

Human Rights Observer 2022



A factsheet on the rights of religious minorities in Pakistan

There are several other issues of concern, such as dismal progress on the implementation of Supreme Court judgment regarding rights of religious minorities, recorded in the assessment (Justice Yet Afar) by Centre for Social Justice (CSJ), implementation of job quota and educational quota, and the setting up of an ineffective National Commission for Minorities. However, the focus of this paper is limited.

In this factsheet, the CSJ has summarized key developments in 2021 on four issues important for the realization of freedom of religion or belief in Pakistan. These are;

- a) Abuse of blasphemy laws,
- b) Prevalence of forced conversions,
- c) Minorities in the national population census, and
- d) Issues in education system reforms.



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1. Abuse of blasphemy laws

The abuse of blasphemy laws¹ remained persistent during 2021. At least 84 persons were accused under the sections of Pakistan Penal Code tagged blasphemy laws.² Three persons were extrajudicial killed including the lynching of Mr. Priyanka Kumara in Sialkot.³

In 2020, the highest number of reported cases was against Shia Muslims (140 out of 209), the districts of Chakwal and Chiniot, are stronghold of two sectarian organizations, while the highest number was recorded in 2021 in Shiekhupura (13) followed by Lahore (11) and Kasur (10), all districts of Northern Punjab. Over 80% incidence during 2021 surfaced in Punjab province, the trend was on the increase (the aggregate abuse of blasphemy laws in Punjab in past 34 years was over 75%).⁴

During 2021, the highest number of victims (45) belonged to Muslim faith identity followed by Ahmadis (25) while seven each were from Hindu and Christian communities. However, the minorities were affected by the abuse (over 46%) more than their share in the population which is 3.5%.

The qualitative indicators such as; the harassment of entire minority settlements, for instance, attack on a Hindu temple at Bhong, Punjab in August 2021 manifest the severe repercussions of allegations against the minority population in particular.⁵



Courtesy: Sabir Nazar/CSJ

¹ Pakistan Penal Code does not use the English term of blasphemy or Gustakhi of Urdu, or Shurtm of Arabic the very formulations often used to describe these laws in common discourses. These are called 'Offenses related to Religion.' Hence Sections, 295, 296, 297, and 298, of the Pakistan Penal Code enacted originally in 1860 (added 295 A, in 1927) during British rule are defined as Offenses related to Religion. Nevertheless, only five Sections, 295 B, 295 C, 298 A, 298 B, and 298 C, were added during 1980 and 1986, the most controversial sections, alone merit to be called blasphemy laws.

² Note: This data is based on cases reported in the credible media sources, etc. verified by Centre for Social Justice. However, it is not exhaustive data because of limited means with CSJ as a CSO, the frequency of incidents and number of victims may exceed. CSJ updates data on regular basis, the users of this data are advised to check on the updates with CSJ at csjpak@gmail.com.

³ <https://www.aljazeera.com/news/2021/12/6/lynched-sri-lankan-manager-family-justice-pakistan-blasphemy>

⁴ Refer to Annex Tables and Charts.

⁵ <https://www.aljazeera.com/news/2021/8/5/pakistan-troops-mob-attacked-hindu-temple>

Table 1. BLASPHEMY ACCUSED BY RELIGION and GENDER

Religion	Male	Female	Transgender	Total
Muslim	42	2	1	45
Christian	3	4	0	7
Hindu	7	0	0	7
Ahmadi	25	0	0	25
Total	77	6	1	84

Table 2. BLASPHEMY ACCUSED BY PROVINCE

Territory	Cases
Islamabad (ICT) ⁶	7
Punjab	68
Sindh	3
KP	5
AJK ⁷	1

Table 3. BLASPHEMY ACCUSED BY DISTRICT

PUNJAB		68	ISLAMABAD		7
Lahore	11		Islamabad		7
Bahawalpur	7				
Faisalabad	3		SINDH		3
Rahim Yar Khan	2		Karachi		1
Sheikhupura	13		Mirpur Khas		1
Muzaffargarh	6		Tharparkar		1
Chiniot	6				
Rajanpur	1		Khyber Pakhtunkhwa		5
Khanewal	4		Peshawar		1
Hafiz Abad	1		Abbottabad		3
Jhang	1		Charsadda		1
Kasur	10				
Taxila	1		Azad Jammu Kashmir		1
Okara	1		Mirpur		1
Rawalpindi	1				

⁶ ICT is Islamabad Capital Territory.⁷ AJK is Azad Jammu and Kashmir.

Recommendations for addressing the abuse of blasphemy laws

Given that the UN Human Rights Committee monitoring the compliance of ICCPR in its general comment No. 34 (2011) on the freedoms of opinion and expression⁸ recommended that all countries should “Repeal all blasphemy laws or amend them in compliance with the strict requirements of the Covenant”.

