

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	294
Land:	Pakistan
Kilde:	British Home Office
Titel:	Country Information and Guidance. Pakistan - Christians and Christian Converts
Udgivet:	Februar 2015
Optaget på baggrundsmaterialet:	17. juni 2015

Country Information and Guidance

Pakistan: Christians and Christian Converts

February 2015

Preface

This document provides guidance to Home Office decision makers on handling claims made by nationals/residents of – as well as country of origin information (COI) about – Pakistan. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the guidance contained with this document; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this document has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the European Asylum Support Office’s research guidelines, [Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve the guidance and information we provide. Therefore, if you would like to comment on this document, please [e-mail us](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

It is not the function of the IAGCI to endorse any Home Office material, procedures or policy.

IAGCI may be contacted at:

Independent Chief Inspector of Borders and Immigration,

5th Floor, Globe House, 89 Eccleston Square, London, SW1V 1PN.

Email: chiefinspectorukba@icinspector.gsi.gov.uk

Website: <http://icinspector.independent.gov.uk/country-information-reviews>

Contents

Section 1: Guidance	4
1. Introduction	4
2. Consideration of Issues	4
3. Policy Summary	7
Section 2: Information	8
1. Overview	8
2. Blasphemy Laws	8
3. Demography	8
4. Violence and Discrimination Against Christians	9
4.1 Generally	9
4.2 Use of Blasphemy Laws	11
4.3 Women	12
4.4 Christian converts	12
Annex A: FCO Letters	14
FCO Letter, Dated 16 December 2013	14
FCO Letter, Dated 2 March 2011	16
Annex B: Caselaw	18
AK & SK (Christians: risk) Pakistan	18
AW (Sufficiency of Protection)	18

Section 1: Guidance

Updated: 9 February 2015

1. Introduction

1.1 Basis of Claim

- 1.1.1 Fear of persecution by the Pakistani authorities or by non state actors due to the person being a Christian. This includes those who have converted to Christianity.

[Back to Contents](#)

1.2 Summary of Issues to Consider

- 1.2.1 Is the person's account a credible one?
- 1.2.2 Are Christians or Christian converts at risk of mistreatment or harm in Pakistan?
- 1.2.3 Are those at risk able to seek effective protection?
- 1.2.4 Are those at risk able to internally relocate within Pakistan?

[Back to Contents](#)

2. Consideration of Issues

2.1 Is the person's account a credible one?

- 2.1.1 Decision makers must consider whether the material facts relating to the person's account of their religion and/or their religious conversion and of their experiences as such are reasonably detailed, internally consistent (e.g. oral testimony, written statements) as well as being externally credible (i.e. consistent with generally known facts and [the country information](#)). Decision makers should take into account the possible underlying factors as to why a person may be inconsistent or unable to provide details of material facts.

For further information on these and assessing credibility more generally, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.2 Are Christians or Christian converts at risk of mistreatment or harm, amounting to persecution, in Pakistan?

Christians

- 2.2.1 The country guidance (CG) case [AK & SK \(Christians: risk\) Pakistan \(CG\) \[2014\] UKUT 569 \(IAC\)](#) (15 December 2014) found that 'Christians in Pakistan are a religious minority who, in general, suffer discrimination but this is not sufficient to amount to a real risk of persecution'. (Summary: paragraph 1).
- 2.2.2 There are incidents of some Christians being subject to harassment, discrimination, violence and murder at the hands of non state actors in Pakistan, as well as allegations of blasphemy and forced conversion to Islam (see [Violence and discrimination against Christians](#) in the country information). However, there are a large number of Christians in the country and the evidence does not indicate that Christians are, in general, subject to a real risk of persecution or inhuman or degrading treatment.

- 2.2.3 [AK & SK \(Christians: risk\) Pakistan](#) also held that ‘Unlike the position of Ahmadis, Christians in general are permitted to practise their faith, can attend church, participate in religious activities and have their own schools and hospitals.

‘Evangelism by its very nature involves some obligation to proselytise. Someone who seeks to broadcast their faith to strangers so as to encourage them to convert, may find themselves facing a charge of blasphemy. In that way, evangelical Christians face a greater risk than those Christians who are not publicly active. It will be for the [decision maker] to assess on a case by case basis whether, notwithstanding attendance at an evangelical church, it is important to the individual to behave in evangelical ways that may lead to a real risk of persecution.

‘Along with Christians, Sunnis, Shi’as, Ahmadis and Hindus may all be potentially charged with blasphemy. Those citizens who are more marginalised and occupy low standing social positions, may be less able to deal with the consequences of such proceedings.

‘The risk of becoming a victim of a blasphemy allegation will depend upon a number of factors and must be assessed on a case by case basis. Relevant factors will include the place of residence, whether it is an urban or rural area, and the individual’s level of education, financial and employment status and level of public religious activity such as preaching. These factors are not exhaustive.’ (Summary: paragraph(s) 2-5)

- 2.2.4 In the case of a Christian woman [AK & SK \(Christians: risk\) Pakistan](#) found that ‘Like other women in Pakistan, Christian women, in general, face discrimination and may be at a heightened risk but this falls short of a generalised real risk. The need for a fact sensitive analysis is crucial in their case. Factors such as their age, place of residence and socio-economic milieu are all relevant factors when assessing the risk of abduction, conversions and forced marriages.’ (Summary: paragraph 7).

