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## Human Rights Council

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Human rights situations that require the Council's attention

### **Written statement\* submitted by the Jubilee Campaign, 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.

[24 August 2012]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## Human rights and freedom of religion or belief in Pakistan

The Jubilee Campaign seeks to draw the Human Rights Council's attention to the situation of human rights and freedom of religion or belief (FoRB) in the Islamic Republic of Pakistan. Over the past decade Pakistan had taken some important steps forward particularly with regard to voting rights for religious minorities. However, the continued misuse of Pakistan's blasphemy law, as well as growing social hostility toward all religious minorities has incited discrimination, unjustified arrests and imprisonment, and violence against Christians, Hindus, Amadiyya, Shia, and ethnic minorities. The Pakistan government's general failure to prosecute crimes with religious connotations has created a climate of impunity, which seriously exacerbates the situation. Finally, the assassination of high-level officials who speak out against the blasphemy law has stalled all efforts to reform the law and sent clear signals of Pakistan's growing extremism to the world.

Section 295 of Pakistan's Penal code colloquially referred to as Pakistan's Blasphemy law, creates a legal environment, which severely discriminates against Christians, and other religious minorities, by specifically protecting Muslim religious figures and symbols, thus favoring the Muslim religion over all others. In addition to this *prima facie* violation of human rights, the law is enforced in a terribly unjust manner. Individuals accused of blasphemy are presumed guilty and either arrested or targeted by lynch mobs. If an individual is arrested they are often imprisoned for many years and frequently sentenced to death or life in prison based solely on the accusation of blasphemy alone. While to date higher courts, which are less subject to intimidation, have overturned all death sentences for blasphemy, life sentences have been upheld and even those victims who are eventually exonerated spend years in prison waiting for an appeal.

The majority of blasphemy accusations are against Muslims, but Christians and other religious minorities are disproportionately targeted. While the genuine religious feelings involved in some of the accusations does not justify this human rights violation, many of the accusations are based on personal or business disputes. The religious nature of the blasphemy charge is used solely to incite discrimination and violence against the accused and to sidestep the basic human rights present in Pakistan's legal system. The blasphemy law thus contributes to the growing extremism and the breakdown in respect for rule of law throughout Pakistani society.

One such case is that of Asia Bibi, one of the most high profile current blasphemy cases in Pakistan. Asia Bibi was accused of blasphemy and imprisoned in 2009 after a dispute over drinking water. Discrimination against non-Muslims in Pakistan is so pervasive that many Muslims refuse to drink water that has been "defiled" by the touch of a non-Muslim. Asia's husband and five children have been forced into hiding, as extremists will target the immediate family of those accused of blasphemy.

In addition to official discrimination, such as arrest and imprisonment based solely on an accusation, local extremists often use the blasphemy law to incite lynch mobs as well as more targeted violence. When local police are seen as reluctant or slow to act, lynch mobs form and either force police to register a blasphemy case against the accused or kill them. News sources indicate that at least thirty Christians accused of blasphemy have been killed by lynch mobs since 2009.<sup>1</sup>

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<sup>1</sup> "To Jail A Down's Syndrome Girl." Crimi, Frank. Front Page Mag. Accessed on 23 August 2012. Available At: <<http://frontpagemag.com/2012/frank-crimi/to-jail-a-downs-syndrome-girl/>>.

In Pakistan's increasingly extremist environment even police custody is no guarantee of safety. A police officer was killed in July 2012 in Multan, Pakistan, when a lynch mob attacked a police station in search of Ghulam Abbas a Muslim who was accused of blasphemy. After being taken from the police station, Mr. Abbas, who was mentally disabled, was beaten severely, doused in gasoline and set on fire, resulting in his death.

Mobs have also been known to target religious minorities communities as in the recent case of Rimshah Masih, a 11-year girl with Down's Syndrome who was accused of blasphemy after a local Muslim claimed to have seen papers with Arabic script among the trash that Rimshah was burning. Even after police arrested the 11-year old, a mob attacked the local Christian community, prompting hundreds of Christians, including Rimshah's parents, to flee the area.

Targeted violence in relationship to the blasphemy law is also a problem. In July of 2010, Rashid and Sajid Emmanuel, Christian brothers accused of blasphemy, were gunned down on the steps of a courthouse after a being proven innocent of their alleged blasphemy in court.

In 2011, two high-profile officials were assassinated merely for opposing the Blasphemy. In January of 2011, Salman Taseer, a Muslim and governor of Punjab, was killed by Mumtaz Qadri, one of Taseer's own bodyguards. While Qadri was arrested and initially convicted of murder, he has received massive support throughout Pakistan and the judge who initially convicted Qadri was forced to flee Pakistan after receiving death threats. Qadri remains in prison, but the overall effect of the case has encouraged rather than discouraged future killings. In March of 2011, Shabaz Bhatti, the only Christian in Pakistan to hold the rank of Federal Minister, was killed by Pakistani extremists. The government has been unable to identify and arrest any suspects in this case, contributing to the climate of impunity in Pakistan.

While not all crimes committed against religious minorities are ignored by the Pakistani authorities, there is a general perception among the dominant Sunni Muslims and religious minorities, Muslim and non-Muslim alike, that a member of the dominant religious strand will not be punished. This has been reported many times in connection with the kidnapping, rape, forced conversion to Islam and forced marriage of Christian and Hindu girls in Pakistan.

For example, in March of 2012, a Muslim man, the son of a local police inspector, raped a Christian girl. When the family of the girl tried to register a First Information Report (FIR), local police refused to register the case or the victim's statement, which is in violation of Pakistani law. When the family continued to press the matter, a group of local Muslims attacked Nosheen Masih, the aunt of the rape victim. Mrs. Masih was severely beaten resulting in a miscarriage and the stillbirth of Mrs. Masih's twin daughters. Local police have refused to arrest the attackers and have accused the rape victim of adultery.<sup>2</sup>

In conclusion, the government of Pakistan has failed to address serious and ongoing violations of the freedom of religion and belief. Discrimination against religious minorities is pervasive and violence against religious minorities is frequent and generally accepted. The blasphemy law is discriminatory on its face, and is used to incite violence against those false accused, against their families and against their communities.

<sup>2</sup> "Top of Form Police in Pakistan Decline to Prosecute Rape/Beating Suspects" Compass Direct News. Accessed on: 23 August 2012. Available at: Bottom of Form  
<[http://www.compassdirect.org/english/country/pakistan/article\\_1599572.html](http://www.compassdirect.org/english/country/pakistan/article_1599572.html)>.

Recommendations to the Human Rights Council:

- To urge the government of Pakistan to fully investigate violations of religious freedom, including violent attacks and continuous intimidation campaigns against religious minorities, and to bring perpetrators to justice.
  - To urge the government of Pakistan to take incidents of rape and other violations of women's rights seriously, even when the women in question belong to a religious minority.
  - To urge the government of Pakistan to amend its blasphemy law to bring it in line with international standards of human rights.
  - To urge the government of Pakistan to strictly monitor the enforcement of the blasphemy law to prevent it from being used to incite discrimination and violence.
  - To urge the government of Pakistan to investigate cases of forced conversions and not to allow members of minority religious groups to be targeted and forcefully converted to any religion including the dominant one.
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