Moreover, the judicial inquiry held after the Gojra incident in 2009 in Pakistan made 10 concrete recommendations, including a legislative review of the laws, administrative and educational measures.⁹

Hence, it is highly recommended that the government should adopt the following measures without delay:

- a) Bring legislation to introduce safeguards against the abuse of blasphemy laws.
- b) Prosecute and punish the perpetrators using the allegations of blasphemy and incitement to violence.
- c) Compensate people wrongly accused for their losses and provided security to the accused.
- d) Ensure adequate protection of the accused, judges, prosecutors, lawyers, and witnesses in blasphemy cases.

⁸ CCPR/C/PAK/CO/1, Paragraph 34, Concluding Observations of the Pakistan’s review under CCPR

⁹ http://csjpak.org/pdf/Recommendations_of_Gojra_judicial_Inquiry_report.pdf

2. Prevalence of forced conversions

The incidence and reporting of forced, unethical, and compromised conversion inclined in 2021. The government acknowledged the issue by setting up a “Parliamentary Committee to Protect Minorities from Forced Conversions”¹⁰ however the government failed to cultivate any consensus on the “Prohibition of Forced Conversions Bill, 2021” among its rank and file.

2.1. Forced Conversions in 2021

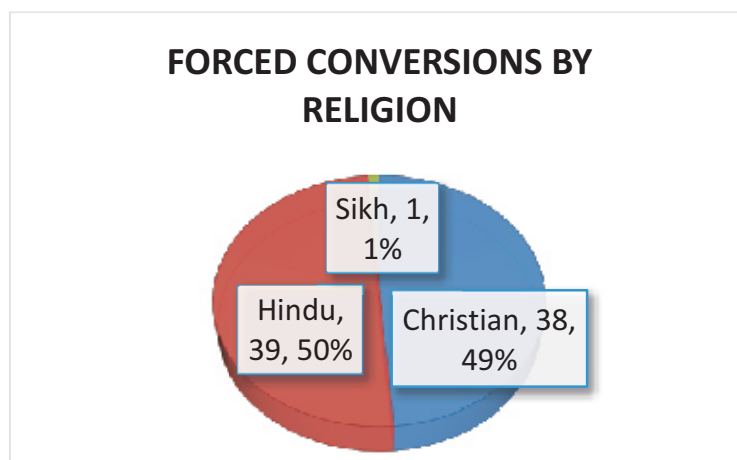
The number of incidents surged once again in 2021 to at least 78 reported cases which should be treated as forced or questionable conversions, according to the working definition adopted by the CSJ.¹¹ Hence, the year under review saw an upsurge of 80% as compared to 2020 and 50% as compared to 2019.



Courtesy: CSJ

In CSJ's view, the upsurge is caused by growing lawlessness¹² that increases the probability of crimes against the weaker sections. Secondly, the lack of action on part of the government regarding this issue appears to embolden the individual as well as organized perpetrators using faith conversions to cover up crimes against minority girls and women.

According to data compiled by CSJ, the involuntary and forced conversions included 39 Hindu, 38 Christian, and one Sikh girls/ women.



¹⁰ https://senate.gov.pk/en/details_standingcommittees.php?id=212

¹¹ [http://csjpak.org/pdf/Working%20Paper%20on%20Forced%20Conversions%20\(English\).pdf](http://csjpak.org/pdf/Working%20Paper%20on%20Forced%20Conversions%20(English).pdf) , p3-4.

¹² Other violent crimes e.g. child abuse and crimes against women, corruption.

76% of the victims were minors (below 18 years of age), furthermore, the age of 18% was not mentioned, therefore there is reason to suspects that these may be also minors. Notably, 33% of victims were 14 years of age or below. Hence only 6% were confirmed major or above 18 years of age.

The highest number of (40) cases was reported in Sindh, followed by 36 in Punjab, while one case each was reported in Khyber Pakhtunkhwa and Balochistan.

