

URGENT ACTION

HEALTH OF DEATH ROW PRISONER IN SHARP DECLINE

The health of Shafqat Emmanuel, who faces execution, along with his wife Shagufta Kausar, is rapidly deteriorating. Shafqat's lower body is paralyzed, which means he relies on the help of prison guards, which is not readily available, for mobility. He has multiple bed sores, which according to his lawyer, are not being given adequate treatment, and his pain is worsening every day. In March, his family alleges, he was in a coma for three days and was not taken to the hospital. The Christian couple were sentenced to death for sending 'blasphemous' texts to a mosque cleric and have consistently denied all allegations. Imprisoned since 2013, the couple were convicted and sentenced to death in April 2014.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Inspector General, Punjab Mirza Shahid Saleem Baig
Inspectorate General of Prisons, Punjab
Link Jail Road, Shadman
Lahore, Pakistan
Tel: +92 4299200498
Email: faxroomigprisons@gmail.com

Dear Inspector General Mirza Shahid Saleem Baig,

I write to you to out of alarm for the sharp decline in health of death row prisoner **Shafqat Emmanuel**. Shafqat is completely paralyzed from the waist down and must rely on prison guards to perform the most basic tasks like leaving his bed and using the bathroom. Furthermore, as per the application submitted by his lawyer to the Inspector General of Prisons in Punjab, he has painful bed sores and needs urgent health care.

Currently held in Central Jail, Faisalabad I find it alarming that in March, according to his family, Shafqat was in a coma for three days and yet was still not provided adequate medical care.

Shafqat and his wife **Shagufta Kausar**, were convicted of "blasphemy" and sentenced to death in 2014 for allegedly sending "blasphemous" text messages to a mosque cleric.

The couple should not be in jail at all, let alone at risk of execution. Pakistan's blasphemy laws do not meet human rights law and standards, they lack essential safeguards to minimize the risk of rights violations and illustrate the dangers faced by the country's religious minorities. The urgency with which the injustices in this case must be remedied is heightened by Shafqat's pain and lack of access to appropriate health care.

I find it highly distressing that a prisoner who needs urgent health care is not being shifted to the jail hospital. He should not be detained in the first place, and if he is not going to be released, prison authorities must ensure provision of adequate health care whether it is available inside or outside the prison

Therefore, I strongly urge you to grant Shafqat prompt, regular and unrestricted access to adequate health care as necessary. In addition to that, him and his wife Shagufta should be immediately and unconditionally released. I call for the couple and their lawyer to be provided with adequate security upon their release.

Yours sincerely,

ADDITIONAL INFORMATION

According to a 2014 medical assessment, Shafqat was diagnosed as a paraplegic and suffered from large pressure sores. His lawyers say that he has never received appropriate medical treatment for his injuries, some of which originated from a gunshot wound (unrelated to the events that led to his imprisonment and death sentence). Shafqat's family stated that he was in a coma for three days in March 2021 but was not shifted to a proper medical facility.

The right to the highest attainable standard of physical and mental health including preventative, curative and palliative health care, is enshrined in international human rights law and standards,. The International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Pakistan in 2008, stipulates the obligation under Article 12 "to respect, protect and fulfill the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including those who are imprisoned or detained."

In addition to Shafqat's health, his death sentence makes the situation even more precarious. Pakistan's blasphemy laws are notoriously vague and carry heavy penalties. Based on evidence that fails to meet the standard of proof of "beyond reasonable doubt.", the accused can face a death sentence. The blasphemy laws violate Pakistan's obligations to respect human rights and pave the way for other abuses, including death threats and killings. Judges are pressured and intimidated into sentencing the accused, lest they become the next target. [Defence lawyers have been killed in court](#). Witnesses and families of victims have had to go into hiding.

When charges are levelled under most of these laws, the police have the authority to arrest the alleged offender without a warrant and can commence their investigation without orders from the magistrate's court. Bowing to public pressure from angry crowds, including religious clerics and their supporters, they frequently pass cases on to prosecutors without scrutinising the evidence. And once someone is charged, they can be denied bail and face lengthy and unfair trials.

The threat of violence follows many people accused of blasphemy, with groups or individuals taking the law into their own hands to threaten or kill the accused and other people associated with them, including their lawyers, members of their families, and members of their own community.

A pall of fear also hangs over those working in Pakistan's criminal justice system, preventing lawyers, police, prosecutors and judges from carrying out their jobs effectively, impartially, and free of fear. A concerning pattern of delaying tactics in Shafqat and Shagufta's trial appears to be emerging, where at their last two hearings – one scheduled on 15 February, and the latest on 24 February – the judges have excused themselves from hearing their appeal, citing that court hours for the day had come to an end. Amnesty International has documented that postponements have been a common factor in several other cases of people accused of "blasphemy", with judges often suspected of employing these tactics out of reluctance to pass judgments exonerating the accused. Indeed, trials of people accused of serious charges, including blasphemy, can take many years to conclude in Pakistan's criminal justice system.

In a [report published in 2016](#) Amnesty International showed how the blasphemy laws enable abuse and violate Pakistan's international legal obligations to respect and protect human rights, including freedom of religion or belief and of opinion and expression. It also showed how the laws have been used to target some of the most vulnerable people in society, including members of religious minorities. Pakistan's Supreme Court has acknowledged that "the majority of blasphemy cases are based on false accusations" and are driven by ulterior motives. Amnesty International has found that such motives are rarely scrutinized by the authorities and can vary, from professional rivalry, to personal or religious disputes, to seeking economic gain.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or the circumstances of the crime; the guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 12 June 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Shafqat (he/him) and Shagufta (she/her)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa33/3774/2021/en/>