

PUBLIC

AI Index: ASA 33/023/2005

UA 215/05 **Fear for safety/ Prisoner of Conscience (POC)**

19 August 2005

PAKISTAN **Mohammed Younus Shaikh (m) aged 40**

Mohammed Younus Shaikh has reportedly been sentenced to life imprisonment by a special "anti-terrorism" court for allegedly writing and distributing books that contained "blasphemous and sacrilegious" material. He is currently being held in solitary confinement in Karachi Central Prison because of fears that he could be attacked by other inmates.

Mohammed Younus Shaikh was arrested by police in the city of Kharadar on 3 February after distributing copies of his book, "Shaitan Maulvi" (Satanic Cleric), in Kharadar. He was charged with blasphemy for stating in the book that stoning to death (Rajam) as punishment for adultery was not mentioned in the Quran. He was also accused of insulting four historical Imams (religious leaders) by describing them as "Jews". Some local clerics later issued fatwas declaring that Younus Shaikh was liable to be killed for insulting Islam. He was sentenced on 11 August.

Pakistan's blasphemy laws are used for reasons which include religious oppression, professional jealousy, economic rivalry, political opposition or personal hostility. Many of those accused or suspected of blasphemy have been assaulted or subjected to various forms of ill-treatment and torture. Some of those in detention on blasphemy charges have been killed by fellow detainees or prison wardens, others suspected, but not under arrest, have been unlawfully killed without police taking any action to protect them.

BACKGROUND INFORMATION

The Pakistani Penal Code holds a sentence of death for the criminal offence of defiling the Prophet Mohammed, stating, "Whoever by words, either spoken or written or by visible representation, or by any imputation, innuendo, or insinuation, directly or indirectly, defiles the sacred name of the Holy Prophet Mohammed (peace be upon him) shall be punished with death, or imprisonment for life, and shall also be liable to a fine". The Federal Shariat Court in 1991 ruled that the punishment of life imprisonment should not be available for anyone found guilty of blasphemy.

Human rights activists have long been targeted in Pakistan for voicing opposition to several sections of the penal code introduced over the years to "Islamize" the law. Such laws include the Hudood Ordinances governing the offences of fornication, adultery, rape, false allegation of fornication, theft and consumption of alcohol, the law relating to injury and murder and the blasphemy laws themselves. Human rights activists have pointed out that charging those who criticise these laws with blasphemy may signal a new threat to them.

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

- expressing concern for the safety of Mohammed Younus Shaikh who was charged with blasphemy on 11 August 2005;
- calling on the authorities to take immediate steps to guarantee his safety without imposing on him harsh conditions of detention such as solitary confinement which may constitute cruel and inhuman treatment;
- expressing concern that the law on blasphemy is open to abuse by its vague wording;
- urging the government to consider abolishing the blasphemy law which facilitates that people can be held, tried and sentenced to life imprisonment or death solely on account of their right to freedom of religion.

APPEALS TO:

Minister for the Interior

Mr. Aftab Ahmed Khan Sherpao

Room 404, 4th Floor
Block R, Federal Secretariat, Islamabad, Pakistan
Fax: + 92 51 9202624
E-mail: minister@interior.gov.pk/secretary@interior.gov
Salutation: Dear Minister

Minister of Law, Justice and Human Rights
Mr. Muhammad Wasi Zafar
S Block, Pakistan Secretariat, Islamabad, Pakistan
Fax: + 92 51 9202628
E-mail : minister@molaw.gov.pk
Salutation: Dear Minister

Chief Minister of Punjab
Chaudary Pervez Elahi
Chief Minister of Punjab
7 Club Road, G.O.R.I, Lahore, Pakistan
E-mail: home@punjab.gov.pk
Salutation: Dear Chief Minister

COPIES TO:
Pakistan High Commissioner in London
High Commission for Pakistan
35-36 Lowndes Square, London SW1X 9JN, UK
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and to diplomatic representatives of Pakistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 September 2005.