Christian Converts

- 2.2.5 The situation is far more difficult for a person **who is known** to have converted from Islam to Christianity, than for a person who was born Christian. However, it is rare, in Pakistan, for a person to convert to Christianity, especially openly. It is therefore something of note for the community, with potential repercussions. (see [Christian converts](#) in the country information).
- 2.2.6 It would be difficult for those known to be Christian converts to live freely and openly in Pakistan, because of their conversion. People who are known to have converted to Christianity suffer acts of violence, intimidation and serious discrimination from non state actors, which can in individual cases amount to persecution. Such treatment is prevalent throughout Pakistan. (see [Christian converts](#) in the country information).
- 2.2.7 As such, decision makers must no longer follow the guidance given in the country guidance case of [AJ \(Risk, Christian Convert\) Pakistan CG \[2003\] UKIAT 00040](#) (August 2003), which found that converts to Christianity in general do not face a real risk of treatment, which can be described as persecutory or otherwise inhuman or degrading treatment (paragraph 36).

[Back to Contents](#)

2.3 Are Christians or Christian Converts able to seek effective protection?

Christians

- 2.3.1 The CG case [AK & SK \(Christians: risk\) Pakistan](#) found that ‘Non state agents who use blasphemy laws against Christians, are often motivated by spite, personal or business disputes, arguments over land and property. Certain political events may also trigger

such accusations. A blasphemy allegation, without more, will not generally be enough to make out a claim under the Refugee Convention. It has to be actively followed either by the authorities in the form of charges being brought or by those making the complaint. If it is, or will be, actively pursued, then an applicant may be able to establish a real risk of harm in the home area and an insufficiency of state protection.’ (Summary: paragraph 6). For context, country information suggests that 182 Christians have been accused of blasphemy between 1987 and 2014.

- 2.3.2 The CG case [AK & SK \(Christians: risk\) Pakistan](#) also found that ‘Pakistani law strictly forbids forced conversions, as does Islam. The Supreme Court has actively pursued cases related to forced conversion and discouraged it. In such cases, the courts have ensured that concerned individuals have an opportunity to express their wishes to convert or complain about any threat or pressure they may be facing in complete privacy and safety. The Supreme Court has also given them a period of reflection away from all sources that may influence their decision.’ (paragraph 61)
- 2.3.3 The reported case of [AW \(sufficiency of protection\) Pakistan \[2011\] UKUT 31 \(IAC\)](#) (26 January 2011) found that ‘Notwithstanding systemic sufficiency of state protection, a claimant may still have a well founded fear of persecution if authorities know or ought to know of circumstances particular to his/her case giving rise to the fear, but are unlikely to provide the additional protection the particular circumstances reasonably require (per Auld LJ at paragraph 55(vi)).’
- 2.3.4 Therefore, decision makers must assess whether effective protection is available in relation to the particular circumstances and profile of the person. Any past persecution and past lack of effective protection may indicate that effective protection would not be available in the future. In many instances, the authorities are unable or unwilling to protect the lives and properties of Christians or to bring perpetrators of such violence to justice (see [Violence and discrimination against Christians](#) in the country information).

Christian Converts

- 2.3.5 People who are known to have converted to Christianity suffer serious societal discrimination and acts of violence, as well as discrimination by the authorities (see [Christian converts](#) in the country information).
- 2.3.6 As such, Christian converts would not generally be able to seek and obtain effective protection from the state against acts perpetrated against them by non-state actors. For more information on the effectiveness of state protection, see also the Country Information and Guidance on [Pakistan: background information, including actors of protection, and internal relocation](#).

2.4 Are Christians or Christian Converts able to internally relocate within Pakistan?

Christians

- 2.4.1 In general, relocation to an area where substantial Christian communities reside is viable. There are Christian communities in many urban areas such as Rawalpindi, and across Punjab and Sindh provinces (see [Demography](#) in the country information).
- 2.4.2 The country guidance case [AK & SK \(Christians: risk\) Pakistan](#) found that ‘Relocation is normally a viable option unless an individual is accused of blasphemy which is being seriously pursued; in that situation there is, in general, no internal relocation alternative’ (Summary: paragraph 8).

Christian Converts

2.4.3 Given the treatment towards Christian converts is prevalent throughout Pakistan, internal relocation to escape such treatment is unlikely to be a viable option, particularly where the person is known to have converted to Christianity. (See [Christian converts](#) in the country information).

For more general information on how to consider internal relocation, see also the relevant section of the [Asylum Instruction on Assessing Credibility and Refugee Status](#) and the [Asylum Instruction on Internal Relocation](#).

For considering internal relocation within Pakistan specifically, see also the Country Information and Guidance on [Pakistan: background information, including actors of protection, and internal relocation](#).

