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U.S. Department of State Annual Report on International Religious Freedom for 1999: Pakistan

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PAKISTAN

Section I. Freedom of Religion

The Constitution provides for freedom of religion, and states that adequate provisions shall be made for minorities to profess and practice their religions freely; however, the Government imposes limits on freedom of religion. Pakistan is an Islamic republic; Islam is the state religion. Islam is also a core element of Pakistan's national ideology; the country was created to be a homeland for Muslims. Religious freedom is "subject to law, public order, and morality," accordingly, actions or speech deemed derogatory to Islam or to its Prophet, for example, are not protected. Further, the Constitution requires that laws be consistent with Islam and imposes some elements of Koranic law on both Muslims and religious minorities.

The Government does not formally ban the public practice of the Ahmadi religion; but the practice of the Ahmadi faith is severely restricted by law. The Government designates religion on citizen's passports. In order to get a passport, citizens must declare whether they are Muslim or non-Muslim; Muslims must also affirm that they accept the unqualified finality of the Prophethood of Mohammed, declare that Ahmadiis are non-Muslims, and specifically denounce the founder of the Ahmadi movement.

According to the 1981 census (latest available figures), an estimated 95 percent of the population are Muslim; 1.56 percent are Christian; 1.51 percent are Hindu; and 0.26 percent are "other". Most Muslims are Sunni. An estimated 10 to 15 percent of the Muslim population are Shi'a, and it is estimated that there are 550,000 to 600,000 Ismailis. Most or all Ismailis in the country are followers of the Aga Khan.

Religious minority groups believe that they are underrepresented in government census counts. Official and private estimates of their numbers can differ significantly. Current population estimates place the number of Christians at 3 million and the number of Ahmadiis at 3 to 4 million. Current estimates for the remaining communities are less contested and place the total of Hindus at 2.8 million; Parsis (Zoroastrians), Buddhists, and Sikhs at as high as 20,000 each; and the Baha'is at 12,000. The "other" category also includes a few tribes whose members practice traditional indigenous religions and who normally do not declare themselves, and those who do not wish to practice any religion remain silent about the fact. Social pressure is such that few persons would admit to being unaffiliated with any religion.

Punjab is the largest province in the country in terms of population. The largest religious group in Punjab, as is true for the country as a whole, is Muslim. Though Christians can be found throughout the country, approximately 98 percent of Christians reside in Punjab, making them the largest religious minority in the province. Approximately 60 percent of Punjab's Christians live in villages. The largest group of Christians belongs to the Church of Pakistan (a united church of Anglicans, Methodists, Presbyterians, and Lutherans); the second largest group belongs to the Roman Catholic Church. The rest are from different evangelical and church organizations. Sindh and Baluchistan provinces are also overwhelmingly Muslim, with a population that is approximately 97 percent Muslim. Slightly over 1 percent of the population in these provinces is estimated to be Christian, and slightly over 1 percent is estimated to be Hindu. The two provinces also have a few tribes that practice traditional indigenous religions and a small population of Parsis (approximately 7,000 persons). The Ismailis are concentrated in Karachi and the northern areas. The tiny but influential Parsi community is concentrated in Karachi, although some live in Islamabad and Peshawar. According to local Christian sources, between 70,000 and 100,000 Christians live in the Northwest Frontier Province (NWFP), and there are also a few thousand Hindus in the NWFP. Christians constitute about 2 percent of Karachi's population. The Roman Catholic Diocese of Karachi estimates that there are 120,000 Catholics in Karachi, 40,000 in the rest of Sindh, and 5,000 in Quetta, Baluchistan. Evangelical Christians have converted a few tribal Hindus of the lower castes from interior Sindh. Hindus are concentrated in Sindh and constitute 1 to 2 percent of the province's population. An estimated 100,000 Hindus live in Karachi. Ahmadiis are concentrated in Punjab and in Sindh.

No data are available on active participation in formal religious services or rituals (as opposed to mere membership). However, because religion is closely tied to a person's ethnic, social, and economic identity, there is less room for nominal, secular passivity with regard to religion. Most Muslim men offer prayers at least once a week at Friday prayers, and the vast majority of Muslim men and women pray at home or at the workplace during one or more of the five daily times of prayer. During the month of Ramadan, even many of the otherwise less observant Muslims fast and attend mosque services more faithfully. About 70 percent of English-speaking Roman Catholics worship regularly; a much lower percentage of Urdu speakers do so.

Many Muslims consult Pirs (hereditary saints) or saints' shrines, where pre-Islamic practices are common. As many as 25 percent of Muslims regularly consult such Pirs, and up to 50 percent may seek their help in times of crisis.

The Shikaris (a hunting caste now mostly employed as trash collectors in urban Sindh) are converts to Islam, but eat foods forbidden by Islam. Other Muslims generally ostracize the Shikaris, primarily because of their eating habits.

Many varieties of Hinduism are practiced; the type practiced usually depends upon location and caste. Hindus have retained or absorbed many ancient traditional practices of Sindh. Hindu shrines are scattered throughout the country. Approximately 1,500 Hindu temples and shrines exist in Sindh and about 500 in Baluchistan. Most of the shrines and temples are tiny, no more than wayside shrines. During Hindu festivals, such as Divali and Holi, congregational attendance is much greater.

Parsis, who practice the Zoroastrian religion, have no regularly scheduled congregational services, except for a 10-day festival in August during which they celebrate the New Year and pray for the

dead. All Parsis are expected to attend these services; most reportedly do. During the rest of the year, individuals offer prayers at Parsi temples. Parsis maintain a conscious creedal and ceremonial separation from other religions, preserving ancient rites and forbidding marriage to members of other religions.

During 1998 the National Assembly passed the proposed 15th Amendment, known as the "Shari'a Bill." While the Senate has not passed the measure, the proposed constitutional amendment would make the Koran and the Sunna the supreme law of the land. However, in January 1999, NWFP Governor Mohammad Arif Khan Bangash signed two ordinances that established the Shari'a as the law in the Malakand Division and the neighboring Kohistan District of the NWFP. These provincial ordinances were promulgated for a period of 4 months and provided that "all cases, suits, inquiries, matters and proceedings in courts, shall be decided "in accordance with Shari'a;" the ordinances have since been extended. The ordinances define the Shari'a as the injunctions found in the Koran and the Sunna; court cases are tried by Islamic law judges with the assistance of ulema (Islamic scholars). The system is subject to the general supervision of the Peshawar High Court. Minority religious groups fear that the explicit constitutional imposition of Shari'a (Islamic law) favored by the Prime Minister in the proposed 15th Amendment and the Prime Minister's stated goal of Islamizing government and society may further restrict the freedom to practice non-Islamic religions. The Government counters that the proposed amendment contains specific language protecting the rights of minorities.

