



INNOCENCE UNDER THREAT

Examining the Impact of Blasphemy Laws on Minority
Christian Children in Pakistan

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Introduction

The issues faced by children belonging to religious minorities in any country have been a subject of attention and concern at both national and international level. Various entities, including governments, international organizations and advocacy groups have been involved in addressing and highlighting these issues somehow. This report specifically delves into the implications of blasphemy laws on minority (Christian) children, exploring the distinctive difficulties faced by those accused under such laws in Pakistan. Additionally, the report uncovers the hardships experienced by minority children whose parents or community members face allegations under these laws. The investigation utilized a qualitative research approach, conducting a secondary analysis of data obtained from various secondary sources such as books, papers and online materials. In conclusion, the report proposes recommendations to safeguard these children, underscoring the importance of legal support and protective measures. It advocates for the promotion of inclusivity and tolerance within communities as essential strategies to address these challenges.

Defining the Concept of Minority

The interpretation of the term “minority” differs among international and national documents, encompassing diverse dimensions like numerical representation, cultural attributes, linguistic features, or religious affiliations. The Office of the United Nations High Commissioner for Human Rights (2023) defines minority as any group of persons constituting less than half of the population in a state's entire territory, sharing common characteristics of culture, religion, or language, or a combination of these. The UN Special Rapporteur on minority issues' represented the last report to the United Nations General Assembly in October 2019, is an in-depth examination of the history and jurisprudence concerning the concept of minorities within UN mechanisms and entities. The objective was to bring greater clarity to the Special Rapporteur's mandate and other stakeholders involved in upholding the human rights of minorities (Izsák, 2015). The report underscored that States Members of the United Nations often hesitate to engage in matters related to minorities due to uncertainties about who qualifies as a minority and the associated implications. The lack of common points of reference regarding what constitutes a minority has led to hesitancy and challenges in addressing these issues at the international level.

This cautionary note stresses that the concept of a minority extends beyond statistics, encompassing both objective and subjective characteristics, taking into account both the reality and awareness of discrimination. The UN Declaration on the Rights of Persons Belonging to National, Ethnic, Religious, and Linguistic Minorities urges states to ensure that persons belonging to minorities fully and effectively exercise their human rights without discrimination (UN General Assembly, 1993).

Religious Minorities in Pakistan

Finding appropriate terminology to represent diverse faith groups in Pakistan has consistently posed a challenging question. The 1973 Constitution of Pakistan classifies religious minorities as both non-Muslims and minorities (National Assembly of Pakistan, 2012). Article 260 (3) a. of the constitution defines a “Muslim” as someone who believes in the unity and

openness of Almighty Allah, unequivocally accepts the finality of the Prophet Muhammad's [PBUH] prophethood, and rejects any person claiming prophethood after him. In (Article 260 (3 b)), the term “non-Muslim” is applied to Christians, Hindus, and other scheduled castes, encompassing individuals from the Christian, Hindu, Sikh, Buddhist, or Parsi communities, as well as those identifying as Qadiani or Lahori (referred to as 'Ahmedis' or by any other name), Baha'i, and individuals belonging to scheduled castes (National Assembly of Pakistan, 2012). However, some advocates for the rights of religious minorities criticize this categorization, arguing that it defines these groups by what they are not rather than acknowledging their distinct identities. The constitutional assertion that “Muslim” constitutes the standard citizen is seen as denying religious minorities their unique identity, marginalizing them from national life, and being deemed unfavorable. The government then and the protagonist groups always claimed that they have cast the Ahmadyya community out of the realm of Islam by including them in the definition of Muslim.

Another term used in the law and constitution of Pakistan is ‘minorities’ for the religious groups (Preamble and Article 36 of the constitution). The minority rights advocate support the term 'minorities' as it safeguards their rights. According to the 1973 Constitution of Pakistan, “the state shall safeguard the rights and interests of minorities, including their due representation in the Federal and Provincial service” (Article 36). This aligns with international standards, providing minorities with certain rights, protection, and dignity. According to the Article 4/1 of UN Declaration on the Rights of Persons Belonging to National, Ethnic, Religious, and Linguistic Minorities, “States shall take measures where required to ensure that persons belonging to minorities exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law” (UN General Assembly, 1993). In this report, the term 'religious minorities' will be employed to specifically denote individuals associated with various religions characterized by a limited population size.

The religious minorities are counted 3.73 percent of the total population of 241,492,917 of Pakistan (Pakistan Bureau of Statistics, 2023). The breakup of 2023 Census is not yet out. Nevertheless, the Christian population was 1.31 million (1.55%) in 1981 Census which rose to 2.09 million (1.59%) in 1998 Census with an average growth rate of 2.81%, and reached 2.64 million (1.27%) in 2017 Census with an average growth rate of 1.21%. The population of Christians grew by 60.31% (0.79 million) from 1981 till 1998, while it further increased by 25.71% (0.55 million) between 1998 and 2017 (Aslam & Jacob, 2022). Despite the country having four provinces, the population of religious minorities is more concentrated in two specific provinces. Sindh province hosts the majority of Pakistan's Hindu population, while the Christian community is geographically dispersed throughout the Punjab province. According to UNICEF (2023), the population below the age of 18 is 102,449,594 in Pakistan. Nevertheless, the proportion of children adhering to religious minorities is not available.

