

**SADF Policy Brief N° 7**

**The Persecution of Christian Minorities in Pakistan**  
*Roots, development and present day realities*

# SADF Policy Brief argues

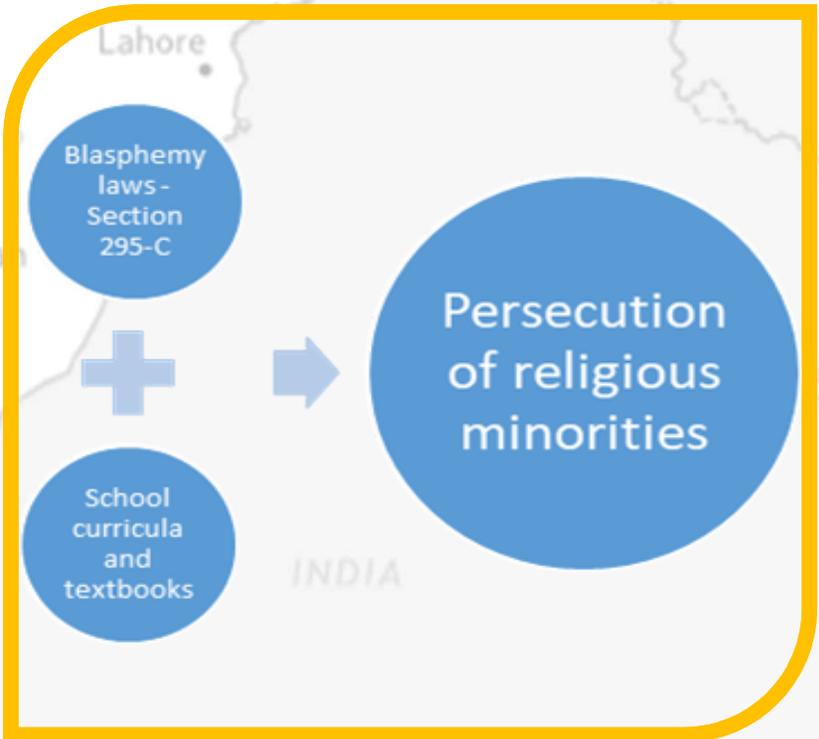
Civilian and military governments

Military

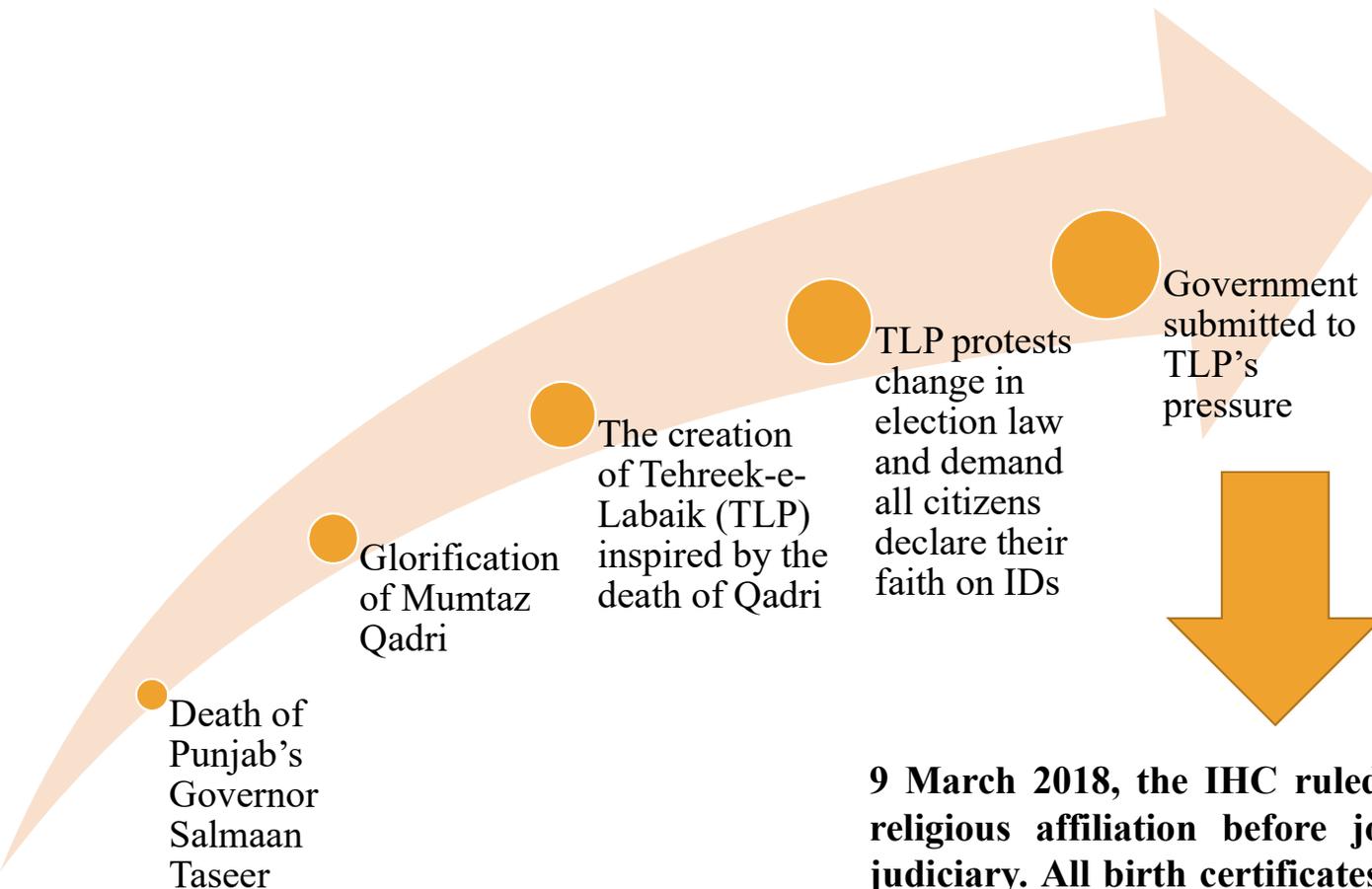
Judiciary

Islamic extremist groups

Religious clerics



# Islamabad High Court ruling 2018



**9 March 2018, the IHC ruled that 'all citizens must declare their religious affiliation before joining the civil service, military or judiciary. All birth certificates, identity cards, passports and voting lists must also indicate the person's faith**

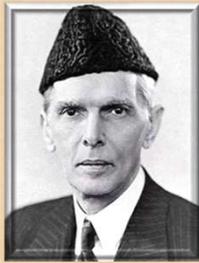
# International Covenant on Civil and Political Rights

- Pakistan ratified the ICCPR in 2010, a legally binding treaty
- Implementing the ICCPR is a condition of the GSP+
- Pakistan's blasphemy laws are incompatible with the ICCPR

## The rights protected under the ICCPR include:

Article 1 - the right to self-determination  
Article 2&3 - non discrimination  
Article 6 – Right to life.  
Article 7 – Freedom from torture.  
Article 8 – Right to not be enslaved.  
Article 9 – Right to liberty and security of the person.  
Article 10 – Rights of detainees.  
Article 11 – Right to not be imprisoned merely on the ground of inability to fulfil a contractual obligation.  