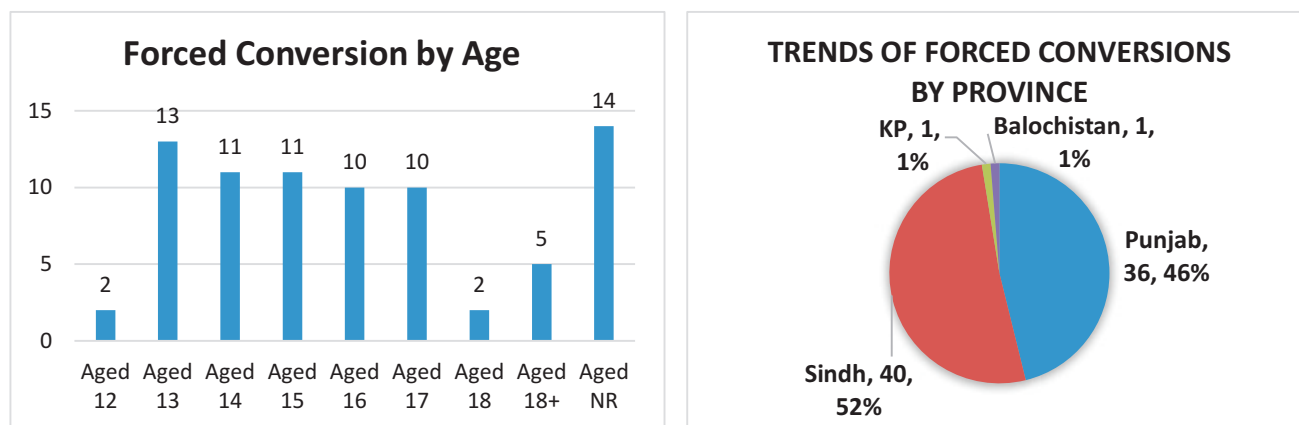


Table 3. Forced conversion by district

Punjab		36	Sindh		40
Lahore		8	Karachi		4
Faisalabad		4	Hyderabad		2
Gujranwala		7	Jamshoro		4
Nankana Sahib		4	Tando Mohammad Khan		1
Sheikhupura		3	Tando Allahyar		1
Jhang		1	Mirpur Khas		5
Sahiwal		1	Tharparkar		5
Rawalpindi / Islamabad		2	Sanghar		2
Bahawalpur		1	Badin		2
Lodhran		1	Nausharo Feroze		2
Kasur		2	Mirpur Mathelo		2
Muzaffargarh		2	Kashmore		2
			Sukkur		1
Khyber Pakhtunkhwa		1	Larkana		1
Haripur		1	Ghotki		3
			Dadu		1
Balochistan		1	Khairpur		1
Sibi		1	Amerkot		1

2.2 Government's response on the issue

- a) Although a few laws exist¹³ that can be used to prevent the forced conversions, however, these laws were rarely used to investigate and protect the victims of forced, unethical and involuntary conversions.
- b) The Parliamentary Committee to Protect Minorities from Forced Conversions failed to approve the legislation on forced conversions.
- c) The two government entities, the Federal Ministry of Religious Affairs and Interfaith Harmony (MoRA) and the Council of Islamic Ideology (CII) resisted¹⁴ any discussion on the draft bill in the parliamentary committee.¹⁵ The major objections raised by them were about; limitation of the minimum age and adoption of a legal procedure for faith conversion. On 13th October 2021, the Parliamentary Committee refused to listen to the arguments offered by minority parliamentarians, and turned down the Prohibition of Forced Conversions Bill, 2021.

Recommendations:

The government of Pakistan is urged to:

- a) Introduce comprehensive law against forced conversions, apprehend and bring the perpetrators involved to justice,
- b) For the ongoing cases, the police, administration, and judicial officers should use the existing protections in the law to prevent the miscarriage of justice,
- c) Undertake educational measures aimed at protecting religious minorities from forced and involuntary conversions.

¹³ For instance; The Child Marriage Restraint Act, 1929 (as amended), The Sindh Child Marriage Restraint Act, 2013, Section 498 B: Pakistan Penal Code 1860

¹⁴ https://senate.gov.pk/en/news_content.php?id=3969

¹⁵ <https://www.dawn.com/news/1642501>

3. Minorities in the national population census

Last national population census conducted in 2017 in Pakistan became controversial even before the final results were announced in 2021 which forced the government to announce holding of an early census.¹⁶

The census results were disturbing for religious minorities as well. For instance, the official census data showed that the minority population fell from 3.73% in 1998 to 3.53% in 2017 (0.18% decrease in 19 years). There was an overall growth of about 60% from 1998 to 2017, whereas the population growth of religious minorities showed surprisingly asymmetrical trends. The growth of Christian population was only 25.71%, while Hindu population inflated 70%, and the scheduled caste population increased exponentially 157.58 %. The Qadiani/Ahmadi population declined 64.28%, “Other religions” (Parsi, Buddhist, Bahai, etc.) declined 60%. The Christian population declined significantly by 0.32% in the aggregate figure.¹⁷



Courtesy: Brandsynario

¹⁶ The results of the 6th National Population Census conducted in 2017 and officially announced in 2021, became controversial on several counts. Acknowledging the objections raised by various quarters, the Government of Pakistan is gearing up to conduct the 7th National Census in August 2022 under the supervision of the Pakistan Bureau of Statistics. The CSJ has been engaging in research and public awareness concerning the 6th population census in general and data on religious minorities in particular.

¹⁷ The Christians formed the largest minority according to 1981 census while the next census in 1998 showed the Christians were the second largest or behind Hindu. 2017 census showed this section of population declined further. No explanation was given for this drastic decline of some minorities and increase of others groups.