A 1974 constitutional amendment declared Ahmadis to be a non-Muslim minority because, according to the Government, they do not accept Mohammed as the last Prophet of Islam. However, Ahmadis consider themselves to be Muslims and observe Islamic practices. In 1984 the Government inserted section 298(c) into the penal code, prohibiting Ahmadis from calling themselves Muslim or posing as Muslims; from referring to their faith as Islam; from preaching or propagating their faith; from inviting others to accept the Ahmadi faith; and from in any manner insulting the religious feelings of Muslims. This section of the penal code has caused problems for Ahmadis, particularly the provision that forbids them from "directly or indirectly" posing as Muslims. Armed with this vague wording, mainstream Muslim religious leaders have brought charges against Ahmadis for using the standard Muslim greeting form and for naming their children Mohammed. The constitutionality of this section was upheld in a split-decision Supreme Court case in 1996. The punishment for violation of this section is imprisonment for up to 3 years and a fine. This provision has been used extensively by the Government and anti-Ahmadi religious groups to harass and to persecute Ahmadis.

There are a variety of other legal restrictions on the right to freedom of religion, and religious minorities are afforded fewer legal protections than Muslim citizens. The judicial system encompasses several different court systems with overlapping and sometimes competing jurisdiction, which reflect differences in civil, criminal, and Islamic jurisprudence. The federal Shariat Court and the Shari'a Bench of the Supreme Court serve as appellate courts for certain convictions in criminal court under the Hudood ordinances, and judges and attorneys in these courts must be Muslims. The federal Shariat Court also may overturn any legislation judged to be inconsistent with the tenets of Islam. The martial law era Hudood ordinances criminalize nonmarital rape, extramarital sex, and various gambling, alcohol, and property offenses. The Hudood ordinances are based on Islamic principles and are applied to Muslims and non-Muslims alike. Some Hudood ordinance cases are subject to Hadd, or Koranic, punishment; others are subject to Tazir, or secular punishment. Although both types of cases

are tried in ordinary criminal courts, special rules of evidence apply in Hadd cases. For example, a non-Muslim may testify only if the victim is also non-Muslim. Likewise, the testimony of women, Muslim or non-Muslim, is not admissible in cases involving Hadd punishments. Thus, if a Muslim man rapes a Muslim woman in the presence of several women, he cannot be convicted under the Hudood ordinances because women cannot testify. Similarly, if a Muslim man rapes a woman in the presence of non-Muslim men and women, he cannot be convicted because women and non-Muslim men cannot testify. All consensual extramarital sexual relations are considered a violation of the Hudood ordinances; thus, if a woman cannot prove the absence of consent in a rape case, there is a risk that she may be charged with a violation of the Hudood ordinances for fornication or adultery. The maximum punishment for this offense is public flogging or stoning. According to a police official, in a majority of rape cases, the victims are pressured to drop rape charges because of the threat of Hudood adultery charges being brought against them. The Parliamentary Commission of Inquiry for Women has criticized the Hudood ordinances and recommended their repeal. It also has charged that the laws on adultery and rape have been subject to widespread misuse, with 95 percent of the women accused of adultery being found innocent in the court of first instance or on appeal. The Commission found that the main victims of the Hudood ordinances are poor women who are unable to defend themselves against slanderous charges. The laws also have been used by husbands and other male family members to punish their wives and female family members for reasons that have nothing to do with sexual propriety, according to the Commission. Approximately one-third or more of the women in jails in Lahore, Peshawar, and Mardan in 1998 were awaiting trial for adultery under the Hudood ordinances. However, no Hadd punishment has been imposed in the 19 years since the Hudood ordinances went into effect. Human rights monitors and women's groups believe that a narrow interpretation of Shari'a has had a harmful effect on the rights of women and minorities, as it reinforces popular attitudes and perceptions and contributes to an atmosphere in which discriminatory treatment of women and non-Muslims is more readily accepted.

Under the Anti-Terrorist Act, any act, including speech, intended to stir up religious hatred, is punishable by up to 7 years' rigorous imprisonment. In the antiterrorist courts, which were virtually shut down by the Lahore High Court and the Supreme Court in 1998, cases were to be decided within 7 working days, and trials in absentia were permitted. Appeals to an appellate court also were required to occur within 7 days, but appellate authority since has been restored to the High Courts and the Supreme Court. Under the act, bail is not to be granted if the judge has reasonable grounds to believe that the accused is guilty. Because of the law's bail provisions, Islamic scholar Muhammad Yusuf Ali, who was accused of having claimed Prophethood (a charge that he denies), was unable to obtain bail. After the suspension of this provision, judges avoided hearing his bail application; however, he was granted bail in June 1999. He has been held in a class "C" cell from March 1997 until his release in June 1999. Class "C" cells generally hold common criminals and those in pretrial detention.

The Penal Code incorporates the doctrines of Diyat (blood money) and Qisas (roughly, an eye for an eye). Qisas is not known to have been invoked, but Diyat is occasionally used, especially in the NWFP, with the result that compensation is sometimes paid to the family of a murder victim in place of punishment of the murderer. Under these ordinances only the family of the victim, not the State, may pardon the defendant. Like the Hudood ordinances, Qisas and Diyat apply to both ordinary criminal courts and Shariat courts.

Section 295(a), the colonial-era blasphemy provision of the Penal Code, originally stipulated a maximum 2-year sentence for insulting the religion of any class of citizens. In 1991 this sentence was increased to 10 years. In 1982 section 295(b) was added, which stipulated a sentence of life imprisonment for "whoever willfully defiles, damages, or desecrates a copy of the holy Koran." In 1986 during the martial law period, another amendment, section 295(c), established the death penalty or life imprisonment for directly or indirectly defiling "the sacred name of the holy Prophet Mohammed." In 1991 a court struck down the option of life imprisonment for this offense. Personal rivals and the authorities have used these laws, especially section 295(c), to threaten, punish, or intimidate Ahmadis, Christians, and even orthodox Muslims. For example, in January 1998, when a local Muslim group in North Nazimabad, Karachi, had its request denied that St. Jude's Catholic school employ several of its members, the group retaliated by declaring that a St. Jude's staff member had desecrated the Koran. No one has been executed by the State under any of these provisions, although some persons have been sentenced to death, and religious extremists have killed persons accused under the provisions. The blasphemy laws also have been used to "settle scores" unrelated to religious activity, such as intrafamily or property disputes. Since 1998 the Government has required that magistrates investigate allegations of blasphemy to determine whether they are credible before formal charges are filed.

