



Plenary sitting

B9-0254/2021

27.4.2021

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 144 of the Rules of Procedure

on Blasphemy Laws in Pakistan, in Particular the Case Shagufta Kausar and Shafqat Emmanuel
(2021/2647(RSP))

Emmanuel Maurel

on behalf of The Left Group

B9-0254/2021

European Parliament resolution on Blasphemy Laws in Pakistan, in Particular the Case Shagufta Kausar and Shafqat Emmanuel (2021/2647(RSP))

The European Parliament,

- having regard to its previous resolutions on Pakistan, especially those of October 2013, of May 2010, of April 2014 and of November 2014,
 - having regard to the Universal Declaration of Human Rights of 10 December 1948,
 - having regard to the International Covenant on Civil and Political Rights of 1966, particularly Articles 6, 18, and 19;
 - having regard to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty which entered into force on 11 July 1991,
 - 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 Spokesperson for the UN High Commissioner for Human Rights, Rupert Colville, particularly his Press briefing notes on Pakistan of 8 September 2020,
 - having regard to the Constitution of Pakistan, in particular Articles 19, 20 and 25;
 - having regard to the Human Rights and Democracy in the World annual report of the European Union of 2019,
 - having regard to the EU Human Rights Guidelines on Freedom of Expression Online and Offline of 2014,
 - having regard to the EU Human Rights Guidelines of Freedom of Religion or Belief of 2013,
 - having regard to the EU Guidelines on Death Penalty of 2013,
 - having regard to the EU-Pakistan Strategic Engagement Plan of 2019, which establishes as agreed basis for mutual cooperation, among others, democracy, rule of law, good governance, and human rights,
 - having regard to the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment of Pakistan covering the period 2018 - 2019;
 - having regard to Rule 144 of its Rules of Procedure,
- A. whereas Shagufta Kausar and Shafqat Emmanuel, a Christian couple, were imprisoned in 2013 and sentenced to death in 2014 for blasphemy; whereas they have been accused

of sending “blasphemous” text messages to a mosque cleric insulting the Prophet Muhammad, using a sim card registered in Shagufta’s name; whereas both the accused have consistently denied all allegations and believe that her National Identity Card was purposely misused;

- B. whereas Shagufta Kausar and Shafqat Emmanuel were convicted under Section 295-C of the Pakistani Penal Code; whereas the hearing of their appeal has been repeatedly delayed for over six years; whereas there are substantial grounds to suspect that blasphemy trials are deliberately delayed, which has devastating effects on innocent Pakistanis, their families and communities;
- C. whereas Shagufta Kausar is in solitary confinement to protect her security; whereas Shafqat Emmanuel’s lower body is paralysed and he relies on prison guards for mobility; whereas his health is deteriorating rapidly, he has multiple pressure ulcers that are not being properly treated and he is in increasing pain; whereas in March he was reportedly in a coma for three days and was not taken to the hospital;
- D. whereas the blasphemy laws of Pakistan are notoriously broad, vague and coercive, and establish the automatic and mandatory imposition of the death penalty; whereas these laws violate the State’s human rights obligations, inter alia, to respect and fulfil the right to life, equality before the law, prohibition of discrimination, freedom of opinion and expression, and freedom of thought, conscience and religion or belief;
- E. whereas judges are pressured and intimidated into convicting defendants, defence lawyers have been killed in court and witnesses and families have had to go into hiding out of fear; whereas fear of violence prevent lawyers, the police, prosecutors and judges from conducting their work in an effective and impartial manner;
- F. whereas Pakistan has not carried out any executions on blasphemy charges; whereas, nevertheless, at least 17 people remain on the death row on blasphemy charges; whereas accusations of blasphemy in Pakistan are on the rise, namely against women, religious minorities, journalists and human rights defenders, exposing them to an imminent risk of violence;
- G. whereas blasphemy laws create a climate of terror and coercion in Pakistan; whereas religious minorities in Pakistan, including Sikhs, Christians and Hindus, as well as Sufi, Ahmadiyya and Shia Muslims, are targeted and discriminated against; whereas religious minorities are prevented from freely and safely engaging in religious activities and express their beliefs and non-beliefs, as they are vulnerable to violence, arbitrary detention and persecution;
- H. whereas blasphemy laws in Pakistan are also used to silence voices that are critical of the government; whereas Pakistani women journalists have denounced attacks on social media for criticising the government, including against journalist and human rights defender Marvi Sirmed, who has received several messages containing highly derogatory language, sexist insults, as well as rape and death threats; whereas artists are increasingly targeted too, such as the case of actress Saba Qamar and singer Bilal Saeed, who were denounced by the police for filming a music video in a mosque;
- I. whereas religious issues are used for political purposes and cause several conflicts,

often deadly; whereas secularism, the emancipation of all religious control over society and the State, is the only value that guarantees all, whether believers, agnostics or atheists, equal freedom of conscience and public expression of convictions, subject only to democratic public order and respect for the freedom and rights of others;