In a communication sent to the government, Wajahat Masood and Peter Jacob, the Chairperson and Executive Director of CSJ made recommendations for holding a credible census.¹⁸

Mainly, CSJ urged the government to postpone holding a census to April 2023 to allow proper preparation; removal of the culture of secrecy in gathering and compiling the census data; an early awareness campaign on registration; use of alternative means of verification; confidence-building regarding the release of comprehensive and segregated provisional census results to avoid ambiguities caused by delay in announcement of final census results.

Recommendations for the 7th National Population Census

Based on the analysis of past two censuses, CSJ made the following recommendations to the Pakistan Bureau of Statistics, Ministry of Finance, and Ministry of Planning, Developing & Special Initiatives:

1. Make a realistic assessment of the implementation plan for the census, and postpone data collection till April 2023 in order to ensure that proper preparation is in place.
2. Remove the culture of secrecy in enumeration, data processing, and share the results of the census at all levels (Union Council, Tehsil, and District), in order to build confidence among the masses and all section of the populace.
3. Ensure that vacant posts for population census commission / Bureau at federal and province-level are filled on an urgent basis.
4. Ensure that the persons without verifiable identity documents (e.g. CNIC) are not left out in headcount, and the enumerators are trained to include this category of persons.
5. Launch awareness campaign well in time including the digital self-registration so that the people having access to digital means (mobile, computer, etc.) can effectively avail this facility.
6. Ensure that persons with unclear thumb/fingers impressions or loss of limbs etc. can register using the foot impressions, etc. as alternative means of verification.
7. Engage local civil society organizations/volunteers to assist enumerators in all areas in general and in minority settlements in particular.
8. Ensure that all religious communities such as; Sikhs, Buddhists, Kalash, Jews, Parsi, Baha'i, etc. are counted and presented separately rather than accumulatively as "others" (segregated data, including the social indicators).
9. Ensure that all linguistic, ethnic or racial identities including the nomads or gypsies, and Sheedis (African origin) are counted accurately and presented in the district-level census reports.
10. Organize briefings for the civil society, media, and citizens on regular basis for confidence building, transparency, and awareness on processes of self-registration, enumeration exercise, data verification, and announcement of census results.

¹⁸ <https://www.thenews.com.pk/print/930155-csj-calls-for-accurate-count-of-minorities-population>

- 11.** Release data related to religious minorities, persons with disabilities and transgender community along with the provisional census results to avoid any misunderstandings caused by delays in the announcement of final census results.
- 12.** Ensure that the civil society is invited to observe the National population census as commonly practiced in the general elections.
- 13.** Ensure that the areas included in the census block, charge, circle, etc. are clearly defined by respective names and announced before the conduct of the census to avoid the overlapping and under/over-count, and ensure that the population is counted and presented in the census results accordingly.
- 14.** Ensure that houses in blocks are estimated, realistically through physical visits to the areas before the conduct of the census, and a sufficient number of enumerators are engaged for the census so that no household is left out.
- 15.** The previous data of population and settlement be used to make new maps, making blocks based on the population density.
- 16.** Ensure that complaints related to the inconsistencies in the conduct of census are timely registered/ acknowledged and effectively addressed to ensure that no one is missed out in the enumeration for any reason including a limited timeframe.

4. Issues in education system reforms (Single National Curriculum, etc.)

The government introduced a Single National Curriculum in 2021 for classes 1-5. Some religiously inclusive material was added to the textbook. However, the textbooks and the overall educational approach brought the public education closer to madrassah education. The teaching content is heavily loaded with lessons about the majority religion (Islam) which hardly contributes to the objective of religious tolerance and social cohesion.¹⁹

Public School textbooks violate Article 22 (1) of the Constitution of Pakistan that guarantees “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.”

The students of the religious minorities are deprived of studying their own religion as the textbooks for the subject of religious education were not prepared in 2021.

CSJ's application on this matter remained pending in the Supreme Court of Pakistan. The Supreme Court rejected the report submitted by the Ministry of Federal Education and Professional Training, on inclusive curriculum and directed the body to revise the content to comply with Article 22 (1) of the Constitution of Pakistan.



Courtesy: Sabir Nazar/Dawn Newspaper

¹⁹ <https://www.dawn.com/news/1572130>

4.1. Policy interventions in Punjab

Instead of modernizing education, introducing creative and inquisitive learning, the policy measures introduced during 2020-2021 by the Punjab Assembly, the Governor of Punjab, and the Education Department suggest the progressive objectives of the purported education policy which will be hard to materialize.

