

Conspicuous By Its Absence

Freedom of Religion or Belief in Pakistan



Human Rights Commission of Pakistan

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Foreword

Pakistan has not been able to solve its minority question. That it was created as a homeland for Muslims of Indian subcontinent may have something to do with it. The founder Mohammad Ali Jinnah was mindful of this question, especially because there was a sizeable Muslim population still living in India. On August 11, 1947, he declared in a speech that people's religion or caste or creed will have nothing to do with the business of the state, and the government will protect the life, property and religious beliefs of all its subjects.

Yet, since its inception, Pakistan has struggled with the idea of equal citizenship which received its first blow with the Objectives Resolution — the first attempt at ascribing a faith to the state. It has been a downward slide ever since.

Today, religious minorities have been discriminated against and, in worst cases, face egregious persecution. The irony is that numerically speaking, religious minorities are a mere 3.7 percent of Pakistan's total population. The irony also is that minority sects among Muslims are being equally persecuted because the quest for 'purity' will keep looking for and excluding the 'other'.

Sadly, it begins with the Constitution which professes to deal with freedom of religion or belief in certain articles but contradicts the spirit in some other discriminatory articles that exclude, for example, a non-Muslim from becoming the head of state or government.

As these lines are being written, the government has reconstituted the National Commission for Minorities under the ministry of religious affairs. A statutory commission has been a long standing demand of the minorities, concretised in the 2014 Supreme Court judgment by Justice Jilani. But what has been offered is a non-statutory body, a classic case of too little too late, and has been rightly rejected by all credible voices that matter for minority rights.

This report aims to document the state of minorities in this country in general as well as in the light of activities conducted by the Human Rights Commission of Pakistan under the ALARM project — in order to see what prevents the citizens' right to practice their religion and belief and propose what all needs to be done.

These insights from stakeholders in the field show us the way forward. We have stated them in the form of concrete recommendations. But this radicalised narrative of state and society needs to be countered with socio-political movements that settle the minority question once and for all.

Farah Zia
Director

Summary

The victimisation of Pakistan's minorities —represented in the prominent white of the country's flag — continues unabated, both at state and societal levels. As recorded in a similar report last year, various cases of violence, forced conversions, closure of worship places, and inherent discriminatory practices — both of the government and between communities — have been documented in 2019 and laid out in this report.

The incidents of persecution of minorities, including institutional discrimination, are regrettably too many to be covered in their entirety in this document, which is why only the most influential cases have been highlighted here.

The report begins with an overview of the state of religious freedom in the country in the year under review, and records the historical wrongs and incidents of violence and bias against the long-suffering Ahmadiyya community; misuse of the controversial blasphemy laws, including the conviction of Junaid Hafeez as well as the much-awaited release of Asia Bibi; and violent mob attacks against minority places of worship and settlements in Nankana Sahib and Ghotki, among other similar incidents. It also notes some promising developments regarding religious freedoms, including the opening of the Kartarpur Corridor, handing back of a hitherto state occupied Hindu temple, and the establishment of a parliamentary body to help end forced conversions. Furthermore, the section also highlights an overall decline in the number of religiously-motivated terrorist attacks in the country.

The second part of the report features the activities of the Human Rights Commission of Pakistan under the ALARM project, which include steps to stem the widespread discrimination against minorities in the country and promote citizens' rights to practice their religion and belief free of fear. Specifically, the section presents the project's work with regards to HRCP's filing of two public-interest litigations in 2018 as well as the progress, or lack of it, on implementation of the historic 2014 Supreme Court judgment by Chief Justice Tassaduq Hussain Jilani which laid an overarching framework regarding protection of minorities in the country. Moreover, it covers HRCP's provision of legal aid to prisoners from minority faiths, formation and work of the National Interfaith Working Group, lobbying for the establishment of a national minorities' commission, and specific fact-finding missions to advance the cause of minorities in the country.

Lastly, the report illustrates three broad issues confronting minorities in the country, as observed under the ALARM project — and where applicable, addressed. These range from extensive discriminatory practices against minorities, including incidence of hate literature in school curricula, to closure of worship sites and forced conversions.

The report concludes by providing specific recommendations to the state that provide a way forward vis-à-vis safeguarding freedom of religion or belief.

1. State of Religious Freedom in 2019

After its creation in 1947, Pakistan became a dominion and a few years later, a republic. And in 1956, it was declared an Islamic republic after the then-Constituent Assembly adopted the country's first Constitution, affirming Islam as the state religion¹.

Article 20 of the present-day Constitution, adopted in 1973, covers the right to freedom of religion or belief (FoRB), stating that, "Every citizen has the right to profess, practice and propagate his religion, and every religious denomination and every sect the right to establish, maintain and manage its religious institutions," subject to law, public order and morality². Dealing specifically with protection of minorities, Article 36 states: "The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services".

An oft-quoted policy direction that rights activists quote, but the state chooses not to feature prominently³, is a speech by the country's founder Mohammad Ali Jinnah to the first Constituent Assembly on August 11, 1947. The part propagating religious freedom states: "You are free; you are free to go to your temples, you are free to go to your mosques or to any other places of worship in this State of Pakistan. You may belong to any religion or caste or creed — that has nothing to do with the business of the State⁴." Jinnah also told the political leaders gathered that day that "the first duty of government" was to maintain "law and order ... so that the life, property, and religious beliefs of its subjects are fully protected by the state."⁵ It is in light of this speech that August 11 is now [since 2009] observed as National Minorities Day across the country.

In line with the vision of Quaid-e-Azam — Jinnah's official title — the state of Pakistan did not discriminate on the basis of religion in its initial years. Members of minority faiths not only played a significant role in the creation of Pakistan⁶ but also served at key posts in its nascent years. Chaudhry Muhammad Zafarullah Khan, a member of the Ahmadiyya community, penned the Lahore Resolution of 1940 and was also the country's first foreign minister whereas Justice AR Cornelius, a Christian, became a chief justice of Pakistan. There were many more who served at several other significant posts. Since then, the space, both official and private, for members of minority communities has shrunk dramatically, along with their population. The decline in their numbers can be attributed to several factors, such as the gradual migration by large swathes of various groups to other countries due to several reasons, including targeted attacks, systemic discrimination and pursuit of better economic opportunities since their socio-economic status has only reduced or stayed static at best.

At present, the Pakistan Bureau of Statistics puts the population of religious minorities at 3.7% of the country's total, of which 1.6% are Hindus, 1.5% are Christians, 0.22% are Ahmadis, and 0.07% are people following various other faiths and beliefs⁷.

The discrimination and persecution of minorities in Pakistan, along with Muslim groups such as the Shia Hazaras, continues unabated. In light of these trends, the state of FoRB continued its downward spiral in 2019.

The Perpetual Persecution of the Ahmadiyya Community — physical, verbal, and institutional — continued to be witnessed throughout the year as the beleaguered religious group is the preferred prey of religious extremists.

Identifying as Muslims, the community takes its name from its founder, Mirza Ghulam Ahmad, who was born in Qadian, Punjab [now in India], in 1835. He is regarded by his

<https://uca.edu/politicalscience/dadm-project/asiapacific-region/pakistan-1947-present/>
http://www.na.gov.pk/uploads/documents/1549886415_632.pdf
<https://aurora.dawn.com/news/1140996>
<http://www.na.gov.pk/en/content.php?id=74>
<https://www.dawn.com/news/1356608>
<https://www.thenews.com.pk/print/295633-our-heroes>
<http://www.pbs.gov.pk/sites/default/files//tables/POPULATION%20BY%20RELIGION.pdf>

followers as a messiah and a prophet⁸ — a fact which puts the community at odds with the rest of Muslims who believe that Prophet Muhammad (PBUH) was the last prophet⁹.

In Pakistan, the victimisation of Ahmadiyyas — said to number four to five million today — is almost as old as the country itself. The first anti-Ahmadiyya riots broke out in Lahore in 1953, followed by sporadic persecution against the community across the country that culminated in a new wave of violence in 1974¹⁰. The government of the day buckled and, giving in to the violent mobs, declared Ahmadis non-Muslims, through an amendment in the 1973 Constitution. This marked the beginning of a series of state-sanctioned discrimination against the community.

In 1984, the government of military dictator President General Zia-ul-Haq issued The Anti-Islamic Activities of Qadiani Group, Lahori Group and Ahmadis (Prohibition and Punishment) Ordinance — also known as Ordinance XX. The law, a long-standing demand of anti-Ahmadi groups¹¹, laid out the most draconian and stringent rules of discrimination and persecution against the community; such as prohibiting Ahmadis from “indirectly or directly posing as a Muslim”, using any Islamic terminology in speech or in writing, or verses on their gravestones, declaring their faith publicly, propagating their faith, building mosques, or delivering the Azaan — the call for Muslim prayer. This meant that members of the community could be jailed for “posing” as Muslims i.e. practicing their beliefs.

Later, when Zia passed the infamous Blasphemy Law — The Criminal Law Act of 1986 — adding section 295-C to the Pakistan Penal Code, the Ahmadis could be awarded a death sentence for their beliefs. Though no one has been executed by the state under the Blasphemy Law yet, it is widely used to target members of the Ahmadiyya community, which forms the biggest group of those accused under the law after Muslims¹². Many of the accused are killed extra-judicially by enraged mobs before their sentencing or exoneration by the courts.

Moreover, the discrimination against the community has been institutionalised in the country. For example, when applying for a passport, Pakistani citizens who list their religion as Islam are made to sign a declaration which, among other things, proclaims that the founder of the Ahmadiyya community is an “imposter nabi [prophet]” and his followers are non-Muslims¹³.

The idea is to force members of the Ahmadiyya community into either declaring themselves non-Muslims or renouncing their core belief, so as to discourage them from performing Hajj — the pilgrimage to Mecca which is mandatory for Muslims at least once in their life. Interestingly, there have been recent incidents wherein citizens have taken a stand and refused to put their signature on the controversial clause¹⁴. However, the vast majority continues to sign the declaration — which is mandatory for acquiring other identity documents as well — thus according tacit approval to the state’s persecution of Ahmadis.

