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*Plenary sitting*

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**B8-0419/2017**

13.6.2017

## **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, notably the situation of human rights defenders and the death penalty  
(2017/2723(RSP))

**Charles Tannock, Karol Karski, Anna Elżbieta Fotyga, Urszula Krupa, Ryszard Czarnecki, Ryszard Antoni Legutko, Arne Gericke, Monica Macovei, Angel Dzhambazki, Branislav Škripek, Notis Marias, Ruža Tomašić, Valdemar Tomaševski**  
on behalf of the ECR Group

**B8-0419/2017**

**European Parliament resolution on Pakistan, notably the situation of human rights defenders and the death penalty (2017/2723(RSP))**

*The European Parliament,*

- having regard to its prior resolutions on Pakistan and the situation of human rights, in particular those of 20 May 2010, 17 April 2014, 14 April 2016 and the resolution on the situation of women in Afghanistan and Pakistan of 15 December 2011;
  - having regard to the visit of the Committee on Foreign Affairs of the European Parliament to Pakistan (Islamabad, Peshawar and Lahore) on 18-21 April 2017;
  - having regard to the Universal Declaration of Human Rights of 1948, in particular Article 18;
  - having regard to the International Covenant on Civil and Political Rights, of which Pakistan is a signatory;
  - 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 its resolution of 14 December 2016 on the Annual Report on Human Rights in the World 2016 and the European Union's policy on the matter;
  - having regard to the European Union's policy on persecution, which condemns the persecution of Christians and other religious minorities;
  - having regard to the EU-Pakistan Five Year Engagement Plan of 2012, which prioritises good governance and improved dialogue on human rights;
  - having regard to the Pakistan Penal Code, in particular the so-called 'blasphemy laws' under Sections 295-A, 295-B and 295-C, under which actions deemed blasphemous may be, *inter alia*, punishable with death;
  - having regard to Rules 123(2), (4) and 135 of its Rules of Procedure;
- A. whereas the visit of the Committee on Foreign Affairs to Pakistan on 18-21 April 2017 was organised with the objective of strengthening dialogue between the EU and Pakistan, particularly with a view toward the upcoming adoption of the EU-Pakistan Strategic Engagement Plan; whereby Committee Members held productive and fruitful meetings with senior federal and provincial government representatives and Members of Parliament, supporting Pakistan's existing commitment to a stable and democratic nation governed by the rule of law; whereby this visit was held to be a success in further building already strong ties between the EU and Pakistan;

- B. whereas Pakistan is an economic and regional partner of the European Union, as one of the EU's largest trading partners; whereby Pakistan benefits from significant EU funding in the areas of social development, humanitarian assistance and improvement in good governance and the rule of law;
- C. whereas Pakistan is a partner of the EU in addressing issues of mutual concern, including regional security, counter-terrorism and migration;
- D. whereas the European Parliament recognises that Pakistan is home to a rich variety of cultures, traditions and languages, these varying greatly between the various provinces of Pakistan, with differing societal norms between provinces and regions greatly affecting the state and consistency of the rule of law across the country; recognises that whilst Pakistan has made efforts to improve its human rights record in recent years, nevertheless common thematic issues related to human rights abuses are still widespread;
- E. whereas multiple instances of human rights defenders, political dissidents and members of religious minorities experiencing intimidation, assault, imprisonment, torture, harassment and even murder have been noted in Pakistan; whereby many of these instances were considered to have been justified by the so-called 'blasphemy laws' of the Pakistan Penal Code; whereby since 1990, at least 65 instances of 'blasphemy killings' have been recorded, with more thought to have gone unrecorded or unreported for fear of retaliation;
- F. whereas the existing 'blasphemy laws' in Pakistan are considered to be open to significant abuse by parties to target political dissenters, settle personal vendettas or silence legitimate criticism of state institutions and other bodies; whereby under the current Penal Code, the accusation alone of blasphemy or blasphemous behaviour is enough to justify detention by the police without a judicial warrant, and often incites vigilante action against the accused; whereby such vigilantism leads frequently to the severe physical harm or death of the accused;
- G. whereas the majority and state religion of Pakistan is Sunni Islam, and minority religious groups consist of Christians, Hindus, Sikhs, Shiites, Ahmadis, Buddhists, Parsis, Bahá'ís and others;
- H. whereas the Ahmadiyya community of Pakistan continues to be the victim of targeted persecution and discrimination, particular via the provisions of the 1984 Ordinance and the blasphemy laws; whereas there have been repeated attacks against mosques and other property belonging to the Ahmadiyya community;
- I. whereas the case of Aasiya Noreen, better known as Asia Bibi, continues to be a matter of grave importance for human rights concerns in Pakistan; whereby Bibi, a Pakistani Christian woman, was convicted of blasphemy by a Pakistani court and sentenced to death by hanging in 2010; whereby, if executed, Bibi would be the first woman to be lawfully executed in Pakistan for blasphemy; whereby various international petitions called for her release on the grounds that she was being persecuted for her religion; whereby Christian minority minister Shahbaz Bhatti and Muslim politician Salmaan Taseer were murdered by vigilantes for advocating on her behalf and speaking against the 'blasphemy laws'; whereby despite the temporary suspension of Bibi's death sentence, she remains incarcerated to the present day and her family remain in hiding;

