

# Afghan Authorities Block Lawyer from Visiting Jailed Christian

*Second suspect accused of 'blasphemy' is government informant, accused says.*

A Christian in Afghanistan facing "apostasy" charges punishable by death is still without legal representation after authorities blocked a foreign lawyer's attempt to visit him in prison, sources said.

A Christian lawyer from the region who requested anonymity travelled to Kabul on behalf of Christian legal rights organization Advocates International two weeks ago to represent 45-year-old Said Musa (alternatively spelled Sayed Mossa). Authorities denied him access to Musa and to his indictment file.

"If a man is not entitled to define his own beliefs, and to change those ideas, under the existing constitutional order of Afghanistan, then how is this government more moral than the Taliban's?" the lawyer said in an e-mail to Compass.

After several court hearing postponements, Musa appeared before a judge on Nov. 27 without prior notice. Rejecting the case file as deficient, the judge sent it to the attorney general's office for corrections, according to the lawyer. The lawyer said he has deduced that the file was

missing a formal indictment and other “incriminating” evidence.

The legal expert said that according to Afghan law, Musa is entitled to see a copy of the indictment and review the evidence against him, but authorities have denied him both rights. If the prosecutor does not present the court with an indictment within 15 days of arrest, the attorney said, an accused person has the right to be released. Musa has been in jail since May 31.

### **Suspicious Second Suspect**

The prosecutor in charge of western Kabul, Din Mohammad Quraishi, said two men, Musa and Ahmad Shah, were accused of conversion to another religion, according to Agence France-Presse. But Musa’s letters from prison and other sources indicate that Shah is a government informant posing as a Christian.

Musa and Shah appeared before the judge on Nov. 27 “shackled and chained” to each other, according to a source who was present. Though Shah, who was also arrested six months ago, has denied he is a Christian, the prosecutor said there was “proof” against him.

Musa and the other sources claim that Shah is an informant posing as a Christian in order to damage him and other Afghan Christians. They claim that Shah allegedly sent images of Christians worshiping to the country’s most popular broadcaster, Noorin TV, which aired them in May.

The broadcast appeared on an Afghan TV show called “*Sarzanin-e-man*,”

or "My Homeland," hosted by Nasto Nadiri, 27, an outspoken opponent of the government and a parliamentary hopeful. Noorin TV station is opposed to the government and does what it can to "embarrass" it, a source said.

The broadcast put in motion the events that got Musa arrested, sources said. The hour-long TV show sparked protests throughout the country against Christians and a heated debate in parliament. In early June, the deputy secretary of the Afghan Parliament, Abdul Sattar Khawasi, called for the execution of converts from Islam.

Many converts to Christianity left the country, according to sources, and many were arrested, though the exact number is unknown.

Musa was concerned about the public outcry against Christians and went to his employer, the International Committee of the Red Cross/Red Crescent (ICRC), to request personal leave the morning of May 31. Authorities arrested him after he left the building, and his family could not locate him for nearly two months.

The Christian suffered sexual abuse, beatings, mockery and sleep deprivation because of his faith in Jesus in the first months of his detention. Last month, after quiet diplomatic efforts, authorities transferred him to the Kabul Detention Center in the Governor's Compound. There have been no reports of mistreatment since he was transferred.

The lawyer who tried to visit him said that all Afghans in the

country are  
assumed to be Muslims, and this assumption is deeply ingrained  
in the culture.  
The result is lack of justice for the “deviants,” he said.

“It is the greatest shame on a family, clan and the nation,  
that someone  
would consider to leave Islam,” the lawyer told Compass. “I  
[saw] the face of  
the attorney general literally darken in distaste when he  
realized we came to  
assist this man who committed such a shameful offense.  
Therefore there are no  
‘rights’ Christians can claim.”

The lawyer said that from the perspective of the court, if  
Musa continues  
to stand for his faith in Jesus, he will certainly be found  
guilty of  
“apostasy,” or leaving Islam.

Though no one knows when a court hearing will take place,  
monitors expect  
it could be any day and, as before, could come without  
warning. Musa is still  
looking for an Afghan lawyer that will agree to defend him in  
court.

In his latest letters from prison, Musa asked Christians to  
continue to  
pray for him and Afghanistan and “not give up.”

An amputee with a prosthetic leg, Musa worked for the ICRC for  
15 years,  
fitting patients for prosthetic limbs. He stepped on a  
landmine when serving in  
the Afghan Army, and his injury required the amputation of his  
right leg below  
the knee, according to *World Magazine*.

Married and the father of six young children, Musa has been a

Christian for  
eight years.

### **Another Christian in Prison**

Another Afghan Christian is in prison for his faith, sources said. Shoib

Assadullah, 25, was arrested on Oct. 21 for giving a New Testament to a man who reportedly turned him in to authorities.

Assadullah is in a holding jail in a district of Mazar-e-Sharif, in

northern Afghanistan. Sources said his family has been unsuccessful at procuring

his release despite paying bribes to officials. As in Musa's case, because of

the sensitivity of the charges, no lawyer has agreed to defend him. Assadullah

has not reported any mistreatment while in prison.

He has stood before a judge at least once since his arrest. The judge asked

him what faith he followed, and Assadullah told him he was a Christian, said a source who requested anonymity.

Although Assadullah's family has tolerated his new faith, they are not

pleased with it, the source said, and a few days ago his father disowned him.

Assadullah became a Christian about five years ago.

"He wants others to know that he is not frightened, and that his faith is

strong," the source told Compass. "He is desperately missing having a Bible."

Assadullah asked that people pray that Afghan believers would stay strong in their faith, the source said.

Musa and Assadullah are the only known Christian converts from Islam in prison in Afghanistan, and both face probable apostasy charges punishable by death under *sharia* (Islamic law), which is still applied in the country.

Last month, in its 2010 International Religious Freedom Report, the U.S. State Department reported that respect for religious freedom in Afghanistan diminished in the last year, "particularly for Christian groups and individuals."

The constitution states that Islam is the "religion of the state" and that "no law can be contrary to the beliefs and provisions of the sacred religion of Islam." The report stated that conversion from Islam is understood by Islamic clergy, as well as many citizens, to contravene the tenets of Islam.

Nevertheless, the country has signed the UN Universal Declaration of Human Rights stipulating religious freedom, including the freedom to change one's faith. The nation's constitution also provides a measure of religious liberties under Article 2, but Article 3 limits the application of all laws if they are contrary to the "beliefs and provisions of the sacred religion of Islam."

Another source who requested anonymity said the proceedings against Musa and Assadullah typify the intolerance and abhorrence inherent in Islam toward open-mindedness and progress. He said that the only sentence

possible would be death, and that if Musa were freed his only recourse would be to leave the country or be killed.

The source voiced exasperation toward the international community and defenders of human rights for not speaking up for the Christians in prison.

"We try as much as we can to push things in order to reveal this unfair situation, knowing that Afghanistan is a signatory of the Human Rights Convention," he said. "But this serious failure of human rights is more or less accepted as a case 'so sensitive' that nobody wants to really fight against."

According to the state department report, estimates of the size of the Christian community in Afghanistan range from 500 to 8,000.