

To: Chief Justice Hon. Ata Bandial
Supreme Court of Pakistan
Constitution Avenue,
G-5/2 Islamabad, Pakistan

Concerns: Undue delay in blasphemy cases

Brussels, 26 January 2023

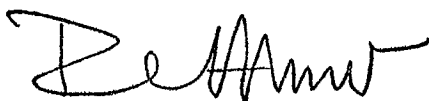
Honourable Chief Justice of Pakistan,
Honourable Judges of Supreme Court of Pakistan,

We, Members of the European Parliament, are addressing you in your capacity of the final arbiters of the law and of the Constitution of Pakistan. We would like to underline an important issue preventing a significant number of Pakistani citizens from enjoying their human rights. A fundamental prerequisite of a fair trial, acknowledged by both Pakistan's legislation and the International Covenant on Civil and Political Rights to which Pakistan is a party, is the right to be tried without undue delay. We are aware that delays in the lower courts apply to nearly all cases, as the judges need to deal with a considerable backlog. However, for those accused of offences related to religion codified under "blasphemy laws", delays in trial are particularly lengthy. These individuals are commonly held in pre-trial detention for unduly long periods without being granted bail, and those of them sentenced to death stay on death row for prolonged periods until the outcome of their appeals is known.

Thus, we would like to make a request to you, as the Members of the judicial organ ultimately responsible for jurisdiction with respect to the enforcement of fundamental freedoms, to safeguard the right for justice to be served within a reasonable time. This can be ensured through accelerating the processing of blasphemy cases by the court system of Pakistan, particularly at its lower levels, and through making better use of the opportunity to grant bail. Moreover, a systematic use of the existing safeguards to avoid abuse of blasphemy accusations, such as transfer of cases to other districts to avoid undue pressure, would undoubtedly improve the situation. Such steps, while preserving procedural correctness, would ensure the right to liberty and the presumption of innocence of the accused, avoiding undue impact on their lives and those of their families.

We trust you will give this matter serious consideration.

Yours sincerely,



Petras Auštrevičius MEP



Peter van Dalen MEP