



Jubilee Campaign Engages in Human Rights Council 48th Session

Each year, Jubilee Campaign participates in the United Nations Human Rights Council by submitting oral and written statements on relevant humanitarian and religious freedom concerns in countries around the world. For the Council's 48th Session, we sent in five written submissions on the following topics:

- The Use of Blasphemy and Anti-Conversion Laws to Arbitrarily Detain Religious Minorities in Nepal, Algeria, and Pakistan
- Religious Minorities and Houses of Worship in Libya
- Enforced Disappearance of Gao Zhisheng and Other Notable Human Rights Activists in China
- The Wave of Kidnappings and Slavery in Nigeria
- The Situation of Christian Minorities in Myanmar's Kayin, Kayah, Chin, Kachin, Shan, Wa States

***** If you would like to read the submissions in full, click on the document images below *****

Blasphemy and Anti-Conversion Laws

In March 2020, Nepalese authorities arrested [Pastor Keshav Acharya](#) from his home without a warrant on accusations of spreading false propaganda about COVID-19; he had been filmed praying for an end to the coronavirus. The court charged Pastor Keshav with "outraging religious feelings" and "attempting to convert" others to Christianity, and he was detained for 99 days before he was granted bail and released; however, the charges against him have yet to be dropped. In Algeria in January 2021, authorities arrested [Hamid Soudad](#) for sharing a Facebook post two years earlier in 2018 depicting a cartoon of Muhammad. Soudad was interrogated and charged with "insulting the Prophet of Islam" and sentenced to five years in prison. In March 2019, Pakistani Christian convert [Stephen Masih](#) was in an argument with his family and neighbors when he used some verbally abusive language. Masih's neighbors falsely accused him of making blasphemous remarks, and he was officially arrested and charged by police. Masih, however, is mentally disabled and has been deemed unfit to stand trial.

As of 2020, there were a total of [84 countries with blasphemy laws](#) and [over 20 nations with apostasy or anti-conversion laws](#), some of which stipulate the death penalty. Former UN Special Rapporteur on Freedom of Religion or Belief, [Heiner Bielefeldt](#), has stated that "States should repeal any criminal law provisions that penalize apostasy, blasphemy and proselytism, as they may prevent persons belonging to religious or belief minorities from fully enjoying their freedom of religion or belief."

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Interactive Dialogue with the Working Group on Arbitrary Detention - The Use of Blasphemy and Anti-Conversion Laws to Arbitrarily Detain Religious Minorities

Jubilee Campaign would like to raise the Council's attention to the use of laws criminalizing blasphemy, apostasy, and religious conversion to arbitrarily detain religious minorities and converts in Nepal, Algeria, and Pakistan in contravention of Articles 18 and 19 of the International Covenant on Civil and Political Rights (ICCPR). It should be noted that unfortunately, the use of apostasy, blasphemy, and anti-conversion laws is not limited to these nations; there are 84 nations with blasphemy laws as of 2020, and that 81% of state enforcement of blasphemy laws occur in ten nations: Pakistan, Iran, Russia, India, Egypt, Indonesia, Yemen, Bangladesh, Saudi Arabia, and Kuwait. Meanwhile, over 20 countries criminalize apostasy, at least 10 of which stipulate the death penalty. In this written submission, Jubilee Campaign is focusing on four specific individual cases which we have been active on domestically and internationally.

Nepal - Pastor Keshav Acharya

In March 2020, Kailash District Police arrested Pastor Keshav Acharya from his home with no arrest warrant and accused Pastor Keshav of spreading false propaganda about COVID-19 after a video was circulated of him praying for an end to the coronavirus pandemic. The police did not provide a summons for the arrest until four days after his detention, and they detained Pastor Keshav for a total of three weeks before releasing him on a bail set at \$200 (Nepalese Rupee or USD \$42), only to promptly re-arrest him with new charges of "outraging religious feelings" and "attempting to convert" others to Christianity pursuant to Sections 156 and 158 of the Nepalese Penal Code of 2072. This time, the pastor's bail was set at an exorbitant \$200,000 (or USD \$42,000), and he was transferred from his hometown Pothara to Dajepa in a 72-hour trip during the coronavirus pandemic lockdown. International Christian Concerns reported that prior to his transfer to Dajepa, Pastor Keshav was prohibited from receiving visits from his family and his legal counsel. Pastor Keshav was detained for 99 days before he was granted bail and released in June 2020; the charges against him, however, have yet to be dropped.

