

SAHR Annual Minority Report

Status of Minorities in Pakistan - 2011



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Most of the data in this report has been extracted from HRCP's Annual Report 2011, and HRCP digital archives accessible from <http://www.hrcparchives.com/>. The cases and incidents notes have been picked out from newspaper reports from the following papers: Dawn, The News, Daily Times, The Nation, Pakistan Today and Tribune Pakistan.

Introduction

The events of 2011 have not occurred in a vacuum and are not atypical of Pakistani reality. These most recent attacks on religious minorities and the state's tolerance towards this persecution are part of a longer-term pattern of state complicity at all levels – judicial, executive and legislative – in the persecution of and discrimination against minorities. Legislature, executive and judiciary have historically played a foundational role in creating two-tiers of Pakistani citizenship, which are defined by whether a person is a Muslim or a non-Muslim. Furthermore, both democratic processes and martial rule have been used to institute discriminatory laws and practices. It is also clear that the heightened threat of extremism and the ascendancy of armed extremist militant groups confronting the Pakistani state have created a situation of “double jeopardy” for Pakistan's religious minorities who now face the multiple assaults of vigilante attacks, increased physical threats and social persecution from extremist groups, as well as the discriminatory legal frameworks of the state and failure of the state to punish hate crimes.

The neglect of minority issues in Pakistan over the past sixty-three years has not only led to increased social vulnerability of members of the minority communities in terms of lack of access to education, jobs and health care but also greater physical vulnerability. Violent attacks on their homes, places of worship and their person have increased in number. Inconsistent state protection, successive constitutional amendments and the implementation of controversial legislation such as the blasphemy laws provide minimal protection and have added to their social exclusion and vulnerability.

Indeed, the situation for Pakistani minorities has never been more dire than it is today. 2011 was a difficult year not only for religious minorities in Pakistan but also for those advocating their rights and protection. The assassination of Punjab Governor Salman Taseer and Federal Minister for Minorities Shahbaz Bhatti showed how dangerous commenting on the blasphemy law or perceptions of sympathy with anyone accused of blasphemy had become in the country. There were clear indications that faith-based violence and violations of rights were on the rise in Pakistan both in terms of geographical area and scale. Violence and intimidation of those accused of blasphemy continued as the government distanced itself from any move to reform the relevant law and surrendered space to extremist elements.

The plight of minorities in Balochistan continued and abductions for ransom and target killings were frequently reported. Incidents of violence were reported from parts of Sindh where a culture of tolerance towards other religious faith had long been praised for preventing violence against non-Muslims. Parallels were drawn with Balochistan where Hindus living for centuries had faced target killings and increasing abductions for ransom to such an extent in the last few years that many had opted to leave Pakistan.

Several incidents of forced conversion of non-Muslims, many of them Hindu, girls to Islam were also reported in Sindh. Non-Muslims were not the only ones who suffered,

some of the most horrendous acts of violence during the year targeted minority Muslim sects, mainly Shias.

Members of minority communities criticised lack of effective representation in parliament and inaccurate count of their communities' population. A separate law on Hindu marriages that had failed to materialise because of lack of official interest remained bogged down in 2011 because of differences within the community on matters of detail.

As incitement to violence against members of religious minorities continued, organised efforts to curb that emerged briefly during Muharram in the form of gagging orders for clerics known for preaching hatred. The attempt to curb the use of mosque loudspeakers to spread hatred did not prove very effective

Sectarian Violence

At least 389 people were killed and 601 injured in incidents of violence targeted against various Muslim sects in 2011¹. These included five suicide attacks believed to have sectarian motives, in which 77 people were killed and 179 injured². The flashpoints included Karachi, Lahore, Hangu and Nowshera districts of Khyber Pakhtunkhwa, Quetta and Mastung in Balochistan and Khyber and Kurram tribal districts in FATA. The suicide bombings included one in Lahore targeting a Shia Chehlum procession, two suicide bombings at a shrine in Dera Ghazi Khan district, a suicide attack targeting a Muharram procession in Karachi, and a suicide attack in Quetta targeting the Hazaras. The targets in sectarian-related attacks included Shia pilgrims, mosques/Imambargahs, shrines, vehicles carrying members of the Shia community, and prayer leaders and religious parties' activists³.

Target killings of Hazara Shias continued in Balochistan and the killers could not be arrested. Shia pilgrims passing through the province on their way to Iran for pilgrimage to revered sites faced increasing attacks and over 50 pilgrims were killed in seven attacks. The worst attack occurred in Mastung district of Balochistan on September 20 when militants stopped a bus carrying Iran-bound Shia pilgrims and executed 29 of them.

