

**AMNESTY  
INTERNATIONAL**



**DEFENDING HUMAN RIGHTS**

24 May 2021

Senator the Hon. Marise Payne  
Minister for Foreign Affairs  
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Senate  
Parliament House  
Canberra ACT 2600

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Dear Minister Payne

## **RE: PAKISTANI CHRISTIAN COUPLE ON DEATH ROW FOR ‘BLASPHEMY’**

Amnesty International holds grave concerns for Shafqat Emmanuel and Shagufta Kausar, a Christian couple who were convicted of ‘blasphemy’ in Pakistan and sentenced to death in 2014. They have been in prison for the better part of eight years waiting for their appeal hearing, when they should not be in jail in the first place.

The ‘crime’ the couple allegedly committed was sending ‘blasphemous’ text messages to a mosque cleric. Shafqat and Shagufta have denied all allegations and are waiting to appeal their sentences in the Lahore High Court. The messages were sent from a phone containing a sim registered in Shagufta’s name. They believe her identity card was deliberately misused.

### **Health of Shafqat in sharp decline**

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.

It is 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. Amnesty International has called on the Inspectorate General of Prisons in Punjab to grant Shafqat prompt, regular and unrestricted access to adequate health care, as necessary.

### **The Blasphemy Law in Pakistan**

In our report, [As Good as Dead: The Impact of the Blasphemy Law in Pakistan](#), Amnesty International shows that Pakistan’s 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.

The 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.

I call on the Australian government to use all diplomatic channels available to urge the Pakistani government to:

- immediately and unconditionally release Shafqat and Shagufta and ensure that they and their lawyers are provided with adequate security upon their release
- grant Shafqat prompt, regular and unrestricted access to adequate health care, as necessary
- repeal the blasphemy laws, and
- abolish the use of the death penalty.

For further information, or to discuss and organise a meeting, please contact Joel MacKay at [joel.mackay@amnesty.org.au](mailto:joel.mackay@amnesty.org.au) or 0424 242 112.

Yours sincerely,



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