Prisoners of Belief
Individuals Jailed under Blasphemy Laws

Many countries around the world have laws that punish expression deemed blasphemous, defamatory of religion, or contemptuous or insulting to religion or religious symbols, figures, or feelings. In addition, some states have added new blasphemy-type laws to their criminal codes or constitutions. The application of these laws has resulted in the jailing of individuals for merely expressing a different religious belief or under false accusations.

Blasphemy is defined as the act of express contempt or a lack of reverence for God or sacred things. Blasphemy laws inappropriately position governments as arbiters of truth or religious rightness, as they empower officials to enforce particular religious views against individuals, minorities, and dissenters. In practice, they have proven to be ripe for abuse and easily manipulated with false accusations. Though often justified as needed to promote religious harmony, these laws in fact have the opposite effect. They encourage extremists to enforce their notions of truth on others, often through force, thereby exacerbating religious intolerance, discrimination, and violence. In contexts where an authoritarian government supports an established religious creed, blasphemy accusations are frequently used to silence critics or democratic rivals under the guise of enforcing religious piety.
Blasphemy Laws Violate International Standards

Blasphemy laws are incompatible with international human rights standards, as they protect beliefs over individuals, and they often result in violations of the freedoms of religion and expression, especially when persons are jailed. Article 18 of the International Covenant on Civil and Political Rights (ICCPR) protects the individual right to freedom of thought, conscience and religion, including the right to manifest this belief through various acts, such as worship, observance, practice and teaching. Limitations on this right are narrow, and are only permitted as necessary to protect “public safety, order, health, or morals or the fundamental rights and freedoms of others.” Article 19 of the ICCPR protects the individual right to freedom of expression, which may only be limited to protect the rights or reputations of others, national security, public order, or public health or morals. And in terms of the protection of morals, the UN Human Rights Committee has observed that limitations on this ground “must be based on principles not deriving exclusively from a single [social, philosophical, or religious] tradition.”

International law experts have repeatedly deemed blasphemy-type laws incompatible with human rights commitments. For example, the UN Human Rights Committee has stated “[p]rohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the [ICCPR].” In addition, an international group of experts convened by the Office of the UN High Commissioner for Human Rights recently recommended that “[s]tates that have blasphemy laws should repeal them as such laws have a stifling impact on the enjoyment of freedom of religion or belief and healthy dialogue and debate about religion.” Furthermore, these laws run counter to consensus UN resolutions recognizing that religious intolerance is best fought through positive measures, such as education, outreach, and counter-speech, and that criminalization is only appropriate for incitement to imminent violence.

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Increasing Use and Application

Specific cases of blasphemy, religious defamation or insult regularly arise around the world, as an increasing number of countries enforce these types of laws. The most egregious example is Pakistan, where blasphemy charges are common and numerous individuals are in prison, with a high number sentenced to death or life terms. In both Egypt and Pakistan, their blasphemy laws have been used more against Muslims, although they have a disproportionate impact on their small Christian minorities. However, blasphemy laws exist in a variety of contexts, not always leading to jail sentences. For instance, countries as diverse as India, Ireland, Kuwait, Poland, and the Philippines all have blasphemy-like laws, though they are less frequently invoked. And new legislation is moving forward: Tunisia’s new constitution had a blasphemy provision added at the 11th hour and Russia recently enacted a blasphemy law. The Kurdistan region of Iraq also has considered laws of this type. While the “defamation of religions” resolution at the United Nations, which sought to establish what would be in effect a global blasphemy law, has not been offered in recent years, the Arab League is reportedly developing a blasphemy law that could be applied regionally.

Specific country examples include:

- **Pakistan**’s blasphemy law is used at a level incomparable to other countries. USCIRF has received reports of 14 individuals currently on death row on blasphemy convictions and 19 serving life sentences (see below). Countless other Pakistanis have been arrested for the “crime” and await sentencing. While the death penalty for blasphemy has never been carried out, individuals accused of blasphemy have been murdered in associated vigilante violence. Despite the law’s rampant abuse and lack of procedural safeguards, Pakistan’s Federal Shariat Court recently ruled that the death penalty should be the only penalty for blasphemy.

- **In Bangladesh**, the government arrested three self-professed atheists in early April 2013 for “offending religious sensitivities,” after they blogged about Bangladesh’s 1971 War Crimes Tribunals. They remain jailed pending trial. The opposition party Jamaat-e-Islami reportedly gave the government a list naming 84 other individuals they want to see investigated for blasphemy.

- **Egypt** has seen a significant increase in the use of blasphemy-type laws, both during and after the Morsi era. The Egyptian Initiative for Personal Rights (EIPR) found a total of 36 blasphemy cases involving 63 people occurring from January 2011 to December 2012. Their report documented a roughly 60/40 split in the religious affiliation of blasphemy cases taken to court, with 59% of cases being filed against Sunni Muslims and 41 percent against Christians. However, Christians only comprise 10 percent of Egypt’s population. A particularly high profile case in 2013 involved a Christian teacher from Luxor convicted of insulting Islam. She is appealing the conviction and fine equaling approximately $14,000. USCIRF is aware of four individuals sentenced to jail in Egypt (see below).
• **In Greece**, Philippou Loizos was arrested and charged in September 2012 with blasphemy for creating a Facebook page criticizing and mocking a deceased Greek Orthodox priest. The blasphemy charge was later dropped, but replaced with a charge of insulting religion. Under the Greek penal code, blasphemy or insulting religion is subject to imprisonment for up to two years. In January 2014, he was convicted and given a 10-month sentence. He is free while his case is on appeal.

