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USCIRF Annual Report 2010 - Countries of Particular Concern: Pakistan

FINDINGS: Systematic, ongoing, and egregious violations of freedom of religion or belief continue in Pakistan. Religiously discriminatory legislation, such as the anti-Ahmadi laws and blasphemy laws, foster an atmosphere of intolerance. Sectarian and religiously-motivated violence is chronic, and the government has failed to protect members of religious minorities from such violence and to bring perpetrators to justice. Growing religious extremism threatens the freedoms of expression and religion or belief, as well as other human rights, for everyone in Pakistan, particularly women, members of religious minorities, and those in the majority Muslim community who hold views deemed un-Islamic by extremists.

In light of these severe violations, USCIRF again recommends in 2010 that Pakistan be designated a "country of particular concern," or CPC. Since 2002, USCIRF has recommended Pakistan be named a CPC, but the U.S. State Department has not followed that recommendation.

The religious freedom situation in Pakistan remains deeply troubling, with further deterioration possible due to the actions of religiously-motivated extremists, some of whom have ties to Al-Qaeda or to the Afghan Taliban. The current Zardari government has taken positive actions to promote religious tolerance. However, the government has failed to reverse the continuing erosion in the social and legal status of members of religious minority communities and in the ability of members of the majority Muslim community to discuss sensitive religious and social issues freely. A number of Pakistan's laws abridge freedom of religion or belief. Anti-Ahmadi laws discriminate against individual Ahmadis and effectively criminalize various practices of their faith. Blasphemy laws have been used against members of religious minorities and dissenters within the majority Muslim community, and frequently result in imprisonment on account of religion or belief and/or vigilante violence. The Hudood Ordinances – Islamic decrees predominantly affecting women that are enforced alongside Pakistan's secular legal system – provide for harsh punishments for alleged violations of Islamic law by both Muslims and non-Muslims. Anti-government insurgents espousing an intolerant interpretation of Islam continue to impose a harsh, Taliban-style rule in areas under their control. The government's response to religiously-motivated extremism remains inadequate, despite increased security operations. Pakistan also continues to promote the flawed "defamation of religions" concept at the UN, which would undermine the freedoms of religion and expression internationally.

PRIORITY RECOMMENDATIONS: Promoting respect for freedom of religion or belief must be an integral part of U.S. strategy in Pakistan. The forces that threaten Pakistani and U.S. security interests are largely motivated by a violent extremist ideology that rejects international human rights standards, including freedom of religion or belief, for both

Pakistan's non-Muslims citizens and members of the majority Muslim community. The U.S. government should clearly state its concern for religious freedom as an essential element in U.S. policy in Pakistan; urge Pakistan to reinforce the rule of law and to bring its laws, particularly those regarding blasphemy and the Ahmadis, in accordance with international human rights standards; urge Pakistan to halt its international promotion of the flawed "defamation of religions" concept; and urge Pakistani authorities, including at the provincial level, to promote respect for human rights and religious tolerance in public education. Additional recommendations for U.S. policy toward Pakistan can be found at the end of this chapter.

Religious Freedom Conditions

Government Policies toward Religious Groups and Activities

The political landscape in Pakistan has changed significantly since the country's return to constitutional, civilian government in 2008. Democratic parliamentary elections took place in February 2008. The winning coalition selected Syed Yousuf Raza Gilani as Prime Minister in March 2008, and Pervez Musharraf, a former general who had come to power through a military coup d'etat, was replaced by Asif Ali Zardari as President of Pakistan in September 2008. Both Zardari and Gilani are civilian politicians and leaders of the Pakistan People's Party (PPP). Zardari is also the widower of Benazir Bhutto, a popular political leader of the PPP and former Prime Minister who was assassinated in December 2007, reportedly by Sunni militants linked to Al-Qaeda. The Bhutto and Zardari families are Shi'a Muslims from the province of Sindh in a country traditionally dominated by Sunnis from Punjab.

The political power of President Zardari and of the office of the Presidency, previously dominant under past military rulers, has eroded in the past year. In March 2009, under pressure from opposition parties and many of the country's lawyers, President Zardari was forced to reinstate Supreme Court Chief Justice Chaudhury and other judges whom President Musharraf had suspended. President Zardari also was forced to accept the reinstatement of the opposition-led provincial government in Punjab, Pakistan's most populous province. By the end of the reporting period, President Zardari's official powers appeared certain to be further limited by proposed constitutional reforms effectively restoring a parliamentary form of government. The Pakistani military and intelligence services continued to be influential, particularly in regard to national security issues.