The target killing of members of Shia community, especially the Hazaras in the Balochistan province, continued this year too. The Shia community found journey through the province to Iran for pilgrimage of revered sites increasingly perilous and cumbersome. In September, the government's top lawyer in the province informed the Balochistan High Court that the government had made it compulsory for pilgrims going to Iran to obtain no-objection certificates (NOCs) from the government so that security

¹ Human Rights Commission of Pakistan's (HRCP's) database.

² Ibid.

³ HRCP Annual Report 2011

could be provided to them. The BHC was hearing a case related to the September 20 attack on a bus carrying Shia pilgrims to Iran, which was attacked in Mastung district of the province, and 29 pilgrims were shot dead. In October, the interior minister directed the authorities to regulate the visit of Shia pilgrims to Iran and ensure their protection. Rather than investing efforts in improving overall security or apprehending and punishing the killers, the government's decision to regulate the pilgrims travel was seen as a short-term measure. It made the citizens right to travel abroad conditional to official nod, and also ignored the issue of apprehending and bringing to justice the perpetrators of these killings.

In May, a brazen gun-and-rocket attack in Quetta targeted the Hazaras. Six Hazaras were killed and 10 injured. In October, 14 Hazara men were killed in Quetta when attackers opened fire on the bus they were travelling in. The authorities repeatedly vowed to clamp down on violence but the attacks continued throughout the year.

Hazaras killed in Balochistan in targeted attacks (2001-2011)

Year	Fatalities
2001	10
2002	3
2003	64
2005	16
2006	4
2007	1
2008	36
2009	41
2010	105
2011 (until October)	106
Total	386

Source: HRCP Annual Report 2011

A large number of Hazaras were reported to be fleeing Balochistan because of the constant threats and target killings. Some ran great risks to escape danger at home. In December, at least 55 young men from Quetta's Hazara community drowned when a boat of human traffickers carrying around 250 people capsized off the Indonesian coast. HRCP called upon the government to pay heed to the situation in Balochistan that drove the Hazaras to leave Pakistan even by risking their lives.

Several attacks took place and fatalities were reported of the Shia population in Kurram Agency, where Taliban militants had blocked the road connecting the region to the rest of the country for years. The security forces launched an operation to open the road.

Freedom of religion

*Ahmedis*⁴

Ahmedis remained the target of hate speech, violence, discrimination and, when their faith was known, of social segregation. Several rallies and conferences were also held to inflame passions and motivate violence against Ahmedis. Posters and wall chalking slamming Ahmedis and their faith continued to cover the walls. Small stickers with similar messages were distributed for free and pasted on and inside public transport vehicles. This occurred to such an extent that it was impossible for the authorities to not notice these campaigns and yet they failed to act.

A pamphlet was distributed in Faisalabad in June, calling Ahmedis *Wajibul Qatl* (liable to be killed) and urging Muslims to publicly kill Ahmedis and declaring such murder a pious act and jihad (holy war) that would ensure a place in heaven for the killers. The pamphlet also provided the names and addresses of around 50 prominent Ahmedi individuals and business houses. Even though the pamphlet gave the names, phone numbers and email addresses of the publishing organisations, the authorities failed to take any action.

An Ahmedi couple that had established a private college in Dunyapur tehsil of Lodhran was hounded out of the district by extremist elements. The college launched in April 2009 had become quite successful. The competitors started a hostile propaganda campaign and used the Ahmedi faith of the owners to malign the institution. Several local clerics readily joined the cause. Hostile posters were printed and put up all over the town, calling for a boycott of the college in particular and all things Ahmedi in general.

Meetings and processions were held to demand closure of the college and conversion of the owners to Islam. The police did not act on the owner's complaint. A peace committee comprising five clerics was formed, which recommended that Ahmedis should not be allowed to build any educational institution in Dunyapur and the college should be closed immediately to ensure that peace remained undisturbed. The committee observed that if the local administration did not act to close the college, it would be responsible for the law and order situation. The owners were visited by the clerics and asked to convert to Islam or face the consequences. The owners met the college staff, signed over the ownership of the institution to one of the staff members and moved to another city.

At least six Ahmedis were murdered in target killings apparently on account of their faith in 2011. They were killed in Faisalabad, Sheikhpura, Layyah, Sanghar and Nawabshah districts. Naseem Butt, who was killed in Faisalabad, was one of the Ahmedis identified in the pamphlet distributed in the city in June. The pamphlet also carried his address. Even death did not always mean that the Ahmedis were left alone. In December, 29 graves were desecrated in an Ahmedi graveyard in Dunyapur in Lodhran.

