



Immigration and Refugee Board of Canada

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Responses to Information Requests

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10 January 2013

PAK104260.E

Pakistan: Blasphemy laws, including legislation, implementation, related violence, reform, and state response (2008-2012)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

Section XV of the *Pakistan Penal Code* (1860) outlines criminal offences relating to religion and the penalties imposed for committing such offences (Pakistan 1860). The code prohibits

295. Injuring or defiling place of worship, with Intent to insult the religion of any class....

295-A. Deliberate and malicious acts intended to outrage religious feelings of any class by insulting Its religion or religious beliefs....

295-B. Defiling, etc., of Holy Qur'an....

295-C. Use of derogatory remarks, etc., in respect of the Holy Prophet....

296. Disturbing religious assembly....

297. Trespassing on burial places, etc....

298. Uttering words, etc., with deliberate intent to wound religious feelings....

298-A. Use of derogatory remarks, etc., in respect of holy personages....

298-B. Misuse of epithets, descriptions and titles, etc., reserved for certain holy personages or places....

298-C. Person of Quadiani [Ahmadi] group, etc., calling himself a Muslim or preaching or propagating his faith. (Pakistan 1860).

According to Freedom House, most blasphemy cases filed in Pakistan relate to violations of Articles 295 or 298 of the penal code, which the organization describes as "the most stringent provisions" of Section XV (21 Oct. 2010, 69). According to Article 295, "acts intended to outrage religious feelings" can lead to a fine and/or a prison sentence of up to ten years, while defiling the Qur'an is punished with life imprisonment (Pakistan 1860). Insulting the Prophet Muhammad incurs a sentence of death or life in prison, along with a fine (ibid.). In Article 298, uttering words or making sounds intended to "wound religious feelings of any person" can be punished with a one-year prison sentence and/or a fine (ibid.). However, insulting Muslim holy personages -- specifically, the wives, family members, caliphs and companions of the Prophet -- can lead to imprisonment of up to three years and/or a fine (ibid.). For further details, see Section XV of the *Pakistan Penal Code*, which is attached to this Response.

Human Rights First (HRF), a non-profit, nonpartisan international human rights organization based in New York and Washington (n.d.), notes that the blasphemy laws use "ambiguous language" (2012, para. 7). Similarly, Freedom House states that the laws offer "no clear definition of what constitutes blasphemy" (21 Oct. 2010, 73). Sources indicate that, consequently, public officials use their personal interpretations of Islam to determine what constitutes a violation of the law (Freedom House 21 Oct. 2010, 73; US 20 Mar. 2012). Additionally, the blasphemy laws do not require proof of criminal intent (ibid.; Freedom House 21 Oct. 2010, 73; GHRD and HRF 2012, 4). Sources also indicate that the laws do not require evidence to support a blasphemy allegation, and that there are no penalties for making a false accusation (ibid.; HRF 2012, para. 7; US 20 Mar. 2012). According to Human Rights First, abuse of the blasphemy laws has led to a "dramatic" increase in human rights violations since 2008 (2012, para. 2).

2. Application of Blasphemy Laws

Freedom House writes that the blasphemy laws are applied "prolifically" (21 Oct. 2010, 70). Estimates of the number of blasphemy cases filed since the last amendments to the laws in the 1980s vary:

- 1,117 individuals charged between 1987 and 2011 (US 30 July 2012, 11);
- 1,060 individuals charged between 1986 and 2011 (HRF 2012, para. 12);
- over 1,000 cases filed since the 1980s (*The Economist* 8 Sept. 2012);
- between 1,200 and 4,000 cases filed between 1986 and 2012 (Al Jazeera 28 Aug. 2012); and
- more than 4,000 cases handled since 1985 (*The Express Tribune* 5 Jan. 2011).

According to Human Rights Watch, there was an "upsurge" in blasphemy cases and allegations in 2011 (Jan. 2012, 3). Citing data from Pakistan's National Commission for Justice and Peace (NCJP), a member of the Catholic Pax Christi international network of peace and justice NGOs (Pax Christi International n.d.), the US Department of State's *International Religious Freedom Report for 2011* states that 49 cases of blasphemy were registered in 2011 (30 July 2012, 11). However, the Society for Threatened Peoples (STP), an independent human rights organization based in Germany (n.d.), reports that there were 125 charges against Christians alone in 2011 (23 Apr. 2012, 2).

