



Blue Mountains Refugee Support Group

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Apostasy, Blasphemy and Pakistan

Prepared for Blue Mountains Refugee Support Group
by Gillian Appleton, August 2013

What follows is a set of quotations from a limited selection of material that provides an accurate overview of the situation faced in Pakistan by persons perceived to be guilty of apostasy or blasphemy. These are people from religious minorities who are seen as questioning their long-standing faith, or weakening their allegiance to it, or converting from it to another faith. In summary such people experience ostracism by their communities and families and come up against a legal system heavily weighted against them. The threat of punishment by death is unambiguous.

This paper is intended for the assistance of lawyers, decision makers and others involved with asylum seekers claiming protection on the basis of exposure to a real risk of serious harm because of genuine or perceived apostasy or blasphemy.

It is emphasised that this is just a small selection from a very extensive and significant body of information available on this issue, but it would seem to be among the most credible, balanced and useful as a foundation and starting point.

1. Synopsis of Silenced: How Apostasy and Blasphemy Codes are Choking Freedom Worldwide by Paul Marshall and Nina Shea, January 2012

<http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199812264.001.0001/acprof-9780199812264-chapter-5>

Pakistan has codified some of the world's most draconian anti-blasphemy laws, which can carry a life sentence or the death penalty. While there have been no official executions for blasphemy, extremists have frequently murdered the accused before, during, or after adjudication, even after an acquittal. A vastly disproportionate number of cases involve the Ahmadi and Christian minorities, who are particularly vulnerable since, in blasphemy cases, their testimonies count for less than that of Muslims. Mobs, whipped into hysteria by blasphemy accusations broadcast from mosques, have assaulted, typically with impunity, the accused, their families, and their coreligionists. attacking houses of worship, homes, and businesses, and destroying entire villages. In Punjab in 2009, after an unsubstantiated accusation that a Qur'an had been desecrated, at least seven Christians were burned alive and over 50 houses torched. Credible reports indicated that extremist groups linked to Al-Qaeda were involved. Muslim reformers are also targeted and silenced. Author Younus Shaikh was sentenced to life in prison for "deviating from the teachings of the Quran" by criticizing *rajam* – stoning for adultery. While officials, such as Minorities Minister Shahbaz Bhatti, have called for rescinding the blasphemy laws, public opinion and entrenched extremists prevent them from acting.

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2. UK Border Agency Guidance Note Pakistan (January 2013)

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/countryspecificasylumpolicyogns/pakistanogn?view=Binary>

3.7.11 Blasphemy laws continued to be misused against Ahmadis and Christians, as well as Shi'a Muslims and Sunnis. Abuse of blasphemy laws persisted. At least 67 Ahmadis, 17 Christians, eight Muslims and six Hindus were charged with blasphemy and several cases were dismissed following dubious accusations or improper investigations by the authorities, according to the National Commission for Justice and Peace.

3.8.6 Pakistan's religious minorities continued to face a series of human rights violations and targeted attacks. The country's Christian population face increasing threats to their lives from the Pakistani Taliban, as well as other Muslim extremists, who demand that they convert to Islam. At village level, Christians are also vulnerable to arbitrary arrest and detention, as they have limited access to justice

3.8.9 The situation is far more difficult for people in Pakistan who are known to have converted to Christianity, than it is for people who were born Christian. It would be rare for someone to convert to Christianity. It is therefore something of note for the community, with potential repercussions. It would be difficult for Christian converts to live freely and openly in Pakistan, (*i.e, specifically*) as converts over and above being Christian. People who are known to have converted to Christianity suffer serious discrimination, for example in the workplace or by the authorities.

3. Article by Nasir Saeed from the Christian Today Website (*Nasir Saeed, director, CLAAS-UK and can be reached at info@claas.org.uk*)

<http://www.christiantoday.com/article/someone.needs.to.hold.pakistan.to.account.on.religious.freedom/33108.htm>

Pakistan is in fact a signatory of the Universal Declaration of Human Rights, with its Article 18 protecting religious freedom. Yet harassment of Christians is a daily occurrence and religious minorities there do not enjoy full religious freedom. For one thing, Islam is the state religion and non-Muslims cannot hold the offices of the president and prime minister. They also cannot become head of any government institute.