[Back to Contents](#)

3. Policy Summary

- **Christians in Pakistan are a religious minority who, in general, suffer discrimination but this is not sufficient to amount to a real risk of persecution.**
- **In general, Christians are able to practise their faith, attend church, participate in religious activities and have their own schools and hospitals. Although Christians, as with other faiths, may be at risk of blasphemy allegations, this in itself is not generally enough to make out a claim under the Refugee Convention.**
- **Some Christians in Pakistan face discrimination and attacks targeted against them by non state actors. In general, the government is willing and able to provide protection against such attacks and internal relocation is a viable option.**
- **Christian converts in Pakistan are likely to face and be at real risk of attacks by non-state actors. Effective protection and internal relocation will generally not be available. Christian converts, depending on their particular circumstances, i.e. if they are known to have converted to Christianity, are likely to be at real risk of persecution on return.**
- **Where a claim based on being a Christian falls to be refused, it is likely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.**
- **Where a claim based on being a Christian convert falls to be refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.**

For further information on making asylum decisions, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#), the [Asylum Instruction on Humanitarian Protection](#) and the [Asylum Instruction on Discretionary Leave](#).

For further information on certification, see the [Asylum Instruction on Non-Suspensive Appeals: Certification Under Section 94 of the NIA Act 2002](#).

[Back to Contents](#)

Section 2: Information

Updated: 6 January 2015

1. Overview

- 1.1.1 For a general overview of religious laws, freedoms and background, see 'Overview' in section 2 of the Country Information and Guidance on [Pakistan: Ahmadis](#).

2. Blasphemy Laws

- 2.1.1 For a summary of the blasphemy laws and the penalties for breaching them, see 'Blasphemy Laws' in section 2 of the Country Information and Guidance on [Pakistan: Ahmadis](#).

[Back to Contents](#)

3. Demography

- 3.1.1 The number of Christians living in Pakistan was estimated to be between nearly three¹ and six million, the majority of whom live in Punjab, but also with large populations in Sindh, Islamabad and Khyber Pakhtunkhwa.² The FCO estimated that around two million Christians, out of a total estimate of 2.8 million, lived in Lahore, and 0.5 million in Punjab. A large number of Christians reside in Karachi, including the Goan Christian community.³
- 3.1.2 The Christian population is split equally between Catholics and Protestants.⁴ The 'Church of Pakistan' is the largest Protestant community, uniting four churches: the Anglican Church, the Methodist Church, the Presbyterian Church and the Lutheran Church. Other Protestant churches include the United Presbyterian Church and the Salvation Army. Other Evangelical churches, such as Baptist, Seventh-Day Adventists, Full Gospel Assemblies Church and the Pentecostal Church, exist in Pakistan. There are also a number of smaller churches and off-shoots.⁵
- 3.1.3 There are 54 villages in Punjab, and four in Sindh, that are run directly by Christian communities. According to data provided by the Ministry for National Harmony, there are 500 churches in Pakistan, 65 of which are in Lahore.⁶
- 3.1.4 The British Pakistani Christian Association indicated that Christians generally had good relations with other religious minorities and more "liberal" Muslims, but that, because of strong influence of Islamism over Pakistani society, overall attitudes are overwhelmingly negative.⁷

[Back to Contents](#)

¹ Writenet, Pakistan: The Situation of Religious Minorities, by Shaun R. Gregory and Simon R. Valentine, May 2009, page 17, accessed via <http://www.unhcr.org/refworld/pdfid/4b01856e2.pdf>, date accessed 29 January 2014

² Australian Government, Department of Foreign Affairs and Trade (DFAT) reports, Country Information Report: Pakistan, 29 November 2013, Page 12, <https://www.immi.gov.au/media/publications/pdf/dfat-cir-pakistan.pdf>, date accessed 22 January 2014

³ FCO, [Letter, Christians in Pakistan, 16 December 2013](#)

⁴ Writenet, Pakistan: The Situation of Religious Minorities, by Shaun R. Gregory and Simon R. Valentine, May 2009, page 17, accessed via <http://www.unhcr.org/refworld/pdfid/4b01856e2.pdf>, date accessed 29 January 2014

⁵ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 39-40, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

⁶ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 38-39, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

⁷ Immigration and Refugee Board of Canada, Pakistan: Situation of Christians in Pakistan, including social and government attitudes, treatment and rights (2010-2012), 14 January 2013, PAK104259.E, via: <http://www.refworld.org/docid/510f8dbd2.html>, date accessed 6 March 2014

4. Violence and Discrimination Against Christians

4.1 Generally

4.1.1 The May 2012 UNHCR Eligibility Guidelines states that 'The Christian minority in Pakistan is subject to recurrent discrimination and harassment, as well as acts of religiously motivated violence, at the hands of militant groups and fundamentalist elements. [...] In many instances, the authorities are reportedly unable or unwilling to protect the lives and properties of Christians, or to bring the perpetrators of such violence to justice.'⁸

4.1.2 According to the 2013 US Commission on International Religious Freedom (USCIRF) report, 'Violence against Christians continued, usually perpetrated by banned militant groups or other societal actors, but also at times at the hands of government officials.' USCIRF received reports of 16 different incidents of violent attacks against Christians between January 2012 and January 2013, with 11 individuals killed. Five churches were attacked by mobs, as were one Catholic hospital and one Christian village. The USCIRF considers that the government continues to fail to protect Christians.⁹ According to sources consulted by the Immigration and Refugee Board of Canada for a January 2013 report, police officers are reported to have committed the following crimes against Christians: gang rape, murder, fabricating cases or falsifying charges, beatings and torture.¹⁰

