

In the crosshairs

**Assault on places
of worship**

**Report of HRCP Expert Group
on Communities Vulnerable
because of their Belief**



Human Rights Commission of Pakistan

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Introduction

A perceptible increase in intolerance and militant extremism in Pakistan in recent years has occurred in conjunction with a rise in challenges in general to the freedom of thought, conscience and religion. They have had a deep impact on religious minority communities and groups across the country. The impact has been further aggravated by the fact that the challenges have not been accompanied by an appropriate response by the state in line with its obligation to protect citizens vulnerable because of their religious belief and to ensure their fundamental rights.

Since it was founded in 1986, the Human Rights Commission of Pakistan (HRCP) has been monitoring the freedom of belief in the country and has been conducting related advocacy as an integral part of its mandate. In that respect, HRCP is guided by international human rights law, as well as the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by the United Nations General Assembly resolution 47/135 of 18th December 1992.

The expert group

In 2010, HRCP established the Working Group on Communities Vulnerable because of their Beliefs, a forum that brought together representatives of various religious minority communities. The need to establish the working group was felt on account of growing incidents of violence, intolerance and discrimination towards members of minority and vulnerable communities across the country. HRCP considered that that was a difficult time for religious minorities in the country and all indications suggested that the situation was set to aggravate. Therefore, it was considered important that members of religious minority communities should lead

the deliberations on the issues that affected them on account of their religious beliefs in order to find solutions. In 2012, the HRCP working group transformed into a more focused expert group and continued to meet to discuss and highlight the concerns of religious minorities.

The expert group met twice during 2013, in August and December, focusing in the August meeting on political rights and issues of representation of religious minorities¹ and in December on new challenges for religious minority



groups and ways to address those.² The expert group held its first meeting in 2014 in July.

While the words 'religious minority' occur repeatedly in this account of the expert group's proceedings, HRCP has no intention of branding any group as a minority. The objective of this report and indeed of establishing a focused group is to highlight faith-based challenges for all communities in Pakistan, which might or might not have been designated as religious minorities.

¹ Political empowerment of religious minorities, HRCP, August 2013, <http://hrcp-web.org/hrcpweb/wp-content/pdf/perm-1.pdf>

² When it rains ... Religious minorities and new challenges, December 2013, <http://hrcp-web.org/hrcpweb/wp-content/pdf/perm-2.pdf>

The agenda

In its meeting in Karachi on July 18, 2014, the focus of the expert group's deliberations was on attacks on the places of worship of religious minorities.

The expert group discussed the recent attacks, particularly on the temples in Sindh, and the perpetrators and motives for the attacks. The group members dwelled at length on whether the attacks were religiously motivated or if other factors were at play. Besides acts of violence targetting the worship places the expert group also looked at intimidation and encroachment of the land of worship places by land grabbers through various methods.

The expert group examined the manner in which the print and electronic media reported the attacks on minorities' worship places and flagged a lack of follow-up.

The expert group members and other participants familiar with issues of concern for minority religious denominations and sects who attended the meeting included Rochi Ram, S. K. Dodani, Petambar Sehwani, Justice (retd) Mehta Kailash Nath Kohli, Dr Jaipal Chhabria, Dr Vijay Ahuja, Dr Mohan Manjiani, Mangla Sharma, Sardar Ramesh Singh, Dr Sabir Michael, Zahid Farooq, Nuzhat William, Michael Javed, Prof. Safina Javaid, Prof. Aijaz Qureshi, Mehmood Ahmed Tahir, Waheed Ahmad, Karamat Ali, Shujauddin Qureshi, Sharafat Ahmed and Zaheer Abbas. HRCP Chairperson Zohra Yusuf, council members including Ghazi Salahuddin, Roland D'Souza, Inder Ahuja and staff of the Commission also joined the discussion.

The context

Members of the expert group began the discussion by stating that one of the earliest complaints of religious minority communities in Pakistan had been with regard to occupation of their worship places and lands attached to them and their conversion into mosques, residential quarters, etc., soon after the country came into being. But the worship places that had been spared in that initial wave had remained in the use of the minority communities and had largely not been interfered with. There had been some incidents, such as one in Peshawar, where a place of worship was locked up because followers of two religions shared it and there had been a possession dispute. But by and large the minorities were free in small cities to continue with their worship without interference. However, in recent months it had been noticed that even that level of tolerance had started to give way. Now minorities were not being spared even where they had set up small places of worship. An even more worrying aspect was that many of the attacks had not been reported in the media. When the Supreme Court (SC)³ had started hearing a case regarding threats to religious minorities, it was informed about six incidents of desecration of Hindu temples / places of worship in the province of Sindh alone in the last few months. That had not been in the knowledge of the common people.

