**FOR IMMEDIATE RELEASE**  
AHRC-STM-031-2017  
28 April, 2017

**A Statement by the Asian Human Rights Commission**

**PAKISTAN: Government adding fuel to fan religious violence**

Coming on the heels of the recent lynching, killing and attacks in Pakistan on the pretext of blasphemy, the legislative assembly of Pakistan controlled Azad Kashmir has unanimously passed two resolutions regarding the finality of the Prophet Hood (SAW) and honour and respect of the Prophet’s companions and family (Sahaba Karam and Ahle-Bait (RA)). The resolutions state that Qadiayani, Ahmadi and Lahori sects are against Islam and they should be declared as non-Muslim. Furthermore, if they call themselves Muslim, they should be criminally charged with blasphemy.

It is unclear why the legislative assembly of Azad Jammu Kashmir chose this time for taking a position in favour of blasphemy laws similar to those of Pakistan. Regardless, the assembly is dominated by members from PML-N, Pakistan’s ruling party, and it only works under the guidance of Prime Minister Nawaz Sharif, coming under the federal ministry. Instead of tackling the issue of people taking the law into their own hands on the mere accusation of blasphemy, the incumbent government through its legislators is adding fuel to the existing bigotry, further fanning religious violence in the country.

The month of April has been quite disastrous for Pakistan in terms of attacks under blasphemy allegations. The most shocking attack was on student Mashal Khan, who was lynched on April 13 by a mob of 500 persons at Abdul Wali Khan University, Mardan. While he was accused of blasphemy, his true crime was criticising the university administration. On April 20, three armed sisters in Sialkot, central Punjab, shot and killed a man accused of blasphemy 13 years ago. On April 22, a mob attacked a man accused of blasphemy during Friday prayers in a northern Pakistani town, and injured six police officers after they intervened to rescue him. On April 25, at least 14 people, including six children and two women were killed and 13 others injured, when a passenger van was targeted with a remote-controlled bomb in Parachinar, Kurram Agency in the Federally Administered Tribal Areas (FATA). The Shiites are the dominant population of the area, whereas the fundamentalists and Taliban do not consider Shias as Muslim.

The accusation of blasphemy is a lethal tool, allowing the accuser to dispense justice there and then. Used as a pretext to deny almost every single fundamental human right, the accused is reduced in stature in the eyes of the law itself. Asia Bibi for instance, was denied the right to medical treatment inside the jail. Her case has been pending for almost a decade as she has been denied the right to fair trial.

Pakistan’s controversial blasphemy law does not clearly define blasphemy, but states that the offence is punishable by death. Anyone can file a blasphemy case, claiming his or her religious feelings have been hurt. The accused are often lynched, and lawyers and judges defending or acquitting them have been attacked. Rights groups say the blasphemy law has even been used to seize money and property.

Blasphemy law has long since morphed into an anti-Shia and anti-Ahmadi tool for vendetta; causes of allegations vary from financial to revenge, having little to do with hurt religious sentiments. Allegations of blasphemy are usually based on rumors, spread with the intention of whipping up violence.

In May 2014, 68 lawyers were charged with blasphemy for using the name “Umar” in protest slogans against a high police official of the same name. In the same month, prominent human rights lawyer Rashid Rehman, who was defending a university professor accused of blasphemy, was shot and killed after being threatened in court by other lawyers.

Blasphemy laws are particularly dangerous in countries like Pakistan, where the collapsing judicial system, weak rule of law and ineffective state control makes certainty of punishment for crime absent and selective applicability of law routine. Failure to deliver justice has caused the people to dispense mob justice.

Increasing blasphemy allegations and misuse of the law is but a symptom of failed governance, and is exacerbated with the deteriorating law and order situation. The blasphemy law’s loopholes and intrinsic prejudice against all religious minorities has enabled the misuse of power using religion as a pretext.

Pakistan’s criminal justice system ranks 81 out of 113, and is in urgent need for improvement and reengineering. With rising incidences of miscarriage of law and a breakdown of law and order, giving rise to military courts, it becomes incumbent upon the judicial officers to partake their duties with full honesty and integrity.

The mercenaries that the state has been harbouring and appeasing with sharia and blasphemy laws have turned against their masters, as can be seen through the rise in extremism and violence in the society. There is an urgent need to open a public discourse into blasphemy and the laws pertaining to it. The state cannot continue to use blasphemy as a tool against dissent or to oppress any group. Hoping for interfaith harmony while patronising a particular sect is a fool’s dream.

By allowing assemblies to pass religious resolutions, the state is instigating people to violence. Sadly, whenever incidents of violence occur, the state does little more than pay lip service. Despite their tall claims to bring the perpetrators to justice, the government covertly introduces laws and policies that instigate people to more violence. Such things must stop in the interest of national security and sanity. How long must people like Mashal Khan die for the felony of the state?

**# # #**

***The Asian Human Rights Commission (AHRC)*** works towards the radical rethinking and fundamental redesigning of justice institutions in order to protect and promote human rights in Asia. Established in 1984, the Hong Kong based organisation is a Laureate of the Right Livelihood Award, 2014.

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