Nepal authorities failed to protect Pastor Keshav's legitimate expression of religious belief and breached the right to a fair trial through the multiple arrests and removal of Pastor Keshav to a remote prison, making access to legal representation difficult. While Nepal still claims that its constitution is in line with the ICCPR Article 18¹⁹, the de facto application of the anti-conversion laws has been shown to breach such articles, disproportionately targeting religious minorities for Articles 18 and 19-protected speech.

Interactive Dialogue with the Fact-Finding Mission on Libya Religious Minorities and Houses of Worship

Jubilee Campaign would like to raise the Human Rights Council's and the Fact Finding Mission's attention to the situation of religious minorities, particularly Christians, in Libya as well as the precarious status of their houses of worship.

While Article 1 of the 2011 Constitution of Libya asserts that all non-Muslim citizens shall be free to practice the faith of their choosing, it also explicitly identifies Islam as the national religion and Islamic Sharia law as the primary legislative code. The predominance of Islam in Libya is only further entrenched in the Penal Code which includes provisions criminalizing both blasphemy and apostasy. Article 201, for instance, penalizes actions "insulting the state religion" and "expressions that are inappropriate for God, prophets, or messengers" with up to two years' imprisonment. Furthermore, Article 202, which stipulates the death penalty against any individual who "promotes within the country theories or principles that aim to change the fundamental principles of the constitution" and the punishment for anyone who "writes books, publications, illustrations, images, or any other material with the intent to endorse the aforementioned acts or advocate them in any other way," has been applied to place restrictions on the distribution of non-Islamic religious materials, spiritual speech, and missionary activities.

Violations against Religious Minorities

In 2018, the Moroccan Association for Freedom of Religion or Belief's St. Augustine Studies Center, at the request of a former Libyan who was imprisoned for his conversion to Christianity and forced to embrace Islam, contacted religious minorities in Libya to learn of their situation. The respondents, Christian, Atheists, and Shi'ites, all reported experiencing extreme fear and insecurity, and a few had been detained without trial for over a year in the capital Tripoli. These former detainees listed several severe human rights violations – conscripted labor, physical beatings, the breaking of fingers, forced nudity, and intimidation and humiliation, flogging, rape, overcrowded cells, and solitary confinement – unless they reverted to Islam. The authorities subjected the detainees to an enforced "Islamic Rehabilitation" program in which the detainees were ordered to participate in Islamic studies, prayer, and memorization of the Qur'an, which could last up to two years.

During a side event titled Free to Choose, which coincided with the 2021 International Religious Freedom Summit in Washington, D.C., Mauritanian blogger Mohamed Cheikh Ould M'Elmaghrebi referenced the situation in Libya.

Religious Minorities and Houses of Worship in Libya

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In July 2021, it was reported that the [Union Church of Libya](#), established in 1962 and having operated continuously for 51 years in a building in Tripoli, is facing what it predicts to be imminent eviction. The former Gaddafi regime had expropriated the land the church was on "due to its proximity to the seat of the government". Recently, a government committee returned the land to its original owners from which the Church has rented its building from and who are now threatening the Church with "speedy eviction".

Enforced Disappearance of Gao Zhisheng and Other Notable Activists in China

[Gao Zhisheng](#) is one of the most widely-known and respected human rights lawyers in China, notably for his work defending religious minorities and victims of state persecution such as Falun Gong practitioners; he also worked to defend political activists and critics of the Chinese government. Gao spoke out on issues that many people dare not to for fear of retribution and penalization by state authorities. In his work defending those unjustly detained, he himself has been unjustly detained and forcibly disappeared. In September 2020 Grace Gao, the eldest daughter of Gao Zhisheng, [submitted an oral statement](#) to the United Nations Human Rights Council in which she raised her father's case: "Because of his work he was detained by the Chinese government several times and severely tortured. He last disappeared on August 2017. [...] The Chinese authorities have not provided any conclusive information on my dad, nor his status or location." On 13 August 2021, Gao Zhisheng's wife Geng He [released a statement](#) regarding her husband's status and the lack of information on his case. She lamented that "during the past four years that Gao Zhisheng has been abducted, I have never heard his voice. No person nor any unit has verified that he is still alive."