Protecting the Rights of Religious Minorities

In 1947, Pakistan emerged as an independent nation with a steadfast commitment to upholding the rights of minorities. Despite the partition of British India being often cited as an example of inevitable religious conflict in South Asia, the founder of Pakistan, Quaid-e-Azam Muhammad Ali Jinnah, expressed optimism about the harmonious integration of faith identities

in the new state. In his address on August 11, 1947, he declared that citizens, regardless of their religious community, were equal participants in the state with equal rights, privileges, and obligations. Jinnah envisioned a united spirit fostering progress without end. The white color in the country's flag symbolizes the presence and importance of religious minorities in Pakistan (Ambreen, 2014). Historically, the Lahore Resolution of 1940 explicitly articulated the need for comprehensive safeguards in the constitution to protect the religious, cultural, economic, political, administrative, and rights of other minorities. These safeguards were to be established through consultation with the minorities, ensuring their active participation in the process. It says,

That adequate, effective and mandatory safeguards should be specifically provided in the constitution for minorities in these units and in these regions for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them; and in other parts of India where Mussalmans are in a minority, adequate, effective and mandatory safeguard shall be specially provided in the constitution for them and other minorities for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them (Mughal, 2014, P.10).

The 1973 constitution of Pakistan ensures equal rights for religious minorities under Articles 14, 19, 20, 22, 26, 27 and 255. Furthermore, when addressing minority protection, Article 36 uses the term ‘minority,’ underscoring the state's responsibility to safeguard the legitimate rights and interests of minorities, with a sole focus on religious minorities. Nonetheless, the effective implementation of these provisions remains incomplete and is in conflict with other articles of the Constitution. Primarily, Article 2 confirms that “Islam shall be the State religion of Pakistan,” while Article 31 asserts the government's duty to promote the Islamic way of life. Furthermore, Article 41(2) stipulates that “a person shall not be qualified for election as President unless he is a Muslim,” and Article 227(1) mandates that “all existing laws shall be brought in conformity with the Injunctions of Islam as laid down in the Holy Qur’an and Sunnah, in this Part referred to as the Injunctions of Islam, and no law shall be enacted which is repugnant to such Injunctions.” Even Article 20 of the Constitution, ensuring every citizen the “right to profess, practice and propagate his religion,” and granting “every religious denomination and every sect thereof the right to establish, maintain and manage its religious institutions,” is “subject to law, public order and morality”.

Consequently, both legally and practically, this conflicts with the rights of religious minorities in Pakistan. It elucidates that the formalization of discrimination against religious minorities in Pakistan occurred with the adoption of the country's initial Constitution in 1956. This discriminatory stance was subsequently strengthened through revisions in 1962 and 1973 (FIDH/HRCP, 2023).

Despite the constitutional constraints, the Government of Pakistan has undertaken various measures to protect the rights of religious minorities. Notably, in 2009, the government of the Pakistan Peoples’ Party declared 11 August as National Minority Day to emphasize the vision of the Father of the Nation, Quaid-e-Azam Muhammad Ali Jinnah, who advocated for equal rights for all Pakistani citizens in his speech of 11th August, 1947. Additionally, the government has

implemented tangible steps, such as a 5% job quota reserved for minorities in the country and reserved seats for minorities in the Senate, National Assembly, Provincial assemblies, and local bodies. Furthermore, minority representation is ensured in National Human Rights Institutions (NHRIs), including the National Commission of Human Rights, National Commission on the Status of Women, and National Commission on the Rights of Child.

After the passage of the 18th Amendment in 2010, which shifted the responsibility of minority rights to provincial authorities, various provincial governments have implemented initiatives to safeguard the rights of religious minorities. One prominent effort is the introduction of the ‘Minority Empowerment Package’ in Punjab. A significant accomplishment under this package is the approval of a two percent quota for minorities in universities. This decision addresses the challenges faced by minority youth in securing ‘high-end jobs’ under the existing five percent quota, which was hindered by a lack of highly qualified candidates. Similarly, the Government of Sindh has taken positive strides in ensuring religious freedom and tolerance. These include officially celebrating the festivals of 7 religious minorities, introducing a five percent quota in employment for members of religious minorities, and establishing a 24-hour hotline to report acts of violence against religious groups.

Nevertheless, in contrast to these measures, a plethora of research (Iqbal et al., 2012; Iqbal et al., 2013; Naveed et al., 2014; Isik et al., 2018; Jaffrelot, 2020; Rahman, 2021; Neelam & Khan, 2023) highlights the precarious situation of religious minorities in Pakistan regarding their civil and political rights, as well as their socio-economic and cultural rights. The studies reveal a pattern where minority groups encounter obstacles in accessing fair employment opportunities, leading to unequal treatment and a sense of being relegated to second-class status. This discrimination manifests in various forms, including intimidation and threats directed at minority individuals as well as groups. Alam (2021) elucidates that religious minorities face poverty as a consequence of socio-economic discriminations, encompassing monopolistic practices in job selection, unemployment, the nature of available jobs, diminished respect, workplace bullying, occupational hazards, exclusion from corporate sectors, and limited promotional prospects. A study conducted by Water Aid reveals that, despite constituting only 2 percent of the overall population in Pakistan, Christians make up approximately 80 percent of sanitation workers in the country (Kross Konection, 2022). The minority women who constitute 4-5 million in Pakistan experience triple jeopardy in Pakistani society as they face discrimination on the basis of gender and religion which is further multiplied by the overall poor socio-economic situation (Jivan & Jacob, 2012; Jacob, 2019).

Apart from the Constitution, numerous legislations have been enacted to institutionalize discrimination against religious minority groups in Pakistan. The Human Rights Commission of Pakistan (2011) emphasized the difficulties experienced by minorities in 2010 and called the year as ‘bad year’ for minorities, foreseeing even more challenging times ahead. A decade later, Mehfooz (2021) discloses that minorities continue to contend with exploitation by extremist factions. Additionally, certain sectors of society nurture animosity towards minorities, leading to their exclusion from mainstream society solely based on their religious affiliations. The main challenge faced by minority communities involves coping with persecution rooted in discriminatory laws, especially those pertaining to blasphemy, which disproportionately affect them.

