



## Death Penalty Overview

According to data collected by the NGO Justice Project Pakistan, there were 3,831 people on death row in Pakistan in 2021.

Pakistan's penal code is a mixture of English colonial law (from the Indian Penal Code 1860) and Islamic law. There are a total of 33 capital offences in Pakistan, which include murder, rape, adultery, fornication, terrorism, treason, drug offences, kidnapping and blasphemy. Pakistan has the largest death row population in the Asia Pacific region.

Pakistan had a de-facto moratorium on executions between 2008-2014. However, in response to the Taliban attack on a school in Peshawar, the moratorium was lifted, and executions resumed. Justice Project Pakistan state that 516 people have been executed since December 2014. No executions have been reported since 2019, although the rate of capital sentencing has increased.

While Pakistan continues to retain the death penalty, there have been some significant restrictions on its use. In February 2021, the Supreme Court of Pakistan exempted

prisoners with 'severe mental illness' from execution if they are unable to comprehend the rationale behind their punishment.

The Ministry of Law & Justice also issued the Criminal Law and Justice Reforms 2021 that propose to remove the death penalty for drug offences and offences under the Railways Act. The Reforms were presented before the National Assembly but await legislative approval.

Most people on death row are socio-economically disadvantaged and cannot afford quality legal representation. Death row prisoners rely on legal aid, which often leads to a lack of effective legal representation.

The conditions on death row breach various international human rights standards. Prison Insider notes that death row prisoners are given very limited time outside of their cells and remain handcuffed at all times. They also live in extremely overcrowded prisons, with few permitted activities, and limited interaction with relatives.

Since 2014, the President has denied all clemency petitions filed by death row

prisoners. Justice Project Pakistan states that 21 mercy petitions were pending before the President in 2021, including those submitted by mentally ill and disabled prisoners.

## Foreign Nationals

At least four foreign national prisoners were on death row in 2021, who had been sentenced to death between 2009 and 2018.

The foreign national prisoners were all men. This includes two individuals from Afghanistan (for murder or armed attack), one from Norway (for murder and rape) and one from India (for espionage).

They await appeals in their cases, but will likely remain on death row for many years.



*Central Jail, Lahore, where some foreign national prisoners are kept.*

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For more research see:

[foreign-nationals.uwazi.io](http://foreign-nationals.uwazi.io) or [tinyurl.com/mappingdeathrow](http://tinyurl.com/mappingdeathrow)