

MR. CHAUDHRY NISAR ALI KHAN
Federal Minister for Interior
Pakistan Secretariat,
Islamabad

CRIN CHILD RIGHTS INTERNATIONAL NETWORK



Defence for Children International
the worldwide movement for children's rights

Monday 16th March, 2015

OMCT
SOS-Torture Network



URGENT: Shafqat Hussain – child offender scheduled for execution on 19th March

Dear Sir,

We the undersigned are writing to you to express our serious concern regarding the case of Shafqat Hussain, a prisoner in Karachi Central Jail who was arrested and sentenced to death when he was just 14 years old. We understand that a warrant has been issued for Shafqat's execution, and that he is now scheduled to be hanged on 19th March 2015. We ask that you immediately intervene in the case and stay the execution.

As you are of course aware, the execution of a child offender like Shafqat would be a violation of Pakistan's own law – specifically the provisions of the Juvenile Justice System Ordinance 2000. It would also be a violation of the international prohibition on the execution of juveniles, contained in Article 37(a) of the United Nations Convention on the Rights of the Child and Article 6(5) of the International Covenant on Civil and Political Rights. We need not remind you that Pakistan is a signatory to both these treaties.

We understand that a previous date for Shafqat's execution was set on 14th January 2015, but the execution was stayed following your intervention in the case.¹ We welcomed your decision to request a full, independent inquiry into Shafqat's age and the facts of his case – particularly as credible and concerning allegations of torture and police misconduct have also been made by Shafqat and his legal team. Carrying out such an enquiry would clearly demonstrate Pakistan's commitment to reforming the juvenile justice system and to upholding its international obligations.

While we are concerned that the moratorium on the death penalty has recently been lifted in Pakistan, we are were doubly shocked to discover that not only has a fresh warrant been issued for Shafqat's execution but also that no inquiry into his age or the facts of his case has yet been conducted. For the Pakistani Government to knowingly carry out the execution of a child offender despite promises of an inquiry would be a flagrant violation of the most fundamental principles of justice. It would also mean that Pakistan would become one of only five countries in the world still executing child offenders. We are sure that you are as keen as we are to ensure that that does not happen.

In light of the above, we would like to reiterate our request that Shafqat's execution should immediately be stayed, and to reiterate our support for an independent inquiry to be conducted in this case. We are counting on you to demonstrate Pakistan's commitment to due process and the rule of law and to prevent this unlawful execution from taking place. Please intervene and save Shafqat's life.

Sincerely,

Child Rights International Network
Defence for Children International
World Organisation Against Torture
Child Rights Movement Sindh
Penal Reform International

¹ National Assembly of Pakistan, Assembly Debates, Monday, the 5th January, 2015, Page 16 http://www.na.gov.pk/uploads/documents/1421119900_258.pdf