³ See Annex-I.

Targetting of worship places

The expert group members said that it was true that the Babri Masjid destruction in India in 1992 had been followed by a series of attacks on minority worship places in Pakistan, but that was a wave of madness that had passed. Many people had come to their senses since then. That had been the case in Swat where a common worship place of minorities had been razed. However, the local residents later realised what they had done and rebuilt it.

Referring to a media report,⁴ participants at the meeting said that the Michael Town locality in Karachi being renamed as Khulafa-e-Rashideen Colony was as serious a matter as attack on any place of worship. In this low-income locality in Korangi, around 2,000 Christian residents live in houses located in eight narrow, adjacent lanes. The participants in the meeting recounted that in the aftermath of the devastating suicide attack on Peshawar's All Saints Church in September 2013, Christians all over the country had participated in processions to condemn the atrocity. In Michael Town, a procession was attacked on the pretext that stones had been thrown at the local Khulafa-e-Rashideen mosque, an allegation refuted by the Christians. In the melee, a Muslim man, Nazar Iqbal, was killed.

The death was followed by a mob going on a rampage, setting fire to property belonging to the Christians. Four houses and several vehicles were burnt. A large number of Christians fled their homes amid fear of further violence. Three Christians were charged with and arrested for Iqbal's murder. Members of the Christian community claim that they had witnessed him getting accidentally trampled to death by

⁴ An uneasy coexistence: Christians, Muslims in Karachi's Michael Town, Dawn, July 17, 2014, <http://www.dawn.com/news/1119691>

the Muslims themselves.

The attack had left the Christian community too frightened to return. In order to facilitate a rapprochement, deputy commissioner of Karachi's district east reportedly called a meeting between representatives of both communities at his office. There, the Christians were reported to have been compelled to acquiesce to humiliating terms in order for them to be allowed back into their homes. According to the terms of the 'agreement', the locality known as Michael Town or Choti Essa Nagri since its establishment over 30 years ago would be called Khulafa-e-Rashideen Colony. Another clause reportedly stipulated: "The loudspeakers will be removed from the [exterior] of Church immediately just today."

The group members and other participants in the meeting made the following observations:

- Attacks on worship places had occurred in all provinces though Sindh seemed to be the most affected province. Even in Balochistan where the people were known to be tolerant. Paying attention to this disturbing trend was important not only because all religions deserved respect but also because this had a very negative impact. "People could tolerate a financial loss but it was very painful, almost unbearable, for them when their places of worship were targeted," a lawyer at the meeting said.
- Wherever there had been a jihadi movement the religious minorities had been among the worst victims. The aggravation had been all the more stark if the authorities had encouraged and supported the zealots. In Pakistan, the establishment had benefitted from disruption in the political process and used that to extend its power. The religious minorities had been the weakest community and therefore the

Turbulent times in Sindh

“Larkana has been a political hub for the last 100 years and the people have always been peace loving. But now there too temples are being targeted and torched and statues of deities smashed. The Kali Mata temple in Hyderabad has been destroyed. The person who looked after the temple had died of grief. These actions have occurred under the patronage of *pirs* and *waderas* or instigated by madrassas that radical elements from Punjab have established in Sindh. The Ahmadis and Christians are also being targetted but Hindus are the most populous religious minority in Sindh and their targetting has made members of other minority communities fearful.” – **A participant from interior Sindh**

most affected. Social pressure should be mounted so minorities' concerns were included in the government's priorities.

- Right after the country's independence in 1947 the land grabbing mafia had become active. There used to be around 25 temples in Quetta then, now only a couple remained. The land where the rest stood had become part of one housing scheme or another.
- After the Babri Masjid attack in India in 1992, temples in many parts of the country had been targeted and temples in all districts of Balochistan damaged in attacks. The situation had been somewhat better in Quetta, because the community leaders had informed the administration there beforehand.
- Attempts had also been made to grab the Christian community's schools and other church property. But the modus operandi had been different. Often forged powers of attorney were prepared to show that people associated with a diocese wanted to dispose

Evacuee property

“There have been many concerns regarding the maintenance of worship places supposedly overseen by the Evacuee Trust Property Board. Once the Hindu community organised repair of a temple. Shortly before the repairs were to start, police arrived there and tried to arrest the people organizing the repairs because the temple was evacuee property which could not be interfered with. A mosque, temple, church or gurdwara cannot be evacuee property, at least not as long as freedom of religious belief is a fundamental right.”

