

Perils of faith

**Report of HRCP Working Group on Communities
Vulnerable because of their Beliefs**

December 2011



Human Rights Commission of Pakistan

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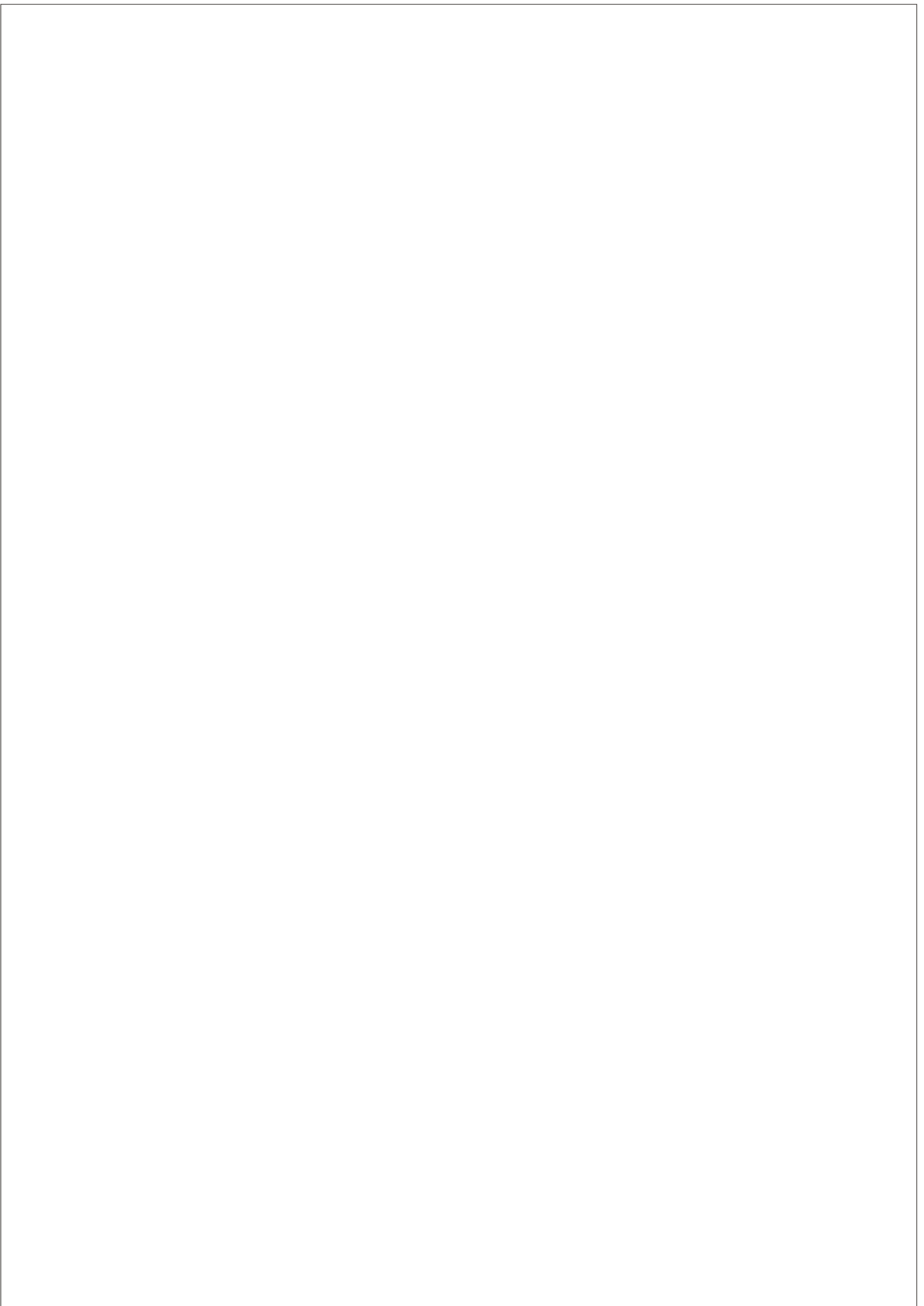
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Introduction

There is clear evidence that violence and intolerance towards religious minorities have increased in Pakistan in recent years in direct proportion to the growing militancy and religious extremism in the country. The government's inability to protect the rights of members of religious minority and vulnerable communities in the face of this advance by militants and extremists has contributed to the acute sense of vulnerability these communities feel.

