

Appendix 1

Sample of Recent Defamation of Religion Incidents and Cases

(Note: These incidents and cases can implicate a range of criminal or civil offenses, including blasphemy, defamation, apostasy, libel, vilification, and hate speech)

PAKISTAN

- According to the National Commission for Justice and Peace, a total of [892 people](#) have been charged with blasphemy in Pakistan since the laws were introduced. Between January and April 2008, a total of 15 people have been accused of blasphemy.
- Only a few people have been acquitted and released after being convicted of blasphemy in Pakistan. Younes Shaikh, a Muslim doctor, was sentenced to death in [2001](#) for blasphemy. The case was highlighted in the international press, and many leading figures put pressure on Pakistan. As a result, Shaikh was released in 2003.
- 23-year-old Jagdeesh Kumar worked at a garment factory in Karachi, a port city in Sindh province. He was beaten to death while a contingent of police stood by and did nothing. It took days for a police report to be filed on the case, but arrests did not happen until weeks later. According to my friend, Pakistani Christian journalist [Qaiser Felix](#), when the three workers who killed Jagdeesh were arrested, they were "charged not with murder but with 'failure to inform the police that blasphemy was underway.'" Qaiser wrote that Jagdeesh was the first Hindu to die as a result of Pakistan's blasphemy laws.
- In 2004, a Christian man who had escaped from a psychiatric institution was jailed, after he was given a life sentence for desecrating the Koran. Shahbaz Masih had been arrested in June 2001 after a cleric - who had thrashed him - handed him to police. After being in jail for nearly six years, he was finally acquitted on [January 19, 2007](#).
- In [September 2005](#) in Punjab province, 40-year-old Christian Younis Masih made derisory comments about Mohammed, the so-called Prophet. The Christians who heard him beat him, hoping he would retract his comments. A mob of Muslims attacked him. Even his wife was physically assaulted. He was taken into custody, while Muslims rioted, demanding that Masih be charged. In [May 2007](#) Masih was sentenced to death. He appeared in court only on a video link, such was the fear that he would be lynched. His lawyer was also threatened.
- In [October 2006](#), two 70-year-old Christian men were arrested and jailed on suspicion of burning pages of the Koran. James Masih and Buta Masih are both Catholic. They are also illiterate. No evidence was produced against them. They were incarcerated merely on the basis of hearsay. A month later, the two were both jailed for [15 years](#).

- 60-year-old Yousaf Masih was arrested on June 28, 2005, accused of desecrating the Koran. Masih was a sweeper by trade, and a Christian. He had been asked to burn some papers. He did as requested, not knowing what he was burning. Members of the Islamist six-party alliance, the MMA, were calling for his death. Yousaf was beaten by police, and though initially refused bail, he was granted freedom on \$4,200 bail on August 6th that year. The bail was raised with the assistance of well-wishers. However, Shahbaz Bhatti of the All Pakistan Minorities Alliance (APMA) claimed that Masih, who also has learning difficulties and has a weak heart, was still at risk of attack after his release.
- The UK parliament was recently involved in a discussion about the case of [Qamar David](#). On [May 24, 2006](#), after Muslim outrages against Christians, David was arrested for sending text messages in which he committed blasphemy. He was arrested and detained in jail, even though no [evidence](#) was produced by police.

The incident which upset Qamar David the most was the attack upon the Christian community at Sangla Hill, near Lahore, in Punjab province which took place on [November 12, 2005](#). A Muslim mob ran riot through a Christian community, burning churches and other buildings. The rioting ensued after an alleged incident involving blasphemy. Yousaf Masih was falsely charged with burning pages of the Koran. His accusers were individuals who owed him money after losing gambling games.

On November 12, 2005 in Sangla Hill, a local mosque began [inciting](#) rioters. Calling out insults against non-Muslims, the mob of at least 1,000 attacked Christian churches, a convent, boarding house, medical center and school. Father Samson Dilawar, a local priest, said: "I heard the mullahs had been telling people over loudspeakers, 'We are guardians of the Koran and it is our foremost duty to teach a lesson to those kafirs.' Then they came to my door." Father Dilawar's home was set on fire, and he had to flee through a window wearing a dressing gown.

