



CASE STUDY

SPEAKING OF RELIGION

Nigeria – Mubarak’s story

Mubarak is an outspoken atheist in a deeply religious country. His alleged crime: posting blasphemous statements online. He has already spent almost two years in pre-trial detention – the maximum secular court sentence for blasphemy charges. Mubarak was held incommunicado in police custody for eight months. His wife Amina feared that he was dead.

Mubarak grew up Muslim but declared he was an atheist in 2014. His family reportedly checked him into a psychiatric hospital. After he reemerged into public life, he became president of the Humanist Association of Nigeria and championed the rights of the nonreligious on social media.

Prosecutors in the northern state of Kano cited posts on Mubarak’s popular Facebook account as evidence for charging him in June 2021 in secular court. He faces many charges, including “insulting the religion of Islam, its followers in Kano State, calculated to cause a breach of public peace,” according to court documents.

After 600 days in detention, his wife Amina said she hoped her husband of two years can come home soon, but thinks Nigeria could be a dangerous place to build their lives. She worries about the emotional effect on their son, who was born six weeks before Mubarak’s arrest. “He has a lovely son that barely knows him,” she said during a recent visit to Mubarak’s prison. “My neighbors are home. They are with their husbands and their children. I feel like, ‘Why is mine not like them?’”

In April 2022, Mubarak was sentenced to 24 years in prison, convicted on 18 counts.

Sources

Associated Press 18 December 2021 <https://apnews.com/article/africa-religion-nigeria-ce936d8627ca1c233e479961ac440944>

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Pakistan – Shafqat and Shagufta's story

On 3 June 2021, Christian couple Shafqat and Shagufta were acquitted of blasphemy, after spending seven years on death row. Imprisoned since 2013, the couple were convicted and sentenced to death in April 2014. Shagufta worked as a caretaker in a Christian school, whilst her husband Shafqat is partially paralysed. They faced execution for allegedly sending 'blasphemous' texts to a mosque cleric, from a phone containing a SIM card registered in Shagufta's name. The couple have consistently denied the allegations and believe Shagufta's National Identity Card was purposely misused to obtain the card and send the messages following a minor dispute with a neighbour.

Their appeal was due to be heard in April 2020, six years after they were sentenced, but it was postponed due to the COVID-19 outbreak. The couple's four children remained in hiding throughout the delay, since the blasphemy accusations could lead to extremist attacks against them. The couple faced death threats after the news of their acquittal broke. The family have since sought refuge in another country.

Sources

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Burma/Myanmar – Htin Linn Oo's story

In December 2014, Htin Linn Oo, a prominent writer and information officer for the National League for Democracy in Myanmar led by Aung San Suu Kyi, was charged under sections 295(a) and 298 of the Penal Code for “insulting religion” and “wounding religious feelings”. The charges were brought against Htin Linn Oo following a speech he gave at a literary event in October 2014, in which he promoted religious tolerance and criticised members of the Buddhist clergy (the Sangha) for misusing Buddhism as a basis to incite religious hatred and discrimination against minority religious groups.

Since 2012, waves of anti-Muslim violence had been spreading throughout Myanmar, linked to ultra-nationalist sentiment and anti-Muslim propaganda circulating on social media. Groups such as 969 and the Organisation for the Protection of Race and Religion (known by the acronym Ma Ba Tha) led by prominent monks, delivered sermons on the ‘existential threat’ that Islam posed to Buddhism in Myanmar and called for boycotts of Muslim-owned businesses.

In June 2015, Htin Linn Oo was convicted of “insulting religion” and sentenced to two and a half years in prison with hard labour. He was later released under a Presidential pardon on 17 April 2016, along with other 82 other prisoners.

Sources

PEN America

International Commission of Jurists