While monitoring the human rights situation in Pakistan in relation to freedom of thought, conscience and religion, the Human Rights Commission of Pakistan (HRCP) is guided by international human rights law, as well as Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which was adopted by the UN General Assembly resolution 47/135 of 18 December 1992.¹ While HRCP notes with satisfaction that Pakistan has now ratified almost all key international human rights instruments, it has also observed that that has not had an impact so far in domestic legislation, which departs from and at times is ambiguous regarding the principles of human rights on freedom of religion, belief and conscience.

HRCP established the Working Group on Communities Vulnerable because of their Beliefs in 2010. 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 2010 a bad year for the minorities in Pakistan and all indications suggested that there were worse times ahead. It was in this context that it was decided that members of the affected communities should be involved to deliberate on issues that affect them and decide on ways to address them. This is the second report of the working group and chronicles the group's input, focus and concerns in 2011.

¹Text of the declaration is appended.

The working group

The HRCP Working Group on Communities Vulnerable because of their Beliefs, which was established in June 2010, was conceived to serve as a forum to discuss and highlight the threats and challenges for the religious minorities across Pakistan and suggest appropriate measures to remove those. The working group also focused on raising awareness about all forms of violence, threats of violence and discrimination on account of religious belief and making efforts to improve the situation through changes in law/policy and implementation, leading to better protection of basic rights and freedoms of all citizens.

The working group mandate included initiatives to highlight human rights violations or concerns; analysis of laws/practices/policies that are discriminatory or give preferential treatment to the majority religious group; analysis of the circumstances that allow advocacy of hatred based on religious beliefs; engaging in a constructive dialogue with the civil society and policy-makers to lobby for change; identification of best practices/strategies and considering possibilities of building on them; consideration of ways and means to issue early warnings in situations of risk of unrest or violence targeted against minorities; and capacity-building of members of vulnerable communities to enable them to work effectively for the protection and promotion of their rights. The working group's mandate also included the rights of vulnerable sects of Islam whose beliefs do not conform to the major sects' beliefs and ideas.

The working group met in June and December 2010 and many of its concerns were consolidated in a report of those two meetings.

In 2010, members of the minority communities expressed dissatisfaction that the population of non-Muslim population in Pakistan was not accurately reflected in the official statistics, including the last census and how that had had an adverse impact on resource allocation and representation. The working group was of the opinion that while vested interest and discrimination might account in large part for the low figures, but there had also been internal relocation and

²The report is available online at: <http://www.hrcp-web.org/pdf/Life%20at%20risk.pdf>

migration abroad from these communities amid lawlessness and insecurity caused by target killings, forcible conversions, abduction for ransom of members of minority communities and lack of effective measures or reassurance from the government. The working group members pointed out that many families that had chosen to stay in Pakistan after the partition of India and even after subsequent rioting had felt compelled to abandon their homes and migrated abroad in the past few years because of the growing threats and intimidation targeted at religious minority communities.

The working group also noted the inadequacy of specific mechanisms meant to redress grievances of members of minority communities. They referred to the confusion over the existence of the Commission for Minorities in Pakistan as a verdict on the commission's ineffectiveness. They called the official Commission for Minorities “utterly ineffective” and “one of the better kept secrets of Pakistan” because even the communities that that commission was supposed to help knew little about who members of the commission were, how they were elected and how to access the forum. The working group listed several basic requirements that needed to be adopted for the commission to be effective.

It was highlighted that faith-based discrimination and preaching of hatred and intolerance in Pakistan had roots in the fact that the country's laws and the constitution itself did not envision equal rights for all citizens. Even textbooks at the elementary level preached segregation. The working group emphasised the urgent need to educate the students in such a manner that they learned to appreciate and respect religious, cultural, ethnic and linguistic diversity. Impunity for promoters of hate speech was deemed to be the norm and absence of official condemnation or meaningful legal action against the perpetrators was lamented.

The working group expressed concern that the liberal political parties were not confronting the extremists' narratives and actions and appeased and strengthened forces of obscurantism in the name of compromise. The group called it a sign of the prevailing environment of fear of extremist elements that enlightened and progressive Islamic scholars had been forced to disappear from the public sphere or even flee the country on account of threats to their lives for expressing their views on the media on matters such as the blasphemy law. The

working group said the print media in general had not given due attention to the threats religious minorities faced and journalists had opted to remain silent out of fear for personal safety while some sections of the media had actively promoted extremists' agenda.

Although precise figures were not available, it was pointed out that the literacy and employment rates among the main religious minority communities in Pakistan were considerably lower than the national average. It was stated that since Pakistan was envisaged as the homeland for what was a minority in undivided India it was expected that minority communities would be treated better in Pakistan because the new majority could relate to the sentiments of minorities. However, they lamented that that had not happened. The working group members noted the employment quota for the minorities was observed only in low-level jobs and due share was not given to them in senior ranks.