Tales of torment — In October 2019, the assistant commissioner of Hasilpur in Bahawalpur District led an “anti-encroachment operation” against a 70-year-old Ahmadi place of worship [they cannot be referred to as mosques by law] in Chak-161 Murad, reportedly demolishing the ‘illegal’ structure. However, the Ahmadiyya community claims the building was well within its legal limits. The assistant commissioner was quoted in a news report¹⁵ stating that the “Mehrab” (prayer niche) of the Ahmadi worship place had encroached on government land and had also been objected to by the local Muslim community as it resembled the architecture of mosques [Ahmadi worship places cannot

⁸ http://news.bbc.co.uk/2/hi/south_asia/8711026.stm

⁹ <https://www.reuters.com/article/us-pakistan-ahmadis/in-ahmadis-desert-city-pakistan-closes-in-idUSTRE76E0BF20110715>

¹⁰ <https://www.hrv.org/news/2018/06/28/pakistan-ensure-ahmadi-voting-rights>

¹¹ <https://herald.dawn.com/news/1154036>

¹² <https://www.thenews.com.pk/print/388047-no-execution-under-blasphemy-law-in-pakistan-so-far>

¹³ <https://www.dawn.com/news/1261622>

¹⁴ <https://twitter.com/daanistan/status/1232895037010305024>

¹⁵ <https://www.dawn.com/news/1513305>

resemble mosques¹⁶]. Resultantly, the local peace committee headed by the district commissioner decided to demolish the ‘encroached’ land to pacify the agitating Muslim population. The government also arrested two members of the Ahmadiyya community for reportedly filming the operation, along with a Muslim man for displaying anti-Ahmadi banners during the episode. This was one of several other similar incidents against the community.

Dangerous discourse — Other than acts of physical violence, the Ahmadiyya community is frequently targeted in the mainstream media by the Muslim majority — often involving those holding public offices — without any fear of consequences. The use of religion as a political tool was witnessed most prominently last year when senior opposition politician Maulana Fazlur Rehman, head of his faction of the Jamiat Ulema-e-Islam (JUI-F) — adhering to the Deobandi sect of Islam — marched against the incumbent government in a bid to seek its ouster. During the protest movement, several party leaders, including Rehman, termed Prime Minister Imran Khan a “Jewish agent” [an allegation stemming from his first marriage with Jemima Khan, a British national] and claimed they were marching on the capital because the government “set free Asia Bibi”, a Christian woman falsely imprisoned for blasphemy, and “hired an Ahmadi”¹⁷ — referring to the induction and subsequent dismissal of world renowned economist Atif Mian from the premier’s economic advisory council after forming the government in 2018. Also during the march, senior JUI-F leader and former deputy chairman of the Senate Senator Maulana Abdul Ghafoor Haideri claimed¹⁸ that ‘Western powers’ had brought the PTI government into power to “soften the blasphemy laws” and that the Supreme Court had released Asia Bibi ‘under pressure’.

Though the objective of the march was to put pressure on the government and its alleged backers in the establishment and press for the premier’s resignation, the fusion of religious and divisive rhetoric into the political narrative shows that such sentiments are used to mobilise the cadres and stir their emotions, thus reinforcing biases against the country’s minorities. Another reason for use of religion by the JUI-F was said to be its competition with the contending Tehreek-e-Labbaik Paksitan (TLP) — followers of the Barelvi sect — which has notoriously risen to prominence in the last few years, and claimed the space with its street power when it comes to enforcing the blasphemy and anti-Ahmadi laws.

Earlier, in July 2019, while addressing a Tahafuz Namoos-i-Risalat Million March [event promoting the finality of Prophethood] in Peshawar, Rehman had claimed that a ‘Jewish lobby and a religious minority [Ahmadiyya community]’ had organised the prime minister’s recent visit to the US. He further alleged that instead of protecting national interests, Imran Khan ‘fought the case of Ahmadis in Washington’¹⁹.

Free for all — The community’s isolation took a dark turn when, in January of this year, the Islamabad District Bar Association made it mandatory for its thousands of members to declare their religious affiliations. If identifying as Muslims, the lawyers had to then sign an affidavit declaring that they are not Ahmadis, believed in the finality of Prophet Muhammad (PBUH) and considered the founder of the Ahmadiyya sect an “apostate, liar, and hypocrite”²⁰. Those failing to do so would have their membership suspended and be identified publicly. Fortunately, following a hue and cry on social media, better sense prevailed as the Islamabad Bar Council suspended the bar association’s order²¹. However, the event did not occur in isolation as in 2018, Justice Shaukat Aziz Siddiqui of the Islamabad High Court, while ruling on a controversial amendment in the Elections Act 2017²², stated, “Every citizen of the country has [the] right to know that the persons holding the key posts belong to which religious community.” The judge, who has since been removed from service over a separate matter, had also ordered that an affidavit declaring

¹⁶ <https://tribune.com.pk/story/373787/anti-ahmedi-laws-police-act-as-worship-place-looks-like-a-mosque/>

¹⁷ <https://thediplomat.com/2019/10/ahmadis-once-again-fear-the-fallout-from-pakistans-political-tussles/>

¹⁸ <https://www.dawn.com/news/1515905>

¹⁹ <https://www.dawn.com/news/1496250>

²⁰ <https://www.rferl.org/a/pakistan-beleaguered-ahmadis-decry-deplorable-attempt-to-isolate-them/30394936.html>

²¹ <https://tribune.com.pk/story/2142939/1-ibc-suspends-notification-asking-lawyers-submit-affidavits-finality-prophet-muhammad-pbuh/>

²² <https://www.dawn.com/news/1417926>

belief in the finality of Prophethood must be sworn by applicants seeking CNICs, passports, birth certificates, induction in electoral rolls, and appointments in government and semi-government institutions, especially the judiciary, armed forces and civil services.

1.1 Casualties of Blasphemy Laws

The laws governing offences related to blasphemy date back to the British Raj, when the colonial rulers enacted certain generic legal rules to punish offensive actions against all religions in a bid to maintain law and order among the local population comprising Hindus, Muslims, and other minorities.

After Partition, during the government of military dictator President General Zia-ul-Haq, several additions were made to the country's blasphemy laws, including the induction of Section 295-C which calls for the death penalty.

Since the passage of the first set of laws in the colonial era until 1986, a total of seven cases were registered under them. However, the number of registered cases jumped to 1,540 between 1986 and 2018, according to the National Commission on Peace and Justice. The organisation has also broken down the total number, stating that 776 Muslims, 505 Ahmadis, 229 Christians and 30 Hindus have been accused under various sections of the blasphemy laws from 1987 until 2018²³.

While a death sentence has never been carried out against a blasphemy convict, since 1986 at least 75 people have been murdered extra-judicially after accusations of blasphemy as the near-total capitulation of the state in such instances provides a carte blanche to violent mobs²⁴. At present, around 40 people are on death row under the law²⁵. Critics argue that the laws are mostly misused by the majority population against minorities in a bid to settle personal scores, take over possession of properties or simply carry out acts of religious intimidation and harassment. This is why in over 80 percent of cases, blasphemy convictions by trial courts are said to have been overturned on appeal, with the reason for acquittal in most cases being malicious interest in the registration of the case²⁶. However, any criticism of the laws or calls for reform can be equated with committing blasphemy itself and lead to acts of violence by religious zealots, as was witnessed in the assassination of Punjab Governor Salmaan Taseer by a policeman on his own security detail, and Federal Minorities' Affairs Minister Shahbaz Bhatti²⁷ in 2011 — both had highlighted the abuse of the laws to target innocent people.

Asia Bibi was one — and probably the most prominent — of those victims. Born Asia Noreen, the Christian woman was accused of allegedly defaming the Holy Prophet (PBUH) while having an argument with some Muslim women of her village in Sheikhpura, Punjab in 2009. After villagers formed a mob, with the help of the local mosque cleric, demanding that she be killed, the police arrested Asia and registered a blasphemy case. The following year, a court sentenced her to death under Section 295-C, making her the first woman to face the death penalty under the law²⁸. In 2014, Asia lost the appeal to her death sentence in the Lahore High Court but managed to get a stay from the Supreme Court in 2015. However, the apex court failed to take up the case until 2018, when on October 30 it announced its judgment²⁹, setting aside her conviction and ordering her to be released from jail where she had spent over eight years in appalling³⁰ conditions. The Supreme Court judgment resulted in protests around the country, spearheaded by the TLP, whose leaders termed the then-

²³ <https://www.bbc.com/news/world-asia-48204815>

²⁴ See HRCP's 2018 FoRB Report (<http://hrp-web.org/alarm//wp-content/uploads/2019/07/Annual%20FoRB%20Report.pdf>)

²⁵ <https://www.bbc.com/news/world-asia-50878432>

²⁶ <https://www.geo.tv/latest/251407-injustice-by-law-the-case-of-junaid-hafeez>

²⁷ Bhatti's alleged killers were identified by police a few years later as members of banned terrorist organisation Tehreek-e-Taliban Pakistan. They are yet to be sentenced by the military court where their trial is reportedly under way.

²⁸ <https://www.bbc.com/news/world-asia-51658141>

²⁹ <https://www.dawn.com/news/1442396/supreme-court-acquits-asia-bibi-orders-immediate-release>

³⁰ <https://www.dawn.com/news/1531468>

chief justice [who authored the judgment] liable to be killed and called for a rebellion against the army chief for “being a non-Muslim”³¹.

The protests were called off after assurances from the government to not oppose the review petition filed against the judgment³².

Though released from jail, Asia was taken into protective custody by the government and shifted to a secure location until the review petition was decided. Meanwhile, the government detained the TLP leadership and scores of workers after the group planned to march on the capital a few weeks later over a separate matter³³.

In Jan 2019, the Supreme Court dismissed the review petition against the judgment setting Asia Bibi free. However, due to security concerns, it was only in May that she was finally able to leave Pakistan and rejoin her family in Canada³⁴, where she presently resides.

While 2019 ushered a new lease of life for one victim of the law, it was a harbinger of doom for another.