- J. whereas the de facto prohibition of criticising or questioning patriarchal religions, Islam in this case, significantly hinders women's emancipation from oppression and structural inequalities, as religion is used to justify and naturalise women's subordination; whereas being able to defend women's rights is of paramount importance in Pakistan, where women and girls are subjected to violence, including rape, murder, acid attacks, domestic violence and forced marriages, where it is estimated that around 1,000 women are killed in honour killings every year, calls to domestic violence helplines have increased 200% in 2020, and 21% of girls marry before the age of 18;
- K. whereas the religious party Tehreek-i-Labbaik Pakistan (TLP) is building considerable barriers to human rights by persecuting politically and religiously dissenting voices and accusing them of blasphemy; whereas its leaders have threatened Qamar and Saeed; whereas in 2018 they organised rallies against the acquittal of Asia Bibi; whereas they accused Aurat March (women's march) of blasphemy and put the lives of the organisers in danger by sharing videos of the protesters online; whereas in April 2021 they held protests across Pakistan in response to the alleged blasphemy committed by French President Emmanuel Macron for defending the right to republish caricatures of the Prophet Muhammad, and demanded that Pakistan expel the French ambassador; whereas the leader of TLP, Saad Rizvi has been arrested, and the group has been banned following accusations of use of violence; whereas however, they can register their organisation under another name;
- L. whereas Pakistan is a party to relevant international human rights agreements, 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 provisions on the right to life, the right to a fair trial, equality before the law and non-discrimination;
- M. whereas the UN has repeatedly asked Pakistan to repeal blasphemy laws or, at the very least, ensure the necessary safeguards are in place to prevent the abuse of these laws;
- N. whereas Pakistan entered the Generalised Scheme of Preferences Plus (GSP+) in 2014, which "should provide a strong incentive to respect core human rights and labour rights" among others; whereas this has been proven not to be the case; whereas, despite continuing violations of human rights, the Commission certifies that Pakistan remains eligible for the scheme, helping the country's reputation without addressing human rights violations;
- 1. Strongly condemns the imprisonment and sentencing of Shagufta Kausar and Shafqat Emmanuel, as well as the continued delay of their appeal hearing; calls on the Pakistani authorities to immediately and unconditionally release them, and to provide them and their lawyer adequate security now and upon release; calls on the Lahore High Court to hold the appeal hearing without delay and to strike down the verdict in accordance with human rights;

2. Calls on the Pakistani authorities to grant Shafqat prompt, regular and unrestricted access to adequate healthcare; calls on the Pakistani authorities to find alternatives to solitary confinement so as to ensure Shagufta's safety without further restricting her fundamental rights;
3. Urges the government of Pakistan to abolish the death penalty; calls on the Pakistani authorities to review all death sentences against people accused of blasphemy offences; in this regard, urges the Pakistani authorities to release those deprived of their liberty solely for peacefully exercising their human rights;
4. Reiterates its call on the government of Pakistan to swiftly repeal the blasphemy laws and to bring them in compliance with human rights; urges the government of Pakistan to respect and fulfil its international human rights obligations, including the right to life, the right to a fair trial, the prohibition of discrimination, equality before the law, freedom of opinion and expression, as well as freedom of thought, conscience, and religion or belief;
5. Stresses that freedom of conscience, religion and belief includes the freedom to believe or not to believe, to practise or not to practise the religion of one's choice, and to abandon or change one's religion; calls on the Pakistani authorities to strengthen these rights by means of inter-religious and inter-cultural dialogue, and without resorting to human rights violations;
6. Urges the Pakistani authorities to take the necessary measures to end the current climate of fear and to ensure an environment that respects diversity of opinion, belief and non-belief, namely by protecting those at risk of violence, persecution and prosecution due to blasphemy laws; in this view, calls on the Pakistani authorities to ensure that lawyers, police prosecutors and judges are able to conduct their work in an effective and impartial manner, that critics of the government and of Islam can freely and safely express their opinion, -including artists, journalists and human rights defenders-, and that religious minorities and non-believers can freely and safely express their beliefs and non-beliefs;
7. Calls on the Pakistani government to respect, fulfil and promote women's rights and to address structural inequalities; urges the Pakistani government to take all the necessary measures to effectively prevent and address violence against women, including domestic violence, forced marriage, child marriage and honour killings, both in law and practice;
8. Calls on the Pakistani authorities to adequately protect and defend targets and victims of TLP, and to effectively address the use and threat of violence by TLP;
9. Deplores the fact that many state actors around the world limit human rights by adopting and enforcing laws prohibiting blasphemy; stresses that secularism should be preserved and promoted as a key element to ensure human rights and peace among believers, as well as between believers and non-believers;
10. Recalls that in a large number of Member States blasphemy and similar offences still exist and are still enforced; urges Member States to swiftly repeal all blasphemy, "religious insult" and similar laws; stresses that, in the meantime, the credibility and

legitimacy of the EU and Member States to call on Pakistan to repeal blasphemy laws will be greatly compromised;

11. Calls on the Commission to urgently submit a report to the Parliament explaining why Pakistan remains eligible for the GSP+; when preparing the report, calls on the Commission to take into consideration the persistent and serious human rights violations, as well as its own Report on the GSP+ on Pakistan, which states that “implementation remains generally slow with little impact” and that “determined action for reform, in particular in the area of fundamental freedoms, as well as labour rights” is still needed, and expresses “grave concern” at “the deteriorating situation of freedom of expression”;
12. Calls on the EU and its Member States to strengthen their engagement in political discussions with Pakistan to demand the abolition of the death penalty and to fulfil its human rights obligations; calls on the EU and its Member States to ensure that any criminal justice training or cooperation in Pakistan includes a relevant human rights component, paying particular attention to blasphemy cases;
13. Urges the UN Special Rapporteur on freedom of religion and belief and the Special Rapporteur on freedom of expression to raise the issue of the abuse of blasphemy laws and the death penalty with the government of Pakistan, and to discuss ways to bring them into line with human rights;
14. 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.