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

Written statement* submitted by Nord-Sud XXI - North-South XXI, 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.

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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.



Religious Freedom and Blasphemy Laws in Pakistan

Since the formation of Pakistan which happened in 1947 as a result of trifurcation of the Indian subcontinent. East and West Pakistan what the two federating units of this newly born Islamic Republic. The religious and ethnic minorities off Pakistan over the last 75 years has faced significant and systematic modularization through various constitutional and other military amendments to push them out of the equation. The state has also done very little to ensure that equal rights such as freedom of speech expression religion an life of small minority population of the country is not only preserved but also nurtured to obtain full potential.

The offences relating to religion were first codified by India's British rulers in 1860, and were expanded in 1927. Pakistan inherited these laws when it came into existence after the partition of India in 1947. Between 1980 and 1986, a number of clauses were added to the laws by the military government of General Zia-ul Haq. He wanted to "Islamicise" them and also legally to separate the Ahmadi community, declared non-Muslim in 1973, from the main body of Pakistan's overwhelmingly Muslim population.

The Human Rights Commission of Pakistan (HRCP) - a voluntary organisation - has been documenting blasphemy cases for decades. It says that Muslims constitute the majority of those booked under these laws, closely followed by the Ahmadi community. Data provided by National Commission for Justice and Peace (NCJP) shows a total of 776 Muslims, 505 Ahmedis, 229 Christians and 30 Hindus have been accused under various clauses of the blasphemy law from 1987 until 2018.

Among other issues, the major dilemmas currently faced by Pakistani minorities are threats of persecution, forced conversions along with religious violence. On May 13, 2015, a group of six unnamed assailants targeted a bus carrying Pakistanis belonging to the Ismailia community – a minority Shia sect. The attack resulted in deaths of 43 civilians, whereas the assailants escaped unscathed. This specific example is not an anomaly or an exception however probably this is justification to the order of the day in the Islamic Republic unfortunately. Attacks like this over the past few decades with extremist intent an military wing of various non-governmental agencies and sects have quadrupled.

They generally target Hindus, Christians, Hazaras, Ahmadis and Isamilis communities amongst a few. The situation has particularly deteriorated over the past few decades in which minority groups are subjected to mob violence in which angry rural youth are provoked and encouraged to attack these communities. The law enforcement agencies are generally mute spectators just playing no role whatsoever in order to ensure safety and security of the citizens.

Military dictators in the past had enforced collection of additional tax for non-Muslims in the entire country known as Zakat. This ensured safety to the minorities to go about their business in the Islamic Republic a concept totally unacceptable in today's days and age by any standards. Till date, there have been more than 700 cases registered against minorities in relation to blasphemy offences, making up half of the total blasphemy related cases. Pakistan is among the many United Nations member states to have signed the International Covenant on Civil and Political Rights (ICCPR).

As per a recent survey by the institute of economics and peace Pakistan has ranked third in the global terrorism index and the country's terror network constantly wage violence against religious minorities inside the country. It is also believed the recent wave of Talibanization inside Pakistan has sport major threat to the communities who are particularly at risk. Lashkar e Jhangvi (LeJ) a banned militant outfit is mostly responsible for attacks on Shias at large whereas Jundullah has been involved in persecution of Hazara Shias.

Many members of minority communities particularly Hindus, are leaving for safer lands. Between January 2013 and June 2014, 3,753 Pakistanis from minority groups, especially Hindus, surrendered their passports and obtained long-term visas for India.

The situation for Christians is also dire. A number of prominent anti Christians attacks in the past 15 years including an attack on a Christian Church in Murree in 2002 killing 7, execution of 7 Christian workers in a welfare organization in Karachi in September 2002, two minor

girls, aged two and a half and seven, raped in Lahore in 2004, Samuel Masih being the seventh person to be murdered on conviction of blasphemy in 2004, a Christian social worker and his driver killed in Peshawar in 2005, a Christian stonemason severely beaten by a mob in 2006 for drinking out of a communal glass, a young Christian man gang raped by 30 men for refusing to convert to Islam and in 2009 a mob burning down more than 40 homes in Gojra, among other incidents. In recent years churches has also been the point of attack where Christians have been deliberately obstructed to conduct their prayer services by fanatic groups.

In Sindh, where the Hindu minority is based, the incidents of persecution are far less compared to those against Christians in Punjab. This is because Punjab is more radicalized than Sindh. Two months after Salman Taseer was shot, Pakistan's only Christian minister was also shot dead outside his house in Islamabad for campaigning for free speech.

Forced marriages and conversions are a key evil tool which is repeatedly used to target the Hindu minority community especially in Sindh Pakistan. The movement for solidarity and peace in a report explains that the forced conversions he's probably one of the top three high ranking grievances in the minority community. According to the Human Rights Watch it is estimated that as high as 25 forced conversions kidnapping and marriages, perpetrated against the Hindu community in sent on a monthly basis. Similar atrocities of forced conversions and marriages targeted towards the Christian community in the Punjab the heartland region of Pakistan. In maximum of the cases the girls are forced to convert and marry who are minors thus unable to provide an informed consent for such life changing decision's.

Within a year, almost 5,000 Hindus had to leave their homes in Lasbela to find refuge elsewhere. Additionally, as recently as a few days ago, over a hundred Hindus have fled to India and are seeking refugee status. It calls for a central collective consciousness to enforce the basic rights of minorities living in Pakistan to be upheld and the western world especially must play an active role in order to help support and facilitate their existence. Failing which we would have let down a significant percentage of the citizens of Pakistan who will be regularly marginalized, oppressed and abused for simply following a different sect / religion; totally unacceptable as for the liberal western values we believe in.

Amending the blasphemy laws has been on the agenda of many popular secular parties. None has made much progress - principally because of the sensitivities over the issue, but also because no major party wants to antagonize the religious parties. In 2010, a member of the ruling Pakistan People's Party (PPP), Sherry Rehman, introduced a private bill to amend the blasphemy law. Her bill sought to change procedures of religious offences so that they would be reported to a higher police official and the cases heard directly by the higher courts.

The bill was passed on to a parliamentary committee for vetting. It was withdrawn in February 2011 under pressure from religious forces as well as some opposition political groups. Pakistan's Prime Minister Imran Khan vowed to defend the country's strict blasphemy laws in the run-up to his general election win.

On April 28, 2021, the European Parliament adopted a joint motion for a resolution on the blasphemy laws in Pakistan calling for more comprehensive approaches to address the abuses of blasphemy laws in Pakistan.

The motion refers to two specific cases, those of Shagufta Kausar and Shafqat Emmanuel. They are a Pakistani Christian couple convicted of blasphemy by a Pakistani court, and sentenced to death by hanging back in 2013. They are alleged to have sent a blasphemous message against the Prophet. Despite the couple being illiterate and the message being in English, the couple did not stand a chance of succeeding in their defense against the dangerous blasphemy provisions and a failed legal system. In 2014, they appealed, however, the High Court of Lahore has since postponed the trial. Both suffer from medical conditions, Shafqat Emmanuel from damage to his spinal cord and Shagufta Kausar from depression. They are not provided with any adequate medical assistance. Aneeqa Ateeq, a 26-year-old Muslim woman, was arrested in May 2020 and charged with posting "blasphemous material" as her WhatsApp status. A court in the city of Rawalpindi found Ateeq guilty this week, gave her a 20-year jail sentence and ordered her to be "hanged by her neck till she is dead." "She "deliberately and intentionally defiles sacred righteous personalities and insulted the religious beliefs of Muslims," according to the police charge sheet.