- J. whereas on April 14 2017 Mashal Khan, a student at Abdul Wali Khan University, was lynched by a mob of fellow students, after having been accused of publishing blasphemous material online; whereby this represented the first recorded ‘blasphemy killing’ in a Pakistani university; whereby an unnamed teacher at Abdul Wali Khan was recorded by international media as stating that the accusation of blasphemy against Mashal Khan was politically motivated, and had been brought forward by a member of the university in revenge for Khan’s prior criticism of the university;
- K. whereas on 4 May 2017, a 10-year old boy was murdered and five other people wounded in a mob attack on a police station in Balochistan, in what was thought to be an attempt to lynch a Hindu man detained at the police station on charges of blasphemy against Islam;
- L. whereas as of 30 May 2017, the alleged rape of a teenager (only named ‘Shumaila’ in local media) by a family member in Rajanpur, Punjab province, led to the victim being sentenced to death by a local (village) court; whereby this case is not an isolated event, as victims of rape are frequently put on trial as adulterers, and consequently are sentenced to death or sold into slavery in the more rural regions of Pakistan;
- M. whereas as of 12 June 2017, the first incidence of the death penalty being applied in a case related to social media has taken place, in the case of Taimoor Raza; whereby Raza was convicted in response to alleged blasphemous remarks made over Facebook; whereby this case is still developing and further details have not yet been released;
- N. whereas the local court systems, differing between the various regions of Pakistan, have no formal legal standing but wield significant power in local disputes, criminal sentencing and familial matters, and frequently wield more power locally than the Pakistani legal authorities; whereas the reaction of the authorities in preventing abuses through the local court system has been lamentably slow on multiple occasions;
- O. whereas in January 2017 a Pakistani woman, Parveen Bibi, was sentenced to death for the murder of her daughter, burned alive by her mother for marrying against her family’s wishes; whereby such incidents are regrettably still common in many regions of Pakistan, with individuals marrying outside strict social norms, or those committing or being suspected of committing adultery, or those who have been accused of blasphemy, or of other behaviour perceived to bring dishonour to the family unit, are at severe risk of being targeted for so-called “honour killings”;
- P. whereas the Fundamental Rights chapter of the 1973 Constitution of Pakistan holds as sacrosanct the freedom of religion and the safe running of religious institutions (Article 20) the equality of all citizens (Article 25) and the rights of minorities (Article 26); whereby the role of the government in upholding the constitutional right to freedom of religion and equality of its citizens has left much wanting in recent years;
1. Welcomes Pakistan as a partner across a broad spectrum of issues, including mutual economic interests, shared developmental projects, security, migration and counter-terrorism issues;
  2. Welcomes the efforts that the Pakistan Government has made to improve its human rights record but remains concerns at the widespread human rights abuses that persist;

3. 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 ‘blasphemy laws’, and encourages steps to be taken to provide such safeguards;
4. Condemns the use of the death penalty to suppress political opposition, or on the grounds of religious belief, homosexuality, adultery, or for other issues either considered trivial or not legally definable as crimes at all;
5. Calls upon the Pakistani government to take greater steps to forbid the sanctioning of “honour killings” by local courts, and where such acts are sanctioned, to act with alacrity in overruling such sentences and preventing vigilantism; in cases where “honour killings” have already taken place, to act immediately and without restraint in bringing those responsible to trial;
6. Recommends that the ‘blasphemy laws’, as they stand, be brought under review by the Government of Pakistan, if not abolished entirely; suggests that such laws are wide open to malicious misuse as tools for settling personal vendettas and to oppress minorities; notes that these laws were originally codified centuries ago and do not represent the progressive image of Pakistan as it is today;
7. Recommends that, in lieu of abolishing the ‘blasphemy laws’, the Government of Pakistan take immediate and stringent steps to deter false allegations being made by malicious parties, and ensure that police do not arrest accused individuals or investigate allegations of blasphemy without a judicial warrant; similarly, recommends that judges, defence counsel, witnesses, and human rights defenders otherwise involved in blasphemy cases be ensured adequate protection against vigilantism;
8. Calls for the immediate release of Asia Bibi and other persons detained under the ‘blasphemy laws’ and for provisions to be made and safeguards ensured for their safety from vigilante action;
9. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and the Government of Pakistan.