Article 12 – Freedom of movement and choice of residence for lawful residents.  
Article 13 – Migrants' rights  
Article 14 – Equality before the courts and tribunals. Right to a fair trial.  
Article 15 – No one can be guilty of an act of a criminal offence which did not constitute a criminal offence.  
Article 16 – Right to recognition as a person before the law.  
Article 17 – Freedom from arbitrary or unlawful interference.  
Article 18 – Right to freedom of thought, conscience and religion.  
Article 19 – Right to hold opinions without interference.  
Article 20 – Propaganda for war shall be prohibited by law.  
Article 21 – Right of peaceful assembly.  
Article 22 – Right to freedom of association with others.  
Article 23 – Protection of the family, the right to marriage and equality of the spouses  
Article 24 – Rights of the child  
Article 25 – Right to political participation.  
Article 26 – Equality before the law.  
Article 27 – Minority protection.

# Historical and socio-political development of violence towards religious minorities



“ 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, caste or creed - that has nothing to do with the business of the State. ”

*Muhammad Ali Jinnah, Founder of Pakistan*

Maududi and jihadism

Changes to founding principles

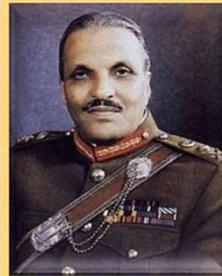
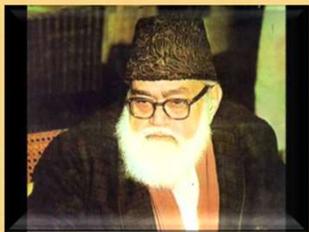
Constitutions