Ongoing ordeal — After successfully completing his Master’s degree on a Fulbright Scholarship in the US, Junaid Hafeez returned to Pakistan in 2010 and began teaching English Literature at Multan’s Bahauddin Zakariya University — his alma mater. Hafeez’s father believes his son made enemies among colleagues who were opposed to his liberal views and also competing with him for a faculty position that was advertised in 2013.

Hafeez’s father was quoted in a news report³⁵ stating that the opposing group of faculty members and students — affiliated with a religious organisation — launched a malicious campaign against his son. A mob assembled charging him of insulting the Holy Prophet (PBUH), which forced the police to register a case against him under the blasphemy laws. While his trial was under way, in 2014, his lawyer, prominent rights activist Rashid Rehman, was gunned down in his office. Rehman, who was also a coordinator for the HRCF, had complained of open threats by religious leaders and prosecution lawyers for defending Hafeez. Since Rehman’s killing, Hafeez was transferred to solitary confinement due to ‘security concerns’ and his trial took place in the high-security zone of Multan Central Jail.

Despite questions surrounding the trial’s fairness, Hafeez was sentenced to death by the trial court in December 2019. Following the death sentence, prosecution lawyers reportedly distributed sweets among their colleagues, who chanted “Allah-o-Akbar [God is great]” and “death to blasphemers”³⁶.

Hafeez’s lawyer and family members claimed there was no proof in the allegations but the intimidation of judges and failure to apprehend Rehman’s killers eliminated the chances of a fair trial³⁷. In a statement after the verdict, the HRCF said, “In five years, at least eight judges have heard Mr Hafeez’s case, making a fair trial virtually impossible”³⁸.

Hafeez’s lawyer has filed an appeal against the verdict in the Lahore High Court, but the petition is several months away from being heard and even then would meet several obstacles³⁹.

³¹ <https://www.dawn.com/news/1447217>

³² <https://www.dawn.com/news/1460376>

³³ TLP leader Khadim Hussain Rizvi wanted to observe a ‘martyrs’ day’ at Islamabad’s Faizabad Chowk to commemorate the party’s protest a year earlier against the then-government for allegedly altering an oath in the Elections Act, 2017 in favour of Ahmadis. The change in the oath was deemed a clerical error and fixed by the government after violent protests by the TLP — which shot to infamy during the incident.

³⁴ <https://www.theguardian.com/world/2019/may/08/asia-bibi-begins-new-life-in-canada-but-her-ordeal-may-not-be-over>

³⁵ <https://www.dw.com/en/junaid-hafeez-why-is-pakistani-scholars-blasphemy-case-receiving-scant-attention/a-50722310>

³⁶ <https://www.bbc.com/news/world-asia-50878432>

³⁷ <https://www.theguardian.com/world/2019/dec/21/death-sentence-for-pakistani-lecturer-junaid-hafeez-in-blasphemy-case-prompts-outcry>

³⁸ <https://www.aljazeera.com/news/2019/12/pakistani-academic-junaid-hafeez-sentenced-death-blasphemy-191221091139428.html>

³⁹ The defence counsel was interviewed for this report.

Terming the verdict a travesty of justice, UN experts⁴⁰ said they were “seriously concerned that blasphemy charges are still being brought against people legitimately exercising their rights to freedom of thought, conscience, religion and expression.”

Rights activists and Junaid’s well-wishers across the world are hopeful that in line with the Supreme Court’s decision in the Aisa Bibi case, as well as similar other exonerations, Hafeez’s sentence can be overturned in the appeal stages in 2020.

1.2 FoRB Highs and Lows

Trouble in Nankana — In August 2019, the Nankana Sahib police filed an FIR after a complaint was lodged stating that a Sikh woman had been forcibly converted to Islam and married off to a local citizen, Ehsan⁴¹. As the case dragged on, the woman, who disputed the forced conversion claim in the FIR, was reportedly shifted to a shelter home after a hue and cry from the local Sikh community. In January this year, the suspect was detained by the police ahead of a hearing, which resulted in a protest led by his family and members of the community⁴². The protesters demonstrated in front of the revered Gurdwara Janam Asthan — the birthplace of revered Sikhism founder Guru Nanak — and as per some reports attempted to vandalise it. The local administration, aided by the police, managed to control the situation after negotiating with the protesters. The next day, after widespread condemnation on social media and calls for concern from Sikhs around the world, the Pakistan Foreign Office downplayed the episode as a ‘minor scuffle’ between two Muslim groups⁴³. However, the matter had garnered enough prominence for Prime Minister Imran Khan to condemn it on Twitter and state that such attacks are against his “vision and will find zero tolerance & protection from the government including police and judiciary”. A couple of days later, the police arrested the prime suspect who led the charged mob⁴⁴, noting that he had given a communal colour to a personal dispute.

Lighting a match — In September 2019, protesters in Ghotki stormed and ransacked a school owned and run by a Hindu resident, as well as a nearby temple, following allegations of blasphemy against him.

As per one report⁴⁵, a student of Notan Lal — the Hindu principal — alleged that he had ridiculed Prophet Muhammad (PBUH) in class after which the student’s father registered a blasphemy case against Lal, following an altercation between the two sides.

High-jacking the incident, religious parties launched protests in the area which resulted in the attack on the school and temple, as well as some reported destruction to businesses owned by Hindus.

Explaining the incident⁴⁶, Jaipal Chhabria, president of the Pakistan Hindu Forum, claimed that Lal had scolded the Muslim student for not completing his homework after which the boy accused him of blasphemy, triggering the violent protests.

The police intervened to disperse the protesters, registered a blasphemy case against them for vandalising the temple, and took Lal into protective custody. The violence subsided after intervention by the police and provincial government, and widespread show of support from fellow Muslims of the locality, some of whom spent the night at the school and temple to reassure the threatened members of the Hindu community.

Nevertheless, the incident shows the potential of misuse and level of volatility in alleged incidents of blasphemy. The state’s failure to punish those misusing the law and taking matters into their own hands bolsters religious extremists across the country who continue

⁴⁰ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25455&LangID=E>

⁴¹ <https://www.dawn.com/news/1526068>

⁴² <https://www.thenews.com.pk/tms/detail/596493-not-an-isolated-event>

⁴³ <https://www.dawn.com/news/1526242>

⁴⁴ <https://tribune.com.pk/story/2131287/1-punjab-police-arrests-key-suspect-involved-nankana-sahib-incident/>

⁴⁵ https://www.aljazeera.com/news/2019/09/pakistani-police-detain-hindu-school-principal-blasphemy-190916083629192.html?utm_source=website&utm_medium=article_page&utm_campaign=read_more_links

⁴⁶ <https://www.dw.com/en/hindus-fear-for-their-lives-after-pakistan-blasphemy-riots/a-50448332>

to rile up local Muslim populations against the minority communities on one pretext or the other.

Frightening surrender — In December 2019, Attock Assistant Commissioner Jannat Hussain Nekokara, while delivering a speech at an event marking the International Human Rights Day, called for promoting unity by ending internal differences, and named the prominent sects of Islam along with the Ahmadiyyas to highlight the various kinds of divisions that exist in society. A few hours later, a group of protesters, mostly students, gathered outside the district administration office chanting slogans against her for the ‘pro-Ahmadi’ statement. Instead of defending one of their own and letting the law deal with agitators, the district administration, led by the deputy commissioner, welcomed the students so Nekokara could ‘clarify’ her stance directly. A video of Nekokara being verbally assaulted and forced to apologise for her comments went viral on social media. In the video, one of her own colleagues seeks an explanation from Nekokara, saying that since she mentioned Ahmadis alongside Shias and Sunnis it appears that she equated them as an Islamic sect and should thus clarify her stance. Repeatedly denying the charges in front of the raging students, who could not grasp the concept of any kind of unity with Ahmadis citing their status in the Constitution as ‘enemies’ and not just non-Muslims, the video concludes with the assistant commissioner declaring that ‘Qadiyanis are Kafirs’ (Ahmadis are infidels)⁴⁷. The HRCP, in one of its meetings related to FoRB, also played the video and expressed concern about the incident and the state’s abdication to those espousing violence. Despite alleged threats to her and her family after the incident, the gold medal-winning civil servant has not deterred and continues with her work, leading polio vaccination drives and anti-plastic campaigns in public.

Forced to flee — Another deplorable incident is that of Radesh Singh Tony, a Sikh rights activist and politician from Khyber Pakhtunkhwa, as well as a member of HRCP’s National Interfaith Working Group. After receiving threats and an assault by unidentified men for his ‘activism’, Singh was forced to move to Lahore from Peshawar in early 2019 along with his family⁴⁸. However, the harassment and intimidation did not end there. In December 2019, Singh says he and his son were beaten up by unidentified goons in Lahore. The police disputes the claim, alleging that he fabricated the incident to apply for asylum⁴⁹. Nevertheless, citing threats from religious extremists to him and his family, and widespread discrimination in finding a residence, jobs and pursuing education of his children, Singh says he had no other choice but to settle out of the country⁵⁰.

Towards inclusivity — In terms of FoRB, a major achievement of the government in 2019 was the swift construction and opening of the Kartarpur Corridor which allows visa-free travel for Sikh pilgrims between Dera Baba Nanak in India and the Sri Kartarpur Sahib Gurdwara — Guru Nanak’s final resting place — in Pakistan. What made the occasion more special was its coinciding with Guru Nanak’s 550th birth anniversary. The United States termed the corridor a “step towards promoting greater religious freedom”⁵¹.

Correcting wrongs — During HRCP’s fact-finding mission in 2019 regarding the closure of worship sites in Zhob, the team was informed about the establishment of a government primary school on a century-old Hindu temple. The temple, situated on College Road in Babu Mohallah, had been under the control of the Balochistan Auqaf and Religious Affairs Department until the 1980s when it was converted into a school. HRCP was informed that the local Hindu community has been barred from visiting the site since and has offered little or no resistance as their numbers have been dwindling over the years and they have resigned to their fate. As per some reports⁵², around 40-50 Hindu families that now reside in Zhob were using a dilapidated makeshift temple for their religious rituals.

