

His Excellency Yousef bin Ahmad Al-Othaimeen  
Secretary-General  
Organization of Islamic Cooperation  
Jeddah, Saudi Arabia

8 October 2021

### **This World Day Against Death Penalty: We Call on OIC States with the Death Penalty for Apostasy or Blasphemy to Repeal Them**

Your Excellency,

We, the undersigned, are a group of individuals and organisations that advocate for human rights and freedom of religion or belief around the world. We represent diverse religious, non-religious, and ethnic backgrounds but are united in our goal of promoting freedom of religion or belief for all. We would like to express concern that over ten member states of the Organisation of Islamic Conference (OIC) have provisions for the death penalty for apostasy or blasphemy.<sup>1</sup> These include Afghanistan, Brunei, Iran, Maldives, Mauritania, Pakistan, Qatar, Saudi Arabia, Somalia, United Arab Emirates and Yemen, including certain states in Nigeria and Malaysia.<sup>2</sup>

While OIC states have condemned the actions of ISIS and have called on the Taliban to protect and respect the “right to life and security and the dignity of the Afghan people, in accordance with human rights treaties,”<sup>3</sup> over ten of these states have penal codes which include provisions stipulating the death penalty for those who leave the state religion, or for alleged blasphemy, both of which indirectly support the ideology and actions of the terrorist groups the OIC has publicly committed to combat.<sup>4</sup>

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<sup>1</sup> UN Human Rights Council, *Question of the death penalty : Report of the Secretary-General*, 30 June 2014, A/HRC/27/23, para 36 [with Sudan recently removed from the list].

<sup>2</sup> “Atheism in the Arab World: The Dictators' Scourge: Of 'Heresy' and Humanists.” Qantara.de, <https://en.qantara.de/content/atheism-in-the-arab-world-the-dictators-scourge-of-heresy-and-humanists>; Sato, Mai; Alexander, Christopher; Hosen, Nadirsyah; McLaren, James (2021): Killing in the Name of God: State-sanctioned Violations of Religious Freedom. Monash University. Report. <https://doi.org/10.26180/16748866.v1> [does not include Malaysia since the Malaysian states of Kelantan and Terengganu have never engaged their hudud laws with respect to apostasy - however, the Special Branch of the Malaysian police force have been found responsible for the enforced disappearances of several individuals on the grounds of their religion or belief and practice <https://www.uscirf.gov/sites/default/files/2019%20Malaysia%20Factsheet.pdf> ].

<sup>3</sup> OIC, *Press Release: OIC Calls on all Afghan Parties to Uphold Interests of the Afghan People and Protect Lives*, 16 August 2021. [https://www.oic-oci.org/topic/?t\\_id=29345&t\\_ref=18471&lan=en](https://www.oic-oci.org/topic/?t_id=29345&t_ref=18471&lan=en).

<sup>4</sup> *Question of the death penalty : Report of the Secretary-General* supra note 1; UN Human Rights Council, *Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups*, 13 March 2015, A/HRC/28/18, para. 34.

The UN Secretary General Antonio Guterres in his quinquennial report on capital punishment emphasised that the death penalty should, “especially not be imposed as a sanction for forms of non-violent conduct,” mentioning specifically apostasy and blasphemy.<sup>5</sup> All of the countries that provide for the death penalty for apostasy and blasphemy are members of the Organisation of Islamic Conference.<sup>6</sup> While these sentences are rarely carried out the UN Secretary General has shared that even where a moratorium is in place these laws have a “chilling effect” on freedoms of “religion, expression, association and assembly.”<sup>7</sup>

We see this in the prolonged arbitrary detention of individuals in OIC member states where the death penalty exists. In Nigeria authorities continue to detain humanist Mubarak Bala despite a Federal Court ruling calling for his release, Nigerian authorities also detain Sufi singer Yusuf Yahaya on death row. In Pakistan, over 40 individuals languish in prisons under blasphemy charges where they are denied the right to a fair trial, including mentally disabled Stephen Masih, a Christian man. In Saudi Arabia authorities detain blogger Raif Badawi on charges of apostasy for creating a platform for religious discourse and challenging extremist views. In Yemen, both the Houthi rebels and government authorities have detained individuals on the grounds of their conversion to Christianity. In the Islamic Republic of Iran, police authorities and judges use the death penalty to threaten, harass, and arrest those who leave the state religion, including Christian converts, atheist exMuslims, and others.

