

Urgent Appeal

Pakistan: The Christian community in Punjab is under threat from extremist groups again; two brothers are illegally charged with blasphemy

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ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME

Urgent Appeal Case: AHRC-UAC-102-2010

14 July 2010

PAKISTAN: The Christian community in Punjab is under threat from extremist groups again; two brothers are illegally charged with blasphemy

ISSUE: Religious minorities; blasphemy law; threats; arbitrary detention

Dear friends,

The Asian Human Rights Commission (AHRC) has learned that two Christian men are in imminent danger after they were arrested, without a legitimate investigation, for blasphemy. The police officers involved have not followed the penal code, which only allows such charges to be made after an investigation by the superintendent of police. Blasphemy can still be met with the death penalty in Pakistan.

Violent rallies by radical Muslims in the area have called for the men's deaths, and Christians have reportedly begun to leave the neighbourhood. They fear that a new attack is planned for the end of the month, around the anniversary of a deadly attack on Christians 50km away in Korian village, Tehsil Gojra; six were set alight and burned to death. Mosque loudspeakers are also being freely used to incite the violence, which is illegal.

Immediate action must be taken to remove the men from danger, take up their case according to the laws and procedures of the country, and quell the rising tide of violence against the Christian community.

CASE NARRATIVE:

Mr. Rashid Emmanuel, 32, is a pastor. On the evening of 2 July he received a telephone call from a man who claimed to be from the La Salle School, a prominent Christian educational centre. He asked to meet Mr. Rashid about an urgent matter at Zilla Council chowk (crossroads) in Faisalabad. When Rashid arrived later that evening he saw four persons standing in the dark; before ten uniformed police officers reportedly emerged and arrested him.

He was taken to the Civil Lines Police Station nearby and shown a photocopy of a four-page handwritten pamphlet that criticized Islam and its last prophet, Muhammad (peace be upon him). The pamphlet appeared to be signed by Rashid and his younger brother Sajid Emmanuel, and instructed the reader to contact them for further information. It featured their cell phone numbers and national identity card numbers.

The police detained Rashid and released a boy who they had mistakenly thought to be Rashid's brother. The blasphemy complaint was filed by Mr. Mohammad Khurram Shehzad, a printer who reportedly declared that his assistant had seen a man distributing the pamphlets at Lari Adda, the city's main bus terminus, on 1 July. Based on this information the police filed a First Information Report (FIR), a legal document for case proceeding in the court).

However the blasphemy law was amended in 2004 specifically to avoid its abuse via baseless charges. As details below the blasphemy charge can still be met with the death penalty, yet it often arises amid neighbourhood vendettas. Section 295C of the Pakistan Penal Code (PPP) now states that no case of blasphemy can be filed without the investigation of the superintendent of police.

A representative of the Christian community – Mr. Atif Jamil Pagan, the Chief of Pakistan Minorities Democratic Harmony Foundation – contacted the police and was told by the SHO that a sub inspector and an assistant superintendent had been chosen for the investigation; he allegedly acknowledged that they were not complying with section 295C of the PPC because they were under pressure from extremist Muslim groups in the community. The sub inspector, a Mr. Mohammad Hessian, later told Atif that the accused was being detained without evidence against him because the case was a sensitive one.

On 3 July we are told that the police took Rashid to the Anti Terrorist Court (ATC) for police remand, where the case was correctly refused. Religious matters are no longer under the authority of the ATC, as maintained in clause 780 of the Anti Terrorist Act (ATA) 1997. Rashid was taken to a duty magistrate in the Civil Lines jurisdiction, who agreed to his two-day remand in police custody, despite the breach of procedure.

We are told that during this time the sub inspector summoned Atif Pagan to the police station and asked that he produce Rashid's young brother. For his protection, Pagan arranged for Sajid to be handed to the police in the presence of Bishop Joseph Couetts of Faisalabad. The police then asked the brothers to handwrite each pamphlets three times. On 7 July the writing samples were sent to experts in Lahore, around 200km from Faisalabad, but the experts reportedly replied that they could not work from the photocopied pamphlets.

