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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.

[03 February 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 is a majority Muslim nation in which about 95% of the population identify as Muslim. Constituting only about 2.5% of Pakistan's population, Christians are a religious minority in the nation and are frequently subjected to religiously-motivated violence by extremist groups and societal actors.

While the government of Pakistan has taken some steps to increase protection of the religious freedom of minority groups, Christians face growing discrimination and persecution from extremist groups and societal actors and are targeted under blasphemy laws, resulting in hundreds of arbitrary arrests and prosecutions.¹ In fact, the death penalty is still mandatory for certain blasphemy convictions. Other forms of persecution that Christian communities face include, inter alia, violence, rape, forced 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 In fact, Pakistan was recently ranked by Open Doors (an international ministry serving persecuted Christians and churches worldwide) as the 5th worst country in the world for Christians to live.⁵

Furthermore, the government of the United States stated in a press release dated 20 December 2019, that it has re-designated Pakistan as a country that has “engaged in or tolerated ‘systematic, ongoing, [and] egregious violations of religious freedom.’”⁶

2. INSTANCES OF TERRORISM

Two church bombings on 15 March 2015 killed 17 and injured 80. In the riots following the bombings, a mob attacked and killed two Muslim men who were believed to have bombed the churches. Forty-two Christians were initially arrested, but two died in prison before 2018. While reports had stated that the two Muslim men had been carrying weapons and possibly firing them, the forty Christians were held in prison for five years.⁷ They were released just a few days ago after a settlement between the alleged bombers' families.

¹ *Pakistan Events of 2019*, HUM. RTS. WATCH, <https://www.hrw.org/world-report/2020/country-chapters/pakistan>, (last accessed 1/30/2020).

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.*

⁵ *Pakistan: World Watch List*, OPEN DOORS, <https://worldwatch.opendoorsuk.org/persecution/world-watch-list/pakistan/> (last accessed Jan. 30, 2020).

⁶ Press Release, UNITED STATES TAKES ACTION AGAINST VIOLATORS OF RELIGIOUS FREEDOM, MICHAEL R. POMPEO, SECRETARY OF STATE, U.S. DEP'T OF STATE (20 Dec. 2019), <https://www.state.gov/united-states-takes-action-against-violators-of-religious-freedom/>.

⁷ Julia Bicknell, *40 Pakistani Christians Freed After Almost 5 Years in Prison on Trial for 'Terrorism'*, WORLD WATCH MONITOR (Jan. 30, 2020), <https://www.worldwatchmonitor.org/2020/01/40-pakistani-christians-freed-after-almost-5-years-in-prison-on-trial-for-terrorism/>.

3. 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.

For instance, the ECLJ's affiliate is representing a Christian man who is awaiting argument on his appeal from a death sentence handed down last year for allegedly publishing blasphemous literature online.

In another case, a juvenile was accused of uttering a blasphemous statement. The court rejected our affiliate's petition to declare him a juvenile, exposing him to a potential death penalty. After more than two years in prison, his trial is yet to begin.

The ECLJ's affiliate is also representing a Christian man who was accused of desecrating the Quran and breaking into the house of his relatives. A family dispute led to this 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.

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

While bonded labor is illegal in Pakistan, many people are forced to work as bonded laborers. Bonded labor remains a method through which Christian women are forced into Islam and marriage.⁸

Last year ECLJ's affiliate represented Imran Masih, his wife Nazia Bibi, and their three children who were illegally confined and forced to work at a farm by two Muslim men. Our attorneys filed a habeas corpus petition to recover the family from involuntary servitude. Although the court set the family free, the two men filed a false recovery suit against Imran Masih, his wife, and Imran's father, James Masih. The recovery suit is still ongoing.

The ECLJ's affiliate has also represented 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.

The ECLJ's affiliate also represented Tariq Masih whose five-year-old niece, Arooj, was raped by Muslim neighbor, Khalil Ahmed. On 18 November 2019, Khalil was found guilty and sentenced to life imprisonment.

In another case, the ECLJ's affiliate represented several Christians who were attacked by three Muslim men with firearms after a minor dispute over a cable bill. Two Christians, Zaman Masih and Naveed Masih, were severely wounded in the attack.

⁸ *Annual Report, USCRIF 78* (2019), <https://www.uscirf.gov/sites/default/files/2019USCIRFAnnualReport.pdf>

4. REQUEST

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 U.N. 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. 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 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.
