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Imposition of Capital Punishment for Apostasy, Blasphemy, and Religious Offenses

*In the 21st
Century*



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I. The Death Penalty: Consensus, Progress, & Setbacks

In February 2021 during the Human Rights Council's Biennial High-Level Panel Discussion on the Question of the Death Penalty, numerous reputable human rights experts asserted their condemnation of the imposition of the death penalty. United Nations High Commissioner for Human Rights, Michelle Bachelet, stated that "there [is] no evidence that the death penalty deterred crime more effectively than any other punishment".^[1] University of Oxford Professor of Criminology Carolyn Hoyle noted that "an analysis of hundreds of deterrence studies in the United States and Europe had found that while deterrent effects could be found in relation to minor crimes, there were no such effects on murder for any punishment, including execution". Christopher Arif Bulkan, a member of the United Nations Human Rights Committee, noted that the death penalty is akin to a "tool of slavery".

Numerous human rights organizations have observed an expanding global support for abolishing the death penalty, such that in 2019 the number of corroborated executions was at its lowest in the past decade,^[2] and that the number of Human Rights Council member states who have signed onto the moratorium of the death penalty has increased each year since 2007.^[3] By 10 October 2021, the World Day Against the Death Penalty, over two-thirds (67%) of the world's nations had abolished capital punishment in practice. 108 countries have legally eliminated the death penalty in all instances, and 28 have eliminated the penalty in effect by refraining from imposing it; regrettably, however, 55 countries still maintain the death penalty for "ordinary crimes".^[4]

In March 2022, Kazakhstan formally ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, after having previously signed it in late September 2020.^[5] In January 2022, after both the Prime Minister and Minister of Justice verbally expressed commitment to eliminate capital punishment, Papua New Guinea's National Parliament passed a bill repealing the death penalty; the sentence had previously been abolished in 1970 and reinstated in 1991, though the last execution took place in 1954.^[6] In June 2022, the Malaysian government announced that it will abolish the mandatory death penalty for certain crimes. Previously, the goal of Malaysian reformists was to eradicate capital punishment entirely, but pushback from retentionist political figures and families of murder victims caused the government to only seek to abolish only the automatic death sentence for certain crimes and not the application of the death penalty at judges' discretion, which is still permitted. Fortunately, Malaysia has upheld a moratorium on the death penalty since 2018.^[7]

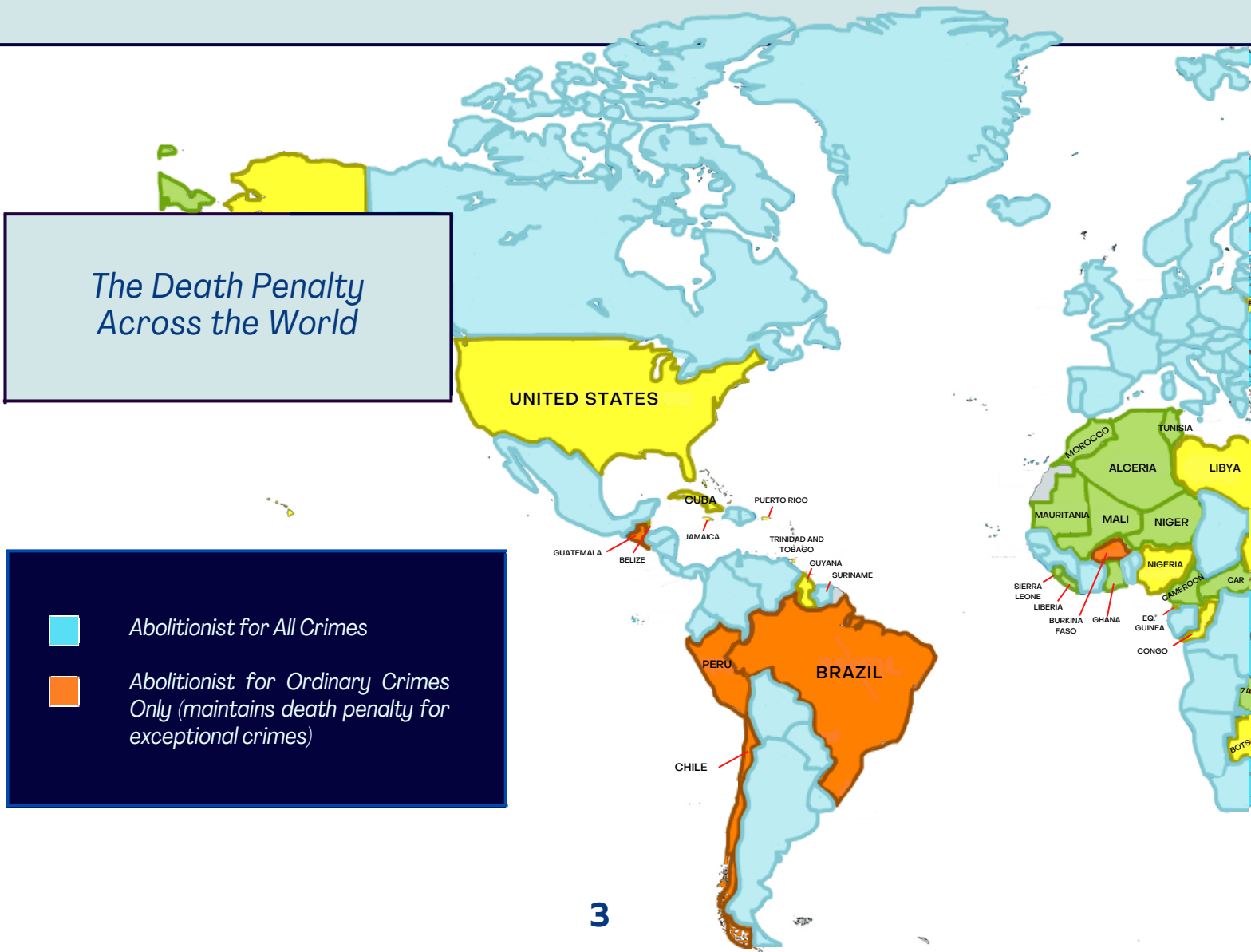
Despite numerous progresses made as regards abolition of capital punishment, there have been a few notable setbacks in recent years. In December 2021, after having recently hosted the 2020 Summer Olympics in Tokyo and the United Nations Congress on Criminal Justice in 2021, Japan executed three defendants.^[8] In early April 2022, Saudi Arabia carried out its largest mass execution in recent years, of 81 male defendants, for a wide range of crimes including murder, armed robbery, smuggling, "terrorism", "disrupting the social fabric and national cohesion", "participating in and inciting sit-ins and protests", and more. 41 of the executed men were of the largely persecuted Shi'a Muslim minority, and at least two were executed for their involvement in "anti-government protests".^[9]

II. Overview: Consensus on the Elimination of the Death Penalty for Apostasy & Blasphemy

International attitude regarding the death penalty has increasingly centered on the consensus that it should not be applied as a punishment to crimes that are non-violent and/or victimless, as the sentence is unethically disproportionate to the crime. Led by Australia in March 2021, more than fifty nations signed onto a joint statement calling on

states "where the death penalty remains an available punishment for blasphemy and apostasy to remove the possibility of that penalty being imposed or carried out, both in practice and in law", and to "release individuals currently on death row or otherwise imprisoned for these offences".^[10]

In his annual report on the question of the death penalty in August 2020, the United Nations Secretary-General himself asserted his stance that capital punishment "should especially not be imposed as a sanction for forms of non-violent conduct such as apostasy, blasphemy, adultery and consensual same-sex relations".^[11] He further expounded on this



assertion in September 2021, stressing that he “opposes the use of the death penalty in all circumstances” and urges state actors to “adopt a moratorium on the carrying out of the death penalty”.^[12]

III. Status of the Implementation of the Death Penalty for Apostasy & Blasphemy

Currently, there are five nations that maintain the death penalty for apostasy only: Maldives, Qatar, Somalia, United Arab Emirates, and Yemen. Additionally, there are six countries which maintain the death penalty for both

apostasy and blasphemy: Afghanistan, Brunei, Iran, Mauritania, Nigeria [some states], and Saudi Arabia. Pakistan is the sole country which poses the death penalty for blasphemy only. The most recent removal from the list of nations that prescribe the capital punishment for apostasy is Sudan, whose civilian-led transitional government ratified the Miscellaneous Amendments Act in July 2020, which included provisions eliminating the crime of apostasy.^[13]

It is important to note that in many of the nations in which the death penalty is prescribed for apostasy and blasphemy, while this sentence is handed out and prisoners are placed on death row, the execution is rarely, if ever, carried out. However, individuals who receive such a sentence are left to languish on death row for years and even decades on end.

It has been observed and pointed out by scholars and human rights activists alike that in nearly half (32) of the 71 nations that criminalize blasphemy, the majority religion is Islam. Half of the world’s 49 Muslim-majority



- Maintains Death Penalty for Apostasy and Blasphemy (though not always implemented): Afghanistan, Brunei, Iran, Mauritania, Nigeria, Saudi Arabia*
- Maintains Death Penalty for Apostasy Only (though not always implemented): Maldives, Qatar, Somalia, United Arab Emirates, Yemen*
- Maintains Death Penalty for Blasphemy Only
- Criminalizes Blasphemy Only (w/o death penalty)
- Criminalizes Blasphemy and Apostasy (w/o death penalty)
- Criminalizes Apostasy Only (w/o death penalty)



Criminalization of Blasphemy and Apostasy Across the World

* Humanists UK, "[Success! Sudan abolishes death penalty for apostasy](#)", 14 July 2020.

nations similarly criminalize apostasy; moreover, all nations with apostasy laws on the book are majority Muslim, except for India and Nigeria. Perhaps the most important fact to note, however, is that in 11 of the 12 nations that maintain the death penalty for apostasy and blasphemy, the national constitutions designate Islam as the official religion, and the vast majority of civilians identify as Muslims. The only exception is Nigeria, where despite being constitutionally secular and having a religious demography split relatively equally between Muslim and Christian citizens, many states prescribe the death penalty for apostasy and blasphemy, specifically blasphemy towards Islam. One of the 12 nations prescribing the capital punishment for apostasy and blasphemy, Mauritania, constitutionally requires all citizens to identify as Muslim and therefore its census data indicates as such, regardless of whether there exist communities of secret religious minority converts.^[14]

The retention of the death penalty for apostasy and blasphemy does not occur within a vacuum, but takes place against a bleak backdrop of broader religious persecution. Of the 12 nations that prescribe the capital punishment for such religious offenses, the United States Commission on International Religious Freedom (USCIRF) recommended five – Afghanistan, Iran, Nigeria, Pakistan, and Saudi Arabia – for designation as Countries of Particular Concern (CPC) by the State Department for “engaging in or tolerating particularly severe violations of religious freedom”.^[15] In Afghanistan in August 2021, United States troops withdrew from the nation, creating a power vacuum which would then be filled by Islamic extremist group Al Qaeda. Since the militant group’s seizure of control over the nation, Christians have been fearful of a return to the Taliban’s public executions and forcible amputations and floggings of faith minorities of the 1990s;^[16] already, Afghan

Christians have reported receiving menacing phone calls in which “unknown people say ‘We are coming for you’”, and letters threatening interrogation and prosecution to those who refuse to turn themselves in.^[17] Afghanistan is also vulnerable to violent acts of terror by other radical groups in addition to the Taliban. In 2020, attacks by extremist groups Islamic State in Khorasan Province (ISIS-K) and the Taliban increased, including a tragic attack upon a maternity hospital in a minority Hazara Muslim community which killed no fewer than 20 individuals, including two infants.

