

Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on freedom of religion or belief

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(Please use this reference in your reply)

10 September 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on extrajudicial, summary or arbitrary executions; Working Group on Arbitrary Detention; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the independence of judges and lawyers and Special Rapporteur on freedom of religion or belief, pursuant to Human Rights Council resolutions 53/4, 51/8, 54/14, 52/9, 53/12 and 58/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the death penalty against Mr. Shahzad Masih, Mr. Qaiser Ayub and Mr. Amoon Ayub for blasphemy, despite a reported failure by the Prosecution to present proof beyond reasonable doubt and that the crime does not meet the threshold of "most serious crimes" as required under international law when the death penalty is imposed.**

According to the information received:

The death penalty against Mr. Shahzad Masih

On 13 July 2017, Mr. Shahzad Masih, a 16-year-old Christian, was asked by two Muslim co-workers about Christian prophets. He replied that he did not know much about religion. His coworkers told him about Muslim prophets. Mr. Masih replied that one of his family's friends used derogatory words whenever he heard those names. The co-worker became angry. Mr. Masih was later called to the Popular Mobile Shop where the owner and a group of men from a Muslim religious organization were present. The individuals asked Mr. Masih to repeat what he had said. Mr. Masih did so fearing for his life. The individuals took Mr. Masih to a religious school and the police came to detain him. After his detention, the authorities did not inform his family of his fate and whereabouts, so that, for several days, the family did not know what was happening and where he was being detained, while he was placed outside the protection of the law.

On 14 July 2017, an application was registered by the police of P.S., Dinga, District Gujrat charging Mr. Shahzad Masih under 295-C of the Pakistan Penal Code for allegedly making blasphemous remarks by speaking disparagingly about the Prophet Mohammad. Section 295 C of the penal code carries a mandatory death sentence. A few days after his detention, his family was allowed to see him for 20 minutes. The police record incorrectly states that Mr. Masih was arrested on 17 August 2017 instead of 13 July 2017.

On 18 August 2017, Mr. Masih was presented before a judicial magistrate; no defence counsel was present. The police failed to submit their investigative report until 18 January 2017. Prior to 6 February 2018, Mr. Masih did not have a defence council.

Even though a minor when arrested and charged, Mr. Shahzad Masih was allegedly tried as an adult. The court disregarded his official birth certificate as evidence of his age and instead relied on an ossification test to assert he was an adult.

In the course of his legal proceedings, all the prosecution witnesses reportedly testified that “Shahzad said that his father’s friend, Ali, blasphemes.” This is the entire evidence against Mr. Shahzad Masih, and, even under the existing law, this would not constitute blasphemy.

Further, the investigating officer testified that he did not find Mr. Shahzad Masih’s statement blasphemous and did not find Mr. Shahzad Masih guilty in his investigation. The Court’s judgement states that the investigating officer has rendered an opinion that Mr. Shahzad Masih did not know the sensitivity of the case, particularly because of his young age. The Court defined this statement as non-relevant evidence since it had determined that he was an adult.

A local fundamentalist group, Saqib Jalali of Tehreek e Thazuf e Islam reportedly threatened that if the court didn’t punish Mr. Shahzad Masih, they would kill him. Members of the group regularly attended the hearings.

On 22 November 2022, the death penalty was imposed on Mr. Shahzad Masih by the trial court in Kharian. This decision was appealed.

The Lahore High Court is expected to hear the appeal. Since December 2023, Mr. Shahzad Masih’s counsel has filed four separate petitions for an early hearing, but the court has yet to hear the appeal. Should it uphold the conviction, the case would move to the Supreme Court and could likely face delays of years before it would be heard and decided.

Since his arrest, Mr. Shahzad Masih has been deprived of his liberty for approximately 8 years.

The death penalty against Messrs. Qaiser Ayub and Amoon Ayub

On 9 June 2011, FIR # 105/2010 was registered under sections 295-C of the Pakistan Penal Code against Mr. Qaiser Ayub and his brother, Mr. Amoon Ayub for allegedly posting blasphemous content on a website. Section 295 C of the penal code carries a mandatory death sentence. Mr. Qaiser Ayub was arrested on 11 November 2014. Mr. Amoon Ayub was later arrested on 18 April 2015.

While the Federal Investigation Agency reportedly investigated the identity of the person who created the website, it found no information. Mr. Qaiser Ayub’s contact information was published on the website as well as Mr. Amoon Ayub’s

phone number and work address. However, there was no evidence as to whether Messrs Ayub included this information on the page or whether it was included by a different individual. An inquiry sent to WordPress requesting information on the identity of the person who created the page received no response.