– A lawyer at the meeting

off some church property. Recently, it was with great difficulty that a property of the Karachi diocese had been returned to the Christian community after 15 years of litigation in the Sindh High Court.

- Occupation of another kind had been institutionalised after the promulgation of the evacuee trust property law as the government had taken possession of worship places and other property of religious minorities. The control and administration of places of worship should be with the respective religious minority community.
- With appreciation in land value, a new wave to grab property had begun. This was what had happened in a recent attack on a temple in Larkana district of Sindh where a nearby madrassa had tried to implicate a Hindu youth in a blasphemy case. Fortunately, a fact-finding mission sent there by the PPP, the ruling party in the province, had intervened.
- The attack on the Larkana temple was the first time that the police had taken action against perpetrators of such attack. Otherwise, FIRs had not been

registered and statements of condemnation and urging patience were issued only by parliamentarians and ministers from religious minorities. If the government had taken prompt action against perpetrators of such attacks much damage could have been averted. Many trouble-makers had come from other districts.

- The civil society in Sindh as well the Muslim community had supported the victims of excesses in attacks on worship places and protested for them which had led to clashes with radical elements. The biggest crisis that the Hindu community in Sindh was facing was that of migration. Hindus from Sukkur, Larkana, Ghotki and other districts had been migrating to India.
- The various attacks on temples in Larkana, Tharparkar, Badin and Hyderabad had different dimensions.⁵ The situation of minorities was precarious because the government had not taken serious action. Sindhi media took the matter seriously but in other places that had not been the case.
- While focusing on attacks on places of worship, the temple in Clifton Karachi must not be ignored. The excavation there was weakening the foundations of a temple in a cave. HRCP and the Sindh High Court had taken up the matter and Dawn News had highlighted it too. But efforts to save the structure must continue.
- At times, Christians playing the harmonium during their worship at home had been asked to stop.
- Many of the attacks on the worship places were orchestrated by the land mafia which targeted them because minorities were considered soft targets.

⁵ See Annex-II.

- Over the last year, seven incidents of desecration of the Guru Garanth Sahib, the holy book of the Sikh religion, had taken place. The last incident had taken place in May. But no one had been held to account. The government had closed its eyes and ears to the affected community's concerns. The provincial government in Sindh had not even issued statements condemning these incidents. The Sikhs had held a press conference vowing to protest internationally unless their grievances were heard. The Pakistan Peoples' Party chairperson had then invited them and assured them that the Sindh government was with them. They were assured that a committee comprising minorities would be formed that would meet the chief minister every month and the chief minister would act on the committee's recommendations. A committee had been constituted but all the members had been inducted from one political party. These issues should be above partisan politics. Members of the Sikh community had been forced to migrate. Reserved seats giving minorities representation was a myth.

See no evil ...

“The biggest problem for the Hindu community since 1948 has been that they have been living in fear and because of the fear they have not been able to articulate their problems and anxieties. The participants from Larkana here know who is behind the attack on the temple there but they know that if they speak up then they will no longer be able to live in Pakistan. You can see an expression of that in the Supreme Court verdict regarding the threats to the Kalash community in Chitral. Fear is the biggest problem and then zealots from the majority are a problem too.” – ***A lawyer at the expert group meeting***

Most of the people nominated to supposedly represent the community had donated large sums to party funds. "Would their interest lie in addressing the community's problems or their own after they became parliamentarians?" a member of the expert group asked.

- The reasons for excesses against the Hindus in Sindh were manifold; one was that they were Sindhis and many tactics had been employed to turn the Sindhis in Sindh into a minority. Those who wanted to marginalise Sindhis had targeted Sindhis in the name of religion for if they were forced to migrate, the numbers of Sindhis would dwindle. The Hindus in Sindh were financially strong and their business competitors at times tried to exploit religion to gain an advantage over them or to oust them. Another factor was rooted in the days of Gen Zia's regime when the seed of Taliban was sown and religious extremism and a peculiar religious mindset promoted. The only solution to the predicament was that Hindus who were fleeing should stop considering flight as a solution to their problems. They would not be able to raise their voice until they were in the political structure.

