



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by Jubilee Campaign, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 August 2022]

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\* Issued as received, in the language of submission only.



## **Arbitrary Detention of Individuals on the Basis of Faith: Cases from Algeria, Egypt, Nepal, Pakistan, the Sudan, and Viet Nam**

Jubilee Campaign would like to raise to the Council's attention the numerous cases around the world in which faith minorities and religious converts are detained for 'crimes' of blasphemy on exaggerated allegations, or in which they are imprisoned on the basis of their religion, beliefs, and/or associated activities.

### **Algeria**

In January 2021, Algerian authorities arrested a Christian man for an allegedly blasphemous Facebook post depicting a cartoon of Muhammad that he had shared three years prior in 2018. After being interrogated and released, he was resummoned to the police station, at which point he was charged with "insulting the Prophet of Islam" and sentenced to five years' imprisonment. Oran City Court rejected the appeal and upheld his original sentencing. The man's attorney Farid Khemisti believes that his client is being targeted for his Christian faith for a few reasons: 1 - the harsh penalty imposed upon the defendant for sharing an allegedly blasphemous post deviates from the precedent by which longer sentences are imposed only on individuals who originally created blasphemous material; 2 - the five-year maximum prison sentence for sharing a blasphemous social media post is the same as the minimum sentence for serious crimes such as selling, distributing, or storing bladed weapons; and 3 - the court judgement mentions the defendant's religious affiliation and conversion.(1)

### **Egypt**

In mid-June 2021, a man was arrested for having inappropriate images on his phone and was interrogated by authorities regarding his relations with women and whether he engages in alcohol consumption. After he was detained for an entire month, the State Security Prosecution raised multiple charges against him, including "exploiting Islam", "contempt of a monotheistic religion/Islam", "spreading extremist views online", and "transgressing Egyptian family values", for which he was sentenced to five years' imprisonment with hard labor in January 2022. Despite that the man asserts that he respects religion and that he has not posted anything extremist or explicit on the internet, he remains detained. In March 2022, the Appeal Court of Misdemeanors of the Economic Court heard the defendant's appeal and a ruling was set to take place in May 2022; however, no updates have been reported on his case.(2)

### **Nepal**

In March 2020, Nepali authorities arrested a Christian pastor in his home after a video circulated online in which he was encouraging his congregation to pray for an end to COVID-19. Authorities alleged that the pastor had provided false information about the disease, such as that prayer was a cure; on the contrary, he had simply been urging his church members to pray for healing upon the ill and had never discouraged congregants from receiving necessary medical treatment. Authorities held the pastor before releasing him on bail and promptly re-detaining him on new charges of using COVID-19 prayers as a mean to forcefully convert people to Christianity. While the pastor is an evangelist and has baptized Christian converts on request, he has never engaged in fraudulent or forced faith conversions. In November 2021, the pastor was convicted and sentenced to two years' imprisonment, and in December he was released on bail just before Christmas. However, charges have also been brought against the pastor in other courts, and in mid-July 2022, Jumla High Court convicted him of fraudulent religious conversion and sentenced him to one year imprisonment.(3)

## Pakistan

In May 2020, Rawalpindi authorities arrested a Muslim woman on charges of committing blasphemy after she allegedly shared insulting images and remarks about the Prophet and one of his wives on Facebook and WhatsApp. It is reported that the accuser had previously attempted to befriend the woman on a mobile gaming act and became angered by her lack of interest, at which point he conspired to lure her into a religious debate online. The woman's formal charge sheet states that she “deliberately and intentionally defiled sacred righteous personalities and insulted the religious beliefs of Muslims”, not accounting for the fact that the defendant identifies as a Muslim herself. In January 2022, Rawalpindi Judge Adnan Mushtaq convicted the woman of blasphemy and sentenced her to 20 years’ imprisonment to be followed with execution by hanging.(4)

In 2017, a Pentecostal Christian mechanic and owner of a bicycle repair shop, served a customer who refused to pay the charges in full amount and insisted that the owner provide free services because the customer was a devout Muslim. When the mechanic denied this request and stated that he was not a Muslim himself but rather a follower of Jesus, the customer became angry and began to accuse the mechanic of telling him that “Christians believe Jesus was the final prophet”. Soon, an angry mob had gathered and authorities arrived to detain the Christian man and charge him with blasphemy. Despite that the complainant had not even appeared in court to testify throughout the lengthy trial, in July 2022 Lahore Sessions Court Judge Khalid Wazir convicted the defendant of blasphemy and sentenced him to death.(5)