The education department acted indiscreetly while introducing this step, raising fears that it will increase religious hostilities in the province. The following policy interventions impact the quality of education as well as the scope of religious freedom for minorities in Punjab:

1. In June 2020, the Punjab Assembly amended the Punjab Curriculum and Textbook Board Act, 2015 adding a sub-section 2(a) to Section 10 (Prohibition) ²⁰, to create a Mutahida Ulema Board (joint board of clerics), assigned to review all manuscripts and approve the textbooks before their publication by the Punjab Curriculum and Textbook Board (PCTB). This has ignited controversies when the publishers were asked to remove pictures of Isaac Newton and Malala Yousafzai from the textbooks.²¹

It is pertinent to note that no other province has constituted an Ulema Board to review the textbooks. Moreover, this step defies the claim and efforts of the federal government about reaching a consensus around curriculum policy for the country.

2. Also in June 2020, the Governor of Punjab made the study of the Holy Quran compulsory for higher education, without providing any alternative to non-Muslim students.²² (This course is already part of the middle and secondary education according to SNC/ The Punjab Compulsory Teaching of the Holy Quran Act, 2018). Hence the question is; should this be necessary both at school and university level education.
3. In November 2021, Lahore High Court (Altmash Saeed VS Government of Punjab) issued a verdict that assigned the district judges an extraordinary task of conducting inspections in schools to check the arrangement for teaching the Holy Quran in all schools across Punjab.²³ There were reports of the judicial officials sealing a few schools for insufficient arrangements, violating the fundamental right of children to schooling. The verdict also visibly impinged upon the separation of functions of the executive and judiciary yet the government failed to file a review of the verdict.
4. Education Department tried to ban co-education (reference circular issued by District Education Officer, Chakwal No. 1721, which was later withdrawn).

²⁰ <http://punjablaws.gov.pk/laws/2589.html>

²¹ <https://www.thenews.com.pk/print/850557-surrendering-space-to-the-right>

²² <https://www.dawn.com/news/1563606>

²³ <https://www.thenews.com.pk/print/908077-punjab-sessions-judges-to-check-if-quran-being-taught-as-separate-subject>

5. In December 2021, the School Education Department notified the compulsory reciting of Darood Sharif²⁴ along with the recitation of the Holy Quran before the National Anthem during morning assemblies in all public and private schools.

(Reference to annex, over 75% of the reported cases under the blasphemy provisions in the past 34 years have taken place in Punjab. Some incidents of false allegation cases involved students and teachers. Hence, this measure carries repercussions on religious tolerance and rule of law in the province. A student from minority faiths who may not be able to pronounce certain Arabic words correctly, or quote a Hadith correctly could be at risk of being accused of blasphemy).

6. During 2020-2021, PCTB failed to implement the decision of the National Curriculum Council/ SNC regarding teaching five minority religions against the subjects of ethics as an alternative to Islamiyat. The PCTB adopted entirely the rest of the policy and model textbooks proposed by the Ministry for Federal Education and Professional Training. Hence, this was a selective application of provincial autonomy in adopting Single National Curriculum in the province under the 18th amendment to the Constitution of Pakistan.
7. Furthermore, the School Education Department Punjab announced the hiring of 70,000 Nazra teachers (clerics) when there is a huge shortage of teachers for the core subjects such as; mathematics, science and social science. (It looks highly inappropriate to sacrifice the learning of core subjects which would contribute to better learning outcomes. In a resource-strapped environment, this is uncalled for and injustice to children, denial of their right to quality education and equity).
8. Regrettably, the government of Punjab continued imposing extreme religiosity upon the students (even children in Early Childhood Education were subjected to ECE kits in 3 languages: English, Urdu, and Arabic).

4.2 Conclusions

Based on the discussion above, it is concluded that various stakeholders and offices in the Punjab government made consistent policy interventions that are religion-specific, discriminatory against minorities, and therefore increase the risk of radicalization in the province.

- The Punjab Curriculum and Textbook Board Act, 2015 amended in 2020 has added confusion to the policy of “single curriculum” to the extent that it is defying the concept and objectives of “public education” as well as “religious education”.
- Apparently, the policy measures added upon religious content, not on religious education. Unfortunately, ignoring the very concept and objective of religious education, i.e.,

²⁴ Durood Sharif is an invocation or a conventionally complimentary phrase which Muslims make after the name of Prophet Muhammad (peace be upon him).

upbringing of a child as an honest, responsible, and God-fearing person. On the other hand, requiring a child to memorize religious texts and creeds in a language that is heavily loaded with theological terms (beyond comprehension anyone in that age) cannot help her/him to appreciate the faith and to be a faithful person.

- The policy steps are not focusing on the ideas of 'basic skills', 'graded vocabulary', 'levels of cognition', and objectives of 'civic sense', 'number of hours in the classroom', and 'time for co-curricular activities'.
- The policy steps openly dismiss the concepts of 'mass education' as well as “primary education” on the other hand the steps overburden the student with a load of written material. Rather, these steps will make public education stand next to seminary education which will be a colossal loss to an already challenged education sector.