Despite the lack of direct evidence beyond reasonable doubt, on 13 December 2018, the trial court in Talagang sentenced Messrs. Qaiser Ayub and Amoon Ayub to death.

The Court reasoned that, if Messrs. Ayub had no connection with the website in question, they would have promptly contacted the administrator to request the removal of the data and the closure of the site. The Court further stated: *“It may be appreciated that when a very serious allegation of blasphemy, attracting the provision of section 295-C of the Pakistan Penal Code and entailing the death penalty, is levelled against an innocent person, his first reaction would be to ask the relevant authorities to remove the blasphemous data as well as their contacts and to down/close the link.”* On this basis, and noting that Messrs. Ayub’s initial actions did not correspond to what the Court considered to be the expected reaction, it concluded that they could not be regarded as innocent.

The Court further observed that Mr. Amoon Ayub had attempted to evade arrest for several years after the filing of the FIR and interpreted this as evidence of a guilty conscience. This assessment, however, did not take into account the risks commonly faced by individuals accused of blasphemy, including threats to their personal safety. On 8 June 2022, the Lahore High Court, Rawalpindi Bench, upheld his conviction.

It is alleged that the judges of both the trial court in Talagang and the Lahore High Court in Islamabad faced pressure from fundamentalists, who attended proceedings.

The Supreme Court of Pakistan scheduled a hearing for 30 June 2025 to consider the appeal in the case of Messrs. Qaiser Ayub and Amoon Ayub. Mr. Qaiser Ayub’s counsel failed to appear and asked the Court for a continuance. The Court granted the request and postponed the hearing, without setting a new date.

Mr. Qaiser Ayub had been deprived of his liberty for nearly 11 years since his arrest, and Mr. Amoon Ayub for approximately 10 years.

Without making any judgment as to the accuracy of the information made available to us, we would like to express our grave concern about the imposition of the mandatory death penalty for blasphemy related charges against Mr. **Shahzad Masih**, Mr. **Qaiser Ayub** and Mr. **Amoon Ayub**, despite an apparent lack of conclusive evidence against them for acts and for offenses which do not qualify as “most serious crimes.” We are further concerned by their alleged arbitrary detention and, in the case of Mr. Masih, his enforced disappearance between 13 to 17 July 2017.

We also reiterate our concern about the application of the blasphemy law against persons lawfully exercising their rights to freedom of thought, conscience, religion or

belief, and to freedom of expression as well as concern that the independence of the judges and lawyers handling the case and the fair trial guarantees in this case may be compromised by undue pressure and threats of violence.

If the above allegations prove to be accurate, they would be in contravention of Mr. Shahazad Masih's, Mr. Qaiser Ayub's and Mr. Amoon Ayub's rights to life, not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment, not to be deprived arbitrarily of their liberty and to be afforded fair proceedings before an independent and impartial tribunal, to freedom of thought, conscience and religion or belief, the right to express their opinion in a peaceful manner and the right to be equal before the law and are entitled to the equal protection of the law without any discrimination as set out in article 3, 5, 9, 10, and 18 of the Universal Declaration of Human Rights (UDHR) and articles 6, 7, 9, 10, 14, 18, 19 and 26 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan on 23 June 2010. We also refer to the obligations enshrined in the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, ratified by Pakistan on 23 June 2010. We recall that the right to life constitutes a customary international and *jus cogens* norm from which no derogation is permitted under any circumstances pursuant to article 4(2) of the ICCPR. Regarding Mr. Masih's case more particularly, and considering his enforced disappearance, we wish to remind your Excellency's Government of articles 6, 7, 9, 16, read alone and in conjunction with art. 2.3 and 23.1 ICCPR.

We reiterate that under international law, a death sentence may only be imposed in respect of "the most serious crimes," meaning in cases which involve intentional killing. Charges of blasphemy do not meet this threshold (CCPR/C/PAK/CO/1 para. 17). Executions for blasphemy related charges amount to a violation of international law and constitute unlawful killings. We further re-iterate that mandatory death sentences are inherently over-inclusive and unavoidably violate human rights law. The categorical distinctions that may be drawn between offences in the criminal law are not sufficient to reflect the full range of factors relevant to determining whether a death sentence would be permissible in a capital case.

