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2014 - 2019

Plenary sitting

25.11.2014

B8-0291/2014

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 Pakistan: Blasphemy laws
(2014/2969(RSP))

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on behalf of the S&D Group

B8-0291/2014

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

The European Parliament,

- having regard to its previous resolution on human rights and democracy in Pakistan, in particular of 17 April 2014 on recent cases of persecution, of 12 March 2014 on Pakistan's regional role and political relations with the EU, of 10 October 2013 on recent cases of violence and persecution against Christians, notably in Peshawar, of 7 February 2013 on recent attacks on medical aid workers in Pakistan, of 26 October 2012 on the discrimination against girls in Pakistan, in particular the case of Malala Yousafzai, of 10 March 2011 on Pakistan, in particular the murder of Shahbaz Bhatti, of 20 January 2011 on the situation of Christians in the context of freedom of religion and of 20 May 2010 on religious freedom in Pakistan,

- having regard to the statement of EU Special Representative for Human Rights Stavros Lambrinidis made on 29 October 2014 during his visit to Pakistan,

- having regard to the declarations of the Italian Presidency, on behalf of EU High Representative/Vice-President Catherine Ashton on the death penalty in Pakistan and the case of Asia Bibi, in the EP Plenary of 22 October 2014,

- having regard to the UN Human Rights Council's national report on Pakistan of November 2012, particularly the section on freedom of religion in Pakistan,

- having regard to the World Report 2014 of Human Rights Watch,

- having regard to Article 18 of the 1948 Universal Declaration of Human Rights,

- having regard to Rule 135 of its Rules of Procedure,

A. whereas Pakistan's controversial blasphemy laws in their present form have been in place since 1986, punishing blasphemy against the Prophet Muhammad with death or life imprisonment;

B. whereas on 7 November 2014 Christian couple Shama Bibi and Shahbaz Masih were beaten by a Muslim mob accusing them of burning pages of the Koran in eastern Pakistan and their bodies incinerated in a brick kiln while the police stood by and watched; whereas Cardinal Jean-Louis Tauran, President of the Pontifex Council of Interreligious Dialogue, said that religion could not justify such crimes and no-one could remain passive before crimes that are legitimized by religion;

C. whereas Asia Bibi, a Christian mother of five children, was sentenced to death in 2010 for blasphemy under Section 295-C of the Pakistan Penal for having offended the Prophet; whereas the Lahore High Court on 16 October 2014 dismissed Asia Bibi's appeal and upheld the verdict; whereas the Supreme Court, following the appeal, or the President of the Islamic Republic of Pakistan by presidential pardon can still overturn the Lahore High Court decision

and grant amnesty to Asia Bibi;

D. whereas recently a number of death sentences were handed to Pakistani citizens on the grounds of violating the blasphemy laws, namely Christian Sawan Masih for insulting the Prophet in a conversation with a Muslim friend, Christian couple Shafqat Emmanuel and Shagufta Kausar for insulting the Prophet in an alleged text message to the imam of their local mosque;

E. whereas, according to NGO Awaz-e-Haq Ittehad, between 1987 and October 2014 a total of 1,438 people was accused of blasphemy in Pakistan;

F. whereas the majority of cases registered under blasphemy law have been lodged against Muslims; whereas from 2007 to 2010, 253 persons have been convicted, out of which 244 were Muslim and only 9 Non-Muslim

G. whereas a number of Christians as well as members of other religious minorities are among the accused and, according to a US government advisory panel report, 14 of them were given the death sentence for blasphemy against the Prophet while 19 others serve a life sentence for insulting Islam,

H. whereas Pakistan has been requested by UN human rights mechanisms to repeal the blasphemy laws or at the very least immediately put safeguards in place to prevent abuse of the laws to victimize citizens, often from minority religious communities,

I. whereas Article 3(5) of the Treaty of the European Union states that the promotion of democracy and respect for human rights and civil liberties are fundamental principles and aims of the EU and constitute common ground for its relations with third countries,

J. 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 first EU-Pakistan Strategic Dialogue, held in June 2012; 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;