When blasphemy and other religious cases are brought to court, extremists often pack the courtroom and make public threats about the consequences of an acquittal. As a result, low level judges and magistrates, seeking to avoid a confrontation with, or violence from, the extremists, often continue trials indefinitely, and those accused of blasphemy often are burdened with further legal costs and repeated court appearances.

In 1997 cases filed under penal code section 295(a), one of the blasphemy laws, were transferred to antiterrorist courts. Human rights advocates feared that if blasphemy cases were tried in the antiterrorist courts, alleged blasphemers, who in the past normally were granted bail or released for lack of evidence, were likely to be convicted, given the less stringent rules of evidence required under the Anti-Terrorist Act.

No estimate of the number of religious detainees exists. However, there are both Muslims and non-Muslims in prison for their religious beliefs and practices. Most have run afoul of the blasphemy and anti-Ahmadi laws. According to the Bishops' Conference of the National Commission for Justice and Peace (NCJP), which published a report on religious minorities in 1998, religious minorities constitute a greater than expected proportion of the prison population. Prison conditions, except for the "class A" facilities provided to wealthy and politically high profile prisoners, are extremely poor and constitute a threat to the life and health. According to the NCJP, non-Muslim prisoners do not enjoy the same facilities as Muslim inmates.

Muslim religious scholar Muhammad Yusuf Ali was charged under sections 295(a) and (c) and was jailed in a class "C" cell from March 1997 until June 1999. His wife had to resign from her job as a professor and go into hiding with their children, due to threats by religious extremists. On September 8, 1998, a Shi'a Muslim, Ghulam Akbar, was convicted of blasphemy in Rahimyar Khan, Punjab, for allegedly making derogatory remarks about the Prophet Mohammed in 1995. He was sentenced to death, the first time that a Muslim had been sentenced to death for a violation of the blasphemy law. The case remained under appeal as of June 30, 1999. Ghulam Hussain, a Shi'a Muslim, received a 30-

year jail sentence and a \$1,500 (PRs 75,000) fine for blasphemy against the companions of the Prophet.

Three Ahmadiis were convicted of blasphemy in December 1997. Abdul Qadeer, Muhammad Shabbaz, and Ishfaq Ahmad were found guilty of violating section 295(c) and sentenced to life imprisonment and \$1,250 (PRs 50,000) each in fines. Lawyers for the men have appealed the decision to the Lahore High Court, whose ruling had not been issued by June 30, 1999. The men were released on bail by the Lahore High Court while the appeal is under consideration. According to Ahmadi activists, 44 Ahmadiis were charged with violating blasphemy and anti-Ahmadi laws during 1998. Ahmadi leaders state that 145 Ahmadiis were awaiting trial on blasphemy charges under section 295(c), as of September 30, 1998.

The case of Anwar Masih, a Christian who has been jailed for blasphemy since December 1993, was settled with his conviction on a lesser blasphemy count under section 295(a). Conviction under this section does not require the death penalty, and he was released for time served on April 24, 1998. Ayub Masih (a Christian detained since October 1996), was convicted of blasphemy under section 295(c) for making favorable comments about Salman Rushdie, author of the controversial book *The Satanic Verses*, and was sentenced to death on April 27, 1998. Masih survived an attempt on his life in 1997, when he was shot at while on trial. Ayub's family and 13 other landless Christian families were forced from their village in 1996 following the charges. Although the case was pending appeal before the Lahore High Court, Ayub's principal defender, Faisalabad Roman Catholic Bishop and human rights activist John Joseph, committed suicide on May 6, 1998 with a handgun outside the Sahiwal court where Ayub had been convicted, to protest the conviction. The High Court appeal still was pending as of the end of June 1999.

On May 10, 1998, Bishop John Joseph's funeral was marked by violence, as angry Christians confronted police. Mobs of Muslim extremists moved to attack Christian property. Police repelled the mobs. Another Christian, Ranjha Masih, was arrested for allegedly throwing stones at an Islamic sign. He, too, was charged with blasphemy, and remains in Faisalabad prison. After Faisalabad authorities quelled Muslim extremist mobs on May 11, 1998 the violence spread to Lahore where, on May 15, police used excessive force to disperse a Christian demonstration that was marred by vandalism. The police arrested hundreds and injured scores of others. However, the police prevented retaliatory attacks on Christians by Muslims whose property had been destroyed by demonstrators, and, within several days, nearly all of those arrested were released. The provincial government issued orders to civil administrators to keep the peace and block registration of frivolous blasphemy charges. Nevertheless, Shafiq Masih, another Faisalabad Christian, was charged with blasphemy on May 31, 1998, following a dispute with a neighbor. In Faisalabad a crowd of over 1,000 persons soon converged on Shafiq's home. Police intervened just as the crowd prepared to lynch him. Despite instructions to investigate thoroughly any charges before registering a case, the local police chief charged Shafiq with blasphemy to calm the sentiments of the mob.

Another Christian, Nazir Masih, was charged under sections 298 and 298(a) for allegedly insulting the daughter of the Prophet Mohammed and was arrested on August 11, 1998, at Pattoki. These charges do not carry the death penalty. He is being held at the central jail in Sahiwal.

There are scattered reports of the authorities interrogating persons due to their religious beliefs or practices. Waheed Ahmed, an Ahmadi living in Gollarchi, Sindh province, was arrested on March 14, 1998, beaten by police, and sentenced on April 21, 1998 to 10 years' imprisonment by an antiterrorist court for allegedly misrepresenting the religion of Laïq Punhor on his census form. Punhor was fearful of admitting on his form that he was an Ahmadi and asked Waheed for advice. When authorities confronted Punhor, he denied that he was an Ahmadi and implicated Waheed in the "false" census entry.

