapped Christian girl in 2012 were dismissed. The Centre for Legal Assistance and Settlement and other groups continue to report kidnappings and forced conversions, such as in January 2014, when a 14-year-old Christian girl was abducted, forcibly converted, and forced to marry.

Ahmadis

During the reporting period, individual Ahmadis continued to be murdered in religiously-motivated attacks. In addition, local police repeatedly forced Ahmadis to remove Qur'anic scripture from mosques and minarets. There also were desecrations of Ahmadi graves, sometimes by local police, with one body being disinterred in April 2013. During the reporting period, Ahmadis were effectively disenfranchised from voting in the parliamentary elections,

due to discriminatory laws targeting their faith. (See more about the unique legal repression of Ahmadis below.)

Hindus

Hindu marriages are not recognized by the state. Allegations of kidnapping of Hindu women, followed by forced conversions to Islam and forced marriages to Muslim men, continued to arise throughout the reporting period. USCIRF also received reports in April 2013 of approximately 500 Hindus from Pakistan leaving for India due to sectarian threats and poor economic conditions. Hindu boys were kidnapped in September, a mob dug up the grave of a Hindu man in province of Sindh in October, and in January 2014 a nine-year-old Hindu girl was raped and killed in Punjab province.

Blasphemy Laws

The country's blasphemy laws, used predominantly in Punjab province, but also nationwide, target members of religious minority communities and dissenting Muslims and frequently result in imprisonment. During the reporting period, Muhammad Asghar was sentenced to death and Sajjad Masih was sentenced to life in prison. After the reporting period, in March 2014, a Pakistani court sentenced Sawah Masih to death for blasphemy. In April 2013,

USCIRF is aware of at least 17 individuals on death row and 19 more serving life sentences [for blasphemy]. Many others have been charged and await trial.

Younis Masih's blasphemy conviction was overturned by the Lahore high court; he was released from prison after nine years in jail. Overall, USCIRF is aware of at least 17 individuals on death row and 19 more serving life sentences. (See list of blasphemy prisoners in appendix.) Many others have been charged and await trial. While Sherry Rehman was serving as Pakistan's ambassador to the United States, for example, she was accused of blasphemous activity by police in February 2013 for comments made during a 2010 television appearance. The Pakistani government continues to block YouTube out of concerns that its hosts "blasphemous content."

Blasphemy laws are deeply problematic on a number of levels, and Pakistan's is especially so. The so-called crime carries the death penalty or life in prison, does not require proof of intent or evidence to be presented after allegations are made, and does not include penalties for false allegations. Further, the laws do not provide clear guidance on what constitutes a violation, empowering accusers to apply their personal religious interpretations. In September 2013, the Council of Islamic Ideology recommended against amending the blasphemy laws to add procedural safeguards, noting situations of misuse or fraud could be penalized through other sections of the Penal Code. In December, the Federal Shariat Court decreed that the death penalty is the only appropriate punishment for blasphemy. It requested the government remove life imprisonment as a sentence, but no action has been taken as of this writing.

Legal Restrictions on Ahmadis

Ahmadis are subject to severe legal restrictions, both in the constitution and criminal code, and suffer from officially-sanctioned discrimination. The constitution declares members of the Ahmadi religious community to be "non-Muslims," and the penal code makes basic acts of Ahmadi worship and interaction criminal offenses. They also are prevented from voting. During the reporting period, USCIRF continued to receive reports of Ahmadis being charged under the criminal code for their "illegal" religious activities.

Education

The National Commission for Justice and Peace (NCJP) reported in May 2013 that discriminatory content against religious minorities was found in 22 Sindh and Punjab provincial textbooks for grades 1-10. These conclusions mirror USCIRF's 2011 study, which found that an alarming number of Pakistan's public schools and privately-run *madrassas* devalue religious minorities in both textbooks and classroom instruction. Despite reforms, in August 2013, the Khyber Pakhtunkhwa education minister said they would return Qur'anic passages about jihad to the curriculum.

Recommendations for U.S. Policy

Promoting respect for human rights and freedom of religion or belief must be an integral part of U.S. policy

in Pakistan, since the systematic, ongoing, egregious religious freedom violations described above and documented in the State Department's reporting clearly meet IRFA's statutory standard for designation as a "country of particular concern." USCIRF recommends that the U.S. government should:

- Designate Pakistan as a CPC, as required under the International Religious Freedom Act due to the government's engagement and toleration of particularly severe violations of religious freedom, and work to reach a binding agreement with the Pakistani government on steps to be delisted and avoid Presidential actions; such an agreement should be accompanied by resources for related capacity building through State Department and USAID funding;
- Press the Pakistani government to protect religious groups from violence and actively prosecute perpetrators, both individuals involved in mob attacks and members of militant groups, and ensure that a portion of U.S. military assistance is used to help police implement an effective plan for dedicated protection for religious minority communities and their places of worship;
- Encourage the reestablishment of the Federal Ministry for Interfaith Harmony, include discussions on religious tolerance in U.S.-Pakistan dialogues and summits, and encourage national textbook and curricula standards that actively promote tolerance towards all religions;
- Urge the government to unconditionally release and pardon individuals currently jailed for blasphemy or for violating anti-Ahmadi laws (see list of blasphemy prisoners in appendix), as well as to repeal or reform the blasphemy law and rescind anti-Ahmadi provisions of law; and
- Provide USAID capacity-building funding to the provincial Ministries of Minority Affairs to support efforts to uphold and guarantee religious freedom and increase religious tolerance and understanding, and work with Pakistan's government and minority religious communities to help them reach agreement on measures to ensure their rights and security in the country.