In addition, we would like to refer to the United Nations Safeguards guaranteeing protection of the rights of those facing the death penalty, which provide that capital punishment may be imposed only for the most serious crimes, after a legal process which gives all possible safeguards to ensure a fair trial, including the right of anyone suspected of or charged with a crime for which capital punishment may be imposed to adequate legal assistance at all stages of the proceedings. The Human Rights Committee has noted that "in cases of trials leading to the imposition of the death penalty scrupulous respect of the guarantees of fair trial is particularly important. The imposition of a sentence of death upon conclusion of a trial, in which the provisions of article 14 of the Covenant have not been respected, constitutes a violation of the right to life (article 6 of the Covenant)" (CCPR/C/GC/32, para. 59).

We note that the Working Group on Arbitrary Detention issued an opinion ([A/HRC/WGAD/2023/65](#)) on the case of Mr. Masih in 2023 and found his detention to be arbitrary and in contravention of articles 2, 3, 7, 8, 9, 10 and 19 of the Universal Declaration of Human Rights and articles 2, 9, 14, 19 and 26 of the ICCPR. The Working Group considered the appropriate remedy would be to release Mr. Masih

immediately, accord him an enforceable right to compensation and other reparations and investigate the circumstances surrounding his arbitrary deprivation of liberty and enforced disappearance.

We further note that the Human Rights Committee has expressed concern at blasphemy laws in Pakistan including section 295 and 298 as well as reports that judges who hear blasphemy cases are frequently harassed and subjected to intimidation and threats (CCPR/C/PAK/CO/2 paras. 40 and 46). The Committee indicated that Pakistan should repeal all blasphemy laws or amend them in compliance with the strict requirements of the Covenant, and to take specific measures to prevent judges and prosecutors from being influenced in their decision-making by any form of political pressure, harassment, intimidation, threats or other unlawful interference (ibid paras. 41 and 47)

We also remain troubled by the removal of the de facto moratorium on the death penalty in 2014. In this regard, we recall that the General Assembly has consistently called upon all States to establish a moratorium on executions with a view to abolishing the death penalty since its resolution 162/149 in 2007 and most recently, in its resolution 79/179 in 2024.

Under these circumstances, we respectfully call on your Excellency's Government to **halt all steps currently being considered or taken with respect to the further confirmation of the death penalty in the case of Mr. Shahzad Masih, Mr. Qaiser Ayub and Mr. Amoon Ayub, to fully investigate the allegations raised in this communication and to release them as soon as possible. We would also like to respectfully request your Excellency's Government to share this communication with the appropriate provincial authorities.**

In view of the irreversibility of the punishment of the death penalty we respectfully reiterate our call on your Excellency's Government to consider reinstating an official moratorium on all executions.

We would like to reiterate that we stand ready to assist your Excellency's Government in relation to any efforts towards bringing the legislative framework and legal process of Pakistan into line with international standards and its obligations under the ICCPR. We express hope that, should your Excellency's Government decide to make changes to existing legislation in relation to the death penalty, the changes would ensure that the death penalty can only be imposed for "the most serious crimes".

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.

2. Please provide details on how your Excellency's Government intends to address the imposition of the death penalty in the case of Mr. Masih and Messrs. Ayub, which was reportedly handed down after unduly prolonged judicial proceedings and based on allegedly inconclusive evidence, and for offenses not amounting to the 'most serious crimes,' and to prevent similar cases occurring in future.
3. Please provide information on any concrete steps take to provide protection for judges in blasphemy cases as well as to prevent judges and prosecutors in such cases from being influenced in their decision-making by any form of political pressure, harassment, intimidation, threats or other unlawful interference.
4. Please provide information on the concrete steps taken to investigate the allegations of enforced disappearance and arbitrary detention and, if no action has been taken, please explain why.
5. Please provide information on any efforts envisaged to remove the mandatory death penalty in Pakistan for blasphemy related charges and to bring the current legislation in line with international human rights norms.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the cases through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the present communication and the regular procedure.

While awaiting a reply, we urge that all necessary interim measures be taken to prevent any irreparable harm to the life and personal integrity of Mr. Shahzad Masih, Mr. Qaiser Ayub and Mr. Amoon Ayub, including by halting any steps currently being considered or taken with respect to the confirmation of their respective death penalties and by releasing them, and to prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please accept, Excellency, the assurances of our highest consideration.

