

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	284
Land:	Pakistan
Kilde:	Amnesty International
Titel:	Woman sentenced to death for blasphemy – Asia Bibi
Udgivet:	27. oktober 2014
Optaget på baggrundsmaterialet:	14. januar 2015

URGENT ACTION

WOMAN SENTENCED TO DEATH FOR BLASPHEMY

Pakistani Christian Asia Bibi, sentenced to death for blasphemy in 2010, has had her appeal rejected by the Lahore High Court of Appeal.

On 16 October the Lahore High Court rejected the appeal against the death sentence of **Asia Bibi**, a Christian woman convicted on blasphemy charges. Asia Bibi, who is 45 years old and has five children, was initially found guilty of blasphemy on 8 November 2010 and sentenced to death under Section 295C of Pakistan's Penal Code for allegedly insulting the Prophet Muhammad during an argument with a Muslim woman.

There are serious fair trial concerns. Asia Bibi claims the evidence of her alleged blasphemy, which has been accepted by successive courts, was fabricated, and that she did not have access to a lawyer during her detention and the final day of her trial in 2010. Asia Bibi's lawyer has maintained that the case against her is based on hearsay. Human rights activists have voiced concerns that judges of the Lahore High Court may have rejected the appeal out of fear for their safety. Religious groups demanding her execution were present in court.

Asia Bibi has been kept in almost total isolation for her own protection since she was first arrested in 2009. Her mental and physical health have reportedly deteriorated during her time in detention including on death row, and her family and lawyers continue to fear for her safety. In December 2010, a prominent Islamic cleric offered half a million Pakistani rupees (about US\$5,000) to anyone who killed Asia Bibi.

Asia Bibi should never have been imprisoned, as the blasphemy laws are inconsistent with Pakistan's international human rights obligations to ensure the rights to freedom of expression and freedom of thought, conscience and religion. The laws are often used to settle personal disputes, and those accused of blasphemy often become targets of violence. International law allows for the imposition of the death penalty only for the "most serious crimes", which has been interpreted to refer to intentional killing only. While no one has ever been executed for blasphemy in Pakistan, since the blasphemy laws in their current form entered into force in the 1980s dozens of people from different religious communities, including Muslims, have been attacked and killed by private individuals following blasphemy accusations, including while in detention.

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

- Calling on the authorities to release Asia Bibi immediately and unconditionally, and take effective steps to guarantee her safety and that of her family;
- Pressing them to reform the blasphemy laws as a matter of urgency and to provide effective safeguards against their abuse, with a view to eventual repeal of the laws;
- Calling on them to establish an immediate moratorium on all executions and commute all death sentences with a view to abolishing the death penalty, emphasising that the death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

PLEASE SEND APPEALS BEFORE 5 DECEMBER 2014 TO:

Prime Minister
Nawaz Sharif
Prime Minister House, Pakistan
Secretariat, Constitution Avenue
Islamabad, Pakistan
Fax: +92 51 9220404
Email: pmmediaoffice@gmail.com
Salutation: Dear Prime Minister

Chief Minister, Punjab Province
Mian Mohammad Shahbaz Sharif
Chief Minister's Office
7, Club Road, GOR
Lahore, Pakistan
Fax: +92 42 99204301
Twitter: @CMShehbaz
Salutation: Dear Chief Minister

And copies to:
Minister of Law, Justice and Human Rights
Pervaiz Rashid
Room 305, S Block, Pakistan Secretariat
Islamabad, Pakistan
Fax: +92 51 9210062
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.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

WOMAN SENTENCED TO DEATH FOR BLASPHEMY

ADDITIONAL INFORMATION

Asia Bibi, a farm labourer from Ittanwali village in Pakistan's Punjab province, was first arrested in June 2009 following accusations of blasphemy. Although the exact details are contested, according to her family and lawyers, some of her Muslim co-workers refused to share water with her because she is Christian. An argument then ensued after which the co-workers allegedly told a local cleric that Asia Bibi had made derogatory remarks about the Prophet Muhammad. The cleric informed local police who arrested and charged her with blasphemy. Asia Bibi denies the allegations and her husband, Ashiq Masih, claims her conviction was based on "false accusations". However the trial judge "totally ruled out" the possibility of false charges and said that there were "no mitigating circumstances". She was sentenced to death by a court in Nankana, Punjab on 8 November 2010.

Asia Bibi has become an emblematic case illustrating the injustice of Pakistan's blasphemy laws and the deadly risks for those who criticise them. On 4 January 2011, Punjab Governor Salmaan Taseer was killed by one of his security guards after campaigning for Asia Bibi and criticizing Pakistan's blasphemy laws. Minorities Minister Shahbaz Bhatti, an outspoken critic of the blasphemy laws, was killed by the Pakistani Taliban on 2 March 2011. The blasphemy laws have fostered a climate of religiously motivated violence, leading to the targeting 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. They 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. On numerous occasions people held in prison on blasphemy charges have been killed by fellow detainees or prison officials. Individuals accused of blasphemy have also been killed by vigilante mobs outside prison.

"Defiling the name of the Prophet Mohammed" is a capital offence under Section 295C of the Pakistan Penal Code. 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 January 2014.

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 (ICCPR), 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 [ICCPR]," except in specific circumstances where individuals are advocating "national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence" [Article 20(2) of the ICCPR]. 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 in all cases without exception, regardless of the nature or circumstances of the crime, the guilt, innocence or other characteristics of the offender or the method used by the state to carry out the execution. The death penalty violates the right to life and is the ultimate cruel, inhuman and degrading punishment.

Name: Asia Bibi

Gender: f

UA: 266/14 Index: ASA 11/015/2014 Issue Date: 24 October 2014