4.1.3 Human Rights Watch (HRW) reported:

'In March [2013], several thousand Christians were forced to flee their homes in Lahore after allegations of blasphemy against a local resident, Sawan Masih. A mob of thousands then looted and burned some 150 homes and two churches as police looked on.'¹¹ Amnesty International reported that 'Police were warned of the impending attack but failed to take adequate measures to protect the community. Although dozens of suspected perpetrators have been charged, nobody has yet been convicted.'¹² In March 2014, Sawan Masih, was sentenced to death for blasphemy.¹³ HRW added 'In September [2013], a suicide bombing during Sunday Mass at a church in Peshawar killed 81 worshippers and wounded more than 130, the deadliest attack in Pakistan's history on the beleaguered Christian minority.'¹⁴

4.1.4 With regards to the incident in Lahore, in March 2013, which occurred during the Austrian fact finding mission (FFM), it was reported that the police urged the Christian community to leave their homes for their own safety, though did not provide protection during the evacuation. Following the riots, a large contingent of police was deployed to the area. Reports on the number of arrests made varied from 24 to 150 alleged rioters. Some

⁸ UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan, 14 May 2012, HCR/EG/PAK/12/02, page 25, available at: <http://www.refworld.org/docid/4fb0ec662.html>, date accessed 15 December 2014

⁹ US Commission on International Religious Freedom, Annual Report 2013, Pakistan, April 2013, page 7, <http://www.uscifr.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 15 December 2014

¹⁰ Immigration and Refugee Board of Canada, Pakistan: Situation of Christians in Pakistan, including social and government attitudes, treatment and rights (2010-2012), 14 January 2013, PAK104259.E, available at: <http://www.refworld.org/docid/510f8dbd2.html>, date accessed 15 December 2014

¹¹ Human Rights Watch (HRW) <http://www.hrw.org/>, World Report 2014 – Pakistan, 21 January 2014, Religious minorities, <http://www.hrw.org/world-report/2014/country-chapters/pakistan>, date accessed 21 January 2014

¹² Amnesty International, Pakistan: Christian man sentenced to death under blasphemy law, 27 March 2014, <http://www.amnesty.org/en/news/pakistan-christian-man-sentenced-death-under-blasphemy-law-2014-03-27>, date accessed 15 December 2014

¹³ BBC News, Sawan Masih: Pakistani Christian gets death penalty for blasphemy, 28 March 2014, <http://www.bbc.co.uk/news/world-asia-26781731>, date accessed 15 December 2014

¹⁴ Human Rights Watch (HRW) <http://www.hrw.org/>, World Report 2014 – Pakistan, 21 January 2014, Religious minorities, <http://www.hrw.org/world-report/2014/country-chapters/pakistan>, date accessed 21 January 2014

NGOs were sceptical on whether penalties would follow these arrests although media reports suggested 50 rioters were charged under anti-terrorism laws.¹⁵

- 4.1.5 The Supreme Court Chief Justice strongly criticised the police for failing to protect the rights and property of Christians during the riots, condemning the fact that only low-ranking police officers, and not their superiors, were suspended.¹⁶
- 4.1.6 Following the riots, the National Commission for Justice and Peace (NCJP) confirmed that compensation promised by the government to those affected by the attacks was paid to victims and their homes re-built. Prosecution for the violence however was not clear. Only 11 out of 37 people arrested were charged.¹⁷

See also the sections on 'Rule of law and the judiciary' in section 2 of the Country Information and Guidance on [Pakistan: Background information including actors of protection and internal relocation](#).

- 4.1.7 The FCO reported that in September 2013 'more than 80 Christians were killed and over 130 wounded by two suicide bombers at All Saints Church, Peshawar. The National Assembly unanimously condemned this act and there was a public outcry across all sections of Pakistani society.'¹⁸ Following this incident, civil society groups formed human shields outside churches in Lahore and Islamabad in mid-October, expressing solidarity with the victims of the bombing and giving the message that the majority of Pakistani's opposed militant attacks on the Christian community.¹⁹ According to Christian Solidarity Worldwide, victims of the September attack had yet to receive compensation by the government, despite a Supreme Court order.²⁰
- 4.1.8 The Austrian FFM cited two other major incidents involving rioting against Christians, in Punjab province, that occurred before 2013. Widespread riots took place in Shantinagar, in 1997, following accusations of blasphemy against a Christian, in which a Christian village and 14 churches were burned down. In 2009, six people died in Gojra in a fire during riots, which also arose after accusations of blasphemy. Despite naming 70 suspects, 68 of those were granted bail before arrest. Verdicts were still outstanding against the two were arrested, and witnesses have been threatened.²¹

¹⁵ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 43, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

¹⁶ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 44, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

¹⁷ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 45, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

¹⁸ Foreign and Commonwealth Office, Human Rights and Democracy 2012, Countries of Concern updates: Pakistan, Update 30 September 2013, <https://www.gov.uk/government/news/human-rights-and-democracy-report-2012-pakistan--2>, date accessed 16 January 2014

