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Pakistan: Blasphemy acquittal welcome but law must be amended

Amnesty International welcomes the Supreme Court's decision today to acquit Ayub Masih who was convicted of blasphemy and under sentence of death. The organization appeals to the authorities to take urgent measures to ensure his safety upon release.

Ayub Masih was imprisoned in 1996 for allegedly speaking against Islam. However Amnesty International believes that the real motive for bringing the blasphemy charge was a land dispute in his village. Ayub Masih has on several occasions been ill-treated in custody.

"Pakistan's blasphemy law is frequently misused. The law has frequently been abused to imprison people on grounds 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 said.

President Pervez Musharraf said in April 2000 that procedural changes would be introduced to lessen the possibility of abuse of the blasphemy law. However the amendment was withdrawn in May on the grounds that the *ulema* [Islamic scholars] and the people had 'unanimously' demanded it.

The law, which carries the mandatory death penalty for anyone found guilty of blasphemy, contributes to a climate in which religiously motivated violence flourishes. Amnesty International reiterates its call on the Pakistani government to amend or abolish the law and prevent abuse.

In June another prisoner of conscience sentenced to death for blasphemy, Yousuf Ali, was killed by fellow prison inmates in a Lahore jail. Amnesty International believes that the killing could not have been carried out without the tacit approval of prison staff and wrote to President Musharraf to take urgent measures to ensure the safety of anyone imprisoned on blasphemy charges.

Background

The Christian Ayub Masih (30) in village Chak 353/E.B, Arifwala, Sahiwal district, Punjab province was sentenced to death on 27 April 1998 on charges of blasphemy under section 295C PPC by a court in Sahiwal. On 14 October 1996, Ayub Masih was arrested following allegations made by a Muslim that he felt offended when Ayub Masih told him that Christianity was 'right' and that he should read British author Salman Rushdie's 'Satanic Verses' and that they had scuffled after this alleged exchange.

The Catholic Bishop of Faisalabad, Bishop John Joseph, pointed out that the allegations appeared to be motivated by a dispute over property between Muslim and Christian inhabitants of the village. Ayub Masih's family had applied for land under a government program allotting land to landless people for housing purposes. The local zamindar [landlord] and other local residents apparently resented

this prospect as Christian families had been living on land provided by the landowners in exchange for labour, which considerably benefited the landowners. Several families were forcibly evicted and several Christians beaten by villagers following the filing of the complaint against Ayub Masih. Bishop John Joseph committed suicide in May 1998 in protest against the imposition of the death sentence on Ayub Masih; the death sentence was followed by non-violent country-wide protests of Christian communities.

The defence lawyer for Ayub Masih has pointed out that the case against Ayub Masih rests on the verbal testimony of the complainant without any further corroborating evidence. An appeal against the death sentence was admitted in May 1998 by the Lahore High Court. An application for an early hearing of the appeal was filed on 12 December 1999; the appeal was heard in the Lahore High Court three years after Ayub Masih's conviction leading to a confirmation of the conviction and death sentence on 25 July 2001. In January 1999 Ayub Masih was reportedly attacked in Multan Jail and injured by four other people sentenced to death but no action appears to have been taken against his assailants. According to reports his health has significantly deteriorated since his arrest and prison authorities did not provide sufficient medical care.

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