## The Sudan

In 2018, after a Sudanese man converted to Christianity, his Muslim wife's family forced the couple to divorce as Sudanese law prohibits marriages between Muslim women and Christian men. In 2021, following the abolition of Sudan's apostasy law prohibiting religious conversion, the wife herself became Christian and reunited with her husband. Regrettably, her family filed a criminal case against the couple, baselessly alleging that the woman's conversion to Christianity was illegitimate and therefore the marriage legally impermissible. The couple is currently facing charges of adultery for their "invalid" marriage, for which the stipulated punishment is 100 lashes. The couple's situation is case in point that even though Sudan's apostasy law has been formally abolished, adultery laws and legislation criminalizing interfaith conversion are applied as de facto anti-conversion laws.(6)

## Viet Nam

In 2002, an evangelist Montagnard church leader and member of the Ede ethnic group was arrested after he requested permission from local authorities for the unregistered church he led to continue conducting religious activities. Authorities charged the pastor with “undermining national unity” and sentenced him to eight years’ imprisonment. Prior to his first arrest, he and his congregation had suffered from multiple police raids on their church, interrogation, and pressure to renounce their faith. In 2018, the pastor was arrested for a second time, in this case for on fabricated charges of distributing false and “distorted” information about the Vietnamese government’s violations of minority rights and religious freedom. The pastor was sentenced to 14 years’ imprisonment.(7)

In 2006, a Montagnard pastor and member of the Ba Na ethnicity was arrested in December for “plotting against the government” for his work advocating for religious freedom and for attempting to free his congregation and church from government control. The pastor was released from prison in 2011, after which he returned to his proselytism work and was subsequently re-arrested in 2013. Upon his second arrest, he was sentenced to 12 years’ imprisonment. The pastor's health is currently deteriorating in Mang Yang Prison, where he is subjected to harsh physical treatment and is denied medical treatment for hypertension, rheumatism, and stomach inflammation.(8)

Jubilee Campaign would additionally like to raise the cases of a Hoa Hao Buddhist and leader of the Vietnamese Political & Religious Prisoners Friendship Association, who was arrested most recently in 2017 and sentenced to 11 years' imprisonment for "carrying out activities aimed at overthrowing the people's administration"; and a 27-year-old Catholic activist who was sentenced to 7 years' imprisonment for "propaganda against the socialist state".

## Recommendations

Jubilee Campaign urges the members and observers of the United Nations Human Rights Council to:

1. Call upon the governments of Algeria, Egypt, Nepal, Pakistan, the Sudan, and Viet Nam to cease the practice of arbitrarily detaining religious minorities, and to release all religious prisoners of conscience immediately and unconditionally.
2. Call upon the governments of Algeria, Egypt, Nepal, Pakistan, the Sudan, and Viet Nam to abolish laws criminalizing apostasy, blasphemy, and proselytism as they are used to fabricate charges against and detain faith minorities, and as they are inconsistent with human rights.

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(1) Jubilee Campaign, Hamid Soudad.

(2) Coptic Solidarity, "Cases of 'Contempt of Islam' or 'Spreading Rumors' in Egypt's Emergency Courts", 4 February 2022. ; Egyptian Initiative for Personal Rights, "Marco Gerges was sentenced to 5 years in prison on charges of contempt of religion...", 1 February 2022. ; Egyptian Initiative for Personal Rights, "May 16 session scheduled for ruling on appeal by Marco Gerges against his five-year prison sentence for blasphemy", 15 March 2022.

(3) Jubilee Campaign, Keshav Acharya.

(4) Jubilee Campaign, Aneeqa Ateeq.

(5) Jubilee Campaign, Ashfaq Masih.

(6) Jubilee Campaign, Nada & Hamouda.

(7) Campaign to Abolish Torture in Vietnam, Global Campaign To Free Y Pum Bya: Montagnard Religious Freedom Defender Twice Imprisoned As A Prisoner Of Conscience.

(8) The 88 Project for Free Speech in Vietnam, Profile: Y Yich.