PAKISTAN

TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

In 2018, religious freedom conditions in Pakistan generally trended negative despite the Pakistani government taking some positive steps to promote religious freedom and combat religiously motivated violence and hate speech. During the year, extremist groups and societal actors continued to discriminate against and attack religious minorities, including Hindus, Christians, Sikhs, Ahmadis, and Shi’a Muslims. The government of Pakistan failed to adequately protect these groups, and it perpetrated systematic, ongoing, egregious religious freedom violations; this occurred despite some optimism about the potential for reform under the new government of Prime Minister Imran Khan. Various political parties and leading politicians promoted intolerance against religious minorities during the leadup to the 2018 national elections. For example, the entry of extremist religious parties into the political arena during the election period led to increased threats and hate speech against religious minorities. Also, abusive enforcement of the country’s strict blasphemy laws continued to result in the suppression of rights for non-Muslims, Shi’a Muslims, and Ahmadis. USCIRF is aware of at least 40 individuals currently sentenced to death or serving life sentences for blasphemy in Pakistan, including two Christians, Qaiser and Amoon Ayub, who were sentenced to death in December 2018. Forced conversions of non-Muslims continued despite the passage of the Hindu Marriage Act, which recognizes Hindu family law.

Based on these particularly severe violations, USCIRF again finds in 2019 that Pakistan should be designated as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2002. In November 2018, the U.S. Department of State for the first time ever designated Pakistan as a CPC. Nevertheless, the State Department immediately issued a waiver against any related sanctions on Pakistan. USCIRF recommends that the State Department redesignate Pakistan as a CPC under IRFA and lift the waiver.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Encourage the government of Pakistan and the Standing Committee on Religious Affairs and Interfaith Harmony to create the National Commission for Minorities’ Rights as mandated by the Supreme Court of Pakistan’s 2014 decision;
- Enter into a binding agreement, under section 405(c) of IRFA, with the government of Pakistan, to encourage substantial steps to address violations of religious freedom with benchmarks, including but not limited to:
  - Release blasphemy prisoners and other individuals imprisoned for their religion or belief;
  - Repeal its blasphemy and anti-Ahmadiyya laws; until repeal can be accomplished, enact reforms to make blasphemy a bailable offense, require evidence by accusers, and allow authorities to dismiss unfounded accusations, and also urge the enforcement of existing Penal Code articles that criminalize perjury and false accusations; and
  - Assign a portion of existing State Department programs to help the government of Pakistan protect at-risk religious minority community leaders—both with physical security and personnel—and create partnerships with government bodies, such as the Pakistan Electronic Media Regulatory Authority, to ensure that extremist rhetoric that precedes attacks on minorities is addressed.
COUNTRY FACTS

<table>
<thead>
<tr>
<th>FULL NAME</th>
<th>Islamic Republic of Pakistan</th>
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<tbody>
<tr>
<td>GOVERNMENT</td>
<td>Federal Parliamentary Republic</td>
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<tr>
<td>POPULATION</td>
<td>207,774,520</td>
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<td>GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS</td>
<td>Islam</td>
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<td>RELIGIOUS DEMOGRAPHY*</td>
<td>96.28% Muslim (85–90% Sunni Muslim, 10–15% Shi’a Muslim, 0.22% Ahmadiyya Muslim)</td>
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<tr>
<td></td>
<td>1.59% Christian</td>
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<tr>
<td></td>
<td>1.60% Hindu</td>
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<tr>
<td></td>
<td>&lt;1% Sikh, Buddhist, Baha’i, Zoroastrian/Parsi, and other</td>
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*Estimates compiled from the CIA World Factbook and Pakistan Bureau of Statistics

BACKGROUND

Pakistan’s constitution nominally protects members of all religions by prohibiting public discrimination on the basis of faith and guaranteeing all citizens the right to practice their religion and have access to religious education. The constitution also mandates that 10 seats in the national parliament be reserved for non-Muslim community leaders. However, the second amendment to Pakistan’s constitution prohibits Ahmadiyya Muslims from self-identifying as Muslims or calling their places of worship mosques, underpinning a discriminatory legal structure that has systematically diminished their right to practice their faith.

