

**PUBLIC**

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**10 March 2008**

**UA 66/08      Imminent execution**

**PAKISTAN      Zahid Masih (m)**

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Zahid Masih, who worked for the Pakistan army, is due to be executed on 12 March. According to local human rights organizations, he was found guilty of the murder and sexual assault of a nine-year old boy after an unfair trial before a military court. The army chief, General Ashfaq Pervaiz Kayani, can commute his sentence at any time. President Musharraf can also intervene to commute the sentence.

According to the Asian Human Rights Commission (AHRC), in 2003, Zahid Masih went missing from the military camp at Chirat, in the Nowshera district of Peshawar, where he worked as a sanitary worker for the Pakistan army. His family were not notified of his whereabouts for about two years. On 1 March 2005, he was charged with sexual assaulting and murdering a nine-year-old boy, Mohammad Adnan. Zahid Masih was subsequently found guilty by a military court for both crimes and sentenced to death on 10 March 2006. The AHRC reports that Zahid Masih was tortured in order to force him to confess to the murder and was denied the right to legal representation during his trial. Zahid Masih claimed that he had been framed for the murder and that other military personnel at the cantonment had committed the crime.

Zahid Masih is held in Peshawar Central Jail. He had been scheduled for execution on 31 January, but the execution was stayed for 20 days. It is now set to take place on 12 March.

**BACKGROUND INFORMATION:**

According to human rights groups in Pakistan, at least 193 people were sentenced to death in Pakistan in 2007 and at least 124 were executed, including one who was under 18 at the time when the offence was committed. In 2006, Amnesty International found that at least 446 people were sentenced to death in Pakistan and at least 82, including a juvenile, were executed. Most had been found guilty of murder. Many wealthier individuals convicted of similar crimes are able to escape punishment under provisions of the law known as the Qisas and Diyat, which allow the legal heirs of murder victims to accept compensation for the killing, and pardon the offender.

On 18 December 2007 the United Nations General Assembly adopted a resolution on a worldwide moratorium on the use of the death penalty. The votes were 104 in favour, 54 against, with 29 abstentions. The government of Pakistan voted against the resolution.

Amnesty International opposes the death penalty in all cases. The death penalty is a symptom of a culture of violence, and not a solution to it. It has not been shown to have any greater deterrent effect than other punishments, and carries the risk of irrevocable error. The organization considered the death penalty to be the ultimate form of cruel, inhuman and degrading punishment, and a violation of the right to life.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Urdu or your own language:**

- calling for President Musharraf and General Kayani to halt the execution of Zahid Masih, which is scheduled to be carried out on 12 March, and to commute his sentence;
- calling on the authorities to order prompt, thorough and impartial investigation into the claims made by Zahid Masih that he was tortured to confess to the murder;
- expressing concern that the court proceedings reportedly fell far below international standards of fairness;

- recognizing the serious nature of the alleged offence and the suffering of the victim's family, but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life;
- calling for an immediate moratorium on all executions in the country, in accordance with the UN General Assembly resolution on a moratorium on executions adopted on 18 December 2007, reinforcing the worldwide trend towards abolition of the death penalty.

**APPEALS TO:**

President Pervez Musharraf  
President House  
Islamabad  
Pakistan

**Fax:** +92 51 9221422

**E-mail:** via website: <http://www.presidentofpakistan.gov.pk/WTPresidentMessage.aspx>

**Salutation:** Dear President Musharraf

Gen. Ashfaq Pervaiz Kayani  
Chief of Army Staff  
General Head Quarters,  
Islamabad,  
Pakistan

**Fax:** +92 51 921 3452

**Salutation:** Dear General Kayani

Syed Afzal Haider  
Minister of Law, Justice and Human Rights  
Room 305, S-Block, Pakistan Secretariat  
Islamabad, Pakistan

**Fax:** +92 51 9202628 /+92 51 9201631

**E-Mail:** [minister@molaw.gov.pk](mailto:minister@molaw.gov.pk)

**Salutation:** Dear Minister

**COPIES TO:** diplomatic representatives of Pakistan accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**