

amendments introduced by General Zia-ul-Haq have adversely affected the position of the Hindu minority. More significantly, the rise in religious extremism within South-Asia, with periods of tense political relations between India and Pakistan, has led to greater violence and physical attacks on Hindus. Thus the Hindus of Pakistan frequently suffer from outbursts of anti-Hindu sentiments generated through a backlash of violations against the rights of Muslims in India.

The *Babri Masjid* incident (December 1992) provides a tragic example when the anger at the demolition of the Mosque in Ahodhya (India) was vented against the Hindus and their properties in Pakistan.²⁴⁹ It is estimated that between 2–8 December 1992 about 120 Hindu temples were destroyed in various parts of Pakistan. In a number of instances, gangs of frenzied men entered these temples, smashed the idols of revered Hindu gods and goddesses, snatched the jewels that adorned them, and made off with the charity boxes containing donations. Several shops were looted or burnt with the damages running into millions of rupees. More than 500 non-Muslims, primarily Hindu families, were victimised and tortured; angry crowds entering their houses, destroying their furniture and household goods and taking away their savings and jewellery. There were also physical attacks on members of the Hindu community. A number of Hindus were killed, including the burning to death of a family of six in Loralia. There have been intermittent attacks and destruction of properties belonging to Hindus and to Hindu temples. More recently Hindu temples were attacked in March and November 2014, while compensation for the damage to life and property has not been forthcoming.²⁵⁰

Many Hindus have fled Pakistan, crossing over into India as asylum seekers. IN the evidence hearings, the APPG heard about the ‘P2P Team’ of Anuradha Mishra and Prakash Jha who have been working with Hindu refugees from Pakistan, eking out an existence in camps in the Indian capital, Delhi. The P2P Team is presently highlighting the plight of these refugees to the wider public and APPG urges that support and resources are provided to them for their important work.

Attacks on Hindu Temples - In 2014, from January to June, a series of attacks on Hindu temples in Sindh, Pakistan were reported. In November, the incidents of dozens of forced conversion of Hindu girls also came into light.²⁵¹ On 21 November 2014, the Hindu temple in the Tando Mohammad Khan area in Sindh was attacked by fanatics in Pakistan, the temple was torched, the stone idol of Lord Hanuman blackened with soot, and some religious books burnt. Likewise, on 28 March 2014, in a similar attack, a small Hindu temple was torched near Fateh Chowk in Hyderabad, Sindh, triggering widespread protests by the Hindu community. The Pakistan Hindu Council said, after the attack on the Hindu temple in Tando Mohammad Khan, that around 1,400 Hindu religious sites across the country were in dire need of protection by the government.²⁵²

²⁴⁹ Human Rights Commission of Pakistan, *State of Human Rights in Pakistan 1992*, Human Rights Commission of Pakistan, Lahore, 1993, p. 44. Also see Athar, H., *Babri Masjid*, Rabb Publishers, Karachi, 1990.

²⁵⁰ <http://timesofindia.indiatimes.com/world/pakistan/Attacks-on-Hindu-temples-in-Pakistan-a-worrying-trend/articleshow/45317888.cms>

²⁵¹ *Increased number of attacks on Hindu temples in Pakistan a worrying trend*. 28 November 2014. Available [Online] from: <http://www.india.com/news/world/increased-number-of-attacks-on-hindu-temples-in-pakistan-a-worrying-trend-206278/>, (accessed: 28/11/15)

²⁵² Ibid.

Members of the Hindu minority in Pakistan fear persistent harassment at the hands of religious extremists and complain that there is little official protection accorded to them.²⁵³ Hindu activists argue that ‘secret files are kept on them and their integrity is always in question. They are not allowed into the armed forces, the judiciary or responsible positions in the Civil Service’. These allegations are substantiated through facts which reflect an almost negligible Hindu presence in the higher echelons of administration, bureaucracy and armed forces. Discrimination and prejudice against the Hindus is reinforced by the religious orthodoxy, within educational institutions as well as by the State-controlled media. As a consequence of the oppression and discrimination, the last two decades have seen a steady exodus of Hindus from Pakistan. This exodus, however, has left behind a community that is most vulnerable and in an urgent need of socio-economic protection.

