

Submission to the UN Human Rights Committee's Review of Pakistan 142nd Session

14 October 2024 – 8 November 2024

Executive Summary

TrialWatch,¹ an initiative of the Clooney Foundation for Justice, presents this submission to the UN Human Rights Committee (the Committee) in advance of its review of compliance by Pakistan with the International Covenant on Civil and Political Rights (ICCPR).

The Committee has requested information from the Government of Pakistan regarding repeal or reform of its blasphemy laws. Specifically, the Committee solicited data “on the implementation and impact of the measures taken to prevent misuse or abuse of the blasphemy law and to ensure that all those who incite or engage in violence against others based on allegations of blasphemy are brought to justice.”²

Pakistan has responded that it made amendments to ensure preliminary enquiries in blasphemy cases are conducted “at the level of District Police Officer.”³ It further stated that complaints under some of the blasphemy laws⁴ would “fall within the purview of the FIA [which] would have the powers to check misuse of blasphemy cases, in parallel to the provincial police departments.”⁵

However, data provided by Pakistan from 2018-2023 shows that despite these efforts, blasphemy complaints overwhelmingly yield prosecutions, and then cases take years to conclude. There were 748 blasphemy complaints before the provincial police departments out of which 747 were prosecuted, whereas there were 260 prosecutions brought by the FIA in the past 6 years, out of which 245 are still under trial.⁶

In 2022, TrialWatch monitored 24 blasphemy cases in Pakistan over a period of 6 months, entailing a total of 252 hearings.⁷ The cases monitored were a cross-section of blasphemy prosecutions. 17

¹ The Clooney Foundation for Justice (CFJ) advocates for justice through accountability for human rights abuses around the world. TrialWatch’s mission is to expose injustice, help to free those unjustly detained and promote the rule of law. TrialWatch monitors criminal trials globally against those who are most vulnerable — including journalists, protesters, women, LGBTQ+ persons and minorities — and advocates for the rights of the unfairly convicted. Over time, TrialWatch will use the data it gathers to publish a Global Justice Index evaluating countries’ justice systems.

² Human Rights Committee, List of Issues in Relation to the Second Periodic Report of Pakistan, CCPR/C/PAK/Q/2, Nov. 29, 2023, para. 22.

³ Human Rights Committee, Replies of Pakistan to the List of Issues in Relation to its Second Periodic Report, CCPR/C/PAK/RQ/2, May 20, 2024, para. 134.

⁴ Sections 295-A, 295-C, 298 and 298-A of the Pakistan Penal Code, 1860 (PPC) (This does not include Section 295-B of the Pakistan Penal Code, which provides for mandatory life imprisonment for desecrating the Qur’an).

⁵ Human Rights Committee, Replies of Pakistan to the List of Issues in Relation to its Second Periodic Report, CCPR/C/PAK/RQ/2, May 20, 2024, para. 137.

⁶ *Id.*

⁷ The cases were monitored in the courts of Lahore, Punjab and are a representative sample because according to civil society reports, 81% of blasphemy cases registered in 2021 were in Punjab. See TrialWatch Report: Blasphemy Trials in Pakistan, Sep. 2024, available at https://cfj.org/wp-content/uploads/2024/09/Pakistan-Blasphemy-Report_September-2024.pdf; see also U.S. Department of State, Office of International Religious Freedom, 2021

cases involved Sunni Muslim defendants, and seven involved members of religious minorities. Nearly one quarter of the defendants had mental health concerns and seven had state-appointed lawyers. Most of the defendants faced harsh sentences: 16 defendants were charged with violating Section 295-C of the Pakistan Penal Code (defiling the name of the Prophet Mohammad), which carries the mandatory death penalty, while 11 defendants were charged with violating Section 295-B of the Pakistan Penal Code (defiling the Qur'an), which carries a mandatory life sentence.

Based on this monitoring, TrialWatch has released a report offering data responsive to the questions the Committee posed.⁸ The report shows that rather than 'checking misuse,' the system for handling blasphemy complaints traps accused persons.