The State of Minority Children in Pakistan

Pakistan ranks as the fifth most populous nation globally; with 45 per cent children and 22.7 per cent adolescents aged 10–19 years. 45% of its inhabitants are below the age of 18 (UNICEF, 2020). Unfortunately, the country has yet to effectively uphold and realize the rights of children as enshrined in its constitution (Talha, et al., 2023). The 1973 Constitution of Pakistan serves the legal framework for child protection, with Article 35 specifically mandating the state to safeguard the institution of marriage, the family, the mother, and the child. Further insight into child protection is provided by Articles 11 and 25 of the Constitution of Pakistan. Article 11(3) addresses the prohibition of hazardous child labor, Article 25-A guarantees free and compulsory education for individuals aged 5 to 16, Article 25(3) advocates for special laws for child protection, and Article 37(e) directs the state to protect children from engaging in vocations unsuitable for their age and morals.

Pakistan demonstrated its commitment to the protection of children's rights on a global scale. Apart from its involvement in the drafting committee of the United Nations Convention on the Rights of the Child (UNCRC), Pakistan holds the distinction of being the first Islamic nation and the sixth globally to both sign and ratify the UNCRC which is a foundational international treaty that outlines the rights of children, emphasizing non-discrimination and the best interests of the child. This international convention delineates the rights of children in terms of Survival, Development, Protection and Participation. The UNCRC establishes a thorough framework of fundamental rights crucial to the Sustainable Development Goals (SDGs). These encompass health, education, housing, a satisfactory standard of living, social security, non-discrimination, safeguarding against violence and exploitation, active participation, as well as the freedoms of expression, assembly, and information, among other key aspects. Particularly, the right to the protection of children is detailed in various articles of the UNCRC, including Article 3, 19, 20, 24, 26, 27, 28, 32, 33, 34, 36, and 39. It is worth noting that the United Nations has emphasized the significance of ensuring the protection of the rights of all children, irrespective of their religious or ethnic identity.

Nonetheless, over 80 million children in Pakistan lack access to fundamental human rights. Only approximately 21 percent of children in metropolitan areas have the resources needed to fulfill their basic requirements (Talha, et al., 2023). Concerning the right to survival, The Federally Administered Tribal Areas (FATA) in Pakistan is a region where children are at risk of being denied their rights, given the alarmingly low birth registration rate of only one percent. This statistic also mirrors the overall state of birth registration in Pakistan, which currently stands at 34 percent (Shahryar, 2018). The prevalence of Severe Acute Malnutrition (SAM) in Pakistan underscores a troubling malnutrition rate, leading to an estimated three million annual deaths among children under the age of five. This corresponds to a mortality rate of 65.2 deaths per 1000 live births. On a global scale, Pakistan ranks third in the prevalence of stunted children, following behind Nigeria and India (Ahmed. et.al, 2023).

Despite Pakistan's constitution guaranteeing fundamental rights for children, the current data indicates a stark contrast with the envisioned results. Over 22.8 million children are deprived of education (Statista, 2020), with over 42% experiencing stunted growth (Hanif, 2023). A recent report prepared in collaboration with UNESCO by the Pakistan Institute of

Education, which falls under the purview of the federal education ministry, has revealed that the number of out-of-school children in Pakistan has increased to 26.2 million. According to assessments by UNICEF and various child-focused organizations, around 3.3 million children in Pakistan are trapped in child labor. This dire situation has been intensified by the impact of the Covid-19 pandemic, which has driven numerous families into poverty (ibid).

In the realm of the right to protection, it is regrettable to observe the inconsistency in defining a 'child' within the provincial and national laws of Pakistan. This lack of uniformity has led to confusion among stakeholders and has been a contributing factor to various instances of child rights abuses and violations. These issues encompass child marriages, child labor, children in conflict with the law, and their involvement in armed conflict, among other concerns. Likewise, there is no official data on different forms of Child Abuse and Neglect (CAN) in Pakistan. However, unofficial reports suggest that 15-25% of children in the country experience sexual abuse in Pakistan (Mehnaz, 2018). Likewise, Dawn (2023) reports that as per Sahil, an NGO dedicated to child protection in Pakistan, there were a total of 2,227 reported cases of child abuse in the country during the initial six months of 2023. Surprisingly, within the age group of 6-15 years, the number of male victims (593) exceeded that of female victims (457). Furthermore, Pakistan is home to nearly 19 million child brides (UNICEF 2023).

Minority children face heightened challenges as a result of their parents' low socioeconomic status. The intertwining influences of religion, class, and gender contribute to increasing their vulnerability. Moreover, those among the minority children who face challenges like forced conversion and early marriages endure additional hardships. Every year in Pakistan, up to 1,000 girls undergo forced conversions to Islam, frequently through abduction or deception (VOA, 2020). The UN experts have raised serious concerns regarding the reported surge in abductions, forced marriages, and conversions involving underage girls and young women from religious minorities in Pakistan. They have called for immediate efforts to curb these practices and ensure justice for the victims. Furthermore, discriminatory laws, such as blasphemy laws, contribute to the adverse effects on the well-being of these children.

It is also worth noting that the measures implemented to safeguard minority rights in Pakistan predominantly center on adults, resulting in a lack of attention to minority children in policy discussions. According to Malik (2014), minority children face a dual marginalization. They often belong to the most economically disadvantaged groups, regularly excluded from vital services and protection, and lacking opportunities for growth and development. Hence, they face the triple jeopardy, on the bases of age, religion and class. Consequently, in concluding observations on the fifth periodic report of Pakistan, Committee on the Rights of the Child remains extremely concerned about widespread discrimination against children belonging to religious and ethnic minorities. The Committee urges the State party to protect the freedom of religion of all children, including Shia Muslim, Hindu, Christian and Ahmadi children, and provide the ability for children to choose their religion or not to profess any religion altogether, including in schools.