General Zia-ul-Haq

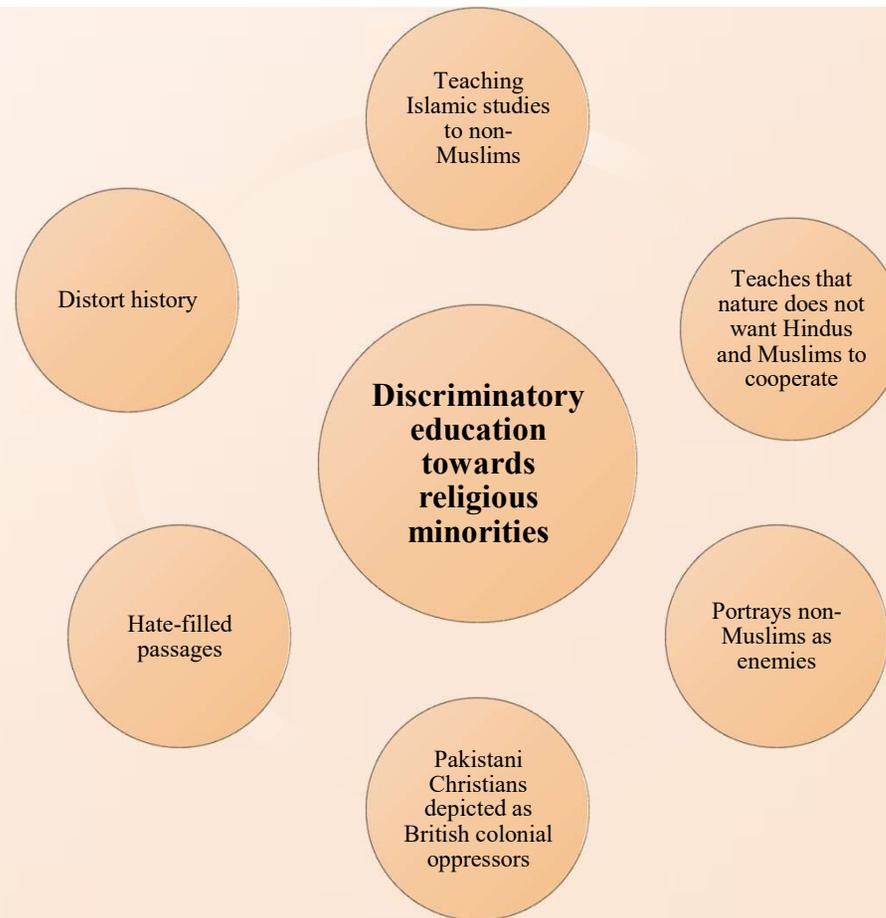
Education policies

Discrimination in Pakistan's school system today

Foreign aid education sector



# Education used as a tool to foster hatred



# Foreign Aid to Pakistan's education sector

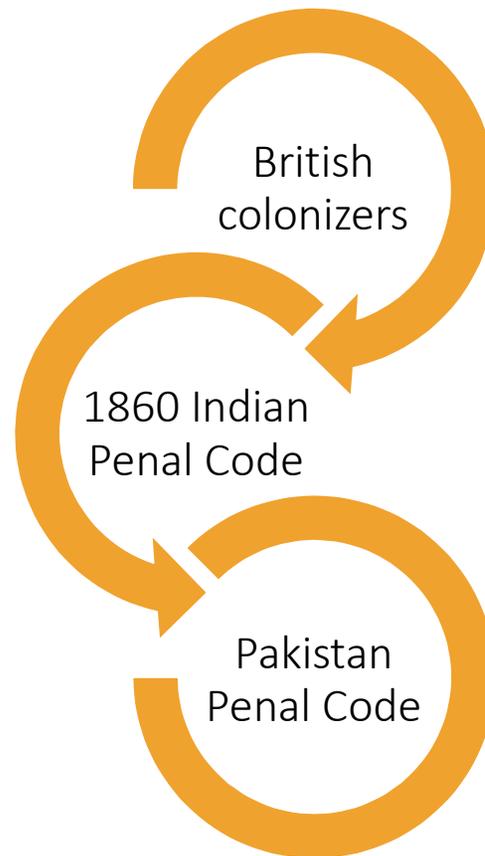
## The European Union

- From 2007 to 2014- from the budget of 520 million euros, 28% was allocated to Pakistan's education sector that included providing free textbooks to students and improving the quality of education

