

Legal framework

Pakistan is an Islamic republic, but the constitution guarantees freedom of religion or belief for all and specifically protects religious minorities.

Pakistan's blasphemy laws criminalise anyone who insults Islam, including by outraging religious feeling (Section 295(A)), defiling the Qur'an (295(B)), and defiling the name of the Prophet Mohammed (295(C)), which carries the death penalty or life imprisonment. Bail is granted at the discretion of the court. The law is poorly defined and has low standards for evidence, as it does not require specific proof of intent to commit blasphemy. As a result, spurious accusations are common and levied maliciously against both Muslims and non-Muslims to settle personal disputes.

The Ahmadiyya community is the most widely institutionally and constitutionally persecuted religious group in Pakistan. Various laws categorise Ahmadiyyas as "non-Muslims" and place restrictions on the community, including a 1974 constitutional amendment, 1984 Ordinance XX (20), and sections 298(B) and (C) of the penal code.

Blasphemy charges

According to the National Commission for Justice and Peace (NCJP), 84 individuals were charged with blasphemy in 2021. Many others remain imprisoned or on death row.

Blasphemy accusations can also trigger mass violence against minority communities. On 4 August 2021, an eight-year-old Hindu boy from Bhong town, Punjab, who relieved himself in a local Islamic seminary, was granted bail after being charged with blasphemy. A mob of hundreds attacked and vandalised a local Hindu temple on the same day.

On 3 December Priyantha Diyawadana, a Sri Lankan national who was later identified as a Buddhist, was [killed](#) by a mob after he was accused of desecrating posters bearing the name of Prophet Mohammed by colleagues at the factory where he worked.

Violations against religious minorities

There is entrenched discrimination in Pakistan against the Hindu and Christian communities, most of whom are working class, poorly educated, and work as labourers.

Since the mass exodus of Hindus during Partition in 1947 there has been a further decline in numbers, with many migrating to India due to the rise in discrimination and religious polarisation. Hindus are continually reminded that Partition supposedly created Pakistan as a separate state for Muslims. Many come from the scheduled and lower castes, and as a result face deep rooted marginalisation.

The legacy of the caste system means Christians are often perceived as unclean by the Muslim majority. They are also perceived as being sympathetic to the "West", making them targets of Islamist groups. On 4 June 2020 Pakistani Christian Nadeem Joseph and his mother-in-law Elizabeth Masih were shot several times in their new home, just days after the family moved into TV Colony, Peshawar. Mr Joseph

later succumbed to his injuries. Their attackers had harassed and threatened them daily as they were unhappy about a Christian family moving to their neighbourhood.

The Shi'a Hazara community, who mostly live in Quetta, have increasingly experienced sectarian violence. Their distinct religious, linguistic and ethnic identity make them easily identifiable and therefore more vulnerable. On 2 January 2021 an Islamic State group claimed responsibility for killing 11 coal miners in the town of Mach in Baluchistan.

The Ahmadiyya community face persistent and systematic structural discrimination, and targeted physical violence. According to the Ahmadiyya Community Office in the UK, two Ahmadis were murdered in 2021, raising the total number of Ahmadis killed since the promulgation of Ordinance XX to 272. In addition, 13 Ahmadiyya mosques and 92 graves were desecrated, 20 new cases were registered against Ahmadis under blasphemy laws and anti-Ahmadi laws, and sacred inscriptions were removed from 16 houses and shops in 2021. One Ahmadi prisoner, who was imprisoned on the basis of his faith, also died in custody.

Abduction, rape, forced conversion and marriage

Cases of abduction, forced marriage and forced conversion of Christian and Hindu girls have increased in recent years, particularly in Punjab and Sindh provinces. Girls from 'low' caste Hindu communities are particularly at risk. Many of those kidnapped are forcibly converted to Islam and married off to their abductors.

Perpetrators are emboldened by a culture of impunity, and victims and their families are often intimidated by abductors and their relatives. As a result, crimes are often unreported and figures underestimated. The failure of law enforcement officials to carry out proper investigations further impedes justice. The Aurat Foundation estimates that 1,000 Christian and Hindu girls are abducted and forced to marry and convert annually.