Despite continuing political and security challenges, the Pakistani government under President Zardari and Prime Minister Gilani has taken positive steps regarding religious freedom. Both the President and the Prime Minister publicly committed to combating religious extremism and to protecting the rights of members of Pakistan's religious minority communities (with the evident exception of the Ahmadis, who are viewed as a special case in Pakistan). In November 2008, the government appointed prominent minority-rights advocate Shahbaz Bhatti as Federal Minister for Minorities with cabinet rank. Mr. Bhatti has used his position as Federal Minister to obtain government assistance for victims of the worst instances of religiously-motivated mob violence, to advocate publicly for reform or repeal of the blasphemy laws, to gain increased public attention to the concerns of the religious minorities, to secure increased employment opportunities in public service for members of religious minority communities, and to promote religious tolerance through the creation of what are termed "District Interfaith Harmony Committees." In addition, in March 2009 the government appointed a Christian jurist as a judge in the Lahore High Court (at the time of the appointment there were no other Christians serving as judges in Pakistan). In May 2009, the federal government announced a five percent quota in federal employment for members of religious minority communities. On May 28, 2009, "Minorities' Solidarity Day" was first officially celebrated as a federal holiday in Pakistan, and the government designated August 11 as annual "Minorities' Day."

Nevertheless, discriminatory laws, promulgated in previous decades and persistently enforced, have fostered an atmosphere of religious intolerance and eroded the social

and legal status of members of religious minorities, including Shi'a Muslims, Ahmadis, Hindus, and Christians. Government officials do not provide adequate protections from societal violence to members of these religious minority communities, and perpetrators of attacks on minorities seldom are brought to justice. This impunity is partly due to the fact that Pakistan's democratic institutions, particularly the judiciary and the police, have been weakened by endemic corruption, ineffectiveness, and a general lack of accountability.

Religious Freedom Concerns in Pakistani Education

A significant minority of Pakistan's thousands of religious schools, or *madrassas*, reportedly continue to provide ongoing ideological training and motivation to those who take part in violence targeting religious minorities in Pakistan and abroad. In mid-2005, the Pakistani central government renewed its effort to require all *madrassas* to register with the government and to expel all foreign students. By that year's end, despite an outcry from some violent extremist groups, most of the religious schools had registered. However, the registration process reportedly has had little if any effect on the curricula, which in many of these schools remains intolerant and includes exhortations to violence. The government also still lacks controls on the *madrassas'* sources of funding. It remains doubtful whether these efforts to curb extremism through reform of the country's Islamic religious schools will be accompanied by other measures that would make them effective. Moreover, these efforts do not adequately address the much wider problem of religious extremism in Pakistan and the continued and unwarranted influence of militant groups on the rights and freedoms of others.

Religious freedom concerns are also evident in Pakistan's public schools. Pakistani primary and secondary schools continue to use textbooks that foster prejudice and intolerance of religious minorities. Social Studies and Pakistan Studies textbooks frequently recount historically inaccurate events that paint Hindus and Christians in a negative light. Fifth-grade students read official textbooks claiming that "Hindus and Muslims are not one nation but two different nations. The Hindus could never become sincere in their dealings with the Muslims." Hindu beliefs and practices are contrasted negatively with those of Islam. Bangladesh's struggle for independence from Pakistan is blamed in part on the influence of Hindus in the education sector of the former East Pakistan. India is portrayed as Pakistan's enemy. Israel is characterized as not being a legitimate state. Such materials are not restricted to Islamic studies textbooks but occur in both early elementary and more advanced social studies texts that are used by all public school students, including non-Muslims. Moreover, the subjects in textbooks are heavy on stories, biographies, and poems having an Islamic religious character.

Efforts to improve curriculum guidelines and to produce and publish new public school textbooks have been delayed by practical and ideological hurdles. Although "The New Education Policy 2009" is being implemented predominantly to raise the literacy rate in Pakistan, the new policy maintains Islamic Studies as a compulsory subject. One positive change allows minorities the option of taking an ethics course from third grade onwards, whereas the previous policy offered this option only in grades 9 and 10. However, Pakistani non-governmental organizations argue that this option means little in practice because current ethics textbooks are based on previous curriculum guidelines which contain Islamic biases. Moreover, critics argue, minority students still tend to avoid opting out of Islamic Studies for fear of being isolated from the rest of the class. Some students also fear that if they take ethics and it becomes known that they belong to a religious minority their grades may be negatively impacted.