⁴⁷ <https://twitter.com/MrAKarim5/status/1205292769033510913?s=20>

⁴⁸ <https://gulfnews.com/world/asia/pakistan/citing-threats-to-life-sikh-politician-leaves-peshawar-1.61259362>

⁴⁹ <https://gandhara.rferl.org/a/pakistan-sikh-activist-flees-country-seeks-protection/30395414.html>

⁵⁰ <https://www.bbc.com/urdu/pakistan-51179069>

⁵¹ https://www.business-standard.com/article/news-ani/a-step-towards-promoting-greater-religious-freedom-us-welcomes-kartarpur-corridor-opening-119110901309_1.html

⁵² <https://www.urdunews.com/node/457571>

Fortunately, the district government of Zhob, on February 6, 2020, came to the community's aid and handed back the temple to its original custodians after shifting the school elsewhere. While speaking at the handover ceremony, Zhob Deputy Commissioner Taha Saleem apologised for the 70-year delay and vowed to restore the building to its original condition⁵³.

While thankful for the action, Saleem Jan, a local Hindu community leader, highlighted that they had been denied access to their Shamsan Ghat (cremation ground) as a high school has been established there, forcing them to cremate their loved ones in Quetta⁵⁴. He also claimed that there were six temples in Zhob at the time of Partition but they have all since been taken over by public and private entities.

Jan emphasised the need for recovering a Sikh Gurdwara in Zhob, which too has been turned into a government school, claiming that it will fulfil the dreams for around six Sikh families of the district who have no place of worship at the moment.

Official measures — Another progress worth noting is the formation of a Parliamentary Committee to Protect Minorities from Forced Conversions in November 2019. The bipartisan body comprises members of the National Assembly and Senate, including those on minorities' seats. The committee was formed after consultations among the Senate chairman and National Assembly speaker, as well as leaders of the house and opposition in the Senate, to work on developing legislation to prevent the forced conversion of minorities⁵⁵. In a meeting in January 2020, the committee deliberated its terms of reference and decided to take into account Pakistan's international obligations regarding the protection of minorities⁵⁶. The chairperson of the committee, Senator Anwarul Haq Kakar, an independent lawmaker from Balochistan, stated that the committee will hold meetings with all the stakeholders and submit its recommendations within a year⁵⁷.

Pakistanis enjoy 'full freedom' of religion — In December 2019, the US State Department re-designated Pakistan, among several other states, as "Countries of Particular Concern" under the US International Religious Freedom Act of 1998 for having engaged in or tolerated "systematic, ongoing, [and] egregious violations of religious freedom⁵⁸." The US designation was based on an evaluation by the US Commission on International Religious Freedom (USCIRF), an independent body. In its 2019 report, the USCIRF said Pakistan had failed to adequately protect its minorities and ensure religious freedom for all, including members of the majority⁵⁹.

Pakistan's Foreign Office rejected the designation⁶⁰, terming it "unilateral and arbitrary". Calling the pronouncement "detached from ground realities," it claimed that "Pakistan is a multi-religious and pluralistic country where people of all faiths enjoy religious freedom under constitutional protections". Furthermore, the statement from the Foreign Office asserted that all branches of the state — the Executive, Legislature and the Judiciary — have made concerted efforts to ensure that all citizens of Pakistan, irrespective of faith, denomination, caste or creed, can profess and practice their religion in full freedom. The higher judiciary of the country has given landmark judgements directing on ensuring the sanctity and security of places of worship of minorities."

1.3 Religiously Motivated Terrorist Attacks

The slide in the number of terrorist attacks, including those that are religiously motivated, continued in 2019 — compared to its peak around a decade ago when the country was deep

⁵³ <https://www.dawn.com/news/1533170>

⁵⁴ <https://www.arabnews.pk/node/1624401/pakistan>

⁵⁵ <https://www.dawn.com/news/1518409/senate-chairman-constitutes-parliamentary-committee-to-protect-minorities-from-forced-conversion>
⁵⁶ <https://www.brecorder.com/2020/01/18/562699/forced-conversions-and-marriages-of-minorities-panel-to-consult-stakeholders-for-preparing-draft/>

⁵⁷ <https://www.dawn.com/news/1529000>

⁵⁸ <https://www.state.gov/united-states-takes-action-against-violators-of-religious-freedom/>

⁵⁹ <https://www.aljazeera.com/news/2019/12/pakistan-rejects-religious-freedom-designation-191225072023139.html>

⁶⁰ <http://mofa.gov.pk/pakistan-rejects-u-s-designation-on-religious-freedom/>

into the war on terror. The Pakistan Security Report 2019 by PIPS61 records 229 terrorist attacks in Pakistan, a reduction of 13 percent from the preceding year. Furthermore, 14 of the reported terrorist attacks in 2019 were sectarian-related, resulting in the deaths of 38 persons. The report observed that religious intolerance has also grown recently through its linkages with the larger extremist discourse in cyberspace, and called for the government to respond through inclusive education and supporting moderate and progressive narratives in cyberspaces, media and on campuses.

The plight of Quetta's Hazara community continued in 2019, though with lesser intensity than previous years, with one major attack against the distinct Shia community. The Hazaras — numbering around half a million today and residing mostly in Quetta after their migration from Afghanistan62 — have been victims of deadly sectarian violence by religious extremists, ranging from local anti-Shia groups to the Islamic State. Their distinct physical features derived from their Central Asian heritage makes them easy targets, on both sides of the border63.

The relentless attacks on the community and the state's failure to stem them has forced the majority of Hazaras into two enclaves inside the provincial capital, from where they mostly move out under the protection of law enforcement agencies in a convoy just to get groceries.

It was members of this convoy that became the target of a bomb attack in April 2019, killing 20 people and injuring over 40, including several Hazaras. Following the attack in Hazar Ganji's fruit and vegetable market, members of the beleaguered community staged a sit-in64 against the government for failing to protect them despite repeated attacks and called for the true implementation of the National Action Plan (NAP)65. After several days of protest, Prime Minister Imran Khan visited the protesters, assuring them of justice and NAP's complete implementation66.

2. Advocacy and Legal Aid for Religious Minorities

As part of its efforts to promote freedom of religion or belief and safeguard minorities' rights in Pakistan, HRCP, along with its partners, undertook a 21-month project titled Advocacy and Legal Aid for Religious Minorities (ALARM) in 2018.

The project interventions were designed to counter challenges, at both state and societal levels, to the protection of religious freedoms. At the state level, HRCP initiated two public-interest litigations, extended legal aid to members of minority sects and groups imprisoned because of varying level of connections with their faith, and conducted three fact-finding missions regarding forced conversions and the state of minorities in the country.

At the societal level, the project saw the formation of the National Interfaith Working Group (NIFWG) as a platform where members of minority groups can develop policy recommendations, organising of consultations to discuss the state of FoRB in the country, and holding lobbying meetings to develop a consensus and push for the establishment of a National Commission for the Protection of Minorities' Rights, as per the historic 2014 Supreme Court judgment regarding the safeguarding of minorities' rights.

Public Interest Litigations (PILs) are meant to facilitate the access to justice for marginalised groups. It is in this backdrop that HRCP included the filing of PILs into the ALARM project, selecting issues in light of their relevance in protecting the fundamental rights of religious minorities in the country.

⁶¹ <https://www.pakpips.com/article/book/pakistan-security-report-2019>

⁶² <https://www.aljazeera.com/news/2019/04/deadly-blast-hits-market-pakistan-quetta-190412045209786.html>

⁶³ While there were several attacks against Hazaras in Afghanistan in 2019 (<https://www.theguardian.com/world/2019/aug/17/dozens-feared-dead-or-wounded-after-afghan-wedding-hall-blast>), one occurred while this report was being written (<https://www.dw.com/en/afghanistan-gunmen-kill-32-in-kabul-attack/a-52668281>).

⁶⁴ <https://www.reuters.com/article/us-pakistan-blast/minority-hazaras-in-pakistan-protest-for-third-day-after-quetta-attack-idUSKCN1RO0FW>

⁶⁵ The NAP was approved by the then government, in consultation with the army, after the 2014 Peshawar APS attack and listed holistic measures to eliminate religious extremism and terrorism from the country.

⁶⁶ <https://www.dawn.com/news/1477534>

The first PIL, filed with the assistance of the AGHS Legal Aid Cell on January 12, 2018, pertained to the protection of places of worship and religious significance for minorities filed in Supreme Court. The petition also seeks to contribute towards efforts to expand the public discourse regarding the country's cultural and archaeological heritage. The idea is to set a precedent for the protection of religious and cultural sites that are of importance to minority groups. As detailed above in the case of the Ahmadiyya community and below in the fact-finding mission regarding the closure of places of worship of several religious groups, minorities' worship places often become the target of the majority's unfounded ire and are left unprotected in the face of violent mobs.

The landmark 2014 Supreme Court judgment was delivered as a result of suo motu proceedings undertaken by then-Chief Justice Tassaduq Hussain Jilani in the wake of the devastating suicide bombing at Peshawar's All Saints Church in 2013, which resulted in the deaths of at least 127 people⁶⁷.

Noting the lack of any institutional mechanism for enforcement of fundamental rights of minority communities in the 32-page verdict, the apex court issued a set of wide-ranging directives to the federal government. These included⁶⁸:

- "The federal government should constitute a task force tasked with developing a strategy of religious tolerance."
- Improve the curricula for schools and colleges to promote religious tolerance.
- "The federal government should take appropriate steps to ensure that hate speeches in social media are discouraged and the delinquents are brought to justice...."
- The government should constitute a "national council for minorities' rights. The functions of the ... council should inter alia be to monitor the practical realisation of the rights and safeguards provided to the minorities under the Constitution and law. The council should also be mandated to frame policy recommendations for safeguarding and protecting minorities' rights by the provincial and federal governments."
- "A special police force be established with special training to protect the places of worship of minorities."
- The federal government and all provincial governments "should ensure the enforcement of the relevant policy directives regarding the reservation of quota for minorities in all services."
- "In all cases of violation of any of the rights guaranteed under the law or desecration of the places of worship of minorities the concerned law-enforcing agencies should promptly take action, including the registration of criminal cases against the delinquents."