According to the United States Commission on International Religious Freedom (USCIRF), although the blasphemy laws are applied nation-wide, two-thirds of the cases filed are in Punjab province (US 20 Mar. 2012). This number is corroborated by an article published by the Karachi-based English language news source *Dawn*, which adds that 81 percent of Pakistani Christians live in Punjab (15 Apr. 2010).

2.1 Persons Accused of Blasphemy

According to a joint report by the minority rights NGOs Global Human Rights Defence (GHRD) and Human Rights Focus Pakistan (HRFP), which are based in the Hague and Faisalabad respectively, "the blasphemy laws have [since 2008] increasingly been used as a tool to persecute religious minorities and have been a pretext for growing religious extremism and vigilantism" (GHRD and HRFP 2012, 2, 3). Other sources similarly indicate that the laws are used against religious minorities to "harass" (US 30 July 2012, 18), "intimidate" (ibid. 20 Mar. 2012), and "persecute" them (Freedom House 21 Oct. 2010, 73).

The majority of people charged with blasphemy are reportedly Muslim (CSW Apr. 2012, para. 37; Al Jazeera 28 Aug. 2012). However, sources indicate that non-Muslims are accused of blasphemy at a rate that is disproportionate to their population (Freedom House 21 Oct. 2010, 70; CSW Apr. 2012, para. 37), which is estimated to be three percent of the general population (Freedom House 21 Oct. 2010, 70; *The Economist* 8 Sept. 2012; BPCA 2012, para. 4d). Of the 49 cases registered by the NCJP in 2011, 8 were against Christians, 2 were against Ahmadis, and 39 were against Muslims (US 30 July 2012, 11). Among the 964 charges recorded by the NCJP between 1986 and 2009, there were 340 Ahmadis, 119 Christians, 14 Hindus, and 479 Muslims (Franciscans International 10 May 2011). The 434 known "offenders of blasphemy laws" recorded by the Center for Research and Security Studies (CRSS), an independent, nonpartisan think tank founded by civil society activists in Islamabad (n.d.), included 258 Muslims, 114 Christians, 57 Ahmadis, and 4 Hindus (7 Sept. 2012).

Human Rights Watch reports that Ahmadis continue to be "a major target" for blasphemy prosecutions (Jan. 2012, 3). The Karachi-based newspaper the *Express Tribune*, citing a CRSS report on blasphemy laws, states that Ahmadis "have suffered the most as a result of blasphemy laws" (8 Sept. 2012). For additional information on the situation of Ahmadis in Pakistan, see Response to Information Request PAK104254.

US *International Religious Freedom Report 2011* indicates that blasphemy laws are rarely enforced to protect the religious rights of religious minorities (30 July 2012, 3). The British Pakistani Christian Association (BPCA), a London-based NGO focusing on human rights abuses in Pakistan against Christians and other religious minorities, states that "blatant and deliberate acts against Church properties" are ignored when Christians attempt to seek redress using the blasphemy laws (2012, para. 1, 4). The *Express Tribune* reported in September 2012 that four churches in Karachi had been attacked that year but that no police investigations had been opened for these incidents (30 Sept. 2012). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Pakistani newspapers report that in September 2012, nine people were charged under section 295-A of the penal code after a large group of Muslims vandalized a Hindu temple in Karachi and ransacked and looted Hindu homes nearby (*The Express Tribune* 30 Sept. 2012; *Dawn* 30 Sept. 2012). In an interview with the *Express Tribune*, the Chairperson of the Human Rights Commission of Pakistan (HRCP) said that she was not aware of any previous blasphemy cases being registered against Muslims for damaging a house of worship (30 Sept. 2012). In October 2012, the *Express Tribune* reported that a blasphemy charge had been registered by the police against an unidentified mob of 200 people who vandalized a Catholic church in Karachi and desecrated its holy books (14 Oct. 2012). The church pastor interviewed by the newspaper stated that it had taken over two hours for lawyers and religious leaders to convince the police to register the incident as a case of blasphemy (*Express Tribune* 14 Oct. 2012). However, a police inspector interviewed by *Dawn* asserted that the incident was not religiously motivated (14 Oct. 2012).