Role of political parties

The participants in the expert group meeting shared, without exception, the sentiment that the political parties had not engaged in a proactive manner with the minority communities and not attached priority to their concerns. They said that the inadequacy of authorities' response to the challenges they faced had contributed directly to further deterioration. They said real representation and inclusion of candidates from religious minority communities in direct elections could confront attempts to marginalise religious minorities. But most of all they

said that the political parties must not shy away from speaking out against highly condemnable actions targetting religious minorities only on account of the victims' faith. Failure to speak out against intimidation and violence against minorities could be interpreted as either acquiescence or fear. The main points of the discussion were:

- All of the concerns and incidents narrated at this forum should have a permanent fix. It was a political matter as much as it was a religious one. Political parties had ceded space to radical elements. Handing out some compensation and a couple of jobs after every act of violence was no solution. Not teaching Pakistan's real history in schools and not acknowledging the role Hindus and Christians had played in making the country were part of the plan to marginalise and persecute religious minorities. "If Quaid-e-Azam wanted to establish an Islamic state why would he have chosen a Hindu as his first law minister?"
- All political parties needed to move ahead from th nominal role that they had given to religious minorities. Having a minority wing did not help the



The participants voiced concern over assault on worship places.

minorities. Some constituencies should be reserved nationwide where all parties should name candidates from the minority communities who should then contest election and get elected through people's vote. Instead of reserving 10 seats in the National Assembly, 10 constituencies should be reserved where community representatives should contest elections directly. The ability to contest direct election should not be the privilege of citizens from religious minorities in these 10 constituencies alone but at least in these 10 all the candidates must be from minority religious communities.

- Religious minorities had not found space in the manifestoes of political parties. Minorities needed to strategise better to add issues of their concern to the parties' manifestoes. Things could improve if pressure was exerted on the political parties. Otherwise, when members of the majority religious community were not protected from land grab how could the minorities be immune from that?
- The total number of seats in parliament had been raised but the number of minorities' seats was still unchanged. No political party had owned that demand. The Sikh community had been completely neglected in terms of representation in Sindh. No one had bothered to ask why members of the Christian community had to flee abroad. There were Pakistani Christians in camps in Thailand who had no money and poverty had forced them into prostitution. The so-called representation was an eyewash, nominated members of the legislature could not even visit their areas without party authorisation.
- Many of issues and reservations of Pakistan's religious minorities should be taken up with the political parties and with the local government. There

was no forum at the grassroots to take up those issues, such as provision of space for graveyard and security there.

- Members of parliament from religious minorities had no option but to tow the party line or they would not be in parliament. Both the shortcomings and limitation of minority community's representatives should be looked at. In 65 years no MNA or MPA had talked about laws for minorities. Saleem Khursheed and Petambar Sehwhani had submitted many bills. But a lobby was needed to get the bills approved. Saleem Khursheed had taken up the cause of a Hindu girl from Ghotki. That had upset a pir who threatened Khursheed, forcing him to seek asylum abroad. If Hindus, or any religious minority, wanted to find a solution to their problems, they must move the court, get what they wanted through social service or prepare their children to raise voice for their demands. They must not pin their hopes on a parliamentarian, or a representative from their community, whichever political party they

Their representatives, not ours

“As far as political parties are concerned I have not seen representation of religious minorities in them. That is because these parties have given tickets only to those who follow their whims without questioning anything.

In all the matters that the Supreme Court has looked at it forgot to ask why a functioning minority commission has not been formed in Pakistan in over 60 years. No positive minority-specific law has been made in all this period. Even personal law for Hindus is absent still. Until there is effective participation from civil society no steps would be taken and no laws made or implemented.” – ***An expert group member***

represent, to find solutions to their problems, because there was only so much they could do and if a parliamentarian crossed that limit it would be curtains for him or her.

Role of the media

The expert group examined the manner in which the print and electronic media, both local and national, reported the attacks on places of worship of religious minorities and the level of follow-up of the initial reports. The participants in the meeting observed:

- The national media had not highlighted attacks on worship places and religious minorities. The Sindhi media had been raising its voice for a long time. But much of the national media had failed to speak out either negatively or positively.
- The media had generally not attempted to assess the impact of these attacks on the affected communities. It had failed to highlight not only the measures that could have prevented the attacks but also response to the attacks by the political parties and civil society and by the majority community.
- The news media itself was in dire straits at the moment. In view of recent events such as targeting of Geo TV, the news media was fighting for its survival and it was perhaps not realistic to pin too many hopes on the media for the time being. The media should be thanked for whatever it drew attention towards and it should be hoped that it would continue to take positive steps to highlight the problems of religious minorities.