In addition, the Supreme Court had directed for the formation of a three-member bench to oversee the implementation of the judgment by stating in its order: "The office shall open a separate file to be placed before a three-member bench to ensure this judgment is given effect to ... the said bench may also entertain complaints/ petitions relatable to violations of fundamental rights of minorities in the country."

As most of the directives fell on deaf ears, and the plight of the country's minorities only worsened, HRCF, along with the Centre for Social Justice and the Cecil and Iris Foundation, filed a PIL⁶⁹ in the Supreme Court in June 2018 seeking implementation of the 2014 judgment. The application laid out the directives of the 2014 verdict as well as their point-by-point follow-up or lack thereof. At the first hearing of the petition on June 11, 2018, the

⁶⁷ <https://www.anglicannews.org/news/2016/10/church-of-pakistan-remembers-its-martyrs.aspx>

⁶⁸ <https://www.dawn.com/news/1475329>

For details, see HRCF's 2018 FoRB report pages 18-21 (<http://hrcf-web.org/alarm//wp-content/uploads/2019/07/Annual%20FoRB%20Report.pdf>).

Supreme Court issued directions to the federal and all four provincial governments, along with the Islamabad Capital Territory administration, to submit reports pertaining to the 2014 judgment's compliance. On October 9, 2018, the office of the Attorney General of Pakistan submitted a report on the implementation status of the 2014 judgment, and in January 2019, the Supreme Court formed a commission headed by former police inspector general and federal tax ombudsperson Dr Shoaib Suddle who, with the assistance of a committee including Supreme Court advocate Saqib Jilani, MNA Dr Ramesh Kumar Vankwani and an additional attorney general, would pursue the status of the implementation of the 2014 judgment⁷⁰. While directing the formation of the commission, the apex court, headed by then-Chief Justice Saqib Nisar, noted⁷¹ that it is "not satisfied that substantial steps have been taken toward implementation of the judgment of this Court".

The Suddle-led committee held its maiden meeting in Islamabad the same month, following which they visited Khyber Pakhtunkhwa, Sindh, Balochistan and Punjab to hold formal consultations with various stakeholders vis-à-vis FoRB and the implementation of the 2014 judgment. Dr Suddle asserts that the provincial meetings were useful as they led the bureaucracy to start taking the 2014 judgment more seriously⁷². In November 2019, the committee held a meeting with Punjab Chief Minister Usman Buzdar⁷³ in Lahore to discuss the provision of facilities and matters regarding welfare of minorities. At the meeting, the provincial chief executive directed the relevant authorities to compile data of non-Muslim employees across the province to ensure protection of their rights (such as provision of holidays on relevant religious festivals), announced Rs25 million in scholarships for non-Muslim research and postgraduate students, and sought the appointment of a provincial focal person for timely resolution of minorities' issues. The steps were promising for a province rife with examples of minorities' victimisation⁷⁴.

Regrettably, from day one, the commission's work has been severely hampered owing to official neglect in terms of realising and facilitating its mandate, as well as provision of infrastructure. The commission's initial timeframe of three months expired in April 2019, following which the work was stalled as the Supreme Court hearing to resolve the impasse and implement the 2014 judgment could not be held. In a welcome development, in October 2019, the top court constituted a special bench to implement the 2014 verdict.

At the last hearing of the case in February this year, the Supreme Court observed that the government had failed to follow through with the directives laid out in the 2014 verdict. Regarding the lack of facilities to the Suddle-led commission, the two-member bench comprising Justices Faisal Arab and Ijazul Ahsan directed the government to ensure in a matter of weeks the provision of an office and other facilities to the commission, including a functioning budget. The hearing was then adjourned for two months⁷⁵.

Following the hearing, Dr Suddle points out that for the first time there has been substantial progress with regards to provision of facilities to the commission — but even then it is yet to become completely operational. The lack of a functional office, support staff, and related services, despite the apex court's clear orders to the Ministry of Religious Affairs and Interfaith Harmony to provide required logistics support, have hindered the commission from completing its task. Nevertheless, with no looming deadline for the commission at the moment, Dr Suddle is steadfast in terms of achieving their mandate — the "letter and spirit implementation of Para 37 of the 2014 judgment."

As the committee continues its work, albeit at a sluggish pace, the hearings of the PIL helped in understanding reasons for the delays in implementing the 2014 judgment and bringing these issues on the record.

⁷⁰ <https://www.thenews.com.pk/print/420480-minorities-rights-dr-suddle-led-commission-set-up-to-enforce-sc-order>

⁷¹ <https://www.pakistantoday.com.pk/2019/04/24/retirement-of-former-cjp-may-negatively-impact-religious-minorities/>

⁷² Dr Shoaib Suddle was interviewed for this report.

⁷³ <https://www.dawn.com/news/1516966>

⁷⁴ <https://www.dawn.com/news/1517334>

⁷⁵ <https://tribune.com.pk/story/2160439/1-2014-verdict-minorities-yet-implemented-sc/>

As part of efforts towards implementing the 2014 judgment, HRCP, under the ALARM project, also organised four consultations in 2019 — in Lahore, Islamabad, Quetta and Karachi — to discuss the state of FoRB in the country in light of the judgment. These meetings were attended by members of the NIFWG as well as other relevant stakeholders who discussed the failure of the state to implement the verdict, along with other issues facing the minority communities in each region.

The legal aid component of the project was initiated in view of the minority communities' multi-faceted level of exclusion and marginalisation. The ALARM team finalised the following criteria for provision of legal aid: a) Membership of a religious minority group, b) Minority religious status a key factor in targeting of a victim, and c) Some direct or indirect link to issues of freedom of religion.

Throughout 2018, the ALARM team, comprising representatives of AGHS Legal Aid Cell, visited prisons in Lahore, Kasur, Faisalabad, and Multan districts of Punjab. The team managed to obtain powers of attorney from seven of the 23 minority prisoners in Central Jail Multan — all Christians —, resulting in the provision of their legal representation in court. Similarly, in Lahore's Central Jail, 29 convicted and 11 under-trial prisoners out of a total of 150 minority inmates — all Christian, again — signed powers of attorney whereas 28 convicts did the same at District Jail Lahore. In Kasur and Faisalabad's central jails, powers of attorney were received from two and 16 minority prisoners, respectively. Similarly, at both the jails, 18 and 29 prisoners, respectively, only sought legal consultation services.

During the ALARM team's interactions with prisoners, several inmates complained that investigating officers used to pressure them into changing their religions in exchange for acquittals⁷⁶. A few prison-related discriminatory practices raised during these sessions concerned remission of sentences for Muslim prisoners and lack of worship facilities for minorities. Other major trends which emerged from these visits, and which were incorporated into the legal aid component of the project, were that an overwhelming majority of minority inmates were found to be Christians; the majority of cases were of petty crimes such as trespass, theft, and drug peddling; and that under-trial inmates, in most cases, were primary breadwinners for their families and thus couldn't afford private legal counsel.

While extending assistance to Christian women stuck in abusive marital relationships, the team also took up cases pertaining to dissolution of marriage, provision of maintenance allowance, guardianship of minors, and judicial separation.

Moreover, the team highlighted the discriminatory practice of only hiring from the minorities' groups when it comes to employing sanitation workers. This is a discriminatory practice that violates multiple constitutional provisions and institutes discrimination on the basis of religious identity of a group. Under the project, the team sued the Punjab Health Department for publishing a job advertisement dated January 3, 2018 that sought applications for janitorial positions only from non-Muslims. Various other instances of similar nature continue to be reported across the country.

Three fact-finding missions were also undertaken as part of the ALARM project in 2019. The first, in May 2019, was carried out on directives of the Islamabad High Court to assist it in the matter of alleged forced conversions of two Hindu girls in Sindh. The second mission was conducted in August 2019 and pertained to ascertaining the level of multi-tiered discrimination which religious minorities face in south Punjab. The last mission, held in September 2019, meant to understand the reasons behind the closure of minorities' places of worship in Quetta, Zhob, Lahore, Toba Tek Singh and Peshawar. The detailed reports of these fact-finding missions are available at HRCP's website⁷⁷ while their major learnings have been incorporated in the last section of this report.

⁷⁶ Details in HRCP's 2018 FoRB Report (<http://hrcp-web.org/alarm/wp-content/uploads/2019/07/Annual%20FoRB%20Report.pdf>).
⁷⁷ <http://hrcp-web.org/hrcpweb/category/fact-finding-reports/>

The National Interfaith Working Group (NIFWG) was formed under the ALARM project in 2018 as a mechanism for minority-rights groups to engage in advocacy and lobbying, and to consolidate their work and channel it for incorporation into relevant public policies. The group was tasked to generate recommendations following a deliberative process and advocate for the incorporation of those recommendations into public policies concerning FoRB. The group comprises around two dozen members with representation of Hindu, Sikh, Christian, Baha'i, Ahmadiyya, Ismaili, Noor Bukhshi and Shia communities from all four provinces and Gilgit-Baltistan (GB). It also includes prominent legal, social and political rights activists, veteran journalists, and government representatives. The NIFWG held its first national meeting in September 2018, which entailed detailed discussions about the various issues of discrimination faced by minority communities across the country, and how they can be addressed through the forum. Furthermore, the group, after inviting 'thought leaders', discussed broader issues which could be highlighted and addressed with stakeholders in the country's capital through the Parliament and its committees, and via other authorities and non-governmental entities. As per the NIFWG meeting's recommendations, certain members carried out community visits in Islamabad and Rawalpindi to meet with representatives of Hindu and Christian communities to ascertain the various issues they are confronted with and discuss ways to resolve them.

In 2019, the NIFWG continued its work from the previous year of facilitating dialogue and conducting collective advocacy, awareness and action on behalf of religious minorities and in support of tolerance and inclusivity. After holding four regional meetings in Quetta, Karachi, Islamabad and Lahore, — in which minorities' representatives from all four provinces and GB informed NIFWG members of the issues they face and discussed various options to resolve them — the group held its national meeting in December 2019. The national meeting was divided into four sessions which covered a) state of religious minorities in Pakistan, b) national commission for minorities, c) status of the implementation of the 2014 Supreme Court judgment and d) a way forward.