- The situation in Sangla Hill bore similarities to an incident that had taken place in [February 1997](#) when - on a pretext of "blasphemy" - a Christian village was ransacked. The village of Shanti Nagar in Punjab province was attacked by Muslims, with more than 400 homes, as well as churches and schools burned down.
- Two months before Sangla Hill was attacked, in Chungi Amer Sidhu on [September 11 2005](#), a Christian named Younis Masih was arrested, accused of insulting the prophet of Islam in verse. Younis Masih had been charged after a group of 200 Muslims had surrounded the local police station and refused to move. As a result, he was charged and taken into custody. Masih's home was attacked and his wife physically assaulted. His arrest was condemned by the Catholic Archbishop of Lahore, Lawrence Saldanha.
- One activist based in Islamabad has [said](#): "Not a single murderer who killed anyone for blasphemy has been punished for murder. In fact, such murderers get hero's treatment in

police stations. And those police officials who openly honour such murderers have never been tried for their illegal and reprehensible action."

SUDAN

- In [May 2005](#), the blasphemy trial of newspaper editor Mohammed Taha Mohammed Ahmed was disrupted by Islamists, who were chanting for his death. On [September 6, 2006](#), Ahmed was found on a dirt road, killed by Islamists. His hands had been tied behind his back and he had been beheaded.
- On [November 25, 2007](#), a British woman was arrested in Sudan. Gillian Gibbons was a teacher whose class of students had named a teddy bear "Mohammed," after a member of the class. Ms. Gibbons was accused of blasphemy. The British government protested, and eventually the woman was freed and deported.

UK

- In [November 2006](#) two individuals from the far-right British National Party were, for the second time, acquitted by a jury of charges of inciting racial hatred. Gordon Brown, who is now the unelected leader of the Labour Party, said then: "I think any preaching of religious or racial hatred will offend mainstream opinion in this country and I think we have got to do whatever we can to root it out from whatever quarter it comes. And if that means we have got to look at the laws again, we will have to do so."
- [A British newspaper reports](#) that police in Bedfordshire want to arrest a conservative blogger for his anti-Muslim, anti-immigrant statements. [The man's website, Lionheart](#), takes a hard line against Islam and Muslim immigrants in Britain.

An email to the blogger from an officer with the Bedfordshire hate crimes unit reads, "*The offence that I need to arrest you for is "Stir up Racial Hatred by displaying written material" contrary to sections 18(1) and 27(3) of the Public Order Act 1986. You will be arrested on SUSPICION of the offence.*"

DENMARK

- <http://www.iht.com/articles/2008/06/19/europe/islam.php>

A Danish appeals court Thursday rejected a lawsuit against the newspaper that first printed controversial cartoons of the Prophet Muhammad, saying the cartons were not intended to insult Muslims.

The Western High Court in the city of Aarhus said that it had no proof that the purpose of printing the cartoons in the newspaper, Jyllands-Posten, in 2005 was to depict Muslims as criminals or terrorists.

The decision Thursday upheld a ruling last year by a lower court, which rejected claims by Danish Muslims that the 12 drawings were meant to insult the Prophet Muhammad and make a mockery of Islam.

SAUDI ARABIA

Saudi Arabia prevents members of other faiths from openly following their religion. No Bibles or crucifixes are allowed into the country.

- <http://www.hrw.org/english/docs/2005/11/16/saudia12049.htm>

According to Human Rights Watch, in 2005, in Qassim province, north of Riyadh, the prosecution department pressed blasphemy charges against Muhammad al-Harbi, labeling the teacher an “apostate,” after his students and fellow teachers filed legal complaints against him. The judge in the case, `Abdullah Dakhil, reportedly accused the teacher of “trying to sow doubt in a student’s creed.” A court in Bukairia banned him from teaching and sentenced him to 40 months in prison and public flogging of 750 lashes.
- In March 2004, a General Court in Riyadh banned Muhammad al-Sahimi, a former teacher in middle school and high school, from teaching and sentenced him to three years in prison and 300 lashes, also for expressing his views in a classroom. The court found him guilty of endorsing allegedly un-Islamic sexual, social and religious practices. The Saudi deputy minister of defense and aviation, Prince `Abd al-Rahman bin `Abd al-`Aziz, personally involved himself in the matter, initially ordering al-Sahimi’s arrest before any formal charges had been pressed.
- <http://www.muslimnews.co.uk/news/news.php?article=14199>