The working group observed that the blasphemy law was a potent weapon in the hands of extremists and in the absence of sufficient safeguards, those accused of blasphemy law suffered persecution and the measures needed to address the situation had remained absent. They said that members of minority communities suffered further discrimination when charged with an offence under that law.

Other issues of concern included absence of codified Hindu personal law, the manner of management of non-Muslims' religious sites by the Evacuee Trust Property Board (ETPB), representation of minorities in parliament, and forced conversions to Islam. It was demanded that non-Muslims' religious sites should be managed by the religious community concerned. Members asked why the head of the ETPB must always be a Muslim.

In view of the situation of religious minority communities in Pakistan at the end of 2010 and amid demands from the communities themselves, HRCP decided to persist with the working group to keep the spotlight firmly on the challenges facing religious minority communities in the country. The observations and concerns raised by the working group in 2011 follow.

Concerns for religious minority communities in 2011

The working group held two meetings in 2011, in May and November. At the two meetings, several issues facing the minority communities were raised and deliberated upon by participants belonging to these communities, with a view to deciding how they should be addressed. Members of the group also informed HRCP about the problems being faced by their communities throughout the year in order to bring them to the attention of the people at large and the decision-makers.



Members of the working group deliberate on problems of minority communities in November 2011.

The meetings in 2011 focused, among other issues, on the following: steps towards codification of Hindu personal law; the situation of Pakistan's smaller minorities; household enumeration drive; analysis of official integration efforts (or lack thereof); strategy for an effective minorities commission; and election-related issues including voter registration. It was acknowledged that challenges facing the minority communities in Pakistan differed from group to group and place to place, but there had been an aggravation in the situation of the religious minorities across Pakistan in general. The working group said that 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.

Hindu personal law

One of the main difficulties members of the Hindu community in Pakistan face is on account of absence of codified Hindu personal law in Pakistan and lack of an official mechanism for registration of Hindu marriages. All religious communities in Pakistan are entitled to follow their personal laws to regulate matters such as marriage, divorce, maintenance, etc. In the absence of codified Hindu personal law these matters are decided by customary law. Hindu couples face a number of problems as they lack official certificates as a proof of their marriage.

In the pre-partition India, Christian marriages were conducted in churches and were accepted by the courts. But there were no such arrangement for registration of marriage for Hindus and Muslims. In Pakistan, in the early 1960s, family laws for Muslims were formulated, making registration of Muslim marriage compulsory, but no laws were made for the Hindu community in Pakistan. That had caused a range of problems for the Hindus. When married women wanted to get their national identity cards, they were asked for proof of their marriage. For acquiring identity documents and passports the affected individuals had to individually petition courts. Although the courts issued such orders they applied only to the petitioners and remained a cumbersome, inept and piecemeal way to deal with the absence of a marriage registration mechanism. Members noted that problems also arose for spouses during judicial determination of matrimonial and inheritance disputes. Some members raised the problems of Hindu widows and successions and said that widows faced difficulty and intimidation when they led a single life. One of the working group members from the Hindu community said that she was recently asked for a proof of her marriage by the national identity card issuing authorities. She had to search for her 20-year-old wedding invitation card to satisfy the authorities.



The working group mulls codification of Hindu personal law.

Others members said that absence of marriage certificates gave a free hand to those involved in forcible conversions and marriage of already married Hindu women. These women's families had no proof to persuade the court that they were already married. They suggested that an additional district magistrate could issue marriage certificates to Hindus and pundits appointed at government-level could register marriages. They expressed concern that progress on a marriage law had been missing even after several years of discussions at the community level.

In 2011, the working group focused on the need for codified Hindu personal law in Pakistan, in particular for establishment of an official mechanism regulating Hindu marriages. This focus led to the formation of a sub-group consisting of seven members of the Hindu community tasked with formulating its recommendations regarding a draft Hindu marriage law. The sub-group members were reminded that HRCP's objective was to start the discussion and encourage the community to come up with suggestions and recommendations and proceed with consensus.

The sub-group, comprising renowned lawyers, also looked at Hindu personal law in India to prepare a draft Hindu personal law, with a view to inviting suggestions from the community. Annulment of marriage proved the sticking point because some members of the sub-group stated that while there might be separation between spouses in Hinduism there was no concept of divorce in the religion.