- **First**, there are few barriers to prevent anyone from registering a case. Our report found, for instance, that in 14 of 15 speech-related cases, the police report did not specify the allegedly blasphemous words used.
- **Second**, accused persons are often swiftly arrested (sometimes to protect them from mob violence). Once arrested, however, accused persons are often denied bail without individualized consideration. In 15 of the 24 cases, defendants were denied bail, with many bail orders showing that courts relied largely on whether there was evidence that the accused had violated blasphemy laws to do so. In ten such cases the defendant had been denied bail and had been in pretrial detention for more than two years at the time of the monitoring.
- **Then**, once the case goes to trial, it can stretch on nearly indefinitely, as none of the participants in the trial seem to have an incentive to conclude it. Overall, our report found that in a stunning 17 of 24 cases there was little to no progress at all during the 6-month monitoring period. More specifically, 28% of the hearings were adjourned due to the failure of the complainant(s) and/or prosecution witnesses to appear. In turn, judges seem reluctant to expedite the cases, with numerous hearings scheduled for when judges were on leave or for holidays.
- **Finally**, where the cases did conclude, the report found evidence of religious discrimination, often to the effect of an assumption that prosecution witnesses who were 'Muslims wouldn't lie' about such matters.

Taken together, this data reinforces the longstanding calls from domestic and international organizations for urgent action to address the human rights violations arising from Pakistan's blasphemy laws, especially given the rise in violent mob attacks and cases filed against alleged blasphemers in the second half of 2024 alone.⁹

Report on International Religious Freedom: Pakistan, June 2, 2022, *available at* <https://www.state.gov/reports/2021-report-on-international-religious-freedom/pakistan/>.

⁸ TrialWatch Report: Blasphemy Trials in Pakistan, *supra*.

⁹ See Imran Gabol, 26 Arrested, Over 400 Booked for Mob Violence in Sargodha, DAWN News, May 27, 2024, *available at* <https://www.dawn.com/news/1835867/26-arrested-over-400-booked-for-mob-violence-in-sargodha>; Mohammad Asghar, Man Attacked Over Blasphemy Allegations Dies, DAWN News, June 4, 2024, *available at* <https://www.dawn.com/news/1837667#:~:text=RAWALPINDI%3A%20A%20Christian%20man%2C%20who,a%20hospital%20for%20eight%20days;Swat%20Police%20Station%20Torched,Man%20Lynched%20for%20Blasphemy>; Arshad Yousafzai, Twitter Thread, July 8, 2024, *available at* <https://x.com/arshadyousafzay/status/1810522574276776411?s=46>. In 2023 alone the Centre for Social Justice

This submission briefly summarizes TrialWatch’s findings and then suggests questions and topics the Committee might wish to raise during its review of Pakistan’s compliance with the ICCPR.

I. Core Findings on Blasphemy Trials in Practice

a. No Barriers to Filing False Blasphemy Complaints

This Committee has previously noted that a “very high number of blasphemy cases [are] based on false accusations.”¹⁰ The Supreme Court of Pakistan has similarly acknowledged that in many blasphemy cases it “cannot be disputed that...false allegations are leveled for extraneous purposes and in the absence of adequate safeguards against misapplication or misuse.”¹¹

TrialWatch monitoring shows how easy it is to lodge a blasphemy case, which in turn facilitates this kind of abuse of the law.

Any person can file a complaint, even anonymously. In fact, for seven of the 24 cases monitored, the complainant had not witnessed the alleged act themselves, or a police officer replaced the original complainant often because an anonymous tip had been made alleging blasphemy. Nor do the police require hard evidence or specifics. Fifteen of the 24 monitored cases involved charges under Section 295-C (defiling the name of Prophet Muhammad) or Section 298-A of the Pakistan Penal Code (derogatory remarks against Holy personages in Islam), with the alleged acts including the utterance of words, postings on social media, or sending private messages or pictures that were allegedly blasphemous. In 14 of the 15 cases, though, the police report includes only a vague and general description that the words were ‘disrespectful,’ with no further details given.

