



# General Assembly

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## Human Rights Council

### Fiftieth session

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Stichting Global Human Rights Defence, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 May 2022]

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\* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



## **Pakistan's judicial mechanism fails to deliver justice to minorities**

On May 5, 2022 two young Christian boys, R.B. and N.B. were shot and injured in broad day in Islamabad in Rawalpindi. The perpetrators were allegedly two brothers from a local family who had a petty dispute with the victims. Despite there being video evidence of the incident, the police have not arrested the suspects or taken any action.

As a result of the inaction, members of the Christian community in the area staged a protest in front of the Wah Saddar police station and were consequently assured that the city's Christian community would be protected and action would be taken against the suspects. The Sub Divisional Police Officer Waqas Khan when contacted, claimed that cases had been registered under sections 324 and 34 of the Pakistan Penal Code (Attempt to Murder and Acts done in Furtherance of Common Intent respectively). He stated that since the suspects had been granted interim bail they could not be arrested. (1)

A report from the Human Rights Commission of Pakistan has found that Pakistani authorities have consistently failed to protect citizens belonging to minority communities from faith-based hate crimes. Even in cases where assurances have been professed, action on the ground has been found wanting. For example, in 2009, following an accusation of blasphemy, which was later found to be untrue, an enraged mob attacked Christians homes in Gojra, burning and looting 100 homes and burning 8 Christians alive. (2) The then Chief Minister Shahbaz Shareef instituted a tribunal to investigate the matter. Ultimately, no action was taken and the victims of the massacre still await justice.

Later when Punjab Governor Salman Taseer was murdered by his bodyguard for opposing blasphemy laws, even though his murderer was convicted and sentenced to the death penalty, the wave of protests and threats against the judge forced him to flee Pakistan. In a 2013 report on the Pakistan, the UN Special Rapporteur noted that this case was an example of the pressure and pressure faced by those defending the interests of minorities in Pakistan legal system. The conclusion, still valid now, was the result of a climate of fear in which the judges were reluctant to condemn violence against minorities or religious extremists for fear of reprisal. (3)

If Pakistan is to function as a modern society with the rule of law intact, urgent reforms are needed to protect the judiciary and police from mob reprisal and to implement extant laws to protect minorities from wanton violence.

Pakistan's inability to uphold the rule of law is an issue that goes beyond tensions between established state religion and minority rights; it reflects the weakness of the state structure to defend human rights for minorities. We request the Council to take action to protect the human rights of the minorities in Pakistan, the chronic failure to impose the rule of law, the unjust state of affairs which leads to violations of the right to life, and the right to religious freedom must end. The Council must look into this matter urgently.

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(1) <https://www.dawn.com/news/1689371>

(2) <https://www.refworld.org/pdfid/57fb91e54.pdf>

(3) UN Human Rights Council, Report of the Special Rapporteur on the Independence of judges and lawyers, Addendum: Mission to Pakistan, 2 April 2013, A/HRC/23/43/Add.2, paras 52-54: <https://www.refworld.org/docid/51b9a0794.html>