Supreme Court's interpretation of Article 20

Et tu...

Some participants in the expert group meeting said that while looking towards media as part of the solution, it would be naïve to overlook its role as part of the problem. “The role of the media in promoting extremism is no less than that of madrassas. A TV channel broadcast live conversion of a Hindu boy to Islam. It is a matter of regret that the media that we depend on does this,” said an expert group member from Sindh.



Positive and negative role of the media was highlighted

Reference was repeatedly made in the expert group meeting to a Supreme Court judgement concerning the rights of religious minorities.⁶ The judgement was delivered on June 19, 2014 in a case taken up by the court suo motu, after a devastating bombing of a church in Peshawar in September 2013 that killed over 100 worshippers. The court had also looked at complaints

⁶ See Annex-I for excerpts from the judgement. The complete text of the judgement is available online at: http://www.supremecourt.gov.pk/web/user_files/File/smc_1_2014.pdf

received from adherents of Hindu faith, who had requested the court to direct the authorities to protect their places of worship. The proceeding also considered

Saying it like it is

“The media should report things as they are. The reporting of the Larkana attack had been given different angles. The electronic media did not do any special programme to focus on the attack and failed to expose it for the disgraceful act that it was.” – ***A participant in the meeting***

a news suggesting that the Kalash tribe in Chitral were being coerced to convert to Islam or face death. Ismailis in Chitral had been threatened to convert to another sect of Islam. The participants in the meeting welcomed the fact that the court had called “considered all such incidents to be violative of the fundamental rights enshrined in the Constitution”.

They praised the chief justice for coming up with a vital decision that offered a detailed interpretation of Article 20 of the Constitution and hoped that the Supreme Court judgement would be implemented. The participants stated:

- The Supreme Court verdict was promising but the important part was when and how it would be implemented. The government had still not put forward names for the national commission that was to be formed. The civil society had a vital role in keeping an eye on that and ensuring that the verdict was implemented. A good thing in the verdict was that a three-member bench of judges would monitor



A Supreme Court decision on challenges for minorities was discussed at length.

implementation. How the government proceeded in that matter would also demonstrate the commitment it had to religious rights of citizens.

- The SC verdict had recommended in a single sentence that the government should establish special courts which could work to protect religious minorities. What was the rationale for setting up special courts? Why should the existing judicial and administrative mechanisms not safeguard constitutionally guaranteed rights? The SC observation is a determination of the failure of the judicial/administrative apparatus in this regard, but improvement of the system should be considered rather than setting up something only for religious minorities.

Onus of proof

“This is a good decision but courts have not always been alive to minority communities concerns. Colleges have been established in our Gurdwaras. When we go to courts to get the buildings vacated we are asked to establish that the premises was indeed once a Gurdwara. We are asked for proof even when everyone can still see the original plaque of the Gurdwara at the building.” – ***A participant at the meeting***

- During the proceedings the attorney general for Sindh did not know if attack on a worship place constituted an offence. The SC had to ask him to read Section 295 of the Pakistan Penal Code.
- The manner in which the Kalash question had been summarily disposed by the court on a commissioner's report was disappointing.

Conclusions and recommendations

While reiterating the recommendations made in earlier rounds of deliberations, the expert group made the following observations and recommendations to improve the situation.

The expert group concluded that a range of factors were behind the attacks on minority worship places. Religious extremism was the biggest factor. Others were the appreciating land value, intolerance, and also the media that did not expose extremism. The religious minorities needed to be given space and the government was under an obligation to act to protect their places of worship. However, it was failing to fulfill that obligation.



Ways were suggested to improve the situation.

The following recommendations emerged from the discussion.

- The role of faith-based discrimination in violence and threats against religious minorities and their places of worship should no longer be ignored. The government in partnership with civil society

should pursue as a priority well thought-out and sustained efforts to promote tolerance, acceptance of all manners of diversity and harmonious co-existence of citizens of all faiths.