Recommendations:

The government stakeholders in Punjab and Federal government are urged to ;

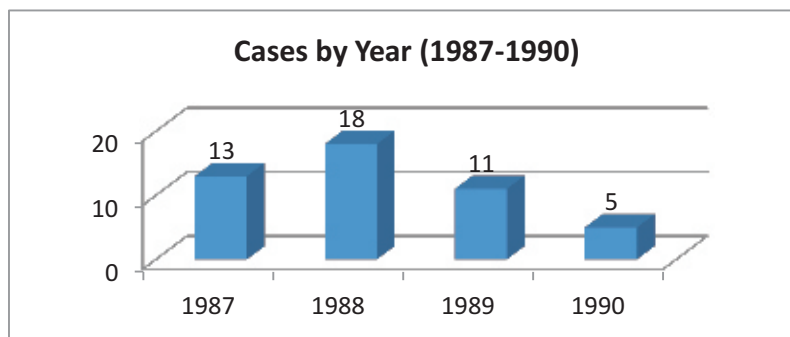
1. Avoid passing any legislation, policy measures in haste and without due consultation with relevant stakeholders in the province including civil society and opposition political parties.
2. Limit the role of Ulema Board to reviewing the subject of Islamiyat only.
3. Approach the Lahore High Court for a review and annulment of judgment mandating the district judges to make inspection visits to schools.
4. Avoid introducing any policy measures in disregard to the constitutional protection of religious freedom and non-discrimination under articles 20, 22 (1) and 25 of the Constitution of Pakistan.
5. Ensure that minority students are not reprimanded for not wanting to study Islamiyat. The government must ensure the provision of teachers to teach minority students, their faith books as promised in the Single National Curriculum.

Annex:

Abuse of Blasphemy Laws: Trends over the years

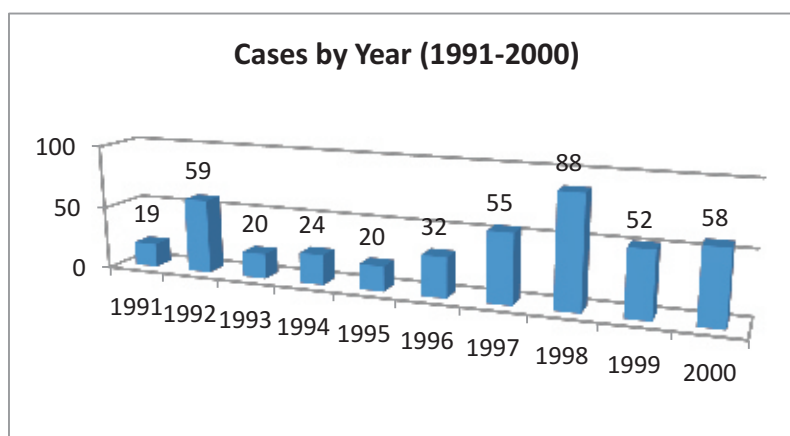
During the initial four years since the enforcement of stringent blasphemy laws introduced under the General Zia regime, not more than 18 cases were reported in a single year. Interestingly, the total number of registered cases remained below 50 between 1987 and 1990.

Graph 1



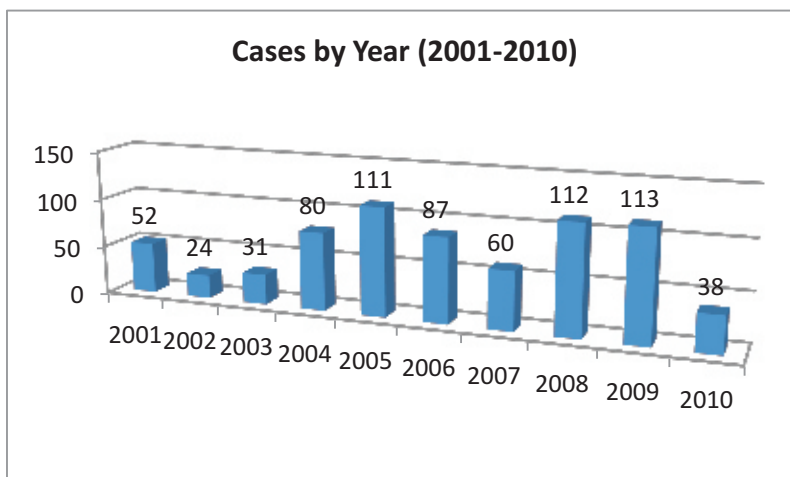
During a decade (1991-2000), the highest number of cases (88) were reported in 1998, followed by 59 in 1992, 58 in 2000, 55 in 1997, 52 in 1999, and so on. The trend regarding the cases under blasphemy laws changed as the registration of 50 cases per year was witnessed five times during a decade (1991-2000), which was not achieved collectively in four years (1987-1990).