⁴ Most material picked up from <http://www.thepersecution.org/> and HRCF reference section

Christians

Christians in Pakistan, both Catholics and Protestants, constitute the country's second largest religious community. Christianity has a long history in the region; with communities dating back centuries in Goa and Cochin, for example. In the Punjab and other regions in present day Pakistan, the missionary projects initiated by the British played a considerable role in spreading the religion. Sadly, the situation for Christians in Pakistan has become increasingly difficult in recent years. They are on the frontline of the persecution and violence against minority communities.

The situation of Christians, one of the biggest minority groups in Pakistan along with Hindus, was not much different from other minority communities in the country.

It was interpreted as sign of a new low in intolerance in Pakistan when the media reported that a Christian eighth-grader from Abbotabad had been accused of blasphemy for misspelling a word in her exam. The spelling error led to her expulsion from school and had the local clerics howling for her blood. A number of Christian families were reported to be on the run after being accused of blasphemy.

In January, two Christian women were beaten up and publically humiliated by an angry mob in Lahore over apparently unfounded blasphemy allegations. The incident occurred only a few days after the killing of Punjab Governor Salman Taseer, who had criticised the blasphemy law. The two women and their family went into hiding for fear of being killed.

Although Muslims accused of blasphemy too felt compelled to go into hiding, a number of other Christian families were reported to be on the run after a family member was accused of the dreaded offence.

On April 30, hundreds of people in Gujranwala district attacked a Christian seminary, a church and houses of Christians after learning that the police had released two Christian men who had been accused of blasphemy from protective custody. The men were accused of desecrating a copy of the Holy Quran and had been taken into custody on April 15 to prevent a massacre like the 2009 Gojra killings of Christians. A police investigation had found the charges against the two men to be fabricated.

Hundreds of Christian families were reported to have fled the locality where the two men lived. Even Muslims residents of the area had reportedly started putting up their names and religious affiliation on their doors to avoid having their houses targeted.

Members of civil society and Christians took out a number of protest demonstrations to condemn the killing of Shahbaz Bhatti, the only non-Muslim minister in Pakistanis federal cabinet, and demand the arrest of the killers.

Hindus

The shift in population during Partition led to the migration of many Hindus in Punjab to India, and a large proportion of the highly educated, urban Hindu elite (who tended to be economically advantaged) immigrated to India after 1947. Of those that chose to remain, many were of lower castes, poor and lived in rural areas. Now, approximately, ninety-four percent of Pakistan's Hindu population lives in Sindh, and this region provides a more varied Hindu experience than the other provinces.

Several incidents of violence and intimidation were reported against the Hindus during the year under review. The one that was slammed most widely was the killing of three Hindu men in a targeted attack in Chak town of Shikarpur district on Eid day (November 7). The three men were killed after a Muslim girl who had befriended a Hindu boy visited him on Diwali (October 26). That had upset some members of the local Bhayo tribe as well as activists of some banned militant groups in the area. The Hindu elders had reportedly beaten up the boy and sent the girl back to her family. They also approached the Bhayo elders and sought an amicable solution of the matter. They were assured that the issue would be resolved on the second day of Eid. The Hindu community in the area soon started receiving threats of serious consequences and had sought police protection. A police picket had been set up in the neighbourhood but the policemen were not there when the November 7 attack occurred. The three Hindu men killed were not deemed to be connected to the events of October 26 in any way. Several policemen were suspended, a senior police officer transferred, a case was lodged by the state and some arrests made. However, the police officer was transferred back soon. Families of the victims expressed dissatisfaction over the case lodged by the state and lodged one on their own. They have said that those rounded up by the police were innocent and the suspects identified by the families had not been arrested.

Civil society noted with concern that the victims were targeted in an area where faith-based violence had been relatively rare in the past. The region had a strong Sufi tradition and a long history of peaceful co-existence. It was seen as a clear sign of the local population revulsion against the targeting of Hindus that Muslims in the area volunteered to stand guard at the entrance of the Hindu neighbourhood and reassured them. The local Hindu and Muslim populations blamed growth of madrassas and activity of proscribed militant organisations for fueling sentiments against minorities.

However, even if the mischief makers lacked popular support for their agendas of hatred, they were organised and appeared confident that they would not be punished. Activists of religious organisations besieged the local police station to pressurise police following raids to arrest suspects.

