

Notice: Undefined index: et_header_layout in /home/hrwfe90/domains/hrwf.eu/public_html/wp-content/plugins/pdf-print/pdf-print.php on line 1214

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31 Protestants in prison in Pakistan

HRWF (16.06.2020) – All Protestants who are currently in prison in Pakistan have been victims of the blasphemy laws.

As of 15 June 2020, HRWF documented **31 cases** of Protestants in its FORB Prisoners' Database.[1] In all of these cases, the convicted were found to be guilty of blasphemy. Ten of these individuals were sentenced to death, seven received a life sentence, two were given six years in prison and in eleven cases the sentences were unknown or they were awaiting trial.

It is common for there to be a lengthy delay with trials

related to blasphemy as these cases are often moved between judges and lawyers are too afraid to defend the accused. This is unsurprising considering the pressure placed by radical and violent religious groups on judges to convict, as well as the hostile targeting of lawyers and politicians alike.[2] In the past, judges have been attacked for acquitting blasphemy defendants and two politicians who discussed reforming the legislation have been shot dead.

Articles of the Penal Code

Prisoners are typically charged under the blasphemy laws in the Pakistani Penal Code:

Section 295-A: 'Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs.

Whoever, with malicious and deliberate 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 or attempts to insult the religion or 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 295-B: 'Defiling the Holy Qur'an.

Whoever wilfully defiles, damages or desecrates a copy of the Holy Qur'an or of an extract there from or used it in any derogatory manner or for any unlawful purpose shall be punishable with imprisonment for life.' (1990)

Section 295-C: 'Use of derogatory remarks in respect of the Holy Prophet.

Whoever, by words either spoken or written, or by visible representation, or by imputation, innuendo or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Mohammad (peace upon him) shall be punished by death and shall also be liable to fine.' (1990)

In the last 20 years, Pakistani authorities have not executed individuals sentenced to death on blasphemy charges;[3] instead they are incarcerated indefinitely.

International advocacy

On 19 January 2018, the **European Commission** released a report for the European Parliament and Council regarding *The EU Special Incentive Arrangement for Sustainable Development and Good Governance ('GSP+') assessment of Pakistan covering the period 2016 – 2017*. In this report, the European Commission raised concerns about Pakistan's blasphemy laws being used to persecute individuals on religious grounds several times, and the state of religious freedom in Pakistan more broadly. The European Commission stated that:

Pakistan is requested to follow up on the recommendation to repeal all blasphemy laws or to amend them in compliance with the strict requirements of the Covenant; and to ensure the investigation and prosecution of those involved in incitement of or engagement in violent acts against others based on allegations of blasphemy.[4]

In a resolution dated 15 June 2017 concerning human rights defenders and the death penalty in Pakistan, the **European Parliament** stated that it:

Is deeply concerned at the continued use of the 'blasphemy

law', and believes this is heightening the climate of religious intolerance; notes the findings of the Supreme Court of Pakistan that individuals accused of 'blasphemy' 'suffer beyond proportion or repair' in the absence of adequate safeguards against misapplication or misuse of such laws; calls, therefore, on the Pakistani Government to repeal Sections 295-A, 295-B and 295-C of the Penal Code, and to put in place effective procedural and institutional safeguards to prevent the misuse of 'blasphemy' charges; calls also on the government to take a stronger position in condemning vigilantism towards alleged 'blasphemers'. [5]

In its 2020 Annual Report, the **United States Commission on International Religious Freedom** (USCIRF) recommended that the US State Department designate Pakistan as a Country of Particular Concern (CPC) for "engaging in systematic, ongoing, and egregious violations of religious freedom". Despite being listed as a CPC in 2019, the US State Department waived Pakistan from any sanctions due to "'important national interest of the United States'". USCIRF recommended that this waiver is rescinded in 2020 in light of the extreme abuses of religious freedom in Pakistan. [6]

[1] See HRWF documented cases at <https://hrwf.eu/prisoners-database/>

[2] <https://www.uscirtf.gov/sites/default/files/Pakistan.pdf>

[3] <https://www.uscirtf.gov/sites/default/files/Pakistan.pdf>

[4]

https://trade.ec.europa.eu/doclib/docs/2018/january/tradoc_156544.pdf

[5]

https://www.europarl.europa.eu/doceo/document/TA-8-2017-0268_EN.html

[6] <https://www.uscirtf.gov/sites/default/files/Pakistan.pdf>

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