

## **Mirza-Tahir Hussain**

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- 36, D.O.B: 1 June 1970
- joint UK-Pakistan national
- born and brought up in Leeds; family live in Leeds, including brother Amjad Hussain

### **The legal case**

- 1988, aged 18 yrs, Mirza visited Pakistan for first time, to visit the home of his family
- on 17 December 1988 he took a taxi from to the village of Bhubar (where his family are from) from Rawalpindi; he alleges the taxi driver attempted to sexually assault him, and in the scuffle that followed, a gun, which the taxi driver had been carrying, went off and the taxi driver was fatally injured
- 1989 the local secular court convicted Mirza of murder and sentenced him to death
- Mirza appealed, and a high court dismissed the case saying there had been discrepancies in the case
- 1994, a lower court then found Mirza guilty again, and sentenced him to life imprisonment
- Mirza appealed this new conviction again at the high court, which in 1996 again dismissed the case and acquitted him
- The case was then referred to the Federal Sharia Court, which again convicted Mirza of murder and robbery, and sentenced him to death; this was upheld even though 1. the court conceded there had been no theft (it could be shown Mirza paid for the taxi) and 2. there were no witnesses as usually required for this charge and sentence
- On appeal in the religious courts this conviction was again overturned
- 2003, Supreme Court again upheld the conviction
- 2004 an appeal to Supreme Ct failed
- 2005 appeal for clemency to Pres Musharraf was declined
- 1998-2006 there has been ongoing negotiations between the tribes to which the two families belong; these talks have now failed
- July 06, the authorities at Adiala jail in Rawalpindi, Punjab province, have announced that Mirza Tahir Hussain will be executed on 3 August 06, following a one month stay of execution granted in June to allow the families a last chance to negotiate
- 27 Aug 06, Pakistan authorities announce further one month stay of execution to 1 Sept; this announcement was made to Pakistan based media before it was confirmed to the family; it was also made on the same day as a large demonstration on Mirza's behalf at the Pakistan High Commission in London
- Mirza in prison: over the last 18 years Mirza has been awarded an unusual amount of remission and recognition of good conduct while in prison; he has run English classes for other prisoners, he sometimes leads prayers and he has passed a BA degree while in detention

### **Amnesty International concerns, and call on Pakistan Gov**

- Amnesty believes the trials may well have been unfair and that an innocent man faces execution
- Amnesty members around the world are writing to President Musharraf asking him to commute the sentence; Amnesty is also calling on the President to put an immediate moratorium on the DP in Pakistan, which last year executed the fifth highest number of people in the world (see below)

### **The death penalty in Pakistan**

In 2005 at least 241 people in Pakistan were sentenced to death and at least 31 people were executed (5<sup>th</sup> highest in the world), the majority for murder. Many well-off convicts were able to escape punishment under provisions of the Qisas and Diyat Ordinance that allows heirs of murder victims to accept compensation and pardon the offender

2006 – AI concern at a spate of executions since beginning 2006; 5 men were hanged in Punjab province on 12 June (after Pres rejected mercy plea)

More than 7,200 people are on death row in Pakistan, often held in extremely over-crowded conditions. In some cases 12 death row prisoners are reportedly being held in 12-foot by nine-foot cells designed for one person. The method of execution is usually hanging.

**ENDS**