

In Pakistan, Representation for Religious Minorities Meets New Complications



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The much-awaited Pakistan National Commission on Minorities was finally approved in a Federal Cabinet meeting in May 2020, after six years on the fence. Yet while the headline sparks hope - for the minority communities on the ground - the commission is another letdown, as quality did not present itself in the waiting.

The Commission - envisaged in June 2014 by a Supreme Court [ruling](#) directing the government of Pakistan to form a commission “to monitor the practical realization of the rights and safeguards provided to the minorities under the Constitution and law” - has fallen flat.

The Commission, which was set up for the minorities, lacks the necessary nuts and bolts to make it effective to ensure "the practical realization" of their rights. Jubilee Campaign echoes the minority community and finds these three major flaws in the "[toothless Commission](#)":

“The religious minority communities were not consulted while forming this commission.” - Archbishop Joseph Arshad

- **No voice** One key objection to the commission is that the religious minority communities were not consulted while forming this commission. The audacity that the commission for religious minorities is excluding, from conception, the very members it was setup to aid is disheartening. The Pakistani government have done this before - they use the words of religious freedom - but do not take the pains of evaluating it. At the Pakistani Foreign Minister's visit to the US in February he dodged a question on what Pakistan was doing to improve their religious freedom record given their designation as a Country of Particular Concern by the State Department for their religious freedom violations. He merely repeated the words,

"Pakistan has religious freedom - we have churches and mosques and synagogues." Pakistan also has Islamic blasphemy laws with hundreds languishing in prisons without a sentence, but instead the Pakistani foreign minister pointed to India.

"The inclusion of Muslim members from Pakistan Islamic Ideology in the commission will undermine the representation of minorities." - Joseph Francis, National Director CLAAS, supplying Legal Aid for minorities.

- **No representation:** Composition of the Commission matters. While representation might be a buzzword in the west - in Pakistan it is a necessity. Christians and other minorities are treated as second-class citizens, with limited or total lack of access to education for their children relegating them to dangerous and menial work, with laws that allow for arbitrary arrests and ignore forced conversions. The deep seated discrimination and distrust in the society make the presence of a member of your community in a commission essential to ensure your voice is heard. The goal of the commission - envisaged in 2014 - was to have a mechanism that would raise the grievances of the minorities. The 10-member commission however, looks more "like an interfaith commission rather than a minorities commission," with two Muslims, three Hindus, three Christians and one member each from the Sikh, Parsi and Kailash communities; with two members of the Islamic Council of Islamic ideology and two other renowned clerics listening in. Moreover, there was not a single representative of the Ahmadis or the Baha'is who are also persecuted in Pakistan.

"Without any statutory powers, they won't be able to solve minority issues." - Peter Jacob, the Catholic director of the Centre for Social Justice.

- **No Power** In addition to the lack of representation the commission does not have any legal power to enforce its resolutions across the country, it has no constitutional powers. This is where a great disappointment lies with the minorities as it is these constitutional and legal inequalities that need to be addressed. It was this that was promised in the 2014 court ruling - a Commission through the parliament, "with the prime function to assess the implementation of rights and safeguards for minority rights, review public policies and contribute advice on policy matters."



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Now, the status of rights for religious minorities faces another setback, as Pakistan's Senate Standing Committee on Religious Affairs failed to pass a monumental bill that would solidify minority rights. The Protection of the Rights of Religious Minorities Bill, introduced by Senator Javed Abbasi, would, among other provisions, (1) guarantee that religious minorities could visit sacred sites for worship; (2) eliminate hate speech towards religious minorities from school textbooks; (3) provide assistance to victims of forced religious conversion, notably religious minority girls; (4) penalize forced marriages of religious minority girls; and (5) ensure due process for religious minorities whose rights and security are violated, by making sure that such cases would be remedied in court rather than in clandestine settings.

On February 2, 2021, the Committee, chaired by Senator Maulana Abdul Ghafoor Haideri,

rejected the bill on claims that there were already effective legislations and mechanisms in Pakistan to protect the rights of religious minorities, and that some religious temples have been constructed for minority worship. These claims oppose findings by numerous human rights watchdogs that the **forced conversion of religious minority girls** remains an unsolved travesty in Pakistan, and that **sectarian violence** against minorities and their houses of worship occur regularly.

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