A significant proportion of the Hindus within the province of Sindh are the so-called ‘untouchables’, the Scheduled Caste Hindus. As *haris*²⁵⁴ these Scheduled Caste Hindus form part of the landless bonded labour of the province of Sindh.²⁵⁵ Sindh’s agricultural wealth, to a large extent has depended on the intensive and strenuous work of the bonded labour in producing hugely profitable cash crops such as sugar cane. While huge profits are made by the wealthy landlords, this landless bonded labour consisting of substantial number of Schedules Caste Hindus continues to suffer from abject poverty. They remain tied to the land where they are forced to work literally as slaves. The landlords ensure that these bonded labourers and their future generations remain illiterate and unable in any manner to challenge the unfair system of exploitation. The National Assembly of Pakistan abolished bonded labour through the Bonded Labour Abolition Act 1992. However, the banned practices continue to thrive in many parts of Sindh; officials remain reluctant to interfere for fear of incurring the wrath of powerful ruling families.

Hindus who do manage to break the vicious cycle of repression of bonded labour, nevertheless fail to gain any support from the general community. Existing taboos and rampant discrimination ensure that their employment prospects are confined to menial labour as *Jamadars*. Recent reports suggest increasing amounts of harassment, intimidation, abduction and rape of women belonging to these Hindu communities. Ranbir Singh, from the Hindu Human Rights Group (HHR), gave us the following testimony from Hindu refugees who spoke of the deplorable conditions they faced in Pakistan’s Sindh province.

‘In Pakistan our sisters, daughters, daughter-in-laws and mothers are the victims of abduction, rape and then they are married off to a Muslim and forcefully converted to Islam. Hindus are forced to eat cow beef as cow is sacred in Hinduism. Hindu temples are looted and demolished, idols in temples are destroyed, deities are insulted, our religious book Bhagwad Gita is being burned –it all happens on a daily basis. We’ve seen these atrocities and discrimination from Pakistani Muslims and decided to leave Pakistan. We’ll not leave India in any condition no matter what; you can punish us for that by sending us to jails.’

²⁵³ H Jilani, *Human Rights and Democratic Development in Pakistan*, (Maktaba Jadeed Press, Lahore) 1998, p. 130;

²⁵⁴ Urdu word pronounced as *harees*, meaning: landless bonded labour.

²⁵⁵ See ‘Families Enslaved by a Life of Casual Brutality’ *The Guardian*, 18 March 1996; Human Rights Commission of Pakistan, ‘Bonded Labour: The Surviving Shame of Servitude’, *Newsletter*, Vol. 7, 1996, pp. 9–10.

Hindus as well as Sikhs are not treated as equal citizens in Pakistan. In the political sense they are hardly citizens at all. The politicisation of every social aspect of existence has meant that these minority communities, along with others, have been systematically marginalised, persecuted and discriminated against in a host of measures. Such persecution has led to an increasing level of violence, notably religiously motivated kidnapping, assault, sexual crimes and murder. Religious shrines are a particular favourite target.