During this time groups of organized Muslim activists started to rally against the brothers in public: we are told that the loudspeakers from a number of mosques were used illegally to do so, and to incite violence against local Christians (in breach, as noted below, of Section 3 of the Loud Speaker Act 1965). On 7 July a procession in Warispura saw local Muslim residents chanting threatening slogans against Christians; one chant called for the hanging of Rashid and Sajid, and we are informed that the mob attacked a Catholic Church, breaking its windows and doors. On 10 July persons in another procession burnt tires on the streets; a call went up declaring that Christians would not be allowed to live in Warispura. At 1am that night a procession of motorbikes took place,

with riders allegedly harassing Christians who were leaving their homes with their belongings. The protestors announced that a meeting would be held at Ghanta Chowk on 11 July, a central gathering place for such rallies.

We are told that the police began efforts to address the protestors on the evening of 10 July, and that after a number of meetings it was agreed that the rallies and threats should stop.

However protest gatherings continued on 11 July, and united into a large meeting at noon, at which Muslim leaders from various religious political parties, among them Khatme-e-Nabowat, Jamiat Ulema-ePakistan and Namooos-e-Risalat reportedly reiterated death threats against the brothers, because the government had not sentenced them to death. We are told that among the speakers were Sahibzada Abulkhair Mahumed Zubair and Syed Hidayat Hussain Shah, who are known for inciting violence in the area. At the meeting it was announced that a set of gallows had been set up at the tower of Ghanta Ghar (in the centre of Faisalabad), in preparation for the hanging of blasphemous Christians.

We are told that the brothers remain in detention at the police station without adequate protection against mob violence. There are strong fears that they could be attacked. The men have reported that co-detainees are also threatening them. Immediate action must be taken to remove them from danger, provide strong state protection, take up their case according to the laws and procedures of the country, and quell the rising tide of violence against the Christian community.

ADDITIONAL INFORMATION:

Almost a year ago six Christians, two of them women, were set alight and burned to death under similar circumstances just 50km away in Korian village, Tehsil Gojra, as reported in urgent appeal: [Pakistan: A human rights activist faces terrorism charges for publicising the murder of Christians, while the mullahs who encouraged the violence remain free](#) and mentioned again in: [Pakistan: Newspaper advertisements call for the murder of a human rights lawyer in Punjab; police silently spectate](#). Houses were also set on fire. The Christian community in Wasapura is extremely concerned that a similar attack could be planned around the anniversary of the Gojra violence, on 31 July. With such incidents already proven to be possible, it is imperative that these concerns are acted on, and the greatest efforts are taken by the administration to protect these Pakistanis from potential attack, and reassure them of their security and their rights.

Religious minority groups in Pakistan remain vulnerable due to the continued use and abuse of blasphemy charges, despite section 295C of the PPC. This must be strongly implemented if minorities are to be protected. Police who fail to follow the code and who operate under the directive of extremists in the community must face strong legal action. Charges of blasphemy are still met with the death penalty in Pakistan, and desecrating the Quran carries a life sentence.

The AHRC is also aware of several recent cases in which mosques have used loud speakers to provoke anger against religious minorities. Section 3 of Loud Speaker Act 1965 bans all types of speeches other than Azan (the call to prayer) and the Friday sermon in Arabic. Charges must be taken against those who allow the mosques to be used illegally to incite violence.

SUGGESTED ACTION:

Please write letters to the authorities to remind them of their immediate responsibility to protect a threatened population of Christians in Faisalabad, Punjab province, and to urge immediate legal action against those inciting violence against them.