In the meeting held in November 2011, members of the sub-group stated that they had had a chance to look at a draft Hindu marriage bill submitted in parliament by Member of the National Assembly Kishan Chand Parwani and the bill, which was prepared by Jhamat Mal advocate, addressed many of the issues that they had highlighted in their deliberations. They said that the bill should be translated and published by the media and wider consultation held among representatives of all sects of the Hindu community, and their reservations addressed and consensus ensured. While inviting suggestions from the community regarding the bill and possible changes to it, the members said that courts and pundits should decide about the issue of divorce.

State of Pakistan's smaller minorities

The working group also focused on challenges of particular concern to members of smaller religious minorities. They said that often the problems faced by these communities remained under the radar. They said only when members of these communities were targeted in violence did they receive attention of the media and the government. The working group also deliberated on the problems of minority Muslim sects in Pakistan.

A representative of the Shia Hazara community in Quetta spoke of years of targeted attacks on the community in Balochistan. He narrated how his own son was murdered in a target killing and when his body was brought to a hospital in Quetta a suicide bomber blew himself up, killing seven persons. He highlighted extensive violence against the Hazara community in Balochistan and said that the violence since 1999 had claimed the lives of 500 men and caused injuries to thousands. The killings had occurred amid extensive hate speech and incitement to violence against the Hazaras, mainly in the form of wall chalking calling Shias *kaafir* (infidel) and *wajibul qatal* (liable to be killed).

He said the community was certain that if the government took effective measures the killings would stop. Community leaders had met Interior Minister Rehman Malik, President Asif Zardari, his predecessor Pervez Musharraf, prime minister Shaukat Aziz, successive chiefs of Balochistan police and Frontier Constabulary and pleaded with them for help but the killings had persisted. Hundreds of Hazara families had been forced to migrate abroad to escape persecution, the working group was informed. At least 15 men were in custody in Balochistan for target killings and other attacks on Hazaras. Several of them had confessed to premeditated murder and boasted in open court that they would do it again if they got a chance. Some had been on death row for years but had not been executed, which was interpreted as a sign of impunity by both the convicts and the victims' families. The community's representative pointed to the escape of Usman Saifullah who was held for involvement in several attacks on Hazaras from the high-security ATF prison in Quetta as

proof of at least some inside help for the killers. The working group was informed that a judicial commission inquiring into the killing of Hazaras in various incidents had submitted its report but that had not been made public.

Hazaras killed in targeted attacks since 2001

Year	Fatalities
2001	10
2002	3
2003	64
2005	16
2006	4
2007	1
2008	36
2009	41
2010	105
2011 (until October 04)	105
Total	380

Representatives of the Ahmedi community said that their community was deprived of key religious and political rights in Pakistan. They cited cases of extremists throwing threatening pamphlets inside their places of worship, warning of attacks similar to those that targeted Ahmedi places of worship in Lahore in the year 2010. They said that Ahmedis had no voice in parliament. They said that even in Rabwa, the centre of the Ahmedi community in Pakistan, where 95 percent of the population was Ahmedi, the community was threatened by religious extremists and the government paid no heed to Ahmedis' safety concerns.

A representative of the Sikh community said that a large number of Sikhs whose families had been living in the Federally Administered Tribal Areas (FATA) for ages had to leave the volatile region after militant extremists gained strength there. He said that many of these families still remained displaced.

Representatives of various religious communities stressed the need

for all religious minority communities to forge unity in their ranks. They raised concern about lack of effective representation in parliament and lamented that the minority communities' parliamentarians pursued their political party's agendas instead of working to address the issues of their communities.

House enumeration and census

In earlier meetings, members of the minority and vulnerable communities had disputed the figures of non-Muslim population in Pakistan based on the last census and complained that their population was not accurately reflected in official statistics. Members of the working group said that accurate statistics were important, because flawed statistics led to flawed policy. They also wondered why these communities did not have a population growth ratio similar to the Muslim population. The working group members also felt that ahead of the next census efforts should be made to ensure that the minority population was not under-counted as recourse and budgetary allocations and the share in political power for a community were linked to its population.

In April 2011, the government carried out house enumeration/listing which was to be followed by the next population census. During the exercise only houses or buildings were counted and enumerators registered names of heads of household. Members of the working group noted that every time census was conducted members of religious minority communities expressed their reservations over the exercise. They spoke of problems faced during the household counting phase of the census, and said that the minority communities in the rural areas were neglected. The household enumeration was conducted at a time when villagers were busy in the harvest, and were away from their houses. They also noted that in some parts of Sindh the official enumerators were also accompanied by members of political parties who influenced the process.