Biased education and discrimination

In July 2020 the government announced the creation of a 'Single National Curriculum' (SNC) to replace its 2006 school curriculum. The new curriculum requires students to undergo even more Islamic religious teaching in compulsory subjects, in violation of Article 22(1) of the Pakistani Constitution.

Official textbooks promote intolerance by omitting religious minority heroes, and including errors, omissions, and in some cases derogatory language towards religious minorities. Religious minority students can also face physical and psychological abuse from teachers and classmates. Muslim students who memorise the Qur'an get 20 extra marks towards admission applications for higher education, employment and professional studies. Non-Muslims are often reluctant to opt to study an alternative ethics class because this identifies them as a religious minority and increases discrimination.

Threats to lawyers, judges and human rights defenders (HRDs)

Those who defend human rights are also at risk of abduction and being killed. In 2017, Waqas Goraya, Asim Saeed, Salman Haider, and Ahmed Raza Naseer, campaigners for human rights and religious freedom, were abducted for two weeks and released without explanation after national and international pressure. In January 2022 a British Pakistani man was [arrested and put on trial](#) after reportedly travelling to Rotterdam, Netherlands, with the intent to murder Mr Goraya.

Lawyers defending blasphemy-related or other sensitive cases relating to minority issues frequently face intimidation and threats of violence, and in some cases extra-judicial killings. Judges have been physically attacked and threatened with torture, even during court hearings. Many are afraid to hear prominent minority cases for fear of reprisal, resulting in slow progress in these cases.

Recommendations

To the government of Pakistan:

- Review Sections 295(A), (B) and (C) of the blasphemy laws and ensure procedural amendments are implemented to minimise the abuse of these laws in the short term, moving towards full repeal in the long term.
- Repeal Sections 298(B) and 298(C) concerning the Ahmadiyya community, in line with constitutional guarantees.
- Rewrite textbooks so that they are based on scientific and empirical principles of thought and inquiry, and incorporate lessons on peace, tolerance, diversity and respect for human rights.
- Review the Single National Curriculum and ensure that it respects and recognises the rights and contributions of religious minority communities in Pakistan.
- Consider removing religious content from non-religious subjects, as per instructions from the Supreme Court's One-Man Commission, which is mandatory for all to study, including [religious minorities](#).
- Provide training to teachers in FoRB and human rights.
- Provide the necessary protections and safeguards to civil society activists, journalists and human rights defenders (HRDs) and prosecute those who attack them.
- Prosecute and bring to trial without delay all those responsible for committing violent attacks against minorities and other vulnerable groups.
- Fully cooperate with all UN Special Procedures and issue a standing invitation to the UN Special Rapporteur on freedom of religion or belief to visit Pakistan, with

unhindered access to all parts of the country.

- Amend outdated laws related to Christian marriage and divorce to provide further safeguards to the Christian community.
- Ensure implementation of the Hindu Marriage Bill and Punjab Sikh Anand Marriage Act 2018.

To the United Nations and Member States:

- Urge Pakistan to guarantee the right to FoRB for all, in law and in practice, including by amending or repealing discriminatory legislation, in line with the International Covenant on Civil and Political Rights (ICCPR) to which the State is party.
- Ensure that concerns of violations of the right to FoRB and other intersecting rights are consistently raised with the government of Pakistan, including during high-level visits and other bilateral exchanges, and call on Pakistan to allow impartial and timely investigations into allegations of violations against religious or belief minorities, ensuring that perpetrators are held to account.
- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief and the rights of women and girls in their reporting on Pakistan, addressing the vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Urge Pakistan to ensure 'no-one is left behind' when implementing the 17 Sustainable Development Goals (SDGs), including supporting Pakistan in the implementation of goals on education, gender equality, water and sanitation and reducing inequalities.

To the government of the United States of America:

- The State Department should continue to closely monitor FoRB in Pakistan and maintain the country as a Country of Particular Concern.
- The Ambassador for International Religious Freedom, and the US Commission for International Religious Freedom (USCIRF), should request an invitation to Pakistan with unhindered access to all parts of the country.
- Deny US travel visas to Pakistani government officials directly responsible for FoRB violations.

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