In her preliminary observations on her official visit to Pakistan in May 2012, the UN Special Rapporteur on the independence of judges and lawyers expressed her concern that existing laws, including the blasphemy laws, were being misused to "target women and strip them of their fundamental rights" (UN 29 May 2012). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 Motivations for Blasphemy Allegations

Sources report that accusations of blasphemy are "routinely" made in the context of personal disputes (STP 23 Apr. 2012, 2; Freedom House 21 Oct. 2010, 74). Blasphemy laws are reportedly invoked in carrying out "vendettas" as well as in settling business and land disputes (ibid.; US 20 Mar. 2012). According to Human Rights First,

[a]ccusations of blasphemy are often the byproducts of disputes between neighbors, colleagues, political opponents, religious and academic leaders, and business associates whose dealings have become adversarial (2012, para. 25).

The same source indicates that both governments and individuals "frequently abuse the blasphemy laws not only to stifle dissent, but to harass rivals, legitimize violence, and settle petty disputes" (HRF 2012, para. 7). Freedom House similarly states that accusations of blasphemy have been used to "justify sectarian or communal conflict" and to trigger "mob violence" (21 Oct. 2010, 73). The organization also notes that accusations against Sunni and Shia Muslims are generally based on personal disputes rather than sectarian differences

(ibid., 77). According to the *Guardian*, personal disputes that lead to blasphemy accusations typically involve "one man claiming that his enemy burned pages from the Qur'an" (8 Jan. 2011).

Media sources report on instances in which non-Muslim individuals were accused of blasphemy because they refused to convert to Islam (Compass Direct News 12 Mar.; *The Express Tribune* 9 Oct. 2012). The Asian Human Rights Commission also reports on a Hindu woman who was blackmailed by Muslim neighbours into accusing her Christian partner of blasphemy because she would not convert to Islam (AHRC 7 Dec. 2011). For additional information on religious conversion in Pakistan, see Response to Information Request PAK104258.

3. Blasphemy Charges, Hearings, and Sentencing

3.1 Detention of Persons Accused of Blasphemy

Several sources indicate that individuals accused of blasphemy are detained and often denied bail (US 30 July 2012, 10, 11; HRF 2012, para. 7; BPCA 2012, para. 4c). Further, blasphemy trials are reported to take "years" to resolve in court (HRF 2012, para. 11; Freedom House 21 Oct. 2010, 86; *The Economist* 8 Sept. 2012). According to the *International Religious Freedom Report for 2011*, judges and magistrates often try to prolong trials "indefinitely" in order to avoid "confrontation with or violence from extremists" (US 30 July 2012, 11). Sources indicate that during their imprisonment, accused individuals are subject to mistreatment, including

- solitary confinement (Freedom House Oct. 2010, 86; *Pakistan Christian Post* 28 Nov. 2012; BPCA 2012, para. 4c);
- beatings from guards and other prisoners (ibid.);
- denial of medical care (ibid.); and
- torture (HRF 2012, para. 11), committed by other prisoners (Freedom House 21 Oct. 2010, 84) or the authorities (ibid.; US 30 July 2012, 10).

Sources also report that individuals accused of blasphemy have died in prison or police custody (US 20 Mar. 2012; HRF 2012, para. 10; *The Economist* 8 Sept. 2012). One individual reportedly died in September 2011 of a treatable illness (US 20 Mar. 2012; HRF 2012, para. 10), which, according to Human Rights First, was not given the proper care by authorities (ibid.). The same source also reports that a mentally challenged man accused of blasphemy died in custody after spending four years in detention without psychiatric care (ibid.).

