

URGENT ACTION

FEARS OF FURTHER EXECUTIONS IN PAKISTAN

Pakistan's Prime Minister has lifted the moratorium on executions in the wake of the horrific attack on the Army Public School in Peshawar on 16 December. Six men have already been executed, and more could be carried out at any time.

On 19 December General Raheel Sharif, Chief of Army Staff, stated that he had signed the death warrants of six prisoners. Two men were executed on 19 December, and a further four were hanged two days later. The Ministry of Interior is currently forwarding 547 mercy petitions to the President thought to relate mainly to terrorism cases; 120 were forwarded to the President on 18 December. Given the sheer volume of cases and the current atmosphere in the wake of the Peshawar attack on 16 December that left at least 142 people dead, including 132 children, it is highly unlikely that the President will be able to evaluate the petitions adequately.

Human rights lawyers at the Justice Project Pakistan (JPP) say that it is unlikely that many petitioners were provided with a lawyer and have had to represent themselves as best they can. In Pakistan many death sentences are handed down after trials that do not meet international fair trial standards.

According to a study by JPP, out of 6,872 prisoners on death row in Pakistan in 2012 (now over 8,000), 818 were tried on terrorism-related charges. The definition of terrorism under Pakistan's 1997 Anti-Terrorism Act (ATA) is so vague that almost all crimes can fall under this definition. JPP's findings reveal that 256 of these 818 known cases of "terrorism" prosecutions had no link to terrorism-related offences and were convicted of charges under the Pakistan Penal Code as opposed to anti-terrorism legislation. Some of the acts for which they were charged, such as blasphemy, are not crimes under international law, and do not meet the threshold of the "most serious crimes" for which the death penalty can be imposed under the International Covenant on Civil and Political Rights, to which Pakistan is a state party.

Among those at risk of execution is **Shafqat Hussain**, who was 14 years old at the time the offences of kidnapping and involuntary manslaughter for which he was found guilty. Pakistan is bound by two international treaties not to impose the death penalty for crimes committed when the defendants were below 18 years of age.

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

- Urging the Pakistan government to immediately halt plans to carry out any executions and to re-establish an official moratorium on all executions in the country as a first step towards abolition of the death penalty, in line with five UN General Assembly resolutions adopted since 2007;
- Calling on the Pakistan government 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; and
- Urging the Pakistan President and government to commute all existing death sentences.

PLEASE SEND APPEALS BEFORE 2 FEBRUARY 2015 TO:

Prime Minister

Nawaz Sharif

Prime Minister House, Pakistan

Secretariat, Constitution Avenue

Islamabad, Pakistan

Fax: +92519220404 (PM Secretariat)

Twitter: @PMNawazSharif

Salutation: Dear Prime Minister

President of Pakistan

Honourable Mr. Mamnoon Hussain

President's Secretariat

Islamabad, Pakistan

Fax: +92 519204974

E-mail: dir_pp@president.gov.pk

Twitter: @MamnoonHussain

Salutation: Your Excellency

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, 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 attack on the army-run school in Peshawar, Prime Minister Nawaz Sharif has promised to recommence executions facing pressure to improve the law and order situation.

Amnesty International unequivocally condemned the school attack in Peshawar by the Pakistani Taliban which at least 142 people – including 132 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. 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: Death row prisoners in Pakistan

We do not have all the names of the hundreds of death row inmates at risk, but we have the names of 14 on death row. All are men except for two inmates who are female, as indicated below:

Kamran s/o Muhammad Islam, Ihsan s/o Muhammad Azeem, Umar Nadeem s/o Nadeem Muhammad, Zahid s/o Nazar Hussain: all in Lahore Central Jail

Arshad Mehmood s/o M. Anwar: Faisalabad Central Jail

Muhammad Ali s/o Ali Muhammad: Mardan Central Jail

Asma Nawab (female): Karachi prison

Khadija (female): Hyderabad jail

Behram Khan s/o Lashkar Khan and Shafqat Hussain s/o Shah Zaman: Karachi Central Jail

Attaullah alias Qasim s/o M. Hashim, Muhammad Azam alias Shar s/o Jan Muhammad, Jalal Morejo and Abdul Razzaq Chauhan: all in Sukkur Central Jail