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*Plenary sitting*

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25.11.2014

B8-0290/2014

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Blasphemy Laws in Pakistan  
(2014/2969(RSP))

**Ignazio Corrao, Fabio Massimo Castaldo, Marco Valli, Rolandas Paksas,  
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on behalf of the EFDD Group

**B8-0290/2014**

**European Parliament resolution on Blasphemy Laws in Pakistan  
(2014/2969(RSP))**

*The European Parliament,*

- Having regard to Article 18 of the Universal Declaration of Human Rights of 1948
  - Having regard to Article 18 of the International Covenant on Civil and Political Rights of 1966
  - Having regard to the UN Declaration on the Elimination of all Forms of Intolerance and Discrimination based on Religion and Belief
  - Having regard to EU Guidelines on the promotion and protection of freedom of religion or belief
  - Having regard to its recommendation to the Council of 13 June 2013 on the EU Guidelines on the Promotion and Protection of Freedom of Religion and Belief,
  - Having regard to the Press statement on the Visit of the EU Special Representative for Human Rights Stavros Lambrinidis to Pakistan
  - Having regard to Regulation (EU) 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences, and providing, in particular, for the special incentive arrangement for "sustainable development and good governance" (GSP+)
  - Having regard to European Parliament resolution of 17 April 2014 on Pakistan: recent cases of persecution, European Parliament resolution of 10 October 2013 on recent cases of violence and persecution against Christians, notably in Maaloula (Syria) and Peshawar (Pakistan) and the case of Pastor Saeed Abedini (Iran) and European Parliament resolution of 10 March 2011 on Pakistan, in particular the murder of Shahbaz Bhatti
  - Having regard to its rules of procedure
- A. Whereas on November 2010, Asia Bibi, a Christian woman, was convicted of blasphemy by a Pakistani court receiving a sentence of death by hanging, her crimes allegedly insulting the prophet Muhammad during an argument with some Muslim neighbours,
- B. Whereas on 18 October 2014 the Lahore high court upheld the sentence to death of Asia Bibi,

- C. Whereas the judges who upheld her death sentence said they had no choice on the matter claiming that there are no guidelines in place to help justice carry out "tazkiyah al shuhood", a legal principle decided by Pakistan Supreme court requiring to apply a test to accusers to ensure that they meet "strict standards of Islamic piety",
- D. Whereas Ms. Abibi consistently denied the allegations against her, saying they stemmed from an argument with a group of women over a pot of water and whereas she did not have access to a lawyer at key points during the court process,
- E. Whereas Pakistani blasphemy laws carry a maximum penalty of death yet sets out no standards for evidence, no requirement to prove intent, no punishment for false allegations and no guidance on what actually constitute blasphemy,
- F. Whereas in some cases the accused can go through a whole trial without knowing what they are supposed to have done or said, leaving the law open to massive abuse,
- G. Whereas three politicians, Salmaan Taseer, Shahbaz Bhatti and Sherry Rehman, who in 2010 called for a reform of the blasphemy laws have been killed or forced into semi-hiding,
- H. Whereas data provided by the National Commission for Justice and Peace (NCJP) shows a total of 633 Muslims, 494 Ahmedis, 187 Christians and 21 Hindus have been accused under various clauses of the blasphemy laws since 1987,
- I. Whereas Since 1990, at least 60 people have been killed outside the Pakistani justice system in cases relating to blasphemy, according to the Islamabad-based Centre Research and Security Studies (CRSS) and whereas the list includes lawyers, alleged blasphemers and politicians calling for amendments to the law,
- J. Whereas the mere accusation of blasphemy is enough to make someone a target for hardliners, as is defending those accused of blasphemy or calling for the laws to be reformed,
- K. Whereas there are currently at least 17 people convicted of blasphemy on death row in Pakistan, with another 19 serving life sentences,
- L. Whereas the British citizen Mohammed Asghar, who suffers from paranoid schizophrenia, is also facing the death sentence for blasphemy, without concessions made for his mental health condition; whereas while in jail a police officer entered its cell and shot him in the back,
- M. Whereas on Monday 17 November 2014, Qaiser Ayub, a Christian computer science teacher, was sent to jail by court order over blasphemy allegations, where he was declared an absconder in a case dating back to 2011 and he has now been charged by offenses that carries either the death sentence or life imprisonment,
- N. Whereas in the beginning of November a Christian couple near Lahore was beaten and tortured by a mob for allegedly desecrating the Qur'an and whereas Shehzad Masih

and his pregnant 24-year-old wife Shama were then burned to death in a brick kiln where they worked while the police stood by and watched,