¹⁹ Foreign and Commonwealth Office (FCO), Human Rights and Democracy 2012, Countries of Concern updates: Pakistan, Update 31 December 2013, <https://www.gov.uk/government/news/human-rights-and-democracy-report-2012-pakistan--2>, date accessed 16 January 2014

²⁰ Christian Solidarity Worldwide, Pakistan: CSW calls for justice and compensation for victims ahead of All Saints Church bombing anniversary, 19 September 2014, <http://dynamic.csw.org.uk/article.asp?t=press&id=1777&search=>, date accessed 19 November 2014

²¹ Austrian Federal Asylum Agency, Report on Fact Finding Mission – Pakistan, June 2013, Religious minorities, page 45, accessed via http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 27 January 2014, English translation available on request

4.2 Use of Blasphemy Laws

- 4.2.1 More recent high profile blasphemy cases against Christians concerned that of a minor girl believed to have learning difficulties, Rimsha Masih, who was detained in a maximum security prison for several weeks in August 2012 and who later fled to Canada with her family after receiving death threats, despite the case against her being dropped.²² In the wake of her arrest, several hundred Christian families fled their homes fearing violence.²³ Aasia Bibi, who was sentenced to death in 2010, remained in prison.²⁴ Her appeal against the death sentence was dismissed by the Lahore High Court in October 2014.²⁵ The Governor of Punjab and the Minorities Minister were both killed when they spoke out about the Aasia Bibi case.²⁶ According to an NGO network in Pakistan "Awaz-e-Haq Itehad" (AHI), 1,438 people were accused of blasphemy between 1987 and October 2014; of those, 182 were Christians.²⁷ According to sources consulted by the Immigration and Refugee Board of Canada, Christians accused of blasphemy have been subject to various forms of extrajudicial violence, including mob attacks, killings and torching of homes and/or settlements.²⁸
- 4.2.2 On 4 November 2014, a Christian couple were beaten to death by an angry crowd then burnt in a brick kiln where they worked, in Punjab province. The pair were accused of desecrating of the Koran.²⁹ Police later arrested a number of suspects in connection with the deaths, whilst Prime Minister Nawaz Sharif called the murders "an unacceptable crime".³⁰ On 6 November 2014, it was reported that a policeman killed a man with an axe after he allegedly made derogatory remarks regarding the Prophet Mohammed.³¹

For a summary of the blasphemy laws and the penalties for breaching them, see 'Blasphemy Laws' in section 2 of the Country Information and Guidance on Pakistan: Ahmadis.

²² BBC News <http://www.bbc.co.uk>, Pakistani girl falsely accused of blasphemy 'in Canada', 29 June 2013 <http://www.bbc.co.uk/news/world-asia-23112180>, date accessed 30 January 2014

²³ US Department of State, International Religious Freedom Report for 2012, 20 May 2013, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dliid=208438>, date accessed 15 December 2014

²⁴ U.S. Department of State, Country Report on Human Rights Practices for 2013: Pakistan, 27 February 2014, section 1e, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220402>, date accessed 28 February 2014

²⁵ Dawn, LHC upholds blasphemy convict Asia Bibi's death penalty, 17 October 2014, <http://www.dawn.com/news/1138402>, date accessed 18 November 2014

²⁶ FCO, Letter, Christians in Pakistan, 16 December 2013

²⁷ Agenzia Fides, ASIA/PAKISTAN - Blasphemy in Pakistan, data on victims: who will pay off all the suffering?, 14 November 2014, http://www.fides.org/en/news/36763-ASIA_PAKISTAN_Blasphemy_in_Pakistan_data_on_victims_who_will_pay_off_all_the_suffering#.VGyNJYH6_ct, date accessed 19 November 2014

²⁸ Immigration and Refugee Board of Canada, Pakistan: Situation of Christians in Pakistan, including social and government attitudes, treatment and rights (2010-2012), 14 January 2013, PAK104259.E, available at: <http://www.refworld.org/docid/510f8dbd2.html>, date accessed 15 December 2014

²⁹ BBC News, Pakistan mob kills Christian couple over 'blasphemy', 4 November 2014, <http://www.bbc.co.uk/news/world-asia-29893809>, date accessed 18 November 2014

³⁰ BBC News, Pakistan arrests 43 over 'blasphemy' killings, 5 November 2014, <http://www.bbc.co.uk/news/world-asia-29911857>, date accessed 18 November 2014

³¹ Reuters, Pakistani police officer axes man to death over blasphemy, 6 November 2014, <http://uk.reuters.com/article/2014/11/06/uk-pakistan-blasphemy-idUKKBN0IQ15B20141106>, date accessed 18 November 2014

4.3 Women

- 4.3.1 The NGO Movement for Solidarity and Peace (MSP) reported estimates of 100 to 700 forced conversions to Islam of Christian girls and women each year.³²
- 4.3.2 The USCIRF reported that 'Marginalization and poverty make the Christian community in Pakistan vulnerable, and sexual assaults against underage Christian girls by Muslim men continue to be reported. Catholic NGOs estimate at least 700 Christian girls are kidnapped and forced to convert to Islam every year.'³³
- 4.3.3 The Asian Human Rights Commission also estimated that 700 Christian girls are forcibly converted to Islam each year in Pakistan, notably in Punjab, Khyber Pakhtun Kha and Sindh provinces and reports that 'Typically, girls are abducted, raped, and kept in Madrassas, where they are forced to sign marriage certificates and state that they have converted to Islam.'³⁴
- 4.3.4 The UNHCR Eligibility Guidelines consider that 'Law enforcement authorities are reportedly unable or unwilling to protect victims of forced marriage and other forms of sexual and gender based violence.'³⁵