In the Pakistani context, the primary challenges faced by minority children can be broadly categorized into two groups: (1) technical challenges, underscoring the state's role in promoting equality and non-discrimination by integrating the protection and promotion of

minority children's rights into national legal systems in line with international human rights instruments; and (2) adaptive challenges, recognizing society's responsibility in upholding the rule of law, fostering integration and social cohesion by encouraging individuals to adopt new behaviors or change attitudes and beliefs. Experiencing numerous forms of discrimination at various levels, minority children in Pakistan encounter heightened vulnerability when it comes to technical challenges, specifically related to blasphemy laws. The increased risk is primarily linked to the lack of comprehensive legislation aimed at protecting their rights and ensuring their well-being.

Minority Children and Pakistan's Blasphemy Laws

Brief Overview of Pakistan's Blasphemy Laws

Blasphemy laws in Pakistan have a complex history. Originating during British colonial rule in the 1860 Penal Code, the present blasphemy laws in Pakistan are contained in Chapter XV of the Pakistan Penal Code. In 1980 and 1982, General Zia Ul Haq amended the Pakistan Penal Code (PPC) and the Criminal Procedure Code through ordinances, introducing several sections such as 295-A, 295-B, 295-C, 298-A, 298-B, 298-C. Section 295C was subsequently passed by parliament in 1986. These newly added sections, collectively known as blasphemy laws, addressed offenses related to religion, including the defilement or insult of the Prophet of Islam, his companions, family members, and desecration of the Holy Quran. Penalties for violating these laws ranged from fines and imprisonment to death.

In 1991, the option of life imprisonment was eliminated under the directive of the Federal Shariat Court, leaving death as the sole applicable penalty under section 295C. In 2004, the parliament enacted a law altering the procedure for registering blasphemy cases. According to this law, a senior police official became obligated to thoroughly investigate accusations of blasphemy to ensure their validity before filing criminal charges. The existing blasphemy laws in Pakistan originate from amendments made in the 1980s.

295-A of the PPC criminalizes the “deliberate and malicious intention of outraging the religious feelings of any class of the citizens of Pakistan,”

Section 295-B states that “whoever wilfully defiles, damages or desecrates a copy of the Holy Qur’an or of an extract therefrom or uses it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life”.

Section 295-C provides that “whoever by words, either spoken or written, or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet (peace be upon him) shall be punished with death or imprisonment for life, and shall also be liable to fine.”

The historical records uncovered thought-provoking insights, hinting at a connection between the enactment of blasphemy laws and a significant increase in blasphemy cases. For instance, according to the Center for Research and Security Studies (2023) from 1948 to 1978,

only 11 cases of blasphemy were recorded. From 1987 to 2021, these cases went up 1493 by about 1,300%.

Pakistan's blasphemy laws spark controversy, eliciting divergent opinions from the public. One faction staunchly advocates for the laws, viewing them as crucial for safeguarding sentiments of Muslim, particularly in relation to the sanctity of the Holy Prophet (PBUH). Conversely, another faction deems the laws oppressive, alleging that they are exploited by vested interests to disproportionately target minority groups, often serving as tools for settling personal vendettas and disputes. A plethora of research reveals the misuse of blasphemy laws in Pakistan leading to sanctioned violence under the pretext of religion and resulting in violations of human rights (Hayee, 2012; Hoffman, 2014; Julius, 2016; Ahmed, 2020; Rumi, 2021; Hussain, et al., 2023; Nazir-Ali, 2023; Khan & Riaz, 2024).

For decades, researchers have deliberated on the misuse and misapplication of blasphemy laws. Amnesty International (2001) perceives blasphemy laws as vaguely formulated and arbitrarily enforced that make defense challenging. Rehman (2002) criticizes these laws and argues that there is no point in awarding death sentence to a non-Muslim under section 295-C; a non-Muslim simply cannot commit blasphemy because he is a Kafir¹, naturally-the Hadd². Larkin (2000) emphasizes the misuse of blasphemy laws to target minorities, with fears that constitutional amendments imposing Sharia law could increase vulnerability. Yeor (2002) echoes this sentiment, stating that these laws become tools for extremist elements to settle scores against religious minorities. O'Brien (2006) views blasphemy accusations as a means of social exclusion, pushing targeted groups outside the bounds of respectability. Walbridge (2003) support this perspective, highlighting economic exploitation and the settling of personal scores.

Nevertheless, there is a dearth of research exclusively exploring the impacts of blasphemy laws on minority children in Pakistan. Similarly, there is a lack of official data on the count of minority children accused of blasphemy.

Blasphemy Laws and the Heart-wrenching Stories of Christian Children

Children belonging to minority groups encounter discrimination and vulnerabilities, with Christian children notably facing a distinct impact from blasphemy laws. Cases featuring individual Christian children or entire Christian communities bearing the brunt of these laws are frequently spotlighted in media coverage. Therefore, this inquiry explores several documented cases to analyze the effects of blasphemy laws on Christian children.

The historical record indicates that blasphemy laws have affected three specific categories of minority children, particularly those of the Christian faith: a) Christian children who have been personally accused under blasphemy laws; b) Christian children whose parents or relatives have been implicated in blasphemy accusations; and c) Christian children whose community members have faced allegations under blasphemy laws. While examining the cases of these children in each category as reported in media, the analysis will underscore the adverse effects that blasphemy laws have on their well-being. The analysis will also highlight strategies aimed at safeguarding these children by addressing both technical challenges and adaptive challenges.

¹ infidel

⁴ Islamic punishment according to Quran

Minority (Christian) Children Accused under Blasphemy Laws

The initial classification delves into the narratives of two Christian children who attracted media attention as a result of facing accusations under blasphemy laws.