They suggested that during the next census, sample surveys of selected areas could be done with the help of church organizations to see how many citizens from the Christian community there were and how many had been registered in the census and on voters' lists.

They said that there were serious shortcomings in the voters' lists. A large number of Hindus living in the rural areas worked as bonded laborers and could not dare to vote against their landlords' desires for fear of their lives.

The working group stressed that ahead of the next census an awareness campaign must be launched to convey to members of the religious minority communities the importance of the population counting exercise. Members of minority communities were also urged to ensure that they registered and exercised their vote in the next elections.

Belief and citizenship

Members of the working group said that sincere attempts at developing a well integrated society where citizens were respected because they were human beings and not because of their belief had never been made in Pakistan. They said that the mindset of the people towards the minorities should be changed. Members of the working group said that the fact that the people in Pakistan protesting against the United States felt justified in beating up Christians in Pakistan to vent their anger and anyone upset at India took it out on Hindus in the country highlighted how the state had failed in creating a well integrated and tolerant society.

They drew attention towards political and religious groups' labeling entire religious communities as agents of other countries and the state's failure to prosecute those responsible for such propaganda.



Members of civil society rally to protest killing of three Hindus in Shikarpur.

They questioned why every time Hindu extremists targeted Muslims in India the Hindus in Pakistan bore the brunt at the hands of extremists. Hindu members of the working group said that they constantly feared and faced backlash from extremists in Pakistan in

the form of discrimination and violence for any excesses against Muslims in India and added that the Hindus in Pakistan were not to blame for the 1991 razing of Babri Mosque in India, and yet they were attacked in presumed retaliation and around 240 Hindu temples were targeted in Pakistan. They complained that the government had not included parliamentarians from minority communities during the meetings and deliberations for the 18th Constitutional Amendment.

The state had been unable to provide equal protection to all, or protection irrespective of faith. Extremists perpetrating faith-based hate speech, instigating discrimination and hostility towards members of minority and vulnerable communities went unpunished and this impunity emboldened them further.

Failure to implement the law to deal with those who hurt religious feelings of non-Muslims and the requirement for Ahmedis to fill out a separate form to get their passports were called discriminatory. It was noted with concern that instances of hate speech, wall calking, violence and threats of violence against members of minority and vulnerable communities continued. Clerics spoke against the minority and vulnerable communities in religious congregations and Friday sermons.

Perpetrators of excesses against non-Muslims were not apprehended and even when they were they were not made to answer for their crimes.

Many members pointed their finger at the curriculum for lack of religious harmony and promotion of hatred. They said the curriculum promoted only one religion and added that even the second grade book of Urdu taught children that Hindus and Christians were kaafir (infidels). The curriculum stated that Muslims were superior and members of certain other religious faiths were conspirators. Every hero in the textbooks was a Muslim and there was nothing positive in the textbooks about non-Muslims, nor a mention of their contributions to the country. Members of the working group noted that education was not inclusive and textbooks fueled hatred and misperceptions about other religions and talked only about Islam and none of the other religions. Because of the curriculum, Muslims considered themselves superior to citizens of other faiths, which had increased intolerance in society. They said that positive changes in the syllabus were direly

needed and the rights of minorities as well as information about all religions should also be covered in Islamic Studies.

Some participants said that a joint electorate had had positive aspects as it brought all citizens at par irrespective of faith. However, others said that even in the joint electorate not all were equal and representatives from their communities in the parliament were all nominated by political parties' heads rather than being directly elected. As a consequence, these parliamentarians sought to please the party head and pushed the party agenda rather than serving the minority community, which the parliamentarians did not deem their electorate. They said that four senators from the minority communities would be elected in the next session, but that number needed to be enhanced and stressed that as with members from religious minorities in the national and provincial legislature being nominated rather than elected, these new senators would also have their first loyalty to the party and not to the electorate.

The members said that distinctions were made between Muslims and non-Muslims in investigating crime, with some members saying that perpetrators of excesses against non-Muslims were not apprehended and even when they were held they were not made to answer for their crimes.

Representatives of HRCP cited a recent example of growing intolerance in society that when the organisation reported to the police theft of an office vehicle in Lahore, instead of investigating the matter the police became more concerned with finding out why HRCP had hired a Christian driver.

One member said that religious minorities should demand their right as Pakistani citizens and must stop labelling themselves as minorities as that marginalised them.

Other issues of concern

The working group expressed concern at continuing incidents of violence against religious minority communities. In particular, the group condemned the Eid day (November 7) killing of three Hindu men in Shikarpur district in a targeted attack. It was noted with concern that the victims were targeted in an area where faith-based violence had been relatively rare in the past.

