

# ISSUE BRIEF

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## Pakistan Must Release Asia Bibi to Demonstrate Protection for Its Religious Minorities

*Lisa Curtis and Olivia Enos*

Pakistan's Supreme Court took an encouraging step forward last week when it decided to reconsider blasphemy charges against Pakistani Christian woman, Asia Bibi, who is facing a death sentence. This decision provides an opportunity for Pakistan to acquit Bibi and show the world its commitment to protecting its religious minorities. The U.S. must prioritize the issue of religious freedom in its dialogue with Pakistan to discourage any further persecution of religious minorities and to undercut support for Islamist extremist ideologies that leads to targeted violence against these vulnerable communities.

Bibi, a mother of five and a farmworker, was arrested in 2009 after her Muslim co-workers alleged that she had committed blasphemy during an argument about sharing the same water bowl. In November 2010, she was sentenced to death by a Pakistani trial court, a decision that was upheld by the Lahore High Court in October 2014.

### Growing Intolerance

Under Pakistani law, blasphemous acts include making derogatory remarks against the Muslim prophet Muhammed and defiling the Koran. Allegations of blasphemy are often fabricated and are

commonly used to intimidate religious minorities or settle personal vendettas, including against fellow Muslims. Moreover, blasphemy charges do not require proof of intent or evidence, and there are no penalties for false allegations. Since the laws do not provide details on what constitutes a violation, accusers have broad leeway to define what they deem an offense. In 2013, 38 individuals were imprisoned in Pakistan on blasphemy charges.

Pakistanis who have sought changes to the blasphemy laws or who have defended those wrongly accused have often been killed, demonstrating the rise in religious intolerance and support for extremist ideologies there. In early 2011, Pakistan's Governor of the Punjab Salman Taseer and Minority Affairs Minister Shahbaz Bhatti were assassinated by religious extremists because of their efforts to defend Bibi and roll back the controversial blasphemy laws. Human rights lawyer Rashid Rehman was assassinated in June 2014 for defending an English professor, Junaid Hafeez, who was accused of blasphemy. Rehman had received several death threats in the weeks prior to his assassination, but the Pakistani government failed to provide him with protection.

Former Pakistan People's Party parliamentarian and Pakistani Ambassador to the U.S., Sherry Rehman, introduced a bill in parliament in late 2010 to amend the blasphemy laws, but she was later forced to withdraw it under political pressure. Ambassador Rehman continues to face threats from extremists due to her support for re-examining the legislation and removing the death penalty as punishment. In January 2013, the Supreme Court of Pakistan approved admission of a blasphemy case

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filed against Ambassador Rehman for remarks she made on a television program in November 2010. The growing influence of extremist ideologies are endangering Pakistan's minority communities and jeopardizing the country's democratic institutions and values, including freedom of religion and speech.

The miscarriage of justice against Bibi is just the latest example of declining religious freedom in Pakistan. The U.S. Commission for International Religious Freedom's 2015 *Annual Report* calls on the State Department to designate Pakistan as a country of particular concern (CPC) under the International Religious Freedom Act (IRFA)—something it has called for since 2002.<sup>1</sup> Ninety-five percent of Pakistan's population is Muslim, including a 20 percent Shia minority, which increasingly faces brutal attacks by Sunni extremists. Ahmadis (about 2 percent of the Pakistani population), who consider themselves Muslim but are not recognized as such under Pakistani law, also face discriminatory legislation that prohibits them from calling themselves Muslims or their places of worship mosques, performing the Muslim call to prayer, using the traditional Islamic greeting in public, or publicly quoting from the Koran.

Bibi's case is a particularly pernicious example of the negative effects of blasphemy laws. Bibi's family has been forced to go into hiding, and Muslim clerics placed a \$5,000 bounty on her head.<sup>2</sup> Bibi also faces extreme health challenges, including intestinal bleeding, that could be life-threatening.<sup>3</sup> If the Supreme Court rules in favor of Bibi, the court would overturn the decision by the Lahore High Court to sentence Bibi to death. If Bibi were released from jail, her life would still be in grave danger from vigilantes who could decide to take the law into their own hands. In April 2012, a Pakistani man accused of blasphemy was shot dead by religious zealots after he was acquitted and released from prison.