- The rise in attacks on worship places, especially in Sindh, should be looked at and understood in a holistic manner with a view to prevent future attacks. Each attack on a place of worship must be thoroughly probed with a view to establish the motives and to bring the perpetrators to justice. Failure to investigate and prosecute these crimes led to impunity.
- It was imperative that a government department, possibly the revenue department or local government, should be made responsible for completing documentation on places of worship. Such documentation would prevent forgery to occupy places of worship and facilitate recovery of the occupied land.
- With respect to the management of places of worship under the Evacuee Trust Property Board, Muslims had become trustees for worship places of religious minorities, which many in the minority communities saw as a form of occupation. Such occupation should be ended and a principle observed that the community to which the worship place belonged should have control over the trust. If the community in question agreed then the repair and maintenance of these properties could be a shared responsibility of the minority community and the government.
- Most political parties had chosen not to publicly condemn the attacks on religious minorities and their worship places and these parties' actions and words had generally not demonstrated much commitment to the freedom of thought, conscience and religion for religious minorities. Rather than confining religious

minorities' role to a party's minority wing all political parties should consider and suggest ways to give a more prominent role to members of minority communities in party affairs and in parliament. One way to ensure this could be to reserve some electoral constituencies nationwide where all parties should name candidates from the minority communities for contesting election. Real representation and inclusion of candidates from religious minority communities in direct elections could confront attempts to marginalise religious minorities.

- Religious minorities' issues had not found space in the manifestoes of political parties. Civil society and members of these communities needed to strategise better to add issues of their concern to the parties' manifestoes. Social pressure should be mounted so minorities' concerns were included in the government's priorities.
- There was an urgent need to acknowledge the role that religious minorities had played in the creation of Pakistan. Their contribution should also be made part of the curriculum. The religious communities believed that not teaching an inclusive curriculum in schools and colleges was part of a plan to marginalise and persecute them.
- Absence of the local government system had prevented many of the problems of religious minorities from being addressed at the grassroots level. Revival of the local bodies system and representation of minorities there could help solve many of their problems.
- The Supreme Court decision rendered in June 2014 should be looked at carefully. The decision had numerous shortcomings. However, the manner in which the Supreme Court had interpreted Article 20

of the Constitution had never been done before. That should be focused on. Establishment of a committee within the expert group to analyse the verdict could be considered. The civil society should also closely monitor implementation of the verdict.

- Members of civil society and religious minority communities should be made aware of the Supreme Court judgement so that they could take more issues to high courts. After the Supreme Court verdict the high courts would be under pressure to look at minorities rights in view of the SC judgement.
- Either because of bias or a general sense of fear, the media had failed to accurately and appropriately report attacks on religious minorities' places of worship. The media should give detailed and factually correct account of events and also do follow-up coverage. Some segments of the media had been complicit in inciting violence against the minorities and their worship places, whereas many others had chosen to be selective in their reporting of the events. Most media organisations had not attempted to explore the impact of the attacks on the affected communities and also not highlighted measures that could have prevented the attacks. Civil society and minority communities should engage with the media more actively and facilitate coverage of issues facing religious minorities.

Annexures

Annex-I

Excerpts from the SC judgement⁷

- These suo motu proceedings under Article 184(3) of the Constitution of Islamic Republic of Pakistan were initiated on a letter received from the Justice Helpline, an NGO, regarding an attack on a Church in Peshawar in which 81 persons died (subject matter of FIR No. 728 dated 22.9.2013 under Sections 02/324/427 PPC, 3/4 of the Explosive Substances Act and Section 7 of the Anti Terrorism Act at Police Station Khan Raziq Shaheed (Kabuli), Peshawar). Complaints were also received from adherents of Hindu faith and it was prayed that the Court should direct the authorities to take remedial measures so that their places of worship are protected. On 20.2.2014 there was a news item and article published in Daily Dawn wherein it was averred that the Kalash tribe and Ismailies in Chitral were being coerced to convert to a different sec within Islam or to face death. The Court considered all such incidents to be violative of the Fundamental Rights guaranteed to these citizens as also of the Principles of Policy enshrined in the Constitution. It considered it imperative to find out the causes which lead to such incidents with a view to lay down guidelines for effective enforcement of the Fundamental Rights guaranteed to the people.
- 8. We find that the incidents of desecration of places of worship of minorities could be warded off if the authorities concerned had taken preventive measures at the appropriate time.