3.2 Blasphemy Hearings

Al Jazeera reports that between eight and fifteen blasphemy cases are referred to the courts every year (28 Aug. 2012). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The *International Religious Freedom Report for 2011* states that lower courts "often did not require adequate evidence" in blasphemy hearings (US 30 July 2012, 10). Similarly, Freedom House reports that the standards of evidence required for conviction are "weak" and that virtually all blasphemy trials "lack essential safeguards to ensure that the accused enjoy due process and a fair hearing" (Freedom House 21 Oct. 2010, 73, 83). The same source states that

[l]awyers who have refused to prosecute cases of alleged blasphemy have been harassed, threatened, and even subjected to violence. As a result, judicial officials have been known to take complaints of blasphemy at face value, demanding no investigation or critical assessment of the facts by authorities and effectively violating the rights to a fair trial and due process. (ibid., 75, 76)

The UN Special Rapporteur on the independence of judges and lawyers expressed her concern that judges are "coerced" to convict people of blasphemy even when there is no supporting evidence (UN 29 May 2012). She also stated that lawyers sometimes refuse to take on sensitive religious cases because of fear of reprisals, and that they are also "forced not to represent their clients properly" (ibid.).

Various sources report that blasphemy hearings are attended by "mobs" (HRF 2012, para. 18-19), "militants [who] often pack courtrooms" (US 20 Mar. 2012), or "large and aggressive groups of supporters from the claimant's side" (CSW Apr. 2012, para. 37). Such groups of people reportedly threaten violence if the accused blasphemer is acquitted (HRF 2012, para. 18-19; US 20 Mar. 2012). The BPCA similarly writes that the courts are "frequently under extreme pressure from extremist Islamic clerics" (2012, para. 4c).

According to Pakistan's *Criminal Law (Amendment) Act, 2004*, offences relating to Section 295C of the penal code, which prohibits derogatory remarks against the Prophet Muhammad (Pakistan 1860), must be investigated by a police officer at the level of superintendent or above (Pakistan 2005, Sec. 13). However, the *International Religious Freedom Report for 2011* states that this law was not uniformly applied (US 30 July 2012, 11). The Asian Human Rights Commission (AHRC) reports that this rule is "rarely" followed (7 Dec. 2011).

3.3 Sentences

According to Al Jazeera, persons convicted of blasphemy often receive a prison sentence of at least three years (28 Aug. 2012). The USCIRF reported in March 2012 that out of the more than 40 individuals convicted of blasphemy who were in prison at the time, at least 19 were serving life sentences (US 20 Mar. 2012). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources indicate that no executions for blasphemy have been carried out (*Dawn* 30 Sept. 2012; *Express Tribune* 5 Jan. 2011; Al Jazeera 28 Aug. 2012). However, the USCIRF reports that at least 14 people convicted of blasphemy have received death sentences (20 Mar. 2012). The *Express Tribune*, citing the CRSS report on blasphemy laws, states there have been Muslim clerics, teenagers, and old men who have been sentenced to death (8 Sept. 2012).

Human Rights First names five individuals who were sentenced to death between 2007 and 2012 for crimes that include defiling the Qur'an and defaming the Prophet Muhammad, and indicates that there are additional prisoners appealing their death sentences from prison (2012, para. 13). At least one man is reported to have received a death sentence in 2011 for sending blasphemous text messages (HRF 2012, para. 13; US 20 Mar. 2012). In 2010, a Christian woman from Punjab became the first woman ever to be sentenced to death for blasphemy (Human Rights Watch Jan. 2012, 2; US 30 July 2012, 11). The Lahore High Court blocked the President's attempt to pardon the

woman (Human Rights Watch Jan. 2012, 3; US 20 Mar. 2012; GHRD and HRFP 2012, 4), who is reported to have been held in solitary confinement (*ibid.*; HRF 2012, para. 13). A Muslim cleric in Peshawar reportedly offered a monetary reward to any person who killed her (*ibid.*; Jinnah Institute 10 Dec. 2010; *The Guardian* 8 Jan. 2011).

In August 2012, a Christian girl, reported to be between 11 and 14 years of age and to have mental disability, was accused of desecrating the Qur'an (AFP 20 Nov. 2012; *The Economist* 8 Sept. 2012) by a mob described by the *Economist* as "500-strong" (*ibid.*). The evidence used against the girl was reportedly fabricated by a local cleric, who was later charged for this act (*ibid.*; *Los Angeles Times* 20 Nov. 2012). Sources indicate that the girl was acquitted of blasphemy in November 2012 but that she and her family were living in hiding for their security (*ibid.*; AFP 20 Nov. 2012). Many of the Christians who lived in the same neighbourhood are also reported to have fled their homes, fearing violence (AI 7 Sept. 2012; Al Jazeera 28 Aug. 2012).