Anti-Hindu Media, Statements & Literature - According to the 2006 US Department of State International Religious Freedom Report, Hafiz Saeed, leader of Lashkar-e-Tayyiba, a designated foreign terrorist organization, consistently issued statements calling for holy war against Jews and Hindus. Some Sunni Muslim groups published literature calling for violence against Ahmadis, Shi'a Muslims, other Sunni sects, and Hindus. Newspapers also frequently published articles that contained derogatory references to religious minorities, especially Ahmadis, Hindus, and Jews. Sermons at mosques frequently railed against Ahmadis, other Muslim groups, and Hindus. Already suffering mass illiteracy, Pakistan's schools do little to promote tolerance towards minority groups. A 2005 report by the National Commission for Justice and Peace a non-profit organization in Pakistan, found that Pakistan Studies textbooks have been used to articulate and inculcate hatred towards Hindus. Furthermore, the state-run electronic media, which until recently dominated the opinion building in Pakistan, used to portray India (Hindus) as eternal enemies of Pakistan and Muslims of the entire world. Unsurprisingly, this exacerbated disconcerting feelings from the majority Muslim population towards the Hindu minority.

Vulnerability of Dalits - The majority of the Hindus in Sindh, the so-called 'Dalits', work as landless peasants, bonded labourers, or servants doing menial jobs (sweepers, scavengers, etc.) that other Pakistanis regard as degrading. The official number of Dalits is approximately 330,000 (1998 census), however the real figure may be two million, or even higher.²⁵⁶ They are the most vulnerable suffering myriad forms of abuse, extreme poverty and low human development, due to the prevailing patterns of exclusion and marginalization.²⁵⁷ They are evicted from the land they occupy, relocated at distant places, and forced to work without due compensation. Bogus criminal cases are filed against the political activists among them. Their women are often molested, and the police ignore their complaints; even the more affluent Hindus are not immune from attack. The majority of society feels free to insult, humiliate, intimidate, and blackmail them.

Targeting of Females - Women and girls in particular face discrimination and marginalization and are targeted because they are minorities with many cases of hostility, abduction, extortion, hijacking and ransom. Females are also subject to sexual abuse, forced marriage and conversion to Islam. This is a key concern for Hindus as it is trend that has increased in recent years²⁵⁸, the volunteer group REAL found, between 20 and 25 Hindu girls were converted every month.²⁵⁹ Furthermore the worst

²⁵⁶ International Dalit Solidarity Network, 'Caste-based discrimination in Pakistan', May 2014, available at: <http://idsn.org/wp-content/uploads/user_folder/pdf/New_files/Pakistan/Pakistan_briefing_note.pdf>, (accessed: 15/12/15)

²⁵⁷ Ibid.

²⁵⁸ Ibid

²⁵⁹ Responsible for Equality and Liberty, 'Pakistan: 25 Hindu Girls Abducted Every Month; Forcibly Converted To Islam', 31 March 2010, available at: <http://www.realcourage.org/2010/03/pakistan-25-hindu-girls-abducted-every-month/>, (accessed: 18/12/15)

victims are Dalits who are kidnapped or lured into conversion, sexually exploited and then abandoned.²⁶⁰

There was no legal mechanism for the government to register the marriages of Hindus and Sikhs, causing women of those religious groups' difficulties in inheritance, accessing health services, voting, obtaining a passport, and buying or selling property. However, the Hindu minority community in Pakistan will soon have a marriage law as a parliamentary panel has unanimously approved the Hindu Marriage Bill. While this bill is welcome news, the recognition of Hindu marriages may not be immediate in rural areas where many Hindus are located thus they are still remain in a position of risk.

Issues regarding education - A report by BBC Urdu claims that minor Hindu girls are being abducted and forced to embrace Islam in Pakistan after which they are married off. The report also added that shockingly there is no law that prevents such brutal acts against the community. With no legal deterrence against those committing such actions it is unsurprising many Hindus have decided to flee Pakistan for safer havens with greater protections for their rights.²⁶¹

According to BBC Hindi's Zubair Ahmed, about 1,200 people, who have migrated from Pakistan in the past five years, are housed in three camps in Delhi and many say one of the biggest problems they faced in Pakistan was that they were unable to educate their children.²⁶²

Bhagwan Das, who was among a group of people who reached Delhi in 2015, has two growing children with no formal education. He says they were treated like "second-class citizens" in Pakistan. "Our children don't feel welcome in schools there. Muslims taunt us for being Hindu. Our girls are also sexually harassed," Mr Das says. There are also reports of discrimination in government schools, where Hindus are referred to as "kafirs"²⁶³, told to go and work in the fields and obliged to recite the six kalimas, or tenets, of Islam.

