

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

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Tuesday, 06 November 2018

The Honourable Ahmed D. Hussen MP
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The Honourable Andrew Leslie MP
Parliamentary Secretary to the Minister
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The Honourable Jody Wilson-Raybould
MP
Minister of Justice and Attorney General
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The Honourable Chrystia Freeland MP
Minister of Foreign Affairs
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Attention Ministers Jody Wilson-Raybould, Ahmed D. Hussen, Chrystia Freeland and
Parliamentary Secretary Andrew Leslie;

Re: Asylum in Canada for Asia Bibi and her family

Lawyers' Rights Watch Canada (LRWC) urges Canada to provide asylum to Asia Bibi and her family and to work quickly and effectively with Pakistan authorities to ensure the release of Ms Bibi and passage of the family to Canada is carried out safely.

LRWC is a committee of lawyers and other human rights defenders who promote international human rights, the rule of law and the integrity of legal systems through advocacy, education and legal research. LRWC is a volunteer-run NGO in Special Consultative Status with the Economic and Social Council of the United Nations.

LRWC is pleased to learn that Canadian officials are considering offering asylum to Asia Bibi and her family. Both Pakistan's history of failing to take action to prevent or remedy blasphemy-related extra-judicial killings and the virulence of those calling for Ms Bibi's death by execution or extra-judicial killing, indicate that immediate asylum is the only option that will save her life.

The Government of the Islamic Republic of Pakistan (Pakistan) has failed to put in place remedial and preventative measures necessary to prevent the brutal extra-judicial killings of people accused of blasphemy and their legal representatives by vigilante individuals or groups. Pakistan has not put in place any of the measures called for by LRWC in letters dated

- [7 May 2014](#) (murder of lawyer Rashid Rehman Khan and injury of lawyers Nadeem Parwaz and Afzal);
- [15 January 2015](#) (attempted murder of lawyer Shahbaz Gormani);
- [6 March 2015](#) (murder of Rashid Rehman Khan reminder);
- [30 March 2017](#) (murder of lawyer Saleem Latif);
- [7 June 2017](#) (murder of student Mashal Khan).

Measures needed to prevent and punish blasphemy-related death threat and extra-judicial killings include: repeal of laws that criminalize religious belief and expression; suspension of the death penalty for blasphemy pending abolition; amendments to bring all criminal laws into compliance with internationally protected rights to hold and express religious beliefs; education for the public, police, jurists and elected representatives about the right to religious belief and expression; public declarations by elected representatives and religious leaders supporting rights to religious freedom; denouncing intolerance and vigilante action; and, promising accountability for people threatening or counselling violence against people accused of blasphemy and their representatives.

During the first and second cycle Universal Periodic Reviews of Pakistan, many states, including Canada called for [amendments to bring blasphemy laws](#), including the Penal Code, into compliance with Pakistan’s international law obligations. Many states also called for abolition, and suspension pending abolition, of the death penalty. The UN Human Rights Committee in its 23 August 2017 Concluding observations on the initial report of Pakistan (CCOR.C/PAK/CO/1) recommended that Pakistan reinstate the moratorium (lifted December 2004) and consider abolition of the death penalty and repeal all blasphemy laws or amend them in compliance with the strict requirements of the International Covenant on Civil and Political Rights (ICCPR). The Committee also recommended adoption of protection, education and accountability measures necessary to prevent blasphemy related extra-judicial killings and violence and promote religious tolerance and diversity. Despite the urgency of the situation, Pakistan has not taken effective action on any of these critical recommendations.

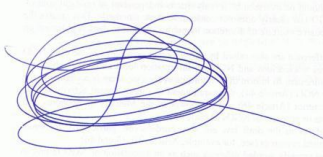
Pakistan has failed to uphold its international and constitutional law obligations to provide the type of protection that is urgently required in the case of Asia Bibi and her family. As a member of the UN Human Rights Council, Pakistan has agreed and is mandatorily obliged, to “uphold the highest standards in the promotion and protection of human rights.¹ As a State Party to the ICCPR Pakistan has agreed to prohibit, prevent and punish discrimination based on religion and the use of coercion to impair the freedom to have or adopt a religion or belief of choice and to ensure the non-derogability of the freedom to hold a religious belief. Under the ICCPR Pakistan has agreed to ensure that the freedom to express or manifest a belief will be subject only to such restrictions that are necessary to prevent derogation of the protected right(s) of others. :

The Constitution of the Islamic Republic of Pakistan, 1973, As Amended by the Constitution Twentieth Amendment Act, 2012, Article 20(a) guarantees that “[e]very citizen shall have the right to profess, practice and propagate his religion”.

¹Resolution adopted by the General Assembly, 60/251. Human Rights Council, 3 April 2006, A/RES/60/251, at para. 9

Thank you for working to ensure that Asia Bibi and her family are granted asylum in Canada and safely removed from Pakistan and brought to Canada.

Sincerely,



Gail Davidson, Executive Director, LRWC

Copied to:

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