In Iran in 2021, then president Hassan Rouhani ratified amendments to the Penal Code which would criminalize acts of alleged blasphemy such as "insulting Islam" or interfering with "the sacred law of Islam"; myriad Christians were arrested for promoting house churches and allegedly committing blasphemy; state media engaged in antisemitism and continued to deny the Holocaust. In Nigeria in 2021, radical groups including Fulani militants and Islamic State West Africa Province (ISWAP) continued to ambush predominantly Christian sedentary communities and slaughter thousands; and non-state actors attacked no fewer than six houses of worship. In Pakistan in 2021, there was an observable increase in targeted killings of minority Sikhs and Ahmadi Muslims; and Muslim men continued to kidnap, forcibly convert to Islam, and marry underage Christian, Hindu, and Dalit girls. In Saudi Arabia in 2021, non-Muslim communities remained prohibited from constructing and operating houses of worship; and the justice system repeatedly postponed the appeal trials of numerous religious prisoners of conscience.^[18]



Afghan civilians outside the airport in Kabul, hoping to escape

IV. Noteworthy Cases In Countries of Focus

Sudan

In September 2013, Sudanese Christian woman *Mariam Ibraheem* was apprehended by Khartoum authorities after they received a tipoff from her brother that she had allegedly committed adultery by marrying a Christian man two years prior in 2011. Sudan's Criminal Act of 1991 does not explicitly classify interfaith marriage as an act of adultery in and of itself; however, interfaith marriages are not legally recognized according to Sudanese jurisprudence. As such, Criminal Act of 1991 Article 145(3), which states that "there shall not be deemed, to be lawful bond, marriage which, by consensus, is ruled void", can be used to crack down on legitimate interfaith marriages as de facto adultery.^[19] By January 2014, the Second Magistrate Court officially charged Mariam with adultery and detained her – despite her being pregnant - along with her infant son. Mariam was subjected to physical violence, inhumane conditions, and was forced to give birth to her second child while still in detention; abysmally, Mariam remained shackled during labor and was denied medical assistance during the process. Months later in May, remaining in prison alongside her two young children, a court additionally convicted Mariam of apostasy and sentenced her to death, alleging that she had abandoned Islam and converted to Christianity illegally. This is despite that Mariam, raised predominantly by her Ethiopian Orthodox mother, had identified as a Christian since childhood and therefore



never engaged in religious conversion. Fortunately, in June 2014, the Court of Appeal reversed Mariam's conviction and released her from prison. Without any governmental protection or assistance – despite that Islamist extremists lodged death threats against her – Mariam was forced to represent herself, at which point she and her family found refuge at the United States Embassy in Khartoum. By July, Mariam, her husband, and their two children were forced to flee their home country to the United States, where Mariam now works as an activist and author.^[20]

Following the Sudanese Revolution which led to the overthrow of the rule of Omar al-Bashir, numerous progressive steps have been made to secure fundamental human rights, including religious freedom. For example, the 2019 Interim Constitutional Declaration contains several relevant provisions, such as Article 56 guaranteeing Sudanese citizens' right to "profess or express their religion or belief through worship, education, practice, performance of rituals, or celebrations, in accordance with the requirements of the law and public order".^[21] In an even more remarkable step towards securing religious



Mariam Ibraheem

freedom for all, in July 2020 Sudan ratified the Miscellaneous Amendments Act (Law No. 12 of 2020), which abolished the crime of apostasy and further included “a newfound provision prohibiting the labeling of any group of individuals as ‘infidels’”.^[22]

Despite the above legal progresses, and testament to the persisting culture of religious intolerance in Sudan, Mariam raised Jubilee Campaign’s attention to another more recent case in which the jurisprudence regarding the crime of adultery has been applied once again as punishment for a couple’s faith conversion. As such, laws prohibiting adultery in Sudan are secondarily operating as de facto laws criminalizing apostasy, creating a legal loophole of sorts through which Christians can be unjustly tried and imprisoned for exercising their right to freedom of religion or belief. In this particular case, Sudanese woman **Nada Hamad Koko** in 2018 was pressured to annul her marriage to her husband **Hamouda Teya Keffi** who had recently converted to Christianity. Nada’s family had convinced her to take such action in order to avoid punishment under penal legislation which prohibits marriages between Muslim women

and Christian men; following suit, the couple separated and Nada went to live with her family. More recently however, in 2021, Nada too became a follower of Christ; she revealed that the Sudanese transitional government’s July 2020 decision to decriminalize apostasy had encouraged her to freely choose her new faith. Nada and Hamouda experienced a happy reunion and remarriage in August 2021; however, Nada’s brother, who had threatened that he would take actions against the couple should they rejoin, filed a criminal case against the couple, alleging that Nada’s conversion to Christianity was illegitimate and therefore the couple’s marriage is invalid. Nada’s and Hamouda’s defense argument includes that they believe their marriage annulment to be unlawful as the couple was under pressure to initiate divorce. Moreover, at the time that the marriage was dissolved in 2018, Nada would not have been able to convert to Christianity to maintain their marriage (or even just because she wanted to follow Christ), as apostasy remained illegal until July 2020. Nada and Hamouda are currently facing charges of adultery for their ‘invalid’ marriage, and the punishment stipulated for such a crime is 100 lashes and Hamouda’s possible exile for a year’s time.^[23]

It is important to highlight that, ironically, the Sudanese court’s rejection of Nada’s and Hamouda’s union as a legal marriage actually in a way protects them from the death penalty for adultery. Sudan’s Criminal Act of 1991 prescribes “execution, by lapidation [stoning]” to any married individual who commits the offense of adultery, whereas the punishment for unmarried offenders is 100 lashes and/or one year’s time expatriated. Therefore, because the government does not find Nada’s and Hamouda’s union to be “mushan” [legally “valid” and “persisting”], they are in effect protected from being subjected to the death penalty.^[24] Nevertheless, legal provisions

regarding the offense of adultery, while not directly criminalizing apostasy and religious conversion, can still be used against faith minorities as an act of legal persecution. While Jubilee Campaign welcomes Sudan's abolition of apostasy as a crime, we echo Mariam Ibraheem's concerns that such a step, while laudable, should not stand alone but instead be just one facet of a system of legal and societal reforms to protect the rights of individuals of all faiths in Sudan.

Kiri Kankhwende, Press and Public Affairs Team Leader at Christian Solidarity Worldwide, notes these concerns:

"The tentative reforms of Sudan's legal landscape under the transitional government included repealing penalties for changing one's faith. However, further reforms are needed to guarantee the full realization of the right to freedom of religion or belief. Since the military coup on October 25, 2021, there has been a concerted effort to roll back the progress made during the Civilian Led Transitional Government (CTLG), including through the appointment of senior civil servants who were close to the former al Bashir regime, and the targeting of human rights defenders working on FoRB."^[25]

Nigeria

Though Nigerian national legislation does not include any penal provisions criminalizing blasphemy and/or apostasy, twelve out of Nigeria's 36 states [Bauchi, Borno, Gombe,

Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe, Zamfara] have enacted penal codes based on Shariah law, with punishments ranging from amputation to death by stoning; with the exception of three states [Kaduna, Niger, Gombe], all of the twelve Nigerian states enforcing Shariah law are Muslim-majority. Many of the blasphemy laws in these twelve states criminalize blasphemy and apostasy.^[26]

"In deference to the country's constitution, which protects Nigerians' right to freedom of religion and belief, the penal codes do not apply to non-Muslims and exclude provisions against apostasy, which is typically punishable by death. Yet many Shariah laws in northern Nigeria continue to criminalize blasphemy and result in harsh punishments for blasphemers. Additionally, the Nigerian criminal code includes a penalty for up to two years' imprisonment for insulting a person's religion".^[27]

In March 2020, authorities in Kano State arrested 22-year-old Islamic gospel musician **Yahaya Sharif-Aminu** on accusations of blasphemy after audio recordings were released in which Sharif-Aminu "praised an imam from the Tijaniya Muslim brotherhood (Ibrahim Niasse) to the extent it elevated him above the Prophet Muhammed." Authorities charged Sharif-Aminu with "insulting the religious creed" under Section 382(6) of the state's Sharia Penal Code Law of 2000; however, even prior to Sharif-Aminu's apprehension, he and his family were targeted for violence in response to Sharif-Aminu's audio recordings, and an angry mob had even set fire to their family home. After approximately five months in pre-trial detention, an upper Shariah court in Hausawa Filin Hockey convicted Sharif-Aminu of blasphemy and sentenced him to death by hanging in August 2020.^[28]

Fortunately, one lawyer by the name of Kola Alapinni heard about the case of Sharif-Aminu

and his death sentence and decided to legally represent the singer in light of the nearing expiration of the 30-day grace period to file an appeal. With the assistance of the Kano State attorney general and some local and international news outlets that spread awareness on the case, attorney Alapinni was able to file just in time at the state's appellate court.^[29] In January 2021, the appellate court remanded the case back to the original presiding Shariah court and ordered a retrial of Sharif-Aminu's case on the grounds that he was not provided legal representation during his trial and only received counsel by the intervention of attorney Alapinni during the appeal process.^[30] Attorney Alapinni noted "the learned judges misdirected themselves in law when they annulled the judgement of the trial court and then ordered for a retrial at the shari'a court in Hausawa Filin Hockey instead of granting the defendant a discharge and an acquittal." He also explained that "an accused persons can only be tried and punished once for a given offence established by law. It amounts to double jeopardy and a miscarriage of justice to allow for a multiplicity of trial for the same offence".^[31] Moreover, there is no positive guarantee that Sharif-Aminu will receive fairer treatment or a different, lesser sentence from the very same Shariah court that had prescribed him the death penalty months prior. Citing these arguments, attorney Alapinni filed an appeal against the Court of Appeal's order for a retrial, additionally requesting that the court declare Kano State's Shariah Penal Code Law of 2000 null and void due to its being "inconsistent with the Constitution of the Federal Republic of Nigeria". The Court of Appeal has repeatedly postponed Sharif-Aminu's appeal hearing against the retrial order over the past eleven months, and as recently as February 2022 it delayed the hearing once again in response to the state government's request for additional time to prepare arguments against the defendant's



- ENFORCES SHARIAH LAW, INCLUDING HARSH PUNISHMENTS FOR THE 'CRIMES' OF BLASPHEMY AND APOSTASY
- DOES NOT ENFORCE SHARIAH LAW

appeal.^[32] As such, Sharif-Aminu remains imprisoned to this day. In our discussions with attorney Alapinni regarding Sharif-Aminu's case, he revealed that while in the process of filing the original appeal for his defendant, he came across another devastating case. On the very same day and by the very same court that had sentenced Sharif-Aminu, 16-year-old

Omar Farouq was convicted of blasphemy and sentenced to ten years' imprisonment accompanied by hard labor. Farouq was charged for an alleged 'crime' he had committed a whole three years prior when, at the age of 13, he reportedly used blasphemous and "foul language" while arguing with a peer via a messaging chat. Fortunately, attorney Alapinni's appeal request was accepted and Farouq was acquitted of all charges and released from prison after five months of detention.^[33] Farouq did not receive the death penalty, but the harsh sentence handed to him despite his status as a minor exhibits Kano State's horrendous track record of dealing with cases of alleged blasphemy.