The Asian Human Rights Commission has written to the UN Working Group on Arbitrary Detention,

the Special Rapporteur on freedom of religion or belief and the Independent Expert on minority issues

To support this appeal please click here:

<http://www.ahrchk.net/ua/support.php?ua=UAC-102-2010>

SAMPLE LETTER:

Dear _____,

PAKISTAN: The Christian community in Punjab is under threat from extremist groups again; two brothers are illegally charged with blasphemy

Name of victims:

1. Mr. Rashid Emmanuel, son of Emmanuel

2. Mr. Sajid Emmanuel, son of Emmanuel

Both residents of house number T230, galli number 5, Daud Nagar, Warispura, Faisalabad, Punjab

Names of those allegedly inciting religious violence:

1. Mr. Muhammad Khuram Shahzad, printer, Faisalabad, Punjab

2. Mr. Sahibzada Abulkhair Muhammad Zubair, Leader of Jamiat Ulema-ePakistan, Faisalabad, Punjab province

3. Mr. Syed Hidayat Huassain Shah, leader of Khatm-e-Nabowat, Faisalabad, Punjab province

4. Mr. Mufti Abdul Shakoor Rizvi, former member of Punjab assembly, Faisalabad, Punjab province

5. Mr. Mushtaq Ansari, Councilor of Union Council Warispura, Faisalabad, Punjab province

Date of incident: July 2, 2010

Place of incident: Warispura, Samandri, Faisalabad, Punjab province.

I am writing to voice my deep concern for the safety of two Christian men and their minority community, after they were arrested for blasphemy without a legitimate reason. I am told that the police officers involved have not followed the penal code, which only allows such charges to be made after an investigation by the superintendent of police, and that public rallies from radical Muslims in the area have called for the deaths of the men, and other Christians in the neighbourhood.

On the evening of 2 July Mr. Rashid Emmanuel received a telephone call from a man who claimed to be from a prominent Christian educational centre. He asked to meet Mr. Rashid about an urgent matter at Zilla Council chowk (crossroads) in Faisalabad. When Mr. Rashid arrived later that evening he reports that ten uniformed police officers emerged and arrested him. He was taken to the Civil Lines Police Station nearby and shown a photocopy of a four-page handwritten pamphlet that criticized Islam and its last prophet, Muhammad (peace be upon him). The pamphlet appeared to be signed by Mr. Rashid and his younger brother Sajid Emmanuel, and instructed the reader to contact them for further information. It featured their cell phone numbers and national identity card numbers.

I am told that the police detained Mr. Rashid and released a boy who they had mistakenly thought to

be Mr. Rashid's brother. The blasphemy complaint was filed by Mr. Mohammad Khurram Shehzad, a printer who reportedly declared that his assistant had seen a man distributing the pamphlets at Lari Adda, the city's main bus terminus, on 1 July. Based on this information the police filed a First Information Report (FIR), a legal document for case proceeding in the court). However as you must be aware, the blasphemy law was amended in 2004 specifically to avoid its abuse via baseless charges.

Section 295C of the Pakistan Penal Code (PPP) now states that no case of blasphemy can be filed without the investigation of the superintendent of police.

A representative of the Christian community - Mr. Atif Jamil Pagan, the Chief of Pakistan Minorities Democratic Harmony Foundation - contacted the police and was told by station head officer (SHO) Aamir that a sub inspector and an assistant superintendent had been chosen for investigation; he apparently acknowledged that they were not complying with section 295C of the PPC because they were under pressure from extremist Muslim groups in the community.

On 3 July I am told that the police took Mr. Rashid to the Anti Terrorist Court (ATC) for police remand, where the case was correctly refused, and Mr. Rashid was taken to a duty magistrate in the Civil Lines jurisdiction, who agreed to his two-day remand in police custody.

In the mean time Mr. Sajid was handed to the police in the presence of Bishop Joseph Couetts of Faisalabad. The police have sent copies of their handwriting to experts in Lahore, but I understand that the experts reportedly replied that they could not work with the photocopy of the pamphlet.

I am concerned that during this time groups of organized Muslim activists were able to rally against the brothers in public, while inciting violence against Christians, and that loudspeakers from a number of mosques were used illegally to do so (this is illegal under Section 3 of the Loud Speaker Act 1965). On 7 July a procession in Warispura saw local Muslim residents chanting threatening slogans against Christians; one chant called for the hanging of Mr. Rashid and Sajid, and a mob attacked a Catholic Church, breaking its windows and doors.

