

PUBLIC

AI Index: ASA 33/043/2006

20 October 2006

Further Information on UA 118/06 (ASA 33/014/2006, 04 May 2006) and follow-ups (ASA 33/019/2006, 24 May 2006; ASA 33/030/2006, 21 July 2006; ASA 33/031/2006, 04 August 2006; ASA 33/034/2006, 18 September 2006; ASA 33/041/2006, 06 October 2006; ASA 33/042/2006, 16 October 2006) - Imminent Execution

PAKISTAN

Mirza Tahir Hussain (m)

President Musharraf has issued a two-month stay of execution for Mirza Tahir Hussain. He had been scheduled to be hanged on 1 November for the murder of taxi driver Jamshid Khan in 1988. Mirza Tahir Hussain will not now be executed until at least 31 December.

This is the fourth stay of execution granted to Mirza Tahir Hussain, who is a British national. It follows the intervention of Prince Charles, the Prince of Wales, who is due to visit Pakistan in the coming weeks. Prince Charles contacted Pakistan's Prime Minister, calling for a reprieve. UK Prime Minister Tony Blair has also intervened on his behalf.

Mirza Tahir Hussain was tried and convicted of murdering taxi driver Jamshid Khan while travelling to the village of Bhubar from Rawalpindi on 17 December 1988. The taxi driver reportedly stopped the car, produced a gun and attempted to physically and sexually assault Mirza Tahir Hussain who was 18 years old at the time. In the scuffle that followed, the gun went off, and the taxi driver was fatally injured.

Amnesty International has been campaigning for the commutation of Mirza Tahir Hussain's death sentence, which was handed down by the Federal Shariat Court of Pakistan in 1998 and upheld by the Supreme Court in 2004. Amnesty International believes that Mirza Tahir Hussain has been the victim of an unfair trial and that the death penalty should under no circumstances be upheld in such cases.

Amnesty International, along with a number of other notable organisations, is continuing to call on President Musharraf to use his powers under Article 45 of the Constitution of Pakistan to commute his death sentence. Article 45 clearly states: "The President shall have power to grant pardon, reprieve and respite and to remit, suspend or commute any sentence passed by a court, tribunal or authority".

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern at the death sentence handed down to Mirza Tahir Hussain after an unfair trial;
- expressing concern that despite calls for clemency in his case, he will once again face execution upon the expiry of his stay of execution on 31 December;
- calling on the President use his powers under Article 45 of the Constitution to commute Mirza Tahir Hussain's death sentence.

APPEALS TO:

President Pervez Musharraf
Pakistan Secretariat
Islamabad, Pakistan

Fax: + 92 51 9221422 (please keep trying)

Email: via website: <http://www.presidentofpakistan.gov.pk/WTPresidentMessage.aspx>

Salutation: Dear President Musharraf

COPIES TO:

Please send copies of this appeal to well known Muslim clerics in your country who may be able to make statements condemning Mirza Tahir Hussain's execution based on principles of justice and fair trial.
Please also send copies of this appeal to diplomatic representatives of Pakistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 1 December 2006.