

Briefing

Pakistan

Religious Freedom Update

SEPTEMBER 2004



Christian Solidarity Worldwide
Voice for the Voiceless

PO Box 99, New Malden, Surrey KT3 3YF

T: 020 8942 8810 **E:** admin@csw.org.uk **W:** www.csw.org.uk

REGISTERED CHARITY NO. 281836

Summary

Christians have come under increasing attack in recent months in Pakistan. At least three Christians have died as a result of injuries caused by attacks by Islamists (two from police torture), several Pakistani Christian girls have been raped and Christian leaders in Quetta, Baluchestan have received threatening letters.

Two primary issues underpin much of the intolerance and violence against Christians, and require urgent attention: the Blasphemy Laws under Section 295 of the Pakistan Penal Code, and the madrassas or Islamic schools, some of which promote militant Islamic terrorism. President Pervez Musharraf recently made a speech in which he called for scrutiny of the Blasphemy Laws, an end to so-called 'honour' killings and a review of the Hudood Ordinances. He has in the past also called for reform of the madrassas. His statements are a welcome development, but he should be encouraged to go further and implement urgently needed reforms. A draft 'Criminal Law (Amendment) Act' has been presented to the National Assembly after consideration by the Council of Islamic Ideology, and it proposes minor amendments to the Hudood Ordinances and the blasphemy laws, but the reforms do not go far enough (see attached press release).

Recent developments

Violence, torture, deaths

- **Nasir Masih** – on August 16, Nasir Masih, aged 26, a Christian, was arrested on false charges of theft after being taken from his home in Baldia, Siekhupura, 45 kilometres from Lahore, by a group of Muslims. He was tortured by the police and died three days later, after sustaining 20 injuries. A case has been registered against ten people, including six policemen. Hundreds of Christians protested at his death, and several were arrested and beaten up by the police. Police have warned local Christians, and especially Haroon Fateh, a lawyer representing Nasir Masih's family, not to pursue the case against the police.
- **Samuel Masih** – on May 28, 2004 Samuel Masih, aged 32, died in hospital as a result of injuries sustained after he was attacked by a policeman with a brick-cutter. On August 23, 2003 Samuel was arrested and held in Lahore Central Jail, charged with blasphemy under Section 295 of the Pakistan Penal Code. He was accused of throwing waste against the wall of a mosque, and beaten up by a Muslim prayer leader and others in Lahore, before being handed over to police. He was held in jail until May 22, 2004, when he was taken to hospital suffering from tuberculosis. A police guard was provided for his security in the hospital, but on May 24 at 4.30am, a police constable attacked him. A fact-finding team investigated the incident and was told by the police that the constable who attacked Samuel had told them that his faith compelled him to try to kill Samuel. "I have offered my religious duty for killing the man. I'm spiritually satisfied and ready to face the consequences,"

the policeman is reported to have said. Samuel's father, Mr. Emanuel, said before his son's death that the family had faced threats after Samuel's arrest. "I do not believe that he committed blasphemy," he said. "It is a wrong allegation against my son. We were threatened and harassed and warned that if we will pursue his case, we will face dire consequences. That is why we were not pursuing his case. I want to see [him] alive. Kindly pray for his life."

