

Religious freedom in Pakistan

European Parliament resolution of 20 May 2010 on religious freedom in Pakistan

The European Parliament,

- having regard its previous resolutions on human rights and democracy in Pakistan, in particular those of 12 July¹, 25 October² and 15 November 2007³,
 - having regard to the Council conclusions adopted on 16 November 2009 on freedom of religion or belief, in which it underlines the strategic importance of this freedom and of countering religious intolerance,
 - having regard to the EU-Pakistan Joint Statement of 17 June 2009, in which both sides underlined the importance of an integrated long-term strategy including social and economic development and the rule of law, as well as acknowledging the significance of non-military means in countering terrorism,
 - in anticipation of the second EU-Pakistan Summit on 4 June 2010,
 - having regard to the resolution on ‘Combating Defamation of Religions’ adopted by a narrow majority in the UN Human Rights Council on 25 March, which is proposed annually by Pakistan on behalf of the Organisation of the Islamic Conference (OIC),
 - having regard to the statement of 4 April 2010 by EU High Representative Catherine Ashton on attacks in Pakistan, as well as that of 20 April 2010 on the adoption of the 18th Constitutional Amendment,
 - having regard to Article 18 of the 1948 Universal Declaration of Human Rights (UDHR),
 - having regard to the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas Article 3(5) of the Treaty on European Union states that the promotion of democracy and respect for human rights and civil liberties are fundamental principles and aims of the European Union and constitute common ground for its relations with third countries,
- B. whereas the majority and state religion of Pakistan is Sunni Islam, and minority religious groups consist of Christians, Hindus, Sikhs, Shiites, Ahmadis, Buddhists, Parsis, Bahá’ís and others,

¹ Texts adopted, P6_TA(2007)0351.

² OJ C 263 E, 16.10.2008, p. 666.

³ OJ C 282 E, 6.11.2008, p. 434.

- C. whereas Pakistan is one of the key countries in the fight against terrorism and the spread of violent extremism,
- D. whereas its internal stability and democratic institutions are being put to a severe test by the increasing number of violent attacks by extremists which occur on an almost daily basis,
- E. whereas the unceasing threat by radical Muslim forces operating on both sides of the Pakistan-Afghanistan border make concerted international efforts to support and invigorate economic and social development in Pakistan ever more imperative,
- F. whereas equal rights for minorities featured in the vision of the founding father of Pakistan, Mohammed Ali Jinnah, as expressed in his speech to the Constituent Assembly in 1947: ‘You may belong to any religion, caste or creed – that has nothing to do with the business of the State... We are starting with this fundamental principle that we are all citizens, and citizens of one State’,
- G. whereas the Fundamental Rights chapter of the 1973 Constitution of Pakistan guarantees ‘freedom to profess religion and manage religious institutions’ (Article 20), equality of all citizens (Article 25) and the ‘legitimate rights and interests of minorities’ (Article 26),
- H. whereas, on the other hand, Article 260 of the Constitution differentiates between Muslims and non-Muslims, thereby allowing discrimination on the basis of religion,
- I. whereas reports and surveys done by independent agencies reveal that minorities in Pakistan are deprived of basic civil liberties and equal opportunities in jobs, education and political representation,
- J. whereas it is estimated that over 85% of women in Pakistan face domestic abuse, which includes physical and psychological abuse; whereas violence against girls and women, including rape, domestic violence and forced marriages, continues to be a serious problem, part of which can be attributed to Sharia law,
- K. whereas the Government of Pakistan appointed a spokesman for minorities and Member of the Pakistan Parliament Shahbaz Bhatti as Federal Minister for Minorities Affairs in November 2008, while also elevating this position to cabinet level for the first time,
- L. whereas in the period since November 2008 the Government of Pakistan has created a quota of five per cent for minorities in the federal jobs sector, recognised non-Muslim public holidays, declared 11 August to be National Minorities Day, and reserved Senate seats for minority representatives,
- M. whereas on 25 December 2009 President Asif Ali Zardari reiterated the pledge of the Pakistan People’s Party to uphold the right of all minorities to be treated as equal citizens,
- N. whereas there is a contradiction between the Government of Pakistan’s commitment to freedom of religion and its leading role in the OIC in endorsing the ‘Combating Defamation of Religion’ agenda at the United Nations,
- O. whereas the legal provisions known as the ‘blasphemy laws’, introduced in 1982 and 1986, undermine the fundamental religious and minority rights granted by the Constitution; whereas the death sentence or lifelong imprisonment are prescribed under Section 295 C of

