

URGENT ACTION

FEARS FOR THE HEALTH OF ELDERLY DETAINEE

Masud Ahmad has returned to the UK after being released on bail in Pakistan. Mohammad Asghar remains in detention. His lawyers fear for his health.

In November 2012, 72-year-old **Masud Ahmad**, a member of the Ahmaddiya religious community, was imprisoned in City District Jail in Lahore for reciting a passage from the Qu'ran, a prohibited act for Ahmadis under the country's blasphemy laws. He recently returned to the UK after being released on bail in Pakistan.

Mohammad Asghar, 69, was arrested under the blasphemy laws in 2010 and sentenced to death in January 2014, after allegedly writing letters claiming he was a prophet. Mohammad Asghar's lawyers maintain it was never established that he posted or even intended to post the letters. Mohammad Asghar remains in Adiala jail, Rawalpindi, and is not receiving adequate medical care. He is physically and mentally frail and his lawyers are seeking permission from the authorities to have a psychiatrist examine and evaluate him in the prison so he can receive appropriate treatment. Mohammad Asghar suffered a stroke in 2000 and was later diagnosed by an expert in Scotland as suffering from paranoid schizophrenia; he attempted suicide in 2010. His appeal has been filed in the Lahore High Court but his lawyers fear that it could take up to five years to be heard.

Some forms of blasphemy are punishable by death under Pakistani law, even though as a general rule international human rights law does not permit punishing blasphemy as a crime. It therefore cannot meet the threshold of the "most serious crimes" for which the death penalty can be imposed under international law. International standards also state that the death penalty should not be imposed against people with mental illness.

Please write immediately in English or your own language calling on the Pakistani authorities to:

- Immediately and unconditionally drop all charges against Mohammad Asghar and Masud Ahmad;
- Ensure Mohammad Asghar has immediate access to adequate and appropriate medical and/or psychiatric treatment and to provide his lawyers with all medical records made during his detention;
- Guarantee the safety of Mohammad Asghar and his family, expressing concern that several individuals have been attacked and some have even been killed following charges of blasphemy;
- Express concern that the blasphemy laws violate the right to freedom of thought, conscience and religion, are used maliciously to settle personal disputes, and target Muslims and religious minorities alike, and urging the government to amend or abolish the blasphemy laws to prevent this;
- Respect international law and standards on the use of the death penalty, including the prohibition on the execution of persons with mental illness, and to commute all death sentences.

PLEASE SEND APPEALS BEFORE 30 APRIL 2014 TO:

Minister for Interior

Chaudhry Nisar Ali Khan
Room 404, 4th Floor, R Block
Pakistan Secretariat,
Islamabad, Pakistan
Fax: +92 51 920 2624
Email: ministry.interior@gmail.com
Salutation: Dear Minister Khan

Chief Minister, Punjab

Mian Mohammad Shahbaz Sharif
Chief Minister's Office
7, Club Road, GOR I
Lahore, Pakistan
Fax: +92 42 9920 3310
Salutation: Dear Chief Minister Sharif

And copies to:

Minister of Law, Justice and Human Rights
Pervaiz Rashid
Room 305, S Block, Pakistan Secretariat
Islamabad, Pakistan
Fax: +92 51 921 0062
Email: contact@molaw.gov.pk

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. This is the first update of 23/14. Further information:

<http://www.amnesty.org/en/library/info/ASA33/002/2014/en>

**AMNESTY
INTERNATIONAL**



URGENT ACTION

FEARS FOR THE HEALTH OF ELDERLY DETAINEE

ADDITIONAL INFORMATION

While purporting to protect Islam and the religious sensitivities of the Muslim majority, Pakistan's blasphemy laws have in fact fostered a climate of religiously-motivated violence, leading to the persecution of religious minorities and Muslims alike. These laws are often used to make unfounded malicious accusations to settle personal scores in land and business disputes. The blasphemy laws are vaguely formulated and arbitrarily enforced by the police and judiciary in a way that amounts to harassment and persecution of both religious minorities and Muslims. People held in prison on blasphemy charges have been killed by fellow detainees or prison officials. Even outside prison, individuals accused of blasphemy have been killed by vigilante mobs.

"Defiling the name of the Prophet Mohammed" is a capital offence under Section 295-C of the Pakistan Penal Code, which states, "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, whose tasks include reviewing laws to ensure they conform to Islamic doctrine, ruled in 1991 that anyone convicted of blasphemy should face the death penalty, not life imprisonment. It reaffirmed that ruling in a decision handed down in December 2013.

Articles 18 and 19 of the Universal Declaration of Human Rights state that everyone has the right to freedom of thought, conscience, religion, opinion and expression. International human rights law provides that any limitations placed on these freedoms should be only such as are prescribed by law as well as being necessary and proportionate for, among other things, the protection of the rights and freedoms of others.

The UN Human Rights Committee, the expert body that oversees the implementation of the International Covenant on Civil and Political Rights, noted in its General Comment No. 34, that "Prohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the [International Covenant on Civil and Political Rights]," except in specific circumstances where individuals are advocating "national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence" [Article 20 paragraph 2 of the Covenant]. Additionally the Committee said, "it would be impermissible for any such laws to discriminate in favour of or against one or certain religions or belief systems." Amnesty International opposes the death penalty unconditionally, in all cases and all countries, without exception, regardless of the crime for which the person was condemned or the execution method the state uses. The death penalty violates the right to life and is the ultimate cruel, inhuman and degrading punishment.

Name: Masud Ahmad and Mohammad Asghar
Gender m/f: m

Further information on UA: 23/14 Index: ASA 33/004/2014 Issue Date: 19 March 2014