Pakistan’s overall security has improved since 2015, with fewer casualties attributed to extremist groups’ attacks. However, groups such as Lashkar-e-Taiba (LeT), Lashkar-e-Jhangvi (LeJ), the Islamic State in Khorasan Province (ISKP), and Tehrik-e-Taliban (Pakistani Taliban) continued to challenge national security in 2018. These groups have directly threatened religious minority communities—particularly Hazara Shi’as in Quetta—and have targeted community leaders who advocated for religious freedom. In addition, extremist groups have created a chilling effect for members of the majority faith who wish to advocate on behalf of religious minority communities but fear doing so due to extreme threats against themselves and their families.

As a result, politicians and judges avoided the public promotion of rights for religious minorities, which has fostered the spread of an increasingly divisive and antiminority narrative among the public. Moreover, the government of Pakistan has not effectively addressed the spread of sectarian or religiously motivated intolerant speech. For example, during the 2018 national elections, several political candidates made defamatory and derogatory statements toward religious minorities as a means of garnering support among the public.

The government of Pakistan also has not adequately prosecuted perpetrators of violent crimes against religious minorities. Despite the existence of specialized courts that deal with terrorism cases, a number of extremists have either been released from custody or avoided arrest altogether. Often, acquittals of terrorist suspects can be attributed to flawed police investigation procedures, a longstanding challenge across Pakistan’s police forces. In 2015, rather than address institutional shortcomings in civilian antiterrorism courts, the government created military tribunals to take over the prosecution of terrorism cases; as of March 2018, these courts have sentenced 180 individuals to death. The military tribunals have been accused of torture and violating due process rights.

While the government in 2014 established an overall counterterrorism plan—known as the National
in the leadup to the 2018 elections, Prime Minister Khan and members of his political party . . . vehemently defended the nation’s blasphemy laws and used derogatory language in reference to Ahmadiyya Muslims.

In November, during the 549th anniversary celebration of the Sikh faith’s founder, the Pakistani government granted visas to 3,500 Indian Sikhs to visit historic temples (gurdwaras) and carry out religious ceremonies. This was in stark contrast to previous years when the Pakistani government issued few, if any, visas to Indian Sikh citizens for religious pilgrimages. In another symbolic message, Prime Minister Khan congratulated the Hindu community during the November religious festival of Diwali.

In a few cases involving private actors attacking religious freedom, the government has taken some positive steps in prosecuting wrongdoers. For example, in relation to the April 2017 mob killing of college student Mashal Khan based on false blasphemy accusations, the government convicted 31 people, though sentenced one to death, in February 2018. Also, in August 2018 authorities arrested and charged two suspects in a separate instance of killing based on false accusations of blasphemy against the victim.

In December 2018, an independent “people’s commission for the protection of minorities’ rights” was formed including leading members of the Christian, Sikh, and Hindu communities, as well as retired justices of high courts and human rights lawyers. This citizens’ committee was formed after the Standing Committee on Religious Affairs and Interfaith Harmony failed to set up the much-anticipated National Commission for Minorities’ Rights, despite a 2014 Supreme Court decision directing the two bodies to do so. Finally, in January 2019, after the reporting period, the Supreme Court ruled that Christian marriages must be officially registered with marriage certificates and ordered provincial governments—where some officials had ceased registrations—to comply.

Blasphemy Laws
Sections 295 and 298 of Pakistan’s Penal Code criminalize acts and speech that insult a religion or religious beliefs or defile the Qur’an, the Prophet Muhammad, a place of worship, or religious symbols. These provisions inherently violate international standards of freedom of religion or belief, protecting beliefs over individuals. Accusers are not required to present proper evidence that blasphemy occurred, which leads to abuse, including...
false accusations. Moreover, the law sets severe punishments, including death or life in prison.

While Muslims represent the greatest number of individuals charged or sentenced, religious minority communities fall victim to a disproportionately higher rate of blasphemy allegations and arrests. USCIRF is aware of at least 40 individuals currently sentenced to death or serving life sentences for blasphemy in Pakistan, including two Christians, Qaiser and Amoon Ayub, who were sentenced to death by a district judge in December 2018 based on allegations that they insulted the Prophet Muhammad in articles and images posted online.