- **Javed Anjum** – on May 2, 2004 Javed Anjum, aged 19, died as a result of injuries caused by five days of torture for refusing to convert to Islam. Javed Anjum, from Quetta in Toba Tek Singh District, was travelling to Pir Mahal to attend a wedding, but went missing on April 16, 2004 before reaching his destination. On April 22, Maulvis (mullahs) from the madrassa, the Jamia Hassan Bin Ali-ul-Murtaza, in Chak (village) 323 JB Tarandi, Toba Tek Singh district handed Javed to the police, after torturing him for five days and nights. The police refused to take him because he was badly injured, and called his father instead. The torture included electric shocks and burns from warm iron rods, and he suffered 26 injuries. After 11 days, he died in the Allied Hospital in Faisalabad at 2.12am on May 2. Doctors said his kidneys had failed and he had undergone dialysis four times. His right arm was fractured, and electric shocks to his ears had affected his hearing. According to the doctors' report, "his bladder stopped working. Instead of urine, he was passing blood or puss." In his statement to the police before he died, Javed said: "I was searching for water near the Islamic madrassa when the Maulvis (mullahs) took me inside and told me that I was a thief and was trying to steal the water pump. I rejected the charge and told the Islamic leaders that I am a Christian youth and a student. I had come here to attend a marriage. As soon as the Islamic extremists came to know that I am Christian they asked me to convert to Islam. I refused and they started torturing me. They would continue the torture from night till morning. They tortured me badly and during the torture they continuously asked me to accept Islam." The police have registered a case against one of the suspects, Moulana Ghulam Rasool, and several of his companions under 337/F6 of the Pakistan Penal Code.
- **Threats in Quetta:** Church leaders, including the directors of Christian institutions, in Quetta received at least three different threatening letters, according to sources in Pakistan. One pastor, Wilson Fazal, went missing after receiving a letter which stated: "Christians of Quetta, you are displeasing God ... Accept the faith of jihad ... Get ready, ready, ready, or else." Christians were promised large sums of money if they converted – and, according to the Pakistan Christian Post, "bullets, if it were to be spurned". Compass Direct reported that one of the letters began with a pencilled sketch of Osama bin Laden. Six other Pentecostal church leaders went into hiding. Pastor Fazal escaped from his kidnappers and is now in a safe place, although he had been severely tortured for refusing to convert to Islam.

Rape

- **Neha, aged two-and-a-half years old:** On April 6, 2004 at 2pm at the Shamsi Dairy Farm, Terrg Rore Rahwali village, Gujranwala district, Abid Hussein raped two-and-a-half year-old Neha, a Christian girl. While Neha's

mother, Sajjida Munir, went to the market to do her Easter shopping with her elder son and daughter, and her father, Munir Masih, worked at the Shamsi Dairy Farm near the family home, Neha and her younger brother Cornelius were at home. Abid Hussein, who also worked on the farm, went to Munir Masih's home and on finding the children alone, he took Neha into the field and raped her. When Sajjid, Neha's mother, returned she could not find her daughter. Finally, they located her in a field near the farm pond, bleeding and in a critical condition. She was then taken to hospital, where doctors believe she will require at least five or six operations and predict that she will never be able to give birth. The case has been registered under Hudood Ordinance section 10-7/79 FIR No. 186/2004 in the Cantt police station in Gunjanwala.

- **Sharee Komal, aged 7:** on May 29, she was raped and tortured by a Muslim man, allegedly Ali Bhadar, in Lahore. She was found near a graveyard under a railway bridge on the Qurban line, hysterical, badly bruised, and covered in blood. The case has been registered under Hudood Ordinance section 10-7/79 FIR No. 231/24 at Race Course Police Station in Lahore.

Our source in Pakistan said: "Minority women in Pakistan are facing discrimination, hate, violence and sexual harassment which have intensified. Many Christian girls and women have been kidnapped, raped, tortured and forcefully converted to Islam and their cases have been published in the media but the government authorities took no notice and action to mitigate the violence committed against minority women."

Current blasphemy cases:

Although some cases have resulted in acquittal, such as Aslam Masih and Rasheed and Saleem Masih in 2003, and Ayub Masih in 2002, and although Anwar Masih was released on bail this month, there are currently several blasphemy cases awaiting trial, and many convicted and jailed for blasphemy. In 2001 alone, at least 40 Muslims, 23 Ahmadis, 10 Christians and two Hindus were charged with blasphemy. In June 2003, Mohammed Yousaf Ali, a Muslim cleric, was shot dead in jail in Lahore, where he was serving a sentence for blasphemy. He had been sentenced to death for blasphemy in August 2000. It is therefore important to recognise that the Blasphemy Laws do not only affect Christians.

Current cases include:

Pervez Masih – a Christian headmaster from Daska. He was accused of blasphemy during a school lesson and arrested on April 1, 2001. He has been charged under section 295C. According to local sources, the complaint was filed by a rival Muslim in a malicious attempt to force Pervez Masih into closing down his school. The local Bar Council had announced that any lawyer taking up Pervez Masih's case would be killed, and Islamic militant groups such as the Lashkar-e-Tayyaba and the Sipah Sihaba have declared that those pleading for him and helping him would be dealt with severely.