## The U.S. Must Prioritize Religious Freedom in Pakistan

The growing pattern of religious intolerance and persecution of religious minorities in Pakistan is threatening the very fabric of Pakistani society and undermining democracy, not to mention putting the lives of millions of members of religious minorities in danger. The U.S. must make the protection of Pakistan's religious minorities a central plank of its dialogue with the country. More specifically, the U.S. should:

- **Publicly advocate for the release of Asia Bibi.** While the Pakistani Supreme Court has taken a step in the right direction with its decision to review Bibi's appeal, the U.S. must keep up the pressure for her immediate release from jail and help ensure that she receives proper medical care.
- **Announce that unless Pakistan makes substantive changes to its blasphemy laws and how they are implemented, it will be designated a "Country of Particular Concern" under the International Religious Freedom Act (IRFA).** The IRFA was passed in 1998 and requires the U.S. Secretary of State to designate annually "countries of particular concern" and to take specific action aimed at improving religious freedom in those countries. A CPC is defined as a country in which the government either engages in or tolerates severe violations of religious freedom.
- **Urge Pakistan to review all blasphemy cases.** In 2014, the Pakistani courts conducted a review of blasphemy cases but did not include in the review any cases against members of religious minority groups.<sup>4</sup>
- **Encourage Pakistan to implement steps called for by the Pakistani Supreme Court in 2014, including creating a special police force**

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1. U.S. Commission on International Religious Freedom, *Annual Report of the U.S. Commission on International Religious Freedom* (Washington, DC: USCIRF, 2015), <http://www.uscirf.gov/sites/default/files/Pakistan%202015.pdf> (accessed July 27, 2015).

2. Monica Cantilero, "\$5,000 Bounty Announced for Anyone Who Kills Pakistani Christian Woman Asia Bibi," *Christian Today*, July 10, 2015, <http://www.christiantoday.com/article/5000.bounty.announced.for.anyone.who.kills.pakistani.christian.woman.asia.bibi/58573.htm> (accessed July 27, 2015).

3. Olivia Enos, "Persecuted Pakistani Christian Woman on Death Row Severely Ill," *The Daily Signal*, July 14, 2015, <http://dailysignal.com/2015/07/14/persecuted-pakistani-christian-woman-on-death-row-severely-ill/>.

4. U.S. Commission on International Religious Freedom, *Annual Report of the U.S. Commission on International Religious Freedom*.

**to protect religious minorities and elevating the work of the religious minority commission.** The U.S. should structure its aid programs to support these activities through technical assistance, training, and exchanges.

- **Support increased civil society engagement between Americans and Pakistanis to help elevate the voices of moderation and tolerance in Pakistan.** There are plenty of Pakistani citizens who are working hard and, indeed, risking their lives to reverse extremist trends and ensure the rights and freedoms of all Pakistanis. U.S.–Pakistan government-to-government interactions alone will not get the job done. There is a need for more and deeper civil society engagement between our two countries that can help mobilize grassroots support for preserving religious freedom.

### **Reviving Pakistan’s Founding Vision**

Pakistan’s founding father, Muhammed Ali Jinnah, supported the idea of Islam serving as a unifying force and believed Pakistanis had a responsibility to uphold the principles of religious freedom and to protect the rights of religious minorities. Releasing Asia Bibi from jail would be a good first step in reviving the country’s founding ideals of religious tolerance.

—*Lisa Curtis is Senior Research Fellow for South Asia in the Asian Studies Center, of the Kathryn and Shelby Cullom Davis Institute for National Security and Foreign Policy, at The Heritage Foundation. Olivia Enos is a Research Associate in the Asian Studies Center.*