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Introduction

1. ADF International is a global alliance-building legal organization that advocates for religious freedom, life, and marriage and family before national and international institutions. As well as having ECOSOC consultative status with the United Nations (registered name “Alliance Defending Freedom”), ADF International has accreditation with the European Commission and Parliament, the Organization for Security and Cooperation in Europe, and the Organization of American States, and is a participant in the FRA Fundamental Rights Platform.
2. This report explains why Pakistan must repeal its blasphemy laws in order to safeguard the human rights to freedom of religion and freedom of expression, as well as prevent and end all forms of religious persecution and discrimination, both by the State and by society at large, including violent attacks on Christians and their churches.

(a) Religious Persecution, Freedom of Religion, and Freedom of Expression

Religious Freedom Framework

1. Pakistan officially styles itself as an Islamic Republic and Islam is the state religion under Article 2 of the Constitution, with only Muslims eligible to become either president or prime minister. Freedom of religion is protected in theory under Article 20 of the Constitution, subject to “law, public order, and morality.”
2. This is a relatively broad list of grounds for limitation of a fundamental right. Moreover, it is clear that they are often relied upon by the authorities, and usually used to justify a preference for Islam over other religions.
3. Article 36 of the Convention indicates that “the state shall safeguard the legitimate rights of the minorities, including their due representation in the federal and provincial services.” However, religious minorities remain underrepresented in the federal and provincial services.¹

Violent Attacks on Christians

4. Between July 2013 and June 2014, there were at least 22 reported attacks on Christian communities, resulting in at least 128 deaths and 185 injured.² In total, between July

¹ Department of State, International Religious Freedom Report for 2014. Available at: <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>; Amnesty International, Pakistan authorities must do more to protect religious minorities, (1 March 2012), <https://www.amnesty.org/en/latest/news/2012/03/pakistanauthorities-must-do-more-protect-religious-minorities/>; Human Rights Watch, Pakistan Events of 2015, <https://www.hrw.org/world-report/2016/country-chapters/pakistan>.

² U.S. Commission on International Religious Freedom, Violence Towards Religious Communities in Pakistan, Factsheet, 3, available at: www.uscirf.gov.

2013 and June 2014, there were over 122 attacks on religious communities in Pakistan, resulting in 430 deaths and 773 injured.³

5. This represented a decrease from the previous year. Between July 2012 and June 2013, there were 32 attacks on Christian communities (out of 150 attacks on religious communities), resulting in 7 deaths (out of 567) and 33 injured (out of 953).⁴
6. There are many specific examples of Christians being violently targeted and attacked. In January 2016, a 7-year-old Christian boy was brutally gang raped and murdered in Moza Soda Basti.⁵
7. On 24 May 2015, members of a Christian community in Dhup Sarri, Sanda, Punjab Province were attacked by a group of people for allegedly burning pages of the Quran. The group vandalised churches, homes, and threatened residents.⁶
8. In April 2014, a Christian man was tortured by his landlord. The man suffered severe physical injuries as a result.⁷ In the same month, another young Christian man was killed by his co-worker because he refused to convert to Islam.⁸
9. In February 2014, a Christian man was tortured to force him to convert to Islam, and a 16-year-old girl was kidnapped, raped, and forced to convert and marry.⁹ A Christian man died in police custody as a result of being subjected to torture.¹⁰

³ Ibid, 3.

⁴ Ibid, 4.

⁵ Breitbart, Report: Mob of Wealthy Men Gang Raped Christian 7-Year Old in Pakistan, (11 January 2016), <http://www.breitbart.com/national-security/2016/01/11/report-mob-of-influentials-abducts-gangrapes-7-year-old-boy-in-pakistan-christian-district/>.

⁶ Asian Human Rights Commission, Pakistan: Christian community was attacked again on charges of blasphemy; Punjab government refuses to file case against members of Muslim mob, (26 May 2015), <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-063-2015/?searchterm=>.

⁷ LEAD, A Poor Christian Man was beaten and tortured by his Muslim Landlord, (27 April 2014), <http://leadfamily.blogspot.com/2014/04/a-poor-christian-man-was-beaten-and.html>.

⁸ The Blaze, Christian Man in Pakistan Reportedly Killed after Refusing to Convert to Islam, (22 April 2014), <http://www.theblaze.com/stories/2014/04/22/christian-man-in-pakistan-reportedly-killed-after-refusingto-convert-to-islam/>.