Pakistan’s best-known case of blasphemy is that of Asia Bibi, a Christian woman whom the Supreme Court acquitted of blasphemy charges in October 2018 after a lower court sentenced her to death in 2010. The Supreme Court’s landmark decision criticized the lower court judges and prosecutors for pursuing falsely accused blasphemy cases that did not meet the requirements of Pakistan’s evidentiary rules. While the Supreme Court highlighted institutional biases faced by minorities accused of blasphemy, the decision justified and defended Pakistan’s blasphemy laws. Further, despite being acquitted by the Supreme Court, Asia Bibi lost nearly a decade of her life in prison due to a false accusation of blasphemy, a fate shared by many individuals accused of blasphemy who similarly languish in jail during the delayed justice process. Further, religious extremist leaders and preachers virulently attacked the Supreme Court’s decision and threatened that their followers would murder Asia Bibi if she were released. Accordingly, the government of Pakistan kept Asia Bibi and her family’s location confidential after her November release from prison. In January 2019, after the reporting period, the Supreme Court upheld her acquittal, clearing a path for her to leave the country.

During the reporting period, there were dozens of reports of arrests and charges for blasphemy, especially in Punjab Province where many religious minorities reside and the majority of blasphemy cases occur. Frequently, the arrests and charges occurred in an atmosphere of societal harassment or violence. For example, in February 2018, two teenage Christians were arrested in Lahore after one of them posted an allegedly “sacrilegious photo” to a Facebook group. During the interrogation with police, one of the arrested teenagers jumped from a window in order to evade torture by the interrogators. Subsequently, religious extremist groups carried out violent protests in the teenagers’ predominantly Christian neighborhood, threatening to burn down the entire area and its inhabitants. Nearly 800 Christians living in the area fled for fear of attacks, and the families of the accused have fled the area for the same reason. In another instance, a Hindu teenager in Sindh was charged with blasphemy after he shared allegedly “controversial” images relating to Muslims on Facebook.

Many individuals accused of blasphemy never made it to the courtroom as vigilante violence has caused the murder of 62 people since 1990, with very few prosecutions for mob violence or lynching. For example, in August 2018, various courts cleared nearly 113 suspects of wrongdoing for their 2014 involvement in a mob that burned alive a Christian couple who were falsely accused of blasphemy. In another incident, a student at the National Art College in Lahore was murdered in July 2018 over an argument with his landlord, who later falsely accused the dead victim of blasphemy as a defense for the murder charge.

In 2018, some political leaders, including Prime Minister Khan, began publicly recognizing the growing phenomena of false blasphemy accusations being weaponized to strip members of minority communities of their property or employment. Such false accusations were mentioned in the Supreme Court’s judgment in the Asia Bibi case as well as by the Islamabad High Court in its 2018 judgment on a blasphemy case. Accordingly, in March 2018 the Senate Functional Committee on Human Rights put forth proposals to punish those making false blasphemy accusations to the Council on Islamic Ideology. However, few politicians have been willing to call for repealing or amending the blasphemy law for fear of retribution by extremists.
In a December 2018 report entitled *Limitations on Minorities’ Religious Freedom in South Asia*, USCIRF also noted that in Pakistan, blasphemy laws are used to criminalize religious conversion and proselytization, thereby limiting the rights of religious minorities.

**Anti-Ahmadiyya Laws and Attacks**

Ahmadis are subject to severe legal restrictions and suffer from officially sanctioned discrimination. In addition to the constitution’s second amendment that declares Ahmadis to be “non-Muslims,” Penal Code section 298 criminalizes Ahmadis referring to themselves as Muslims; preaching, propagating, or disseminating materials on their faith; or referring to their houses of worship as mosques. They also are prohibited from voting as Muslims and were denied registration under joint electoral lists in 2018, relegating them to separate electoral lists that command less political power.

