Resolution on the blasphemy laws in Pakistan, in particular the case of Shagufta Kausar and Shafqat Emmanuel

2021/2647(RSP) - 29/04/2021 - Text adopted by Parliament, single reading

The European Parliament adopted by 681 votes to 3, with 6 abstentions, a resolution on the blasphemy laws in Pakistan, in particular the case of Shagufta Kausar and Shafqat Emmanuel.

The text adopted in plenary was tabled by the EPP, S&D, Renew, Greens/EFA, ECR and The Left, groups.

Pakistan's controversial blasphemy laws have been in place in their present form since 1986, punishing blasphemy against the Prophet Muhammad with death or life imprisonment. Despite never having led to official executions, the law incites harassment, violence and murder against those being accused.

The Pakistani couple Shagufta Kausar and Shafqat Emmanuel were sentenced to death on blasphemy charges in 2014. These charges were based on the alleged sending of text messages insulting the Prophet Muhammad from a phone number registered to Shagufta Kausar to the person accusing the couple of blasphemy. The evidence on which the couple were convicted can be considered deeply flawed given their illiteracy and the fact the phone which was allegedly used to send the messages has not been recovered for investigation.

The couple have been detained in jail pending a court ruling on their appeal against their death sentence.

Parliament expressed its concern for the health and wellbeing of Shagufta Kausar and Shafqat Emmanuel and urged the Pakistan authorities to ensure that adequate medical care is immediately provided. It called on the Pakistani authorities to release Shafqat Emmanuel and Shagufta Kausar immediately and unconditionally and to overturn their death sentence. There is concern that the continued abuse of blasphemy laws in Pakistan is exacerbating existing religious divides and thus fomenting a climate of religious intolerance, violence and discrimination.

Parliament called on the Pakistani Government to:

- unequivocally condemn incitement to violence and discrimination against religions minorities in the country;

- put in place effective, procedural and institutional safeguards at the investigative, prosecutorial and judicial levels to prevent the abuse of the blasphemy laws pending their abolition;

- commute the sentences of all individuals who are facing the death penalty to ensure that their right to a fair trial, which is internationally recognised and safeguarded in the constitution, is respected.

The EU and its diplomatic personnel are urged to do everything they can to provide protection and support for Shagufta Kausar and Shafqat Emmanuel, including by attending trials, requesting prison visits and continuously and resolutely reaching out to the authorities involved in this case.

Member States are called on to facilitate the issuance of emergency visas and to offer international protection for Shagufta Kausar, Shafqat Emmanuel, their lawyer Saiful Malook and others that stand accused for peacefully exercising their rights, including human rights defenders, should they need to leave Pakistan.