Interactive Dialogue with the Working Group on Enforced Disappearances – Gao Zhisheng's Case and Recent News on Secret Jails

Jubilee Campaign would like to raise the Council's attention to the fourth anniversary of the detention and enforced disappearance of distinguished Chinese human rights lawyer Gao Zhisheng, as well as recent reports of Chinese-run secret prisons in Dubai used to detain Uyghur and other dissidents.

The People's Republic of China has a record of arresting and imprisoning human rights activists, political dissidents, lawyers, writers, journalists, and religious minorities, all under the false charges of "inciting subversion of state power". These individuals, for their advocacy and work defending individuals fighting for the expansion of rights, are branded as separatists, radicals, and traitors.

While China has neither signed nor ratified the Convention on the Protection of All Persons from Enforced Disappearance, Article 37 of the Constitution of the People's Republic of China prohibits "unlawful deprivation or restriction of citizens' freedom of person by detention or other means". However, Chinese authorities repeatedly use Article 75 of the Criminal Procedure Law to place detained dissidents under "residential surveillance at a designated location" which permits state officials to detain a detainee in an undisclosed location for up to six months without access to family or legal counsel, all of which inherently violates international due process.

The Case of Gao Zhisheng

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Grace Gao
The Human Rights Lawyer Zhisheng Gao's daughter

Interactive Dialogue with the Special Rapporteur on Contemporary Forms of Slavery, Including Its Causes and Consequences – The Wave of Kidnapping and Slavery in Nigeria

The United Nations classifies “traditional slavery, forced labour, debt bondage, serfdom, children working in slavery or slavery-like conditions, domestic servitude, sexual slavery, and servile forms of marriage” as “contemporary slavery.” Justice Campaign would like to raise to the Council’s attention the frequency of mass kidnappings in Nigeria (civilian or military children) that lead to instances of sexual exploitation and slavery of girls and child soldiering of boys.

Boko Haram and Islamic State West Africa Province (ISWAP)

The Islamist militant group Boko Haram has been a major criminal organization operating within Nigeria and in adjacent nations in the Lake Chad Basin – Cameroon, Chad, Niger, Niger – since 2009. The group is most widely recognized for its mass abductions of schoolchildren: in 2014, Boko Haram kidnapped 276 girls from the Chibok Government Secondary School for Girls, and those that have been released in the years since have told of the slavery and servitude they were forced to endure throughout their captivity: Domestic servitude – in the form of cooking, fetching water, and washing clothes for the militants; forced marriage to Boko Haram fighters, and even forced sexual slavery and impregnation; were harsh realities for the Chibok girls. In August 2021, seven years following the incident, two women were released who had been forcibly married off to Boko Haram leaders during their time in captivity; sometimes, the militant group will give the kidnapped girls the “choice” of either marrying one of the fighters or being forced to undergo the forms of slavery previously mentioned.¹

One noteworthy case is that of Leah Sharibu, who was abducted by Boko Haram faction Islamic State West Africa Province (ISWAP) alongside 158 schoolgirls from Government Girls Science and Technical College in Dapchi, Yobe State. In the months directly following the incident, every girl except for then 14-year-old Leah was released; the freed students reported that Leah remained in captivity because she refused to renounce Christianity and convert to Islam. In the nearly four years that Leah has been detained by ISWAP, she has been forced to marry a militant leader and has reportedly given birth to at least one child.²

Nigeria: The Wave of Kidnapping and Slavery

In Nigeria, Islamist militant group Boko Haram and Islamic State West Africa Province (ISWAP) have been wreaking havoc on student communities for years. In 2014, militants kidnapped 276 girls from the Chibok Government Secondary School for Girls, and those that have been released in the years since have told of the [slavery and servitude](#) they were forced to endure throughout their captivity: Domestic servitude – in the form of cooking, fetching water, and washing clothes for the militants, forced marriage to Boko Haram fighters, and even forced sexual slavery and impregnation. Boko Haram has also amassed a reputation of kidnapping school-aged boys and forcing them to join the ranks. In July 2020, the UN Secretary General published the report [Children and armed conflict in Nigeria](#), highlighting that Boko Haram and ISWAP have recruited and used an approximate total of 969 boys which were abducted primarily between 2017 and 2019.

