

URGENT ACTION

IMMINENT EXECUTIONS MUST BE STOPPED

Three men are due to be executed on 3 February. One of them Shoaib Sarwar, would be the first to be executed for a non-terrorist offence since the moratorium on executions was lifted.

Death row prisoner **Shoaib Sarwar** is set to be executed on 3 February following a new death warrant issued on 23 January in a sessions court in the city of Rawalpindi, northern Punjab. Shoaib Sarwar was convicted of and sentenced to death for murder in 1998. He has been on death row for 18 years in Adiala jail. At the time of his conviction he did not receive a fair trial. Key defence witnesses were never examined by the investigating police officers or presented by his defence lawyer during the trial.

Other death row prisoners due to be executed imminently include **Attaullah alias Qasim** and **Mohammad Azam alias Sharif** scheduled to be hanged on 3 February at Karachi Central Jail, for terrorism-related offences. Since a moratorium on executions was lifted on 17 December 2014, 20 death row prisoners have already been executed and around 500 death row prisoners remain at risk.

Amnesty International opposes the death penalty in all cases and under any circumstances, regardless of the nature of the crime. The Pakistan government has publicly stated that its policy to lift the moratorium on executions extends only to those prisoners convicted by Anti-Terrorism Courts of the most heinous acts of terrorism and with links to proscribed terrorist organizations.

Shoaib Sarwar's case raises additional concerns which could have further implications. His lawyers assert that he has neither been convicted for a terrorism-related offence, nor sentenced by an Anti-Terrorism Court under the country's anti-terrorism laws. The Superintendent of the Adiala jail is refusing to follow the judge's order to execute him, stating that he has not been convicted of a terrorism-related offence. If the execution of Shoaib Sarwar is carried out, he will be the first prisoner to be executed for a non-terrorism related offence since the lifting of the moratorium. Lawyers are concerned that this would likely open the door for other prisoners who have not been convicted of a terrorism-related offence to also be executed.

Please write immediately in Urdu, English or your own language:

- Urging the authorities to immediately halt the execution of Shoaib Sarwar, Attaullah and Mohammad Azam, and all plans to carry out further executions and to re-establish the official moratorium on all executions in the country as a first step towards the abolition of the death penalty, in line with five UN General Assembly resolutions adopted since 2007;
- Calling on them to ensure that any measures taken to combat crime do not violate Pakistan's obligations under international human rights law, and that all safeguards guaranteeing the rights of those facing the death penalty are respected;
- Urging the authorities to commute all existing death sentences.

PLEASE SEND APPEALS BEFORE 11 MARCH 2015 TO:

President of Pakistan
Honourable Mr Mamnoon Hussain
President's Secretariat
Islamabad, Pakistan
Fax: +92 519 204 974
E-mail: dir_pp@president.gov.pk
Twitter: @MamnoonHussain
Salutation: Your Excellency

Prime Minister
Nawaz Sharif
Prime Minister House, Pakistan
Secretariat, Constitution Avenue
Islamabad, Pakistan
Fax: +92 519 220 404 (PM Secretariat)
Email: info@pmo.gov.pk
Twitter: @PMNawazSharif
Salutation: Dear Prime Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

More than 8,000 prisoners are on death row in Pakistan, with over 500 prisoners convicted of terrorism-related offences at risk of being executed. Pakistan re-imposed a moratorium on executions in October 2013 and has not executed anyone since the hanging of a soldier in November 2012, while the last civilian hanging was in late 2008. There are currently hundreds of people sentenced to death for terrorism-related offences in the country.

After a succession of high-profile killings and terrorists attacks across the country, along with the 16 December 2014 attack on the army-run school in Peshawar, Prime Minister Nawaz Sharif promised to recommence executions as a response to pressure to improve the law and order situation. Since a moratorium on executions was lifted on 17 December 2014, Pakistan has threatened to send to the gallows around 500 death row prisoners convicted on terrorism-related charges.

Amnesty International unequivocally condemned the school attack in Peshawar by the Pakistani Taliban which resulted in 149 deaths, including 134 children. The organization called for indiscriminate attacks and attacks against civilians, including the Peshawar attack, to be thoroughly investigated and for suspected perpetrators to face prosecution in proceedings that comply with international fair trial standards, without resort to the death penalty. Over the past weeks, Pakistan has amended its constitution to speed up the prosecution of terrorism-related cases and move them from civilian to military courts. The jurisdiction of military courts over cases of terrorism raises serious concerns about fair trial guarantees, as rights could be violated in the rush to ensure speedy terrorism-related convictions.

Amnesty International opposes the death penalty in all cases and under any circumstances, regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to carry out the execution. The organization considers the death penalty a violation of the right to life as recognized in the Universal Declaration of Human Rights and the ultimate cruel, inhuman and degrading punishment. Furthermore, there is no convincing evidence that the death penalty is a particular deterrent in capital crimes compared to other forms of punishment. The most comprehensive study carried out by the UN in 1988 and most recently updated in 2008 concluded that there is no proof that executions are a greater deterrent to crime than life imprisonment.

Amnesty International's concern is heightened by the fact that in Pakistan many death sentences are handed down after trials that do not meet international fair trial standards. These trials are characterized by a lack of access to legal counsel and an acceptance of evidence inadmissible under international law. Statements extracted through torture continue to be used as evidence in court. Defendants often face restrictions in trying to access a lawyer or are given state-appointed lawyers who are often poorly trained and paid, and may not represent their clients vigorously unless given further payments by the defendant or their family. In addition, the right to fair trial has been undermined in trials before lower courts which continue to sentence people to death. These courts operate with restricted public access and with the requirement for trials to be completed within a matter of days or weeks, putting judges under extreme pressure to convict. In 2012 the UN Special Rapporteur on Extrajudicial, summary or arbitrary executions concluded that military or other special jurisdictions should not have the authority to impose the death penalty.

Name: Shoiab Sarwar, Attaullah alias Qasim and Mohammad Azam alias Sharif
Gender m/f: m

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