

What is the current UK policy regarding each minority Pakistani religious or belief community, whether changes to current policy are required and if so, how this ought to be done?

Background

1. Over the past 10 years, I have attended dozens if not hundreds of asylum interviews as well as appeals at the Immigration Tribunals, as an Urdu/Punjabi interpreter. There are four main stages an asylum application goes through, with four critical people who are involved in the process, and play their part in getting approval or otherwise of the asylum seeker's application.

The Interviewing Officers

2. The first and the most important person who deals with the asylum application is the interviewing officer. In my experience, the Home Office interviewers are often ignorant of the religious persecution and discrimination details around the world, especially in Pakistan. They tend to look at religion from the secular Western point of view i.e. that the religion is very much a personal choice, rather than as it is regarded in the Muslim countries - an affirmation of the loyalty to the nation and the country. And as an extension of this thought process, the non-Muslims are considered at best a necessary nuisance, and at worst the state enemies. A person's whole life is mapped out from the birth by their religion. Members of the religious minorities can be vilified, abused, beaten, and raped, by the majority community members without much fear of consequences. The Interviewing Officer needs to bear in mind this poisonous climate against the non-Muslims, both by state and non-state sectors.
3. During the interview, the questions are asked about the exact dates, locations and details of various incidents, sometimes in the reverse chronological order. Proofs of any threats or incidents are requested. Any vagueness damages the applicant's credibility. However, most of the victims of persecution are so traumatized that sometimes they are unable to recall in minute details, to their detriment.
4. Often the questions about Christianity do not distinguish between the teachings of different denominations, and familiar concepts among some missions like the Evangelicals of having conversation with God, are considered delusional.

The Legal representative

5. The Asylum Seeker's legal representative – i.e. not necessarily a qualified solicitor - can, and should be, at the asylum interview. However, I have been at the interviews, where the solicitor has basically told the claimant that their presence is not necessary and the claimant should answer the questions best they can.
6. As most of the legal representatives are legally funded, a common complaint by the applicants is that they don't seem to spend much time with the applicants or advise them appropriately for example if a legal representative cannot be present at the asylum interview for some unavoidable reason they should ask for the interview to be tape recorded. However, in my years of experience there has been only one instance where the interview was tape recorded.
7. Sometimes the bias is obvious, for example in one instance an educated Christian convert from the Muslim background was asked by the legal aid funded Muslim solicitor why had she

left the 'true' faith? Sometimes the prejudice is not too obvious to an outsider, but to a client who has faced years of hostility and discrimination, it is obvious; for example in the lack of interest shown in the case.

The interpreters

8. The Home Office provides an official interpreter for the asylum interview. The applicant can ask for a male or female interpreter as well as the Interviewing Officer, but not the interpreter of same faith. More than 95% of the Urdu interpreters on the Home Office list are Muslim interpreters. The words chosen by the interpreters can have critical influence on the asylum claims. There have been persistent claims by the asylum seekers that the words used by some interpreters have been detrimental to their case; for example I was told by a Sikh, that when he was asked by the interviewer the names and reasons for different prayers, the interpreter was not able to convey the reply properly, resulting in a failed claim.
9. Some of the asylum seekers are so suspicious of the bias by the Muslim interpreters against the religious minorities and particularly Muslim converts, that they have asked for a Punjabi (their 2nd language) rather than Urdu interpreter, as they are more likely to have a non-Muslim interpreter that way.
10. Theoretically, an asylum seeker can complain against the misinterpretation, but the Home Office does not look kindly upon the allegation of their interpreters being biased and sometimes at the appeal stage, the complaint might be used against the applicant as proof of being untrusting and too demanding.

The Decision Maker

11. The burden of proof of persecution is on the asylum seeker, but unlike the criminal and civil cases the burden of proof is 'reasonable degree of likelihood'. However, this is never made clear to the asylum seeker, either by the Home Office or their solicitor. And it is unlikely that it is borne in mind by the decision maker.
12. A common reason given for refusal is that the applicant did not claim asylum at the first opportunity i.e. on arrival at an airport. However, often the asylum seekers don't have any idea about how or where to claim asylum.
13. The applicants are often asked to provide solid proofs of any threats received but quite often the threats are verbal, or on the phone so it is difficult to have a record.
14. If the applicant claims on the basis of being threatened and persecuted by the extremists, one commonly used reason given for refusal is that they can go and live in another part of Pakistan, without being able to be traced by the extremists. I have heard it mentioned even to Christian female applicants as well. This is height of folly to suggest that in Pakistan, where the tentacles of extremism are spread everywhere even within the security forces, and where a single female is not allowed to go out alone even in very metropolitan areas; they will be able to live in a completely strange town, without attracting attention, and even worse.
15. Another common reason given for refusal is that the rule of law still operates in Pakistan and the police will be there to help. Again, anybody vaguely familiar with the Pakistani police will know that they are corrupt, extremely brutal and very prejudiced. They have no interest in helping the despised religious minorities.
16. Sometimes it is claimed by the decision maker that quite a lot of Christians live in Pakistan and if the applicant did not share their faith with the Muslims, they can live without being persecuted. This is a fallacy and the non-Muslims are not only persecuted because they share

their faith, but because they are non-Muslims. Besides, Christians are required to share their faith and not to deny their faith.

17. In some cases the decision maker seems to be clutching to straw in their efforts to prove that the asylum claim is not genuine. For example, in one case, one reason given for refusing to grant the asylum was that the name of the asylum seeker had been spelt differently at a hospital. I could have told the decision maker myself that the people in Pakistan are not familiar with the Christian names and even a very familiar Muslim name like Muhammed can be spelt in three different ways.

Recommendations for the Home Office:

- The Home Office should train its interviewing officers to know the basics about the religious persecution, especially in Pakistan, as religious persecution is one of the top four reasons for claiming asylum, in the UK. There may be scope for specialist interviewers. Alternatively, basic training on religious persecution, for all the officers will be helpful.
- The interviewees should be offered a choice whether they would like to have a solicitor/interpreter of certain faith, just as now they are offered choice of a male or female interviewing officers (it could be made clear by the Home Office that they will try to comply with the person's choice without guaranteeing that they will be able to provide them)
- The Home Office should amend its Country Code Guidance (used by its decision makers) to point out that widespread persecution of religious minorities exists in the Islamic Republic of Pakistan.
- The Home Office should accept that the members of religious minorities in Pakistan are under same threats as the Ahmadiya community in Pakistan and treat them similarly.
- The Home Office should accept that Christianity is a proselyting religion and the Christians are required to share their faith with the non-believers.