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2014 - 2019

Plenary sitting

26.11.2014

B8-0289/2014 }
B8-0290/2014 }
B8-0291/2014 }
B8-0293/2014 }
B8-0302/2014 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4) of the Rules of Procedure

replacing the motions by the following groups:

ECR (B8-0289/2014)
EFDD (B8-0290/2014)
S&D (B8-0291/2014)
ALDE (B8-0293/2014)
PPE (B8-0302/2014)

on Pakistan: blasphemy laws
(2014/2969(RSP))

Cristian Dan Preda, Jeroen Lenaers, Elmar Brok, Michèle Alliot-Marie, Rachida Dati, Pavel Svoboda, Philippe Juvin, Giovanni La Via, Tunne Kelam, Joachim Zeller, Lars Adaktusson, Jarosław Wałęsa, Mariya Gabriel, David McAllister, Lorenzo Cesa, Franck Proust, Petri Sarvamaa, Andrej Plenković, Bogdan Brunon Wenta, Monica Macovei, Dubravka Šuica, Jaromír Štětina, Eduard Kukan, Seán Kelly, Jiří Pospíšil, Barbara Matera, Marijana Petir, Davor Ivo Stier, Tomáš Zdechovský, Csaba Sógor, Stanislav Polčák, László Tőkés, Lara Comi, Massimiliano Salini, Ivana Maletić
on behalf of the PPE Group
Josef Weidenholzer, Goffredo Maria Bettini, Enrico Gasbarra, Luigi Morgano, Liisa Jaakonsaari, Lidia Joanna Geringer de Oedenberg, Krystyna

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**Lybacka, Nicola Caputo, Richard Howitt, Miroslav Poche, Andi Cristea,
Tonino Picula, Afzal Khan, Miriam Dalli, Marc Tarabella, Elena Valenciano
Martínez-Orozco**

on behalf of the S&D Group

**Charles Tannock, Mark Demesmaeker, Peter van Dalen, Branislav Škripek,
Jana Žitňanská, Bas Belder, Arne Gericke, Geoffrey Van Orden, Ryszard
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on behalf of the ECR Group

**Dita Charanzová, Juan Carlos Girauta Vidal, Fernando Maura
Barandiarán, Pavel Telička, Izaskun Bilbao Barandica, Marielle de Sarnez,
Marietje Schaake, Louis Michel, Johannes Cornelis van Baalen, Petras
Auštrevičius, Ivan Jakovčić, Gérard Deprez, Ivo Vajgl, Petr Ježek, Javier
Nart, Antanas Guoga, Urmas Paet, Jozo Radoš**

on behalf of the ALDE Group

Jean Lambert, Barbara Lochbihler, Heidi Hautala

on behalf of the Verts/ALE Group

**Ignazio Corrao, Fabio Massimo Castaldo, Marco Valli, Laura Agea,
Rolandas Paksas**

on behalf of the EFDD Group

European Parliament resolution on Pakistan: blasphemy laws (2014/2969(RSP))

The European Parliament,

- having regard to its previous resolutions on Pakistan,
- having regard to Article 18 of the 1948 Universal Declaration of Human Rights and Article 18 of the 1966 International Covenant on Civil and Political Rights,
- having regard to the 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination based on Religion or Belief,
- having regard to the reports of the UN Special Rapporteur on freedom of religion or belief,
- having regard to the report of 4 April 2013 by the UN Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, drawn up following her mission to Pakistan from 19 to 29 May 2012,
- having regard to its resolution of 11 December 2013 on the Annual Report on Human Rights and Democracy in the World 2012 and the European Union's policy on the matter, condemning the persecution of Christians and other religious minorities¹,
- having regard to the EU Guidelines on the promotion and protection of freedom of religion or belief²,
- having regard to the EU-Pakistan five-year engagement plan of March 2012, containing priorities such as good governance and dialogue on human rights, and to the closely related 2nd EU-Pakistan Strategic Dialogue of 25 March 2014,
- having regard to the Council conclusions on Pakistan of 11 March 2013, reiterating the EU's expectations regarding the promotion of and respect for human rights and condemning all violence, including against religious minorities³,
- having regard to the statement of 18 October 2014 by the Spokesperson of the European External Action Service (EEAS) on the Lahore High Court decision to uphold the conviction of Ms Asia Bibi in Pakistan,
- having regard to the press release of 29 October 2014 issued by the European Union Delegation to Pakistan, on the occasion of the visit by the EU Special Representative for Human Rights to Pakistan from 26 to 29 October 2014,
- having regard to its resolution of 12 March 2014 on Pakistan's regional role and political

¹ Texts adopted, P7_TA(2013)0575.