Yahaya Sharif-Aminu

Mauritania

Article 306 of the Criminal Code of Mauritania stipulates that any Muslim who commits apostasy and does not repent within three days will be "condemned to death as an apostate", with his or her property to be posthumously seized by the state.^[34] In 2018, article 306 was replaced with a new legislation that eliminated the three-day grace period for repentance for apostates and mandated the

death penalty for apostasy. This amendment also stipulates the death penalty upon any individual who commits blasphemy by insulting Allah or any of the prophets or committing any "sacrilegious acts".^[35] Mauritania does, however, have a de facto moratorium on the death penalty in place since 1987, and as such, a group of five citizens found guilty of "violating the sanctity of God" by the Nouakchott West Criminal Court in October 2020 were sentenced the various terms of imprisonment, whereas in the past alleged blasphemers had been sentenced to death.^[36]



In fact, the 2018 amendment which expanded the death penalty's reach to acts of alleged blasphemy came as a direct response to the November 2017 release of blogger **Mohamed Cheikh Ould Mkhaitir** of apostasy and blasphemy after three years on death row.^[37] In 2014, Mauritanian authorities detained Mkhaitir after he had authored "Religion, Religiosity and Craftsmen", an article critical of Islam and the caste system in the country. A Nouadhibou

court convicted and sentenced Mkhaitir to death in a single-day trial, after which the verdict was initially upheld by the Supreme Court. Mkhaitir spent three years in detention until November 2017 when an appellate court commuted his sentence to two years' imprisonment. Despite that Mkhaitir had already served this time in prison in the years awaiting his appeal trial, authorities continued to detain Mkhaitir until finally releasing him in July 2019. Reflecting on his experience, Mkhaitir stated the following:

"I was then arrested and detained in isolation where my only cellmates were fleas and cockroaches. For the first days of my detention, I would go to sleep to the sound of voices from inside the prison saying they wanted me dead; in the morning, I would be woken up by shouts from outside the prison calling for me to be killed. Day after day, any hope of another life slipped away. No one around wanted me to live. I tried to convince myself that I lived in a State governed by the rule of law and that the main role of lawyers was to defend the right of all detainees to a fair trial, leading to their release." [38]

Pakistan

The Pakistani Penal Code of 1860 includes an entire chapter regarding "offences relating to religion" which were modeled after British colonial laws to prevent religious violence.^[39] Of particular importance are Articles 295 through 298 which criminalize acts including "injuring or defiling a place of worship, with

intent to insult the religion of any class"; "deliberate and malicious acts intended to outrage religious feelings of any class"; "defiling, etc., of copy of Holy Quran"; "use of derogatory remarks, etc., in respect of the Holy Prophet"; "disturbing religious assembly"; "trespassing on burial places"; and "uttering words, etc., with deliberate intent to wound religious feelings".^[40] In 1991, the Federal Sharia Court ruled that the punishment for these offenses should be harsher, and Article 295-C was amended to make the death penalty mandatory for individuals convicted of insulting Mohammad.^[41]

One of the most notable cases of the death sentence being applied for blasphemy in Pakistan is the case of Christian woman **Asia Bibi** who spent nearly a decade on death row until her acquittal and release in 2018. In 2009, Bibi was working in the field harvesting fruit with a group of Muslim women when she drank out of a shared bucket of water; the Muslim women she worked with filed a complaint against Bibi, claiming that she had offended them and contaminated the water by being a Christian woman and drinking out of a water source for Muslims. Bibi was charged with committing blasphemy, an accusation that was only worsened when prosecutors alleged that she had also made blasphemous remarks in the verbal dispute following the water incident. A Sheikhpura court convicted Bibi in 2010 and sentenced her to death by hanging, a decision that was subsequently upheld by the Lahore High Court. In the following eight years on death row, Bibi was subjected to attempted coercion to abandon Christianity and convert to Islam – which she repeatedly refused to do – and physical mistreatment. Reflecting on her time on death row in her newly released memoir, Bibi stated "my neck is compressed by a neck brace that the guard can tighten as much as he wants with a big key. A long chain



drags on the dirty floor; it links my throat to the guard's handcuffs that drag me like a dog."^[42] In October 2018, the Supreme Court of Pakistan acquitted Bibi of her charges on the grounds of insufficient evidence of guilt. While this acquittal was welcomed by the international community of human rights and religious freedom advocates, radical Muslim extremists in Pakistan took the opposite position and began engaging in protests calling for Bibi's execution.^[43] Though Bibi was finally legally free, she was existentially confronted with endless death threats, and in response, her only option was to flee her home country and resettle in a safe third country where she now permanently resides.

However, Bibi's case is unfortunately rather ordinary. Over the past few years, numerous similar blasphemy cases have garnered international condemnation. In 2013, Christian woman *Shagufta Kausar* and her husband *Shafqat Emmanuel* were arrested after local Muslim cleric Muhammad Hussain accused the couple of sending him blasphemous text messages in English. In pre-trial detention, Shafqat – who was already paralyzed from the waist down as the result of an accident in 2004 – was tortured into falsely confessing guilt in order to protect his wife. In April 2014, a Toba Tek Singh court convicted the couple of blasphemy and sentenced them to death despite the numerous inconsistencies with regards to the case. For example, both Shafqat and Shagufta are illiterate in their native language Urdu, let alone English, and therefore it is inconceivable they could send the blasphemous text messages in question. Secondly, Pakistani authorities were unable to recover the cellphone from which the accuser allegedly received the blasphemous messages. Shagufta had even raised the possibility that the accuser could have purchased a SIM card and registered it

- ★ **SHEIKHUPURA:** LOCATION OF THE COURT WHICH ORIGINALLY SENTENCED ASIA BIBI TO DEATH BY HANGING IN 2010
- ★ **TOBA TEK SINGH:** LOCATION OF THE COURT WHICH SENTENCED SHAGUFTA KAUSAR AND SHAFQAT EMMANUEL TO DEATH IN APRIL 2014
- ★ **MULTAN:** LOCATION OF CITY JAIL COURT WHICH SENTENCED JUNAID HAFIZ TO DEATH
- ★ **LAHORE:** LOCATION OF LAHORE HIGH COURT, WHICH UPHELD ASIA BIBI'S DEATH SENTENCE IN 2010. MORE RECENTLY, COURTS IN LAHORE HAVE SENTENCED SALMA TANVEER TO DEATH IN 2021, ASIF PERVAIZ TO DEATH IN 2020, AND UPHELD THE DEATH SENTENCES OF QAISER AND AMOON AYUB.
- ★ **ISLAMABAD:** LOCATION OF COURT WHICH SENTENCED RANA NOUMAN RAFAQAT, ABDUL WAHEED, AND NASIR AHMAD TO DEATH
- ★ **PESHAWAR:** LOCATION OF COURT WHICH SENTENCED BASHIR MASTAN TO DEATH
- ★ **RAWALPINDI:** LOCATION OF RAWALPINDI SESSIONS COURT WHERE ZAFAR BHATTI WAS SENTENCED TO DEATH. A COURT IN RAWALPINDI MOST RECENTLY SENTENCED ANEEQA ATEEQ TO DEATH FOR BLASPHEMY
- ★ **FAISALABAD:** LOCATION OF COURT WHICH SENTENCED WASIM ABBAS TO DEATH

under the couple's names so as to frame them for the crime; Hussain would certainly have a motive to do so, as he had reportedly previously been engaged in a minor argument months earlier with the defendants. Saiful Malook, the lawyer who had previously represented Asia Bibi in her blasphemy case, took up the couple's case and filed an appeal at the Lahore High Court, and though the appeal hearing was set to take place in April 2020, it was repeatedly postponed due to COVID-19. Finally, over a year later in June 2021, Shafqat and Shagufta were officially acquitted of their blasphemy charges and were released from prison the following month. They have since fled Pakistan with their four children and were granted asylum in a safe third country. ^[44]



Shafqat Emmanuel (left) and Shagufta Kausar (right) prior to arrest



Shafqat Emmanuel (left) and Shagufta Kausar (right) after their release from prison in 2021

There were a few other noteworthy blasphemy cases taking place around the same time as Shagufta Kausar and Shafqat Emmanuel. In March 2013, university lecturer **Junaid Hafiz** was arrested and charged with blasphemy after a group of his students alleged that he had been posting "derogatory comments" about the Prophet on social media. Despite the dangers surrounding legally representing individuals accused of Pakistan, one brave attorney by the name of Rashid Rehman had decided to take up Hafiz's case. In a tragic turn of events, however, in 2014 a group of gunmen shot and killed attorney Rehman while he was sitting in his office in Multan; two of Rehman's legal colleagues were injured in the attack but survived. ^[45] For the next five years, Hafiz was kept in solitary confinement until his trial in December 2019, during which Hafiz was formally convicted and sentenced to death. Following the hearing, prosecutors could be seen celebrating the verdict, sharing sweets and candy with their colleagues, and chanting "death to blasphemers". ^[46]

Also in 2013, 37-year-old Christian man **Asif Pervaiz** was detained after his former work supervisor filed a complaint against Pervaiz for allegedly sending him blasphemous text messages; Pervaiz repeatedly denied the charges against him, stating that he believes the charges were filed against him as an act of revenge for refusing his supervisor's demands to renounce his faith and convert to Islam. In September 2020, Judge Qureshi of the Lahore Additional Sessions Court convicted Pervaiz of blasphemy and sentenced him to three years' imprisonment for "phone misuse", followed by execution by hanging for blasphemy. ^[47]

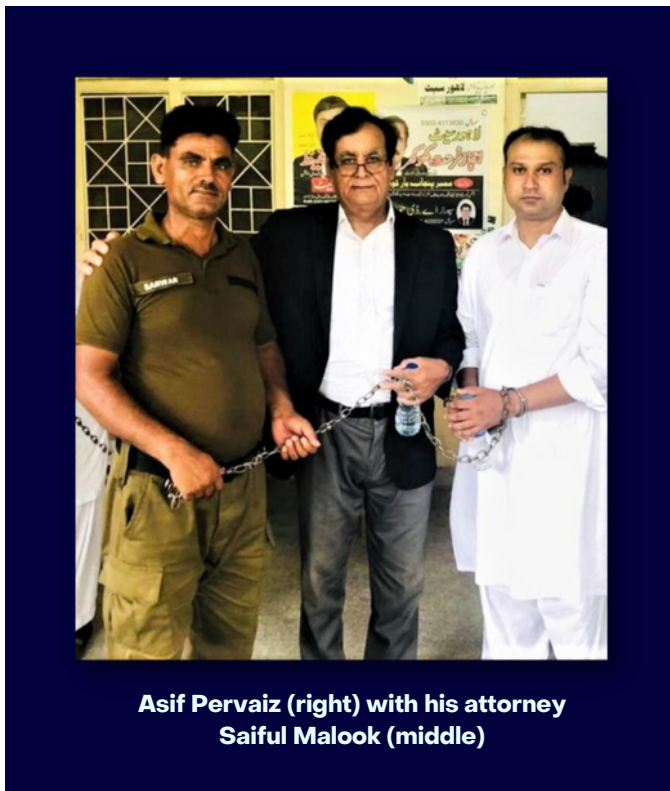
In March 2017, Pakistani authorities arrested three different men - **Rana Nouman**