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 community in the area had 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 involved in the events of October 26. The families of the three men had expressed reservations over the police efforts to arrest those nominated in the case.

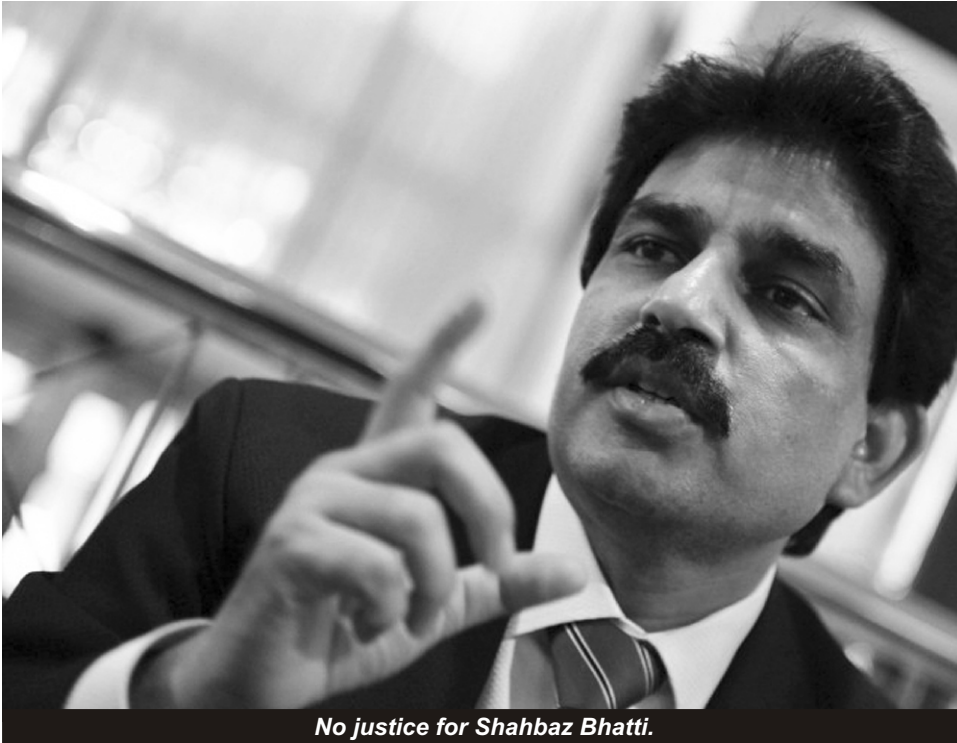
It was seen as a clear sign of the local population's revulsion against the targeting of Hindus that Muslims in the area volunteered to stand guard at the entrance of the Hindu neighbourhood. Civil society activists also came out in force, demanding justice and expressing concern that the perpetrators could escape punishment simply because their victims were non-Muslim.

It was demanded that amid such instances of violence, public gestures of empathy and support were welcome but those could not replace effective government action. It was demanded that the religious minorities must not be left to fend for themselves in the face of brazen attacks.

Several Hindu participants at the two meetings of the working group in 2011 raised the issue of Hindu girls and women in Sindh being forced to convert to Islam and married off to Muslims. They said that no one was paying attention to this serious issue and the courts twisted these cases and failed to provide justice to the victim. However, it was also mentioned that the affected families generally did not come forward

and were reluctant to take the matter to court.

The working group said that the print and electronic media had immense power to influence their audience but they were not doing enough to portray the issues of religious minorities.



No justice for Shahbaz Bhatti.

They said that risks had escalated for those who dared to raise their voice for minorities' rights and cited the assassination of Punjab Governor Salman Taseer and Federal Minorities Affairs Minister Shahbaz Bhatti. They said that all rights-respecting people were shocked at the manner in which the killer of Salman Taseer was treated on court premises and how he was garlanded and treated as a hero when he arrived for a hearing. They also noted with concern that the judge who had convicted Taseer's killer and sentenced him to death had received serious threats and had to flee Pakistan to save his life.

Continued sectarian violence was seen as a manifestation of growing intolerance and extremism in society. In 2011, there were 137 sectarian-related attacks and clashes across Pakistan, claiming the

lives of 387 people and injuring another 607. These included five suicide attacks as well. As many as 35 attacks/clashes took place in Karachi, 20 attacks in Balochistan, all in Quetta and Mastung districts. Lack of efforts to address sectarian violence was lamented.