- O. Whereas Tufail Haider, a 50-year-old from the minority Shia sect of Islam, was arrested for allegedly making derogatory remarks toward the companions of the Prophet Mohammed and brought to the Civil Lines police station in the eastern city of Gujrat on Wednesday 6 November where he was killed with an axe in lock-up by Assistant Sub-Inspector Faraz Naveed; whereas Naveed has been arrested and legal proceedings have been started against him,
- P. Whereas Pakistan benefitted from the autonomous tariff preferences that were granted following the floods in Pakistan in 2010 and which expired on 31 December 2013,
- Q. Whereas Pakistan entered the GSP+ scheme for the first time on 1st January 2014, whereas GSP+ scheme "should provide a strong incentive to respect core human and labour rights, the environment and good governance principle",
- R. Whereas one of the conditions for granting the GSP is the submission of a successful application showing the fulfillment of certain criteria linked to ratifying and implementing 27 core international conventions on human and labour rights, sustainable development and good governance (sustainable development criteria) and whereas the International Covenant on Civil and Political Rights of 1966 is one of these conventions,
  - 1. Condemns in the strongest possible terms the killing of Shehzad and Shama Masih; expresses its condolences to the families and asks the Pakistani authorities to carry out a thoroughly investigation and to held accountable all those found guilty including forces of order that could have prevented the killings and didn't;
  - 2. Notes with preoccupation an increase in social hostility against Pakistan's religious minorities; calls upon the government to tackle such hostility, to make sure that crimes are punished and that and to provide security to religious minorities so they can practice their faith openly and safely,
  - 3. Calls on the Pakistani government to do everything in its power to protect victims of religiously motivated mob violence; believes that a way to do so is to make sure that perpetrators of such acts are identified and prosecuted,
  - 4. Is deeply worried by the increased use of blasphemy laws as a way to settle personal scores, especially property disputes, or to stoke up sectarian and inter-faith tensions,
  - 5. Calls on the Pakistani authorities to release all prisoners convicted on the basis of the blasphemy laws and to revert the death sentences issued on that ground; calls on the Pakistani authorities to guarantee the independence of the courts, the rule of law and to grant to everyone a due process in line with international standards,
  - 6. Strongly demands Asia Bibi's immediate and unconditional release,

7. Stresses the great importance of protecting all the parties involved in blasphemy cases, including the victims, who should have access to all the means to defend themselves, their families, who could be target of mob violence, the judges who are subject to outside pressure and those who are acquitted of blasphemy that usually have to go into hiding or leave Pakistan,
8. Expresses its deep concern that blasphemy laws are massively abused and can affect people of all faiths in Pakistan, especially minorities, and urges the Pakistani authorities to prosecute those responsible for incitement and false accusations of blasphemy,
9. Reminds that Pakistan is a member of the United Nations, and has signed several international treaties, which call for the respect of freedom of expression and the freedom of thought, conscience, religion and belief and which blasphemy laws breach,
10. Calls on the Pakistani government to reform blasphemy laws and its frequent abuse and to repeal Article 295 (B), 295 (C) and 298 of the Pakistani Penal Code, especially in light of the recent death sentences,
11. Strongly condemns the application of the death penalty under any circumstance and calls on the Government of Pakistan to keep upholding the moratorium on death penalty with the final aim to definitively abolish it,
12. Calls on the Pakistani's government to adopt a policy of holding religious leaders accountable for inciting violence, reminding that blasphemy cases often inflame public sentiment and for this reason are seldom dealt with fairness by the court;
13. Calls on the Pakistani's government to adopt a zero-tolerance attitude against religiously motivated extra judicial killing and to combat impunity on this matter,
14. Asks the EU to raise the subject of blasphemy laws with the Pakistani government especially after the EU decided to grant Pakistan GSP+ trade status which is conditional on the Pakistani government protecting and promoting human rights,
15. Reminds GSP+ preferences may be withdrawn, even temporary, where a country does not meet its engagements (including the ratification of the 27 relevant international conventions and their effective implementation) following an investigation carried out by the European Commission,
16. Believes that Pakistani's formulation of blasphemy law is in contradiction with article 18 of the International Covenant on Civil and Political Rights, which is one of the 27 international conventions necessary to obtain GSP+ status,
17. Asks the European Commission to begin an investigation on Pakistan, with the aim to control if the country is complying with the engagements needed to obtain and maintain the GSP+ scheme; asks to the Commission to suspend or withdraw the GSP+ scheme with Pakistan shouldn't that be the case,

18. Instructs its President to forward this resolution to the President, the Government and Parliament of Pakistan, the EEAS, the Council and the Commission,