See also the Country Information and Guidance on [Pakistan: Women](#)

[Back to Contents](#)

4.4 Christian converts

- 4.4.1 Anecdotal evidence from the FCO's external contacts in Pakistan reported that:

'... it would be difficult for Christian converts to live freely and openly in Pakistan, as converts over and above being Christian. It is our view that people who are known to have converted to Christianity suffer serious discrimination, for example in the workplace or by the authorities. It 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. We understand that it would be rare for someone to convert to Christianity, or at least to do so openly, in Pakistan. It is therefore something of note for the community, with potential repercussions.'³⁶
- 4.4.2 The FCO added:

'Our Political Section considered that internal relocation may be possible, in theory, as there were Christian communities in many urban areas such as Rawalpindi, and across Punjab and Sindh provinces. Due to the anonymity afforded by moving to an urban area, it may be feasible to relocate and not reveal the fact of the conversion. However, our view was also that the Christian communities were themselves becoming increasingly isolated from other communities. Therefore whilst it may be more difficult to socially

³² Movement for Solidarity and Peace, Forced Marriages & Forced Conversions in the Christian Community of Pakistan, April 2014, page 2, http://d3n8a8pro7vhmx.cloudfront.net/msp/pages/162/attachments/original/1396724215/MSP_Report_-_Forced_Marriages_and_Conversions_of_Christian_Women_in_Pakistan.pdf?1396724215, date accessed 3 June 2014

³³ US Commission on International Religious Freedom, Annual Report 2013, Pakistan, April 2013, page 7, <http://www.uscifr.gov/sites/default/files/resources/Pakistan%202013%281%29.pdf>, date accessed 15 December 2014

³⁴ Asian Human Rights Commission, [The State of Human Rights in Pakistan in 2012](#), 10 December 2012 A.6 Religious Discrimination

³⁵ UN High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan, 14 May 2012, HCR/EG/PAK/12/02, page 29, available at: <http://www.refworld.org/docid/4fb0ec662.html>, date accessed 15 December 2014

³⁶ FCO, [letter from British High Commission, 2 March 2011](#)

exclude and harass a Christian who lives in a larger Christian community, it does not necessary preclude that harassment.’³⁷

- 4.4.3 The children of a Muslim man and a Muslim woman who both convert to another religious group are considered illegitimate, and the government can take custody of the children.³⁸ The Immigration and Refugee Board of Canada cites the British Pakistani Christian Association (BPCA) as noting that ‘In all mainstreams of Islamic jurisprudence abandoning Islam is considered a capital crime, particularly for men. Thus in general, families think and society thinks very poorly of converts to Christianity, and many deem it their duty to kill them. ... Pakistani society in general is extremely hostile to converts, and attacks on those who have converted can re-occur years or even decades after they have changed religion.’ The IRBC report provides examples of such attacks.³⁹ According to the Jubilee Campaign, ‘Converts to Christianity are often extremely vulnerable, finding police and local authorities on the side of those perpetrating violence against them.’⁴⁰

[Back to Contents](#)

³⁷ FCO, letter from British High Commission, 2 March 2011

³⁸ US Department of State, International Religious Freedom Report for 2013, 28 July 2014, Section II, <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2013&dliid=222339>, date accessed 19 November 2014

³⁹ Immigration and Refugee Board of Canada: Pakistan: Religious conversion, including treatment of converts and forced conversions (2009-2012) [PAK104258.E], 14 January 2013 (available at [ecoi.net](http://www.ecoi.net)) http://www.ecoi.net/local_link/237372/346403_en.html, date accessed 15 December 2014

⁴⁰ Jubilee Campaign, Written statement* submitted by the Jubilee Campaign, a non-governmental organization in special consultative status to the UN Human Rights Council, 7 June 2012, available at http://www.ecoi.net/file_upload/1930_1340630327_g1213858.pdf, date accessed 15 December 2014

Annex A: FCO Letters

FCO Letter, Dated 16 December 2013

Foreign & Commonwealth Office (letterhead)

www.fco.gov.uk

16 December 2013

Country of Origin Information Report – Christians in Pakistan

Information on living conditions in Pakistan for Christians from locally engaged staff working at the British High Commission Islamabad:

Locally engaged staff working at the Consular team at the British High Commission who have contact with the Christian community in Pakistan have spoken to us about the questions sent by the Home Office regarding the condition of Christians. We have been informed (as suspected) that the data requested by the vast majority of questions simply does not exist. Census and population data for Pakistan is not readily available or regularly updated. However, our colleague are able to give an outline of the condition in which Christians in Pakistan live, recorded below. Other information is available from open sources including the Pakistani media and human rights organisations.