The existence of the death penalty for apostasy and blasphemy also emboldens third parties to take the law into their own hands and engage in violent actions.<sup>8</sup> In Pakistan, the bodyguard of Muslim Governor Salman Taseer legitimised his actions under blasphemy laws when executing his employer who advocated for the right of Christian woman Asia Bibi and other minorities and for condemning the harmful application of blasphemy laws in Pakistan.

In addition to having chilling effects on the enjoyment of rights protected under Article 18 and 19 of the Universal Declaration of Human Rights, the existence of the death penalty for individuals for apostasy and blasphemy in OIC states indirectly legitimises the actions of terrorist groups who apply these laws. Boko Haram executed Christian Pastor Lawan Andimi in Nigeria because he was from a Muslim family, ISIS took Yazidi women and girls for being from a “heretical sect” of Islam and in Yemen and Islamists executed teenager Omar Mohammed for atheism.

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<sup>5</sup> “Capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty, Yearly supplement of the Secretary-General to his quinquennial report on capital punishment”, A/HRC/42/28.

<sup>6</sup> UN Human Rights Council, *Question of the death penalty: Report of the Secretary-General*, 30 June 2014, *supra* note 1.

<sup>7</sup> *supra* note 5.

<sup>8</sup> UN Human Rights Council Session, *Freedom of religion or belief*, \*\* *Report of the Special Rapporteur on freedom of religion or belief*, 5 March 2019. A/HRC/40/58, para. 59.

While we note steps taken by the OIC to address allegations of apostasy within Muslim groups<sup>9</sup> this action plan needs to be expanded to non-Muslims and address the removal of the death penalty for apostasy or blasphemy specifically, as well as working with leading legal scholars of the Sharia schools of law to renounce the death penalty for these offences. As the OIC has expressed its desire to combat violent extremism it needs to ask its members to remove laws from its penal codes which mandate the death penalty for apostasy or blasphemy which perpetuate attacks against those who choose a religion or belief different to that of their family or those who express dissenting or differing opinions.

10<sup>th</sup> October 2021 marks World Day Against Death Penalty and an excellent opportunity for OIC states to follow Sudan's lead and repeal the death penalty for non-violent conduct or at least start action plans to do so. Promoting the right to life and dignity can never come too soon.

With this letter we would also like to express our willingness to assist to see these laws repealed.

Sincerely,

*Signatures*

**Organizations**

Alliance of Inclusive Muslims

Center for Religious Pluralism

Church in Chains, Ireland

Coordination des Associations et des Particuliers pour la Liberté de Conscience CAP  
Freedom of Conscience

ExMuslims of Norway

Forum For Religious Freedom Europe

Humanists UK

Jubilee Campaign

Legalise Apostasy UK

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<sup>9</sup> "We also call for combating extremism disguised in religion and doctrine and for refraining from accusing the followers of other Islamic schools of thought of apostasy, consistent with the provisions of the Ten-Year Programme of Action adopted by the 3<sup>rd</sup> Extraordinary Islamic Summit Conference held in Makkah Al Mukarramah in December 2005." [https://www.oic-oci.org/upload/journals/content/oic\\_journal\\_46\\_en.pdf](https://www.oic-oci.org/upload/journals/content/oic_journal_46_en.pdf); <https://www.oic-oci.org/docdown/?docID=6628&refID=3255> OIC/CFM-47/2020/PAL/RES/FINAL

Lumière sans Frontières

Secular Underground Network

Set My People Free

World Muslim Congress