The police also accept complaints even after significant delays from the alleged event, despite admonitions from the Supreme Court of Pakistan that this should be an indicator of lack of reliability of the allegation.¹² Eight of the 24 cases had police reports filed between five days to more than 2 months after the alleged incident.

Further, under Section 295-A of the Pakistan Penal Code (hereinafter “PPC”), which criminalizes “deliberately and maliciously outraging religious feelings” of any religion, an additional procedural safeguard prevents private complainants from initiating blasphemy cases by instead requiring that a court may only take cognizance of a blasphemy case upon receiving sanction from

reported that “at least 329 persons were accused under blasphemy laws ... in 180 cases reported.” 247 were Muslims, 65 were Ahmadis, 11 were Christians, 1 was Hindu and the religious affiliation of five accused was not known. The highest number of cases was noted in Punjab with 179 accused, then Sindh with 79 accused. Centre for Social Justice, Human Rights Observer 2023, Mar. 2024, pg. 6, *available at* https://csjpak.org/pdf/report_hro_final.pdf.

¹⁰ UN Human Rights Committee, Concluding Observations on the Initial Report of Pakistan, CCPR/C/PAK/CO/1, Aug. 23, 2017, para. 33.

¹¹ Malik Muhammad Mumtaz Qadri v. The State, Supreme Court of Pakistan, Criminal Appeals Nos. 210 and 211 of 2015, para. 17; *see also* Amnesty International, Pakistan: How the Blasphemy Laws Enable Abuse, Dec. 21, 2016, *available at* <https://www.amnesty.org/en/latest/press-release/2016/12/pakistan-how-the-blasphemy-laws-enable-abuse/#:~:text=Pakistan's%20blasphemy%20laws%20are%20often,Amnesty%20International%20report%20says%20today.>

¹² *Cf.* Asia Bibi v. The State PLD 2019 SC 64 (relying on Zar Bahadar v. The State, 1978 SCMR 136; Sheraz Asghar v. The State, 1995 SCMR 1365; Noor Muhammad v. The State, 2010 SCMR 97).

the government.¹³ However, while four of the 24 monitored cases included charges under 295-A PPC, there was no indication that sanction from the government had been obtained before the case was allowed to proceed.

b. No Way Out Once a Defendant is Embroiled in a Blasphemy Case

Empirical evidence gathered from the monitoring suggests another pattern: Once a blasphemy case is initiated, prosecutors, police and judges rarely use avenues available under the law to extricate defendants from lengthy and grueling legal proceedings. For instance, police and prosecutors did not recommend that the blasphemy charges be dropped in any of the monitored cases despite having the discretion under law to do so.¹⁴ Instead, defendants face lengthy trials, with delays caused by the failure of complainants and prosecution witnesses to appear, while the defendants spend years in pretrial detention.

Out of a total of 252 hearings across all 24 cases, 217 resulted in adjournments. The major reason for delays in the trial proceedings observed was the absence of complainants and/or prosecution witnesses, accounting for 28 per cent of all adjournments. Despite the average number of prosecution witnesses in each case being only eight,¹⁵ in all the 24 cases combined, only 10 prosecution witnesses were examined. In fact, out of 252 hearings monitored, prosecution witnesses were absent in 45, nearly a fifth of the total hearings.

Even though the courts could have explored multiple avenues to ensure attendance, such as attaching the salary of the Station House Officer (hereinafter SHO)¹⁶ or executing summons or warrants for the witnesses,¹⁷ in many cases the judges failed to do so even after witnesses did not

¹³ Section 295-A of the Pakistan Penal Code, 1860 (“Whoever, with deliberate and malicious intention of outraging the 'religious feelings of any class of the citizens of Pakistan, by words, either spoken or written, or by visible representations insults the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to ten years, or with fine, or with both.”); Section 196 of the Code of Criminal Procedure, 1898 (A judge cannot take cognizance of a complaint under Section 295-A unless “upon complaint made by order of or under authority from, the Federal Government or the Provincial Government concerned, or some officer empowered in this behalf by either of the two Governments.”).

