

URGENT ACTION

CHRISTIAN COUPLE ON DEATH ROW FOR 'BLASPHEMY'

Shagufta Kausar and Shafqat Emmanuel face execution for allegedly sending 'blasphemous' texts to a mosque cleric, from a phone containing a sim registered in Shagufta's name. The couple have consistently denied all allegations and believe Shagufta's National Identity Card was purposely misused. Imprisoned since 2013, the couple were convicted and sentenced to death in April 2014. Their appeal was due to be heard in April 2020, six years after they were sentenced, but it was postponed due to the COVID-19 outbreak. At their last two hearings in 2021, the judges left the court as they were due to hear the appeal against their death sentences, citing court hours having concluded for the day.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

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Dear Chief Minister Buzdar,

I write to you to draw your attention to the case of **Shafqat Emmanuel** and **Shagufta Kausar**, a Christian couple who were convicted of "blasphemy" and sentenced to death in 2014 for allegedly sending "blasphemous" text messages to a mosque cleric. They have been in prison for the better part of eight years waiting for their appeal hearing, when they should not be in jail in the first place.

Shafqat and Shagufta have denied all allegations and are waiting to appeal their sentences in the Lahore High Court.

Pakistan's blasphemy laws violate the country's human rights obligations, both in their substance and their application, to respect and protect the rights to life; freedom of thought, conscience, and religion or belief; freedom of opinion and expression; equality before the law; and the prohibition of discrimination, and the right to life.. The laws do not meet human rights law and standards and lack essential safeguards to minimise the risk of additional violations and abuses and are emblematic of the dangers faced by the country's religious minorities.

I find it highly distressing that, under Pakistani law, the death penalty is the mandatory punishment for those convicted of blasphemy under Section 295-C. As I am sure you are aware, the UN Human Rights Committee has stated that the automatic and mandatory imposition of the death penalty, constitutes an arbitrary deprivation of life in violation of Article 6(1) of the ICCPR.275.

Chief Minister Buzdar, I strongly urge you to ensure that Shafqat and Shagufta are immediately and unconditionally released and that they and their lawyers are provided with adequate security upon their release. Pakistan's blasphemy laws will continue to endanger religious minorities and put lives at risk if they are not repealed.

Yours sincerely,

ADDITIONAL INFORMATION

A concerning pattern of delaying tactics in Shafqat and Shagufta's trial appears to be emerging, where at their last two hearings – one scheduled on 15 February, and the latest on 24 February – the judges have excused themselves from hearing their appeal, citing that court hours for the day had come to an end. Amnesty International has documented that postponements have been a common factor in several other cases of people accused of “blasphemy”, with judges often suspected of employing these tactics out of reluctance to pass judgments exonerating the accused. Indeed, trials of people accused of serious charges, including blasphemy, can take many years to conclude in Pakistan's criminal justice system.

Pakistan's blasphemy laws are notoriously vague and carry heavy penalties. Based on evidence that fails to meet the standard of proof of “beyond reasonable doubt.”, the accused can face a death sentence. The blasphemy laws violate Pakistan's obligations to respect human rights and pave the way for other abuses, including death threats and killings. Judges are pressured and intimidated into sentencing the accused, lest they become the next target. [Defence lawyers have been killed in court.](#) Witnesses and families of victims have had to go into hiding.

When charges are levelled under most of these laws, the police have the authority to arrest the alleged offender without a warrant and can commence their investigation without orders from the magistrate's court. Bowing to public pressure from angry crowds, including religious clerics and their supporters, they frequently pass cases on to prosecutors without scrutinising the evidence. And once someone is charged, they can be denied bail and face lengthy and unfair trials.

The threat of violence follows many people accused of blasphemy, with groups or individuals taking the law into their own hands to threaten or kill the accused and other people associated with them, including their lawyers, members of their families, and members of their own community.

A pall of fear also hangs over those working in Pakistan's criminal justice system, preventing lawyers, police, prosecutors and judges from carrying out their jobs effectively, impartially, and free of fear.

In a [report published in 2016](#) Amnesty International showed how the blasphemy laws enable abuse and violate Pakistan's international legal obligations to respect and protect human rights, including freedom of religion or belief and of opinion and expression. It also showed how the laws have been used to target some of the most vulnerable people in society, including members of religious minorities. Pakistan's Supreme Court has acknowledged that “the majority of blasphemy cases are based on false accusations” and are driven by ulterior motives. Amnesty International has found that such motives are rarely scrutinized by the authorities and can vary, from professional rivalry, to personal or religious disputes, to seeking economic gain.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or the circumstances of the crime; the guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 4 May 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Shafqat (he/him) and Shagufta (she/her)