

6 September 2000

AI Index ASA 33/011/2000 - News Service Nr. 171

Pakistan: Elderly Sufi man sentenced to death for blasphemy

As the issue of religious freedom is being discussed in international circles, a Sufi mystic in Pakistan has been convicted of blasphemy and sentenced to death.

"Pakistan's laws are so vaguely formulated that they serve to fan religious intolerance and provide a ready tool to incarcerate people holding a divergent religious view. Such laws should be abolished," Amnesty International said.

The organization considers Yousuf Ali to be a prisoner of conscience detained solely for the exercise of his right to freedom of religion and calls for his immediate and unconditional release.

In contravention of international fair trial standards, the trial was conducted in camera and some of the Urdu media conducted a vilification campaign against him which may have influenced the judgement.

The judgement shows little evidence to support the complainant's assertion that Yousuf Ali claimed he was a prophet. He has denied making such claims and some of the prosecution witnesses have admitted that they did not understand what Yousuf Ali taught.

Yousuf Ali said in the course of his defence: "... should there be any misunderstanding whatsoever let us sit and sort out the differences in a most cordial and amicable manner".

Addressing the Millennium World Peace Summit on 29 August, UN Secretary-General Kofi Annan said the fundamental right to freedom of religion encompasses "the right to worship; to establish and maintain places of worship; to write, publish and teach; to celebrate holidays; to choose their own religious leader; and to communicate to others at home and abroad". He called on governments to uphold these freedoms and added: "Where governments and authorities fail to protect these freedoms, it is at once an affront and a menace."

These principles appear to have been gravely breached in Pakistan. The complainant against Yousuf Ali is the secretary general of the *Majlis-e-Khatam-e-Nabuwat* [Organization of the Finality of the Prophet], an organization that has harassed and criminally prosecuted many people or groups they believe have diverged from the central belief that there can be no prophet after the prophet Mohammad. Many of the dozens of charges of blasphemy lodged against Ahmadis were initiated or encouraged by members of this organization.

The blasphemy law contained in section 295C of the Pakistan Penal Code proscribes the mandatory death penalty for anyone found to have "by words ... or visible representation ... or by any imputation, innuendo, or insinuation, directly or indirectly, defiled the name of the Holy Prophet Muhammad". It neither defines the terms used such as 'defilement' nor looks into the criminal intent of the alleged offender.

The law has frequently been abused to imprison people on ground of religious enmity but also has proved an easy tool to have people imprisoned when the real motives are business rivalry or land issues.

Amnesty International welcomed an announcement made by Chief Executive General Pervez Musharraf in April 2000 that to lessen the possibility of abuse of the law, procedural changes would be introduced.

The amendment was withdrawn in May on the grounds that the ulema [Islamic scholars] and the people had 'unanimously' demanded it.

Islamist groups held nationwide strikes and demonstrations demanding the repeal of the change. Since then, complaints of blasphemy are again being registered directly by police without any prior scrutiny.

Local human rights groups, minority rights organizations and international human rights organizations including Amnesty International have called for the abolition of the blasphemy laws, particularly section 295C and for introduction of such procedural safeguards as were promised and withdrawn, as long as the law remains on the statute book.

"Freedom of religion is a basic human right. Laws which criminalize the profession and practice of religion and indeed make religious debate a matter of life and death must go," the organization said.

\ENDS

public document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>