⁹ Jihadi Watch, Pakistan: Muslims torture Christian to force him to convert to Islam and threaten to kidnap his children, (15 February 2014), <http://www.jihadwatch.org/2014/02/pakistan-muslims-torturechristian-to-force-him-to-convert-to-islam-and-threaten-to-kidnap-his-children>; Asia News, Christian girl abducted, converted and forced to marry a Muslim in Lahore, (6 February 2014), <http://www.asianews.it/news-en/Christian-girl-abducted,-converted-and-forced-to-marry-aMuslim-in-Lahore-30237.html>.

¹⁰ Asia News, Islamabad: an innocent 24-year-old Christian man tortured to death by police, (13 February 2014), <http://www.asianews.it/news-en/Islamabad:-an-innocent-24-year-old-Christian-mantortured-to-death-by-police-30298.html>.

Attacks on Churches

10. On 22nd September 2013, All Saint's Church in Kohati Gate, Peshawar was attacked resulting in over 130 casualties and leaving over 250 injured.¹¹ It was the deadliest attack on Christians in the history of Pakistan. Jundallah, a terrorist group linked to TTP, claimed responsibility for the attack.¹²
11. In March 2014, a church construction site was attacked by mobs in Okara. In the same month, another church was damaged after residents tried to remove Bible verses from its boards.¹³ On 15th March 2015, St. John's Catholic Church and the Protestant Christ Church were attacked by Jamaat-ul-Ahrar, leaving 17 people dead.

Anti-Blasphemy Laws

12. While Pakistan nominally does not restrict religious publishing, its strict blasphemy laws are interpreted widely and have been applied to people speaking out against Islam or its prophets.
13. Missionary activity and proselytism are allowed as long as they do not involve preaching against Islam.¹⁴ In light of the blasphemy laws which exist, however, this can be particularly problematic. Furthermore, foreign missionaries are required to obtain visas for 2-5 years. However, after having obtained a visa, missionaries are only allowed one entry to Pakistan per year
14. Between 1986 and 2007, the authorities charged 647 people with blasphemy offences, 50% of whom were non-Muslims who in total constitute only around 3% of the entire population. In 2014, the NGO National Commission for Justice and Peace reported that 105 people had been charged with blasphemy that year, including eleven Ahmadis, seven Christians, five Hindus, and 82 Muslims. The Punjab Prosecution Department and provincial judiciary revealed in February 2015 that they had completed reviews of 262 pre-trial blasphemy cases and were recommending that 50 be reviewed for dismissal, none of which included accused persons who were members of religious minorities.¹⁵
15. It has been reported that the laws are often exploited and deliberately misused against Christians by Muslim neighbours and associates who wish to settle quarrels with them, and that up to 80 Christians were held in incarceration under blasphemy charges in

¹¹ Asian Human Rights Commission, Pakistan: Christian community was attacked again on charges of blasphemy; Punjab government refuses to file case against members of Muslim mob, (26 May 2015), <http://www.humanrights.asia/news/urgent-appeals/AHRC-UAC-063-2015/?searchterm=>.

¹² Ibid.

¹³ Pakistan Christian Post, Under construction church bulldozed; No more worship place for pagan, (10 March 2014), <http://www.pakistanchristianpost.com/headlinenews.php?hnewsid=4731>

¹⁴ Department of State, International Religious Freedom Report for 2014. Available at: <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

¹⁵ United States Commission on International Religious Freedom F, Pakistan 2015-2016, 3, https://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_2_Pakistan.pdf.

2005.¹⁶ More recently in 2016, the United States Commission on International Religious Freedom reported that it was aware of nearly 40 individuals currently sentenced either to death or to life imprisonment for blasphemy in Pakistan.¹⁷

16. Individuals charged with blasphemy are often subject to vigilantism in the form of harassment and physical attacks, and even after being acquitted often must go into hiding or leave Pakistan for the sake of their privacy and physical safety.¹⁸
17. A Pakistani Christian woman, Aasiya Noreen (better known as Asia Bibi), was sentenced to death for blasphemy in November 2010.¹⁹ In June 2009, a group of Muslim women with whom she had been harvesting berries (and with one of whom her family had allegedly been in a long-running feud over property) reportedly grew angry at her for drinking from the same water as them, due to her “unclean” status as a Christian, and began berating her for her religion.
18. They denounced her to the authorities for blasphemy after she said (according to her own account of events), “I believe in my religion and in Jesus Christ, who died on the cross for the sins of mankind. What did your Prophet Mohammed ever do to save mankind?”
19. A mob descended on her home and assaulted her and her family members, culminating in her arrest and imprisonment for over a year before charges were formally laid. Her sentence has been suspended as of July 2015, pending the complete exhaustion of the appeals process, but she has been incarcerated for the better part of a decade as of 2017.
20. Two government officials, Punjab Governor Salmaan Taseer and Federal Minister for Minority Affairs Shahbaz Bhatti, a Muslim and a Roman Catholic respectively, were both assassinated in 2011 for their work in defending and supporting her.
21. A number of other prominent cases stand out. Tufail Haider was killed with an axe by a policeman when in custody after being arrested for allegedly making derogatory