Morris Tidball-Binz
Special Rapporteur on extrajudicial, summary or arbitrary executions

Matthew Gillett
Vice-Chair of the Working Group on Arbitrary Detention

Gabriella Citroni
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion
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Margaret Satterthwaite
Special Rapporteur on the independence of judges and lawyers

Nazila Ghanea
Special Rapporteur on freedom of religion or belief

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, , we would like to refer your Excellency's Government to the right to life, not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment, not to be deprived arbitrarily of his liberty and to be afforded fair proceedings before an independent and impartial tribunal, to freedom of thought, conscience and religion, the right to express his opinion in a peaceful manner and the right to be equal before the law and are entitled without any discrimination to the equal protection of the law as set out in article 3, 5, 9, 10, and 18 of the Universal Declaration of Human Rights (UDHR) and articles 6, 7, 9, 10, 14, 18, 19 and 26 of the International Covenant on Civil and Political Rights (ICCPR) ratified by Pakistan on 23 June 2010. We also refer to articles 2, 11, 12, 13 and 14 of the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, ratified by Pakistan on 23 June 2010. We stress that the right to life constitutes a supreme right from which no derogation is permitted under any circumstances pursuant to article 4(2) of the ICCPR.

The right to life is guaranteed under article 6 the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan on 23 June 2010. Article 6(1) states that "every human being has the inherent right to life [which] shall be protected by law. No one shall be arbitrarily deprived of his life." Article 9 of the Constitution of Pakistan provides that "No person shall be deprived of life or liberty, save in accordance with law" echoing the right guaranteed in article 6(1) of the ICCPR.

The Human Rights Committee has found that "violation of the fair trial guarantees provided for in article 14 of the Covenant in proceedings resulting in the imposition of the death penalty would render the sentence arbitrary in nature, and in violation of article 6 of the Covenant." Such violations would include the imposition of the death penalty based on ambiguous and inconclusive evidence and after excessive and unjustified delays in the trial or the appeal process and the general lack of fairness of the criminal process, or lack of independence or impartiality of the trial or appeal court (CCPR/C/GC/36, para. 41). In this regard, the Human Rights Committee, in its general comment No. 36, has held that "the execution of sentenced persons whose **guilt has not been established beyond reasonable doubt** also constitutes an arbitrary deprivation of life", therefore, States parties are required to "take all feasible measures in order to avoid wrongful convictions in death penalty cases, to review procedural barriers to reconsideration of convictions and to re-examine past convictions on the basis of new evidence. We also refer to the above mentioned Safeguards, in particular paragraphs 4 to 8, which provide that capital punishment may be imposed only when the guilt of the person charged is based upon clear and convincing evidence leaving no room for an alternative explanation of the facts, that it may only be carried out pursuant to a final judgment rendered by a competent court after a legal process which provides all possible safeguards to ensure a fair trial, including the right to adequate legal assistance at all stages. Only full respect for stringent due process guarantees distinguishes capital punishment from arbitrary execution.

The prohibition of enforced disappearances and the corresponding obligation to investigate them have attained the status of *jus cogens*. In order to constitute an enforced

disappearance, the deprivation of liberty must be followed by a refusal to acknowledge such deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law, regardless of the duration of the said deprivation of liberty or concealment (CED/C/10/D/1/2013 and CED/C/11).

Moreover, the prohibition of enforced disappearance has attained the status of *jus cogens* and, according to article 7 of the 1992 Declaration on the Protection of All Persons from Enforced Disappearance, no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify it. Furthermore, the 1992 Declaration provides that no State shall practice, permit or tolerate enforced disappearances (article 2) and that each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction (article 3). All acts of enforced disappearance shall be offences under criminal law punishable by appropriate penalties which shall take into account their extreme seriousness (article 4), no order or instruction of any public authority, civilian, military or other, may be invoked to justify an enforced disappearance (article 6).

The right to a prompt and effective judicial remedy must be guaranteed as a means of determining the fate or whereabouts or state of health of persons deprived of their liberty and/or identifying the authority ordering or carrying out the deprivation of liberty is required to prevent enforced disappearances under all circumstances (article 9). The Declaration further sets out the necessary protection relating to the rights to be held in an officially recognized place of detention, and to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to the maintenance in every place of detention of official up-to-date registers of all detained persons (articles 10 and 12). In addition, the Working Group on Enforced or Involuntary Disappearances has underlined the importance of ensuring procedural safeguards upon detention and during the first hours of deprivation of liberty, including immediate registration, judicial oversight of the detention, prompt notification of family members, and the availability of a defence lawyer of one's choice (A/HRC/48/57).

The Working Group on Enforced Disappearance's General Comment on Children and Enforced Disappearance (A/HRC/WGEID/98/1) states that States need to consider as an aggravating factor that the person who disappeared was a child, taking into consideration that enforced disappearances of children are an extreme form of violence against children and reiterates that the State obligations that arose when the child was under the age of 18 continue as long as those obligations are not fully complied with.