Graph 2



During a decade (2001-2010), the highest number of cases (113) were reported in 2009, followed by 112 in 2008, 111 in the year 2005, and so on. Notably, the registration of 100 cases in a single year was witnessed three times during a decade (2001-2010).

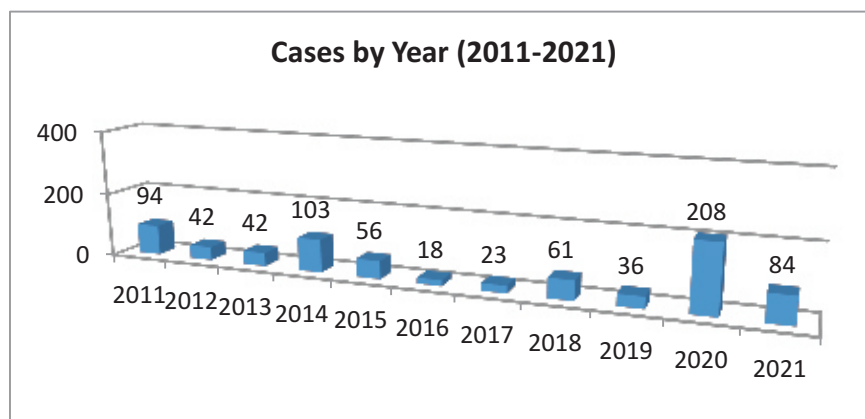
Graph 3



During the last 11 years (2011-2021), the highest number of accused (208) were reported in the year 2020 alone, which include 75% Muslims, while the largest number of victims (70%) belonged to the Shia sect. The others were 20% Ahmadi, 5% Sunni, 3.5% Christian, 1% Hindu and the religion of 0.5% was not confirmed.

Whereas, the year 2021 witnessed a huge decline in the number of cases (84) as compared to the year 2020 with 208 cases. However, the Punjab experienced the highest ratio of abuse of law and religion i.e. 81% in 2021, with Lahore again taking the lead like always. The highest number of accused (53.57%) were Muslims, followed by 29.76% Ahmadis, 8.33% Christians, 8.33% were Hindus in the year 2021.

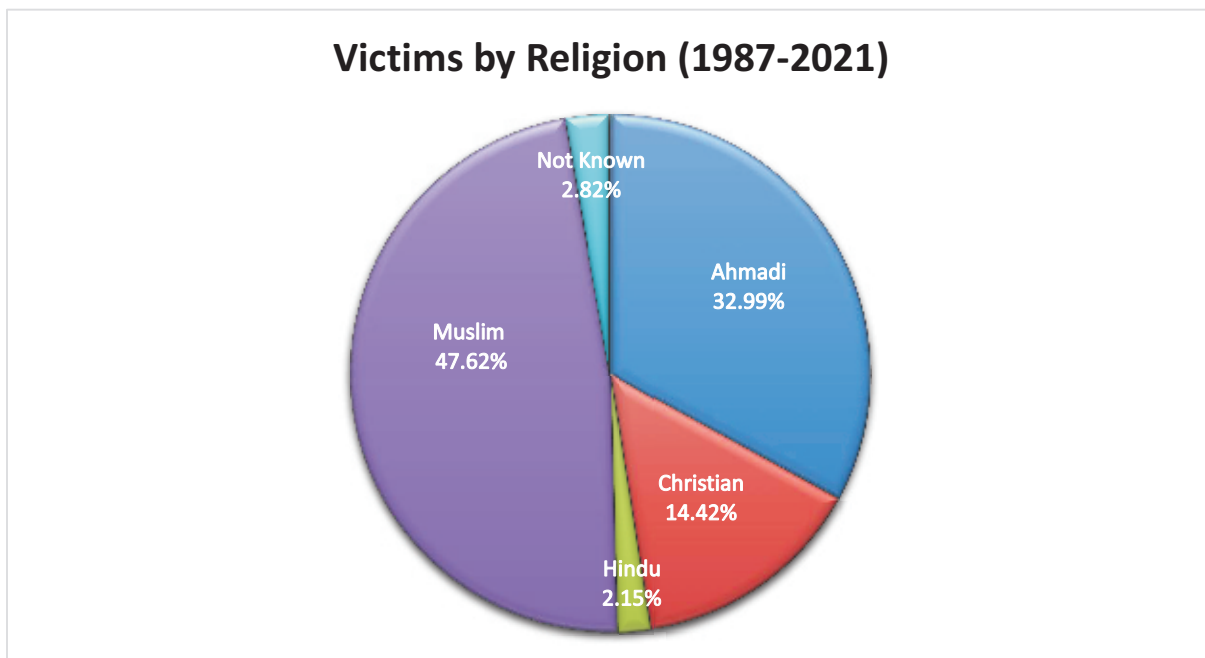
Graph / Bar 4



At least 1949 persons have been alleged under the offenses related to religion, mostly under Sections 295 B, C to 298 C, of the Pakistan Penal Code known as blasphemy laws between 1987 and 2021.