Ahmadis frequently face societal discrimination, arrest, harassment, and physical attacks, sometimes resulting in murder. The Ahmadiyya community suffered two serious attacks on their mosques in 2018. In May, a mob of nearly 600 people destroyed a 100-year-old historical Ahmadiyya mosque in Punjab Province. The mob included a local leader with ties to the leading political party in Pakistan, the Pakistan Tehreek-e-Insaf (PTI). The mosque and adjacent historically preserved home were once inhabited by the Ahmadiyya Muslim community’s founder, Mirza Ghulam Ahmad. Subsequently, many politicians—including from the PTI—condemned the attack and called for the perpetrators to be prosecuted. Yet, in August, a mob carried out a similar attack on an Ahmadiyya mosque in Faisalabad; nearly 30 were injured, and the mosque was virtually destroyed.

Along with physical attacks by individual civilians and mobs, state institutions often have targeted the Ahmadiyya community for prosecution. In January 2016, Abdul Shakoor, an optician and store owner in Rabwah, Punjab Province, was sentenced to concurrent three-year and five-year sentences on terrorism and blasphemy charges, respectively, for propagating the Ahmadiyya Muslim faith by selling copies of the Qur’an and Ahmadiyya publications. His Shi’a Muslim store manager, Mazhar Sipra, also was sentenced to five years on terrorism charges. In March 2019, after the reporting period, Mr. Shakoor was released from prison. USCIRF advocated for Abdul Shakoor as part of its Religious Prisoners of Conscience Project.

Institutional discrimination extends beyond wrongful criminal prosecutions for Ahmadis in Pakistan. In September 2018, Prime Minister Khan nominated Atif Mian, an economics professor at Princeton University and a member of the Ahmadiyya Muslim community, to Pakistan’s Economic Advisory Council. Hardline clerics subsequently critiqued Mian’s nomination and accused the prime minister and his party of blasphemy. Advocates were initially encouraged that Khan not only nominated Mian, but his government later defended the nomination once certain religious groups criticized the move; nevertheless, advocates were subsequently disappointed when Khan later revoked the appointment.

**Education**

Provincial textbooks with discriminatory content against minorities remain a significant concern. USCIRF’s 2016 report, *Teaching Intolerance in Pakistan: Religious Bias in Public Textbooks*, found that Pakistani textbooks continue to teach bias against and distrust of non-Muslims and followers of any faith other than Islam, and portray them as inferior. Moreover, the textbooks depict non-Muslims in Pakistan as non-Pakistani or antinational.

Further, in April 2017, Pakistan’s parliament passed the Compulsory Teaching of the Holy Quran Bill, which requires that all Muslim students receive mandatory Qur’anic lessons in both public and private schools. While non-Muslims are not required to attend those lessons, many minorities have critiqued the law for failing to establish religious education in schools for other faiths. Also, there continue to be fears that separating the students for these courses could encourage communal intolerance.
Along with curriculum taught at public schools, leaders in Pakistan have recognized the need to institutionalize religious seminaries or madrassas as a means of combating religious extremism and antiminority sentiment. Under the National Action Plan (NAP), provincial authorities were tasked with registering all madrassas. Yet, by April 2018, the provincial government in Kyber Pakthunkhwa, for example, reported ongoing confusion and extreme delays over the registration process.

**Targeted Sectarian Violence**

Pakistan serves as a base of operations for many international and domestic extremist groups that pose a serious and continued security threat to the nation’s religious minority communities. International terrorist groups have launched attacks in Afghanistan from the border regions in Pakistan’s sovereign territory. This has inspired harsh rebuke by many officials in Kabul who have openly alleged that these operations, which sometimes target Afghanistan’s religious minorities, are carried out with the assistance or approval of Pakistan’s intelligence agencies.

In addition to cross-border terrorism, there are many domestically focused extremist groups operating in Pakistan. In addition to attacking government and military sites, groups such as the Pakistani Taliban (TTP) and Lashkar-e-Jhangvi (LeJ) are known to persecute religious minorities. Along with non-Muslims, these groups often target Shi’a and Sufi Muslims, which has sown deep-seated sectarian tensions in the country. According to reports from the South Asia Terrorism Portal, nearly 2,700 Shi’a Muslims have been killed and 4,800 injured in 471 attacks since 2001. For example, in 2018, extremists targeted a Shi’a Muslim seminary with a terrorist attack, leaving nearly 30 people dead and 50 injured.