In the Clutches of Injustice: The Saga of Salamat Masih and His Pilfered Pigeons

The first case of a Christian child gaining national and international media attention was centered on Salamat Masih, a 13-year-old Christian boy from Gujranwala, Punjab province. On May 11, 1993, an Imam (mosque prayer leader) in Gujranwala, Punjab, filed a complaint at Kot Ladha police station, accusing three Christians Salamat Masih, Manzoor Masih and Rehmat Masih—of throwing paper slips with insulting words about the Prophet into the mosque in village Ratta Dhotran. The incident unfolded when Salamat became embroiled in a dispute with the eight-year-old son of a Muslim neighbor. The disagreement originated from the boys capturing Salamat's pigeons and refusing to return them (Amnesty International, 1994). Subsequently, Salamat found himself accused of inscribing blasphemous words on a mosque by the younger boy involved in the altercation. Despite Salamat's lack of literacy, he along with two adult Christians, Anwar Masih and Manzoor Masih, faced blasphemy charges.

Salamat Masih was released on bail in November 1993. However, on April 5, 1994, Salamat Masih, along with Rehmat Masih and Manzoor Masih, and a Christian escort, were attacked and shot outside their attorney's office in Lahore following a court hearing. Despite police protection granted by the Lahore High Court, Manzoor Masih was killed on the spot, and the other three Christians sustained injuries. The attackers, three gunmen, were believed to be identifiable by eyewitnesses and the surviving accused. Prior to the incident, the case had been moved from Gujranwala to Lahore due to concerns about the defendants' safety. Following their releases on bail and subsequent hiding, they faced threats and demonstrations in Gujranwala, prompting the relocation. On February 23, 1995, Salamat Masih and Rehmat Masih were acquitted of the blasphemy charge, overturning a death sentence imposed on them on February 9, 1995. Despite the acquittal, Salamat Masih, feeling unsafe in Pakistan due to threats from extremists, opted for exile in Germany.

Coping with Accusations and Learning Disabilities: Rimsha Masih's Story of Faith and Persecution

Almost two decades after Salamat Masih case, the spotlight turned to a new incident involving a fourteen-year-old Christian Pakistani girl with learning disabilities. This case gained prominence in both national and international media. On August 16, 2012, Rimsha Masih, found herself facing arrest and imprisonment in Mehrabad, her hometown in Rawalpindi, Punjab. She stood accused of violating Pakistan's strict blasphemy laws, alleged to have torn pages from Holy Quran and set them on fire. This accusation prompted strong protests from local Muslims in her predominantly Christian neighborhood, drawing an estimated 600 to 1,000 participants in demonstrations. In an attempt to appease the crowd, the police took Rimsha into custody, forcing her parents and the community to flee. Ultimately, Rimsha was acquitted of all charges in November 2012 by the High Court in Islamabad, and had the subsequent confirmation of the acquittal by the Pakistan Supreme Court in January of 2013.

It is important to note that none of Rimsha's family members were registered, and they did not possess national identity cards. As a result, legal documents were signed by a community member on their behalf. Unfortunately, after being acquitted, Rimsha was unable to go back to her home in Meharabad. Instead, she and her family relocated to Canada in 2013 after enduring a period of internal relocations prompted by heightened threats from extremists (The Guardian (2013).

B. Christian Children Whose Parents or Relatives were Accused under Blasphemy Laws

In the second categorization, the investigation explores cases concerning children whose parents or relatives face accusations of blasphemy. This entails a thorough scrutiny of situations where children find themselves directly or indirectly implicated in the context of accusations leveled against their parents or relatives for acts perceived as blasphemous.

Irfad's Silent Echoes: Unveiling the Hidden Agony of Gul Masih's Innocent Kin

In another high-profile case of blasphemy, Gul Masih, a Christian, made headlines as the first person to receive a death sentence on November 2, 1992, since the mandatory enforcement of blasphemy laws in 1991. The incident unfolded on December 10, 1991, when a dispute arose between Gul Masih and his Muslim neighbor, Mohammad Sajjad Hussain, over the seemingly trivial matter of repairing a community water tap. Both Gul Masih and his brother Bashir Masih faced blasphemy charges for allegedly making disrespectful remarks about Prophet Mohammad. On December 14, 1991, both men were detained by the police overnight and later transferred to jail. After receiving testimony from several Muslim neighbors confirming Bashir's absence from the place of conflict, he was released after spending a month and a half in jail. Amnesty International (AI) recognized Bashir as a prisoner of conscience. Gul, however, endured years of torture in prison before ultimately being acquitted of all charges on appeal in the Supreme Court. In 1993, he sought asylum in Germany to escape persecution.

However, what went unreported in the media was the persecution suffered by the children in his family. Following the registration of the FIR, the police promptly conducted a raid on Gul's residence to arrest him, only to find he wasn't there. Instead, they arrested his 14-year-old nephew, Irfad. The police station became a place of terror for Irfad. Spending the night there at just 14 years old, he was a boy among men. They forcibly directed him towards the washroom, assigning him a derogatory name for the duration of his stay *Choora*³. Being a Christian and, even worse in their eyes, related to a blasphemer, he became the target of mistreatment. According to Barker (2009), they took turns pushing him from one filthy task to another, sometimes resorting to punches or sharp kicks. With each demeaning task, they would torment him, hurling insults that marred his innocent boyhood. "You are a curse on the world." "You are only a dirty choora". "Choora, clean this latrine."

As Irfad moved from one latrine to another, the insults echoed in the background. He anticipated the time for further torture with every harsh word, his breath catching as their deep voices rose. He would strain to hear their footsteps, and only when they passed did his breath return over his dry, cracked lips.

³

A janitor.