Rajwanti, 13, and other children in the camp allege that Hindu boys and girls are made to read the Quran (Muslim holy book) in Pakistani schools and that Muslim students laugh at their religious practices.²⁶⁴ There is reference to the inclusion of derogatory remarks against minority religious groups, particularly Hindus, in public school textbooks. It is reported however that the government has made some effort to revise the public schools curriculum with a view to removing Islamic overtones from secular subjects and in some instances Ethics is offered as an alternative to Islamic studies classes.

Impunity for Perpetrators - Violence and atrocities against the minority population of Sindh has continued for many years but the Hindu minority are increasingly subject to persecution. Kidnapping

²⁶⁰ International Dalit Solidarity Network, 'Caste-based discrimination in Pakistan', May 2014, available at: http://idsn.org/wp-content/uploads/user_folder/pdf/New_files/Pakistan/Pakistan_briefing_note.pdf, (accessed: 15/12/15)

²⁶¹ Zee News (2016) *Minor Hindu girls forcefully being converted to Islam in Pakistan*. January 29. Available [Online] from: http://zeenews.india.com/news/south-asia/minor-hindu-girls-forcefully-being-converted-to-islam-in-pakistan_1850405.html, (accessed: 17/12/15)

²⁶² BBC, (2015) *Why Pakistani Hindus leave their homes for India*. 28 October. Available [Online] from: <http://www.bbc.co.uk/news/world-asia-india-34645370>, (accessed: 17/12/15)

²⁶³ Arabic term for 'infidel' or 'non-believer'

²⁶⁴ Ibid.

of their girls and sexually assaulting their children has been made easier by the 'untouchable' status which Hindu minorities are forced to exist under. The families of victims are afraid of registering cases against influential perpetrators in case of death threats being issued to them in case they raise their voices. The police in cases are also at times complicit in fulfilling wishes of the local elite.

In February 2012 over 200 Hindus fled Pakistan after 19-year old Rinkle Kumari was abducted from her village Mirpur Mathelo in Ghotki province of Pakistan, and subsequently forcibly converted and married. Her abductors had powerful political connections and after two months the country's Supreme Court ruled against her parents. Kidnappings, rapes, forcible conversions and constant harassment are a daily routine for Hindus reside in Pakistan and suffer humiliation of being regarded as third class citizens.

Abductions - A survey conducted by Chander Kumar Kohli, vice-president of the Pakistan Hindu Seva in 2011-2012, found that Dalits are reluctant to let their girls to study even in primary schools as they say there is a risk they will be abducted when they go to school and then converted to Islam. Furthermore, Hindu children are often forced, through being beaten and harassed, to recite Islamic teachings as a precondition before they are educated. As a result of this harassment and fear that their children will be abducted and converted to Islam, many Hindus have stopped sending them to school all together. The implications of this are leaving a whole generation illiterate.

Pakistan Muslim League (N) member parliament Dr Haresh Chopra told the Times of India on 28 August 2012 that these incidents were increasing in frequency. He further said that there are organized gangs of mullahs and terrorists, who even abduct minor girls of minority communities and procure their age certificates with Muslim names from madrassas proving them adults.