Groups like the Islamic State, LeJ, and the TTP have particularly targeted Hazara Shi’a Muslims. The National Commission for Human Rights in Pakistan found that nearly 509 Hazaras have been killed in terrorist-related incidents since 2012. In April 2018, two young Hazara men were shot dead; no arrests were made. Responding to the government’s failure to act, leaders in the Hazara community launched a sit-in protest to demand action by the government to protect them. During a special case hearing in May 2018, the chief justice of Pakistan stated that attacks on the Hazara Shi’a Muslims in Balochistan Province were tantamount to wiping out an entire generation and that the state must “protect lives and property of the Hazara community.”

The persecution of the Shi’a Muslim community in Pakistan has continued not only at the hands of extremist groups, but in some instances also by the government itself. In May 2018, the BBC exposed the “story of Pakistan’s ‘disappeared Shias,’” which detailed the harassment, arrest, and torture of nearly 140 Shi’a Muslims at the hands of Pakistan’s security agencies. These individuals were often kept in secret detention without trial or any formal charge.

**Conditions for Non-Muslim Minorities**

Pakistan is home to many Sikh, Hindu, Buddhist, Parsi/Zoroastrian, and Christian citizens who face continued threats to their security and are subject to various forms of harassment and social exclusion. In April 2018, three attacks claimed by the Islamic State of Iraq and Syria (ISIS) left six Pakistani Christians dead in Quetta. Further, beyond actions by terrorist groups, state security or police forces have disappeared dozens of young Christian men in Karachi. While many have been released, there is widespread fear in the community that the government will escalate this spate of arbitrary arrests.

Social issues and societal pressures also continued to negatively impact non-Muslims. In September 2018, Muslim residents of Gujar Khan in Punjab Province reportedly forced out a Christian family, assaulting them and setting their house on fire. According to some accounts, a local court denied bail to three of the suspects—whom police later arrested—though more suspects not apprehended by authorities were believed to be at large. Also, there has been little progress concerning marriage and divorce bills for Christians, Sikhs, and...
Parsis, perpetuating a longstanding legal gray zone. In December 2018, the minister for human rights, Shireen Mazari, stated that the government would present to the lower house the Christian Marriage and Divorce Bill, which had stalled since it was originally proposed in 2012.

In addition, non-Muslims remain on the periphery of the political sphere. While Hindu candidates made several gains in the 2018 elections, their overall representation in the provincial and national parliament remains low; low levels of Hindu representation also extend to the security forces, which, if remedied, could help protect Hindu temples and other structures. In the aftermath of the 2017 census, non-Muslim community leaders continued to complain in 2018 that despite increases in their community’s population the census failed to reflect this growth, effectively denying non-Muslim communities the right to more reserved seats in parliament and other government benefits.

Forced Conversions and Marriage
Forced conversion of Hindu and Christian young women into Islam and marriage, often through bonded labor, remains a systemic problem. Several independent institutions, including the National Commission of Justice and Peace and the Human Rights Commission of Pakistan, recognize that an estimated 1,000 young women are forcibly converted to Islam each year; many are kidnapped, forcibly married, and subjected to rape. Hindu and Christian women were particularly vulnerable to these crimes because of the societal marginalization and lack of legal protections for religious minorities, combined with deeply patriarchal societal and cultural norms. In April 2018, a Christian woman died from her injuries when a Muslim man set her on fire after he reportedly pressured her to convert so they could marry; the man was arrested and charged. Local police and political leaders, particularly in Punjab and Sindh provinces, are often accused of being complicit in forced marriage and conversion cases by failing to properly investigate them. If such cases are investigated or adjudicated, the young woman is reportedly questioned in front of the man she was forced to marry, which creates pressure on her to deny any coercion.

In March 2017, Pakistan’s parliament passed the Hindu Marriage Bill, which gave legal effect to Hindu marriages. Before the bill came into effect, married Hindu women remained legally unmarried and subject to forms of forced conversion and divorce. The law makes polygamous marriages unlawful to protect Hindu girls and women from being forced to marry as second wives. Further, in a positive development, in August 2018 the Sindh provincial parliament passed an amendment to the Marriage Bill that allows both spouses the right to divorce and remarry and also provides greater financial benefits to women and children in the Hindu community.