Sectarian or Religiously-motivated Violence

Over at least the past decade, Pakistan has suffered from sectarian and religiously-motivated violence, much of it committed against Shi'a Muslims by Sunni extremists, but also against Ahmadis, Christians, and Hindus. Beginning in early 2008, armed extremists, some of whom have ties to Al-Qaeda or to the Afghan Taliban, intensified their attacks, including bombings. The following examples of sectarian or religiously-motivated violence should be seen as illustrative rather than a comprehensive listing of the

numerous and often fatal attacks perpetrated on innocent Pakistanis by extremists who claim religious justification for their crimes.

By early 2009, Sunni extremists gained effective control in large portions of rural northwestern Pakistan, where they killed hundreds of Shi'a civilians, imposed a harsh, Taliban-style of justice, and displaced Shi'a, Sikh, Hindu, and other minority populations. *Jizya* (the traditional tax on non-Muslims under Islamic law) was imposed on Sikhs and Hindus and violence was threatened for non-compliance. Sunni extremists destroyed shrines and tombs with religious or cultural significance to other Muslims, notably the shrine of revered Pashtun poet and Sufi mystic Rahman Baba, which was bombed in March 2009. This act, compared by some observers to the destruction by the Afghan Taliban of the monumental Buddhas of Bamiyan, appeared intended to erase visible expressions of other belief systems, in this case an inclusive, tolerant form of Islam. Also, as in Afghanistan, the extremists severely restricted women's access to education, health care, and employment outside the home.

The Pakistani government initially responded by attempting to accommodate the Pakistani Taliban. In April 2009, the central government accepted a locally-negotiated "peace plan" for the Malakand division, including the scenic Swat Valley, that permitted the imposition of sharia law in exchange for an end of hostilities with government forces. Under both international and domestic pressure, the government subsequently reversed course and launched military offensives that met with some success, although many internally displaced persons, particularly members of religious minority communities, including the Sikhs, feared to return. At the end of the reporting period, despite the Pakistani military maintaining a large presence in the division, insurgents remained in effective control of some areas.

Sectarian or religiously-motivated violence reached beyond Pakistan's tribal northwest. Two separate suicide attacks on Shi'a religious processions in December 2009 killed over 40 people in Karachi and eight in Muzaffarabad, the capital of Pakistani-controlled Kashmir. Scores were injured in both instances. In June and September 2009, two prominent leaders of Pakistan's large Barelvi Sunni Muslim community were assassinated, including Pakistan's Minister for Religious Affairs. The first assassination was by suicide bomber, a tactic largely restricted to Sunni extremists. Barelvis are condemned by Sunni extremists for certain of their beliefs and practices, including the use of music for religious purposes and the veneration of living and dead religious figures. Both Barelvi leaders had publicly condemned the Pakistani Taliban and supported the government's military campaign against Sunni insurgents. In March 2010, a leading cleric and member of another Sunni group, Ahl-e-Sunna-wal-Jama'a, previously the banned group Sipah-i-Sahaba Pakistan, was wounded and his son killed in a shooting in Karachi. Sipah-i-Sahaba had been implicated in attacks on Shi'a Muslims. Also in Karachi later the same day, another Sunni cleric identified as a prominent member of the Deobandi community and the head of an anti-Ahmadi organization was shot and killed along with his son and two associates.

Sunni extremists have also targeted Ahmadis and Christians. 14 Ahmadis were murdered during the 2009-2010 reporting period in attacks which appear to have been religiously-motivated (e.g., in attacks in which robbery does not appear to have been a motive). In the most recent case, three Ahmadi businessmen were shot to death on April 1, 2010 on the streets of Faisalabad, Punjab, the scene of previous anti-Ahmadi violence. None of the perpetrators have been brought to justice. From June to August 2009, a series of mob attacks took place against Christian communities in Punjab, most notably in Gojra, where in late July/early August, eight Christians were killed and 18 injured, and two churches and almost 75 houses burned, following an accusation that Christians had desecrated the Koran. A fact-finding team by the independent, non-governmental Human Rights Commission of Pakistan reported that the violence in Gojra had been planned in advance.

