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Sent in advance by email

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President of Pakistan

Islamabad

Islam Republic of Pakistan

Geneva, August 12, 2021

Security situation of Saif-ul-MALOOK

Mr President,

I am writing to you on behalf of the Geneva Bar Association, which represents nearly 1,900 lawyers in Geneva. The Geneva Bar Association is member of the Swiss Federation of Lawyers, the International Association of Lawyers, the International Bar Association, the International Conference of Bars (CIB) and the International Observatory of Lawyers at Risks.

The Geneva Bar Association places great emphasis on the protection of lawyers in the exercise of their profession as well as the respect for human rights and the rule of law. As such the Geneva Bar Association is very concerned by the situation and safety of our colleague Saif-ul-MALOOK.

Saif-ul-MALOOK has been a constant advocate for human rights and has upheld the highest standards of our profession by ensuring all could have access to justice by being the only one to take the defense of certain cases. We are informed that because of the nature of the cases he is defending, he has been the subject of constant harassment and death threats.

Recently the High Court of Lahore granted the appeal against the conviction of Shafqat EMMANUEL and Shagufta KAUSAR, who were found guilty of blasphemy and sentenced to death in April 2014. Saif-ul-MALOOK represented this young couple and won their acquittal, which resulted in an outpouring of media reports, tweets and threats.

As you may recall, Saif-ul-MALOOK also represented the very high-level case of Asia BIBI, whose acquittal he also secured three years ago. However, due to the credible death threats against him he was forced to leave Pakistan and temporarily relocate to The Netherlands with the assistance of a Dutch NGO.

He then returned to Pakistan in order to plead her final and successful appeal. Since his life continues to be in danger, and he has received numerous death threats, requiring police protection.

He also represents a number of other individuals charged with or convicted of blasphemy, and he has attained a considerable degree of notoriety around the world because of his defence of human rights. Indeed, he is the recipient of a number of prestigious human rights awards, last year was made an honorary member of the Bar of Paris, and the European Parliament recently called on member states to provide international protection for him.

The Geneva Bar Association has received information that recently Shafqat EMMANUEL and Shagufta KAUSAR were finally released from prison, and congratulate your government and your authorities for ensuring their protection. The Geneva Bar Association is equally appreciative of you and your authorities for providing police protection for Saif-ul-MALOOK, which is an absolute necessity given the serious and credible threats of serious harm against him. However, the Geneva Bar Association firmly believe that there is a new and increased risk to Saif-ul-MALOOK and his family as a result of the release yesterday of Shafqat EMMANUEL and Shagufta KAUSAR. For this reason the Geneva Bar Association strongly support and reiterate the call issued by the Council of European Bars and Law Societies for better security for Saif-ul-MALOOK.

Remaining profoundly concerned about the situation, the Geneva Bar Association would like to draw the Pakistan authorities' attention to the 1990 UN Basic Principles on the Role of Lawyers, according to which they have an obligation to ensure that lawyers can perform all of their professional functions without intimidation, hindrance, harassment or improper interference and that they do not suffer, or be threatened with, prosecution for any action taken while carrying out their duties (Principle 16).

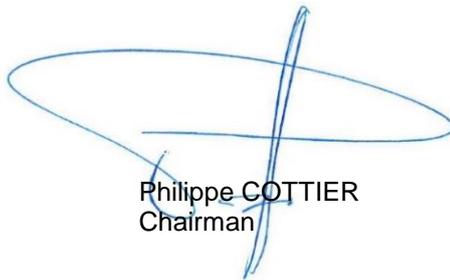
Furthermore, according to Principle 17, "Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities."

The Geneva Bar Association therefore urges the Pakistani authorities to comply with the standards set forth by the Basic Principles on the Role of Lawyers as well as their obligation under International Human Rights Law and to ensure the safety of Saif-ul-MALOOK, by:

- immediately provide him improved security;
- provide him a bullet-proof vehicle, which would allow him to move about without fear or worry, and to carry out his professional duties properly and safely.

I thank you for your attention to this very serious matter, which the Geneva Bar Association and I will continue to closely monitor.

Respectfully yours,


Philippe COTTIER
Chairman

cc : Prime Minister of Pakistan, Imran KHAN, Prime Minister's Office Islamabad, Islamabad, Islam Republic of Pakistan (info@pmo.gov.pk)

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