



10.31.18

PAKISTAN | Supreme Court Frees Death Row Inmate

The Supreme Court in Pakistan acquitted Asia Noreen, also known as Asia Bibi, the Christian woman who has been on death row since 2010 after she was falsely accused of blasphemy in 2009.

The detailed 56-page judgement delivered by the Pakistan Supreme Court on Oct. 31 reverses the earlier decisions by the High Court and Trial Court and affirmed that the state must ensure that no innocent person is compelled to face an investigation or a trial on the basis of false or trumped-up allegations of committing blasphemy.

It further noted that there were a number of material contradictions and inconsistent witness statements in Asia Bibi's case which cast doubt on the evidence and that the prosecution "has categorically failed to prove its case beyond reasonable doubt." The judgement also acknowledged that the blasphemy laws have been misused to level false allegations.

CSW's Chief Executive Mervyn Thomas said, "CSW welcomes the news of Asia Bibi's acquittal and we call on the government of Pakistan to ensure that appropriate steps are taken to ensure the safety of Asia Bibi, her family, the Christian community and all involved in her case following explicit threats from certain extremist groups in the country. The false allegation of blasphemy against Mrs. Bibi highlights the blatant abuse of Pakistan's blasphemy laws that have been used to harass and intimidate religious minorities and Muslims alike. In light of this judgement, we call on the government to implement much needed procedural amendments to prevent further misuse of the laws."

Bibi was falsely accused of blasphemy in June 2009. At the time, she was working in a field when an argument took place between her and two Muslim colleagues, Mafia Bibi and Asma Bibi, over fetching water. Asia Bibi offered the women water, but they refused because she is a Christian. The women, in collusion with a local cleric, Qari Muhammed Salaam, fabricated a story and filed a first information report (FIR) with the police five days later in which it was alleged that Asia Bibi made blasphemous remarks against the Prophet Muhammed.

On Nov. 8, 2010 Bibi was convicted by the Trial Court under Section 295-C of the Pakistan Penal Code (PPC), sentencing her to death and ordering her to pay a fine of \$755. In 2011, Shahbaz Bhatti, Pakistan's first Minister for Minorities Affairs and Salmaan Taseer, the former governor of Punjab province, were assassinated after speaking out on Asia Bibi's case. On Oct. 16, 2014, the High Court dismissed her appeal and upheld the death sentence. On July 22, 2015, the Supreme Court suspended Bibi's death sentence for the duration of the appeals process.

Her final appeal in the Supreme Court, due to take place Oct. 13, 2016, was adjourned after one of the three-judge bench, Justice Iqbal Hameed-ur-Rehman, recused himself citing a conflict of interest in the case of Salmaan Taseer, former Governor of Punjab. The Supreme Court hearing was rescheduled for Oct. 8, when the special three-member bench reserved judgement with a warning to media to desist from commenting on the case until the court issued its detailed judgement.

Michelle Chaudhry, President of the Cecil & Iris Chaudhry Foundation, said, "There is no doubt that the rule of law has been upheld and justice has prevailed. However, unfortunately an innocent woman has had to lose nine precious years of her life; she and her family have had to endure extremely traumatic circumstances for a crime that was never committed. This in itself demands for the authorities to look into or revisit Pakistan's blasphemy laws and take concrete measures to curb their misuse."

CSW is concerned by reports that Islamist groups have started to gather in cities across Pakistan to stage demonstrations against Bibi's release. CSW's sources report that due to rising tensions there is heavy police deployment in Islamabad and Lahore, with additional security positioned near churches and Christian schools. One Islamic political party, the Tehreek-e-Labbaik Pakistan, had previously issued threats warning of severe consequences towards all involved if Bibi was released. Party members and their supporters are converging on cities including Karachi, Lahore and Islamabad and have begun to protest and block major roads.