the Pakistan Penal Code (PPC) in cases of blasphemy,

- P. whereas the blasphemy laws are misused by extremist groups and those wishing to settle personal scores, and have led to an increase of violence against members of religious minorities, particularly Ahmadis, but also Christians, Hindus, Sikhs, Shiites, Buddhists, Parsis, Bahá'ís and critical citizens who dare to raise their voice against injustice,
 - Q. whereas the vast majority of people accused under the blasphemy laws are Muslim, but accusations against individuals from minority faiths can trigger disproportionate violence against their community as a whole; whereas it was blasphemy accusations that triggered anti-Christian mob violence in Gojra and Korian in summer 2009, leaving eight dead and at least a hundred houses destroyed,
 - R. whereas 76 people were charged with blasphemy in 2009 in 25 registered cases, including 17 people charged under Section 295C of the Pakistan Penal Code (PPC),
 - S. whereas lawyers and human rights activists in Pakistan experience frequent death threats and harassment, and lawyers who defend blasphemy cases are especially vulnerable to such risks, and whereas even many of those who have been successfully acquitted have to spend the remainder of their lives in hiding,
 - T. whereas in August 2009 Pakistan Prime Minister Gilani announced the setting up of a committee to review and improve 'laws detrimental to religious harmony', alluding in his statement to the blasphemy laws of 1982 and 1986; whereas, however, no such revisions have been proposed to date,
 - U. whereas Ahmadiyya Muslims in Pakistan suffer frequent discrimination and persecution, underpinned by the anti-Ahmadiyya provisions in Section 298 of the Pakistan Penal Code, a recent example being the murder of a retired Ahmadi professor by masked gunmen on 5 January 2010,
 - V. whereas the Government of Pakistan is in the process of ratifying the International Covenant on Civil and Political Rights and the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
1. Welcomes the measures taken in the interest of religious minorities by the Government of Pakistan since November 2008, such as establishing a quota of five per cent for minorities in the federal jobs sector, recognising non-Muslim public holidays and declaring National Minorities Day;
 2. Fully supports the efforts of the Federal Minister for Minorities Affairs in establishing a network of Local Interfaith Harmony Committees to promote dialogue and ease religious tensions; calls upon all other levels of government, including States, fully to endorse these measures;
 3. Welcomes the commitment made by the Prime Minister of Pakistan to granting property rights to minority slum dwellers in Islamabad;
 4. Welcomes the Government of Pakistan's undertaking to provide minority seats in the Senate, including for female representatives of minority groups in the Senate, and hopes that these commitments will be honoured;

5. Invites the Pakistan Government to review the practice of including the religious identity of its citizens in all new passports, with a view to avoid all discriminatory practices;
6. Expresses its solidarity with the Government of Pakistan in the fight against terrorism and the spread of violent extremism;
7. Expresses its deep concern that the blasphemy laws – which can carry the death sentence in Pakistan and are often used to justify censorship, criminalisation, persecution and, in certain cases, the murder of members of political, racial and religious minorities – are open to a misuse that affects people of all faiths in Pakistan;
8. Calls upon the Government of Pakistan to carry out a thoroughgoing review of the blasphemy laws and their current application, as well as – inter alia – of Section 295 C of the Penal Code, which prescribes a mandatory death penalty for anyone found guilty of blasphemy, and in the meantime to implement amendments as suggested by the Federal Minister for Minority Affairs;
9. Calls on the Government to follow through with its 2008 promise to commute all death sentences to prison terms as a first step in the direction of abolishing the death penalty;
10. Recalls the Commission's repeated statement, in response to written parliamentary questions, that it is closely following the Government of Pakistan's response to the mob violence triggered by blasphemy accusations in Gojra and Korian; calls also on the Commission to request details of tangible progress made, particularly with regard to bringing the culprits to justice;
11. Expresses its particular concern at the ongoing discrimination against and persecution of the Ahmadiyya community in Pakistan, and calls upon the Government of Pakistan to repeal Section 298 of the Pakistan Penal Code, which severely restricts the daily lives of this group, and to discourage inflammatory events such as the 'End of Prophethood' Conferences in Lahore;
12. Asks the Pakistani authorities to implement fully the judgment of the Supreme Court of Pakistan whereby they are to ensure registration of all eligible voters in the new electoral rolls, including Ahmadiyya Muslims;
13. Is concerned about the possible misuse of the "Combating Defamation of Religion" campaign at the UN, stressing the Council conclusions of 16 November 2009;
14. Calls on the Government of Pakistan to ratify fully and without reserves the 1966 International Covenant on Civil and Political Rights and the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; considers that freedom of belief as enshrined in the UN Covenant provides the appropriate framework and reference to which all signatories should adhere, providing protection for their citizens in order to enable them to exercise their faith freely;
15. Calls on the Government to guarantee the human rights of minorities laid down in the Constitution and the Universal Declaration of Human Rights, notably Article 18 thereof, which provides that 'everyone has the right to freedom of thought, conscience and religion';
16. Supports all initiatives aimed at promoting dialogue and mutual respect among

communities; calls on political and religious authorities to promote tolerance and to take initiatives against hatred and violent extremism;

17. Urges the Pakistani Government to implement the proposed reforms of the education system and to regulate and inspect Madrasas; invites the Pakistani authorities to remove all propaganda promoting hatred, religious superiority and defamation of religion from the textbooks approved by the national curriculum wing of the Ministry of Education;
18. Invites the Government of Pakistan to facilitate a visit by the UN Special Rapporteur for Freedom of Religion or Belief, Ms Asma Jahangir, to Pakistan;
19. Invites the Council and the Commission to include the rights of minorities in Pakistan in the agenda for the forthcoming summit with a view to initiating early reform of discriminatory blasphemy legislation;
20. Calls on the Council to include the issue of religious tolerance in society in its counter-terrorism dialogue with Pakistan, this matter being of central importance to the long-term fight against religious extremism;
21. Calls on the Member States and the Commission to continue with financial support for human rights organisations and defenders, and to outline practical measures to support the growing civil society movement in Pakistan against the blasphemy laws and other discriminatory legislation;
22. Recalls the Commission's repeated statement, in response to written parliamentary questions, that it is closely following the Government of Pakistan's response to the anti-Christian violence in Gojra and Korian, and calls on the Commission to request details of tangible progress made, particularly with regard to bringing the culprits to justice;
23. Calls on the Council and the Commission to insist that the Government of Pakistan uphold the democracy and human rights clause enshrined in the Cooperation Agreement between the European Union and the Islamic Republic of Pakistan; calls on the Commission to present a report on the implementation of the Cooperation Agreement and the democracy and human rights clause;
24. Calls on the Council to support the Government of Pakistan in the development of its Ministry for Human Rights and in establishing a meaningful, independent and authoritative National Human Rights Commission;
25. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, and the Government and Parliament of Pakistan.