

April 3, 2014

The Honorable John Kerry
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Kerry,

We write as an informal group of organizations and individuals who are scholars, religious leaders, human rights advocates, and practitioners to strongly urge you to designate Pakistan as a “Country of Particular Concern” (CPC) in accordance with the International Religious Freedom Act (IRFA) of 1998.

The Act requires the Secretary of State (delegated through Presidential authority) to designate any country that has "engaged in or tolerated particularly severe violations of religious freedom" as a CPC. The IRFA notes that these violations must be systematic, ongoing, and egregious, such as the “flagrant denial of the right to life, liberty, or the security of persons.”

Religious minorities in Pakistan, including Hindus, Christians, Ahmadi Muslims, and Shia Muslims, face systematic persecution and violence, and their religious freedom is severely restricted by the government through discriminatory laws. The government has also tolerated large-scale anti-minority violence by radical militant organizations and allowed such groups to operate with impunity.

Pakistan should therefore be categorized as a “Country of Particular Concern” under the IRFA, consistent with the U.S. Commission on International Religious Freedom (USCIRF)’s annual recommendation for the past ten years.

The following provides a brief overview of the types of religious freedom violations occurring in Pakistan, but by no means encompass the complete extent of the persecution prevalent in the country.

Discriminatory Laws

Pakistan’s legal framework sanctions religious discrimination and institutionalizes the inferior status of minorities through restrictive constitutional injunctions and highly prejudicial laws. Foremost among them are the anti-blasphemy provisions, enshrined in sections 295B, 295C, and 298A - C of Pakistan’s Penal Code. These sections impose severe punishments, including the death penalty for insults to the Prophet Mohammed or desecration of the Koran, and disproportionately impact minorities. There are currently 16 people on death row for blasphemy charges, 20 serving life sentences, and many more languishing in jail in oppressive conditions while their cases are still pending. A 2012 Centre for Research and Security Studies (CRSS) report on the blasphemy laws

asserts that since the laws' inception, 52 people were murdered, while facing blasphemy charges. Out of that total, 22 were non-Muslims

Pakistan's anti-blasphemy laws further prohibit Ahmadi Muslims from using Islamic terminology and symbols and from "preaching their faith or pos[ing] as Muslims." Ahmadi Muslims are thereby effectively prevented from openly observing the tenets of their faith and face criminal penalties for basic religious practices. At the beginning of 2014, for instance, an elderly Ahmadi man was arrested and jailed for reciting a passage from the Koran and explaining the tenets of his sect.

In addition, these archaic laws have often been used to attack and harass non-Muslims or Muslims from minority communities. On March 27, 2014, a Christian man, Sawan Masih, was sentenced to death by hanging by a Pakistani court for allegedly making blasphemous remarks about the Prophet Mohammed last year. Following his alleged blasphemous statements, Muslim mobs set 150 Christian homes and two churches on fire in his neighborhood in Lahore. And on March 16, a Hindu community center and temple in Larkana, Sindh were attacked and set on fire by a mob of 200 Islamic seminary students, after rumors circulated that a Hindu man, Sanjeet Kumar, burned pages of the Koran. He was arrested, along with his family, under the country's blasphemy laws. The violence subsequently spread to surrounding cities as well affecting dozens of Hindu owned businesses.

Beyond anti-blasphemy legislation, constitutional preference for Islam, religious identification laws, the lack of a mechanism to formally register Hindu marriages, and government control over Hindu and Sikh places of worship have resulted in systematic and ongoing violations of religious freedom. Management of Hindu and Sikh religious institutions by the government administered Evacuee Trust Property Board (ETPB), for instance, has led to the destruction and the illegal occupation or sale of hundreds of Hindu and Sikh temples, cremation grounds, and burial sites over the past several years. A new survey released by the All Pakistan Hindu Rights Movement (PHRM) recently revealed that 408 Hindu temples out of 428 have been sold, converted to commercial properties, or destroyed since 1990.

Anti-Minority Attacks

A wide range of radical militant groups operate with impunity across Pakistan and have enjoyed varying degrees of support and patronage from the military and Inter-Services Intelligence (ISI) agency, according to many South Asia analysts, such as Daniel Markey. These groups also enjoy extensive ties to the civilian government under the leadership of Prime Minister, Nawaz Sharif. Pakistani journalist, Reema Abbasi, for instance, alleges that "crimes of intolerance perpetrated by Islamist radicals escalate by the day," and are tolerated by the government.

