

This is the last UA for the day

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Death Penalty

20 August 1991

**PAKISTAN:                   The Death Penalty Made Mandatory for  
                                  Defiling the Name of the Prophet Mohammad**

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On 29 July 1991 the Pakistan federal cabinet decided to amend Section 295C of the Pakistan Penal Code which read:

"Whoever ... defiles the sacred name of the Holy Prophet Mohammad ... shall be punished with death, or imprisonment for life..."

The amendment to the Pakistan Penal Code removes the alternative punishment of imprisonment for life. It makes the death penalty mandatory for the offence of defiling the name of the Prophet Mohammad.

Minister for Law, Justice and Parliamentary Affairs, Chaudhary Amir Hussain, stated to the press that this decision had been taken by the federal government in accordance with the verdict of the Federal Shariat Court. The Enforcement of Shariat Act 1991 of May 1991 requires the government to bring all laws into conformity with Islam. In order to become law the amendment of Section 295C will need to be approved by parliament. Its passage is highly likely as the government enjoys a large majority in both houses of parliament. It is not known to Amnesty International when the amendment will be placed before parliament.

Though Section 295C is applicable to anyone showing disrespect to the Prophet Mohammad, Amnesty International is concerned that members of the minority Ahmadiyya community may face the death penalty as a mandatory punishment for the exercise of their religious beliefs. The Ahmadis consider themselves as Muslims but an Ordinance of 1984 prohibits their calling themselves Muslim and using Muslim practices in worship. Their reference to the Prophet Mohammad is considered by orthodox Muslims as defiling the name of the Prophet Mohammad. Some Ahmadis are reported to have been charged under Section 295C in the past but Amnesty International is not aware of anyone having been sentenced under it.

**RECOMMENDED ACTION: Please write courteously worded express letters and airmail letters (in which you do not refer to the question whether Ahmadis should be regarded as Muslims or not):**

- expressing concern that under the amended form of Section 295C Pakistan Penal Code members of the minority Ahmadiyya community may face the death penalty as a mandatory punishment for the exercise of their religious beliefs;

- urging the government to reconsider its decision to amend Section 295C and urging parliament (in the letters to chairpersons of parties) not to approve the amendment;

- urging the government to consider the abolition of the death penalty which Amnesty International considers the ultimate cruel, inhuman and degrading

punishment;

- stressing that as a first step towards the abolition of the death penalty the number of offences for which the death penalty may be imposed should be progressively restricted to the most serious crimes involving the loss of life.

**APPEALS TO:**

President Ghulam Ishaq Khan      **Dear President**  
The Presidency  
Murree Brewery Road  
Rawalpindi, Pakistan

Mian Nawaz Sharif      **Dear Prime Minister**  
Prime Minister  
Office of the Prime Minister  
Islamabad, Pakistan

Mr Shujaat Hussain      **Dear Minister**  
Minister of the Interior  
Ministry of the Interior  
Pak Secretariat, Block R  
Islamabad, Pakistan

Chaudhary Amir Hussain      **Dear Minister**  
Minister for Law, Justice and  
Parliamentary Affairs  
Ministry of Law and Justice  
Pak Secretariat, Block R & S  
Islamabad, Pakistan

Aziz A. Munshi      **Dear Attorney General**  
Attorney General  
Office of the Attorney General  
Islamabad, Pakistan

Wasim Sajjad Jan      **Dear Sir**  
Chairman of the Senate  
The Senate  
Islamabad, Pakistan

Ghaur Ayub      **Dear Sir**  
Speaker of the National Assembly  
National Assembly  
Islamabad, Pakistan

Wali Khan      **Dear Sir**  
President  
Awami National Party  
16/II Khayaabane Shujat  
Karachi 755 00, Pakistan

Muhammad Khan Junejo      **Dear Sir**  
President

Pakistan Muslim League  
Muslim League House  
Rawalpindi, Pakistan

Altaf Hussain  
Muhajir Qaumi Movement  
494/4 Azadabad  
Karachi, Pakistan

**Dear Sir**

Begum Benazir Bhutto  
Co-Chairperson  
Pakistan People's Party  
70 Clifton  
Karachi 75600, Pakistan

**Dear Madam**

**COPIES TO:** diplomatic representatives of Pakistan in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 5 October 1991.