4. Extrajudicial Violence and Vigilantism

The USCIRF explains that the blasphemy laws have "created a climate of vigilantism that has resulted in societal actors killing accused individuals" (US 20 Mar. 2012). Sources report on the prevalence of mob violence in response to accusations of blasphemy (HRF 2012, para. 18; US 20 Mar. 2012; BPCA 2012, para. 4b). According to Human Rights First, mobs primarily target religious minorities whose practices they believe are blasphemous, as some perpetrators consider it their "religious duty" to kill blasphemers and their supporters (2012, para. 18-19). The BPCA states that when "someone is rumoured to have committed blasphemy or similar, usually mobs will surround the houses of the 'perpetrators,' and sometimes whole Christian communities or villages have to flee" (2012, para. 4b).

Sources indicate simply being accused of blasphemy can make a person a target for violence by other citizens (Freedom House 2012; Al Jazeera 28 Aug. 2012; US 20 Mar. 2012). Other sources note that even rumours of blasphemy can incite extrajudicial violence (BPCA 2012, para. 4b; HRF 2012, para. 18). Al Jazeera reports that individuals who have already served prison sentences for blasphemy may be targeted upon their release (28 Aug. 2012). The same source indicates that the family and community of a person accused of blasphemy will also be targeted (28 Aug. 2012). Similarly, the US *Report on Religious Freedom for 2011*, citing the Jinnah Institute, a non-profit, nonpartisan public policy organization that promotes the values of equitable democratic and social entitlements, pluralism, rule of law and transparent government (n.d.), mentions several incidents in which accused blasphemers have been killed, along with their supporters, including public officials and legislators (30 July 2012, 9).

Human Rights First states that individuals who are charged but acquitted of blasphemy remain "marked for life" and may have to live in hiding or in exile (2012, para. 8), an assertion that is corroborated by the *Pakistan Christian Post* (28 Nov. 2012). Similarly, Christian Solidarity Worldwide (CSW), a UK-based Christian human rights NGO promoting freedom of religion (Apr. 2012), indicates that the lives of accused blasphemers remain at risk even after acquittal (6 July 2012).

5. Specific Incidents of Violence

5.1 Extrajudicial Killings

According to media sources, the CRSS has recorded 52 extrajudicial murders of individuals accused of blasphemy (*The Indian Express* 8 Sept. 2012; *The Express Tribune* 8 Sept. 2012), which the *Express Tribune* indicates occurred between 1990 and 2012 (*ibid.*). The victims include 25 Muslims, 15 Christians, 5 Ahmadis, 1 Buddhist, and 1 Hindu (*ibid.*; *The Indian Express* 8 Sept. 2012). Human Rights First states that, between 1986 and 2011, 46 individuals charged with blasphemy were killed before their hearing or after they were acquitted (2012, para. 12). The *Express Tribune* reports that there have been 34 suspected extrajudicial murders of alleged blasphemers between 1990 and 2010, with 31 of the murders taking place in Punjab (7 Dec. 2010). Amnesty International similarly indicates that blasphemy-related vigilantism is particularly prevalent in Punjab (5 July 2012).

In July 2012, a man reported to be mentally ill was dragged from a police station by a mob and set on fire after being accused of blasphemy (Al Jazeera 28 Aug. 2012; CSW 6 July 2012; *The Economist* 8 Sept. 2012). Sources indicate that the incident occurred in Bahawalpur, Punjab, and involved a crowd of 2,000 perpetrators (*ibid.*; CSW 6 July 2012).