The law regulates arrest and detention procedures; however, the authorities do not always comply with the law, and police arbitrarily arrest and detain citizens. Violence in Punjab has prompted the Government on several occasions to round up hundreds of members of religious extremist groups and students at religious schools (madrassas) believed to be terrorist recruiting centers and training grounds. The police also arrested demonstrators, including members of religious minorities. In May 1998, police used excessive force in dispersing Christian demonstrators in Lahore. Police beat and arrested hundreds of demonstrators. The NCJP reported in 1998 that Rawalpindi police harassed two Sikh immigrants from Afghanistan on the basis of their religious identification. The two later were arrested and charged under the Foreigners Act for illegal entry.

The authorities sometimes prevent leaders of politico-religious parties from traveling to certain areas if they believe that the presence of such leaders would increase sectarian tensions or cause public violence.

There have been press reports that the authorities are conducting surveillance on the Ahmadis and their institutions.

The Constitution states that "the State shall safeguard the legitimate rights and interest of minorities, including their due representation in the federal and provincial bodies," and the National Assembly and provincial assemblies have seats reserved for non-Muslims.

However, although there are reserved seats in the National Assembly and the provincial assemblies for non-Muslims, the Government distinguishes between Muslims and non-Muslims with regard to political rights. In national and local elections, Muslims cast their votes for Muslim candidates by geographic locality, while non-Muslims can cast their votes only for at-large non-Muslim candidates. Since separate electorates exist for Muslims and non-Muslims, there is little participation by non-Muslims in the mainstream Muslim parties, and local mainstream parliamentary representatives have little incentive to promote their minority constituents' interests. Many Christian activists state that these "separate electorates" are the greatest obstacle to the attainment of Christian religious and civil liberties. Ahmadi leaders encourage the Ahmadis not to register as "non-Muslims" (since Ahmadis consider themselves to be Muslims), so most Ahmadis are completely unrepresented.

In the National Assembly (NA), Christians hold four reserved seats, Hindus and members of scheduled castes another four, Ahmadis one; and Sikhs, Buddhists, Parsis, and other non-Muslims one. The 1997 general election report states the each Christian NA member represents 327,606 persons; each Hindu and scheduled castes member, 319,029; the Sikh, Buddhist, Parsi, and other non-Muslim NA member, 112,801; and the Ahmadi member, 104,244. These figures significantly understate the population of the religious minorities because they are based on 1981 census figures. However, legal

provisions for minority reserved seats do not extend to the Senate and the federal Cabinet, which currently are composed entirely of Muslim members. Further, the Constitution requires that the President and the Prime Minister be Muslims. The Prime Minister, federal ministers and Ministers of State, as well as elected members of the Senate and National Assembly (including non-Muslims), must take a religious oath to "strive to preserve the Islamic ideology, which is the basis for the creation of Pakistan."

The Ministry of Religious and Minority Affairs, the government Ministry that is entrusted with safeguarding religious freedom, has on its masthead a Koranic verse: "Islam is the only religion acceptable to God." The Ministry claims that it spends 30 percent of its annual budget to assist indigent minorities, to repair minority places of worship, to set up minority-run small development schemes, and to celebrate minority festivals. However, religious minorities question its expenditures, observing that localities and villages housing minority citizens go without basic civic amenities. The Bishops' Conference of the National Commission for Justice and Peace, using official budget figures for expenditures in 1998, calculated that the Government actually spent \$17 (PRs 850) on each Muslim and only \$3.20 (PRs 16) on each minority citizen per month.

Missionaries are allowed to operate in the country, and proselytizing (except by Ahmadis) is allowed so long as there is no preaching against Islam and the missionaries acknowledge that they are not Muslim. However, all missionaries are required to have specific missionary visas, which have a validity of 2 to 5 years and allow only one entry into the country per year. These visas carry the annotation "missionary". Only "replacement" visas for those taking the place of departing missionaries are available, and long delays and bureaucratic problems are frequent. Proselytizing is generally considered socially inappropriate among Muslims; missionaries face some difficulties due to this perception.

Upon conversion to Islam, the marriages of Jewish or Christian men remain legal; however, upon conversion to Islam, the marriages of Jewish or Christian women, or of other non-Muslims, that were performed under the rites of the previous religion are considered dissolved.

While Christianity is frequently seen as a foreign, "Westernized" religion, it has a long history in the country. Some Christian communities trace their roots to the time of St. Thomas the Apostle. Most trace their origin to mid-19th century missionary movements in both the Roman Catholic and Protestant churches. There are several long-established Baptist churches and, in Karachi, perhaps a dozen storefront Pentecostal and other evangelical churches. The largest Christian mission group operating in Sindh and Baluchistan does Bible translation for the Church of Pakistan, mostly in tribal areas. An Anglican missionary group fields several missionaries to assist the Church of Pakistan in administrative and educational work. Roman Catholic missionaries, mostly Franciscan, work with the disabled.

Only one group described by the authorities as a "foreign cult" reportedly has been established in the country. In Karachi, members of the U.S.-based "Children of God" are rumored to be operating a commune where they practice polygamy.

The Parsi community is self-sufficient in religious leaders, and there are no known Parsi missionaries operating in the country. The same appears to be true of the Hindu community.

While there is no law establishing the Koranic death penalty for apostates (those who convert from Islam), social pressure against such an action is so powerful that most such conversions reportedly take place in secret. According to missionaries, police and other local officials harass villagers and members of the poorer classes who convert. Reprisals and threats of reprisals against suspected converts are common.

For example, according to the Human Rights Commission of Pakistan (HRCP), in April 1998 in Lahore Muhammad Akram was threatened with death by an influential local religious organization after he joined the Ahmadi community. Local authorities failed to take legal action against the organization, even though its threats on Akram's life were published on the organization's letterhead. Akram, a teacher, was also attacked and beaten by several persons, including one of his students; a case was registered against his attackers.

On March 19, 1998, in a highly publicized case, a district court in Rawalpindi removed three sisters, ages 11 to 15, who allegedly had converted from Christianity to Islam, from the custody of their Christian parents. It is not clear, however, to what extent the decision was based upon the parents' religion. A subsequent court decision in March 1999, over the parents' objections, awarded custody of the two youngest girls to their older sister (who reportedly had converted to Islam) and her new Muslim husband; the eldest of the three sisters reportedly had married her attorney. The girls' parents attribute the loss of their girls to the influence of religious extremists who packed the courtroom, and claim to have suffered harassment because of the case. The girls' family since has moved, and is in hiding.