⁷ Supreme Court Sou Motu Case No. 1 of 2014, PLD 2014 SC 699. The complete text of the judgement is available online at: http://www.supremecourt.gov.pk/web/user_files/File/smc_1_2014.pdf

- The Court also found that the inaction on the part of law enforcement agencies was on account of the lack of proper understanding of the relevant law. For instance, the Court was surprised when the learned Additional Advocate General, Sindh, on Court query submitted that the desecration of places of worship of minorities was not blasphemous and not an offence under the Pakistan Penal Code. When he was confronted with Section 295 PPC he had nothing to say but to concede that desecration of places of worship of even a non-Muslim is an offence under the PPC.
- 9. There is a general lack of awareness about minority rights among the people and those entrusted with enforcement of law are also not fully sensitized to this issue either...
- 16. Article 20 must then be interpreted to guarantee the rights of the community as well as the right of the individual against those from his own or other religious communities the ultimate goal being the eradication of religious intolerance in the society.
- 19. It is because of absence of effective State action that despite elaborate textual guarantees for minorities' rights, empirical realities reflect a mixed bag, rather a dismal state of affairs.
- 22. The afore-referred report [on sectarian violence and hate speech] and other incidents of faith or ethnic based violence indicate that mere textual pledges in the Constitution, though important are not enough to ensure that those rights would be honored in practice. It is, therefore, important that the concerned governments / institutions take proactive lead to ensure that those rights are respected and enjoyed in practice.

Annex-II

Attacks on worship places and graveyards in Sindh in 2014

Date	Incident	Place	Detail
January 1	Land of the historical Jamna Das Temple occupied by land grabber	Naushero Feroze	A group of land grabbers occupied the temple and demolished some structures
January 2	Graves destroyed and Hindus' crematory occupied	Village Malhio Daro, Kunri, Umerkot	A landlord demolished the Hindu community's cemetery in a bid to occupy its land.
January 4	Graves dug up and a dead body taken away.	Chhachhro Road, Umerkot	Unidentified people dug up took away a child's body.
March 3	Attack on a church	Khipro, Sanghar	A Catholic Church in Frances Nagar Khipro, was attacked and looted by a mob. Women were harassed.
March 15	Attacked on a temple and community center (Dhramshala)	Larkana	A gang of goons assaulted the temple, vandalised statues and torched the Dhramshala community centre in Larkana, following a rumor that a member of the Hindu community had desecrated the holy Quran.
March 25	Attack on Baba Khushi Ram temple	Rohri, Sukkur	Unidentified person/s attacked the Khushi Ram temple, smashed the statues and desecrate holy books

March 28	Attack on Kali Mata temple	Fatha Chowk, Hyderabad	Three attackers entered the temple on the pretext of praying and smashed statues and set a section of the temple on fire.
March 30	Attack on Vehrijup Ashram	Islamkot, Tharparkar	Some local residents entered the temple and stole worship material made of gold and silver. They also desecrated the worship place.
March 30	Graves destroyed in a graveyard	Madheji, Shikarpur	A group of land grabbers trying to occupy a land of Hindus' graveyard occupied and bulldozed the courtyard of the graveyard.
April 2	Torched graveyard premises	Village Adal Noonari, SITE, Hyderabad	Three men entered the graveyard premises, dishonored the graves and torched cloths and goods on the premises.
April 3	Statues stolen from temple	Islamkot, Tharparkar	Some religious fanatics stole a deity statue (composed of silver) and other worship material from a temple on the premises of Meghwar Hindu community graveyard.

April 18	Statues stolen from temple and holy book desecrated.	Rato Daero	Unidentified persons entered the temple, desecrated the holy books and stole a statue of Devi Mata statue, which was made of gold and silver
May 2	Land grabbers encroached on Hindus' cemetery/ graveyard	Chhachhro, Mithi	A group of land grabbers occupied the Hindu graveyard land
May 6	Encroachment on graveyard	Tando Yousuf, Hyderabad	Land grabbers trying to occupy land released sewerage water in the graveyard, swamping graves and shrines (Samadhi).
May 8	Temple torched	Madheji, Shikarpur	Rioters' attacked Baba Jairam Das temple, looted and desecrated statues of deities, torched the holy book Guru Garanth and smashed worship material.
May 27	Attacks on three temples: Lord Shiv temple; Dada Khusal Poori temple; and Khetarpal temple	Kot Ghulam Muhammad, Mirpurkhas	Some individuals smashed the deities of Lord Shiva, Khetarpal, Khusal Poori and stole silver and gold ornaments from the temple.