² http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/137585.pdf

³ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/135946.pdf

relations with the EU¹,

- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Asia Bibi, a Christian woman from Punjab, was arrested in 2009 and sentenced to death in 2010 for blasphemy under Section 295-C of the Pakistani Penal Code; whereas on 16 October 2014 the Lahore High Court dismissed Asia Bibi's appeal and upheld the verdict; whereas on 24 November 2014 the defendant filed an appeal in the Supreme Court, a procedure which may take years; whereas the President of Pakistan, by presidential pardon, can still overturn the Lahore High Court decision and grant amnesty to Asia Bibi;
- B. whereas on 7 November 2014 a Christian couple, Shama Bibi and Shahbaz Masih, were beaten by a mob accusing them of burning pages from the Koran in eastern Pakistan; whereas their bodies were incinerated in a brick kiln, with some reports indicating they were still alive when thrown into the kiln;
- C. whereas recently a number of death sentences have been handed out to Pakistani citizens on the grounds of violating the blasphemy laws, including Mr Sawan Masih, a Christian, for allegedly insulting the prophet Mohammad in a conversation, and Christian couple Shafqat Emmanuel and Shagufta Kausar for allegedly insulting the Prophet in a text message;
- D. whereas human rights activist and lawyer Rashid Rehman was murdered on 7 May 2014; whereas weeks before, Rehman had been threatened for defending a lecturer facing prosecution under Pakistan's blasphemy law;
- E. whereas in October 2014 Mohammad Asgar, a UK national of Pakistani origin, who had been imprisoned for blasphemy in Pakistan despite having been diagnosed as mentally ill in the United Kingdom, was shot and wounded by a prison guard; whereas his attacker has been arrested and charged with attempted murder by the provincial authorities, and whereas eight other prison guards have been suspended from duty;
- F. whereas on 5 November 2014 Tufail Haider, a 45-year-old Shia, was killed by an interrogating police officer who later claimed Mr Haider had made derogatory remarks against 'companions of the prophet Mohammad';
- G. whereas it has been reported that a total of 1 438 people were accused of blasphemy in Pakistan between 1987 and October 2014, including 633 Muslims, 494 Ahmedis, 187 Christians and 21 Hindus; whereas since 1990 at least 60 have been killed by mob violence in blasphemy-related cases;
- H. whereas several dozen people, including Muslims, Hindus, Christians and others, are currently in prison on blasphemy charges; whereas to date no death sentence based on blasphemy charges has been carried out, but several accused have been killed by mob violence; whereas there is tremendous pressure on the Pakistani court system from certain religious leaders to uphold and carry out the death sentences, which are usually handed down

¹ Texts adopted, P7_TA(2014)0208.

by lower courts; whereas judicial proceedings often take many years and have a devastating effect on innocent Pakistani citizens and their families and communities;

- I. whereas Pakistan's blasphemy laws make it dangerous for religious minorities to express themselves freely or engage openly in religious activities; whereas the widespread abuse of these laws is well documented; whereas instead of protecting religious communities they have laid a blanket of fear over Pakistani society; whereas any attempts to reform the laws or their application have been stifled by threats and assassinations; whereas attempts to discuss these issues in the media, online or offline, are often met with threats and harassment, including from the government;
 - J. whereas Pakistan plays an important role in fostering stability in South Asia and could be expected to lead by example in strengthening the rule of law and human rights;
 - K. whereas Pakistan recently ratified seven of the nine most significant international agreements on human rights, including the International Covenant on Civil and Political Rights and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which contain a range of provisions on the administration of justice, the right to a fair trial, equality before the law and non-discrimination;
 - L. whereas Pakistan has been asked through UN human rights mechanisms to repeal the blasphemy laws or, at the very least, put immediate safeguards in place to prevent abuse of the laws to victimise citizens, often from minority religious communities;
 - M. whereas the EU and Pakistan have deepened and broadened their bilateral ties, as exemplified by the five-year engagement plan, launched in February 2012, and the second EU-Pakistan Strategic Dialogue, held in March 2014; whereas the aim of the EU-Pakistan five-year engagement plan is to build a strategic relationship and forge a partnership for peace and development rooted in shared values and principles;
 - N. whereas Pakistan entered the GSP+ scheme for the first time on 1 January 2014; whereas this scheme 'should provide a strong incentive to respect core human and labour rights, the environment and good governance principles';
- 1. Is deeply concerned and saddened by the Lahore High Court's decision of 16 October 2014 to confirm the death sentence handed down to Asia Bibi for blasphemy; calls on the Supreme Court to start its proceedings on the case swiftly and without delay and to uphold the rule of law and full respect for human rights in its ruling;
 - 2. Calls on the Pakistani courts also to proceed swiftly with the reviews of the death sentences against Sawan Masih, Mohammad Asgar and Shafqat Emmanuel and his wife Shagufta Kausar, and indeed those of all other citizens currently on death row for allegedly violating the blasphemy laws;
 - 3. Strongly condemns the murders of Shama Bibi and Shahbaz Masih and offers its condolences to their families, as well as to the families of all the innocent victims murdered as a result of the blasphemy laws in Pakistan; calls for the perpetrators of these acts to be brought to justice; takes note of the decision of the Punjab government to set up a committee

