



EUROPEAN PARLIAMENT

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Plenary sitting

25.11.2014

B8-0293/2014

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))

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, Jozo Radoš
on behalf of the ALDE Group

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United in diversity

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B8-0293/2014

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

The European Parliament,

- having regard to its previous resolutions on Pakistan,
- having regard to its previous resolutions on human rights and democracy in Pakistan, in particular those of 12 March 2014 and 17 April 2014 on Pakistan's regional role and political relations with the EU(1), of 10 October 2013 on recent cases of violence and persecution against Christians, notably in Peshawar(2), of 10 March 2011 on Pakistan, in particular the murder of Shahbaz Bhatti(3), of 20 January 2011 on the situation of Christians in the context of freedom of religion(4) and of 20 May 2010 on religious freedom in Pakistan(5),
- 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 statements by EU Vice-President / High Representative Catherine Ashton regarding the attack on the Christian community in Peshawar of 23 September 2013 and regarding the assassination of Shahbaz Bhatti of 2 March 2011,
- having regard to the UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,
- having regard to the reports of the UN Special Rapporteur on freedom of religion or belief,
- having regard to the report of the UN Special Rapporteur on freedom of religion or belief and the report of the UN Special Rapporteur on the independence of judges and lawyers (Addendum: Mission to Pakistan), of 4 April 2013,
- having regard to the EU-Pakistan five-year engagement plan of March 2012, which contains priorities such as good governance and dialogue on human rights, as well as the closely related 2nd EU-Pakistan Strategic Dialogue of 25 March 2014,
- having regard to the Council conclusions on Pakistan of 11 March 2013 that reiterate the EU's expectations regarding the promotion of and respect for human rights and condemn all acts of violence, including against religious minorities(7),
- having regard to Rules 122(5) and 110(4) of its Rules of Procedure,

A. whereas the aim of the EU-Pakistan five-year engagement plan of 2012 is to build a strategic relationship and forge a partnership for peace and development rooted in shared values and principles;

B. whereas the European Union recently granted GSP+ status to Pakistan, subject to the implementation of applicable human rights conventions;

C. whereas Sajjad Mesih and his pregnant wife Shama, a married Christian couple in the Kasur district of Punjab, were lynched and burned to death by a mob on allegations of blasphemy on 4 November, 2014;

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 it has been reported that a total of 1,438 people were accused of blasphemy in Pakistan between 1987 and October 2014; whereas since 1990 at least 60 people have been killed extrajudicial in cases relating to blasphemy in Pakistan;

F. whereas Asia Bibi, a Christian woman from Punjab, was arrested in June 2009 and received a death sentence in November 2010 on charges of blasphemy, which was recently upheld;

G. whereas there are currently 17 people convicted of blasphemy on death row in Pakistan; whereas there are another 19 serving life sentences;

H. whereas Pakistan's blasphemy laws, with one section carrying a mandatory death penalty, foster an atmosphere of religious intolerance; whereas the blasphemy laws remain open to misuse and arbitrary enforcement; whereas the Pakistani blasphemy laws unfairly target and persecute apostates, atheists and people of minority faiths, making it dangerous for religious minorities to express themselves freely or engage openly in religious activities; or hurting the freedom of expression, in particular of those who seek to leave their religion; whereas the blasphemy laws put in danger both defendants and their lawyers; whereas critics of the laws risk violence and death;

I. whereas freedom of religion and minority rights are guaranteed by Pakistan's constitution; whereas Pakistan's blasphemy laws violate the basic human rights of freedom of religion and thought;

J. whereas censorship both online and offline is of growing concern; whereas websites and blogs addressing sensitive subjects are routinely blocked by the government; whereas journalists have been harassed and media offices have been attacked; whereas reporters regularly face physical and verbal intimidation;

K. whereas the United Nation's Human Rights Committee has stated that Pakistan's blasphemy laws are incompatible with human rights commitments;

1. Offers our condolences to the families of all the innocent victims murdered as a result of the blasphemy laws in Pakistan, in particular to the families of Sajjad and Shama Mesih, and Rashid Rehman; calls on the Pakistani authorities to immediately commute the death sentence of Asia Bibi and all others sentenced to death or life imprisonment under these laws;
2. 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 including with regards to apostates and atheists; further condemns actions that foster a climate of fear and violence; expects Pakistan to intensify its efforts to preserve freedom of religion and belief;
3. Remains deeply concerned that Pakistan's blasphemy laws- which can carry the death sentence and are often used to justify censorship, criminalisation, persecution and, in certain cases, the murders of members of political and religious minorities, which affect people of all faiths in Pakistan; underlines that the refusal to reform or repeal the blasphemy laws creates an environment of persistent vulnerability for minority communities; calls on the Pakistani government to implement a moratorium on the use of these laws, as a first step towards revising or revoking them, and to investigate and prosecute, as appropriate, campaigns of intimidation, threats, and violence against religious and vulnerable groups;
4. Reminds the Pakistani authorities of their obligation under international law to respect freedom of expression and the freedom of thought, conscience, religion and belief; Firmly reiterates that progress in bilateral relations is linked to improvement in Pakistan's human rights record, in particular ensuring freedom of speech and independent media;
5. Reminds the Pakistani authorities of their obligation to promote tolerance and protection of vulnerable minorities, by effectively fighting all forms of discrimination;
6. Urges the Government of Pakistan to carry out a thorough review of the blasphemy laws and their current application – as contained in Sections 295 and 298 of the Penal Code – for alleged acts of blasphemy, especially in light of the recent death sentences and mob violence;
7. Calls on the Government of Pakistan to intervene to protect victims of religiously motivated mob violence, and notably to ban public hate speech and the inciting of violence as well as its glorification; encourages all Pakistanis to work together to promote and ensure tolerance and mutual understanding; urges the Pakistani authorities to apprehend and prosecute those inciting violence, or who are responsible for violent attacks on religious groups and individuals;

8. Strongly condemns the application of the death penalty under any circumstances calls on the Pakistani authorities to release prisoners who are convicted on the grounds of blasphemy, and to overrule the death sentences on appeal; calls on the Government of Pakistan as a matter of urgency, to turn the de facto moratorium on the death penalty into the effective abolition of the death penalty;
9. 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; calls furthermore on the Pakistani authorities to provide sufficient protection to all those involved in blasphemy cases, including by shielding judges from outside pressure, by protecting the accused, their families and communities from mob violence, and protecting those defending the alleged blasphemers and by providing solutions for those who are acquitted but cannot go back to their places of origin;
10. Urges the Pakistani government to increase efforts aimed at better inter-religious understanding, to actively address religious hostility by societal actors, to combat religious intolerance, acts of violence and intimidation; and to act against impunity and to ensure accountability; urges the Pakistani government to investigate and prosecute the perpetrators of attacks and emphasizes the necessity of accountability;
11. 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.