However, there also have been several high-profile conversions. A Karachi-based actress and television producer converted from Islam to evangelical Christianity without penalty or loss of livelihood.

Links with coreligionists in other countries are relatively trouble free. The Roman Catholic Church and the Church of Pakistan report no difficulties. Ismailis are in regular contact with their headquarters, and their officials, including Prince Karim Agha Khan, visit Pakistan regularly. Under reciprocal visa arrangements, Indian Hindu and Sikh leaders and groups travel regularly to Pakistan. However, the Government prohibits the Ahmadis from participating in the Hajj (the Islamic pilgrimage to Mecca, Saudi Arabia).

The Constitution safeguards "education institutions with respect to religion." For example, no student can be forced to receive religious instruction or to participate in religious worship other than his or her own. It also prohibits the denial of religious instruction for students of any religious community or denomination.

"Islamiyat" (Islamic studies) is compulsory for all Muslim students in state-run schools. On March 27, 1998, the Government announced a new education policy that increased mandatory Islamic instruction in public schools. While students of other faiths are not required to study Islam, they are not provided with parallel studies in their own religion. In practice teachers compel many non-Muslim students to complete Islamic studies.

The Government nationalized all church schools and colleges in Punjab and Sindh in 1972. The government of Sindh gradually denationalized church schools without compensation from 1985 to 1995. The government of Punjab devised a scheme to denationalize schools and return them to their

original owners in 1996. In Punjab several schools belonging to the Presbyterian Church, U.S.A. were denationalized and returned to the former owners in 1998. Other church-affiliated institutions, including the prestigious Kinaird College, received or were granted administrative autonomy. Discussions are currently underway between the government of Punjab and the Presbyterian Church, U.S.A. on the denationalization of Forman Christian College. Throughout 1998 religion-based political parties in Punjab opposed denationalization of schools.

The Constitution provides for the "freedom to manage religious institutions." In principle the Government does not restrict organized religions in establishing places of worship and training members of the clergy adequate to serve believers. However, in practice, Ahmadis suffer from restrictions on this right. Several Ahmadi mosques have been closed; others have been violated. Ahmadis also are prohibited from burial in Muslim graveyards. On November 17, 1998, the Punjab Assembly unanimously passed a resolution to change the name of the Punjab town that serves as the administrative religious center of the Ahmadi community. The name was changed from Rabwah, the name selected by the Ahmadis living in the town, to Nawwan Qadian on December 12, 1998, and again to Chenab Nagar on February 4, 1999. Despite the Ahmadis' acquiescence to the name change, charges were filed in March 1999 with the police by the son of the prominent Muslim fundamentalist politician who had revived the idea of the name change in the provincial assembly. The politician's son stated that Mirza Masroor Ahmad, the country's senior Ahmadi leader, and Colonel Ayyaz Mahmud (ret.), the leader of the Ahmadis in Rabwah, had directed Ahmadi activists to cross out the name "Chenab Nagar" on a recently installed plaque and write in "Rabwah." The plaque also contained Koranic verses. The Ahmadi community denied this allegation. On April 30, 1999, Ahmad and three of his colleagues were arrested on blasphemy charges for allegedly inciting the desecration of the plaque. The blasphemy charges against the four eventually were dropped and they were released after spending more than 1 week in jail. However, they still face criminal charges under the Maintenance of Public Order Act.

Separate categories exist for different religions in administration of specific religious sites. Hindus and Sikhs, because of population shifts that occurred between India and Pakistan after partition, come under the auspices of the Evacuee Property Board, which is located in Lahore and is empowered to settle property disputes regarding Hindu and Sikh property. Hindus and Sikhs, however, may settle such disputes in civil courts. Christian churches are free to take their disputes over religious property and management to the courts. Some minorities have expressed displeasure over government management of religious property. A Sikh Sewkar Tanzeem leader accused Evacuee Property Board officials of misappropriating funds for the maintenance of gurdwaras (Sikh temples). Both the Roman Catholic Church and the Church of Pakistan operate regular seminary programs.

In Sindh Muslim mosques and shrines come under the purview of the Augaf Administration Department, a branch of the provincial government devoted to the upkeep of shrines and mosques, facilities for pilgrims, and the resolution of disputes over possession of a religious site. In both Sindh and Baluchistan, the Government has provided funds for the upkeep and repair of the Hindu Gurmunder temple in Karachi, and funded the repair of Hindu temples damaged by Muslim rioters protesting the destruction of the Babri mosque by Hindu mobs in Ayodhya, India in 1992.

Permission to buy land comes from one municipal bureaucracy, and permission to build a house of worship from another. With all religious groups, the process appears to be subject to bureaucratic

delays and requests for bribes. The International Church of Karachi, an evangelical congregation serving missionaries, foreigners, and English-speaking Pakistanis, had permission to build denied after refusing to pay a large bribe. The congregation continues to meet in rented quarters. According to the NCJP 1998 report, a group of Christian families in Bajour Tribal Agency and Dir district in the Northwest Frontier Province have been prevented from building a church or praying openly.

The Constitution protects religious minorities against being taxed to support the majority religion; no one may be forced to pay taxes for the support of any religion other than his or her own. The majority Sunni Muslims are subject to the "zakat," a religious tax of 2.5 percent of their income, which is taken once a year from their bank accounts. Shi'a Muslims are exempted from the tax. Non-Muslims do not have a special tax.

There have been instances in which police have used excessive force against individuals because of their religious beliefs and practices. The police also have failed to act against persons who use force against other individuals due to their religious beliefs. Both the Christian and Ahmadi communities have documented instances of the use of excessive force by the police and police inaction to prevent violent, and often lethal, attacks on members of their communities. For example, both the Christian and Ahmadi communities claim that persons have been murdered because of their religious beliefs. The HRCJP stated that at least five persons were killed during 1998 for being Ahmadis; they were Mohammad Ayub Azam, Malik Naseer Ahmad, Nazir Ahmad Bugghio, Malik Ejaz Ahmad, and Rashid Latif. The NCJP attributed the January 28, 1998 murder of pastor Nur Alam of Shiekhpura to his attempts to build a church (see Section II). Police made no arrests in the case.