In 2011, some of the most bestial attacks motivated by the faith of the victims targeted the Shia Hazara community in Balochistan. In September a bus carrying Shia pilgrims to Iran was attacked in Mastung district of the province and 26 pilgrims were pulled out and executed. No headway was made in apprehending the killers.



Hazaras killed in the Mastung bus attack.

In December, at least 55 young men from the Hazara community died when a boat carrying around 250 people, 170 of them from Pakistan, capsized in Indonesian waters. The men died when the crew of the boat abandoned their passengers as the boat capsized in a fierce storm. Scores remained missing. The passengers included over 70 youth from Quetta's Hazara community. It was noted with shock and serious concern that the fact that Hazara young men chose to leave Pakistan even with the help of human traffickers and took grave risks was a measure of the persecution the Hazara community faced in Balochistan. The government was urged to reflect on the reasons that compelled the young men to risk their lives in order to escape

persecution and insecurity.

It was noted that as in earlier years, ahead of the Shia mourning month of Muharram which started in late November, the government barred hundreds of clerics from various districts across Pakistan and stopped hundreds more from making any speeches during Muharram, in a bid to prevent sectarian violence. However, despite the gagging orders and entry bans to prevent hate speech, not one cleric so barred was charged or prosecuted for any activity that justified the ban in the authorities' views. This lack of interest in prosecuting mischief mongers was interpreted as the government doing the bare minimum to keep peace and lacking the resolve or the ability to act against those promoting hatred and violence on the basis of belief.

The working group members agreed that the working group should form small sub-groups on issues of religious minority and vulnerable communities, so that every issue could be focused on in greater detail. It was proposed that smaller sub-groups should be formed to focus on census, forced conversions, voter registration, curriculum revision, discrimination in employment opportunities for the minorities and ways to ensure that the commission for minorities became effective.

Findings and conclusions

In a survey form³ completed by 16 representatives of the communities vulnerable because of their beliefs at the November 2011 meeting of the working group, 13 said that threats to communities vulnerable because of their beliefs had increased over the preceding six months. Two representatives said the threats remained unchanged and one believed that they had decreased. As many as 12 representatives of these communities saw no positive development regarding the situation of these communities in the country in the previous six months. The remaining four listed among the positive signs the feeling of outrage and condemnation by the civil society and the Muslim population after the killing of three Hindus in Chak town of Shikarpur district in a targeted attack on Eid day (November 7), as well as media coverage of issues of concern to the religious minority communities. They said that the most disturbing feature during this period had been violence against the communities vulnerable because of their beliefs. None of the 16 representatives of these communities thought that the government had taken meaningful measures to improve the situation of vulnerable communities in the last six months.

Of the 16, as many as 12 representatives said that they were not satisfied with counting of households of the vulnerable communities in the recent housing census. Eight members of these communities believed their decision on polling day would not lead to improvement in the situation of vulnerable communities, while the other eight thought that it would. As many as 13 representatives of minority communities stated that the vulnerable communities could collectively do more than they had done so far to address human rights concerns that affected them. However, it was stated that minority groups working alone might not be able to effectively deal with the challenges and they needed the support of civil society.

The Working Group on Communities Vulnerable because of their Beliefs reiterated its concerns raised in the earlier meetings. The working group further noted:

- The situation of religious minorities in Pakistan progressively

³ The form is appended.

grew worse in 2011. The growing threats were as unnerving as the official failure to acknowledge them and to take effective measures to address them. The working group believes that 2011 is a watershed year for the rights of religious minorities in Pakistan and apprehends that unless appropriate steps are immediately taken the situation would deteriorate considerably.

- Targeted killings and violence on account of citizens' faith as well as kidnappings for ransom have taken a heavy toll not only of the lives of members of religious minority and vulnerable groups but also on their confidence in the state's ability to protect them. As a result members of the Hindu and Hazara communities in Balochistan, in particular, have felt compelled to seek sanctuary abroad and have even taken risks such as relying upon human traffickers to escape persecution.

- Raising one's voice for the rights of non-Muslims has become increasingly dangerous. Failure to punish killers of members of minority communities or those calling for their rights as well as for promoters of hate speech and instigators of violence has emboldened extremist elements and contributed to scaring those advocating religious minorities' rights into silence.

- The government must ensure security of life and property of all citizens, irrespective of their religious belief, and must give them real opportunities to practise their religion. There is an urgent need for the state to not only take effective measures for bringing religious minorities into the national mainstream and promote tolerance but also to reassure the minority communities that their concerns would be addressed. It has become increasingly apparent that religious minorities lack effective representation in parliament. The method of electing their representatives must be made transparent so that the parliamentarians are accountable and answerable to the electorate and not merely to a political party's head.

