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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 European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, 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.

[20 August 2020]

* Issued as received, in the language(s) of submission only.

REQUESTING THAT THE U.N. PROTECT CHRISTIANS AND OTHER MINORITIES IN PAKISTAN FROM VIOLENCE AND BLASPHEMY LAWS

1. INTRODUCTION AND BACKGROUND

The Islamic Republic of Pakistan, a majority Muslim nation with about 95% of the population identifying as Muslim, remains on the United States Department of State's list of "Countries of Particular Concern" under the International Religious Freedom Act of 1998¹. Constituting only about 2.5% of Pakistan's population, Christians are frequently subjected to religiously-motivated discrimination and violence by the Muslim majority.

The common forms of persecution that Christian communities face include are arrests and convictions under blasphemy laws, violence, rape, forced religious conversion, illegal occupation and seizure of land, murder, and assault.

2. INSTANCES OF HUMAN RIGHTS ABUSES

The European Centre for Law and Justice (ECLJ), through its affiliate office in Pakistan, has first-hand knowledge of instances of discrimination, persecution, and other human rights abuses.

One of the worst forms of persecution that Christians, as well as other minorities, face is allegations of blasphemy against Islam. The recently published annual International Religious Freedom report by the United States Commission on International Religious Freedom (USCIRF) states that there are "nearly 80 individuals who remained imprisoned for blasphemy, with at least half facing a life sentence or death"². Most blasphemy cases are filed to settle personal vendettas or simply filed against people who express their faith.

Most recently, a Christian man, Sohail Masih, was arrested and charged with violating sections 295-A and C of the Pakistan Penal Code after a local Imam alleged that Sohail criticised the Muslim holiday Miraj and the celebration and ritual of animal sacrifice in his social media post³. Violent mobs threatened the family of the accused and other Christians living nearby⁴.

The complaint filed by the Imam alleges that Sohail's post stated that the blood of goats and bulls cannot wash away sins. No evidence to support this claim has been presented. However, the statement, even if made, is almost a direct quote from the Bible, specifically Hebrews 10:4, and reflects any true Christian's basic belief. A true Christian believes that only the blood of Jesus washes away sins. While that statement may conflict with any religion that requires animal sacrifice, it is still a truly held Christian belief, the expression of which is protected under Pakistan's Constitution⁵ and Pakistan's obligations under international human rights law⁶.

1 PAKISTAN, UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM, <https://www.uscirf.gov/countries/pakistan> (last visited 19 Aug. 2020).

2 PAKISTAN, ANNUAL REPORT 2020, INTERNATIONAL RELIGIOUS FREEDOM REPORT, UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM, available at <https://www.uscirf.gov/sites/default/files/Pakistan.pdf>.

3 *Pakistani Man Charged with Blasphemy*, PAKISTAN CHRISTIAN POST, (7 August 2020), <https://www.pakistanchristianpost.com/head-line-news-details/7408>.

4 *Id.*

5 CONST. OF PAKISTAN, Arts. 19 ("Every citizen shall have the right to freedom of speech and expression"), 20 ("Subject to law, public order and morality . . . every citizen shall have the right to profess, practice and propagate his religion").

The ECLJ's affiliate is representing two Christians who are facing false blasphemy charges. In one case, a juvenile told his co-worker (who started a religious conversation) that his father's Muslim friend uses curse words when he hears anyone's name that is Muhammad. Instead of filing a case against the father's friend, the co-worker accused our client of blaspheming. The police investigated and found that our client had no intent to blaspheme, yet, the prosecution continues to pursue the case against our client who has spent more than two years in jail.

The other case involves a Christian man who was accused of desecrating the Quran. The Christian man's sister-in-law, who had converted to Islam, claimed that she found torn pages of the Quran in her house. She alleged that "after asking around" she found out it was her brother-in-law who had desecrated the Quran. The man was arrested and held for several days, but the police failed to find any evidence linking him to the crime. However, the trial is still ongoing.

A new piece of legislation in the province of the Punjab has prohibited the printing and publishing of "objectionable material" and enabled the government to confiscate all materials deemed "prejudicial to national interest, culture, religious and sectarian harmony"⁷. The matters over which the government may exercise confiscatory control is broadly and vaguely defined, leaving much discretionary power in the hands of law enforcement. Opponents to the bill warned that "certain provisions of the proposed bill may [in fact] fuel sectarian tensions in the province,"⁸ a warning that has proved all too true.

Blasphemy cases are not the only cases in which Christians face persecution. Other areas involve forced religious conversion, rape, violence, bonded labor, and illegal occupation and seizure of homes and churches.

More and more reports of minor girls' abduction, rape, and forced conversions are emerging. According to one report, "around 1,000 Christian and Hindu women and girls are kidnapped each year, forced to convert and marry Muslim men"⁹. Many cases involve forged documents falsifying the girls' ages¹⁰ and involve coerced statements in courts by the young girls that they willingly left their families and married the men alleged to have abducted them.

For example, in May of this year, a 14-year-old girl, Myra Shehbaz, was reportedly abducted and forced to marry a Muslim man¹¹. Overruling a lower court's decision, the Lahore High Court ordered her to return to her abductor and enforced the marriage, finding that she had converted to Islam and her marriage was legitimate due to the fact that she had reached puberty¹².