In January 2011, the Governor of Punjab, Salman Taseer, was killed by his bodyguard for advocating for reform of the blasphemy laws (Human Rights Watch Jan. 2012, 3; US 20 Mar. 2012, 4; *The Express Tribune* 5 Jan. 2011). Sources indicate that public demonstrations took place in support of the killer (GHRD and HRFP 2012, 6; US 30 July 2012, 19; MRG 2012, 141). Although the killer had confessed to the crime, the judge who convicted him received death threats against him and his family and was forced to flee the country (CSW Apr. 2012, para. 34; US 20 Mar. 2012, 4). The Governor's son was reportedly kidnapped (*ibid.*; GHRD and HRFP 2012, 6), and according to GHRD and HRFP, his family has been pressured with threats to withdraw the murder case (*ibid.*). In March 2011, Shahbaz Bhatti, the Minister of minority affairs and the first Christian ever appointed to the federal cabinet, was also assassinated because of his support for reforming the blasphemy law (US 20 Mar. 2012, 4; GHRD and HRFP 2012, 6). Sources indicate that the assassins left leaflets attributing the attack to the Pakistani Taliban as retaliation for the Minister's alleged blasphemy (*The Guardian* 2 Mar. 2011; *The Express Tribune* 24 Aug. 2011).

Sources indicate that in March 2011, a man was killed after blasphemy charges against him were dropped and he was released from jail (HRF 2012, para. 9; US 30 July 2012, 19). In July 2010, two Christian brothers were killed at a courthouse in Faisalabad, Punjab (US 20 Mar. 2012; Freedom House 21 Oct. 2010, 85; *The Daily Times* 20 July 2010). Sources indicate that they had just been acquitted of blasphemy (HRF 2012, para. 9; US 30 July 2012, 19). The *Daily Times* reports that mosques in Faisalabad had called for attacks on the brothers (20 July 2010).

In 2009, allegations that some Christians had desecrated the Qur'an led to mob violence in the Christian colony in Gojra, Punjab (*The New York Times* 3 Aug. 2009; US 20 Mar. 2012, 7; GHRD and HRFP 2012, 8). Sources report that at least 1,000 people were involved in the attacks, which included the burning and looting of Christian homes (HRF 2012, para. 22; GHRD and HRFP 2012, 8; HRCP 4 Aug. 2009). At least seven Christians were reportedly burned alive and at least forty houses were damaged (GHRD and HRFP 2012, 8; Freedom House 21 Oct. 2010, 85; *The New York Times* 3 Aug. 2009). Sources indicate that all suspects in the attacks were acquitted (HRF 2012, para. 22; GHRD and HRFP 2012, 9; AI 2012). According to CSW, the main victims and witnesses went into hiding after the attacks and were forced to

flee the country for fear of their lives, after those arrested for the attacks were released on bail and began "pursuing" them (Apr. 2012, para. 29).

5.2 Other Acts of Violence

In April 2011, a mob of 2,000 people attacked a Christian colony in Gujranwala, Punjab (MRG 2012, 141; GHRD and HRF 2012, 7). Sources indicate that at least 24 people were injured in the violence, which was reportedly motivated by allegations of blasphemy and the desecration of a copy of the Qur'an (ibid.; US 20 Mar. 2012). According to GHRD and HRF, the attacks had been planned and publicly announced by "religious fundamentalists" at least eight days in advance, but the police made no efforts to prevent them (2012, 8). The same source notes that over a third of the Christian residents of the colony have permanently left the area, while those who remain fear for their lives and cannot practice their religion openly (GHRD and HRF 2012, 8).

For additional information on acts of violence against Christians in Pakistan, see Response to Information Request PAK104259.

6. State Response

6.1 Legal Reform

According to Freedom House, the "influence of religious extremists has... prevented both elected and unelected governments from working to amend or repeal harmful laws in any substantive way" (21 Oct. 2010, 72). Human Rights First similarly suggests that the government is either unwilling or unable to reform the blasphemy laws (2012, para. 25). Sources indicate that discussions on reforming the blasphemy laws had taken place in the Pakistani parliament prior to the murder of Governor Taseer (*The Express Tribune* 5 Jan. 2011; US 20 Mar. 2012). However, the government later announced that it had no intention of amending the laws (CSW Apr. 2012, para. 28; GHRD and HRF 2012, 4; US 20 Mar. 2012). The USCIRF reports that since the killings of Governor Taseer and Minister Bhatti, the Prime Minister has announced several times that although abuse of the blasphemy laws will not be tolerated by the government, the laws will not be amended (ibid.).