The case of a Turkish barber who was sentenced to death at the Jeddah General Court on March 31 on charges of blasphemy will be sent to the Appeals Court in Makkah next week. Sabri Bogday was sentenced to death after two men, one Saudi and the other Egyptian, reported to the authorities that he had sworn at God and the Prophet Muhammad at his barbershop in Jeddah early last year.
- On [November 2, 2007](#) Mustapha Ibrahim, an Egyptian pharmacist, was beheaded in Riyadh. He was found guilty of witchcraft and also desecrating a Koran.
- In [February 2008](#), it was revealed that a woman - Fawza Falih - was awaiting execution for witchcraft in Saudi Arabia.
- In May 2007, Human Rights Watch urged Saudi Arabia to revoke a death sentence. Sabri Bogday, a Turkish man who had a barbershop in the Saudi kingdom, had been given a death sentence in [April](#) this year. Mr. Bogday was accused of blaspheming against Allah.

The incident allegedly took place 14 months ago during an argument with his neighbor, an Egyptian who ran a tailor's shop.

INDIA

- In [March 2007](#), another leading Indian Muslim, Taqi Raza Khan, said that Taslima had committed blasphemy in her writings, and could be decapitated. Neither Khan nor Barkati have been prosecuted. Even though Taslima has been victimized by Islamists, she herself has been charged in Hyderabad with having "anti-religious views". She was moved from Kolkata to an "undisclosed location". This was done by the authorities for her "security."

AFGHANISTAN

- In Afghanistan, on Sunday [May 18](#), an apprentice journalist appeared briefly in court. 23-year-old Parwiz Kambakhsh was sentenced to death in Mazar-i-Sharif in the north of Afghanistan on [January 22](#) this year for blasphemy. Mr. Khambakhsh had downloaded an article from an Iranian website, and brought it into his journalism class.
- Back in [March 2006](#), the West was shocked when a court ruled that an Afghan man, Abdul Rahman, was sentenced to death by an Afghan court. Rahman had converted to Christianity. Apostasy, according to Judge Ansarullah Mawlawizadah, was "an attack on Islam." 500 Muslim clerics demanded the death penalty for Rahman. He was smuggled out of the country and now lives in Italy.

CANADA

- *Mohamed Elmasry vs. Mark Steyn*

Award-winning author Mark Steyn has been summoned to appear before two Canadian Human Rights Commissions on vague [allegations](#) of "subject[ing] Canadian Muslims to hatred and contempt" and being "flagrantly Islamophobic" after Maclean's magazine published an [excerpt](#) from his book, America Alone.

USA

- *Noah v. AOL* (2003)

http://eric_goldman.tripod.com/caselaw/noahvaol.htm

Plaintiff, on behalf of himself and a class of those similarly situated, sues his internet service provider (ISP) for damages and injunctive relief, claiming that the ISP wrongfully refused to prevent participants in an online chat room from posting or submitting harassing comments that blasphemed and defamed plaintiff's Islamic religion and his co-religionists.

ITALY

- Italian author and veteran journalist Oriana Fallaci was subject to a preliminary trial in June 2006, charged with defaming Islam in a 2004 book. Fallaci, who lived in New York, did not attend the hearing in Bergamo, northern Italy.

Muslim activist Adel Smith filed a lawsuit against Fallaci, charging that some passages in her book, "The Strength of Reason," were offensive to Islam. Smith's lawyer cited a phrase from the book that refers to Islam as "a pool ... that never purifies."

The Italian judge set the trial date for December of 2006, but Fallaci died in September 2006.

<http://www.jpost.com/servlet/Satellite?cid=1150035834414&pagename=JPost%2FJPArticle%2FShowFull>

IRAN

- A university professor twice condemned to death for blasphemy walked out of prison, free after a two-year battle with hard-line judges and mass student demonstrations in his favor.

A professor at Teachers Training University in Tehran, Mr. Aghajari was prosecuted for a speech in June 2002 in which he urged people to question religious teachings, saying the words of clerics should not be considered sacred simply because they were part of history. He said people should not slavishly follow hard-line interpretations of Islam.

<http://query.nytimes.com/gst/fullpage.html?res=9F03E6DC1F3DF932A3575BC0A9629C8B63>

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