Police torture and other forms of mistreatment of persons in custody are common. However, during the reporting period, there were no confirmed reports of torture specifically related to religious beliefs.

In February 1997, mobs looted and burned the Christian village of Shantinagar in Punjab. Local police participated in the attack and are suspected of having instigated the riot by inventing spurious charges that a Christian man had desecrated a copy of the Koran. Hundreds of homes and a dozen churches were destroyed, and 20,000 persons were left homeless. Troops were deployed briefly to restore order, and the Prime Minister visited the village. In the 2 years since the riot, visits by senior Pakistani officials and foreign groups offering prayers and material assistance have helped reduce tension somewhat. The Government has rebuilt 200 damaged and destroyed homes, and has provided \$100(PRs 5,000) to some homeowners. The Salvation Army, an on-the-ground resource throughout the reconstruction, has indicated satisfaction with the progress and has removed the issues of rebuilding and religious intolerance from its district agenda in Shantinagar. The police officers accused in the incident were temporarily suspended. Three junior officers that were involved were later given early retirement with pension benefits. One senior officer involved in the incident later died in an accident while on duty, and another was transferred. The results of the official investigation of the incident were never made public, and none of the accused were ever charged in connection with the events in Shantinagar.

The Government does not restrict religious publishing per se; however, The Government restricts the right to freedom of speech with regard to religion. Speaking in opposition to Islam and publishing an attack on Islam or its Prophet are prohibited. The Penal Code mandates the death sentence for anyone

defiling the name of the Prophet Mohammed, life imprisonment for desecrating the Koran, and up to 10 years' imprisonment for insulting another's religious beliefs with intent to outrage religious feelings. Although prosecutions appear to be few, the threat of the blasphemy law is ever present. The effectively suspended Anti-Terrorist Act stipulates imprisonment with rigorous labor for up to 7 years for using abusive or insulting words, or possessing or distributing written or recorded material, with intent to stir up sectarian hatred. No warrant is required to seize such material.

Ahmadis state that they suffer from restrictions on their press. Christian scriptures and books are available in Karachi and in traveling bookmobiles. However, the owner of a Christian bookshop in Karachi has reported frequent questioning by local Muslim religious leaders and occasional questioning by the police. Such questioning may lead to self-censorship among Christians. Hindu and Parsi scriptures are freely available. Foreign books and magazines may be imported freely, but are subject to censorship for objectionable religious content.

In March 1999, a judge in the antiterrorist court of Muzaffargarh sentenced Muhammad Ishaq to 17 years in jail and a \$2,000 (PRs 100,000) fine for propagating "un-Islamic" ideas. Ishaq was a member of the Association of Partisans of Islam. In January 1998, the editor of the Lahore-based Urdu-language daily newspaper Pakistan and several other journalists from that newspaper were arrested and held briefly for publishing a routine passage from a serialization of a popular account of the life of the Prophet Mohammad. The work described an incident in which the Prophet's son-in-law, Ali, revered by Shi'a Muslims, reportedly drank alcohol before the revelation of its prohibition. Any concerns that publication of this item would anger the Shi'a proved groundless. After protests by the opposition parties and by journalists, the editor and journalists were released. The case against them is pending, although it is not being pursued actively by the Government.

On June 20, 1998, at Swat in the Northwest Frontier Province, local police and ruling party officials raided the home of an Ahmadi scholar and local leader of the Ahmadi community. They seized all of his religious literature, claiming that he was running a center for proselytization. The scholar was not at home, but his son was arrested. The raid appeared to have been instigated by a June 18 story in the Urdu daily newspaper Ausaf, which alleged the existence of an Ahmadi "preaching headquarters" in Swat. Ahmadi sources also reported that on June 4, 1998, the district magistrate of Loralai, Baluchistan, summarily expelled three Ahmadis from the district on charges of preaching.

In January 1998, Punjab officials filed blasphemy charges against the editors and publisher of the newspaper Pakistan. The newspaper had reproduced the writings of Shibli Nomani, a respected pre-partition Muslim scholar. In 1998 Punjab authorities also banned a book on blasphemy written by Maulana Abdul Wahced, a New Delhi-based Islamic scholar. The book provided a dissenting perspective on blasphemy against the Prophet of Islam.

Peaceful religious activities generally take place without government prohibition or restriction, except for those of the Ahmadi community. Since 1984 Ahmadis have been prohibited from holding any conferences or gatherings. Large public meetings sponsored by the Church of Pakistan have been held several times in or near Holy Trinity Church in downtown Karachi. On December 5, 1998, Christians held a "Christmas Peace Walk" through downtown Karachi, during which they distributed pamphlets stressing their prayers for peace in Karachi and unity and progress in the country. The

walk was carried out without incident and ended at the official residence of Governor Moynuddin Haider.

During the period covered by this report, the trend in respect for religious freedom was mixed. The Bishops' Conference of Pakistan's National Commission for Justice and Peace, in its second annual report on religious minorities, charged that institutionalized religious intolerance "seemed to reach alarming heights during 1998." However, the Government took some positive steps to strengthen the right to religious freedom, including fostering interfaith and sectarian dialog and strong criticism of sectarian violence.

Despite the restrictions on the right to freedom of religion, the Government has made some effort to further religious tolerance. Prime Minister Nawaz Sharif has spoken out in support of the rights of religious minorities, and hosted a Christmas dinner in 1997 for 1,200 persons. In 1998 Church of Pakistan Bishop Malik hosted an interfaith, interdenominational Christmas dinner with Punjab Chief Minister Shahbaz Sharif as chief guest. In September 1998, the Government removed colonial-era entries for "sect" from government job application forms to prevent discrimination in hiring. However, the faith of some, particularly Christians, often can be ascertained from their names, and identity cards and passports continue to include a religious identification.

The Government also has promoted interfaith understanding at the federal level. The Government has organized meetings of religious scholars from different religious communities. On May 25, 1998, the federal Minister of Religious Affairs announced the formation of a Commission of Ulema (Muslim religious leaders) and minorities' representatives to "listen to the views of minorities on various matters and to redress their grievances." On November 19, 1998, the Human Rights Wing of the Ministry of Law announced the formation of advisory councils in each district, headed by a district sessions court judge. The advisory council members for each district are to be selected from a pool of well-known social workers, journalists, government human rights workers, and the district health department chief. On December 8, 1998, advisor to the Prime Minister on human rights Pir Ijaz Ahmed Hashmi reiterated the Government's intention to form district religious advisory councils.

