

The List of Secular Prisoners 2024

With regard to the four cases we presented last year, it must unfortunately be reported that, according to the *Freedom of Thought Report 2023*, Youssef Mehrad and Saadullah Fazli (Iran) were executed in May 2023. For Mubarak Bala (Nigeria), on the other hand, there may be a narrow silver lining on the horizon: according to *Humanists International*, his case was accepted for appeal in February. A verdict from the Court of Appeal is expected on May 21. Rusthum Russo (Maldives) lives in freedom but has gone into hiding because threats were made against him. Nothing new could be learned about the situation of Othman Mohamed Lehbib (Mauritania).

This year, too, we are concentrating on four exemplary cases.

Tan Meng Kheng & Khairi Anwar Jailani, Malaysia

Filmmakers face prison sentence for hurting religious feelings

The director and producer of the film *Mentega Terbang* are to stand trial on charges of deliberately offending religious feelings. If convicted, the two face a fine or up to one year in prison.

The prosecution is relying on Section 298 of the Penal Code of Malaysia, which deals with offending religious feelings. The film, which was released in 2021, tells the story of a teenager growing up in a liberal Muslim family and dealing with existential questions in the face of her mother's serious illness. The concepts of different religions are also discussed, such as the idea of reincarnation or the question of when a person goes to heaven. Under pressure from the Muslim right, the film was banned in September 2023 under Section 26 of the *Film Censorship Act* and deleted from streaming platforms. The filmmakers also faced increasing threats.

In an initial hearing on January 17, Kheng and Jailani each had to post bail to remain at large. The court also ordered them not to make any public statements about the case during the proceedings.

Eduard Sharlot, Russia

Pre-trial detention and criminal proceedings for hurting the feelings of believers

The Russian singer Eduard Sharlot has been in custody since November. One of the reasons is the accusation of hurting the feelings of believers (Criminal Code of the Russian Federation, Article 148). In July, Sharlot posted an eleven-second video [https://vk.com/video-112510789_456329963] showing him nailing a photo of the head of the Russian Orthodox Church, Patriarch Cyril, and his military ID card under a crucifix. Sharlot was arrested on his return from a stay in Armenia and has been in custody ever since. His pre-trial detention is initially scheduled to last until March 24.

The art action is connected to Sharlot's criticism of the Russian army's invasion of Ukraine. He had previously burned his Russian passport, which earned him another charge. For the Article 148 charge alone, the singer faces up to one year in prison or forced labor.

Shakila Monfared, Iran

Multi-year prison sentences for civil rights activist

Shakila Monfared has been imprisoned since January 2021, now in the notorious Evin prison. In an initial trial before the Revolutionary Court, she was initially sentenced to six years in prison; the sentence was then reduced to four years and two months by an appeals court. Among other things, she was accused of insulting the “sanctities” of Islam (Penal Code of the Islamic Republic, Art. 513), which can be found in various posts in which she had criticized the political system of the Islamic Republic.

In February 2022, she received another sentence (two years and eight months), this time for alleged membership of an anti-government organization and “spreading lies”. At the end of February 2024, the *Center for Human Rights* in Iran announced on Instagram that Monfared had been given an additional 15-month prison sentence because she had harmed national security by making statements from prison.

With this strategy, the Iranian regime is attempting to keep the civil rights activist behind bars for the long term in order to wear her down through the adverse prison conditions, which put a heavy strain on her health.

Lina Lutfiawati (Lina Mukherjee), Indonesia

Prison sentence for TikTok video

At first glance, the case of Indonesian lifestyle influencer Lina Lutfiawati seems apolitical. The young woman posted a video on TikTok showing her eating pork – during a vacation in a predominantly Hindu region of Indonesia and out of “curiosity”, as the BBC later reported. Before the self-confessed Muslim woman bit into the crispy fried pork skin, she uttered the religious formula “Bismillah”, which means “in the name of God”.

This provoked protests from the Muslim right. She was subsequently charged in May 2023, which led to a conviction in mid-September. The sentence amounts to two years in prison and a fine of the equivalent of around 15,000 euros. The accusation was that Lutfiawati had incited hatred against religious communities through her actions and thus violated Article 28 of the Electronic Information and Transaction Law. However, the *Indonesia Ulema Council* had classified the act as blasphemous.

The background to this is a tightening of blasphemy legislation in Indonesia, which is casting its shadow ahead. In December 2022, the amendments to the law passed through parliament and shortly afterwards the President signed the new penal code. Although it will not come into force until 2026, the current case law already reflects the changed social mood against which the tightening of the law must be seen: namely the blatant claim to shape all of public life according to the ideas of conservative Islam. The *Electronic Information and Transaction Law* has also long been criticized as an instrument of censorship. As recently as December 2023, the organization *Article 19* called on the Indonesian government to reform the law, as some articles could be used to hinder the fundamental right to freedom of expression and silence government criticism under the pretext of spreading hate speech.