In September, more than two dozen armed men torched Hindu property in Pannu Aqil, Sindh, after allegations that a Hindu watchman sexually assaulted a seven-year old girl from a Muslim tribe. The accused had already been arrested. The targeted community believed that extremists had used the allegation to target the shops of wealthy Hindus.

Abduction and subsequent forced conversion of Hindu girls was highlighted as an issue of concern by the community. The Sindh government promised to order a parliamentary or judicial probe in November after Hindu parliamentarians from Sindh in the National Assembly complained that women from their communities were being abducted for forced marriages and conversions. The parliamentarians were speaking in a debate regarding the recent killing of three Hindus in Shikarpur and demanded immediate government action against growing harassment against the Hindu community. 151 Pakistani Hindus sought asylum in India claiming that their lives would be in danger if they were sent back. They had been arrested for staying in India after their visas had expired. In December, the Delhi High court sought a response from the Indian government by the end of February 2012 and asked it not to deport the Hindus to Pakistan until then.

Sikhs

The complaints of discrimination were common, if not identical, for the various minority groups. A prominent Sikh leader, Sardar Bishen Singh, who had served as the president of Pakistan Sikh Gurdwara Parbandhak Committee, and had been a vocal critic of the government over the treatment of the community, was reportedly threatened with dire consequences if he did not stay silent. He said that one of his cloth shops had been looted and illegal construction had blocked the way to another shop he had in Lahore. He said when he went to the police they started asking him if he belonged to India or Pakistan.

In July, the Sikh community was prevented from observing a religious festival in Gurdwara Shaheed Bhai Taru Singh in Lahore after the Evacuee Trust Property Board (ETPB) decided to deny Sikhs entry into the gurdwara on the eve of Shab-e-Barat. Around four years earlier, a group of Muslim young men had claimed that the gurdwara was built on the site of the burial place of a Muslim saint. The ETPB had allowed both communities to observe their religious rituals according to their beliefs at the gurdwara since then.

However, police deployed outside the gurdwara prevented the Sikhs from congregating to commemorate an eighteenth-century saint on July 16 because the Shab-e-Barat was to be observed two days later. HRCP called police deployment to prevent the congregation shocking and entirely uncalled for and said that the ETPB had no right to ask members of a religious faith to postpone rituals of their faith inside their places of worship, or to give precedence to religious rituals of one faith over another.

The Blasphemy Law

At least eight people were booked under the blasphemy law, as Section 295-C of the Pakistan Penal Code is commonly called, during the year under review. Another three were given capital punishment by courts that found them guilty of the charge of blasphemy.

The events of the last year and a half that should have brought the focus firmly on the shortcomings of the blasphemy law had the exact opposite effect and discussing the law fast became a taboo. The sequence of events following the death sentence for a Christian woman, Aasia Bibi, in November 2010, led to the killing of Punjab Governor Salman Taseer in January 2011, by one of his police guard of Mumtaz Qadri who said he had killed the governor for blaspheming by advocating clemency for Aasia and by publicly voicing his criticism of the blasphemy law. Some clerics had issued an edict against Taseer a few days earlier, stating that he had become an apostate by supporting Aasia.

The government had initially announced its intention to amend the blasphemy law and the president had ordered a ministerial review that concluded that the verdict against Aasia was legally unsound. But after protests by radical elements the government had said that it did not plan to amend the law. After Taseer's murder the government stopped saying anything publicly about the law. It was criticised for not reforming the law prior to Aasia Bibi's conviction and it was pointed out that by the time it decided to act radical elements had ignited sentiments to such a degree that any reform of the law became practically impossible in the short term.

After Taseer's murder, threats grew for former information minister Sherry Rehman, who had proposed legislation to amend the blasphemy law, Federal Minister for Minorities Shahbaz Bhatti, who spoke in support of Aasia and called a cleric's offer of a reward for her murder immoral, unjust and irresponsible, as well as to all advocates of rationality and tolerance in general. Shahbaz Bhatti was killed in Islamabad on March 1 when his car was attacked by three gunmen. Bhatti had expressed the fear that he would be targeted after extremist clerics issued fatwas calling for his killing.