Rafaqat, Abdul Waheed, and Nasir Ahmad - in connection with posting some allegedly blasphemous content onto YouTube. All three men were formally indicted in September 2017 for "intending to outrage religious feelings" and "insulting the Prophet Muhammad", in addition to one crime listed in the 1997 Anti-Terrorism Act: "incit[ing] hatred and contempt on religious, sectarian or ethnic basis to stir up violence or cause internal disturbance".^[48] In early January 2021, Judge Raja Jawad Abbas of an anti-terrorism court in Islamabad sentenced all three men to death for blasphemy.^[49]

until September 2021 when Judge Qureshi formally convicted Tanveer and sentenced her to death by hanging in addition to a fine of 50,000 rupees (≈USD \$270). This harsh judgement was handed down despite that Tanveer's lawyers submitted medical records seven years earlier in 2014 finding that she was "suffering from Schizoaffective Disorder" at the time of the alleged blasphemy and was unfit to stand trial.^[51] Attorneys for the prosecution had alleged that Tanveer could not conceivably suffer from mental illness as she had operated a school until the time of her arrest, and the judge "ruled that the law in the country did not recognize such lesser forms of mental abnormality and the plea of diminished responsibility was not available as a defence in a criminal prosecution".^[52]

In September 2020, Pakistani authorities in Peshawar digitally tracked down the location of and arrested 42-year-old **Bashir Mastan** after he had posted a video on the internet in which he claimed to be a prophet. Just over a year later in December 2021, additional district and sessions judge Mohammad Tahir Aurangzeb sentenced Mastan to two years "rigorous imprisonment" under Penal Code Article 298 criminalizing "uttering words to wound religious feelings", followed by execution under Penal Code Article 295-C for making "derogatory remarks in respect of the Holy Prophet".^[53]

Another case is that of Pakistani Christian man **Zafar Bhatti** who, prior to his arrest in July 2012, sold medicine and engaged in door-to-door evangelism in Rawalpindi; he also established and operated "Jesus World Mission", a non-governmental organization dedicated to assisting those in poverty. Bhatti was arrested after local Islamic cleric Ibrar Ahmed Khan filed a complaint at New Town Police Station, stating that he had been receiving blasphemous text messages from an unidentified phone number. Despite that Khan



Asif Pervaiz (right) with his attorney Saiful Malook (middle)

In September 2013, authorities in Lahore registered a case against private school principal **Salma Tanveer** following a tipoff from a local Muslim cleric that Tanveer had expressed a belief that Prophet Muhammad was not the final prophet of Islam and had disseminated her various writings under the name of "Mercy for all words", a quote by Prophet Muhammad.^[50] Over the past eight years, Tanveer's case remained relatively idle

did not identify Bhatti as a possible suspect, and though Bhatti had no connection to the incident, Pakistani authorities registered a blasphemy case against Bhatti, claiming that he had “defiled the name of the Holy Prophet Muhammad”.^[54] During his five years of pre-trial detention, authorities repeatedly physically assaulted Bhatti in fruitless efforts to extract a coerced confession. In May 2017, despite the dubious details surrounding the case – especially that the phone number allegedly sending the blasphemous messages was traced back to another individual – Additional District and Session Judge Mohammad Yar convicted Bhatti and sentenced him to life imprisonment. Bhatti subsequently returned to prison where he faced intimidation from his fellow Muslim inmates who attempted to force him to convert to Islam; Bhatti also developed heart disease and diabetes during his time in prison and he even suffered three heart attacks in detention by September 2020.^[55] Centre for Legal Aid Assistance & Settlement (CLAAS) and British Asian Christian Association (BACA) took up the task of legally representing Bhatti and by October 2021, Bhatti’s appeal hearing had been postponed by the Lahore High Court no fewer than 25 times. Finally, the High Court remanded the case back to the lower Rawalpindi Sessions Court where, in a positive turn of events, Judge Sahibzada Naqeeb Shehzad had willingly listened to the arguments for Bhatti’s acquittal, including: that (1) the alleged blasphemous messages presented in court were devoid of any sender information, date, or time; that (2) there were no eyewitnesses; and (3) that Bhatti himself has asserted that his identity as a devout Christian prevents him from insulting other religions and their precepts.^[56]

Regrettably, however, on 3 January 2022 Judge Shehzad formally sentenced Bhatti to death for blasphemy. Juliet Chowdhry of BACA expressed her disdain over this ruling:



Zafar Bhatti

"Pakistani courts continue to free murderers and rapists from jail especially those who pay a compromise payment. However, they have repeatedly refused Zafar bail on acquittal when no evidence exists of a crime. [...] Today's decision is serious – Zafar can now become the first person killed under Pakistan's draconian blasphemy laws. The courts, the police [and] the Government all seem hell-bent on killing an innocent Christian to appease Muslims who are still incensed at the freedom of Asia Bibi. Sadly the universal global condemnation by international governments concerned about Asia Bibi has not manifested in the same way for our brother Zafar. Unless a concerted effort similar to that which manifested for Asia Bibi is begun in the west, we are looking at a very dire outcome."

26-year-old Muslim woman **Aneeqa Ateeq** was arrested in May 2020 and charged with posting “blasphemous material” as her WhatsApp status. Ateeq was not provided legal counsel and was therefore forced to represent herself on trial, during which she explained that she believed the complainant Hasnat Farooq had provoked her to engage in a religious debate after she had refused to “be

friendly” with him. In late January 2022, we received the unfortunate news that a Rawalpindi court had convicted Ateeq of blasphemy and sentenced her to death by hanging.^[58]

In June 2020, Faisalabad authorities arrested **Wasim Abbas** after an unnamed individual filed a complaint alleging that he had made derogatory and insulting comments about the prophet. In February 2022, Additional Sessions Judge Rana Sohail Tariq convicted Abbas of blasphemy and sentenced him to death. Judge Tariq also ordered a fine of PKR 500,000 to be paid by Abbas with the stipulation that if the amount is not paid in full, Abbas will serve two years' imprisonment prior to the implementation of the death penalty.^[59]

In 2014, following an accusation by Muhammad Saeed that two Christian brothers **Qaiser Ayub** and **Amoon Ayub** had posted blasphemous remarks on social media, Pakistani authorities arrested the brothers. A sessions court formally sentenced the two defendants to death in 2018; however, there was mounting hope that their appeal would perhaps provide favorable results. Regrettably, in June 2022, Lahore High Court Rawalpindi justices Raja Shahid Mehmood Abbasi and Chaudhry Abdul Aziz rejected the appeals and upheld the Ayub brothers' death sentences.^[60]

Iran

Book Five, Chapter Two of the 1991 Islamic Penal Code of Iran addresses a multitude of religious offenses. Article 513, for example, prescribes the death penalty or a term of imprisonment between one to five years for “insulting the sacred values of Islam or any of the Great Prophets or [twelve] Imams or the

Holy Fatima”.^[61] Article 514 stipulates that any individual who insults the founder of the Islamic Republic of Iran, Ruhollah Khomeini, shall face imprisonment for between six months and two years. In early 2021, the Iranian Parliament passed two additional provisions to the Islamic Penal Code. The first, Article 499 bis 1, states that “anyone who insults Iranian ethnicities or divine religions or Islamic schools of thought recognized under the Constitution with the intent to cause violence or tensions in the society” will be sentenced to between two and five years in prison if such insult directly foments violence, or between six months and two years' imprisonment if no violence occurs. The second provision added to the Penal Code, Article 500, prescribes two to five years' imprisonment upon any individual who engages in proselytism or evangelism.^[62]



In late April 2021, it was reported that the Revolutionary Court of Arak City, Markazi Province, had convicted two Iranian men - ***Yousef Mehrdad*** and ***Seyyed Sadrollah*** - of blasphemy and "insulting the prophet" and sentenced them to death, though there have been few details revealed regarding their cases and charges. It is known that one of the men, Mehrdad, was originally arrested in May 2020, and that he is currently facing separate charges in the same court for allegedly creating a Telegram messaging group in which he "insulted the founder of the Islamic Republic, Ruhollah Khomeini".^[63]

V. Cases of Extrajudicial, Summary, or Arbitrary Executions in Countries of Focus

Definitions

The United Nations defines extrajudicial, summary, or arbitrary executions as "the deliberate killing of individuals outside of any legal framework".^[64] This includes such executions as are carried out not only by state actors (e.g., government authorities, military forces), but also by non-state actors (e.g., militant terrorist groups, vigilantes, civilians, etc.), as confirmed in the December 2020 United Nations General Assembly Resolution on Extrajudicial, summary or arbitrary executions^[65] and the earlier July 2020 renewed mandate of the Special Rapporteur on extrajudicial executions.^[66]

Pakistan

One unfortunate yet extraordinary case from Pakistan is that of Ahmadi Muslim man ***Tahir Ahmad Naseem***; many of the details we do have regarding his life have been provided by his daughter Mashal. Mashal believes that her father, who was charged with blasphemy in 2018, was "lured into a trap by extremists who befriended him on Facebook" and "challenged him to a religious debate" in which he made remarks that would be deemed blasphemous. After his arrest, Naseem spent two years in pre-trial detention in Pakistan despite his being an American citizen, and Mashal struggled fruitlessly to gain support from US embassy in Pakistan who repeatedly ignored the case. In a tragic turn of events, during his trial in Peshawar on 29 July 2020, Naseem was shot six times by a 15-year-old teenager who had passed three security checkpoints before entering the courtroom armed;^[67] Naseem died on the spot from his injuries. However, despite being charged with murder, the teenager has been glorified for killing a "heretic" and deemed a "holy warrior" by the broader radical Muslim public, and he already has a line of lawyers willing to defend him in court.^[68]

In August 2020 in Peshawar, Ahmadi Muslim businessman ***Meraj Ahmed***, 61, was shot and killed by unidentified perpetrators after receiving regular death threats for his faith. It is important that in Pakistan, even the act of identifying oneself as an Ahmadi Muslim can be considered blasphemous, as mainstream Islamic sects reject the Ahmadiyya community as "non-Muslims".^[69]

★ **PESHAWAR:** LOCATION OF THE COURT IN WHICH TAHIR AHMAD NASEEM WAS KILLED, AND LOCATION OF THE MURDERS OF MERAJ AHMED, DR. NAEEMUDDIN KHATTAK, MAHMOOB KHAN, AND ABDUL QADIR

