



Home Office

Home Office Response to IAGCI Review Pakistan COIRs, May 2014–February 2015

20 April 2015

Review Conclusions/ Recommendations		Response	Home Office Comments
1.	01/14-005: Treatment of former Taliban fighters	n/a	Reference should read 10/14-005 . See line 4.
2.	05/14-088: Christians and Christian converts Previously, the credibility of information from the Asian Human Rights Commission (AHRC) was called into question (see my previous report for IAGCI). And, once again, the information from AHRC provided in paragraph 7 is very poorly substantiated.	Accepted	We have produced country information and guidance on Christians and Christian Converts (February 2015) which provides a more up-to-date position on this subject. We will review and consider withdrawing this COIR, if necessary.
3.	05/14-088: Christians and Christian converts In addition, the information provided in paragraph 17, regarding the possibility of relocation so long as the individual '[does] not reveal the fact of the conversion' would benefit from a closer link to the details of 'Germany v Y & Z [2012] EUECJ C-71/11', which notes with particular reference to relocation that concealment of one's religious identity in a new location is not expected.	Partially Accepted	We are not wholly clear what "not expected" means in this context. However, we agree that policy advice should not appear in a COIR. That said, this observation would appear to fall beyond the scope of the review – specifically at §4.6(b) of the Statement of Requirements ("The review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.")

4.	<p>10/14-005: Treatment of former Taliban fighters</p> <p>The information provided in paragraph 3, regarding late-2014 negotiations involving Mehsud tribesmen and Mehsud members of the Tehreek-e-Taliban Pakistan (TTP) is not necessarily relevant to this case. There is nothing in the request for information indicating that this particular case is related to this particular slice of the multi-faceted TTP universe.</p>	Not Accepted	<p>We believe that the reconciliation/peace talks are important as it is potentially demonstrative of the Pakistani authorities' approach to TTP members, particularly 'low-level' activists, such as this person.</p>
5.	<p>10/14-013: Jama'at-e-Islami and treatment of its members</p> <p>The information provided in paragraph 1, noting that the 'best years' of the Jama'at-e-Islami were those under the leadership of Qazi Hussain Ahmad, is somewhat misleading. The most important and influential leader of the Jama'at was its founder, Syed Abul ala Maududi. See S.V.R. Nasr, <i>Mawdudi and the Making of Islamic Revival in Pakistan</i> (Oxford, 1995).</p>	Partially Accepted	<p>Whilst the observation may well be accurate, we do not believe it detracts from the information provided. In any case, there is a potential distinction between the J-e-I's "best years" (as an organisation) versus its most important and influential leader.</p>
6.	<p>10/14-013: Jama'at-e-Islami and treatment of its members</p> <p>The information provided under paragraph 2 seems irrelevant insofar as it does not clarify anything about the Jama'at-e-Islami in particular; instead, it notes that election violence affected a very wide range of political parties.</p> <p>In fact, amongst Pakistan's main parties, the number of attacks targeting the Jama'at was comparatively small. See <san-pips.com/download.php?f=222.pdf>, page 3.</p>	Partially Accepted	<p>The response could have been better tailored (as per the observation) to make that point clear – i.e. that election-related violence was not specific to J-e-I (and, indeed, they were comparatively less affected).</p>

7.	<p>01/15-182: Blasphemy laws, atheism and Facebook The information provided in paragraph 3, involving a quotation from the <i>International Business Times</i> to the effect that ‘the police have opened a blasphemy investigation and it is also believed that Islamic authorities have issued a fatwa—a religious ruling which sometimes results in a death sentence’, is somewhat misleading.</p> <p>The religious ‘authorities’ in this quotation are very likely non-state ‘authorities’. And, strictly speaking, a fatwa is merely a non-state religious-cum-legal opinion. It does not automatically lead to a state-based ‘death sentence’ in Pakistan. However, a fatwa may be taken to inform the work of a state-based court in a blasphemy case, and that court, on its own, may arrive at a conviction for blasphemy followed by a punishment of death.</p>	Partially Accepted	<p>We do not believe the quoted section implies that a fatwa will lead to either an ‘automatic’ or ‘state-based’ death sentence. The phrase used is “sometimes results in”.</p> <p>Whilst more could have been added in respect of fatwas, we feel the more relevant part of that quote was to show how the police had opened a blasphemy investigation, as per the request.</p>
8.	<p>02/15-022: Treatment of Jehovah’s Witnesses (incl. converts) The information provided in this reply does not touch upon the social approbation associated with conversion away from Islam.</p>	Partially Accepted	<p>However, paragraph 1 of the response does direct the reader to our (albeit subsequently updated) country information and guidance on religious freedom, which covers the more broad topic of conversion away from Islam.</p>
9.	<p>02/15-022: Treatment of Jehovah’s Witnesses (incl. converts) Moreover, the Ahl-e-Sunnat-wal-Jama’at is a Sunni Deobandi sectarian organization devoted to advancing its own understanding of Islam and protecting <i>Muslims</i> from what it sees as deviation. The information provided in paragraph 3 is plausible, but it is also somewhat unusual, as it describes ASWJ activists becoming concerned about the distribution of JH Watchtower leaflets, not amongst Muslims, but rather in a colony of Christians.</p>	n/a	<p>This does not appear to be a comment on whether this is an appropriate use of the material, rather of its substance which we believe is more a matter for the author(s).</p>