

PAKISTAN

The government of Pakistan is both responsible for and tolerates egregious violations of religious freedom. The Zardari government has failed to reverse the erosion in the social and legal status of religious minorities and the severe obstacles the majority Muslim community faces to freely discuss sensitive religious and social issues. The religious freedom situation in Pakistan deteriorated greatly during 2010 and 2011. For these reasons USCIRF again recommends in 2011 that Pakistan be designated as a “Country of Particular Concern”, or CPC under the International Religious Freedom Act (IRFA) of 1998. USCIRF has recommended that Pakistan be named a CPC since 2002, but the State Department has not followed that recommendation.

BACKGROUND

Discriminatory laws, including the blasphemy laws and the severe legal restrictions on Ahmadis, have fostered an atmosphere of violent extremism and vigilantism in Pakistan.

Blasphemy laws: Because the blasphemy laws require neither proof of intent nor evidence to be presented after allegations are made, and include no penalties for false allegations, blasphemy charges are commonly used to intimidate members of religious minorities or others with whom the accuser disagrees or has a commercial conflict. The laws do not provide clear guidance on what constitutes a violation, empowering accusers to apply their personal interpretations of Islam. Militants often pack courtrooms and publicly threaten violence if there is an acquittal. As a result, lawyers have refused to prosecute cases of alleged blasphemy or to defend those accused of blasphemy; as well, judges who issue acquittals in blasphemy cases have been harassed, threatened, and even subjected to violence. Three individuals had death sentences imposed or upheld against them in the last year, including Asia Bibi, a Christian farm worker and mother of five, who was sentenced to death in November 2010. Two high-profile members of the ruling party also were assassinated for their advocacy against Pakistan’s repressive blasphemy laws. Overall, USCIRF received reports of eight murders associated with blasphemy and of 14 arrests and convictions based on blasphemy charges.

Legal Restrictions on Ahmadis: Ahmadis are subject to the most severe legal restrictions and officially-sanctioned discrimination. Ahmadis, who number between three and four million in Pakistan, are prevented by law from engaging in the full practice of their faith and may face criminal charges for a range of religious practices, including the use of religious terminology. In 1974, the government of Zulfikar Ali Bhutto amended Pakistan’s constitution to declare members of the Ahmadi religious community to be “non-Muslims,” despite their insistence to the contrary. In 1984, during General Zia-ul-Haq’s dictatorship, the penal code was amended making basic acts of worship and interaction criminal offenses. The largest incident of anti-Ahamdi violence in recent years occurred in Lahore in May 2010, when gunmen associated with Tehrik-i-Taliban carried out coordinated attacks against two Ahmadi mosques as Friday prayers were ending, killing at least 93 people and wounding scores more. Police eventually regained control of both mosques after lengthy gun battles.

RELIGIOUS FREEDOM CONDITIONS

Religiously-motivated and sectarian violence is chronic in Pakistan and threatens the freedom of religion and expression, as well as other human rights, for everyone in Pakistan. Pakistani authorities have not consistently brought the perpetrators of such violence to justice. Extremism in Pakistan’s religious and public schools has also contributed to the erosion of the social and legal status of religious minorities.

Religiously-motivated violence: The following examples of sectarian or religiously-motivated violence, which occurred in the last year, are illustrative of the numerous attacks against innocent Pakistanis by religious extremists. Several large-scale attacks targeted Barelvi shrines. Violent extremists also targeted Shi’a processions and mosques during the reporting period. In September 2010, Tehrik-i-Taliban claimed responsibility for attacks on two separate Shi’a processions that killed 72. The aforementioned incident of anti-Ahamdi violence occurred in Lahore on May 28, 2010, when militants carried out coordinated attacks against two Ahmadi mosques, killing close to 100 worshipers. There were no reports during the last year of large-scale mob attacks against Christians, as had been the case from June to August 2009 in Punjab province. However, several churches were attacked in March 2011, reportedly in response to the burning of a

Koran in Florida. Due to their minority status, Pakistan's Hindus and Sikhs are vulnerable to crime, including robbery and kidnapping for ransom. There are persistent reports of kidnappings, rapes, and forced conversions to Islam of Hindu and Christian women, including minors.

Impunity: Pakistani government officials do not provide adequate protection from societal violence to members of religious minority communities, and perpetrators of attacks on minorities are rarely brought to justice. This impunity is partly due to the fact that Pakistan's democratic institutions, particularly the judiciary and the police, have been weakened by endemic corruption, ineffectiveness, and a general lack of accountability.

Extremism in Religious and Public Schools: In Pakistan, some religious schools, or *madrassas*, provide ongoing ideological training to those who take part in violence targeting religious minorities in Pakistan and abroad. In mid-2005, the government of Pakistan renewed its effort to require all *madrassas* to register with the government and ordered them to expel all foreign students. However, reports indicate that the registration process has had little effect on the content of the schools' curricula and there still are no government controls on the *madrassas'* sources of funding. Pakistani primary and secondary schools continue to use textbooks that foster prejudice and intolerance of religious minorities, especially Hindus and Christians.

RECOMMENDATIONS FOR U.S. POLICY

To advance religious freedom, USCIRF recommends that the United States:

- Designate Pakistan as a "country of particular concern" under the International Religious Freedom Act;
- Clearly articulate a concern for Pakistan's ability to foster religious freedom and related human rights as an essential element of the new U.S. strategy toward Pakistan;
- Use its civilian financial assistance to Pakistan to strengthen institutions, particularly the judiciary and the police, crucial to Pakistan's democratic development;
- Set detailed, transparent, and measurable benchmarks for the use of civilian and military assistance; and

Urge the Pakistani government to:

- Investigate instances of violence and vigorously prosecute individuals allegedly involved, so as to make clear that such activity will not be tolerated;
- Prioritize the prevention of religiously-motivated and sectarian violence as well as reinforce the rule of law;
- Repeal blasphemy, anti-Ahmadi, and other laws targeting religious minorities;
- Investigate and close any religious schools that provide support to extremists; set national textbook and curricula standards that actively promote tolerance towards all religions, and establish a mechanism of review to guarantee that such standards are being met in public schools and in *madrassas*.

Please see USCIRF's 2011 Annual Report for a more extensive review and recommendations on Pakistan.