Demographics

The official estimates for the minority religious populations within Pakistan are as follows:

- 96.4% Muslim
- 1.5% Christian (unofficially it is approximately 3 %)
- 1.5% Hindu
- 0.6% other

On this basis, there would be around 2.8m Christians in Pakistan. However, some in the Christian community believe this number is too low and that there are higher numbers of Christians in Pakistan, around 5-10% of the population. It is likely to be at the lower end of that range if they are right.

The vast majority of Christians are based in the Punjab, where Christians are the largest religious minority. A significant number of them live in and around Lahore and Faisalabad – estimated at 2m in Lahore, and 0.5m in the rest of Punjab. The other large centre of Christians in Pakistan is in Karachi which includes a Goan Catholic community.

The majority of Christians in Pakistan belong to either the Roman Catholic Church or, slightly fewer, the Church of Pakistan (Anglican) with increasing numbers belonging to other protestant or evangelical churches sometimes called 'charismatic' churches.

The Constitutional position of non-Muslims in Pakistan

The Pakistan constitution states that both the President (article 41) and Prime Minister shall be a Muslim (article 91). Article 33 discourages prejudice, Article 36 entrusts the state with protection of minorities. (Pakistan Constitution: http://www.na.gov.pk/uploads/documents/1333523681_951.pdf)

Blasphemy law

The lot of Christians in Pakistan has got worse since the 1970s, partly attributable to the blasphemy laws issued by President Zia which are still in force. While the majority of those charged under the blasphemy laws are Muslim, Christians do make a high proportion of those accused. The majority of blasphemy cases come from the Punjab, which has a high Christian population.

During the Zia regime amendments to the Penal Code prohibited women and minorities from initiating blasphemy cases. Under the 'law of evidence' (Qanoon-i-Shihadah) the evidence of two women or two non-Muslims equates to that of a single male Muslim where a woman is accused of adultery under the Hudood ordinance.

(http://en.wikipedia.org/wiki/Hudood_Ordinance)

There have been some high profile blasphemy cases against Christians recently, including against a young girl called Rimsha who has since fled to Canada and before that Asia Bibi who is still in prison. The Governor of Punjab and then the Minorities Minister were both killed when they spoke out about the Asia Bibi case.

There is a growing trend of Pakistani Christians leaving the country, in particular to live in countries such as Bangladesh and Sri Lanka. According to some media reports (Pakistani and Indian) families of Hindus/Sikhs living in southern Punjab/Sindh have migrated to India. Others (including Christians) have migrated to Canada and other western countries where there are small communities and some have come as asylum seekers.

Violence

Violent extremism against Christians in Pakistan is not as commonplace as against some minorities (such as Shia and Hazara), but does exist. There have been two prominent cases this year. In March Joseph Colony in Lahore (a major Christian colony) was attacked by a mob following unfounded allegations of blasphemy against a resident. In September more than 85 people were killed and more than a 100 injured during a double suicide bombing at a church in Peshawar. It is currently unclear whether this represents a growing trend of violence against Christians in the country.

Institutions

There are many churches in Pakistan, which are mostly safe but as mentioned above they can be targets for extremist actions. Christian schools also exist – some of these have been nationalised recently and therefore are no longer run on a Christian basis.

Christian colleges were nationalised in the 1970's by the government of Zulfikar Ali Bhutto. Some have more recently been de-nationalised and returned to their former owners.

There is not much protection of religious minorities from the Government – there is a ministry of minorities, but it is felt that it engages in "fire fighting" rather than taking any proactive steps to protect the community.

Your religion must be registered with the state and included in your passport, and it is not allowed to change your recorded religion from Islam to another. There were attempts during General Musharraf's rule to remove the religion column from Pakistani passports but this was quickly reversed under pressure. In the 1990s the Pakistani government attempted to include a religion column on Pakistani ID cards but this was dropped after protests by non-Muslim groups.

Marriage

A Christian woman marrying a Muslim man is permissible, on the basis that the woman will convert to Islam. It is not permissible for a Christian man to marry a Muslim woman.

A child's religion is held to be the same of that of its mother.

Marriages are registered with the state according to which faith those getting married follow. As such, two Christians getting married do not have to register according to Muslim family laws. In church weddings Christians are usually married under the Indian Christian Marriage Act of 1872 and unlike Hindus their marriages are recognised by the authorities.

CLAAS

CLAAS is a partner NGO for the British High Commission, in particular for its work on forced marriages. We pay an annual retainer to them for the assistance they provide us. This has been the case since 2000.

The main focus of CLAAS is religious intolerance, which they are a trustworthy source on. They have campaigned extensively against the blasphemy laws.

Joseph Francis from CLAAS has been given an MBE for his services in the role.

- This letter has been compiled by staff of the British High Commission in Islamabad and Foreign and Commonwealth Office in London entirely from information obtained from the sources indicated. The letter does not reflect the opinions of the author(s) nor any policy of the Foreign and Commonwealth Office. The author(s) have compiled this letter in response to a request from the Home Office and any further enquiries regarding its contents should be directed to the Home Office.

[Back to Contents](#)

FCO Letter, Dated 2 March 2011

British High Commission (letterhead)

2 March 2011

Can converts to Christianity live freely and openly in Pakistan? Are they at risk of an 'honour' killing owing to their conversion? Is internal relocation an option, i.e. would any areas be deemed 'safer' for Christians than others?