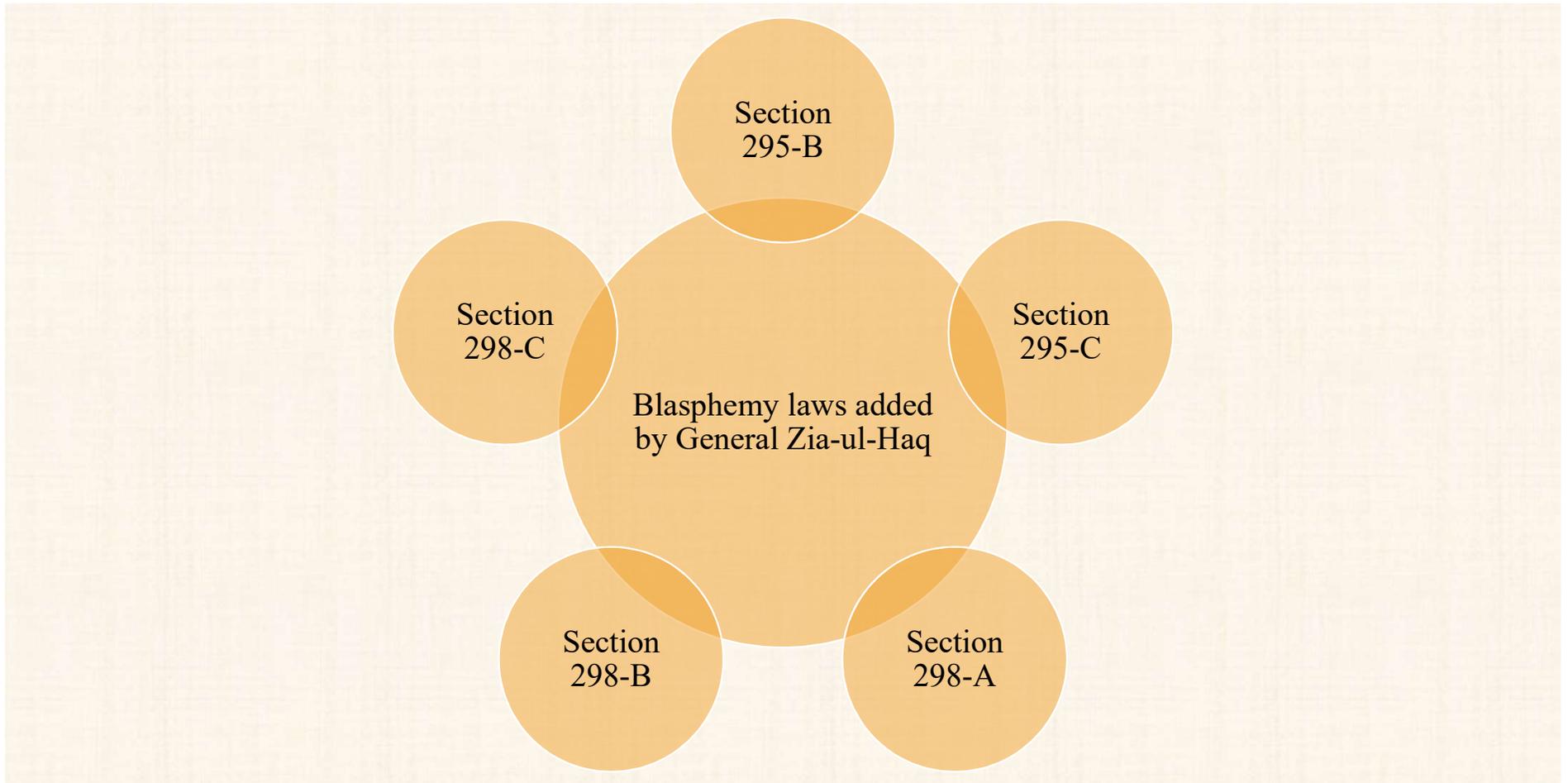
## The United Kingdom

- From 2009 to 2013, the UK funded textbooks for 4.4 million students.
- The UK's top spending programmes for 2018 will be for Pakistan's education sector
- 2017 figures show 463 million pounds in aid to Pakistan