¹⁶ Agenzia Fides, Lahore, ASIA/PAKISTAN - Long list of persons booked under blasphemy law since 1988: 647 victims of a law which discriminates and is often a tool of exploitation, (12 May 2005), <http://www.fides.org/en/news/4870->

[ASIA_PAKISTAN_Long_list_of_persons_booked_under_blasphemy_law_since_1988_647_victims_of_a_law_which_discriminates_and_is_often_a_tool_of_exploitation#.WG-pL_krLgk](http://www.fides.org/en/news/4870-ASIA_PAKISTAN_Long_list_of_persons_booked_under_blasphemy_law_since_1988_647_victims_of_a_law_which_discriminates_and_is_often_a_tool_of_exploitation#.WG-pL_krLgk)

¹⁷ United States Commission on International Religious Freedom F, Pakistan 2015-2016, 3, https://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_2_Pakistan.pdf.

¹⁸ United States Commission on International Religious Freedom, Annual Report of the United States Commission on International Religious Freedom, May 2009, <http://www.uscirf.gov/images/AR2009/pakistan.pdf>; International Christian Concern, Pakistan, Christian Cleared of Blasphemy Charges Fired from Job, Facing Death Threats, (22 February 2008), <http://www.persecution.org/2008/02/22/christian-cleared-of-blasphemy-charges-fired-from-job-facing-death-threats/>.

¹⁹ The Guardian, Jon Boone: Asia Bibi blasphemy appeal adjourned in Pakistan as judge pulls out, (13 October 2016), <https://www.theguardian.com/world/2016/oct/13/asia-bibi-pakistan-blasphemy-law-appeal-adjourned-judge-pulls-out>.

remarks about the Prophet Mohammed.²⁰ Sawan Masih, a Christian man, was sentenced to death for allegedly making derogatory remarks against the Prophet Mohammed in an argument with a friend.²¹ A Christian couple in Toba Tek Singh was sentenced to death for allegedly sending derogatory text messages.²²

22. Blasphemy laws themselves are an affront to the rights contained within Article 19 of the ICCPR, which ensures that everyone shall have the right to hold opinions without interference and the right to freedom of expression.
23. These freedoms are fundamental to the operation and maintenance of an open and free society, even when things that are expressed and disseminated prove unpopular or offensive.
24. Moreover, as already mentioned, it opens the way to baseless allegations being made in order to exploit the laws for cynical purposes. While a deeply religious society may have legitimate concerns for protecting the prevailing or official faith of its territory, it must do so in the course of defending and respecting the human rights of all its citizens and residents.

Recommendations

25. In light of the aforementioned, ADF International suggests the following recommendations be made to Pakistan:
 - a. Ensure the freedom of religion or belief in Pakistan, both in law and in practice, for adherents of all religions and none, and root out all cases of religious persecution and the exploitation of laws against members of religious minorities;
 - b. Prosecute and punish all cases of religiously-motivated violence against individuals and vandalism and destruction of places of worship, and work to eliminate the occurrence of such atrocities;
 - c. Repeal all blasphemy laws and ensure and safeguard the rights to freedom of opinion and freedom of expression as required under international law, and release and/or grant relief and protection to individuals whose rights have been violated by these laws.

²⁰ The Express Tribune, Policeman uses axe to kill blasphemy accused: officials, (6 November 2014), <http://tribune.com.pk/story/786605/police-beat-man-to-death-with-axes/>.

²¹ BBC, Sawan Masih: Pakistani Christian gets death penalty for blasphemy, (28 March 2014), <http://www.bbc.com/news/world-asia-26781731>.

²² Morning Star News, Christian Couple in Pakistan Sentenced to Death for 'Blasphemy', (4 April 2014), <http://morningstarnews.org/2014/04/christian-couple-in-pakistan-sentenced-to-death-for-blasphemy/>.