We consulted internally with our Political Section, who deal with humanitarian and human rights issues. In short, it is difficult to corroborate the real situation, as this is a frequently hidden problem; our view is that converts would probably not want to draw additional attention to themselves. However, we have ascertained the following anecdotal evidence from our dealings with external contacts in Pakistan:-

- Firstly, in our opinion it would be difficult for Christian converts to live freely and openly in Pakistan, as converts over and above being Christian. It is our view that people who are known to have converted to Christianity suffer serious discrimination, for example in the workplace or by the authorities. It 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.
- We understand that it would be rare for someone to convert to Christianity, or at least to do so openly, in Pakistan. It is therefore something of note for the community, with potential repercussions.

- Our Political Section considered that internal relocation may be possible, in theory, as there were Christian communities in many urban areas such as Rawalpindi, and across Punjab and Sindh provinces. Due to the anonymity afforded by moving to an urban area, it may be feasible to relocate and not reveal the fact of the conversion. However, our view was also that the Christian communities were themselves becoming increasingly isolated from other communities. Therefore whilst it may be more difficult to socially exclude and harass a Christian who lives in a larger Christian community, it does not necessary preclude that harassment.
- Finally, it was our view that Christian converts were not at risk of an honour killing, despite these difficulties, as these are normally related to property disputes or perceived dishonourable behaviour rather than matters of faith or principle.

[Back to Contents](#)

Annex B: Caselaw

AK & SK (Christians: risk) Pakistan

AK & SK (Christians: risk) Pakistan (CG) [2014] UKUT 569 (IAC) (15 December 2014)

The Upper Tribunal of the Immigration and Asylum Chamber found that:

1. Christians in Pakistan are a religious minority who, in general, suffer discrimination but this is not sufficient to amount to a real risk of persecution.
2. Unlike the position of Ahmadis, Christians in general are permitted to practise their faith, can attend church, participate in religious activities and have their own schools and hospitals.
3. Evangelism by its very nature involves some obligation to proselytise. Someone who seeks to broadcast their faith to strangers so as to encourage them to convert, may find themselves facing a charge of blasphemy. In that way, evangelical Christians face a greater risk than those Christians who are not publicly active. It will be for the judicial fact-finder to assess on a case by case basis whether, notwithstanding attendance at an evangelical church, it is important to the individual to behave in evangelical ways that may lead to a real risk of persecution.
4. Along with Christians, Sunnis, Shi'as, Ahmadis and Hindus may all be potentially charged with blasphemy. Those citizens who are more marginalised and occupy low standing social positions, may be less able to deal with the consequences of such proceedings.
5. The risk of becoming a victim of a blasphemy allegation will depend upon a number of factors and must be assessed on a case by case basis. Relevant factors will include the place of residence, whether it is an urban or rural area, and the individual's level of education, financial and employment status and level of public religious activity such as preaching. These factors are not exhaustive.
6. Non state agents who use blasphemy laws against Christians, are often motivated by spite, personal or business disputes, arguments over land and property. Certain political events may also trigger such accusations. A blasphemy allegation, without more, will not generally be enough to make out a claim under the Refugee Convention. It has to be actively followed either by the authorities in the form of charges being brought or by those making the complaint. If it is, or will be, actively pursued, then an applicant may be able to establish a real risk of harm in the home area and an insufficiency of state protection.
7. Like other women in Pakistan, Christian women, in general, face discrimination and may be at a heightened risk but this falls short of a generalised real risk. The need for a fact sensitive analysis is crucial in their case. Factors such as their age, place of residence and socio-economic milieu are all relevant factors when assessing the risk of abduction, conversions and forced marriages.
8. Relocation is normally a viable option unless an individual is accused of blasphemy which is being seriously pursued; in that situation there is, in general, no internal relocation alternative.

[Back to Contents](#)

AW (Sufficiency of Protection)

AW (sufficiency of protection) Pakistan [2011] UKUT 31(IAC) (26 January 2011)

The Upper Tribunal of the Immigration and Asylum Chamber found that:

1. At paragraph 55 of Auld LJ's summary in Bagdanavicius [2005] EWCA Civ.1605 it is made clear that the test set out in Horvath [2001] 1 AC 489 was intended to deal with the ability of a state to afford protection to the generality of its citizens.
2. Notwithstanding systemic sufficiency of state protection, a claimant may still have a well founded fear of persecution if authorities know or ought to know of circumstances particular to his/her case giving rise to the fear, but are unlikely to provide the additional protection the particular circumstances reasonably require (per Auld LJ at paragraph 55(vi)).
3. In considering whether an appellant's particular circumstances give rise to a need for additional protection, particular account must be taken of past persecution (if any) so as to ensure the question posed is whether there are good reasons to consider that such persecution (and past lack of sufficient protection) will not be repeated.

[Back to Contents](#)

Change Record

Version	Date	Change References
1.0	16/07/2014	First version of CIG on Religious freedom
2.0	January 2015	Updated COI sections; guidance separated from wider 'religious freedom' CIG.

[Back to Contents](#)