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Human rights situations that require the Council's attention

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.

[04 June 2020]

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

REQUESTING THAT THE U.N. RECOGNISE THE ATROCITIES BEING CARRIED OUT AGAINST CHRISTIANS IN PAKISTAN AND TAKE ACTION TO END THE VIOLENCE

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 1998.¹ Constituting only about 2.5% of Pakistan's population, Christians are frequently subjected to religiously-motivated discrimination and violence by extremist groups and societal actors.

While the government of Pakistan has recently taken some steps to increase protection of the religious freedom of minority groups, such as establishing the National Commission for Minorities, Christians face growing discrimination and persecution from the majority Muslim society.

The common forms of persecution that Christian communities face include, *inter alia*, arrests and convictions under blasphemy laws, violence, rape, forced religious conversion, illegal occupation of land, murder, and assault. Christians have also been killed by mobs,² attacked by suicide bombers,³ and had their houses burned to the ground.⁴

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.

Recently, our team investigated a matter in which Saleem Masih, a Christian man, was brutally beaten to death for reportedly bathing using a Muslim man's well water. On 25 February 2020, twenty-five-year-old Saleem Masih, a labourer and a resident of Kasur was found severely injured and tied with chains to a tube-well in a field that belongs to Hajji Muhammad. After being informed by a neighbour, Saleem's brothers found him tied with chains and took him to the hospital.

Saleem informed his family that Sher Dogar, Iqbal, Altaf, Jabbar, Razzaq, and Hajji Muhammad had beaten him with iron rods. There were serious injuries all over his body, including his genitals. The police, however, did not take any action. Only after the family gathered to protest at the village's main road, did the police file an official complaint against the culprits.

1 PAKISTAN, UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM,
<https://www.uscirf.gov/countries/pakistan> (last visited 27 May 2020).

2 Scott Neuman, *More Than 100 Charged in Mob Killing of Christian Couple in Pakistan*, NPR (May 21, 2015),
<https://www.npr.org/sections/thetwo-way/2015/05/21/408534103/more-than-100-charged-in-mob-killing-of-christian-couple-in-pakistan>.

3 *Why are Pakistan's Christians Targeted?*, BBC (Oct. 30, 2018), <https://www.bbc.com/news/world-asia-35910331>.

4 *Id.*

Two days later, Saleem's condition worsened and he died at the hospital after multiple surgeries. The doctors told his family that his kidneys had failed, intestines were damaged, and his lungs were not functioning properly. Saleem's autopsy report identifies numerous injuries and states that he "died due to septicemia which was [the] consequence of polytrauma (physical assault). All the injuries were antemortem in nature."

The ELCJ's affiliate has represented many Christians in cases of violence committed against them because they are a poor, second-class, marginalized community. For example, Waqar Masih was shot four times by Muhammad Shahbaz for selling him stale betel leaves. One of the bullets landed in Waqar's spinal cord leaving his lower limbs paralyzed. Before shooting, Shahbaz said to Waqar, how a *churha* (a pejorative term for Christians) could treat him with such disrespect. We are waiting for the final decision in this case.

In a blasphemy case, we are representing a juvenile who was accused of uttering a blasphemous statement. His crime was simply to tell his co-worker (who started a religious conversation) that his father's friend named Ali uses curse words when he hears anyone's name that has Muhammad in it. Instead of filing a case against Ali (the friend of our client's father), the co-workers accused our client for blaspheming. Even though the police investigated and found that our client had no intent to blaspheme and that he was simply telling his co-worker about his father's friend, the police filed charges. Our client has spent more than two years in jail and his trial has not concluded yet.

Our attorneys in Pakistan are also representing a Christian man who was accused of desecrating the Quran. A family dispute led to the blasphemy accusation. The Christian man's sister-in-law who had converted to Islam claimed that she found torn pages of the Quran in her house and that some items from the house were missing. She alleged that "after asking around" she found that it was her brother-in-law who had desecrated the Quran and stolen her household items. The man was arrested and held for several days, but the police failed to recover any stolen items from him. We filed for the dismissal of the case for lack of evidence but the trial court rejected our motion. Now, we are waiting for the trial to begin.

Blasphemy laws are still one of the major concerns in Pakistan. 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".⁵

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

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

More and more reports of minor girls' abduction, rape, and forced conversions are emerging. Just last month, a 14-year-old girl, Myra Shehbaz, was reportedly abducted and forced to marry a Muslim man.⁶

According to one report, "around 1,000 Christian and Hindu women and girls are kidnapped each year, forced to convert and marry Muslim men".⁷ The report talks about minor girls, Huma Younus, Mehwish, Farzana, Sehrish, Maria Sarfraz, and others, all between 11 to 16 years of age, were abducted and forced to marry Muslim men.⁸ Many of these cases involve coerced statements in courts by the young girls that they willingly left their families and married the men alleged to have abducted them. Many cases involve forged identity cards falsifying the girls' ages.⁹

Finally, while bonded labour is illegal in Pakistan, many people are forced to work as bonded labourers. Bonded labour is another method through which Christian women are forced into Islam and marriage.¹⁰

Last year, ECLJ's affiliate represented at least three families, including women and children, who were illegally confined and forced to work as bonded labourers. Our attorneys filed habeas corpus petitions in each case to recover the families. While we were able to obtain freedom for these families, many more are forced to work for far less than the minimum wage. They are not allowed to leave. If they do, the employers abduct and beat them and force them to work in more severe conditions. On the books, Pakistan's laws prohibit bonded labour,¹¹ but in practice it is rampant in many rural areas.

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 within its borders. 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. This is why 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

6 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>.

7 *Id.*

8 *Id.*

9 *Id.*

10 *Annual Report*, USCIRF 78 (2019), <https://www.uscirf.gov/sites/default/files/2019USCIRFAnnualReport.pdf>.

11 THE BONDED LABOUR SYSTEM (ABOLITION) ACT (1992), *available at* <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/102096/123301/F-1719753875/PAK102096.pdf>.

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.