Augustine Ashiq Masih (alias Kingri Masih) – from Mahalla Saeedabad, Faisalabad district, was convicted of blasphemy by the Faisalabad District and

Sessions Court on June 29, 2002. In addition to the mandatory death sentence, presiding Judge Chaudhry Mohammad Rafique also fined Kingri Masih 50,000 Rupees (£650) for making blasphemous remarks against the Prophet Mohammed. It is believed that Kingri Masih, a Catholic by birth, embraced Islam in order to marry a Muslim girl. He was charged with blasphemy under section 295C in May 2000 after he attempted to return to his Christian faith. His accuser was reportedly associated with the militant group Lashkar-e-Taiba (Army of the Pure).

It should be remembered that once accused of blasphemy, a person's life is in serious danger. Although the death penalty has not been carried out by the State in any of the blasphemy cases, the accused face the threat of attack from militant groups. Even if acquitted, the accused usually have to go into hiding because of the risk of attack by militants. In 1992, Tahir Iqbal, a Christian convert from Islam, was poisoned to death in jail. Niamat Ahmer, a teacher, poet and writer, was murdered by extremists in 1992, accused of blasphemy. Bantu Masih, aged 80, was stabbed and killed in the presence of the police in 1992, and Mukhtar Masih, aged 50, was tortured to death in police custody. In 1994, Salamat Masih, aged 12, Manzoor Masih aged 37 and Rehmat Masih, aged 42, were fired on in front of the Lahore High Court by extremists, after they had been acquitted of blasphemy. Manzoor Masih died on the spot, while Salamat and Rehmat sustained serious injuries. One of the judges in that trial, Arif Iqbal Bhatti, was later murdered.

The Senior Judge of Lahore High Court, Justice Nazir Akhtar, has said in a public statement that, "it is a religious obligation to kill the blasphemer on the spot without trial". That illustrates how dangerous the climate in Pakistan is under this law. The Government and police have failed to protect those accused, and the law has only led to an increase in religious intolerance and violence.

Hudood Ordinances:

According to the Hudood Ordinances:

- While non Muslims are tried under Hudood, non-Muslim lawyers cannot appear in federal Sharia Court and non-Muslims cannot sit as judges on its benches.
- A Muslim can testify against a non-Muslim but a non-Muslim cannot testify against a Muslim in Hudood cases.
- Under section 8/B of Hudood Ordinance, a rape victim is required to bring four adult male Muslim eyewitnesses - non-Muslim do not qualify.
- In section 04, if the rape victim is unable to bring the required number of eyewitnesses, she automatically stands accused of adultery.
- According to the ruling of the High Court, if a non-Muslim married woman embraces Islam, her previous marriage is automatically annulled. Many people use this as a weapon to cover up their crimes. They abduct, torture and rape minority women and declare that they are converted to Islam. It is very easy to get a certificate of conversion from any mosque to cover their crime, which cannot be challenged by the courts.

Action

President Musharraf

President Pervez Musharraf recently made a speech in which he called for a law banning honour killings, and recommended that the Hudood Ordinances and the Blasphemy Laws be scrutinised to prevent further abuses. Speaking to the National Commission for Human Rights in Islamabad, the President said that a law banning honour killings would “lend more strength to Pakistan’s efforts to do away with this intolerable practice”. Over 600 women were killed in the name of honour in Pakistan in 2003, according to the Human Rights Commission of Pakistan (HRCP).

We welcome the President’s words, but would encourage him to go further than ‘scrutinising’ the Blasphemy Law and actually reform or repeal the laws.

European Union

CSW has made several representations to the European Commission, the President of the European Council of Ministers, and to Members of the European Parliament. The current President of the European Union, Ireland, and the European Commission’s Directorate General for External Relations have carried out several human rights démarches, the latest on May 31, 2004 to the Pakistani Minister of State for Law, Justice, Human Rights and Parliamentary Affairs, Mr. Raza Hayat Hiraj.

UK

CSW has regularly raised these issues with the Foreign & Commonwealth Office, and with Members of Parliament in the UK.

For further information, please contact Ben Rogers, Advocacy Officer for South Asia at CSW-UK, on (+44) (0) 208 329 0041 or email: ben@csw.org.uk, or view our website: www.csw.org.uk for press releases and other information.