¹⁴ Police have the discretion to recommend that an FIR be cancelled after completing their investigation if there is insufficient evidence under Standard Operating Procedures Punjab, 2011, whereas prosecutors have the discretion to withdraw the case before the court takes cognizance of it. Previously Amnesty International found that “in contrast to cases registered under other laws, there is not one example of a blasphemy case withdrawn” at the request of the prosecutor to the court due to insufficient evidence. *See* Amnesty International, *As Good As Dead: The Impact of the Blasphemy Laws in Pakistan*, Dec. 2016, pg. 33, *available at* <https://www.amnesty.org/en/documents/asa33/5136/2016/en/>.

¹⁵ The total number of Prosecution Witnesses (PWs) in all 24 cases is 191 according to our trial monitoring, which yields an average of 8 PWs in each case.

¹⁶ A Station House Officer (SHO) is an officer in charge of a police station, including handling “overall operations, including supervision and investigations” – this is a post not a rank. *See* Arslan Siddiqui, *All You Need to Know About Police Ranks in Pakistan*, Oct. 28, 2022 *available at* <https://www.graana.com/blog/all-you-need-to-know-about-police-ranks-in-pakistan/>.

¹⁷ *See* *The State v Sarwar Khan and Others*, PLD 1984 SC 428 (The Supreme Court has held that when summonses are issued for witnesses and the witnesses do not appear in response, the reasons must be examined and noted in an order sheet and coercive steps should be taken for securing the attendance of the witnesses); National Judicial Policy (Revised Edition, 2012, Secretariat, Law & Justice Commission of Pakistan, Islamabad). (In all criminal cases where the punishment is seven years or above including death penalty cases the SHO/investigating officer is duty bound to produce witnesses and courts to bind the SHO/IOs to do so, to “not grant unnecessary adjournments” and “take strict

attend hearings on multiple occasions. For example, in one case, although prosecution witnesses repeatedly failed to attend hearings, the court only issued warrants to compel the attendance of prosecution witnesses after nearly eight years of trial had elapsed.

This can be devastating for cases where the only evidence against the accused is witness testimonies. For example, in six out of 24 cases monitored, the only evidence against the accused was witness testimonies and in at least two of the cases, the prosecution witnesses were comprised entirely of police officers, who did not show up to court.

In some of the cases, the judges also contributed to the delays. In fact, adjournments due to the judge's unavailability accounted for 52 adjournments, or 24 per cent of all the hearings that were adjourned. For example, judges frequently scheduled hearings to occur on public holidays, when the court was not in session, or on days on which the judge was on personal leave or when strikes were taking place. In one case, seven out of the nine monitored hearings were adjourned because it was a public holiday, or the judge was on leave.

This is consistent with reports that judges may seek to avoid progressing cases because of pressure from religious hardliners to convict, and threats that they or their families will be attacked if they acquit¹⁸ defendants in blasphemy cases.¹⁹ Meanwhile, defense and prosecution lawyers also caused delays, usually by arriving at court unprepared and requesting adjournments or failing to attend hearings altogether. For the cases monitored, these types of adjournments made up 25% of all adjourned hearings.

At the same time, while these delays were ongoing, many of the defendants were in pre-trial detention, having been denied bail,²⁰ often without consideration of individual circumstances other than the alleged existence of evidence of guilt.²¹ Worryingly, those accused of blasphemy are often placed in solitary confinement because, according to the Pakistani government, “prisoners accused of blasphemy would face threats from the general prison population.”²² Startlingly, in the 15 cases

action against the parties or witnesses causing deliberate delays in proceedings.”), *available at* https://www.supremecourt.gov.pk/downloads_judgements/all_downloads/National_Judicial_Policy/NJP2009.pdf.

¹⁸ Indeed, some judges have even been killed for their roles in blasphemy trials. For example, in 1997, a High Court judge was shot dead after acquitting two defendants who had been sentenced to death for blasphemy. *See* Amnesty International, *Amnesty International Annual Report*, June 16, 1998, *available at* <https://www.amnesty.org/en/documents/pol10/0001/1998/en/>.