Forced Conversion - According to the Movement for Solidarity & Peace, the prevalence and incidence of forced conversion and marriage are difficult to accurately estimate due to reporting deficiencies and the complex nature of the crime. However, for the Hindu community, the most conservative estimates put the number of victims of forced conversion and marriage at 300 girls per year.²⁶⁵

Conclusions:

As the above information details, members of Pakistan's Hindu community continue to face violations of fundamental human rights, including the right to liberty and security and are thus at a real risk of persecution. The real risk of persecution is evident from existing national and provincial laws in Pakistan, such as the blasphemy laws under Section 295-C of the Penal Code as well as from practices of law enforcement agencies and judicial officers. The over-arching threat of terrorist violence is particularly acute for the above-mentioned community since they remain a primary target of non-State actors. Stating that members of these religious communities are at real risk of

²⁶⁵ Movement for Solidarity & Peace (2014) *Forced Marriages & Forced Conversions in the Christian Community of Pakistan*. P.2. Available [Online] from: http://d3n8a8pro7vhmx.cloudfront.net/msp/pages/162/attachments/original/1396724215/MSP_Report_-_Forced_Marriages_and_Conversions_of_Christian_Women_in_Pakistan.pdf?1396724215, (accessed: 17/12/15)

persecution is not to say that all these individuals inherently have been or will be persecuted during their lifetime; the likelihood of persecution depends on factors such as their encounters with and actions amongst people of other/different faiths or beliefs. These factors are not exhaustive.

In light of the above information and especially given the historic treatment of Pakistan's Hindus since the formation of Pakistan, the APPG submits that Hindus remain at a real risk of persecution. Hindus are particularly at risk of being associated with India and Hindu women and dalits are particularly vulnerable members of Pakistan's society. Hindu women and girls who in some cases are specifically being targeted, forcibly converted and married because they are Hindu and not simply just because they are female. The UNHCR has suggested that persecution can be established on 'cumulative grounds'; whereas a single act of discrimination in itself may not be sufficient to establish persecution and claim refugee status, where this is combined with 'other adverse factors (e.g. a general atmosphere of insecurity in the country of origin)' or 'where a person has been the victim of a number of discriminatory measures', this may be enough to cross the threshold for and establish persecution.²⁶⁶ The history of discriminatory acts and a general atmosphere of insecurity in which Hindus have lived since partition will, in some cases, in line with UNHCR guidelines, mean that persecution can be established on cumulative grounds.²⁶⁷ Despite some positive changes in legislation regarding Hindu rights, as many of them reside in rural areas, the APPG believes changes in Government policy will be slow to reach these communities and hence translate into substantial reform of their treatment.

The APPG submits that Pakistani Christians are subject to treatment that requires their protection as provided within the UK'S 2006 Qualification Regulations on Refugees of Persons in Need of International Protection.²⁶⁸ The APPG recommends that cases in which members of this community seek asylum on the grounds of religious persecution should, in line with UNHCR guidelines, be analysed and judged on a case-by-case basis.²⁶⁹ See Section 1 for the definition of 'refugee' and full analysis of what constitutes 'persecution' under international law.

Sikhs

Sikhs have a historically strong affinity towards Pakistan as it is believed to be the birthplace of the founder of Sikhism, Guru Nanak Dev Ji. Sikhs have lived in peace on the Afghan-Pakistan border among Pashto-speaking tribes since the 17th century. However, during the last decade the Federally Administered Tribal Areas (FATA) - what was once a safe haven for Sikhs escaping religious persecution - has become an area of hostility and violence with sometimes deadly consequences.²⁷⁰

²⁶⁶ UN High Commissioner for Refugees (UNHCR), *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees*, December 2011, HCR/1P/4/ENG/REV. 3, paras.52-3

²⁶⁷ *ibid*

²⁶⁸ See Annex I

²⁶⁹ UN High Commissioner for Refugees (UNHCR), *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Members of Religious Minorities from Pakistan*, (14 May 2012), HCR/EG/PAK/12/02

²⁷⁰ Yusufzai, Ashfaq, IPS News, 'Pakistani Sikhs Back in the 'Dark Ages' of Religious Persecution', 20 November 2014, available at: <<http://www.ipsnews.net/2014/11/pakistani-sikhs-back-in-the-dark-ages-of-religious-persecution>>, (accessed: 15/12/15)