Due to their minority status, Pakistan's Hindus, Christians, and Sikhs may be more vulnerable to crime, including robbery and kidnapping for ransom. Hindu temples, due to their visibility, were particular targets for robbery. Hindu businessmen in Sindh have been increasingly subject to extortion or kidnappings for ransom. Hindus have also been

targeted in the province of Balochistan, where they are the largest religious minority and where the security situation is problematic due to a long-running ethnic insurgency. Ransom, even of exorbitant amounts, is sometimes characterized as *jizya*, thus claiming an Islamic sanction for its imposition on non-Muslims. In February 2010, a kidnapped Sikh businessman from Peshawar was beheaded by insurgents belonging to the Pakistani Taliban in a remote location on the border between Khyber and Orakzai Agencies. Two other Sikhs were rescued by the Pakistani military.

There are persistent reports of kidnappings, rapes, and forced conversions to Islam of Hindu and Christian women, including minors. In March 2010, a Karachi-based Hindu attorney associated with the non-governmental National Human Rights Commission of Pakistan was quoted as estimating that 20-25 young Hindu women are abducted and forcibly converted every month. The attorney claimed that the victims' families often fail to register cases with the police out of fear of violent retaliation. The Asian Human Rights Commission has highlighted the case of a 15-year-old Hindu domestic servant abducted in Punjab in October 2009. When, through the intervention of the National Peace Committee for Interfaith Harmony, she was later found to be in the custody of her and her parents' employer, a Muslim landlord, at a village 130 kilometers away, the parents were told that she had converted to Islam. They were denied the opportunity to meet with her alone and have not been able to return her home. A Hindu advocacy group, the Hare Rama Foundation, reported that it was aware of ten similar cases in 2009 of apparent abductions and forced conversions of Hindu girls. In some such cases, certificates of conversion from Muslim clerics have been presented to legitimize the conversions. Marginalization and poverty also make the Christian community in Pakistan vulnerable. The most recent and notorious instance is the rape/murder in Lahore in January 2010 of a 12-year-old Christian girl, allegedly by her Muslim employer, a prominent attorney and former Lahore Bar Association president.

The Ahmadi Minority and Anti-Ahmadi Legislation

Among Pakistan's religious minorities, Ahmadis are subject to the most severe legal restrictions and officially-sanctioned discrimination. Ahmadis, who may number between three and four million in Pakistan, are prevented by law from engaging in the full practice of their faith and may face criminal charges for a range of religious practices, including the use of religious terminology. Pakistan's constitution declares members of the Ahmadi religious community to be "non-Muslims," despite their insistence to the contrary. Barred by law from "posing" as Muslims, Ahmadis may not call their places of worship "mosques," worship in non-Ahmadi mosques or public prayer rooms which are otherwise open to all Muslims, perform the Muslim call to prayer, use the traditional Islamic greeting in public, publicly quote from the Koran, or display the basic affirmation of the Muslim faith. It is also illegal for Ahmadis to preach in public, to seek converts, or to produce, publish, or disseminate their religious materials. Ahmadis also are restricted in building new houses of worship, holding public conferences or other gatherings, and traveling to Saudi Arabia for religious purposes, including the *hajj* (the pilgrimage to Mecca required of all able-bodied Muslims). According to the State Department's annual Human Rights Report issued in March 2010, 94 Ahmadis faced criminal charges in Pakistan for religious offenses during the past year: 37 under the blasphemy laws and 57 under Ahmadi-specific laws.

Obtaining a Pakistani national identity card or a passport requires a religious affirmation denouncing the founder of the Ahmadi faith as a false prophet. Moreover, because Ahmadis are required to register to vote as non-Muslims and national identity cards identify Ahmadis as non-Muslims, those who refuse to disavow their claim to being Muslims are effectively disenfranchised from participating in elections at any level. Since Ahmadis were declared non-Muslim in 1974, no Pakistani government has attempted to reform the anti-Ahmadi laws and regulations, with the sole exception of an abortive attempt in late 2004 to remove the religious identification column in Pakistani passports, which would have enabled Ahmadis to participate in the *hajj*. This initiative was reversed in March 2005 when the government restored the column, reportedly in response to pressure from Islamist political parties.