¹⁹ Consultation of Lawyers and Judges on Offences Related to Religion, Sept. 2014, *cited in* International Commission of Jurists, *On Trial: The Implementation of Pakistan's Blasphemy Laws*, Nov. 2015; Rana Tanveer, *Delaying Tactics: Judge Washes Hands of Blasphemy Case*, *The Express Tribune*, Apr. 8, 2013 (counsel for accused “said the judge had washed his hands of the case due to pressure from the complainant and his colleagues from Ahle Sunnat Pakistan”), *available at* <https://tribune.com.pk/story/533013/delaying-tactics-judge-washes-hands-of-blasphemy-case>.

²⁰ All the blasphemy offenses, except for Sections 298 of the PPC (intentionally wounding religious feelings of any person) and 298-A of the PPC (derogatory remarks against Holy personages in Islam), are ‘non-bailable,’ which means that the court has discretion regarding whether to grant bail, as opposed to it being available as of right.

²¹ As of April 4, 2024, according to prison records for Punjab alone, there are a total of 451 prisoners (including one juvenile) held in pre-trial detention, out of a total of 523 prisoners held on blasphemy charges—thus 86% of all prisoners charged with blasphemy under 295-A, B and C of PPC in Punjab prisons are in pretrial detention. *Crime Wise Population, Punjab Prisoners*, Government of Punjab, Apr. 4, 2024, *available at* https://prisons.punjab.gov.pk/crime_wise_population.

²² U.S. Department of State, *2022 Country Reports on Human Rights Practices: Pakistan*, *available at* <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/pakistan/>.

in which the defendants were detained, as of June 1, 2023, the average length of time they had spent in detention was 59 months (more than four and a half years), and the median length of time was 47 months (nearly four years). In one case, in fact, the defendant thanked the judge for convicting him, because it meant he would finally be released after spending more than a decade in pre-trial detention.

These concerns are especially acute for defendants with mental health concerns. In at least five of the 24 cases, there was evidence to suggest that the defendant may have had a mental health disability. These cases were subject to additional delays while courts ordered the defendants to undergo repeated medical examinations, medical practitioners or superintendents failed to provide reports on time, and the prosecution contested applications for the defendant to be declared unfit to stand trial. In one case, proceedings were at a stalemate because the Superintendent of the District Jail failed to produce a mental health report across eight monitored hearings in six months—while the defendant had been in custody for more than five years.

II. Reflections on Pakistan’s Reporting and Responses to the Committee’s List of Issues

a. Blasphemy Laws are Discriminatory in Nature and Application

The Government of Pakistan, in its Second Periodic Report, has stated that the offence of blasphemy is “non-discriminatory in nature as it deals with offences against all religions and applies to Muslims and non-Muslims alike” and “equally protects all Pakistani communities.”²³ But the laws specifically targeting alleged blasphemy against Islam provide for harsher sentences and have fewer procedural safeguards than the laws that apply to all faiths.²⁴ Further, some legislation is specifically discriminatory against the Ahmadi community and other minorities.²⁵

The TrialWatch report, through its monitoring, also found specific evidence that suggests religious discrimination during pre-trial and trial proceedings. Two of the seven cases against religious minorities involved members of the Ahmadi community and in both cases the police reports alleged that Ahmadi commentaries on the Qur’an were inherently blasphemous—in one case, on the theory that these books were ‘defiled’ copies of the Qur’an and in the other case, on the theory

²³ Human Rights Committee, Second Periodic Report submitted by Pakistan under Article 40 of the Covenant, due in 2020, CCPR/C/PAK/2, June 16, 2022, paras. 94-95.

²⁴ Section 295-C of the PPC applies only to desecrating the Qur’an and carries the mandatory death sentence, and Section 295-B carries mandatory life imprisonment, while other blasphemy crimes that apply to all faiths do not carry such mandatory minimum sentences. By contrast, blasphemy crimes that apply to all faiths have other safeguards missing from those that are Islam-specific. Thus, for instance, Section 298 (intentionally wounding religious feelings of any person) and Section 295-A (deliberately and maliciously outraging religious feelings of any religion) of the PPC both require the police to obtain an order from the magistrate to investigate the accused and obtain a warrant before arrest. Section 295-A requires an additional sanction from the government before the court can take cognizance of the offense and under Section 298 if the complainant enters into a compromise with the accused, the charges can be dropped. Compare this to Section 295-C of the PPC, under which *only* a Muslim Presiding judge can hear cases in the Sessions Court. See TrialWatch Report: Blasphemy Trials in Pakistan, *supra*.