On 10 July persons in another procession burnt tires on the streets; the threats escalated and a call went up declaring that Christians would not be allowed to live in Warispura. At 1am that night a procession of motorbikes took place, with riders allegedly harassing Christians who were leaving their homes with their belongings. The protestors announced that a meeting would be held at Ghanta Chowk on 11 July, a central gathering place for such rallies.

I understand that the police began efforts to address the protestors on the evening of 10 July, and after a number of meetings were held, it was agreed that the rallies and threats should stop. However various public gatherings formed on 11 July, and a public meeting took place at noon, in which Muslim leaders from various religious political parties, among them Khatme-e-Nabowat, Jamiat Ulema-ePakistan and Namoos-e-Risalat reiterated death threats against the brothers due to the failure of the government to sentence them. Among the speakers were Sahibzada Abulkhair Mahumed Zubair and Syed Hidayat Hussain Shah, who are known for inciting violence in the area. At the meeting it was announced that a set of gallows had been set up at the tower of Ghanta Ghar (in the centre of Faisalabad), in preparation for the hanging of blasphemous Christians.

I am told that both men remain in detention at the police station, without adequate protection against mob violence. There are strong fears that the men could be attacked at any time. The men have reported that co-detainees are also threatening them. Immediate action must be taken to remove the men from danger, take up their case according to the laws and procedures of the country, and quell the rising tide of violence against the Christian community, members of which

have begun to leave the neighbourhood.

Please note that there are real concerns about the possibility of violence due to the upcoming anniversary of a violent incident, in which police failed to act in time to protect the community, and have not sufficiently investigated since. On July 31 six Christians, two of them women, were set alight and burned to death under similar circumstances, just 50km away in Korian village, Tehsil Gojra. Houses were also set on fire. It is imperative that these concerns are acted on, and the greatest efforts are taken by the administration to protect these citizens from potential attack, and reassure them of their security and their rights.

As a final note, I would like to urge that stronger efforts go into the implementation of section 295C of the PPC. Police who fail to follow the code and who operate under the directive of extremists in the community must face strong legal action; as must those who break the law by allowing the loud speakers of mosques to be used to provoke anger against religious minorities.

Yours sincerely,

PLEASE SEND YOUR LETTERS TO:

1. Mr. Asif Ali Zardari
President of Pakistan
President's Secretariat
Islamabad, PAKISTAN,
Email: publicmail president.gov.pk
Phone 92-51-9204801-9214171
Fax 92-51-9207458

2. Mr. Syed Mumtaz Alam Gillani
Federal Minister for Human Rights
Ministry of Human Rights
Old US Aid building
Ata Turk Avenue
G-5, Islamabad
PAKISTAN
Fax: +9251-9204108
Email: sarfraz_yousuf yahoo.com

3. Mr. Salman Taseer
Governor of Punjab
Governor House
Mall Road
Lahore
PAKISTAN
Fax: +92 42 99203044
Email: governor.sectt punjab.gov.pk

4. Chief Secretary of Government of Punjab
Punjab Secretariat

Lahore
PAKISTAN
Fax: +92 42 7324489
E-mail: chiefsecy.punjab.gov.pk

5. Minister of Law
Government of Punjab
Punjab Secretariat
Ravi Road
Lahore
PAKISTAN
Fax: +92-42-99212004
E-mail: law.punjab.gov.pk

6. Dr. Faqir Hussain
Registrar
Supreme Court of Pakistan
Constitution Avenue, Islamabad
PAKISTAN
Fax: + 92 51 9213452
E-mail: mail.supremecourt.gov.pk

7. Mr. Tariq Saleem
Inspector-General of Police, Punjab
Police Head Office, Lahore, Punjab province
PAKISTAN
Fax: +92-42-99210064

Thank you.

Urgent Appeals Programme
Asian Human Rights Commission (ua.ahrc.asia)