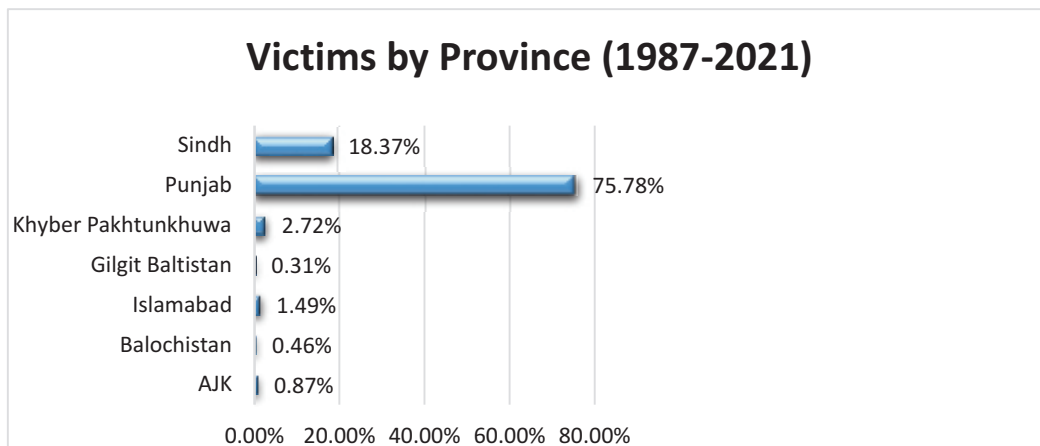
The highest number of accused (47.62%) was Muslims, followed by 32.99% Ahmadis, 14.42% Christians, 2.15% were Hindus, while the religion of 2.82% is not confirmed.

Graph / Bar Chart 5



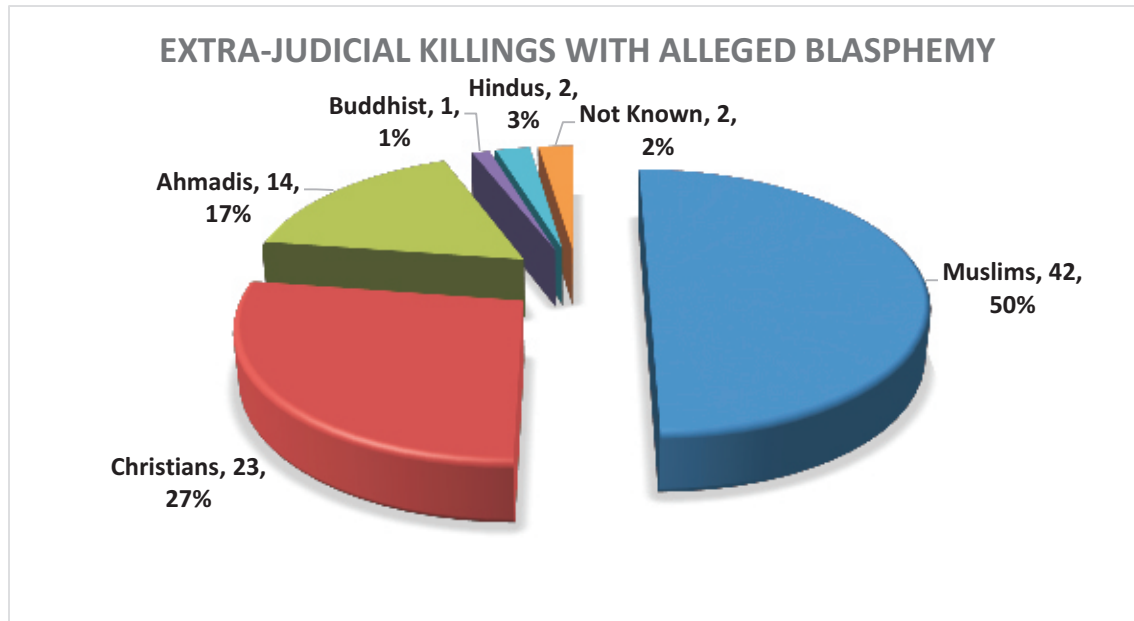
The highest number of cases (75.78%) was reported in Punjab, followed by 18.37% in Sindh, 2.72% in Khyber Pakhtunkhwa, 1.49% in Islamabad, 0.87% in Azad Jammu Kashmir, 0.46% in Balochistan, and 0.31 in Gilgit Baltistan.

Graph / Bar Chart 6



At least 84 persons had been killed extra-judicially after allegations related to blasphemy and apostasy, 42 of whom were Muslims, 23 Christians, 14 Ahmadis, two Hindus, one Buddhist, and two persons whose religious identity could not be ascertained.

Graph 7



Graph 8