to fast-track the investigation into the killings of Shama Bibi and Shahbaz Masih and to order additional police protection for Christian neighbourhoods in the province; underlines, however, the need to end the climate of impunity and for broader reforms in order to address the issue of violence against religious minorities, which remains pervasive in Pakistan;

4. Expresses its deep concern that the controversial blasphemy laws are open to misuse that can affect people of all faiths in Pakistan; expresses its particular concern that the blasphemy laws, which were publicly opposed by the late Minister Shahbaz Bhatti, the late Governor Salman Taseer and Rashid Rehman, who were killed for their stance in favour of religious tolerance, are increasingly used to target vulnerable minority groups, including Ahmedis and Christians, in Pakistan;
5. Calls on the Government of Pakistan to carry out a thorough review of the blasphemy laws and their current application, in particular Sections 295 B and C of the Penal Code, which prescribe mandatory life sentences (295 B and C) or even the death penalty (295 C) for alleged acts of blasphemy, with a view to repealing the laws; calls on the Government of Pakistan to abolish the death penalty, including for blasphemy or apostasy, and to put in place safeguards to prevent abuse of legal provisions on blasphemy or apostasy;
6. Calls on the Pakistani authorities to guarantee the independence of the courts, the rule of law and due process in line with international standards on judicial proceedings, including by taking into account the recent recommendations of the UN Special Rapporteur on the independence of judges and lawyers; calls, furthermore, on the Pakistani authorities to provide sufficient protection to all those involved in blasphemy cases, including by shielding judges from outside pressure, protecting the accused and their families and communities from mob violence and providing solutions for those who are acquitted but cannot go back to their places of origin;
7. Recalls that freedom of religion and minority rights are guaranteed by Pakistan's constitution; welcomes the measures taken in the interest of religious minorities by the Government of Pakistan since November 2008, such as establishing a 5 % quota for minorities in the federal job sector, recognising non-Muslim public holidays and declaring a National Minorities Day;
8. Urges the Pakistani Government, however, to increase efforts towards better inter-religious understanding, to actively address religious hostility by societal actors and combat religious intolerance, acts of violence and intimidation, and to act against real or perceived impunity;
9. Strongly condemns all acts of violence against religious communities, as well as all kinds of discrimination and intolerance on the grounds of religion and belief; stresses that the right to freedom of thought, conscience and religion is a fundamental human right; stresses, furthermore, that all Pakistanis, irrespective of their faith and religion, deserve equal respect, and promotion and protection of their human rights;
10. Calls on the EEAS and the Commission to use any tools at their disposal, including as formulated in the EU Guidelines for the promotion and protection of freedom of religion or belief, to aid religious communities and to pressurise the Pakistani Government to do more for the protection of religious minorities; appreciates, in this regard, the recent visit of the EU

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Special Representative for Human Rights to Pakistan, and the discussions he held there;

11. Underlines that the granting of the GSP+ status is conditional and, among other things, subject to the ratification and implementation of 27 international conventions, as indicated in Annex VIII to the new GSP Basic Regulation, most of them on human rights, and that the EU may decide to withdraw GSP+ preferences should a country not meet its engagements;
12. Urges the EEAS and the Commission to strictly monitor Pakistan's compliance with its commitments under the GSP+, and to promote and defend human rights in Pakistan;
13. Calls on the EEAS and the Commission to work with the Pakistani authorities in order to reform the way the blasphemy laws are used, including by implementing the measures suggested in paragraph 5 above;
14. Encourages the Government of Pakistan to work with the UN bodies, including the UN Rapporteur on Freedom of Religion or Belief, to address valid concerns about human rights problems;
15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Secretary-General of the UN, the UN Human Rights Council, and the Government and Parliament of Pakistan.