The participants of the meeting asserted that HRCP and other civil society organisations working to mitigate problems of religious minorities should demand participation in drafting of the bill for the national commission of minorities when and if the government decides to do so. Moreover, it was decided that HRCP and other civil society organisations will continue to cooperate with the Suddle commission to help strengthen its work. The meeting also stressed on the revival of the National Commission for Human Rights (NCHR) which remains defunct owing to official neglect. HRCP and others will continue to raise the issue of the appointment of the relevant representatives of NCHR to make the institution functional again, it was agreed further at the meeting. In conclusion, HRCP vowed to continue to engage NIFWG's members and other relevant stakeholders, including the government, to pursue suggestions shared in the meeting as part of its ongoing efforts for promoting FoRB in the country.

The formation of a **National Commission for the Protection of Minorities' Rights** is one of the core demands of minorities' groups in the country, especially after the 2014 Supreme Court judgment which also called for the creation of a similar council. This can be an effective body in facilitating federal and provincial governments in formulating policies regarding minority communities and ensuring proper implementation of existing laws, besides providing a forum to the minority communities to share their concerns.

As part of this effort, HRCP conducted several lobbying meetings in 2019 — interacting with journalists, joint action committee members, lawmakers, provincial minority affairs minister and an official in Lahore; journalists, lawyers, civil society organisations and an official of the provincial human rights ministry in Karachi; lawyers, officials of the human rights directorate, members of NCHR Balochistan, civil society representatives and HRCP activists in Quetta; social activists in Hyderabad; and a provincial lawmaker, journalists, lawyers and human rights activists in Peshawar. HRCP shared with participants across the country the lobbying document which it has prepared to advocate for the setting up of a national commission for minorities. Participants of all the meetings, both from the government and

the private sector, were in unison regarding the setting up of a minorities' commission in line with the apex court's 2014 verdict.

Furthermore, while speaking at the NIFWG's national meeting in Dec 2019, former senator Afrasiab Khattak, a prominent human rights activist, shared that institutional mechanisms such as the commission on minorities' rights will play an effective role in addressing the problems of religious minorities. He underlined the importance of such a commission, stating that the absence of such a body remains an important missing link in the efforts to address the state of religious minorities in the country. Senator Khattak emphasised the need to continue engaging political parties in advocacy efforts for the setting up of the commission. At the same meeting, NIFWG member Jennifer Jag Jivan said the commission's role should be more than just being a watchdog. She suggested that the commission would need to be integrated within the existing institutional systems of the country so that it can work effectively. HRCP also circulated its lobbying document among the participants of the meeting.

On Feb 19, 2020, at the hearing of HRCP's PIL regarding the failure of implementing the 2014 judgment, the Supreme Court was informed by Shanila Ruth, the parliamentary secretary for the religious affairs ministry, that the 'national council for minorities' is in the process of being constituted and will be tabled in the form of a bill in Parliament after input from the relevant ministries. The court ordered a progress report in this regard in two months⁷⁸.

Dr Shoaib Suddle, who heads the Supreme Court-formed commission tasked to implement the 2014 judgment, believes the council/commission for protection of minority rights is the most important element of the 2014 verdict. He vows that despite "huge obstacles" from bureaucratic circles, he is determined to do whatever it takes to ensure its formation.

3. Major Issues Confronting Minorities as Observed in ALARM Project

As briefly stated in several sections above, members of Pakistan's minority communities face varying levels of exclusion and assault across the country. These can range from societal and governmental discrimination in the forms of biased school curricula and defying their job quotas to issues of physical intimidation such as the closure of worship sites and forced conversions. For the purpose of this report, some of the major issues confronting minorities in Pakistan are listed below vis-à-vis their exploration and possible resolution under the ALARM project's various avenues.

3.1 Societal/Governmental Discrimination

Article 22 of the Constitution deals with safeguards for educational institutes in respect of religion, stating that, "No person attending any educational institution shall be required to receive religious instruction, or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own." Clause three of the Article states further: Subject to law, (a) no religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any educational institution maintained wholly by that community or denomination; and (b) no citizen shall be denied admission to any educational institution receiving aid from public revenues on the ground only of race, religion, caste or place of birth.

However, the reality on the ground is starkly different, as gathered by HRCP's fact-finding mission on discrimination in southern Punjab undertaken in August 2019 in the districts of Khanewal, Bahawalpur and Rahimyar Khan. The purpose of the mission was to assess the nature and forms of discrimination against religious minority communities in the already underdeveloped and neglected region.

⁷⁸ As per the Feb 19, 2020 order sheet of the Supreme Court.

Though the mission, in its report, observed marginal improvement in the conditions of minority communities, the general intolerance against non-Muslim communities in society, as well as incidences of faith-based discrimination and unfair treatment, continued to prevail.

The report addresses the wide spectrum of individual and collective discrimination and exclusion faced by the members of minority communities. In particular, it highlights the issues and concerns that Christian and Hindu communities face with respect to unequal treatment and otherisation; limited, or lack of, provision of fundamental infrastructure and education facilities; attempts to persuade or influence conversion to Islam and, in the case of young girls, incidences of forced marriages and conversions.

Despite efforts to change their circumstances, widespread unemployment and limited job and business opportunities mean that members of the minority communities are trapped in poverty. Dilapidated and non-functional health, sewerage, sanitation and water facilities exacerbate their predicament.

A recurring issue raised during the mission's meetings with local communities was of Muslim teachers and students urging their non-Muslim counterparts to convert.

A sixth-grade Christian student in Bahawalpur's Yazman colony was physically punished by his teacher for failing to read Arabic in class — a language the teacher was well aware the student did not understand. Eventually, the boy was forced to drop out of school.

Similarly, while interviewing members of Shanti Nagar Church in Khanewal, the mission learned that a number of students were put under pressure by Muslim students or teachers to convert to Islam.

Safia Williams recalled that when she was doing her intermediate degree in 2012, her class fellows would preach to convert to Islam, avowing that the "the path of righteousness and piety, along with the promise of paradise" awaited her.

The Hindu community in Gulshan Farid colony, Pakpattan District, faces similar predicaments. The constant fear of forced conversions and marriages prompted Hindu families to keep their daughters at home instead of sending them to school. The girls who did go to school reported sexism and discrimination, such as being forbidden to touch the same cutlery as their Muslim peers, as well as pressure to convert to Islam.

In Bahawalpur's Yazman tehsil, residents of Jinnah Abadi, Chak 101-DB complained that in their locality of around 1,500 Hindus, not a single community school existed and students were forced to travel long distances to reach the nearest government school, where they were reportedly forced to study Islamic studies as the alternative subject of 'ethics' was unavailable⁷⁹.

A similar incident was reported at the Government Model High School in Liaquatpur, Rahimyar Khan, where non-Muslim students were assigned the Ethics subject in place of Islamic studies yet neither was a teacher assigned for the task nor were books available in the market. According to a local councillor for minorities, Tariq Mahmood Shah, they contacted the largest bookseller in the district but the proprietor was unable to help since the books were not available at all. The community argued that the Punjab Textbook Board should ensure the availability of the subject book if the government expects them to opt for it. Khanewal's Pastor Salatiel Victor and Bahawalpur-based teacher Mushtaq Masih both lamented that the curriculum and educational content was prejudiced and exclusionary, and did not acknowledge the existence of non-Muslim communities or their role in the development of Pakistan.

This issue was also discussed during HRCP's FoRB consultation in Sindh in July 2019, where members of minority communities deplored the lack of planned efforts by the

⁷⁹ Non-Muslim students across the country's schools have the option of studying *Ikhlāqiat* (ethics) instead of Islamic studies. However, as reported, the practice is seldom implemented for lack of resources or care. Moreover, minorities' representatives demand inclusion of their religion-specific subjects on the line of Islamic studies for the majority population.

government for the development of their communities. Some representatives at the consultation claimed that there are no Hindu or Sikh schools in Sindh that might enable these communities to teach their children Hindi and Gurmukhi scripts which are important in understanding their religious scriptures.

An example of societal bias was evident in Liaquatpur, Rahimyar Khan, where almost all the minorities' students had to use separate water glasses from their Muslim class fellows. Moreover, the local tea stalls and other food vendors also kept separate utensils for their Hindu customers.

Pastor Salatiel Victor of Khanewal's Shanti Nagar Church claimed that in 2017, Muslim primary schoolteachers were appointed within the union councils they resided in while the Christian teachers appointed on the minority quota were posted around 50-70 kilometres away from their hometowns.

Unemployment and poverty were mentioned as the biggest problems faced by the Hindu community of Jinnah Abadi in Bahawalpur. In light of the entrenched discrimination, it is a daunting task for a Hindu man or woman to find employment or open a business.

The varying degrees of discrimination are such that where a school did exist solely for the Hindu community, such as the one in Liaquatpur, Rahimyar Khan, it was denied water by their Muslim neighbours who controlled the relevant water tank. The Hindu community also complained of not receiving an official holiday on Holi.

Similarly, the Christian community of the area complained that they cannot freely practice their religion and observe their festivals and ceremonies. According to Pastor Akhtar, the community had to arrange its own security to observe their festivals throughout the year as the police only took responsibility for selected major events.

Various forms of discrimination were also highlighted during HRCP's FoRB consultations in Islamabad, Sindh, Balochistan and Punjab, wherein the needs to revise the curriculum to make it more minorities-friendly and improve the minorities' job quota distribution system were stressed upon. During the consultation in Islamabad, a suggestion was made to introduce 'education quotas' for minorities in line and before their job quotas.

Explaining the institutional discrimination against them, some minorities' members at the Sindh consultation expressed concern on how representatives of the minority communities in the assemblies have to take oaths taken by Muslims and do not have their own oaths containing relevant references to their religions. Moreover, in all the consultations, the lack of will on the part of the government to reform the curriculum and remove hate speech against minorities was deplored.

In light of the findings of the mission, some of the prominent recommendations put forth by HRCP include: increase in teachers from minority communities in districts such as Bahawalpur; more opportunities for qualified teachers from minority communities; review of syllabus in light of the concerns of religious minority communities; and concerted efforts to revisit the Hindu Marriage Act 2017 and the Christian Marriage and Divorce Act 2019 bill in consultation with the relevant communities.