Widespread Abuse of the Blasphemy Laws

Prescribed criminal penalties for what is deemed to be blasphemy include life imprisonment and the death penalty. Blasphemy allegations, which are often false, result in the lengthy detention of, and sometimes violence against, Ahmadis, Christians, Hindus, and members of other religious minorities, as well as Muslims. Because the laws require neither proof of intent nor evidence to be presented after allegations are made, and include no penalties for leveling false allegations, they are commonly used by extremists to intimidate members of religious minorities and others with whom they disagree. Accusers also often use these laws to carry out a vendetta or gain an advantage over another. Minor procedural changes have not diminished the misuse of these laws. The negative impact of the blasphemy laws is further compounded by the absence of due process in the proceedings, and during blasphemy trials, Islamic militants often pack the courtroom and publicly threaten violence if there is an acquittal. Such threats have proven credible, since violence has sometimes followed an acquittal. Although no one has yet been executed by the state under the blasphemy laws, individuals have been sentenced to death. Several of those accused under the blasphemy laws have been attacked, even killed, by violent extremists, including while in police custody. Those who escape official punishment or attacks by extremists are sometimes forced to flee the country.

Scores of arrests on blasphemy charges are reported each year in Pakistan. Among notable recent cases are the following. Five Ahmadi teenagers were released on bail in July 2009 after six months' imprisonment following a blasphemy charge. They had been accused of writing the Prophet Muhammad's name on the walls of a toilet in a Sunni mosque. No physical evidence of this existed. In September 2009, a 20-year old Christian man was found dead in his jail cell in Sialkot, Punjab two days after having been arrested on charges of desecrating the Koran. Family and friends alleged that his only "offense" had been to admire the daughter of Muslim neighbors. Pakistani human rights activists alleged that he had been murdered, although police maintained that the death was suicide. In January 2010, a young Christian man was sentenced to 10 years in prison for allegedly burning pages of the Koran. A Muslim neighbor had reportedly seen him disposing of trash. Despite calls by senior officials, including Prime Minister Gilani, for review of Pakistan's blasphemy laws following the anti-Christian violence in Gojra, no action has yet taken place.

Other Religiously-based Laws Negatively Affecting Human Rights, especially of Women

Under the Hudood Ordinances, rape victims run a high risk of being charged with adultery, for which death by stoning remains a possible sentence. In October 2003, the National Commission on the Status of Women in Pakistan reported that as many as 88 percent of women prisoners, many of them rape victims, are serving time in prison for allegedly violating these decrees, which criminalize extramarital sex. The Hudood laws apply to Muslims and non-Muslims alike. The UN Committee against Torture and the UN Special Rapporteur on Torture have stated that the punishments of stoning and amputation breach the obligation to prevent torture or cruel, inhuman, and degrading treatment or punishment under international human rights standards and treaties. Although these extreme corporal punishments may not have been carried out in practice in Pakistan, lesser punishments such as jail terms or fines have been imposed. In a positive development correcting one of the most heavily criticized aspects of these ordinances, in December 2006 then-President Musharraf signed into law a bill curtailing the scope of the Hudood Ordinances regarding rape charges. The new law removed the crime of rape from the sphere of the Hudood laws and put it under the penal code, thereby doing away with the requirement that a rape victim produce four male witnesses to prove the crime. Under the new legislation, convictions for rape must be based on forensic and circumstantial evidence. This change followed another amendment to the Ordinances enacted in July 2006 allowing women convicted of purported sexual transgressions to be released on bail rather than having to remain in prison – sometimes for lengthy periods – waiting for their cases to come to trial.

International Terrorism Linked to Religious Extremism

In addition to the serious religious freedom problems described above, Pakistan has become a significant locus of religious intolerance and religiously-motivated violence in

the region and beyond. The well-planned November 2008 terrorist attacks in Mumbai, India, have been linked to the Pakistan-based extremist group, Lashkar-e-Taiba, a connection Pakistan's then-Interior Minister publicly acknowledged in February 2009. Lashkar-e-Taiba has been designated by the State Department as a foreign terrorist organization. Pakistani authorities have made efforts to curb such extremists, who also threaten Pakistan's own security. There are extensive reports, however, that the Pakistani military and intelligence agencies have provided safe havens, operational bases, and other support to Lashkar-e-Taiba, the Afghan Taliban, and other extremists operating against neighboring Afghanistan and India. Due to such support, the Afghan Taliban were able to regroup, re-arm, and intensify cross-border attacks inside Afghanistan after being ousted by U.S. and coalition forces, substantially increasing instability and violence in that country. The State Department had named the Taliban regime of Afghanistan a "particularly severe violator" of religious freedom from 1999 until the regime was deposed in 2001.