²⁵ Section 298-C of the PPC specifically prohibits persons of the Ahmadi minority from calling themselves Muslim or preaching or propagating their faith. Section 295-C of the PPC, for instance, does not protect the religious figures of other faiths. See Riaz Ahmad and 3 others v. the State (PLD 1994 Lah. 485) (specifically noting that Section 295-C does not cover disparaging Jesus). TrialWatch Report: Blasphemy Trials in Pakistan, *supra*.

that propagating those versions was inciting religious hatred.

Further, in one case involving a Christian defendant, the complainant’s counsel and other lawyers in the court sometimes shouted at witnesses or at the defense counsel’s team members during the case proceedings, but despite having the power to do so, the judge did not pass any injunctive order against the group of lawyers trying to intimidate the defense party and their counsel.

Finally, in the two cases monitored where courts found the defendants guilty (under Sections 295-B and 295-C of the PPC, respectively), the judge stated that since the prosecution witnesses were Muslims, it couldn’t be believed that they had levelled false allegations. In one of the cases, this was so despite inconsistencies in the evidence presented by the prosecution witnesses.

b. Inadequate Measures to Prevent Misuse of Blasphemy Law

The Committee has requested the State to provide details “on the implementation and impact of the measures taken to prevent misuse or abuse of the blasphemy law and to ensure that all those who incite or engage in violence against others based on allegations of blasphemy are brought to justice.”²⁶

Among other things, the Government of Pakistan has referred to the fact that Section 211 of the PPC criminalizes initiating “false criminal case...on any other person for an offence without any lawful ground.”²⁷ However this is a non-blasphemy-specific legal provision that criminalizes false accusations, under which only the concerned court has the authority to proceed with a case against the complainant—barring any other individual including an aggrieved party.²⁸ This ostensible safeguard is also belied by the fact that as discussed above, blasphemy proceedings are uniquely easy for complainants: Once the trial starts, complainants are permitted to not show up to proceedings for months or years without any real consequence. In the 252 hearings monitored by TrialWatch, the complainant only showed up on six occasions for all 24 cases *combined*. In fact, there does not seem to be any requirement for the complainants to be at trial and judges appear reluctant to issue warrants to compel complainants to appear in court to hasten the proceedings. For instance, in one case, the complainant was absent over five hearings, but only summoned at the fifth hearing.

Furthermore, the falsity of the allegations can only be discerned at the trial stage, which as depicted from the findings of the monitoring, goes on for years with the defendant often behind bars, and initiating proceedings against complainants who have lodged false cases can also be extremely dangerous for defendants even after they are eventually acquitted since they may still be “vulnerable to extrajudicial killing.”²⁹

²⁶ Human Rights Committee, List of Issues in Relation to the Second Periodic Report of Pakistan, CCPR/C/PAK/Q/2, Nov. 29, 2023, para. 22.

²⁷ Human Rights Committee, Second Periodic Report submitted by Pakistan under Article 40 of the Covenant, due in 2020, CCPR/C/PAK/2, June 16, 2022, para. 97.

²⁸ See Section 211 of PPC (“False information with intent to cause public servant to use his lawful power to the injury of another person ... shall be punished with imprisonment of either description for a term which may extend to six months, or with fine[.]”) read with Section 195(1)(2) of Code of Criminal Procedure.