★ **NANKANA SAHIB DISTRICT:** LOCATION OF THE MURDERS OF DR. TAHIR AHMAD AND MAQSOOD AHMAD

★ **BASTI MURAD:** LOCATION OF THE MURDER OF TAQI SHAH

★ **SIALKOT:** WHERE SRI LANKAN NATIONAL PRIYANTHA DIYAWADANA WAS LYNCHED BY A MUSLIM MOB

★ **KHANEWAL DISTRICT:** LOCATION WHERE MUSHTAQ AHMED WAS LYNCHED BY A MUSLIM MOB

★ **MULTAN:** LOCATION WHERE ATTORNEY RASHID REHMAN WAS SHOT AND KILLED IN HIS OFFICE

★ **DERA ISMAIL KHAN:** LOCATION WHERE SCHOOLTEACHER SAFOORA BIBI WAS KILLED BY A FEMALE COLLEAGUE AND TWO STUDENTS

★ **SADIQABAD:** LOCATION WHERE MUHAMMAD WAQAS WAS MURDERED BY A POLICE CONSTABLE



In October 2020, Ahmadi Muslim and Professor of Zoology at the Government Superior Science College Peshawar, **Dr. Naeemuddin Khattak**, was driving in Wazir Bagh when two unidentified assailants ambushed his vehicle and shot Dr. Khattak five times, killing him. The alleged perpetrator is a lecturer and colleague of Dr. Khattak, and it is

believed that the killer had attacked Dr. Khattak after engaging in a religious argument with him in which the victim may have made remarks the perpetrator deemed blasphemous.^[70]

In November 2020, 31-year-old Ahmadi Muslim **Dr. Tahir Ahmad** was shot and killed in a plausibly religiously-motivated attack in Nankana Sahib, Punjab District. The perpetrator was a teenager at the time of the incident, and two other victims - including Dr. Ahmad's father - were also hospitalized with related injuries from the shooting.^[71]

Also in November 2020, 82-year-old Ahmadi Muslim man **Mahmoob Khan** was shot and killed by unidentified assailants while he waited at a bus terminal in Peshawar. In line with the previous murders of Ahmadi Muslims in Peshawar, experts believe Khan's killing was religiously motivated.^[72]

In February 2021 in another suspected religious killing, 65-year-old Ahmadi Muslim man **Abdul Qadir** was killed after he opened the door of his Peshawar-based homeopathic remedies health clinic to come face to face with a gunman. The perpetrator has been identified as 20-year-old Zafar Khan.^[73]

In March 2021, Shia Muslim religious scholar **Taqi Shah** was attending a local festival in Basti Murad, Jhang District, Punjab with his friend Hasnain Shah, when an unidentified assailant attacked and killed Taqi Shah with an axe. The attacker informed authorities that he had murdered Shah because Shah had been previously been charged with blasphemy in 2019 and had, more recently, allegedly committed blasphemy while engaging in an argument during a volleyball game.^[74]

In July 2021, a 21-year-old rookie Pakistani

police constable "hacked to death" a civilian man named **Muhammad Waqas** in the district of Sadiqabad. Previously, Waqas was charged with blasphemy in 2016 for sharing allegedly blasphemous content on social media, though he was eventually acquitted by the Lahore High Court on appeal. Waqas spent some years in hiding after his release from prison and had returned to his home community only weeks prior to his murder. The teenaged perpetrator, when questioned, explained that he killed Waqas because "he [Waqas] committed blasphemy". Pakistani Muslims have praised the killer as a fighter of justice, and he even posed for selfies with other police officers following the incident.^[75]

In September 2021, 45-year-old Ahmadi Muslim man **Maqsood Ahmad** was shot multiple times and killed by a group of unidentified assailants in Nankana Sahib District. Ahmad, who had previously served in the Pakistani Army prior to resettling in England, was a British national who had only returned to Pakistan six months prior to his murder. It is believed that Ahmad was targeted for his faith, and he is survived by a widow and four young children.^[76]

In December 2021, a large mob of Muslim extremists in Sialkot physically attacked and then set fire to Sri Lankan national and general manager of Rajoco Industries, **Priyantha Diyawadana**, after rumors had spread that he had removed from the factory walls a poster with Qur'anic text on it. Pakistani Prime Minister Imran Khan condemned the incident, lamenting that "the horrific vigilante attack [...] in Sialkot and the [killing] of [a] Sri Lankan manager is a day of shame for Pakistan. I am overseeing the investigations and let there be no mistake all those responsible will be punished with full severity of the law. Arrests are in progress".^[77] By April 2022, an anti-terrorism court in Pakistan sentenced six

perpetrators to death, nine to life imprisonment, one to five years' imprisonment, and 72 to two years' imprisonment. The court ruling pointed out the irony in murdering an individual for alleged blasphemy, stating that "the disgracing of a dead body and setting it on fire are strictly forbidden in Islam. The Holy Prophet...forbade Muslims to disgrace the dead body of even a non-Muslim".^[78]

In February 2022, a mosque custodian in Khanewal District, Punjab Province told local residents that he had witnessed mentally unstable 41-year-old **Mushtaq Ahmed** desecrating and burning a copy of the Qur'an while inside the house of worship. The following day, authorities briefly detained Ahmed under the accusations before a mob of some 300 angry Muslims abducted him, physically attacked him with bricks and iron rods, and subsequently lynched him on a nearby tree. In response to the murder, Prime Minister Khan condemned the act of violence, stating "we have zero tolerance for anyone taking the law into their own hands" and pledged to hold perpetrators accountable.^[79]

In March 2022, 21-year-old Pakistani woman **Safoora Bibi** who taught at Jamia Islamia Falahul Binaat, a theological seminary in Dera Ismail Khan, was killed by a female colleague and two female students; the two students were nieces of the adult perpetrator, Umra Aman. One of the perpetrators, a 13-year-old schoolgirl, claimed that she had had a dream in which Prophet Muhammad came to her, informed her that Bibi had committed blasphemy, and ordered her to kill her teacher. The perpetrators had ambushed Bibi right outside of the school's main gate and attacked her with a stick before stabbing her and slitting her throat. Lawyer Saiful Malook noted that this case is quite unusual, as "when it comes to issues concerning ideals of honour and honour killings, women haven't been on the forefront

[among the perpetrators]”. Investigators are unsure whether the students’ claim of the dream was true and are investigating the adult female to see if there were underlying motives for the attack.^[80]

Iraq



In early March 2022, tragically just before annual International Women’s Day on 8 March, it was reported that 20-year-old Christian woman **Maria Iman Sami Maghdid** had been murdered by a family member just days after she posted a video on social media website TikTok in which she expressed her newfound faith by singing Christian songs. One month prior to her death, Maria was gifted a Bible from a member of a Bible study group, after which she made the decision to leave Islam and follow Christianity; she was also an activist for women’s rights. It is believed that the

perpetrator who stabbed Maria to death near Erbil International Airport near Ankawa was her uncle, with complicity of her brother as well. Though Maria’s relatives claim that the murder was not related to her conversion to Christianity and was rather regarding “the fact that she wanted to live alone, be free, four years after she left the husband she was forced to marry at the age of 12”, it is believed that this is a cover for the religious-based crime. Maria’s father is an imam and a well-respected local Muslim leader, and an unnamed source explained that Maria’s family was incensed that she “no longer wanted to follow Islamic traditions”.^[81]

Afghanistan

As has already been briefly touched upon early in this report, throughout late August and early September, Islamic militant group Taliban seized control over the entire nation following American troops’ withdrawal. The United States Commission on International Religious Freedom (USCIRF) and numerous other religious freedom and human rights activists and organizations have expressed their concern that the Taliban’s return to power may in the future lead to inhumane punishments for non-violent crimes. When the Taliban was previously in power between 1996 and 2001, crimes such as adultery, defamation, gambling, theft, homosexuality, and dressing immodestly were heinously punished by flogging, whipping, amputation, crucifixion, physical beatings, and exile; apostasy was specifically punishable by death.^[82] Though apostasy was similarly criminalized according to Afghanistan’s legislation during the transitional period of United States’ deployment between 2001 to 2021, no death sentences have been issued



Bakari’s brother explained that the militant group falsely accused Al-Bakari of receiving large sums of money from abroad for his missionary work; in reality, however, the brother stated that Al-Bakari has been struggling financially to take care of his five children with whom he resides in a one-bedroom home. Human rights activists and Yemen experts have highlighted that Al-Bakari could face the death penalty if the Muslim Brotherhood formally convicts him.^[85]



since the case of Abdul Rahman in 2006.^[83]

However, since August 2021, the Taliban, via the Ministry for the Propagation of Virtue and Prevention of Vice, has publicly stated its intention to a return to harsh punishments for various crimes in accordance with Shari'a jurisprudence. As such, faith minorities and converts have reasonable cause to fear for the future of possible apostasy convictions under Taliban rule. By February 2022, an estimated 10,000 to 12,000 Christian converts remain in Afghanistan, many of whom have gone into hiding and have silenced or thrown away their cell phones and electronics to prevent being tracked down by the Taliban and Islamic State in Khorasan Province.^[84]

Yemen

In January 2021, the Muslim Brotherhood in Taiz, Yemen arrested a man named **Bashir Al-Bakari** and charged him with committing apostasy and “preaching Christianity”. Al-

Somalia

In August 2021, an al-Shabaab militant court in Galgaduud sentenced 83-year-old man **Hassan Tohow Fidow** to death for allegedly committing blasphemy and insulting the

prophet. Upon delivering the sentence, the judge asserted that “anyone who insults the the Prophet Muhammad or Allah will face a punishment of death”. Al-Shabaab militants then executed Fidow by firing squad near Elbur town. This execution is the first of its kind in six years; in 2015, al-Shabaab executed a man named Mohamud Mursul Muse for blasphemy.^[86]

It is also important to note that since 2020, Somali atheists have reported being threatened with death for their work operating the Facebook page “True Somali Freedom Page” dedicated to challenging Islamic values. One individual reported receiving a message stating “I am going to kill you. I am going to find you. I am going to cut your head off.”^[87]



Nigeria

In April 2021, a reportedly mentally unstable Muslim water vendor named **Talle Mai Ruwa** became angered when a woman filled up her

bucket with water without Ruwa's prior permission. Ruwa kicked the patron's bucket to spill the water out and when the woman "pleaded in the name of Prophet Muhammad" wit Ruwa to receive water for free, Ruwa allegedly responded by making disparaging remarks about the Prophet. Witnesses detained Ruwa and transported him to the local police station in Sade village, Bauchi State. Once word of the incident reached Islamic clerics, they visited Ruwa who admitted to insulting the Prophet. By the following day, the news spread throughout the entire community, and a group angry Muslim youth ambushed the police station, overpowered the officers and guards stationed there, and dragged Ruwa out onto the street. They then proceeded to physically beat and stone Ruwa, killing him, before pouring gasoline and rubber tires on the victim's body and setting it ablaze. Throughout the killing, the perpetrators were reportedly yelling "Allahu Akbar", and horrifically, Ruwa's elderly mother witnessed the entire incident. It is unclear whether police attempted to intervene to stop the killing.^[88]

