



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 on the illegal detention of Mr. Arif Masih (40) of Faisalabad, Pakistan on April 15, 2011 on blasphemy charges.

Following reliable information received, Franciscans International would like to inform the Special Rapporteur on Freedom of Religion or Belief about the arrest and illegal detention of Mr. Arif Masih of Faisalabad, Pakistan.

The following events have been reported:

- On April 5, 2011 Mr. Arif Masih, 40 years old from Chak 129/RB, Tibbi, Jhumra, Faisalabad was arrested and illegally detained by the local police on a accusation of desecrating the Holy Quran- an act punishable by law up to 25 years in prison in under section 295-C of Pakistan's Penal Code on blasphemy.
- According to the report, while a case (First Information Report # 133/201) was filed by Mr. Shahid Yousaf against an "unidentified person", Mr. Masih was arrested and illegally detained by the local police at unknown place for investigation.
- Section 61 of Pakistan's Criminal procedure Code stated that, an arrested person must be produced within 24 hours before a court. Mr. Masih was detained at un-disclosed location without a court appearance since April 5, 2011 and that the police failed to register his arrest in any legal document, thus making his detention illegal. Reportedly, two brothers of the complainant namely Mr. Zahid Yousaf and Mr. Rashid Yousaf are members of the Pakistan Elite Police Force used their influence to bring the charges against Mr. Masih.
- According to the latest report received, Mr. Masih was finally released on 18 April 2011 due to constant pressure and monitoring of his case by members of civil societies which resulted in the police dropping charges against him. Although Mr. Masih is freed, his whole family is still on hiding due to fear of reprisal.

Recommendations

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

- 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. In

particular, Ask the government to repeal Sections 295-B and 295-C of the Pakistan Penal Code because they represent a source of fear and insecurity of religious minorities.

- Ask local governments, particularly those where populations have been affected, to take the necessary steps to prevent further violence.
- Set an international inquiry committee to assess the seriousness of this widespread and systematic phenomena of violence and discrimination against religious minorities, and bring perpetrators to justice;
- 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