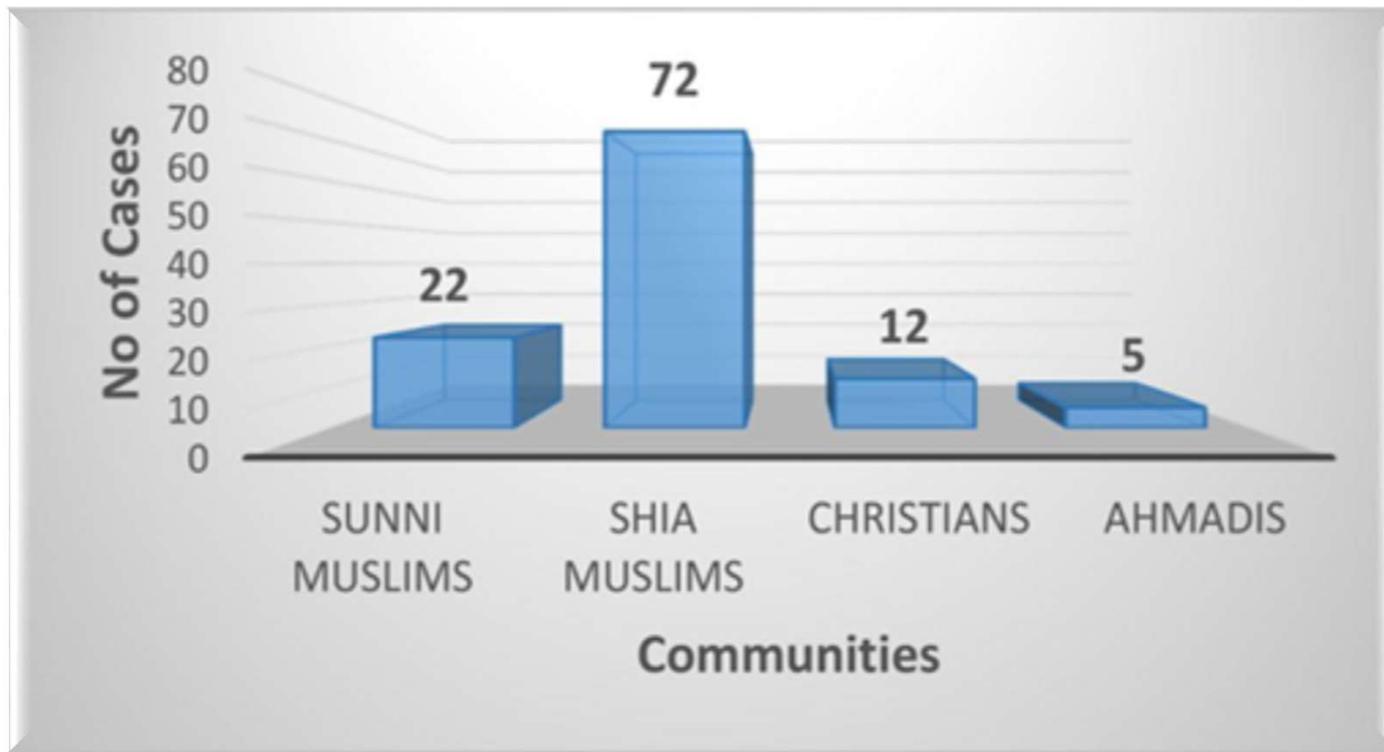
# Origin of Pakistan's blasphemy laws- Chapter 15 Offences relating to religion



