



## **AFGHANISTAN: Supreme Court confirms 20-year blasphemy sentence at closed hearing**

TORONTO: March 9, 2009—PEN Canada is deeply concerned and dismayed by news from Afghanistan that in February 2009, at a closed hearing in the absence of the accused, his lawyer or any family members, the Supreme Court confirmed a 20-year jail sentence for blasphemy on the journalist Sayed Parwez Kambakhsh.

“The confirmation of this draconian sentence at a secret hearing belongs to a past that was to have ended with the creation of a ‘liberated’ Afghanistan,” said Nelofer Pazira, president of PEN Canada. “If the Karzai government cannot prove its constitutional commitment to free speech in cases like this, then none of Afghanistan’s recent progress is secure.”

Kambakhsh, 25, is an Honorary Member of PEN Canada, accused in October 2007 of circulating an article from a Farsi website which questioned the Prophet’s views on the role of women in Islamic societies. On January 22, 2008 at a closed hearing in Balkh province with no legal representation, Kambakhsh was given a death sentence. The trial lasted less than 10 minutes. At an appeal hearing on 21 October 2008, a higher court in Kabul upheld the verdict but commuted the sentence to 20 years in prison. Since that commutation, Kambakhsh’s lawyers have pursued an appeal to the Supreme Court of Afghanistan, on constitutional grounds.

Article 34 of the Constitution of Afghanistan guarantees that “Freedom of expression is inviolable.” It also stipulates that “[e]very Afghan has the right to print or publish topics without prior submission to the state authorities in accordance with the law.” To date, the legal decisions surrounding Sayed Parwez Kambakhsh and others suggest that little has been done to uphold this right. In October 2008, the journalist Ahmed Ghous Zalmai was sentenced to 20 years in prison for ‘publishing the Koran in a Dari translation’ without providing the original Arabic alongside the Dari; Mohammad Ateef Noori, who published the translation for Zalmai, was reportedly given a five-year sentence. In February 2009 the Payman daily newspaper announced that it had decided to cease publication in the face of growing pressure on its staff following the publication of an article deemed blasphemous by the Council of Religious Clerics.

▪ **PEN Canada** is the Canadian centre of International PEN, the writers’ organization with more than 140 centres in 110 countries worldwide. This year, PEN Canada celebrates 25 years of fighting for freedom of expression. **For more information:** [www.pencanada.ca](http://www.pencanada.ca) or contact Brendan de Caires, 416-703-8448 x 21