Sonia and Suleman's Scream: A Woeful Tale of Mob Brutality

In 2014, another awful incident of blasphemy occurred as Shama, 24 and pregnant at the time, and Shahzad Masih, 26, a couple working as brick kiln bonded labourers, fell victim to a frenzied mob. The assailants not only tore their clothes and broke their bones but also subjected them to further brutality by dragging them through the village. Ultimately, the horrifying ordeal concluded with the couple being thrown into the blazing furnace of the brick kiln where Shahzad was employed.

During her eighth month of pregnancy, Shama questioned the peshgi⁴ status with the contractor, asserting it had been settled. The contractor lured the couple into his office, locked them in. Later, pages of the Holy Quran were allegedly found outside their home. The incident was publicized without seeking the accused's explanation, triggering anger and hysteria in the village. The mob forcibly brought the couple out, dragging them to the kiln's flames. It remains uncertain whether the couple was alive when burned, but there was nothing left except bones for a burial. What remains are three young children 6-year old Suleman, four-year old Sonia and two-year old Poonam who have relocated to the city, escaping the distress of the dusty, smoky brick kiln where their parents once toiled.

Suleman, at the age of six and the eldest among the three siblings, was the sole witness to the unfortunate events that unfolded for his parents on that fateful day. "Suleman had bad dreams for a long time. He would often wake up screaming for his parents," while Sonia kept repeating the same sentence from time to time "Mummy papa nu saar dita" (they have burnt Mummy and Papa). On that fateful day, little Poonam, just two years old, had an unfortunate fall. Reacting promptly, her maternal aunt swiftly scooped her up along with the other two children, making a quick escape from the vicinity before the angry mob could turn its hostility in their direction (Jalil, 2019).

Today, Suleman, Sonia, and Poonam attend school and attempt to live ordinary lives, yet they remain perpetually haunted by the brutality of the day their parents were lynched. The relatives now caring for the children note that Sonia and Suleman were profoundly shaken and deeply affected by the tragedy. All three of them sought counselling. They gradually are regaining momentum. However, despite all efforts, there are still moments when they drift into a daze. It took them years to adapt to city life. A nonprofit organization is now offering them assistance to fulfill their needs. Yet, the uncertainty regarding their promising future persists.

It is also important to note that when a blasphemy case occurs, it captures the attention of the global community and support organizations through the media. These support entities play a significant role by offering immediate assistance, such as legal aid and funds for relocation. Nevertheless, once the story fades from the spotlight, there is a tendency for everyone to forget about the future generation – the children of the affected family who continue to grapple with both intense hatred and extreme poverty.

Despite the initial surge of support, the enduring struggles faced by these children persist, often obscured by the passage of time and the fading memory of the incident in the public

⁴

advance money

consciousness. This not only proves to be disappointing but also raises an alarming concern about a series of never-ending human rights violations.

Christian Children Whose Community Members Accused under Blasphemy Laws

The third category investigates the consequences on children when members of their community are facing charges related to blasphemy laws. This facet of the research seeks to comprehensively understand and analyze the repercussions that children may experience when confronted with the legal proceedings and societal consequences arising from accusations of blasphemy against community members. It aims to explore the psychological, emotional, and social implications on children as they navigate the complexities and tensions that may emerge within their community due to such legal challenges.

Whispers of Resilience: Jaranwala's Children Facing the Menace of the Violent Mob

Pakistan's history bears the stain of religious persecution against Christians, primarily manifested through stringent blasphemy laws. A significant episode occurred on February 5, 1997, when Shantinagar, comprised of twin Christian villages near Khanewal district, faced a brutal assault provoked by allegations of Holy Quran desecration. The police successfully evacuated the Christian community before a merciless mob pillaged, incinerated, and obliterated homes, properties, and churches using explosives. Another horrifying incident unfolded on August 1, 2009, when a Muslim mob attacked Christians in the town of Gojra, burning eight innocent Christians alive. The violent rampage resulted in the destruction of over 100 houses and a church. Subsequently, on March 9, 2013, an arson attack targeted the Christian settlement known as Joseph Colony in Badami Bagh, Lahore, revealing yet another tale of religious intolerance and violence against the marginalized Christian minority in Pakistan. In this incident, an extremist mob set fire to more than 200 houses of Christian residents, desecrated two churches, and vandalized dozens of Holy Bibles.

The recent Jaranwala incident on August 16, 2023, has profoundly saddened and embarrassed the entire nation, tarnishing the image of Islam, Muslims, and Pakistan. A violent mob burned 21 churches, 86 houses, and a graveyard, eliciting nationwide condemnation. Despite the shameful incident, people from all walks of life expressed their condolences by visiting the grieving families. However, similar to past occurrences, the challenges faced by children in this incident received limited coverage from the mainstream media, and there was a lack of government interventions specifically addressing the needs of children. However, the focus on issues affecting the survival of children received some attention from the United Nations Children's Fund (UNICEF) and various civil society organizations.

It is crucial to highlight the challenging circumstances these Christian children faced, as they had to hide for hours in sugarcane fields amidst extremely hot and humid weather, seeking refuge from violent mobs. Currently, as they navigate through the aftermath of their homes, churches, and Sunday schools reduced to rubble, these resilient children embark on a journey to recover their lost belongings—be it toys, clothes, shoes, books, or the simple joys that were once a part of their lives. James, while sifting through the ashes, exclaimed, “They have burnt my Bible, my notebook, and everything!” He cried out in distress”. David expressed his sorrow, recalling how his mother led them to the fields barefoot when the mob arrived. Upon returning

home after three days, there was nothing left—no books, no toys, and even their shoes were gone. As noted by Nazir (2023), “Confusion races in the eyes of the children, their mothers clueless on how to restore peace in their lives, to assure them home is a place where they are safe”. Furthermore, some children developed skin diseases because of usage of chemical to burn the houses. Some had wounds in try to escape and to get safe place

It was disheartening to witness the mobs targeting two schools. One of the schools suffered severe damage and fire, instilling fear and uncertainty in the hearts of the children. Hundreds of children have been experiencing fear, causing reluctance to attend school. Some attempted to go but faced rejection. There is pressure for them to convert to Islam with assurances of safety. The violent attack has left lasting trauma on the children. The primary worry is providing psycho-social support to the Christian children from the affected households (Chaudry, 2023). In the aftermath of the violent attacks on the schools, the urgent need for psycho-social support for the traumatized Christian children from the affected households becomes a paramount concern, as they grapple with the lasting impact of fear, uncertainty, and rejection in their pursuit of education and safety.