²⁹ For instance, in 2021, a policeman murdered a man accused of blaspheming after he had been acquitted of the charge by a court. Muhammad Nafees, *Blasphemy Cases in Pakistan: 1947-2021*, Center for Research and Security

c. Inadequate Protection of Defendants from Lengthy Proceedings and Detention

Pakistan has asserted that “just like any other offender, a person accused of violation of blasphemy law undergoes a trial before the Court of law” and that there is “an effective process of appeal in case of conviction” that includes an appeal before a High Court, the Supreme Court and a mercy petition that can be submitted to the President of Pakistan.³⁰

However, as stated above, it takes years for cases involving blasphemy laws to be concluded at the trial stage, before any of the appeals mentioned by the State are available to the defendant. By focusing only on the right to appeal (and even though this often results in acquittal),³¹ the fact that ‘the process is the punishment’ may be lost, as reflected in the data collected by TrialWatch.

In fact, considering that the cases generally rested on witness testimonies, the numbers of witnesses themselves in the monitored cases were not high enough to merit the lengthy proceedings that eventuated. The highest number of witnesses (16) was present in only two of 24 cases. In both cases, the accused had been in detention for three years by the end of the monitoring period, and in the six months of monitoring, not a single of the 16 witnesses was examined. This is also the same for the case with the lowest number of witnesses (4 witnesses). In this case, the accused had also been in detention for three years by the end of the monitoring period, but none of the four prosecution witnesses was cross examined. This is even though all four witnesses were police officers.

Recommendations

In addition to reiterating its recommendation that Pakistan repeal its blasphemy laws, which are inconsistent with international standards, both on their face and as implemented, we encourage the Committee to ask the following questions during its review of Pakistan, in the event that the laws remain in force:

1. Given that the Supreme Court of Pakistan has acknowledged the prevalence of false blasphemy allegations, what safeguards are in place for police to cancel First Information Reports (FIRs) where there is insufficient evidence, or for prosecutors to decline to pursue cases at trial? How many blasphemy FIRs have been cancelled and how many cases have prosecutors withdrawn over the past two years?

Studies, *available at* <https://crss.pk/blasphemy-cases-in-pakistan-1947-2021/>; *see also* Freedom House, The Impact of Blasphemy Laws on Human Rights, *available at* https://freedomhouse.org/sites/default/files/PolicingBelief_Pakistan.pdf.

³⁰ Human Rights Committee, Second periodic report submitted by Pakistan under Article 40 of the Covenant, due in 2020, CCPR/C/PAK/2, June 16, 2022, para. 99.

³¹ *See also* Pakistan’s Blasphemy Law: All You Need to Know, Al Jazeera, Aug. 18, 2023 (Most convictions are thrown out on appeal by higher courts), *available at* <https://www.aljazeera.com/news/2023/8/18/all-you-need-to-know-about-pakistans-blasphemy-law>; Arafat Mazhar, The Untold Truth of Pakistan’s Blasphemy Law, Engage Pakistan, 2018 (In more than 80 per cent of reported cases, those accused of blasphemy are eventually acquitted on appeal), *available at* https://engagepakistan.com/assets/resources/Pak_blasphemy_report2018.pdf; CJP Concerned Over High Acquittal Rate in Criminal Cases, Express Tribune, Sept. 23, 2019 (This appears higher than the rate of acquittal across other criminal cases in Punjab, which was recently reported to be 69 per cent), *available at* <https://tribune.com.pk/story/2063560/cjp-concerned-high-acquittal-rate-criminal-cases>.

2. How many prosecutions have been brought under Section 211 of PPC against those who levied false allegations of blasphemy? How many of the cases ended in a conviction and what were the sentences?
3. Is there any legal requirement for the complainant in a blasphemy case to appear in court during the trial?
4. Given how the absence of complainants and prosecution witnesses from blasphemy trial hearings leads to lengthy trials and prolonged pretrial detention for defendants, what guidance do courts use (if any) with regards to issuing warrants or summons for the witnesses and complainants and attaching salaries of SHOs to ensure compliance?
5. What steps has Pakistan taken to combat religious discrimination in investigations, prosecutorial decision-making and judicial proceedings specifically against religious minorities accused under blasphemy laws?
6. What steps has Pakistan taken to protect defendants with mental health disabilities from being mired in lengthy trial proceedings and pre-trial detention in blasphemy cases?