3.2 Closure of Worship Sites

The fact-finding mission regarding closure of places of worship included visits to various cities and towns in Punjab, Balochistan and Khyber Pakhtunkhwa to ascertain why Ahmadiyya places of worship, churches, Sikh gurdwaras and Hindu temples have been shut down.

Places of religious significance and worship of minority communities are managed by the provincial and federal ministries of religious affairs through their Auqaf departments. Where that is not the case, it is the Evacuee Trust Property Board (ETPB) which oversees their affairs.

The ETPB enigma — established in 1960 to look after the evacuee trust properties/land left over by the Sikhs and Hindus who migrated to India, ETPB exclusively deals with Sikh gurdwaras and Hindu

temples. There is a general sense of confusion among the different religious minority communities of Pakistan with regards to which government authorities are in actual control of their places of worship. HRCP has observed that the relevant Auqaf departments and ETPB authorities are not forthcoming with sharing data about the places of worship under their management. Thus, HRCP reached out to Member National Assembly Ramesh Kumar Vankwani, who has been collecting information on the ETPB and its subjects. According to the lawmaker's data, there are close to 600 gurdwaras and 1,300 temples in the country but most of these sites remain closed for various reasons. Moreover, Vankwani alleges that ETPB earns billions of rupees from its vast ownership of various properties across the country. HRCP could not verify this data independently owing to the reluctance of the relevant authorities.

HRCP's chapter offices in Quetta, Peshawar, Islamabad and the Lahore head office visited the sites of closed worship places and met with local communities to try and understand their predicaments. And wherever possible, HRCP's teams also met with the local majority Muslim populations to try and record their perspectives, as well as the local government officials. Unfortunately, in most cases, the local administration refused to meet with HRCP's teams. In its findings, detailed below, HRCP concluded three major circumstances leading to closure of worship sites. These are: pressure from Muslim majority inhabitants; the government's takeover of religious sites and conversion into schools and other institutions; and internal differences between minority communities.

In Lahore, Punjab's provincial capital and Pakistan's second largest city, the HRCP was informed of an Ahmadiyya place of worship which was shut down by the police⁸⁰. Shahid Ataullah, an NIFWG member from Lahore, had helped HRCP identify the place of worship.

According to members of the community who met the mission, they had been using the worship place since 2005 and in 2019, citing pressure from the local Muslim community, the police shut it down. The issue stems from a building, owned by a member of the Ahmadiyya community and used as a place of worship, which is situated adjacent to a factory now owned by a Muslim. In July 2019, some local Muslims raised objections over religious activities being carried out there and, aided by religious leaders, started a campaign to pressure the local authorities to close the worship place. The police caved in and shut down the site, depriving the local community of its fundamental right to practice and observe religious activities at their place of worship. When the community pleaded with the police, they were informed that the site was not registered as a worship place and so cannot be used for religious purposes. However, the police did not have an answer when asked about procedural details regarding registration of the worship place. The mission was informed that various individuals had, over the years, expressed interest in purchasing the building housing the worship place but the Anjuman-i-Ahmadiyya has refused to sell the property.

The mission also met members of the local Muslim community, who objected to the use of the building as an Ahmadi worship place as the 'sanctity' of their homes was being violated. Another reason of their opposition was the allegation that the Ahmadiyya community members were preaching to the local Muslims and offering incentives for renouncing Islam. They also vowed not to let the building be used in any capacity by the Ahmadiyya community and claimed they would purchase the property one way or the other.

In Toba Tek Singh's New Sarabah Chak-336 village, HRCP was informed about the police closure of a church on the demands of Muslim residents. In September 2019, a fact-finding mission visited the area and was informed by leaders of the Christian community that, much to the displeasure of the local Muslim community, the church was built on a self-help basis in 2011 to serve the 45 or so Christian families in the village comprising around 400 families.

In 2016, some Muslim locals objected to religious activities held there and accused the Christian community of using the building for 'immoral' activities such as drinking, singing and dancing. The next year, after repeated complaints by the Muslim community to the

⁸⁰ - On the request of the community, their identities and name of the place of worship and the area where it is located have been withheld.

police, the Christian community leaders were instructed to suspend religious activities at the church till the issuance of a no-objection certificate (NOC). However, instead of facilitating the beleaguered community in obtaining the NOC, the district administration claimed that the construction of the church itself was illegal. With nowhere to go, the community members filed a petition in the Lahore High Court and the case is yet to be decided. NIFWG's Mary Gill not only assisted the HRCP in identifying the church but is also pursuing the case in the high court.

The local Muslim leaders, during their interaction with HRCP's mission, objected to the alleged violation of their privacy by the church and the 'nuisance' it caused in their locality. Moreover, regardless of an NOC, they vowed never to let the church continue operations where it stands and conveyed that they are in touch with religious leaders such as Khadim Hussain Rizvi of the TLP who have assured them of complete support.

In Quetta, HRCP was informed about the closure of a Hindu temple located on the premises of a high school as well as the closure of a Sikh gurdwara. At the Government Sandeman Boys High School, founded in 1882, there is a Hindu temple which can only be accessed through the school's entry points. HRCP was informed that the temple, which falls under the provincial Auqaf department, has been shut down for years and is being converted into a science laboratory for the school.

Similarly, the mission visited the All Pakistan Women Association Government High School, which, prior to its establishment in the 1960s, was a Sikh gurdwara. As members of the Sikh community have been leaving Quetta over the years, there has been little or no resistance to the takeover of the gurdwara by them.

The issue of closure of worship places of the province's Hindu community was also highlighted during HRCP's consultation on FoRB in Quetta in June 2019. Hindu community leaders also lamented the government's alleged refusal to issue domiciles to their community members, despite their having resided in the province for several generations. Another form of discrimination faced by the Hindu community was disclosed at the NIFWG's meeting in Quetta in June 2019. It was revealed that the province's Hindu community faces discrimination within the group wherein lower caste Hindus are at the mercy of upper caste Hindus who not only represent them in collective forums such as the Panchayat but also the provincial and national assemblies — thus continuing their state of neglect.

In Peshawar's RA Bazaar locality, after HRCP was made aware about the closure of a Hindu temple, the team visited the area and met representatives of the local Hindu and Sikh communities.

The Hindu community stated that the Balmiki Mandir was built in 1986 and was under its use until a few years ago when a number of local Hindus who had converted to Sikhism laid claim to the property as their place of worship. The matter was then taken to court where it remains pending. Meanwhile, the temple remains shut. On the other hand, representatives of the Sikh community claimed in their meeting with HRCP that the property on which the temple stands was provided to the Hindu community by them as a goodwill gesture. They claimed further that the premises was in fact being used as a gurdwara earlier and only a certain portion was made available for use by the Hindus — but they allegedly violated the pact and occupied the entire building.

Moreover, another predicament of the city's Hindu community was highlighted at the NIFWG's national meeting in Islamabad in December 2019. The group's members from Peshawar informed that there is no Shamshan Ghat (cremation site for Hindus) in Peshawar and most other districts of the province as a result of which the community is forced to bring their dead to Attock District in Punjab, which has a Shamshan Ghat.

In its recommendations following the mission, the HRCP called for a) greater transparency in the data and workings of the ETPB and Auqaf departments, b) sensitisation and capacity-building of police regarding dealing with minorities' issues and countering local pressure,

and c) government action against those delivering hate speech from mosques, among other measures.

3.3 Forced Conversions and the Ghotki Case

The state has a responsibility to all its citizens to protect their freedom of religion or belief. At present, forced conversions are too easily — and too often — disguised as voluntary conversions, leaving minor girls especially vulnerable. The ugly reality of forced conversions is that they are not seen as a crime, much less a problem that should concern the majority Muslim population of Pakistan. In its annual report on the State of Human Rights in 2018⁸¹, HRCF had raised concern about incidents of forced conversions and marriages of Hindu and Christian girls, saying around 1,000 such cases were reported in Sindh alone that year.

Furthermore, a 2015 report by the South Asia Partnership-Pakistan in collaboration with Aurat Foundation found most conversions take place in Sindh's Thar region, particularly the districts of Tharparkar, Umerkot, Ghotki, Sanghar, Jacobabad and Mirpurkhas. The report also mentioned the nexus of wealthy landlords, extremist religious organisations, weak local courts and an indifferent administration as working together in this forced arrangement⁸².

In July 2019, the Sindh Assembly unanimously passed a resolution demanding that the practice of forced conversions and abductions of Hindu girls must stop and action be taken against those involved in such activities⁸³. However, in October that year, when provincial lawmaker Nand Kumar Goklani from the Hindu community moved The Criminal Law (Protection of Minorities) Bill, it was rejected by the Sindh Assembly, including lawmakers from the ruling Pakistan People's Party. The same lawmaker, from the opposition Grand Democratic Alliance, had moved a similar bill in 2016 which, after passing from the assembly, could not be made into law as the then-governor of the province had refused to sign it following reported pressure from religious parties⁸⁴.

MNA Kheal Das Kohistani, a member of the recently-formed Parliamentary Committee to Protect Minorities from Forced Conversions, was quoted in an article saying, "We do not ignore the possibility that there are some cases where a boy and girl develop feelings for each other in a society like ours; but mostly there appears to be a pattern of kidnapping, forced conversion and marriage. Strong Muslim personalities in the area protect the perpetrators."⁸⁵

Encouragingly, in January 2020, the Council of Islamic Ideology (CII), which examines laws to ensure they are congruent with the spirit of Islam and which had objected to the 2016 forced conversion bill in Sindh,⁸⁶ decided to include leaders of minority communities for consultations on forced conversions.⁸⁷

A fact-finding mission to Ghotki District of Sindh was undertaken in May 2019 to assess complaints concerning the alleged forced conversion of Hindu girls — Reena and Raveena of Daharki city — and to attempt to understand the increasing insecurity among the Hindu community of the area.