Analysis of the Narratives

While the UNCRC encompasses 54 distinct articles and three Optional Protocols, it's comprised of four main pillars - the right to survival, the right to protection, the right to development and the right to participation. Examining these narratives within each category through the lens of the child rights framework reveals the infringement upon the rights of children as follow.

The Right to Survival

Upon birth, children have the right to life, an official name, birth registration and nationality, along with access to quality healthcare, suitable nutrition, clean water, a secure living environment, and developmental opportunities. They deserve parental care and protection, with the government responsible for ensuring these rights through essential services for their well-being and growth.

The cases of Slammat and Rimsha, accused of blasphemy, underscore their upbringing in impoverished families with insufficient access to healthcare, nutrition, clean water, secure living conditions, and developmental opportunities. Nevertheless, upon falling victim to blasphemy accusations, their rights faced additional violations. Both Slammat and Rimsha were held in detention, separated from parental care and protection. Rimsha, being a girl and a person with disabilities, was particularly susceptible to vulnerability while in prison. Moreover, in Rimsha's case, the circumstances were exacerbated by the absence of national identity cards for any family member and the birth registration of Rimsha and her siblings. Unfortunately, following her victimization in blasphemy cases, her survival became even more precarious as the family navigated court proceedings and legal documentation without national identity cards. A Christian community member exhibited courage by signing the required documents on their behalf.

The cases of Irfad and Sonia also revealed their dire economic circumstances, especially for Sonia, who is the daughter of a bonded laborer in a brick kiln, lacking adequate health facilities and suffering from malnutrition. Following the victimization of their family members

due to blasphemy accusations, both Irfad and Sonia were deprived of family love, parental care and protection. While Irfad experienced humiliation in prison, Sonia recalled the tragic burning of her parents in a kiln furnace. These distressing situations have left the children with negative impacts on their well-being and lasting trauma.

Revealing the tragic incident in Jaranwala, the right to survival of hundreds of children is violated. The burning of their homes not only resulted in the loss of everything they owned but also led to their parents losing their jobs due to the prevailing hostility. Consequently, the parents find themselves unable to afford essential facilities such as proper food and healthcare for the well-being of their children. This situation underscores that children who were already socioeconomically vulnerable have been thrust into heightened vulnerability, with the potential for long-lasting challenges that may persist for decades.

The Right to Protection

The UNCRC clearly states that children have the right to protection from all harm, including domestic violence, physical and psychological abuse, child labour, dangerous tasks, and harmful substances. In terms of the justice process, every child not only has the right to fair treatment but also unique attention to children's needs meaning every legal procedure needs to take into account the best interest of children. The government also has the duty to ensure that victim children are rehabilitated and reintegrated into society with dignity. Examining the situations of Salamat and Rimsha reveals a clear failure in the efforts to rehabilitate and reintegrate them into society with dignity. Despite being acquitted, both Salamat and Rimsha currently reside in exile, as the government was not able to shield them from extremists. They experienced hardships within the prison environment as well. Salamat narrowly escaped a shooting incident as he was returning from a court hearing, whereas his co-accused was tragically killed in the same incident. He had suffered the immense trauma in this situation.

In Irfad's case, situation was even direr. He wasn't the accused; rather, he was apprehended as a substitute for his accused uncle. Confined with other men at the police station, he was tormented by other adult prisoners, compelled to clean the latrines, a clear violation of his fundamental rights to protection. In the realm of the justice process, every child is entitled not only to fair treatment but also to individualized attention to address their unique needs. Nevertheless, Irfad experienced humiliation; retaining him among men not only exemplified unjust treatment but also infringed upon his dignity. Likewise, Suleman experienced extreme physical and psychological abuse of lynching of his parents by the brutal mob. After the tragic loss of his parents, the state was responsible for the rehabilitation of Suleman and his other two siblings. Unfortunately, they did not receive the necessary protection and are currently being cared for by an NGO.

The analysis of the Jaranwala case has underlined a severe violation of the right to protection of numerous Christian children. In extreme fear, these children took refuge in sugarcane fields amidst sweltering and humid weather, enduring 40-degree Celsius temperatures without access to safe drinking water. Chaudhry (2023) said, "Six-year old Saleem sometimes screams in his sleep. People are providing us crockery, clothes and household items but there are no doors to keep them safe," as explained by his aunt. "Murad fainted three times amid humidity," They faced the harsh reality of bare footedness and a lack of food. Additionally, they suffered from wounds and skin diseases caused by the chemicals used to burn down their home.

With their homes reduced to ashes, they spent days without proper bedding. The repercussions of the incident not only rendered them without a home but also struggling with injuries, skin diseases, and a lack of essential items such as proper bedding and sufficient food. In summary, the examination of the Jaranwala case reveals a grave infringement on the right to protection for numerous Christian children.

Sadly, they found themselves exposed to an aggressive and unruly mob, subjecting them to an ongoing and profound state of psychological distress. They have yet to receive the necessary and sufficient counseling support required to address and alleviate the enduring psychological effects stemming from these harrowing encounters.