Leadership in Seeking a Global Blasphemy Law

The government of Pakistan also has been active in the international arena in promoting limitations on freedom of religion or belief. As it has done in UN bodies since 1999, in March 2010 Pakistan once again presented a resolution to the UN Human Rights Council in Geneva supporting measures to halt the so-called "defamation of religions." The backers of the resolution claim that their aim is to promote religious tolerance, but in practice such laws routinely criminalize and prosecute what is often deemed – capriciously by local officials in countries where such laws exist – to be "offensive" or "unacceptable" speech about a particular, favored religion or sect. Defamation of religion laws clearly violate principles outlined in international human rights instruments, which guarantee the right to freedom of thought, conscience, and religion, as well as freedom of expression. Moreover, they appear to grant rights to entire religions rather than to individuals. Regrettably, the resolution again passed the Council March 2010, although by the smallest margin ever. Seventeen countries voted against the resolution and 8 abstained. (For more information, see the discussion of the UN in this report's chapter *Promoting International Religious Freedom through Multilateral Institutions*.)

U.S. Policy

The U.S. government has viewed Pakistan as a strategic country and, at least during some periods, as an important regional partner. During the Soviet occupation of Afghanistan, Pakistan was of crucial importance in U.S. efforts to bolster the anti-Soviet resistance. Following the September 11, 2001 terrorist attacks against the U.S. homeland, Pakistan was again crucial to U.S. efforts in Afghanistan and to the global campaign against al-Qaeda. The relationship has often been marked, however, by strain, disappointment, and mistrust. Many Pakistanis view the United States as untrustworthy because of what they see as a lack of U.S. support in Pakistan's conflicts with India, the cancellation of U.S. assistance over Pakistan's acquiring of nuclear weapons, and the sharp drop-off in U.S. engagement with Pakistan following the Soviet withdrawal from Afghanistan in 1989 and the end of the Cold War. Many in Pakistani civil society also view the United States as prone to focus on the security component of the relationship, providing at times massive assistance to Pakistan's powerful military establishment, excusing past military rule and downplaying attendant human rights abuses when this suits U.S. interests, and failing to support those elements of Pakistani society that espouse democracy and respect for human rights. Anti-Americanism is a popular sentiment in Pakistan, feeding off nationalist concerns over Pakistani sovereignty and the conviction of many religious conservatives that U.S. policy and values are hostile to Islam.

The Obama administration has actively engaged with Pakistan, viewing Afghanistan and Pakistan as a single theater in the on-going conflict with al-Qaeda and the Afghan Taliban. On January 22, 2009, only two days after President Obama's inauguration, he joined Vice President Biden and Secretary of State Clinton at the State Department for the announcement of Ambassador Richard Holbrooke as U.S. Special Representative for Afghanistan and Pakistan. In making the announcement, Secretary Clinton stated that "It

has become clear that dealing with the situation in Afghanistan requires an integrated strategy that works with both Afghanistan and Pakistan as a whole, as well as engaging NATO and other key friends, allies, and those around the world who are interested in supporting these efforts."

In March 2009, following a two-month-long interagency policy review, the Administration announced "a comprehensive, new strategy for Afghanistan and Pakistan," with an increased focus on Pakistan. The White Paper outlining this new strategy defined the core U.S. goal to be "to disrupt, dismantle, and defeat al Qaeda and its safe havens in Pakistan, and to prevent their return to Pakistan or Afghanistan." The new strategy viewed the security of the two South Asian neighbors to be interrelated, seeing Pakistan-based insurgents as undermining Afghanistan while the "insurgency in Afghanistan feeds instability in Pakistan." Among the announced objectives to achieving this goal was "assisting efforts to enhance civilian control and stabile constitutional government in Pakistan and a vibrant economy that provides opportunity for the people of Pakistan." Enhancing human rights, including freedom of religion or belief, was not among the announced objectives or the major recommendations in the new strategy.

In October 2009, President Obama signed the Enhanced Partnership with Pakistan Act of 2009 (also known as the Kerry-Lugar Bill) authorizing an additional \$7.5 billion in mostly non-military assistance to Pakistan (\$1.5 billion annually over five years). The assistance is to support democratic institutions and to promote rule of law, to promote economic development, to build Pakistan's human resources, with particular emphasis on women and children; and to strengthen U.S. public diplomacy efforts to combat extremism and to promote a better understanding of the United States among the Pakistani people. Particularly controversial in Pakistan, however, were provisions intended to lend U.S. support to effective civilian control of the powerful Pakistani military by the elected government. Many Pakistanis viewed these provisions, which include a reporting requirement to the U.S. Congress to describe civilian oversight of the Pakistani military, the process for determining Pakistan's defense budget, and even the promotion process for senior military officers, as intrusive and as an alleged affront to Pakistani sovereignty.