Other recent cases of violence and persecution summarized below:

6 Ratification Status for Pakistan,

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=131&Lang=EN.

7 *Letter to PA on concerns regarding Tahaffuz-e-Bunyad-e-Islam Bill*, THE NEWS, (6 Aug. 2020),

<https://www.thenews.com.pk/print/696696-letter-to-pa-on-concerns-regarding-tahaffuz-e-bunyad-e-islam-bill>.

8 *Id.*

9 PAKISTAN, ANNUAL REPORT 2020, INTERNATIONAL RELIGIOUS FREEDOM REPORT, UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM, available at <https://www.uscirf.gov/sites/default/files/Pakistan.pdf>.

10 *Id.*

11 Ewelina U. Ochab, *Yet Another Girl In Pakistan Abducted, Forcibly Converted And Forcibly 'Married' To Her Abductor*, FORBES, (8 May 2020), <https://www.forbes.com/sites/ewelinaochab/2020/05/08/yet-another-girl-in-pakistan-abducted-forcibly-converted-and-forcibly-married-to-her-abductor/#3b211ff074da>.

12 Joe Wallen, *Pakistani court sparks outrage by ruling 14-year-old Christian girl must stay married to alleged abductor*, THE TELEGRAPH, (5 August 2020), <https://www.telegraph.co.uk/news/2020/08/05/pakistani-court-sparks-outrage-ruling-14-year-old-christian/>.

A Christian Pastor, Haroon Cheeda, and his family, were beaten by their Muslim neighbors and told to leave their village while slurs and violent epithets were hurled at them¹³. A large piece of land upon which the Pastor was intending to build a Christian school was likewise seized, with the assistance of local police¹⁴.

In June, a Christian man, Nadeem Joseph, in Peshawar was threatened by his neighbor when that neighbor found out he was a Christian, moving into a Muslim neighborhood. The neighbor shot both Nadeem and other members of his family, injuring several¹⁵. Nadeem ultimately passed away from his wounds¹⁶.

A Christian Sanitation worker in Wazirabad was attacked and vigorously beaten after being called religious slurs and denied passage on a public street¹⁷.

An elderly Christian couple from Khanewal was pressured into converting to Islam in order to settle a financial debt¹⁸.

In July, a Church near Lahore was forced to remove the crosses that had been placed on the top of their newly constructed building after a number of violent threats and attacks upon their building¹⁹.

3. REQUEST

This is just a sampling of human rights abuses in Pakistan. There are many more cases that await the attention of the international community and the United Nations. As is evidenced from the cases presented, prosecutions under Pakistan's blasphemy laws and other forms of discrimination and persecution are still inhibiting Christians in Pakistan from living safely. It is imperative that the Human Rights Council take swift action and work with the government of Pakistan to ensure that Christians are able to safely reside in their own country. No one should have to live under the fear of being persecuted or prosecuted for holding a minority faith or expressing his or her religious views. Laws should seek to mitigate such fear, rather than encourage it. As such, we respectfully request that this Council work with the government of Pakistan in order to protect the people who are vulnerable to prosecution under blasphemy laws or are persecuted by the majority for their faith. The Council can also work with the Pakistani government and make recommendations to improve the situation of the justice system that allows violence against religious minorities. All citizens must be equal before the law, and no one should be treated as second-class because of his or her religion.

13 Kathy Gannon, *Minorities under attack as PM pushes 'tolerant' Pakistan*, ASSOCIATED PRESS (16 July 2020), <https://apnews.com/796138f9b99b6104ea59705aa96749ce>.

14 *Id.*

15 *Id.*; Shafique Khokhar, *Christians Shot at and Wounded for Buying a House in a Muslim Neighbourhood in Peshawar*, ASIA NEWS (8 June 2020), <http://www.asianews.it/news-en/Christians-shot-at-and-wounded-for-buying-a-house-in-a-Muslim-neighbourhood-in-Peshawar-50287.html>.

16 *Man, Shot by Neighbours, Dies a Month Later*, THE TRIBUNE (2 July 2020), <https://tribune.com.pk/story/2252901/man-shot-by-neighbours-dies-a-month-later>.

17 *Another Christian Worker Attacked and Beaten in Pakistan*, INTERNATIONAL CHRISTIAN CONCERN (5 Aug 2020), <https://www.persecution.org/2020/08/05/another-christian-sanitation-worker-attacked-beaten-pakistan/>.

18 *Pakistani Christian Couple Pressured to Convert to Islam to Settle Debt*, INTERNATIONAL CHRISTIAN CONCERN (18 Aug 2020), <https://www.persecution.org/2020/08/18/pakistani-christian-couple-pressured-convert-islam-settle-debt/>.

19 Dylan Donnelly, *Christianity Crackdown: Crosses Forcibly Removed-Church Burned*, EXPRESS (17 Jul 2020), <https://www.express.co.uk/news/world/1310676/christianity-news-Pakistan-church-muslim-Punjab-Lahore-latest>.