The death penalty has long been regarded as an extreme exception to the fundamental right to life. We would like to draw your Excellency's Government's attention to article 6(2) of the ICCPR stating that "in countries which have not abolished the death penalty, sentence of death may be imposed only for the **most serious crimes**." Article 1 of the United Nations Safeguards guaranteeing protection of the rights of those facing the death penalty, approved by the Economic and Social Council on 25 May 1984 (resolution 1984/50), also state that, in countries which have not abolished the

death penalty, capital punishment may be imposed only for the most serious crimes which are considered to be intentional crimes with lethal or other extremely grave consequences.

Similarly, it was submitted in a report by the mandate on extrajudicial, summary or arbitrary executions to the Human Rights Council that a death sentence can only be imposed in cases where it can be shown that there was an intention to kill which resulted in the loss of life (A/HRC/4/20, para. 53). The imposition of the death penalty for crimes that do not result in the loss of life is incompatible with the Covenant (CCPR/C/79/Add.25). Blasphemy related charges do not meet the “most serious crimes” threshold (CCPR/C/PAK/CO/1, para. 17). Furthermore, the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment requires States to ensure legal and procedural safeguards, including access to a lawyer, contact with the family, independent medical examination, and the right to contest the legality of one’s detention, are granted to all persons from the outset of arrest. These safeguards prevent the risk of torture and ill-treatment and are prerequisites for a fair trial.

We further refer to the Human Rights Committee stating that “In all cases involving the application of the death penalty, the personal circumstances of the offender and the particular circumstances of the offence, including its specific attenuating elements must be considered by the sentencing court. Hence, **mandatory death sentences** that leave domestic courts with no discretion on whether or not to designate the offence as a crime entailing the death penalty, and on whether or not to issue the death sentence in the particular circumstances of the offender, are arbitrary in nature. The availability of a right to seek pardon or commutation on the basis of the special circumstances of the case or the accused is not an adequate substitute for the need for judicial discretion in the application of the death penalty” (CCPR/C/GC/36, para. 37).

We further recall that the mandatory imposition of the death penalty based on blasphemy laws remains an undue restriction of the right to **freedom of thought, conscience, religion or belief**. In this regard, we would like to recall article 18 of the ICCPR, which stresses that “Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom [...] either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” General comment No. 22 of the Human Rights Committee has clearly stressed that article 18 “does not permit any limitations whatsoever on the freedom of thought and conscience [...]” Peaceful expression of one’s thought and conscience cannot be restricted unless it has fulfilled stringent tests of legality, proportionality and necessity.

The 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55) states in its article 2(1) that: “[n]o one shall be subject to discrimination by any State, institution, group of persons, or person on grounds of religion or other belief.” In article 4(1), the General Assembly further states that: “All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms [...]” Furthermore, we would like to refer your Excellency’s Government to article 4(2)

according to which: "All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter."

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of expression, which includes the right "to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media". This right applies online as well as offline and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11). The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, proving "in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat" (CCPR/C/GC/34, para. 35). The Human Rights Committee recalled that the relation between right and restriction and between norm and exception must not be reversed. In this regard, the Human Rights Committee stated that the restrictions must be "the least intrusive instrument among those which might achieve their protective function". (CCPR/C/GC/34, para. 34).

The repeal of blasphemy laws has been called for by the Special Rapporteurs on freedom of religion or belief and freedom of opinion and expression and is a recommendation of the Rabat Plan of Action (see A/HRC/22/17/Add.4) and Human Rights Committee general comment No. 34 regarding article 19 of the ICCPR (see CCPR/C/GC/34, para. 48). Such repeal is particularly urgent in situations where the laws carry death sentences, such as in Pakistan.

In relation of allegations that the blasphemy laws in place are used to target **ethnic and religious minorities**, we would like to draw the attention of your Excellency's Government to the prohibition on the discriminatory application of the death penalty, as discussed by the Human Rights Committee, in its general comment No. 36: "Data suggesting that members of religious, racial or ethnic minorities, indigent persons or foreign nationals are disproportionately likely to face the death penalty may

indicate an unequal application of the death penalty, which raises concerns under article 2(1) read in conjunction with article 6, as well as under article 26” (CCPR/C/GC/36, para. 44).

Ultimately, when executions have been suspended for an extended period of time, it is unlikely that their resumption may be justified by objective reasons. If executions are resumed owing to developments unrelated to the crime or criminal in question, such as a deterioration in the law and order situation in the country, they are similarly arbitrary (A/69/265). In this regard, we stress that there exists no evidence that the death penalty has a deterrent effect against crime.