In March 2010, a session of the U.S.-Pakistan Strategic Dialogue was held in Washington, DC at the Secretary of State/Foreign Minister level. According to the joint statement issued after the talks, the "core foundations of [U.S.-Pakistani] partnership are shared democratic values, mutual trust and mutual respect." Human rights was once again absent from the list of bilateral concerns worthy of dialogue, which included "economy and trade; energy; security; strategic stability and non-proliferation; law enforcement and counter-terrorism; science and technology, education; agriculture; water; health; and communications and public diplomacy."

USCIRF Activities

USCIRF has long been concerned with the serious religious freedom abuses taking place in Pakistan, some of which the government of Pakistan condones. Since 2002, USCIRF has recommended annually that Pakistan be designated a CPC. The Commission has highlighted religious freedom problems in Pakistan through public hearings, meetings with the Administration and the Congress, letters to senior U.S. government officials, and press statements.

In March 2009, USCIRF held a hearing on Capitol Hill entitled, "Pakistan: The Threat of Religious Extremism to Religious Freedom and Security." Experts discussed legal restrictions on religious freedom in Pakistan; the threat, particularly to women and religious minorities, of religiously-motivated violence and intolerance; strategies for promoting tolerance in Pakistan's educational system, including Islamic schools; and how U.S. policy toward Pakistan could better support the institutions that promote respect for human rights, including freedom of religion or belief. USCIRF welcomed the Administration's March 27, 2009 announcement of "a comprehensive, new strategy" that "focuses more intensively on Pakistan than in the past, calling for more significant increases in U.S. and international support, both economic and military, linked to

Pakistani performance against terror."

During a July 2009 meeting with a visiting delegation from Pakistan's Council of Islamic Ideology, an advisory body sponsored by the Pakistani government, USCIRF raised concerns about religious freedom in Pakistan, including Pakistan's laws on blasphemy and those restricting the rights of members of the Ahmadi religious community. In August 2009, USCIRF wrote the U.S. Special Envoy for Afghanistan and Pakistan, Ambassador Richard C. Holbrooke, urging him to support efforts underway within Pakistan to remove the blasphemy laws and other discriminatory legislation that have had a negative impact on freedom of religion or belief and other universal human rights of Pakistan's citizens, particularly members of religious minorities.

In September 2009 and again in February 2010, USCIRF facilitated a series of briefings by Pakistan's Federal Minister for Minorities Affairs for members of Congress and their staff, National Security Council and State Department officials, academic experts, and representatives of non-governmental organizations. These briefings focused on the current situation of Pakistan's religious minority communities and the Pakistan government's response to an upsurge in religiously-motivated violence. USCIRF also worked with House staff to develop H.Res. 764 that expressed the sense of the House of Representatives on the importance of inter-religious dialogue in Pakistan and of religious freedom and related human rights for Pakistanis of all religious faiths.

Based on these contacts and USCIRF's own research, the Commission concludes that the contest with religious extremists now taking place in Pakistan, and in neighboring Afghanistan, requires that the United States bolster the position of those elements within Pakistani society that respect democratic values, the rule of law, and international standards of human rights, including freedom of religion or belief. To this end, the Commission has the following recommendations.

Recommendations

I. Advancing Religious Freedom through U.S. Programs and Policies

In addition to designating Pakistan as a CPC, the U.S. government should:

- clearly articulate upholding religious freedom and related human rights as an essential element of the U.S. strategy toward Pakistan, and support Pakistani civil society institutions that work to uphold and guarantee these rights;
- have Special Representative Richard Holbrooke increase his engagement on religious freedom and related human rights, as well as designate a member of his team to report to the Special Representative exclusively on human rights in Pakistan, specifically including religious freedom and sectarian violence;
- from the funds provided through the Enhanced Partnership with Pakistan Act of 2009, make allocations in the Pakistan assistance package for fiscal years 2010-2014 to strengthen the promotion and protection of religious freedom and tolerance by:
 - ensuring that assistance for government capacity development that goes to the Pakistani executive, legislative and judicial branches also addresses religious freedom and related human rights, such as the programs developed by the Federal Ministry of Minorities Affairs that promote pluralism and tolerance;
 - ensuring that assistance focusing on improving security and legal institutions through police training addresses religious freedom and related human rights; and
 - implementing programming that works to ensure the promotion of the

rights and full participation of women and girls in Pakistan's social and political life.