1. Strongly condemns the barbaric execution of Pakistani Christians Shahzad Masih and his pregnant wife Shama Bibi, and urges the Pakistani government to bring the full weight of the law against the perpetrators;

2. Is deeply concerned and saddened by the decision of the Lahore High Court of 16 October 2014 to confirm the death sentence for blasphemy for Asia Bibi; condemns the verdict and calls on the Supreme Court to uphold the rule of law and the full respect of human rights to start its proceedings on the case without delay and to strike down the verdict;

3. Is deeply worried that the majority of cases registered under blasphemy law have been filed against Muslims;

4. Condemns the brutal acts of religious intolerance against Christians in Pakistan and urges the Pakistani Government to act fast and decisively to halt this persecution; calls on the Pakistani authorities to take urgent steps to protect those at risk of violence due to blasphemy

and to decriminalize blasphemy offences;

4. Recalls the brutal killings of Salmaan Taseer, Governor of the Punjab province, and Shabbaz Bhatti, Federal Minister for Minorities Affairs, who were both murdered for their stances in favour of religious tolerance, their defence of Christians and their outspoken criticism of the blasphemy laws;

5. Expresses its deep concern that the controversial blasphemy laws continue to be applied in Pakistan despite numerous calls by the international community - including the European Parliament - to repeal these laws or at the very least immediately put safeguards in place to prevent abuse of the laws as requested by UN human rights mechanisms;

6. Reiterates its call on the Government of Pakistan to amend or repeal the blasphemy laws that have been used as a tool for discrimination and oppression against Muslims, Christians and other religious minorities, in order to bring them in line with international law and to ensure their compliance with freedom of religion, belief and expression;

7. Is deeply worried that these laws in their present form continue to open the way to unfair abuses against religious minorities; underlines that blasphemy laws cannot be used as a measure to intimidate, punish or persecute members of religious minorities; stresses that these laws are often used to settle personal disputes and that a considerable number of the cases are based on false claims;

8. Urges the Government of Pakistan to review the death sentences against Sawan Masih, Mohammad Asgar and Shafqat Emmanuel and his wife Shagufta Kausar, but also of all other citizens currently on death row for violating the blasphemy laws;

9. Strongly advocates against the use of the death penalty, physical punishment or deprivation of liberty as penalties for blasphemy; calls on the Government to continue to apply the de facto moratorium on the death penalty;

10. Is deeply concerned that the Pakistani authorities - through their failure to adequately intervene despite Pakistan's obligation under UN treaties stressing equality, dignity, rule of law and protection of human rights of all Pakistanis - play an important role in the perpetration of institutionalized discrimination on grounds of religion thus rendering themselves responsible for serious violations of international human rights, including the International Covenant on Civil and Political Rights;

11. Is deeply concerned at the sharp increase in sectarian violence and religious intolerance towards minorities; is worried about the effects that such violence has on the future development of Pakistani society as a whole in view of the socioeconomic challenges facing the country; calls on the Government of Pakistan to address this growing political violence instigated by a minority of extremist elements which has been nurtured by the pattern of systematic discrimination, be it on grounds of religion or gender;

12. Warns the Government that the fundamentals of the Pakistan nation, including its economic and social survival, could be endangered if the authorities do not respond to the violence by addressing its root causes and, at the same time, ensuring respect and promotion

of equality of human rights of all Pakistanis irrespective of their faith, religion or gender;

13. Urges the European Union - notably its Delegation in Islamabad - and its Member States to exert diplomatic pressure on Pakistan in order to ensure that the impunity for hate attacks against minorities is stopped; urges the European Union - notably its Delegation in Islamabad - and its Member States to press the Pakistani government to uphold obligations with regard to freedom of speech and freedom of religion and belief;

14. Calls on the European Union to take advantage of the forthcoming visit by the Chair of the Pakistani Senate to Europe at the end of November to discuss the problems surrounding Pakistan's blasphemy laws;

15. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, the Governments and Parliaments of Member States, and the Government of Pakistan.