One year later in April 2022, Nigerian sex worker **Hannah Saliu** was beaten to death and set on fire in a blasphemy-related killing in Lagos. A male customer had paid Saliu 1,000 Naira (≈ USD \$2.50) for her services. However, an argument ensued after Saliu found that 5,000 Naira (≈ USD \$12.00) was missing from her home and confronted her male customer, accusing him of stealing from her. The customer gathered two of his friends and returned with Saliu to her room in search of the missing money; instead, they became angry when they found Saliu to be in possession of a Quran. The three men claimed that it was blasphemous and unjust for Saliu to both engage in sex work and be engaged in Islam, and they subsequently beat and stabbed Saliu to death before setting her body on fire.^[89]

On 12 May 2022, it was reported that **Deborah Yakubu Samuel**, a female 200-level Home Economics student of Shehu Shagari College of Education in Sokoto city, Sokoto State, had been stoned to death by classmates. It has been reported - though not confirmed - that Deborah was asked in her class' WhatsApp group how she was able to pass her recent class examinations, she responded by saying she received help from Jesus. Deborah's Muslim peers claimed that her comment was offensive and blasphemous and demanded that she retract her statement, which she refused to do. Soon afterwards, during Ramadan while the school was closed, Deborah was seen walking on campus, and Muslim male students surrounded her and began pelting her with stones. After killing her, the assailants set Deborah's body on fire, burning her "beyond recognition". It was reported that campus security and police officers had attempted to intervene but were quickly overpowered by the angry mob. Directly following the horrific incident, Shehu Shagari College of Education released a statement that it would be closing indefinitely "following today's early morning student rampage". Both the Catholic Bishop of Sokoto, Reverend Matthew Kukah, and the Sultan of Sokoto, Sa'ad Abubakar III, condemned the extrajudicial killing.^[90]

*"We condemn this incident in the strongest terms and call on the authorities to investigate this tragedy and ensure that all the culprits are brought to book. The only obligation that is owed her immediate family, her fellow students and the school authorities is the assurance that those who are guilty of this inhuman act, no matter their motivation, are punished according to the extant laws of our land". - **Bishop Matthew Kukah***^[91]

*"The Sultanate Council has learnt with dismay the unfortunate happenings at the Shehu Shagari College of Education, (SSCOE) Sokoto, that led to the loss of life of a female student of the Institution. The Sultanate Council condemned the incident in its totality and has urged the security agencies to bring perpetrators of the unjustifiable incident to justice." - **Sultan Sa'ad Abubakar III***^[92]

Deborah's murder was met with varying reactions from Nigerian civil society. While the youth branch of the Christian Association of Nigeria (CAN) swiftly petitioned Inspector-General of Police, Mr. Usman Baba Alkali, to investigate the lynching and prosecute perpetrators^[93], 34 Muslim senior lawyers have come out in support of two perpetrators - Bilyaminu Aliyu and Aminu Hukunci - and have offered their legal defense services.^[94] Moreover, a mob of Muslim youth vandalized the Holy Family Catholic Cathedral, St. Kevin's Catholic Church, and Evangelical Church Winning All in Sokoto state directly following the two perpetrators' arrests.^[95]

While it was originally reported that some of Deborah's killers would only be charged with "conspiracy" and "causing public disturbance", both of which are bailable offenses^[96], we are hoping that intervention by the Nigerian Bar Association^[97] may lead to more appropriate charges for the killers, such as culpable homicide.^[98]

Deborah's senseless murder and the insufficient prosecutorial response for the perpetrators have indirectly incited two similar - though not as devastating - incidents in the days and weeks following. On 16 May in Maiduguri, Borno State, a mob of religious extremists reportedly led by Abdulmajid Tanko

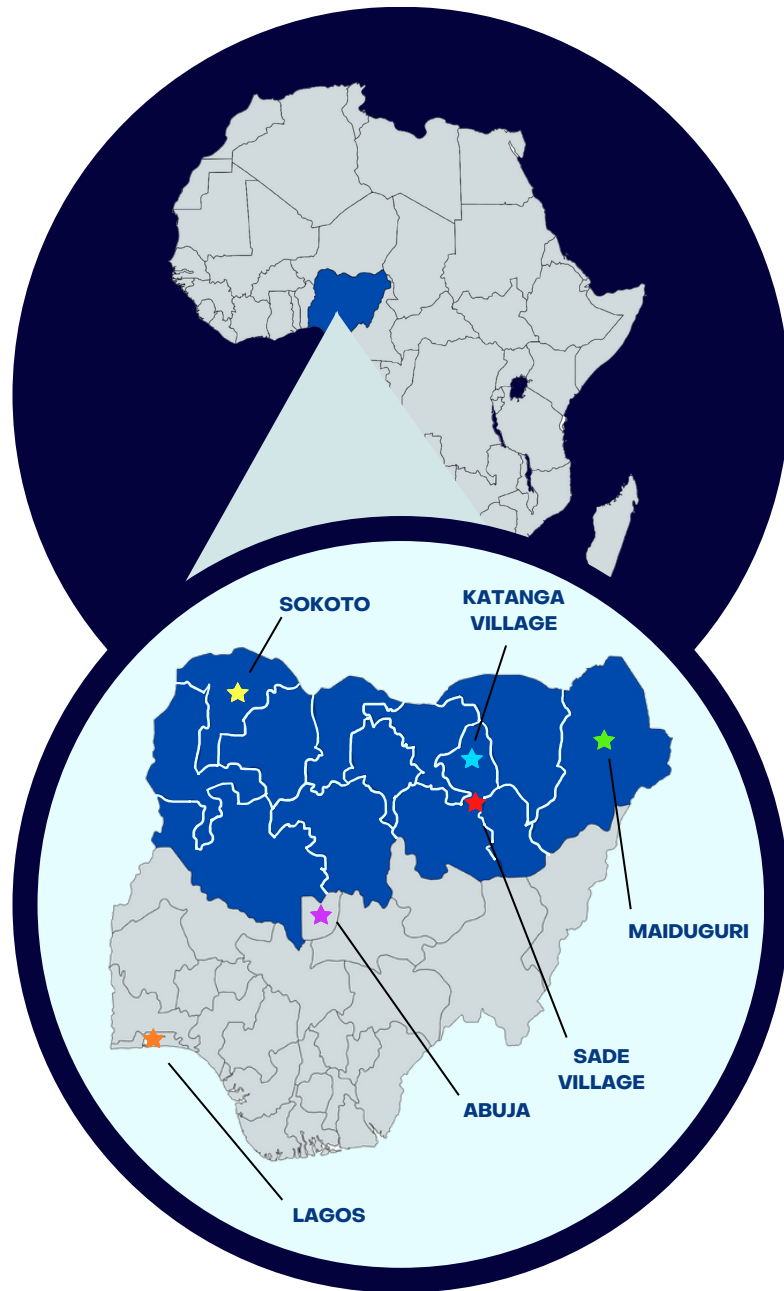
Izge, President of Borno Youth Support, took to the streets to demand punishment for a woman named **Naomi Goni**. Images of Goni's social media account show that she engaged in a post regarding Deborah Yakubu's murder. One Facebook user commented that Deborah's murder was justifiable, and that "she will never rest [in] peace since she has decided to abuse the most important person in the history of mankind [...] may worm[s] eat her up till the day of judgement". Goni replied, stating, "if he is the true God why can't he fight for himself[?] Stupid Muhammad. And his followers." [99]

News of Goni's comment spread throughout the online social media community and the local community in Maiduguri. In response, Tanko Izge had posted online the following threat [translated from Hausa]:

A girl named Naomi Goni insulted Allah's Messenger, which is punishable by death in Islam, even if the offender is a Muslim. As a result, we demand that Borno State Government act immediately, or else we Muslims will not sleep and will take action." [100]

Tango Izge's online threat, accompanied by the hashtag #FindNaomiGoni, received responses from numerous northern Nigerians; one individual stated "My heart is racing; I will undoubtedly come to demonstrate."

Maiduguri authorities reported that they had formally detained Goni for her alleged blasphemous remarks and that she has denied making the comment in question on account that her Facebook account has been hacked since last year. As reprehensible as it is that was arrested for simply expressing her opinion, it is equally ironic that perhaps she is



- ★ **SADE VILLAGE:** LOCATION WHERE TALLE MAIRUWA WAS STONED TO DEATH
- ★ **LAGOS:** LOCATION WHERE SEX WORKER HANNAH SALIU WAS KILLED BY A CUSTOMER AND HIS FRIENDS
- ★ **SOKOTO:** LOCATION WHERE DEBORAH YAKUBU WAS STONED TO DEATH AND SET ON FIRE
- ★ **MAIDUGURI:** LOCATION WHERE NAOMI GONI RECEIVED MULTIPLE ONLINE DEATH THREATS
- ★ **KATANGA VILLAGE:** LOCATION WHERE AN ANGRY MOB GATHERED TO SEARCH FOR RHODA JATAU TO EXACT REVENGE
- ★ **ABUJA:** LOCATION WHERE A MOB SET FIRE TO AND KILLED AHMAD USMAN

physically safer in detention, as those individuals who are threatening to kill her would be unlikely to abduct her from police custody.

On 24 May in Katanga, Bauchi, it was reported that a group of Muslim youth were angered when Christian woman **Rhoda Jatau**, a worker at Bauchi State Primary Health Care, shared a video in which a Ghanaian Christian convert from Islam condemned the killing of Deborah Yakubu and allegedly made insulting remarks about the Prophet. In response to Jatau's sharing of the post, the angry mob gathered to search for Jatau; fortunately, she had already gone into hiding. When the angry mob was unable to locate Jatau, however, they instead went on a rampage, assaulting local Christian residents and a pastor, ambushing multiple churches, and setting fire to seven Christian-owned businesses.^[101]

In early June 2022 in Abuja, 30-year-old Nigerian man **Ahmad Usman** was out of his home to purchase food when a group of 200-some angry Muslim youths gravely injured Usman, by setting fire to him with gasoline and tires. Reportedly, Usman had previously engaged in a religious argument with a local Muslim cleric and committed blasphemy, angering his assailants. Witnesses of the horrible incident reported that prior to his death, Usman was able to briefly escape the mob's onslaught and seek refuge in a local vigilante office; unfortunately, the attackers were able to overpower the office personnel and drag him to the streets where they committed the heinous murder. Usman was swiftly transported to the hospital for his injuries but was declared dead on arrival. Abuja police have released neither the names of either the local Muslim cleric with which Usman was debating, nor the names of any of the perpetrators.^[102]

VI. Recommendations

Modifying International Conventions

United Nations General Assembly Resolutions

All of the 12 nations in this report that stipulate the death penalty for apostasy and/or blasphemy – Afghanistan, Brunei, Iran, Maldives, Mauritania, Nigeria, Pakistan, Qatar, Saudi Arabia, Somalia, United Arab Emirates, and Yemen – are members of the United Nations. Moreover, nine of the nations – with the exception of only Brunei, Iran, and Yemen – have in the past been or are currently members of the United Nations Human Rights Council despite their retention of the death penalty for such non-violent ‘crimes’ as apostasy and blasphemy. Firstly, we recommend that all 12 nations, none of which have signed or ratified the United Nations Second Optional Protocol to the International Covenant on Civil and Political Rights Aiming at the Abolition of the Death Penalty, to do so.