The Right to Development

Children, as future adults, have the inherent right to education and development, beginning with early childhood services and diverse information access. The UNCRC emphasizes holistic development, recognizing evolving capacities. The UNCRC promotes an environment supporting physical, mental and social growth; ensuring children reach their full potential. Children with special needs, including disabilities, deserve equal opportunities for development, unlocking potential and active participation in society, enabling the enhancement of specialized skills for a brighter future and pursuit of their dreams. Regrettably, a significant number of children from minority communities find it challenging to safeguard their right to education due to unfavorable economic circumstances. Many of them are compelled to engage in child labour, residing in impoverished urban areas, or serving as bonded labourers on farms or brick kilns.

While examining the case of the Salamat and Rimsha, it was noted that despite their illiteracy, both individuals were alleged to have written offensive words against Prophet Mohammad. Rimsha, coping with learning disabilities, encountered challenges in accessing suitable opportunities and a nurturing environment for her personal growth. Irfad was the sole child attending school, while Suleman, originally illiterate, received financial support from the NGO after the demise of his parents. This assistance enabled him and his sisters to pursue an education.

The situation of Jaranwala is very grim. There is no data available about the literacy rate of this community before the incident of blasphemy. It is also a lack of information about how many children have resumed their schools after the incident. Though few reported the vulnerability of the children and the kind of hatred they have been facing from their Muslim class mates and teachers (Chaudhry, 2023). Saleem lamented that, “My books are burnt: while ten-year-old Salvish has left school because he fears his classmates might harm him. “All my classmates are Muslims.” He has joined the ranks of dropouts in Pakistan, a country that holds the world's second-highest number of out-of-school children. This alarming figure amounts to 23 million children between the ages of five and sixteen who are not enrolled in education (Khan, et.al, 2021). Given the intense financial challenges confronted by parents who not only lost their assets but also encountered a decline in employment opportunities following the blasphemy incident, the precise number of children unable to resume schooling remains uncertain.

It is important to note that the Christian quarter in Jaranwala is home to more than 5,000 residents, the majority of whom are sanitary workers earning meager wages. These individuals

inhabit crowded homes, often shared with up to 18 relatives. Providing education for these economically disadvantaged individuals poses a significant challenge.

The Right to Participation

The ultimate fundamental entitlement of a child is the right to participate. UNCRC states that children have the inherent right to express their thoughts, perspectives, and opinions, and they deserve to be heard, especially in matters directly affect them. This right to participation also extends to children's access to information tailored to their age and level of maturity. They should have the freedom to acquire the information they need, coupled with protection from potentially harmful content that might hinder their development.

Nevertheless, upon analyzing blasphemy cases in all three categories, it is evident that Christian children are enduring an extreme state of fear. The children came under attack, and they fought to preserve their lives. As reported in the media, "The children were shouting, 'Run, run, the attackers are coming! They will attack us'". Numerous children were apprehended on blasphemy charges following targeted attacks. The innocence of their childhood was marred by the harrowing accusation of blasphemy, which may cast a lasting stigma on their lives. They are traumatized, and it is beyond their capacity to expect them to exercise their right to participation in such an exceedingly turbulent environment.

Despite multiple human rights organizations conducting fact-finding missions in Jaranwala, none have authored a report detailing the impact of blasphemy incidents on children from the perspective of the child rights framework. This is the primary avenue for conducting further research.

Recommendations

The analysis of these narratives suggests the following recommendations.

- Encourage community involvement and support for victims, particularly those from minority communities. Promote tolerance, understanding, and acceptance to foster a safe environment for the reintegration of victims into society.
- Develop initiatives to ensure equal educational opportunities for children, especially those from minority communities. This may involve targeted interventions to address economic barriers, providing scholarships, and addressing the specific needs of children with disabilities.
- Improve data collection mechanisms to monitor the well-being and educational status of children in communities affected by incidents like Jaranwala. This information is crucial for designing effective interventions and understanding the challenges faced by these children.
- Create safe spaces where Christian children can freely express their thoughts, perspectives, and opinions without fear of persecution. These spaces should be protected and monitored to ensure a supportive environment for open dialogue.

- Advocate for the celebration of diversity, inclusion, tolerance, and peace. Safeguarding children's rights requires a holistic approach that addresses issues such as curtailing hate speech, rectifying biased curricula, and implementing precautionary measures to prevent the misuse of blasphemy laws. The promotion of an environment that fosters diversity and embraces tolerance is essential to ensure the well-being and rights of children are upheld.
- Formulate child protection policies in different territories of the country.
- Implement comprehensive child protection and rehabilitation programs for victims like Salamat, Rimsha, Irfad, Suleman, and the children from Jaranwala. These programs should prioritize psychological support, education, and skill development to help them reintegrate into society.
- Advocate for legal reforms to ensure that the justice system considers the unique needs of children. This includes individualized attention, protection from physical and psychological abuse, and a focus on their best interests. Additionally, efforts should be made to prevent arbitrary arrests of children in situations like Irfad's. The full compliance of Juvenile Justice System 2018 is a must for child protection.
- The government should actively support and protect acquitted individuals like Salamat and Rimsha from extremist threats. Adequate measures should be taken to ensure their safety and to prevent their exile, allowing them to live with dignity and security in their home country.

Conclusion

The analysis of the narratives underscores the urgent need for a holistic approach to safeguarding the rights of children in the aftermath of blasphemy accusations. Precautionary measures must be taken to ensure that children are never subjected to the consequences of blasphemy laws, and they should remain entirely unharmed by such laws. While the UNCRC provides a comprehensive framework, the practical implementation falls short in protecting the rights to survival, protection, development and participation for Christian children like Salamat, Rimsha, Irfad, Suleman, Sonia and those affected in Jaranwala. The recommendations outlined aim to address these shortcomings, emphasizing the importance of legal reforms, community support, education initiatives, and comprehensive rehabilitation programs. By implementing these recommendations, there is a possibility to create a more secure and nurturing environment for children, ensuring that their fundamental rights are not only protected on paper but actively upheld in practice.

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