Religious minorities and members of minority Muslim sects, in particular, have been the victims of large-scale militant attacks. The Christian community experienced its deadliest attack in Pakistani history in 2013, when Pakistani Taliban (Jundallah faction) suicide bombers attacked the All Saints Church in Peshawar, killing 81 and injuring at least 140. Following the bombing, a Jundallah representative asserted that, "[Christians] are the enemies of Islam, therefore we target them. We will

continue our attacks on non-Muslims on Pakistani land.” Similarly, militant groups, including Lashkar-e-Jhangvi attacked and killed more than 400 Shia civilians in multiple attacks throughout 2013.

Law enforcement and government officials have often failed to prevent such attacks and have been unwilling to clamp down on these groups.

The justification for much of the violence and religious extremism in Pakistan can be found in part in the nation’s education system, which has become increasingly intolerant in recent years. Recent reports by USCIRF and the National Commission for Justice and Peace (NCJP) demonstrate that Pakistani public schools and madrassas (Islamic seminaries) propagate intolerance and hatred towards non-Muslims, particularly Hindus and Christians, while glorifying violence and jihad.

Sexual Violence Against Minority Women

Gender based violence in Pakistan is used as a weapon of subjugation, and a means to intimidate and harass minority communities. According to NCJP, 76% of minority women in Pakistan reported that they had been subjected to sexual harassment or abuse.

Moreover, recurring reports from human rights groups point to an alarming trend of the abduction and forced conversion of non-Muslim women and girls. Global Human Rights Defence (GHRD) estimates that more than 1,000 Hindu and Christian girls are kidnapped and forced to convert to Islam every year. Similarly, the Asian Human Rights Commission (AHRC) asserts that 20-25 Hindu girls are kidnapped every month in Sindh province alone, many younger than ten years old. After being abducted, the girls are held against their will in madrassas, converted to Islam, and subsequently force them to marry Muslims. Many are later raped, sold off, or forced into prostitution.

On January 16, 2014, an eight year old Hindu girl, Sumera Devi, was abducted while playing outside her home in Khanpur in Punjab province. She was found the next day lying dead in a nearby field. An autopsy report confirmed that Sumera Devi had died while in the midst of being raped. The following month, two Hindu sisters, six year-old Jumna and her ten year-old, Pooja, were abducted in Mirpurkhas, Sindh, while selling clay toys and utensils door to door to help their impoverished family. They were taken to a mosque, converted to Islam, and later found by police living in the home of a Muslim man.

Law enforcement, government officials, and the judiciary have collectively failed to stop such incidents and are frequently complicit in perpetuating this practice.

Recommendations

The situation for religious minorities has never been worse in Pakistan. As conditions continue to rapidly deteriorate, it is imperative that the State Department play a leading role in addressing this culture of impunity by designating Pakistan as a “Country of Particular Concern.” While

acknowledging the complex nature of U.S. - Pakistan relations, we firmly believe that such a designation is necessary at this critical juncture and can help expedite long-overdue reforms.

Additionally, labeling Pakistan as a CPC will help further our national interests in preventing the growth of religious extremism and militancy. Finally, bringing international attention to Pakistan's religious freedom record through a CPC designation will help strengthen civil society and moderate forces in the country.

We hope to work with you on this urgent matter and please inform us should you need additional information or other materials on this subject.

Respectfully,

ORGANIZATIONS

HINDU AMERICAN FOUNDATION

AMERICAN HUMANIST ASSOCIATION

AMERICAN JEWISH COMMITTEE

CENTER FOR INQUIRY

CHURCH OF SCIENTOLOGY NATIONAL AFFAIRS OFFICE

INSTITUTE FOR GILGIT BALTISTAN STUDIES

INSTITUTE ON RELIGION AND PUBLIC POLICY

INTERNATIONAL INSTITUTE FOR RELIGIOUS FREEDOM

JUBILEE CAMPAIGN

MUSLIM PUBLIC AFFAIRS COUNCIL

NORTH AMERICAN RELIGIOUS LIBERTY ASSOCIATION

RUSSIAN ORTHODOX AUTONOMOUS CHURCH OF AMERICA

SINDHI AMERICAN POLITICAL ACTION COMMITTEE

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