• **In Indonesia**, since 2003 more than 120 individuals have been detained under blasphemy provisions in the criminal code. However, these generally have not led to prosecutions and jail time, and observers consider the detentions a tactic of intimidation. Two individuals are currently known to be serving jail sentences (see below).

• **Iran**’s blasphemy prohibitions are derived from the Twelver Jafari school of Shi’a Islam. Blasphemers are charged under a range of offenses, such as “spreading corruption on earth,” insulting religious sanctities, insulting Islam, criticizing the Islamic regime, or deviating from Islamic standards. The government targets religious minorities with such charges, particularly Bahai’s, Christians, and Sunni and Sufi Muslims, as well as Shi’a Muslim dissidents and journalists.

• **In Kazakhstan**, atheist writer Aleksandr Kharlamov is under investigation by a government sponsored “experts committee” for his “views of the Christian religion.” While currently free, he was subjected to five months of detention and one month of forcible psychiatric examination.

• **Malaysian** provincial police acting on the recommendation of the Ministry of Islamic Affairs detained Maznah Mohd Yusof. The Ministry requested the action because it found a video Ms. Yusof posted on YouTube was “insulting to Islam.” She has been released on bail, pending an investigation.

• **In Saudi Arabia**, despite the country having no formal criminal code, the government uses charges of blasphemy to target those seeking to debate the role of religion in relation to the state, as well as promoters of political and human rights reforms. For instance, Saudi blogger Hamza Kashgari was held on blasphemy charges from February 2012 to October 2013 for comments he posted on Twitter. One individual is currently known to be serving a jail sentence (see below).

• **Sudan**’s criminal code prohibits blasphemy and those found guilty could be sentenced to one year imprisonment, up to 40 lashes, or a fine. Over the past few years, blasphemy accusations have been used to intimidate those opposing the government or expressing disfavored religious views.

• **In Turkey**, Fazıl Say, a classical and jazz pianist, was charged in 2012 with “publicly insulting religious values that are adopted by a part of the [Turkish] nation” in Twitter messages. He was found guilty and given a 10-month suspended jail sentence in 2013.
**Jailed for Belief**

The following individuals reportedly have been sentenced for the “crime” of blasphemy and are serving prison terms. The list, based on information collected by USCIRF, is not comprehensive, but provides a human face to the application of these laws. USCIRF will update the list, as needed.

**Egypt**

- Amr Abdalla: Five-year sentence
- Bishoy Kameel: Six-year sentence
- Ayman Yousef Mansour: Three-year sentence
- Karam Saber: Five-year sentence

**Indonesia**

- Andreas Guntur: Four-year sentence
- Antonius Richmond Bawengan: Five-year sentence

**Pakistan**

- Muhammad Asghar: Sentenced to death
- Hazrat Ali Shah: Sentenced to death
- Soofi Mohammad Ishaq: Sentenced to death
- Abdul Sattar: Sentenced to death
- Rafiq: Sentenced to death
- Malik Muhammad Ashraf: Sentenced to death
- Malik Ashraf: Sentenced to death
- Ms. Aasia Noreen Bibi: Sentenced to death
- Muhammad Shafeeq Latif: Sentenced to death
- Liaquat: Sentenced to death
- Muhammad Shafiq: Sentenced to death
- Abdul Hameed: Sentenced to death
- Anwar Kenneth: Sentenced to death
- Wajihul Hassan aka Murshid Masih: Sentenced to death
- Sajjad Masih: Sentenced to life in prison
- Manzarul Haq Shah Jahan: Sentenced to life in prison
- Muhammad Mushtaq alias Masta: Sentenced to life in prison
- Imran Ghafoor: Sentenced to life in prison
- Muhammad Ishaq: Sentenced to life in prison
- Muhammad Safdar: Sentenced to life in prison
- Muhammad Shafi: Sentenced to life in prison
- Muhammad Aslam (son): Sentenced to life in prison
- Imran Masih: Sentenced to life in prison
- Abdul Kareem: Sentenced to life in prison
- Inayat Rasool: Sentenced to life in prison
Asif                         Sentenced to life in prison
Arif Mahdi                   Sentenced to life in prison
Imran                        Sentenced to life in prison
Shamas ud Din                Sentenced to life in prison
Maqsood Ahmad                Sentenced to life in prison
Muhammad Shahzad             Sentenced to life in prison
Muhammad Yousaf              Sentenced to life in prison
Rehmat Ali                   Sentenced to life in prison

Saudi Arabia

Raif Badawi                  Five-year sentence