# Blasphemy in Pakistan: religious segregation

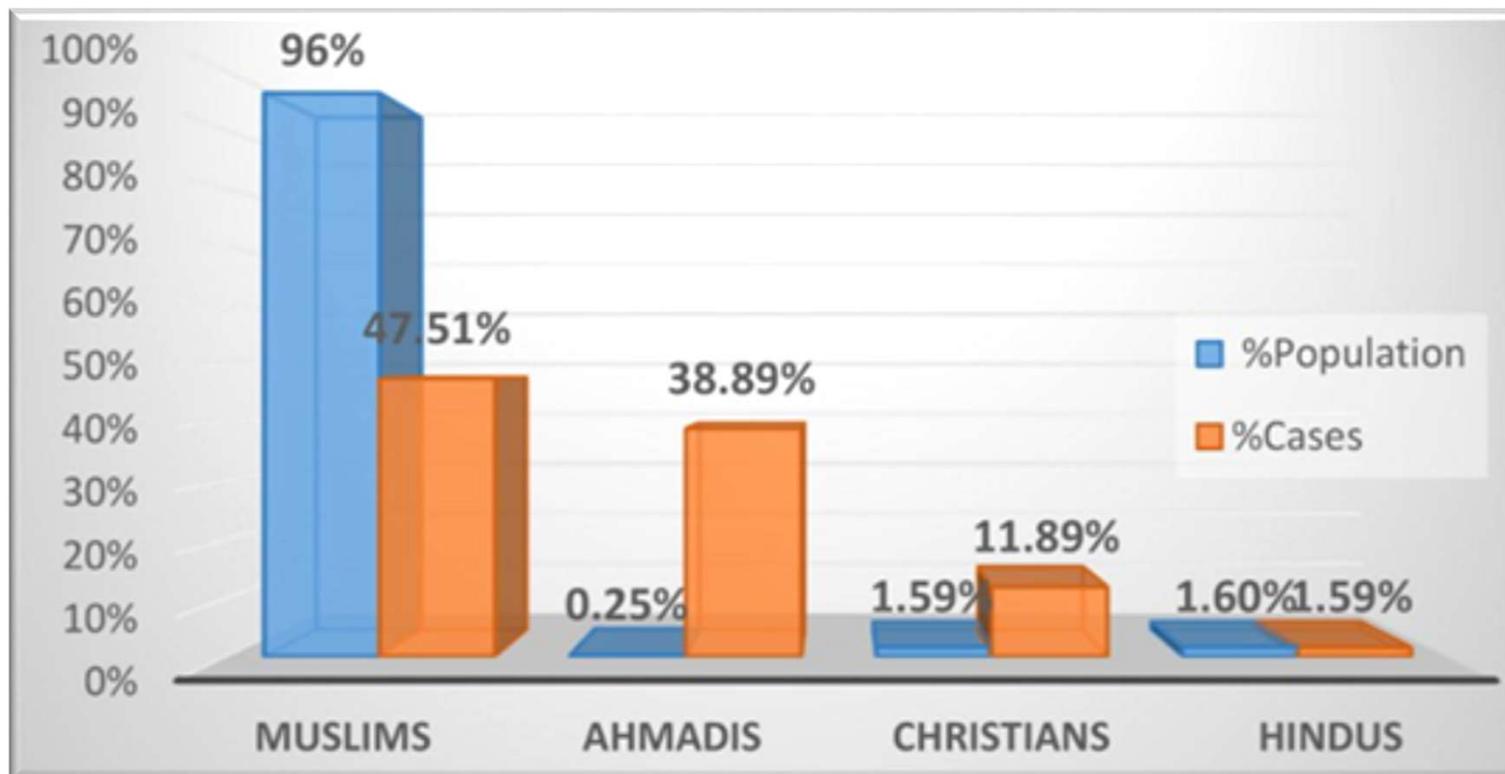


## Blasphemy cases in Pakistan in 2012 with Shia and Sunni distinction



Source: Qaiser Julius, 2016

## Percentage of blasphemy cases in Pakistan 1986–2012 with proportion of population

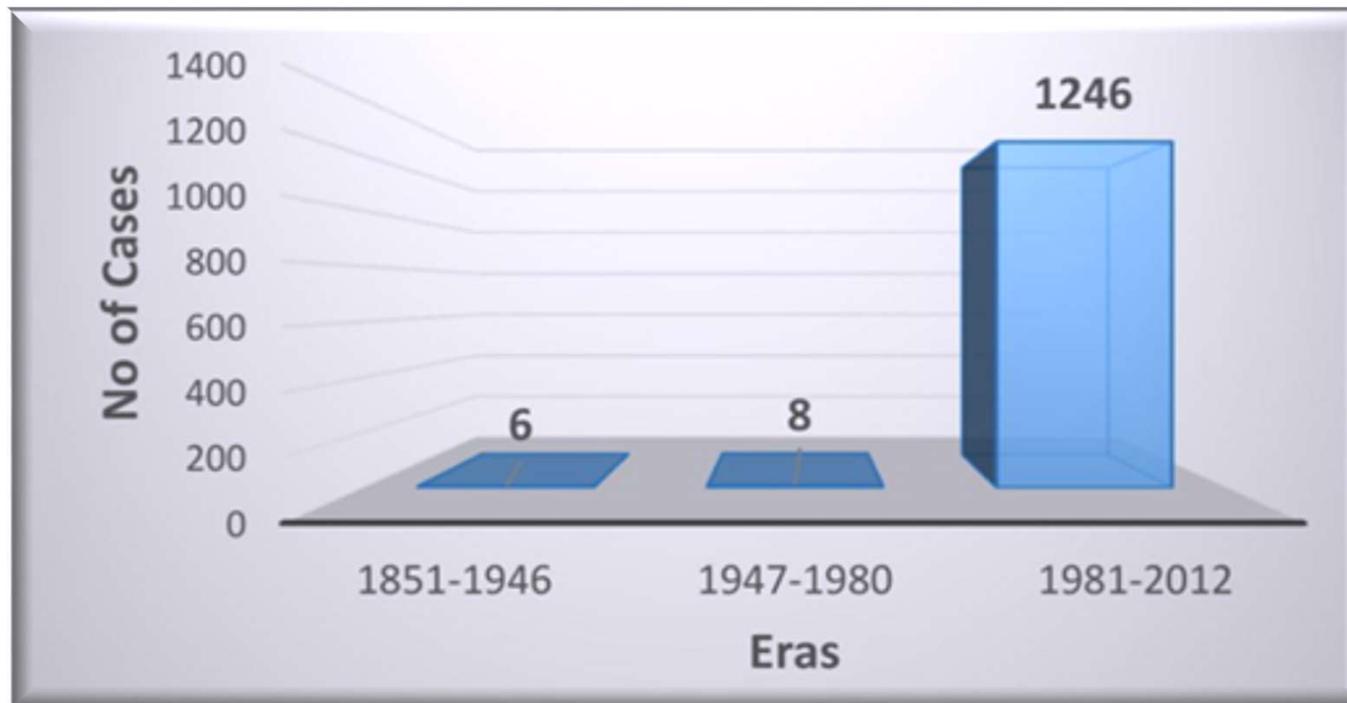


Source: Qaiser Julius, 2016

## The Inhuman blasphemy law Section 295- C

Section of Penal Code	Offence	Sentence	Year	Bailable and cognizable?
295-C	Use of derogatory remarks in respect of the Holy prophet	Mandatory death sentence	1986	Non-bailable and cognizable