U.S. POLICY
In 2018, Pakistan continued to be an important partner of the United States on various security challenges, particularly as the government has presented threats to and opportunities for the Afghanistan peace talks between the U.S. government, the Afghan government, and the Taliban. Over the past decade, Pakistan has received nearly $30 billion from the United States in military and civilian aid as an active partner in countering terrorism and extremism. However, on November 20, 2018, President Donald J. Trump remarked that $1.3 billion in aid was being suspended based on the continued unwillingness of the Pakistani government to confront certain terrorist groups—like the Haqqani Network—that impact security in Afghanistan. As of September 2018, the Pentagon suspended nearly $300 million in military aid due to the Pakistani government’s failure to effectively target extremist groups.

Despite the cooling relationship, in December 2018 President Trump sent a letter to newly elected Prime Minister Khan to ask for assistance in facilitating peace talks for Afghanistan. Shortly after the reporting period, President Trump publicly explained
that while Pakistan was assisting extremists and threatening international security, the U.S. government was willing to meet with the country’s new leadership in pursuit of mutual security goals. Several high-level delegations made official visits to Pakistan in late 2018 to reset bilateral relations, including a joint visit by Secretary of State Michael R. Pompeo and then Secretary of Defense James N. Mattis. In 2018, the U.S. ambassador to Pakistan and embassy officers met with government officials, including those representing the prime minister’s office, to discuss religious freedom issues like blasphemy laws, school curriculum, and the provision of security to religious minorities.

Beyond the tense bilateral security relationship, the State Department has highlighted the importance of religious freedom in Pakistan. In November 2018, Secretary Pompeo for the first time designated Pakistan as a CPC under IRFA, which USCIRF has recommended for two decades. However, despite the designation, the State Department waived the sanctions and penalties for Pakistan that normally accompany a CPC designation.

INDIVIDUAL VIEWS OF COMMISSIONER JOHNNIE MOORE:

Pakistan’s newly elected prime minister, Imran Khan, has not only voiced his support for significant reforms in Pakistani society, but he seems to be in the process of taking some practical steps necessary to begin reform while also articulating realistically the challenges reform entails for a society like Pakistan.

I was particularly struck by a speech delivered by Prime Minister Khan in Dubai at the World Government Summit in February 2019 where he articulated his desire for a more tolerant and more pluralistic Pakistan, alluding to a golden age in Medina where there was tolerance, the rule of law, and a commitment to pursue knowledge. He was arguing that such values are not in conflict with a majority Muslim society. Much that he said reflected a vision for Pakistan that would promote religious freedom, advance pluralism, and improve the general conditions in a country which has been in an alarming, dangerous and precipitous decline.

Meanwhile we have seen in the cases of Asia Bibi and Abdul Shakoor, an inclination by some on Pakistan’s high courts to overturn lower court rulings that were clearly bigoted restrictions of religious freedom, largely influenced by the bullying and threats of extremists in Pakistani society. When one reads these legal opinions, it’s apparent that judges are wisely utilizing both religious and legal arguments.

This is not to excuse, by any means, for the long and terrible abuse of these religious prisoners of conscience but it is to say that there remain powerful judicial voices in Pakistan’s society who are willing to take bold actions in a precise way.

Both from the lips of the prime minister and from occasional rulings of Pakistan’s courts, I can see a pronounced struggle to address several of the concerns cited in this report, but I see that pronounced struggle at a time when power may be increasingly on the side of what is the right and correct approach to these questions.

The only question is whether the damage that has been done, and continues to be done by several elements of Pakistan society by extremists, is so severe that it means the best intentions of the prime minister and of those who adhere to the rule of law in Pakistan, face a challenge that is beyond their capacity to resolve. I find some of the recent words and actions of Pakistan’s prime minister, and of some of the language of some of the court rulings, a reason for optimism despite believing that Pakistan might represent the single least accommodating religious freedom environment in the world, presently.