- as the number of U.S.-based implementing partners declines, ensure that USAID engages Pakistani government offices and qualified Pakistani organizations to promote religious freedom and tolerance, including by:
 - supporting the work of religious communities and civil society groups to provide advocacy training and empowerment for minorities;
 - supporting the work of the Federal Ministry of Minorities Affairs to promote inter-religious respect and tolerance at the national and local levels, including by print, broadcast, and web-based media, to respond to the challenge of religious extremism and religiously-motivated or sectarian violence;
 - supporting the work of the Pakistan federal government's District Interfaith Harmony Committees and similar efforts at the local level to promote conflict resolution and more effective responses by Pakistani authorities and civil society to instances of religiously-motivated discrimination, intimidation, or violence;
- expand U.S. government contacts beyond the Pakistani government to include substantially more open and public dialogue with a variety of civil society representatives, including groups and political parties that may be critical of the government or represent diverse viewpoints; and
- recognizing that lasting stability in Pakistan will come from a vibrant civil society, expand programs leading to the sustained engagement of the United States with the Pakistani people, such as the Fulbright Program, the International Visitor Program, and other exchanges for professionals, students, and religious and civil society leaders from all of Pakistan's diverse religious and ethnic communities.

II. Ending Violations of Religious Freedom in Pakistan

The U.S. government should urge the government of Pakistan to:

- decriminalize blasphemy and, in the interim period until that action is completed, immediately implement procedural changes to the blasphemy laws that will reduce and ultimately end their abuse, and ensure that those who are accused of blasphemy and their defenders are given adequate protection, including by investigating death threats and other actions carried out by militants, and that full due process is followed;
- reinforce the rule of law, including by strengthening protections for the freedoms of religion, speech, association, assembly, and the media, and by strengthening an independent judiciary;
- prioritize the prevention of religiously-motivated and sectarian violence and the punishment of its perpetrators, including by:
 - making greater efforts to disarm violent extremist groups and provide the necessary security to Shi'a, Sufis, Christians, Ahmadis, Hindus, Sikhs, and other minority religious communities in their places of worship and other minority religious sites of public congregation;
 - investigating acts of religiously-motivated and sectarian violence, and punishing perpetrators in a timely manner;

- constituting a government commission that is transparent, adequately funded, inclusive of women and minorities, and defined by a mandate to study and produce recommendations on ways that the Pakistani government can proactively diminish religiously-motivated and sectarian violence, particularly in areas with a heavy concentration of members of religious minority communities;
- rescind the laws targeting Ahmadis, which effectively criminalize the public practice of their faith and violate their right to freedom of religion guaranteed in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;
- cease toleration or support of the Taliban or other terrorist groups by any element of the Pakistani government, including the intelligence services;
- confront and work to address the consequences of the political alliances maintained by past military-dominated governments with Islamist political parties, which afforded an excessive amount of influence to these groups, and which, in turn, had a strong negative impact on religious freedom in Pakistan; and
- halt its practice at the UN Human Rights Council, General Assembly, and other international fora of promoting and supporting the problematic concept of "defamation of religions," which seeks to undermine the international human rights guarantees of freedom of religion and freedom of expression.

The U.S. government should urge the government of Pakistan, and provincial authorities, as appropriate, to:

- investigate and close any religious schools that provide weapons or illegal arms training in perpetrating acts of violence;
- set national textbook and curricula standards that actively promote tolerance towards all religions, and establish appropriate review and enforcement mechanisms to guarantee that such standards are being met in government (public) schools;
- initiate efforts through existing regional and international institutions to establish mechanisms for mutual review of textbook guidelines, textbook content, curricula, and teacher-training programs in order to promote positive concepts of tolerance and respect for the rights of others and to exclude material promoting intolerance, hatred, or violence against any group of persons based on religious or other differences;
- move quickly to implement improved guidelines for textbooks used in public schools and to replace current public school textbooks with ones that exclude messages of intolerance, hatred, or violence against any group of persons based on religious or other differences;
- open the Federal Ministry of Education's current process of development of textbook guidelines to participation by civil society and by representatives of religious minority communities in cooperation with the Federal Ministry of Minorities Affairs; and
- ensure that a *madrassa* oversight board is empowered to develop, implement, and train teachers in human rights standards, and to provide oversight of *madrassa* curricula and teaching standards.