While Taseer's murderer was sentenced to death, he seemed to have acquired considerable following by killing in the name of religion. Rallies blocked a key road in Lahore in protest against the sentence. The Lahore High Court had ordered a ban on demonstrations on the road. However, when nurses chose to hold a peaceful demonstration on the same road they were savagely beaten by the police

No headway was made in apprehending Shahbaz Bhatti's killers while images of the killer of Salman Taseer being garlanded and portrayed as a hero on his court appearances were fresh in people's mind, the judge who had sentenced the Qadri to death reportedly received death threats from religious extremists. A group of lawyers ransacked his courtroom, and extremist elements offered a bounty to anyone who killed him. He had reportedly felt compelled to go abroad, at least for a short period.

As the year came to an end, there was little chance of an early reform in the blasphemy law.

Other Concerns

In January, HRCP asked the Balochistan government to curb growing incidents of abduction of members of non-Muslim communities residing in Balochistan, which had increased the sense of insecurity and vulnerability across religious minority communities in the province.

The HRCP working group that met twice in 2011 observed that the situation of religious minorities in Pakistan had grown progressively worse. Some of its observations noted:

- The growing threats were compounded by the official failure to take measures to address them. Targeted killings, and kidnappings for ransom, violence and intimidation on account of faith had shaken the faith of religious minorities in the state's ability to effectively protect them. Members of Hindu and Hazara communities in Balochistan, in particular, had felt compelled to seek sanctuary abroad.
- The government must ensure security of life and property of all citizens, irrespective of their religious belief, and must give them real opportunities to practice their religion. Note should be taken of the fact that the disempowered segments among minority communities such as bonded labourers, internally displaced persons and lower caste members, faced greater discrimination than other members of those communities.
- Raising one's voice for the rights of non-Muslims had become more dangerous than ever
- Despite the pressing need, adequate measures had not been taken to promote tolerance and reassure the minority communities that their concerns would be addressed. An effective forum to ensure protection for minorities from intimidation and discrimination remained missing. The National Commission for Minorities was a mere eyewash.
- No progress was made on removing discriminatory laws, including the constitutional provisions barring non-Muslims from key government positions.
- The working group expressed its reservations over a lack of effective representation of religious minorities in parliament. Parliamentarians from minority communities were nominated by political party heads and did not feel that they owed their seats to the communities they claimed to represent. Reservation of four seats for minority communities in the Senate was a welcome step but it would not improve representation for religious minorities if those seats were also filled in the same manner. The political parties and the government must ensure through legislation adequate representation for women from religious minorities at all legislative forums. Steps were needed on priority and before the next census to address concerns of religious minorities that their population was under-counted.
- The official efforts for promoting tolerance and mainstreaming the minorities had not worked. The authorities must do everything within their power to persuade all citizens that the basis of equal treatment for all in the country was citizenship

alone and not individual's religious belief. Efforts to tackle faith-based hatred must begin with revising and improving the curriculum and should ensure that textbooks do not portray the superiority of one community over another. The authorities were yet to take measures to the satisfaction of the affected communities to ensure that there were no forced conversions and anyone coercing or pressurising members of minority communities to change their religion was prosecuted according to the law.

- The government should support the Hindu community's efforts to disseminate a draft personal law and facilitate consultations with a view to reaching a consensus on the details and promulgate the law.

Recommendations

If this situation is to change, transformative corrective action has to be taken by the Pakistani state to encourage and nurture an inclusive and equitable Pakistani identity.

1. The government's oft-repeated claims of commitment to religious minorities rights must be translated into practical steps for the protection of minorities, prosecution of hate speech without exception, and promoting tolerance and harmony by facilitating inter-faith dialogue and weeding out propaganda against non-Muslims from textbooks.
2. Instead of abandoning the promise of revising and improving the blasphemy law, the government should create consensus on the need to reform the law by highlighting the toll that the abuse of this law has taken on the rights of both Muslims and non-Muslims. The minority communities effective representation in parliament must be ensured and women from these communities should also get representation.
3. Removing discriminatory laws, including the constitutional provisions barring non-Muslims from key government positions, must also be pursued with vigour.
4. Incidents such as abduction of young girls and their forced conversion and forced marriage belong to a different millennium. The government must devise ways to curb the abhorrent practice and end impunity for the perpetrators. Changes in law and public opinion must be simultaneously pursued to get the desired results. Otherwise, it might be too much to expect from a judge to determine without fear or favour the voluntary nature of conversion with his courtroom brimming with zealots.
5. Efforts should be made to facilitate codification of personal laws for all minority communities that want that. All such efforts should be led by the minority communities themselves.
6. Ensure that all educational establishments, including primary and secondary schools, higher education colleges and universities protect all students from discrimination on the grounds of their religion by implementing effective mechanisms for redress and accountability