Secondly, there are four resolutions up for vote again at the United Nations General Assembly that we can engage with meaningfully in our capacity as advocates for fundamental human rights and religious freedom. The UNGA Resolution on Extrajudicial, Summary or Arbitrary Executions; the UNGA Resolution for a Moratorium on the Death Penalty; the UNGA Resolution Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief; and the UNGA Resolution on Freedom of Religion or

Belief are crucial resolutions that we can embed language into regarding the abolition of the death penalty for apostasy and blasphemy. Both the resolution on extrajudicial executions and the resolution on a moratorium on the use of the death penalty briefly note that religious minorities have been targeted for killings and death sentences on the grounds of their manifestation of faith, and therefore it would be timely and relevant to insert paragraphs that expound on this observation and condemn this intersection of religious persecution and arbitrary deprivation of life. Meanwhile, though the resolution on religious-based intolerance and the resolution on freedom of religion or belief denounce violence against faith minorities, they should include more specific language that emphasizes that death – either by extrajudicial killings or the implementation of capital punishment – is the most egregious and permanent manifestation of faith-based intolerance and therefore must be eradicated.

The United Nations General Assembly Resolution on Extrajudicial, summary or arbitrary executions urges nations to “ensure the effective protection to the right to life of all persons, to conduct, when required by obligations under international law, prompt, exhaustive and impartial investigations into all killings, including those targeted at specific groups of persons, such as [...] killings of persons belonging to national or ethnic, religious and linguistic minorities”.^[103] We recommend that more specific language be inserted into the resolution regarding the need to eliminate the death penalty – and extrajudicial killings committed by both state and non-state actors – for non-violent ‘crimes’ such as apostasy and blasphemy. Such language could be modeled after the following additions to the pre-existing resolution on extrajudicial killings:

The General Assembly,

Recognizes that the retention of the death penalty for non-violent conduct such as apostasy or blasphemy emboldens state and non-state actors to perpetrate extrajudicial killings against individuals who change religions or express certain religious beliefs;

Affirms that under no circumstances can the death penalty ever be applied as sanction against non-violent conduct, such as apostasy or blasphemy;

Encourages States to adopt the guidance provided by the Beirut Declaration on Faith for Rights and its 18 commitments to mobilize faith-based actors to promote the human rights framework and combat violence towards individuals on the grounds of their choice or expression of religion or belief;

Emphasizes that, to prevent extrajudicial, summary or arbitrary executions, motivated by religion, States should take effective measures to repeal laws which provide for the death penalty for religious offenses and which criminalize conversion and expression of religion or belief; (A/HRC/40/58)

Welcomes the call of the Special Rapporteur for research and advocacy on the death penalty to focus on how existing capital offenses such as apostasy and blasphemy laws target specific minorities.

The United Nations General Assembly Resolution on a Moratorium on the use of the death penalty notes that “...persons belonging to religious or ethnic minorities are disproportionately represented among those sentenced to the death penalty...”^[104] We recommend the following language to be inserted into the resolution, calling on all states to:

Ensure that the death penalty is never imposed as a sanction for exercising a fundamental freedom, including the right to adopt or leave a religion or belief and the right to practice or express a new religion or belief.

Ensure that the death penalty is never imposed as a sanction for apostasy and blasphemy.

OIC Declaration on Human Rights

The UN General Assembly’s Universal Declaration of Human Rights (UDHR), agreed to in December 1948, has an interesting relationship with the 12 nations discussed in this report. The UDHR^[105], which in Article 18 guarantees the right of every individual to freedom of thought, conscience, and religion, was largely rejected by Islamic majority member nations of the Organisation of Islamic Conference (OIC) on the grounds that they perceived the UDHR to be incompatible with an Islamic way of life. While three of the nations mentioned in this report who retain the death penalty for religious offenses – Afghanistan, Iran, and Pakistan – actually did

vote in favor of the UDHR during its 1948 affirmation, OIC member states – including all 12 nations discussed in this report – collectively drafted their own Islamic counterpart to the UDHR, which they termed the Cairo Declaration on Human Rights in Islam (CDHRI). The CDHRI, adopted in 1990, heavily references the Quran and Shariah, and expunged a few of the rights guaranteed in the UDHR that they deemed contentious, notably the freedom of thought, conscience, and religion.^[106] In 2020, after years of revisions, the OIC, renamed the Organization of Islamic Cooperation, announced its plans to adopt a revised Declaration on Human Rights; unfortunately, however, the COVID-19 pandemic and its relevant lockdown measures across the world have prevented the Council of Foreign Ministers (CFM) meeting which was supposed to take place in April 2020 and included approval of the revised declaration on its agenda.^[107] The newly revised OIC Declaration on Human Rights (ODHR), while non-binding like its predecessor, includes numerous improvements. Distancing itself from Sharia and Islam and more visibly aligning itself with universal norms of human rights, the ODHR guarantees the rights to nationality, free trade unions, and most importantly, religious freedom. ODHR Article 20 states that “everyone shall have the right to freedom of thought, conscience and religion. Freedom to manifest one’s religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals and the rights and fundamental freedoms of others.”^[108] While this article does restrict religious freedom in instances where it is deemed a threat to public safety and morals, the inclusion itself of such provisions on religious freedom is a tremendous step in a progressive direction. In a way, the postponement of the OIC Council of Foreign Ministers meeting due to the COVID-19 pandemic has provided us an opportunity to

make suggestions of additional revisions to the ODHR. We echo many of the recommendations made by Brookings Institution scholar Turan Kayaoglu, such as that the OIC should engage with member states' national human rights institutions (NHRIs), civil society organizations (CSOs), and marginalized minority groups. Kayagolu also emphasizes the necessity for western institutions to engage with the OIC in implementation and any necessary further revisions:

“On areas of divergence, the UN, Western governments, and human rights NGOs should engage in diplomacy and dialogue with the OIC. Carrying out tactful discourse will be of the utmost importance. If the international community attacks the ODHR through caricaturing, belittling, and shaming, this will empower OIC conservatives at the expense of moderates.” ^[109]

Re-interpretation of Islamic Texts

As is noted in the groundbreaking Monash University report *Killing in the Name of God: State-Sanctioned Violations of Religious Freedom* ^[110], 11 of the 12 nations that retain the death penalty for religious offenses such as apostasy and blasphemy prescribe Islam as the national religion and therefore are less likely to express willingness to abolish capital punishment for such ‘crimes’, as it is prescribed in Shariah law based on extremely strict interpretations of Islam. Moreover, the concepts of ‘human rights’ and ‘religious

freedom’ appear as very Western ideas to these nations, who find them objectionable or otherwise subordinate to the obligation to respect the dominant faith and none other.

“Accordingly, rather than framing advocacy in the language of human rights, a better alternative would be to work with pre-existing normative structure, such as promoting a contemporary understanding of Islam that rejects the retention of the death penalty. In substance, such an approach builds a bridge between religious thought and human rights but does so in a way that allows both norm structures to co-exist without having to replace local religious sensitivities with human rights norms.” ^[111]

How Islamic Text Promotes Religious Freedom

In other words, reinterpretation of Quranic texts can be used to promote such inalienable human rights as the right to life and the right to freedom of religion or belief:

Qur’ān 109:1-6 *“Say ‘Oh disbelievers. I worship not that which you worship, nor will you worship what I worship. And I will not worship that which you worship, nor will you worship that which I worship, To you be your way, and to me mine.’”*

Qur'ān 6:104 *"Insights have come to you from your Lord. Whoever sees this, it is to the benefit of his soul; and whoever remains blind, it is to its detriment. I am not a guardian over you."*

Qur'ān 2:256 *"There shall be no compulsion in religion; the right way has become distinct from the wrong way."*

Qur'ān 18:29 *"And say, 'The truth is from your Lord. Whoever wills – let him believe. And whoever wills – let him disbelieve.'"*

Qur'ān 22:17 *"As for the believers, those who follow the Jewish faith, the Sabians, the Christians, the Magians, and the idolaters, God will judge between them on the Day of Resurrection; God witnesses all things."*

Qur'ān 16:106-109 *"Whoever renounces faith in Allah after having believed - except for someone who is compelled while his heart rests securely in faith - but whoever willingly opens his heart to disbelief - upon them falls the wrath fro Allah, and for them is a tremendous torment. That is because they have preferred the worldly life to the Hereafter, and because Allah does not guide the people who refuse. [...] There is no doubt that in the Hereafter they will be the losers."*

Of course, one cannot overlook that there are numerous references to the 'crime' of apostasy in various Islamic texts. As justification for meting out the death penalty for perceived apostates, some Islamic jurists reference one lone Hadith:

Sunan an-Nasa'i, Volume 5, Book 37, Hadith 4064 *"The Messenger of Allah said: 'Whoever changes his religion, kill him'.^[113]*

Though Hadiths are generally respected as extensions of Islamic guidance as they are transcriptions of the Prophet's various sayings, some scholars note that they cannot "be understood in a way which run counter to the Qur'an" which generally permits religious freedom.^[114] Firstly, some scholars have reviewed the above Hadith with relative scrutiny, as it had not been transcribed until multiple decades following the Prophet's death. Experts have noted that "it is strange that such an important message remained hidden for decades after the death of the Prophet" and that close companions of the Prophet "should have known of such a penalty [and made such penalty clear] if it existed at the time of the Prophet, particularly since it involved taking a life, not a small matter".^[115] Secondly, the Hadith in question is extremely general and would apply not just to individuals who renounce Islam, but to individuals who renounce any faith and convert to another religion, such as a Christian converting to Judaism; "such an interpretation is obviously incomprehensible and highly problematic".^[116] Thirdly, it is imperative to consider the historical context in which such Hadiths were originally stated by the Prophet. During the Prophet's life, theological war was rampant between Muslims and skeptics. To abandon Islam during such a period of warfare was not

Reviewing and Reconsidering Hadith 4064

simply an act of leaving one's religion; rather, it was, in effect, an act of betraying the Muslim army and thus was subject to the death penalty.^[117] Taking into consideration this historical context, numerous modern Muslim theologians have emphasized the perspective that apostasy is only punishable when a renunciation of the Islamic faith is accompanied by an act of "high treason" such as calling for rebellion against Muslim authorities or conspiring against Muslim society.^[118]

How the Quran Envisions a Natural Death for Alleged Apostates

Many contemporary Islamic scholars and jurists have expressed that "leaving Islam and rejecting the guidance of the Qur'an is more of a spiritual offense, and the punishment will only be meted out in the hereafter".^[119] Founding Chairman of the International Institute of Advanced Islamic Studies in Malaysia, Mohamad Hashim Kamali, notes that Prophet Muhammad never waged death upon any individual who renounced Islam or who committed apostasy. In Surah An-Nisa 4:137, Allah describes a situation in which someone "believes, then disbelieves, then increases in disbelief", warning them that such individuals "will have a painful punishment in the Hereafter"; he makes no remarks about penalizing this individual with death, but suggests that an individual will face the result of their faith not in the temporal world but in the afterlife.^[120] This is further exhibited in a few Quranic verses which, according to some modern Muslim scholars, "envisage a natural death for apostates" rather than execution^[121]:

