



Mr. Heiner Bielefeldt

Special Rapporteur on freedom of religion or belief

- cc. Special Rapporteur on extrajudicial, summary or arbitrary executions
Independent Expert on Minority Issues
UN Human Rights Committee (HRC)
UN Committee on the Elimination of Racial Discrimination (CERD)
UN Committee against Torture (CAT)

Geneva, 10 May 2011

Re: Letter of allegation: Death of Mr. Qamar David. Mr David belonged to the Christian minority, he was convicted for alleged blasphemy and he was found dead in Karachi jail on March 15th, 2011

Following reliable information received, Franciscans International would like to inform the Special Rapporteur on Freedom of Religion or Belief about the death of Mr Qamar David, Pakistan.

Information on the facts

- Qamar David, a Christian victim of alleged blasphemy was found dead in Karachi jail on March 15th, 2011 raising doubts that he might have fallen prey to active hate campaign going on in the country on this issue by extremist groups.
- Qamar David was arrested on May 24th, 2006 on flimsy charges. He was given life imprisonment and fine Rupees 101, 000 on February 25, 2010 after he was accused of being in possession of a SIM phone used for sending derogatory messages offering insult to Holy Prophet. He was charged under Sections 295 A and 925 C of the Pakistan Penal Code however, the Muslim co-accused was acquitted for lack of evidence.
- A native of Lahore, Qamar David was in Karachi for business in 2006. According to sources, Qamar David's lawyer Pervez Chaudhry maintained that the allegations were spurious, triggered by a business rivalry, and that the conviction was the result of pressure from local religious clerics and their supporters. A Session court in Karachi sentenced Qamar David to life imprisonment in February 2010.
- Qamar David came immediately after the tragic assassination of **Shahbaz Bhatti**, the **Minister of Minorities of Pakistan**. His death was the second dead body in the less than two weeks within the Christian community in Pakistan.
- David's family and relatives did not allow the media to cover the funeral ceremony due to threats they said they received prior to Qamar's death.

Blasphemy laws in Pakistan

For a number of years, Church representatives and human rights organizations have repeatedly called for the repeal of Pakistan's 1986 blasphemy laws, which deal harshly with perceived "crimes of disrespect" towards the Holy Quran or the Prophet Mohammed. Under Blasphemy Laws 295B and 295C of Pakistan's Penal Code, perpetrators of these crimes are liable to sentences of life imprisonment or death penalty, according to the decrees of Sharia law.

Data collected by the National Commission for Justice and Peace (NCJP) of the Catholic Bishops Conference of Pakistan (CBCP), shows that from 1986 to August 2009, at least 964 persons were

charged under this law. These include: 340 Ahmadis, 119 Christians, 14 Hindus, 479 Muslims and 10 unknown. Angry mobs and individuals have killed approximately 32 persons.

Recommendations

Franciscans International calls upon the Special Rapporteur on Freedom of Religion or Belief and the International community at large to:

- Ask the government to immediately carry out an independent and thorough investigation into the death of Qamar David in prison and prosecute the perpetrators.
- Ask the government of Pakistan to immediately address violence against the Christian community in Pakistan, and to commit to remove those legal basis that lead to discrimination on the basis of religion included in the Constitution, as well as in laws and State policies.
- Ask the provincial government to investigate and prosecute those responsible for all attacks on minorities; and take urgent steps arrest the remaining culprits.
- Encourage the Government to invite the UN Special Rapporteur on Freedom of Religion or Belief and the Independent Expert on Minority Issues to visit Pakistan in a joint mission and to assess the situation.

Please do not hesitate to contact Ms **Francesca Restifo** f.restifo@fiop.org or Mr. **Morse Caoagas Flores**, m.flores@fiop.org if you have any further questions.

Thank you in advance for your attention.

Sincerely,

A handwritten signature in black ink that reads "Boyle fmdm". The signature is written in a cursive, flowing style.

Sr. Denise Boyle, fmdm
Executive Director