## Blasphemy cases before and after the introduction of Pakistan's blasphemy laws



Source: Qaiser Julius, 2016

# Inadequate safeguards against abuses



**Proof of malicious intent**

**Vagueness of the law**

**Role of prosecutors**

**Ignoring existing safeguards**

**Role of lawyers**

**Issue of trial delays**

**Role of defense lawyers**

**The right to a fair trial**

**Mob violence**

**Mishandling of blasphemy cases by police**

**Power of sermons by religious clerics**

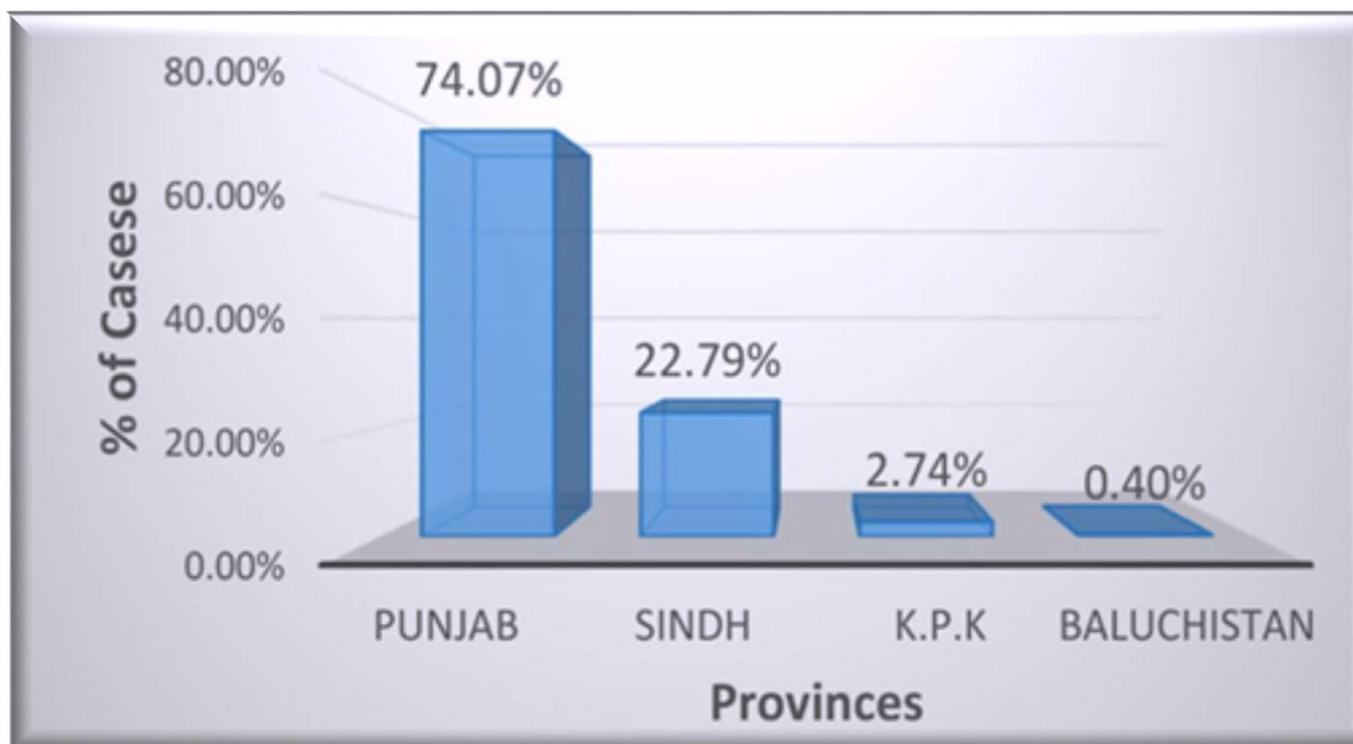
# Persecution of Christian Minorities



**‘Once you accuse someone of blasphemy, they’re as good as dead’**

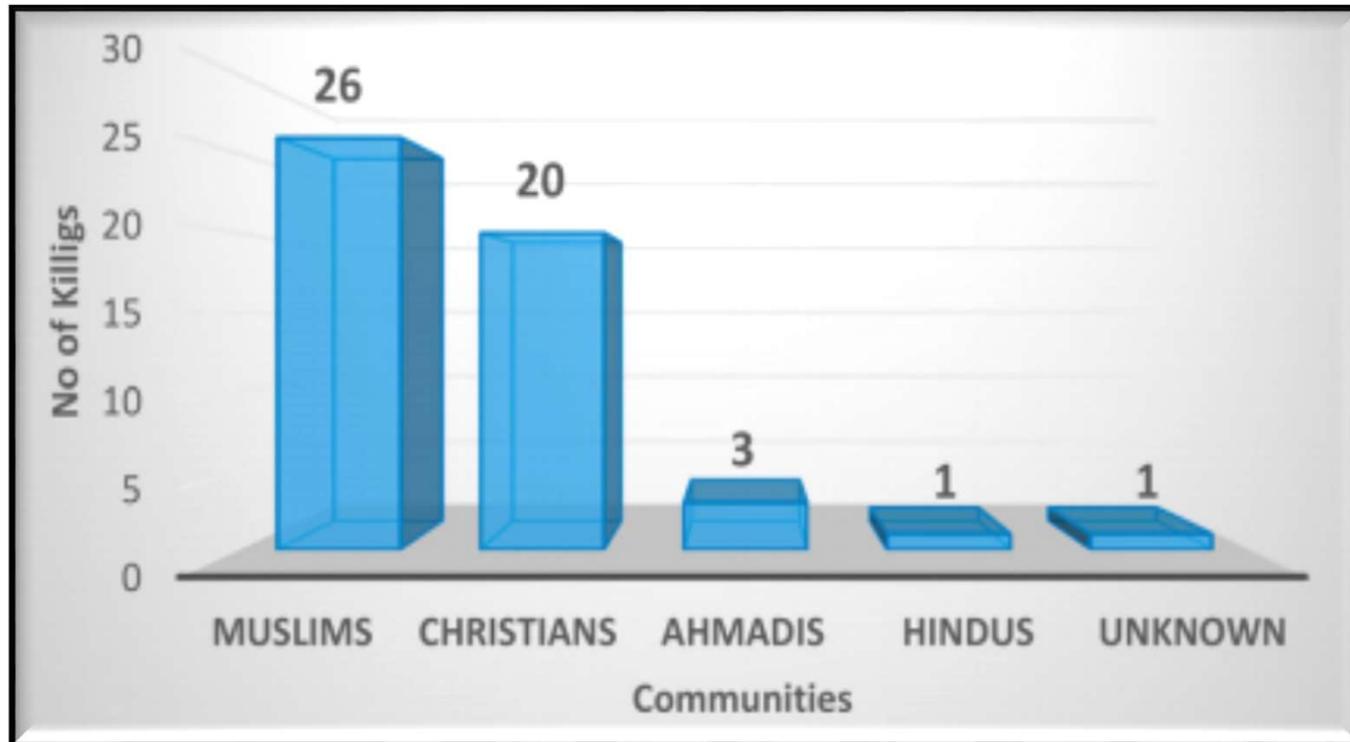
Amnesty International, 2016

## Blasphemy cases in Pakistan from 1986 to 2012 by province



*Source: Qaiser Julius, 2016*

## From 1990 to 2012 Extra-judicial killings



*Source: National Commission for Justice and Peace (as cited in Qaiser Julius, 2016, 103)*

# Recommendations

SADF's analysis of blasphemy law Section 295-C concludes they are used as a tool to persecute religious minorities

SADF advises the EU to use relevant mechanisms to stop Pakistan's persecution of religious minorities

SADF advises the UK to strictly condition its support to Pakistan