In its report to the UN Human Rights Council for its 2012 Universal Periodic Review, the Government of Pakistan stated that it was concerned about "misuse" of the blasphemy law by "vested interests" but that the law itself is "neutral in nature" (Pakistan 6 Aug. 2012, para. 76). The government also indicated that it had taken measures to counter abuses of the law -- namely, through the 2004 amendment to the penal code and through the High Courts, which "invariably" overturn cases of wrongful conviction (ibid., para. 77).

According to Freedom House, "religious hard-liners" consider it blasphemous even to advocate for legislative reform (2012). In an interview with Al Jazeera, a Pakistani human rights activist and lawyer indicated that people do not speak out against or even discuss the blasphemy laws because of the threats that they face for doing so (28 Aug. 2012). Similarly, Human Rights First writes that politicians are "reluctant" to criticize the misuse of the laws because of death threats, verbal attacks, and violence (2012, para. 16).

6.2 State Protection Against Abuse of Blasphemy Laws

6.2.1 Police

Sources indicate that the authorities do not protect citizens from abuse of the blasphemy laws (US 30 July 2012, 8) or from extrajudicial violence motivated by blasphemy allegations (HRF 2012, para. 19). According to GHRD and HRF, during the 2009 attacks against the Christian colony in Gojra, the "slow and inefficient reactions by police authorities and emergency services contributed to the severity of the attacks" (2012, 8). Other sources corroborate that the police "did little" to deter the violence (HRF 2012, para. 22; *The New York Times* 3 Aug. 2009). According to the HRC, local mosques had announced the attacks in advance and police officials had confirmed hearing the announcements (4 Aug. 2009).

Further, according to the *International Religious Freedom Report for 2011*, the Jinnah Institute has "alleged police complicity" in mob violence against accused blasphemers (US 30 July 2012, 9). Similarly, GHRD and HRF report that, in some cases, police authorities have been involved in religious violence (2012, 7). Freedom House also reports on several dozen incidents each year in which the police are bribed to charge Ahmadis, Christians, Hindus, and occasionally Muslims with blasphemy (2012). However, the same organization also notes that police officers have reportedly been "harassed and intimidated by Islamic radicals" to arrest people for blasphemy even if there is inadequate evidence, and that they may lack either the resource or the will to thoroughly investigate blasphemy allegations (Freedom House 21 Oct. 2010, 75).

6.3 Justice for Victims

According to GHRD and HRF, the majority of cases of violence against religious minorities referred to the police are not investigated adequately or impartially, and often do not go to trial (2012, 7). The same source indicates that when cases do go to court, the perpetrators of violence are often acquitted (GHRD and HRF 2012, 7). The BPCA reports that in cases where Muslims had fabricated evidence of blasphemy in order to accuse Christians, they nevertheless received "lenient" sentences or none at all "due to the influence of certain Islamic clerics and their congregations" (2012, para. 4b).

Sources report that perpetrators charged for their involvement in the Gojra attacks were acquitted in June 2011 (GHRD and HRF 2012, 9; *The Express Tribune* 3 July 2011). GHRD and HRF write that because of "a combination of pressure from the local Muslim community and government promises of financial grants to rebuild their homes, the Christian community agreed not to fight the verdict" (2012, 9). The *Express Tribune* states that witnesses in the trial were pressured and threatened to withdraw or change their testimonies by police officials and politicians, and that the acquittals were a compromise brokered by community elders "to maintain law and order" in the community (3 July 2011).

Nevertheless, the USCIRF notes that there have been some convictions of perpetrators of violence against Christians (20 Mar. 2012). Sources indicate that the man accused of killing two Christian brothers at the Faisalabad courthouse was found guilty and sentenced to

death (US 20 Mar. 2012, 7; AsiaNews.it 21 Apr. 2011). The USCIRF indicates that this was the first such sentence for a blasphemy-related murder, according to Pakistani NGOs (20 Mar. 2012, 7).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Internet sites, including: Agenzia Fides; Christians in Pakistan; Citizens for Democracy; *The Christian Post*; ecoi.net; Factiva; Human Rights Without Frontiers; Legal Evangelical Association Development; Pakistan Ministry of Law and Justice, Ministry of Interior, Ministry of National Harmony; *Pakistan Today*; Pakistani Christian Congress; Press Trust of India; Punjab Police; United Nations – Office of the High Commissioner for Human Rights, Refworld.

Attachment

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