On March 20, 2019, after sisters Reena and Raveena Meghwar disappeared and could not be recovered by members of the Hindu community, the family reported the incident to the police. Refusing to register an FIR, the family and community members staged a protest following which a case was registered. The same day the FIR was registered, a video of both sisters surfaced on social media wherein they claimed they had converted to Islam and married two Muslim men from their locality. It also emerged thereafter that the sisters had

⁸¹ <http://hrcf-web.org/hrcfweb/wp-content/uploads/2019/04/State-of-Human-Rights-in-2018-English-1.pdf>
⁸² <https://www.eurasiareview.com/30122019-pakistan-government-unable-to-prevent-forced-marriages-conversions-of-minority-women-analysis/>
⁸³ <https://www.loc.gov/law/foreign-news/article/pakistan-sindh-province-rejects-bill-against-forced-conversions/>
⁸⁴ <https://tribune.com.pk/story/2075311/1-ppp-lawmakers-turn-bill-forced-conversions/>
⁸⁵ <https://www.thenews.com.pk/tns/detail/596493-not-an-isolated-event>
⁸⁶ <https://tribune.com.pk/story/2075311/1-ppp-lawmakers-turn-bill-forced-conversions/>
⁸⁷ <https://www.thenews.com.pk/tns/detail/596493-not-an-isolated-event>

been taken to Rahimyar Khan in Punjab where they had been married to Safdar Ali Khobar and Barkat Ali Malik — both men were reportedly already married with children. The marriages had taken place on March 22 at the local office of the Sunni Tehreek — a group adhering to the Islamic Barelvi sect [similar to TLP though less violent]. They had allegedly converted to Islam before their marriage at the Bharchundi Madrassah in Ghotki — known for its role in similar cases.

The sisters' family claimed they are under 18 while the girls proclaimed to be adults. On March 25, the sisters filed a petition in the Islamabad High Court seeking protection from their family after which the court ordered the government to provide them protection until the matter was resolved. On April 2, the court formed a commission comprising Federal Human Rights Minister Shireen Mazari, HRCP Chairperson Dr Mehdi Hasan, HRCP's honorary spokesperson IA Rehman, National Commission on the Status of Women Chairperson Khawar Mumtaz and religious scholar Mufti Taqi Usmani to ascertain the facts of the case. Based on the girls' medical reports and the commission's findings which stated the girls were adults and that their conversion was 'facilitated not forced', the court ruled on April 11 that they were of marriageable age and had not been forced to convert to Islam, thus allowing them to return to their husbands.

During HRCP's own fact-finding mission to Ghotki, undertaken in the same time period to assess the Reena-Raveena case and also understand the concerns of the Hindu community, the district administration asserted that the girls had known their husbands and alleged the family was misusing the issue of 'forced conversion' as they could not accept the girls renouncing their faiths over marriage. Furthermore, they claimed the Bharchundi Sharif seminary took under its protection whosoever went seeking refuge there but did not explicitly have anything to do with the case. Similarly, Ghotki SSP Khurram Lanjar denied any delay in the registration of the FIR and underscored that the root cause of the issue was that the girls were not allowed to marry of their own free will. He also stated that the caretakers of the Bharchundi Sharif shrine probably believed they were doing a good deed by participating in these conversions and that they were unnecessarily being dragged into this matter.

Minority representatives from towns other than Ghotki, while talking to HRCP, complained that the properties of Hindus were being occupied by powerful individuals and an 'element of coercion' prevailed in conversion cases. It was a general observation among the minority community that religious and spiritual leader Mian Mithoo, using his affiliation with the shrine of Bharchundi Sharif, was overseeing cases of conversion of Hindu girls in the area. Moreover, cases involving the Meghwar and Kohli communities tended to be reported as they were relatively better off financially, but virtually all the forced conversion cases of the Bhagri and Bheel communities went unreported, it was revealed. The team was also made aware that most Hindu communities were traditionally narrow-minded and contributed to the discrimination meted out to the scheduled castes in accordance with their beliefs. They were normally unwilling to accept or accord respect to such girls given their 'controversial' past and this contributed in the girls being unable to regain their original position or respect within their communities following cases of similar nature.

In its recommendations, the HRCP's mission suggested enactment of a special law to empower a magistrate or deputy commissioner to observe and grant conversion to a religion so a fixed process can be followed in such cases. Moreover, controversial religious individuals or seminaries should not be authorised to issue sanads (certificates) to those converting to Islam and strict implementation of 18 years as the minimum marriageable age across the country should be enforced⁸⁸. It was also recommended that the deputy commissioners should be given the power to assess cases of forced conversion based on medical evidence and there should be secure shelters where girls can find refuge if they realise they have made a mistake and want to return.

⁸⁸ - At present, only Sindh province of Pakistan has set 18 as the marriageable age for both girls and boys. The remaining provinces and federal capital follow an amended pre-Partition British law, which puts the marriageable age at 18 for boys and 16 for girls. Despite the laws, both in Sindh and the rest of the country, underage marriages continue to be reported.

Similar suggestions were put forth during HRCP's consultation on FoRB in Sindh in July 2019, wherein participants deliberated on the need for setting up of a proper system for members of minority communities who might want to convert of their own free will.

The issue of forced marriages, though most prominent in Sindh, is not limited to the province alone. HRCP's fact-finding mission in southern Punjab was informed of at least a dozen cases of forced marriages alongside forced conversions in Yazman, Bahawalpur.

A Christian local informed the mission that in Chak 104-D in December 2018, Emanuel Masih's 13-year-old daughter was forced to marry into a Muslim family and convert to Islam. The Hindu community of Yazman also faced similar oppression. In 2018, a married woman from the small Hindu community was reportedly abducted and forcibly converted to Islam. Another example was of Kashmala Devi, who was allegedly abducted by a Muslim and forced to convert to Islam. She had not yet returned to Yazman. As a result, the locals explained that girls from minority faiths only studied up till the ninth grade for fear of being taken and forcibly converted.

The Hindu community of Liaquatpur, Rahimyar Khan also regularly faced this issue. A community representative revealed that about five to six cases had already occurred in 2019. The mission was informed of Naina Bai, who was forcibly married to a Muslim boy at the age of 12 or 13. They claimed her age was changed to 16 in her identification documents. She was then kept away from her family for two months and allowed to meet them only once and that too for just 15 minutes in the presence of the police. In court, the girl stated that she converted to Islam and got married of her own choice. The judge who heard the case said he could not do anything further after the girl's own statement.

The mission also learned about other cases of forced marriage and involuntary conversions in Katchi Mandi, Rahimyar Khan, including the cases of Gori, who was 13 at the time of marriage, and Radha, who was 14. According to a community member, the girls were abducted and kept hidden for around three months after which their abductors claimed they had gladly embraced Islam.

4. Recommendations

As suggested in the 2018 report, the first step the state needs to take with regards to protecting minorities is the complete implementation of the 2014 Supreme Court judgment. This will ensure that the right to manifest one's religion or belief in private or public is left to the discretion of the individual, with no coercion from any sphere. For example, the declaration of religious affiliation should not be mandatory for obtaining identity documents or applying to government jobs. Relatedly, the Suddle commission which is working to implement the judgment needs to be facilitated to deliver on its mandate — already an overdue exercise. An autonomous, independent and permanent national commission for minorities' rights should be constituted, as directed in the 2014 verdict, with a mandate to investigate violations of the rights of minorities as well as furnish policy recommendations.

Radical reforms need to be undertaken when it comes to ending discrimination against the Ahmadiyya community — unfortunately that is perhaps the most difficult, if not unrealistic, goal. A government with the right intentions in this regard can take small steps, however, such as ensuring censure of officials who dragged assistant commissioner Nekokara in front of violent students for her alleged pro-Ahmadi remarks.

The abuse of blasphemy laws needs to be penalised so false accusations and weak evidence are not used to settle personal vendettas. Junaid Hafeez's death sentence must be overturned in the appeal stage this year, as was the case with Asia Bibi. However, it should be done promptly so several years of the young teacher's life are not wasted in solitary confinement, as many have already.

The bi-partisan and bi-cameral Parliamentary Committee to Protect Minorities from Forced Conversions must work rigorously and present its recommendations to the government as

soon as possible so the government can take necessary practical steps. Similarly, the Sindh Criminal Law (Protection of Minorities) Bill protecting religious minorities against forced conversions must be passed without capitulating to pressure from religious elements. Similar legislation should be enacted by other provinces and at the national level to protect all religious minorities in the country.

The working and structure of the ETPB and the various Auqaf departments should be made more transparent and they should be held accountable to the minority communities whose interests they are supposed to safeguard. Furthermore, the ETPB chairperson should be rotated from among the minorities, as has also been suggested by the Suddle commission.

School textbooks across the country need to be revised in order to remove hate material against minorities and instead present them as equal citizens whose religious practices and beliefs are worthy of the same respect. The subject of 'ethics' for non-Muslim students should be altered in line with demands of the minorities' representatives.

Beleaguered religious minorities such as the Shia Hazara community in Quetta need greater support and security from the state to allow them to participate safely in economic and social life without being relegated to ethnic 'ghettoes', ostensibly for security reasons. The state needs to clamp down hard against perpetrators that attack the community with severe punishment meted out to them to deter the violence. Otherwise, sporadic incidents will continue at will.

Law enforcement authorities, prison staff and public defenders must be sensitised in treating suspects/inmates/clients from religious minorities without any bias. Furthermore, police stations across the country should have strict orders to quell any religion-based riot that involves acts of violence against minorities, especially those with international ramifications such as the assault on the Nankana Sahib Gurdwara.

The Zhob model should be followed and other similar minorities' places of worship that are occupied by public or private parties should be returned to their rightful owners.

With regards to the United States' negative designation of Pakistan regarding FoRB, rather than painting a picture that does not reflect ground realities, the state should acknowledge its shortcomings and pledge — and practically follow through — to fix them.

Lastly, the first-time prime minister who has frequently exhibited his religious plurality must act on his words. He should set an example of people in his government to whom bigotry and intolerance come naturally, such as Punjab minister Fayyaz Chohan who disparaged Hindus during an anti-India speech last year. After being removed from office following the condemnable remarks, the lawmaker is back in the provincial cabinet.