In recent years, while we have seen a relative decrease in the number of kidnappings attributed to Boko Haram and ISWAP, we have simultaneously observed a growing number of incidents in which gunmen – usually suspected to be Fulani militants – have stormed schools and seizing students in the middle of the night. While graphs show that in 2014 approximately 400 abductions were attributed specifically to Boko Haram, in 2020 the overwhelming majority (approximately 600) were attributed to “communal militias” [believed to be radical Fulani bandits](#). Though there is no evidence yet as to whether Fulani militants have adopted Boko Haram’s use of sex slavery of kidnapped women and girls, it is important to highlight that some recent statements by local leaders and broader organizations have alleged this to be true. Jonathan Asake, president of the [Southern Kaduna People’s Union \(SOKAPU\)](#) highlighted last year in May that Fulani militants have attacked numerous communities, such as Galiwiyi in Chikun local government area (LGA), “chased away the men and turned their wives and daughters into sex slaves after occupying the community.”

Myanmar - The Situation of Christian Minorities in Kayin, Kayah, Chin, Kachin, Shan, Wa States

On 1 February 2021, the military of Myanmar, the Tatmadaw, seized power and officially ousted the duly and democratically-elected government of the National League for Democracy (NLD) party. In June 2021, the United Nations High Commissioner for Human Rights, Michelle Bachelet, published a statement expressing concern over the mass human rights violations taking place in Myanmar against civilians, including ethnic and religious minorities. Numerous reports have revealed that in [Kayin State](#), where predominantly Christian Karen minorities have thrived for years, the Tatmadaw has repeatedly targeted churches for attack and has rendered Christians “an easy target for the Tatmadaw [Buddhist] nationalistic rhetoric” by engaging in rape and sexual violence, public beheadings, mass shooting with machine guns, and widespread arson of villages. On 23 May 2021, the military launched an offensive against the Catholic Sacred Heart Church in [Kayah State](#) during which four civilians were injured and another four killed. Kachin Christians in Kachin and Shan States have also witnessed an uptick in violence and attacks by the Tatmadaw. In April 2021, it was reported that armed military troops had raided and searched multiple churches in Mohnyin Township, [Kachin State](#), based on false allegations that the churches were engaging in “anti-regime protests”.

Interactive Dialogue with the Special Rapporteur on Myanmar – The Situation of Christian Minorities in Kayah, Kayin, Kachin, Kachin, Shan, Wa States

Justice Campaign would like to raise to the Council’s attention the humanitarian situation of Christian minority communities in Myanmar’s Kayah, Kayin, Kachin, Chin, and Shan States, especially following the February 2021 military coup d’état by the Tatmadaw.

February Coup

On 1 February 2021, the military of Myanmar, the Tatmadaw, seized power and officially ousted the duly and democratically-elected government of President U Win Myint. State Counsellor Aung San Suu Kyi and her National League for Democracy (NLD) party, in the following days and weeks, the Tatmadaw detained government officials, announced a state of emergency, and cut internet access in numerous locations throughout the country. In response to the massive protests by civilians who condemned the coup d’état, the military launched and continue to engage in violence against peaceful demonstrators as well as minorities.¹

In June 2021, the United Nations High Commissioner for Human Rights, Michelle Bachelet, published a statement expressing concern over the mass human rights violations taking place in Myanmar against civilians, including ethnic and religious minorities, targeted airstrikes, raiding and destroying houses of worship, destruction of humanitarian access, and other human rights violations. A report update by the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated that no fewer than 250,000 Burmese civilians have been displaced from states in south-eastern Myanmar due to the onslaught of Tatmadaw violence, and that a total of 2 million citizens are in need of immediate humanitarian assistance.²

Kayin State

In Kayin State, Karen National Liberation Army (KNLA) the military branch of the ethnic Karen National Union (KNU) responded to the military coup by condemning the Tatmadaw’s actions. Concurrently, Burmese military launched “violent night-time raids of villages, towns, and places of worship, resulting in mass incarceration – including of children, youth, and journalists – and widespread arbitrary disappearances.” The KNLA, in which has engaged in numerous armed clashes with Tatmadaw forces in Kayin State, which have only exacerbated the violation of “research and displacement of civilians.” Numerous reports have revealed that in Kayin State, where predominantly Christian Karen minorities have thrived for years, the Tatmadaw has repeatedly targeted churches for attack and has rendered Christians “an easy target for the Tatmadaw [Buddhist] nationalistic rhetoric” by engaging in rape and sexual violence, public beheadings, mass shooting with machine guns, and widespread arson of villages.³



Image by [AK Rockefeller](#) on Flickr ([CC BY-SA 2.0](#))

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