Freedom of religion is a much broader concept than simply allowing people to believe in the privacy of their own homes. It encompasses freedom to worship, to practise the faith publicly, and to change one's religion. Although Pakistani laws do not prohibit anyone from changing their religion or belief, there are in reality many cultural, social and religious barriers to doing so and the consequences are often fatal. Even if you were a Christian who converted to Islam and who later wished to return to Christianity, the same difficulties would exist.

In Pakistan, Muslims are unable to change their faith because of strict rules within their religion and unofficial sharia laws. If anybody changes their religion that person becomes an apostate. Apostasy is not illegal under the country's laws, but the family,



Muslim religious leaders and the wider Muslim community would find it utterly unacceptable and there is a good chance the apostate would be killed. Not everyone will be killed. Punishment for deserting Islam depends on the family's background and the environment they are living in, but punishment is inevitable in some form or other.

For example, an old friend of mine, Q I Butt, was from a Muslim background and when he converted to Christianity he was admonished and given a chance to repent. When he stood by his decision, his family disowned him. He got off lightly. It is mostly the case that the person will be killed as happened to Tahir Iqbal, who converted to Christianity and was falsely accused of blasphemy and killed in jail. Ghulam Nabi also converted to Christianity, was accused of blasphemy, and killed by his own family members.

In the case of a Muslim woman there is no mercy. Several years ago a woman called Raheela from Lahore was murdered by her own brother when he came to learn that she was taking an interest in Christianity and wanted to be baptised. After killing her, he presented himself to the police and admitted his sister's murder. Muslims in Pakistan have been too ready to take the law into their own hands in these matters, aware that the law is on their side.

I know of some people who, after converting to Christianity, received death threats and applied for asylum in the UK. Although Pakistani laws do not stop you from changing your religion, at the same time there is no law which can protect you from being persecuted or killed. Pakistan has a dual justice system whereby shariah can be incorporated into the secular laws on the whims of the courts and the police, who often sympathise with the killers and regard the crime they committed as an act of Islam and therefore no crime at all. Not surprisingly, there are 'secret believers' in Pakistan - people who have converted to Christianity but who practise the faith unbeknownst to their Muslim friends and family.

4. Asian Human Rights Commission, 30 July 2013 (also by Nasir Saeed)

<http://www.humanrights.asia/news/forwarded-news/AHRC-FAT-020-2013>

The USCIRF (US Commission on International Religious Freedom) recently published a fact sheet on religious communities in Pakistan, covering the last 18 months. Since January 2012, the Shia community was reportedly attacked 77 times, with 635 members killed and 834 injured. They also suffered 18 bombings and witnessed 46 targeted shootings.

Christians, the second biggest religious community in Pakistan, were attacked 37 times in which 11 were killed and 36 injured. They were also attacked in targeted shootings that claimed three lives, and five Christian girls were raped.

Ahmadis witnessed 54 attacks, including one bombing, 26 incidents of targeted shootings in which 22 Ahmadis were killed and 39 injured.

According to the report, Pakistani Hindus suffered the most in terms of rape. In 18 months, the rapes of at least seven Hindu girls were reported. Not only this, but two Hindus died and four were injured in 16 attacks. Three Hindus were killed in targeted shootings.



The Pakistani Sikhs, a minority within a minority, were attacked three times with one fatality.

Smaller minority groups were attacked 16 times, resulting in 46 deaths and 195 injured victims.

These figures are horrendous and yet the Pakistani government looks the other way. Where else in the world is violence of this level tolerated against minority groups? Look at the developed nations and it becomes quickly obvious that inter-religious harmony and tolerance go hand in hand with national peace and prosperity.

The report paints a grim and challenging picture for the newly elected Pakistani government and instead of dismissing this as a serious priority, it should be making firm plans to break this cycle of useless violence.

It was encouraging that Prime Minister Nawaz Sharif raised concerns about religious minorities during his maiden speech before the National Assembly. However, concentrated and firm action is needed to ensure that perpetrators of violence are brought to justice and punished. This is the only way to deter religious extremists who turn to violence with ease. And while banned militant groups and individuals are responsible for the majority of attacks on religious communities, it is simply not good enough that the police are allowed to turn a blind eye to mob attacks or even refuse to file police reports in cases where the victims are religious minorities. Someone should be holding the police to account.

Conclusion

Any asylum seeker who can produce reliable evidence of having converted to Christianity, or of having declared such conversion openly and/or of being in danger of prosecution under Pakistan's blasphemy laws should under no circumstances be returned to Pakistan.