Qur'ān 2:217 *"They ask you O Prophet about fighting in the sacred months is a great sin. But hindering others from the Path of Allah, rejecting Him, and expelling the worshippers from the Sacred Mosque is a greater sin in the sight of Allah. For persecution is far worse than killing. And they will not stop fighting you until they turn you away from your faith - if they can. And whoever among you renounces their own faith and dies a disbeliever, their deeds will become void in this life and in the Hereafter. It is they who will be the residents of the Fire. They will be there forever."*

How the Prophet Preferred Forgiveness Over Punishment

In certain specific circumstances in which an individual admitted to committing a hudud offense - a 'crime against God' or 'crime against Islam', the Prophet expressed preference towards forgiveness rather than punishment or retribution. In Sahih al-Bukhari, a collection of hadiths, the Prophet's companion Anas ibn Malik reported:^[122]

Ṣaḥīḥ al-Bukhārī, Volume 8, Book 82, Hadith 812 *"While I was with the Prophet a man came and said, 'Oh Allah's Apostle! I have committed a legally punishable sin; please inflict the legal punishment on me'. The Prophet*

did not ask him what he had done. Then the time for the prayer became due and the man offered prayer along with the Prophet, and when the Prophet had finished his prayer, the man again got up and said, 'O Allah's Apostle! I have committed a legally punishable sin; please inflict the punishment on me according to Allah's Laws'. The Prophet said, 'Haven't you prayed with us?' He said, 'Yes'. The Prophet said, 'Allah has forgiven your sin'." ^[123]

Sunan an-Nasa'i, Volume 5, Book 37, Hadith 4073 *It was narrated that Ibn Abbas said: "A man from among the Ansar accepted Islam, then he apostasized and went back to Shirk. Then he regretted that, and sent word to his people (saying): 'Ask the Messenger of Allah ﷺ, is there any repentance for me?' His people came to the Messenger of Allah ﷺ and said: 'So and so regrets (what he did), and he has told us to ask you if there is any repentance for him?' Then the Verses: 'How shall Allah guide a people who disbelieved after their Belief up to His Saying: Verily, Allah is Oft-Forgiving, Most Merciful' was revealed. So he sent word to him, and he accepted Islam".* ^[124]

How Islam Respects Privacy and Discourages Speculation Faith as a Personal Matter

Muslim scholars and believers alike have further highlighted that, before anything else, a person's matters of faith are private and therefore are not subjected to infringement or

In multiple Quranic verses, Prophet Muhammad can be seen encouraging his followers to respect others' privacy and discouraging believers from *tajassus* ("seeking out offenses done in private that don't infringe on others' rights")^[125]:

Qur'ān 49:12 *"O you who believe! Avoid most suspicion - some suspicion is sinful. And do not spy on one another, nor backbite one another. Would any of you like to eat the flesh of his dead brother? You would detest it. So remain mindful of Allah. Allah is Most Relenting, Most Merciful".* ^[126]

Qur'ān 4:148 *"Allah does not like the disclosure of anyone's evil conduct in speech, except by one who has been wronged".* ^[127]

Divorce of Law and Religion

Numerous activists, such as Tunisian philosopher Mohamed Talbi and Egyptian scholar Muhammad Said al-Ashmawy, note that "the Qur'an is not a constitution", and that the Quran and Sharia should "not be understood as legal rules, but as a set of ethical and social codes" to guide a Muslim's way of life. Muslims generally agree that the sharia, which translates from Arabic to mean "the correct path", is moral guide upon which to make life choices. ^[128]

"Inspired by such thinking, some Muslim human rights activists argue that Islam is fully compatible with human rights – not as a legal system, but as a set of ethical and religious values that can strengthen and legitimize the

legal standards of human rights. Such human rights activism is found among many Muslim feminists and women's organizations. The international Muslim women's movement Musawah, for instance, engages in critical, historical studies of the Qur'an and Islamic jurisprudence, demonstrating how interpretations are determined by their contexts and shaped by humans rather than god-given and definitive." ^[129]

How Lack of Consensus Delegitimizes Set Punishments

Many argue that the absence of a perfect consensus regarding the appropriate punishments for religious offenses such as apostasy and blasphemy is a testament in itself to the fact that death - the most permanent, severe, and irreversible of punishments - should not be imposed for such 'crimes'.

Referencing Historical Circumstances

Even though numerous accused apostates have been sentenced to death for their 'religious offenses' across the world in modern times - and such sentences were occasionally carried out in ancient times - there are equally myriad historical instances which can be referenced in which individuals who renounced

Islam were not subjected to the death penalty for their actions. As has already been briefly touched upon during our discussion of the Quran, even in the times of Prophet Muhammad, many individuals who were accused of having committed apostasy were not executed but were rather warned about what they may face in the afterlife as a result of their actions.

Even outside of Quranic text, such was the reality. During the First 7th Century in Bukhara, civilians who converted to Islam during Muslim rule but then reverted to Zoroastrianism were not considered apostates, nor were they punished for their choices.

Following the Isra ("Night Journey") in 621 during which Prophet Muhammad is said to have either physically or spiritually journeyed overnight from Mecca to Jerusalem, Muslim converts expressed disbelief that he would be able to do so and thus renounced Islam and returned to their respective former faiths and belief systems. ^[130]

In 625 Prophet Muhammad signed The Treaty of Hudaibiya with the polytheistic Qurayshi people in Mecca. According to this agreement, the following year during The First Pilgrimage, Qurayshi polytheists who legitimately converted to Islam would be permitted to join the Prophet; conversely, any of the Prophet's Muslim followers who wished to convert to polytheism and join the Qurayshi would be permitted to do so. ^[131]

One story goes that during the Prophet's lifetime, a bedouin tribesman converted to Islam and started a new life in Medina. When he soon fell sick, however, he blamed his illness on his religious conversion and went to Prophet Muhammad to ask if he could leave Islam. Though the Prophet did not grant the

bedouin man permission to do so as it was an "incorrect course of action", the man still went ahead and renounced Islam; Prophet Muhammad did not have the man executed but instead made a remark while leaving the city that such a conversion was "impure".

One of the Prophet's companions who participated in transcribing the Quran, Abdullah bin Abi Sarh, actually renounced Islam himself and began to oppose the Prophet and his followers. Prophet Muhammad had ordered Abi Sarh's execution for apostasy but rescinded this sentencing after another one of his companions, Hazrat Uthman, requested clemency for Abi Sarh. One scholar notes that "if the legal punishment for apostasy was death, then there would have been no question of granting him protection. Protection could not be granted in matters of legal punishment".

Even the violent extremist Kharjites who were known to cause terror among their moderate Muslim counterparts were recorded to have considered as apostates only such Muslims who have committed "grave sins", not simply those who converted religions.^[132]

Applying "Faith for Rights" Framework and #Faith4Rights Toolkit

In 2017, during a landmark convention in Beirut, Lebanon, faith-based and human rights civil society organizations gathered under the leadership of the UN Office of the High Commissioner of Human Rights to sign the Beirut Declaration, a commitment to use faith, religion, and belief, as a basis and tool to

advance human rights, including the rights to life, opinion, expression, and from fear and violence. The Declaration especially can have an effect on promoting plurality and interfaith harmony. As such, the Declaration was accompanied by a complementary Faith for Rights Framework, consisting of 18 commitments which are summarized below:^[133]

- "to **stand up and act for everyone's right to free choices** and particularly for everyone's freedom of thought, conscience, religion or belief";
- "to **promote constructive engagement on the understanding of religious texts**" and "critical thinking and debate on religious matters";
- "to **prevent the use of the notion of 'State religion'** to discriminate against any individual group";
- "to **ensure non-discrimination and gender equality**" and "to revisit, each within our respective areas of competence, those religious understandings and interpretations that appear to perpetuate gender inequality and harmful stereotypes or even condone gender-based violence";
- "to **stand up for the rights of all persons belonging to minorities** within our respective areas of action and **to defend their freedom of religion or belief as well as their right to participate equally and effectively** in cultural, religious, social, economic, and public life";
- "to **publicly denounce all instances of advocacy of hatred that incites to violence, discrimination or hostility**";
- "to establish, each within our respective spheres, policies and methodologies to **monitor interpretations, determinations or other religious views that manifestly conflict with universal human rights norms and standards**";
- "to **condemn any judgemental public determination** by any actor who in the name of religion aims at disqualifying the religion or belief of another individual";

- "to **not give credence to exclusionary interpretations claiming religious grounds** in a manner that would instrumentalize religions, beliefs or their followers to incite hatred and violence";
- "to **not oppress critical voices and voices on matters of religion or belief**, however wrong or offensive they may be perceived, in the name of the 'sanctity' of the subject matter";
- "to **further refine the curriculums, teaching materials and textbooks** wherever some religious interpretations, or the way they are presented, may give rise to the perception of condoning violence or discrimination";
- "to **build on experiences and lessons learned in engaging with children and youth**, who are either victims of or vulnerable to incitement to violence in the name of religion";
- "to promote, within our respective spheres of influence, the imperative necessity of **ensuring respect in all humanitarian assistance activities**";
- to **"neither coerce people nor exploit persons in vulnerable situations into converting from their religion or belief"**;
- "to **leverage the spiritual and moral weight of religions and beliefs** with the aim of strengthening the protection of universal human rights";
- "to commit to support each other at the implementation level of this declaration through **exchange of practices, mutual capacity enhancement and regular activities of skills updating** for religious and spiritual preachers, teachers and instructors";
- to **use technological means more creatively and consistently** in order to disseminate this declaration and subsequent Faith for Rights messages".

In January 2020, three years following the Beirut Declaration and adoption of the Faith for Rights Framework, the UN Office of the High Commissioner on Human Rights launched the online #Faith4Rights toolkit ^[134] with 18 learning modules corresponding to each of the 18 commitments listed in the Beirut Declaration Faith for Rights Framework. These modules consist of documentation on various human rights, guidelines for "peer-to-peer learning exercises" between people of different faiths or no faith, and helpful tips on how to engage with children, [such as by developing child-friendly human rights learning material] women, and other marginalized communities. Perhaps one of the most facilitative components is the inclusion of conversation starters to address historically intractable or contentious topics, such as: the reconcilability or mutually reinforcing relationship - or lack thereof - between law and theology; the need to think critically regarding religious texts and apply such contemporary interpretations to modern societal customs and expectations; the "discriminatory potential inherently built into the two notions of 'state religion' and 'doctrinal secularism'"; how women's rights and equality have been suppressed in the name of religion, and how to overcome this; to what extent the role of intent plays in hate speech towards faith minorities; whether secularism threatens faith or vice versa; how laws that 'defend' religions, such as apostasy and blasphemy laws, in reality infringe on the freedoms of religion, belief, expression, and opinion; and more.

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