According to the Ministry of Religious Affairs, the Government has proceeded with forming a national-level council, the National Commission for Minorities, which has met several times. The Government is in the process of setting up provincial level councils. Some district level councils also exist in Sindh, Baluchistan, and Punjab.

In April 1999, Prime Minister Sharif established a 10-member committee of religious scholars whose declared purpose was to eliminate growing sectarian terrorism and religious dissension in the country. The committee collapsed after a few weeks because Shi'a leaders were unhappy with the committee chairman, Dr. Istar Ahmad, head of the Tanzeem-e-Islami, who reportedly has a reputation for religious intolerance. In the same month, President Rafiq Tarar chaired a seminar in Lahore to foster better understanding between Christians and Muslims. At this interfaith gathering, participants discussed reconciliation efforts since the February 1997 anti-Christian violence in the Christian community of Shantinagar in Punjab, in which mobs looted and burned the village. Hundreds of homes and a dozen churches were destroyed, and 20,000 persons were left homeless.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II. Societal Attitudes

There is growing intolerance for religious minorities within society. Discriminatory religious legislation has encouraged an atmosphere of religious intolerance, which has led to acts of violence directed against Christians, Hindus, Ahmadis, and Zikris. Members of religious minorities are subject to violence and harassment, and police at times refuse to prevent such actions or to charge persons who commit them (see also Section I).

Ecumenical movements are rare, since the defense of a non-Muslim faith would be socially repugnant to many and might be legally actionable. However, at the shrine of Odeero Lal, near Mirpur Khas in Hyderabad district in Sindh, Hindus and Muslims worship at the same site and maintain a respectful silence during each others' services.

Ahmadis are often targets of religious intolerance; much of it is instigated by organized religious extremists. For example, in a July 11, 1998 sermon at a rally in Lahore, the head of the influential Tanzeem-i-Islami organization, Israr Ahmed, stated that the Government and Muslims have a right to commit a "general massacre" of the Ahmadis, since they are heretics. Ahmadi leaders charge that militant Sunni religious leaders and their followers sometimes stage marches through the streets of Rawwah (now Chenab Nagar), a predominantly Ahmadi town and spiritual center in central Punjab. Backed by mobs of 100 to 200 persons, the mullahs purportedly stride down the streets uttering diatribes against the Ahmadis and their founder, a situation that often leads to violence. Police are generally on hand during these marches, Ahmadis claim, but as a rule do not intervene to prevent trouble.

A number of Ahmadis were injured seriously in attacks by religious extremists, and Ahmadi leaders attribute several killings of Ahmadis during 1998 to anti-Ahmadi extremists. Mohammad Ayub Azam was shot on July 7, 1998 in Wah, Punjab. Before he died in the hospital an hour later, he reported that the killers asked if he was an Ahmadi before shooting him. On August 4, 1998, Malik Naseer, an 85-year-old retired police inspector, was killed in Vehari on his way to attend religious services. He was the leader of the Ahmadi community in Vehari, and Ahmadis believe that he was killed for that reason.

Prior to his murder in October 1997, Lahore High Court Justice Arif Iqbal Hussain Bhatti, one of the two judges who in 1995 ruled to acquit accused Christian blasphemers Salamati and Rehmat Masih, received several death threats from Islamic extremist groups. Bhatti's killer, presumed to be a religious extremist, has not been arrested; there were unconfirmed reports that the killer himself may have been killed in a staged encounter with the police.

A local Muslim cleric led a mob that destroyed a Christian church in Sheikhpura, Punjab in December 1997. Maulana Habib Ullah Dogar, a local Muslim religious leader, objected to the construction of the building on land sold by his brother-in-law to a Christian group. On the night of January 28, 1998, three armed intruders killed Presbyterian Church of Pakistan Pastor Nur Alam, who organized

the building of the Sheikupura church. Police made no arrests for either the killing or the property destruction.

In February 1998, a mob diverted from prayers at a mosque in Jhampir attacked and beat to death a faith healer in nearby Astana.

A Muslim religious leader was arrested near Faisalabad on December 23, 1998 for pulling down a crucifix and a microphone set up in a Roman Catholic Church for Christmas. The vandal was released quickly.

On November 18, 1998, nine members of a Christian family were killed and mutilated in their home in Nowshera, in an attack that some Christians alleged was sectarian. On December 29 and 30, 1998, four family members were arrested and charged with the crime. They asserted their innocence to the press and are currently on trial. Two alleged that they were tortured by police and thus forced to confess.

Just before Christmas 1998, a small bomb exploded in St. Patrick's Roman Catholic Cathedral in Karachi. The bombing elicited a condolence visit from the local Jamaat-i-Islami leader.

Sectarian violence between Sunni and the Shi'a Muslims is not uncommon, and continued to result in killings during the period covered by this report. Press reports state that 130 persons were killed nationwide in sectarian violence from January to October 1998. However, unlike in previous years, 1998's Moharram (a Shi'a religious event) had only one significant instance of sectarian violence.

On the evening of April 25, 1999 (the 8th of Moharram), four Shi'a Punjabis visiting a village near Dera Ismail Khan in the NWFP to recite Moharram morning prayers were killed in their sleep. Sunni religious militants were believed to have committed the murders in order to provoke Shi'a-Sunni conflict during the traditionally tense 9th and 10th of Moharram. However, they failed; local authorities in the NWFP and in Punjab took steps to calm sentiments and there was no further violence in connection with this incident. However, violence between the Shi'as and the Sunnis claimed at least 35 lives and resulted in scores of injuries in Hangu, NWFP in March 1998 before the deployment of police and army troops and negotiations restored calm.