- Religious minorities' concerns that their population was under-counted must be redressed on priority basis before the next census.

- Despite government promises in the recent past, nothing has been done to revise or repeal laws used by radical elements to victimise and persecute minorities. The government must not remain

oblivious to the use of these laws to target religious minorities.

- Forums of redress for members of religious minority communities remain non-existent for all intents and purposes. The Commission for Minorities is nothing more than an eyewash. It is high time the rhetoric on minorities' rights was translated into an accessible, independent and autonomous mechanism to alleviate these communities' suffering born out of discrimination, intimidation and violence.

- Official efforts for promoting tolerance and mainstreaming the minorities so far have 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 is citizenship alone and not a person's religious belief. Efforts to tackle faith-based hatred must begin with making changes in the curriculum and such reform must ensure that textbook do not portray the superiority of one community over another.

- It is a matter of concern that there was no representation for members of minority communities in the committee that formulated the 18th Constitutional Amendment. All discriminatory laws, including the constitutional provisions barring non-Muslims from key government positions remain intact. Despite reservations by the religious communities action has not been taken to ensure their effective representation in parliament. Parliamentarians from minority communities are nominated by political parties' heads and are not accountable / answerable to the communities they are supposed to represent. These reservations must be addressed on priority. Allocation of four seats for minority communities in the Senate is a welcome step but the minority communities must have a say in determining how these are filled.

- The authorities are yet to take measures to the satisfaction of the affected communities to ensure that there are no forced conversions and anyone coercing or pressurizing members of minority communities to change their religion is prosecuted according to the law.

- The government must support the Hindu community's efforts to formulate and disseminate a draft personal law and facilitate

consultations with a view to reaching a consensus on the details and promulgate the law.

Appendix I

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

[Adopted by United Nations General Assembly Resolution 47/135 of 18 December 1992]

The General Assembly,
Reaffirming that one of the basic aims of the United Nations, as proclaimed in the Charter, is to promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

Reaffirming faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small,

Desiring to promote the realization of the principles contained in the Charter, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Convention on the Rights of the Child, as well as other relevant international instruments that have been adopted at the universal or regional level and those concluded between individual States Members of the United Nations,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious and linguistic minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they

live,

Emphasizing that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law, would contribute to the strengthening of friendship and cooperation among peoples and States,

Considering that the United Nations has an important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular by the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the bodies established pursuant to the International Covenants on Human Rights and other relevant international human rights instruments in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Taking into account the important work which is done by intergovernmental and non-governmental organizations in protecting minorities and in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the need to ensure even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Proclaims this Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities:

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

2. States shall adopt appropriate legislative and other measures to

achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.

2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.

3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.

4. Persons belonging to minorities have the right to establish and maintain their own associations.

5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 3

1. Persons belonging to minorities may exercise their rights, including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights set forth in the present Declaration.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

3. States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Article 6

States should cooperate on questions relating to persons belonging to

minorities, inter alia , exchanging information and experiences, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights set forth in the present Declaration.

Article 8

1. Nothing in the present Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.

3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.

4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9

The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the rights and principles set forth in the present Declaration, within their respective fields of competence.

Appendix II

Fourth Meeting of Minority Working Group on Communities Vulnerable Because of their Beliefs

QUESTIONNAIRE FOR PARTICIPANTS

Name: _____ Profession: _____ City: _____

Email: _____ Postal address: _____

1. In the last 6 months, have threats to communities vulnerable because of their beliefs increased or decreased?

Decreased Increased No change

2. What has been the most promising/positive development regarding the situation of vulnerable communities in Pakistan in the last six months?

3. What has been the most disturbing feature of the situation of vulnerable communities in Pakistan in the last six months?

4. Do you think the government has taken any meaningful measures to improve the situation of vulnerable communities in the last six months?

Yes No

5. Are you satisfied with counting of households of the vulnerable communities in the recent housing census?

Yes No

If not, why?

6. Are you registered as a voter?

Yes No Don't know

7. Do you think members of the vulnerable communities take sufficient interest in registering their vote?

Yes

No

8. Do you think that your decision on polling day can lead to improvement in the situation of vulnerable communities?

Yes

No

9. Do you think the vulnerable communities can collectively do more than they have done so far to address human rights concerns that affect them? (Please elaborate below)

Yes

No

10. Do you think establishment of a smaller expert group will help in raising profile of problems of vulnerable communities more effectively?

Yes

No