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Statement by Pakistan during the Eight Forum on Minority Issues

(24-25 November 2015)

Mr. Chairman,

We take note with appreciation of the theme "Minorities in the Criminal Justice System" selected for the Eighth Forum on Minority Issues and the draft recommendations prepared by the Special Rapporteur on Minority Issues.

Minorities form an integral part of the diverse Pakistani society and have immensely contributed to the development of the country. The Constitution provides equal status and rights to all citizens and prohibits discrimination on account of religion, race, caste, colour or creed.

For the promotion and protection of rights of minorities, Pakistan has always pursued a policy of non-discrimination in line with the vision of its founding father, Quaid-E-Azam Muhammad Ali Jinnah. The Government has been taking administrative and policy measures to ensure that minorities enjoy equal rights for it strongly believes that without guaranteeing the rights of minorities, no society can foster culture of tolerance and mutual respect. In this regard, the criminal justice system in Pakistan has played an instrumental role in promoting and protecting rights of minorities.

The independent judiciary has always been at the forefront of safeguarding rights of minorities in Pakistan. In a landmark Judgment of 19 June 2014, the Supreme Court held that each citizen of Pakistan is free to exercise the right to profess, practice or propagate his or her religious views, even against the prevailing or dominant views of his or her own religious denomination or sect. It laid down a set of clear and binding directions, including among others, setting up a task force for promoting religious tolerance; ensuring school curriculum promotes religious harmony; constituting a national council for the protection of minorities to frame policy recommendations for safeguarding and protecting rights of religious minorities; constituting a special police force to protect places of worship of religious minorities; ensuring that action, including registration of criminal cases, is promptly taken to bring perpetrators who violate rights of religious minorities to justice; and assigning a bench of the Supreme Court to oversee implementation of the judgment and entertain complaints related to violation of human rights of minorities in the country. The Government is making utmost efforts to implement the Judgment.

In another important judgment of 7 October 2015, the Supreme Court has held that criticism of misuse of blasphemy law does not amount to blasphemy itself. It may be underscored that numerous cases instituted under blasphemy law have normally failed to withstand judicial scrutiny at various levels. There is also an effective process of appeal in case of conviction under the blasphemy law. By one clause of the Criminal Law (Amendment Bill 2004), no case under the Blasphemy Law can be registered against any alleged offender without a thorough preliminary investigation carried out by a senior police officer, not below the rank of Superintendent of Police. This safety clause further reduces the probability of abuse or misuse of Blasphemy law by any one.

The Supreme Court has also taken several Suo Moto Actions regarding violation of rights of minorities. The Human Rights Cell of Supreme Court is also providing legal assistance to people belonging to minority communities.

We would like to underscore that due to war against terrorism, Pakistan had to deal with terrorism and extremism. Terrorists had been indiscriminately attacking all citizens of the country including minorities. The government adopted a comprehensive National Action Plan (NAP) to combat terrorism and extremism in the country following an attack on the Public School, Peshawar, in December 2014. As part of NAP, the government pledged to take "strict action against the literature, newspapers and magazines promoting hatred, decapitation, extremism, sectarianism and intolerance" and to ensure the "protection of minorities". It is encouraging to note that due to Operation Zarb-e-Azb and effective implementation of NAP attacks by terrorists have reduced in the last few months.

I thank you.