In Punjab a deadly pattern of Sunni-Shi'a violence in which terrorists kill persons because of their membership in rival sectarian organizations, or simply for their religious identification, continued in 1998 and 1999. However, despite an attack on a Shi'a mosque early in 1999, the total level of violence in Punjab had declined by mid-1999. On March 24, 1999, motorcycle gunmen shot and killed Barakat Ali, a leader of the Shi'a group Tehrik-e-Nifaz-e-Fiqh-e-Jafria, outside his home in the Tansa area of Punjab. The gunmen are believed to belong to the SSP. On January 4, 1999, gunmen opened fire on an early morning prayer service at a Shi'a mosque in Karamdad Quereshi, Punjab, killing 17 persons and wounding at least 25 others. Police arrested 46 members of the Sipah-e-Sahabah-Pakistan (SSP), a Sunni militant group, in connection with the attack. It was widely believed that an offshoot of the SSP, the Lashkar-e-Jhangvi, was responsible for the attack. In September 1998, 21 Shi'a were killed by gunmen and 20 were injured while attending an outdoor religious ceremony in Kot Addu, Punjab. On January 11, 1998, Sunni extremist gunmen attacked a Shi'a religious meeting at the Mo-minpura graveyard in Lahore, killing 24 worshippers and wounding 36 others. Shi'a riots followed the

massacre, in which government offices and courthouses were burned in Lahore. Such indiscriminate shootings at religious gatherings led to fear of general religious unrest.

For most of 1998, sectarian violence remained one-sided, with Sunni terrorists sporadically killing Shi'a government officials, police, or members of the Tehrik-e-Jafria Pakistan (TJP), an extremist Shi'a religious political party. Sectarian violence between Shi'a and Sunni extremist groups claimed the lives of 75 persons in the Punjab during 1998, including professionals, bureaucrats, and religious scholars who were targeted specifically. On July 17, 1998, gunmen killed Salim Reza, the TJP Vice President in Karachi, but there were credible allegations that Reza's killing was not carried out for political reasons. On July 19, 1998, Abdul Wahid Qadri, leader of a TJP faction, also was killed.

On September 13, 1998, four Sunnis, including the deputy secretary general of the anti-Shi'a SSP were shot and killed in their vehicle outside Islamabad. Anti-Shi'a riots and attacks followed in the hometown of the SSP leader who was killed.

Although there are few if any citizens who are Jewish, anti-Semitic sentiments appear to be widespread, and anti-Semitic press articles are relatively common.

The Constitution specifically prohibits discriminatory admission to any government-supported educational institution solely on the basis of religion. However, students are required to declare their religion when they are admitted. Muslim students must fill out a form that declares that they are Muslims, and that they believe in the unqualified finality of the Prophethood of Mohammed; non-Muslim students must have their forms attested by the head of their local religious community. Many young Ahmadis and their parents complain of difficulty in gaining admittance to good colleges, forcing many children to go abroad for higher education. Like Ahmadis, many Christians complain about the difficulty that their children have in gaining admission to government schools and colleges, a problem they attribute to discrimination.

Most Ahmadis are home-schooled or go to private Ahmadi-run schools. Those Ahmadi students in public schools are often subject to abuse by their non-Ahmadi classmates. The quality of teachers assigned to predominantly Ahmadi schools by the Government reportedly is poor. There were unfirmed reports that in January 1999, an Ahmadi student in a public school was punished in front of his class by his teacher when he refused to declare himself either a Sunni Muslim or a kafir (unbeliever). The teacher reportedly later told the other students that Ahmadis deserve death.

On some university campuses, well-armed groups of students, primarily from radical religious organizations, clash with and intimidate other students, instructors, and administrators on matters of language, syllabus, examination policies, grades, doctrine, and dress. These groups facilitate cheating on examinations, interfere in the hiring of staff at the campuses, control new admissions, and sometimes control the funds of their institutions. At Punjab University, the largest university in the province, Islami Jamiat-e-Tulaba (IJT-the student wing of the religious political party Jamaat-i-Islami) imposes its self-defined code of conduct on teachers and students.

Discrimination in employment is believed to be common. Ahmadis suffer from harassment and discrimination and have limited chances for advancement into management levels in government service. Even the rumor that someone may be an Ahmadi or have Ahmadi relatives can stifle opportuni-

ties for employment or promotion. Other religious minority groups also experience considerable discrimination in employment. In the country's early years, minorities were able to rise to the senior ranks of the military and the civil service. Today, however, few are able to rise above mid-level ranks. Christians in particular have difficulty finding jobs other than those of menial labor, although Christian activists say that the employment situation has improved somewhat in the private sector. Christians also find themselves disproportionately overrepresented in the country's most oppressed social group--that of bonded laborers.

Illegal bonded labor is widespread. Agriculture, brick-kiln, and domestic workers often are kept virtually as slaves. According to the Bishops' Conference of Pakistan's National Commission for Justice and Peace, the vast majority of bonded labor in those sectors is non-Muslim. All are subject to the same conditions, whether they are Muslim, Christian or Hindu.

While many Christians are in the poorest socioeconomic groups, this may be due more to ethnic and social factors than to religion per se. These factors also may account for a substantial measure of the discrimination that poor Christians face. In Karachi, the majority of Roman Catholics are Goan Christians, or descendants of Eurasian marriages. They are often light-skinned and are relatively well-educated and prosperous, in sharp contrast to their poorer coreligionists (mostly members of evangelical denominations), who are often dark-skinned and poorly-educated. Many poor Christians remain in the profession bequeathed by their low caste Hindu ancestors (most of whom were "untouchables"). Their lot, though somewhat better today than in the past, does not reflect any major progress in spite of over 100 years of consistent missionary aid and development.

Many Christians continue to express fear of forced marriages between Muslim males and Christian women, although the practice is relatively rare. Reprisals against suspected converts to Christianity have been known to occur (also see Section I).

The Parsi community, once one of the richest and most influential, has declined precipitously because of emigration and intermarriage. Community members attribute the out-migration to a search for religious freedom, based on feelings of exclusion, despite their high educational levels and prosperity.

Section III. U.S. Government Policy

Advocacy, programming, and reporting on issues of religious freedom and persecution form a significant part of the work of the U.S. Embassy and the consulates in Pakistan. U.S. representatives maintain regular contacts with major Muslim and minority religious groups. U.S. representatives also maintain a dialog with government, religious, and minority community representatives to promote religious freedom and to discuss problems. U.S. representatives closely monitor the situation and act when appropriate. On an informal basis, the Embassy has assisted some Christian-affiliated relief organizations in guiding paperwork through government channels. The Embassy also has assisted local and international human rights organizations to follow up on specific cases involving religious minorities. After the Shantinagar incident in 1997, embassy officials visited the area and met with police officials to inquire about the punishment of the policemen involved. The Embassy has found the Government receptive to discussion of such subjects, and generally helpful in resolving problems.

