



NATIONAL COMMISSION
FOR HUMAN RIGHTS
Government Of Pakistan



The Death Penalty in Pakistan 2025



By
National Commission for Human Rights
&
Justice Project Pakistan



ACKNOWLEDGEMENT

This report is dedicated to those condemned to die, locked away, and forgotten. We bear witness to their suffering and seek to amplify their voices — so that they may be seen, heard, and considered in the making of laws and policies that shape their lives. Today, the National Commission for Human Rights & Justice Project Pakistan honour Abdul Basit, whose long-awaited clemency marks a moment of justice long overdue.

We extend our gratitude to the Minister for Law and Justice, Mr. Azam Nazeer Tarrar, whose commitment to upholding human rights was instrumental in securing this outcome.

We also extend our deepest gratitude to all those who contributed to the development of the Prison Data Report 2024. This report was generously funded by the European Union (EU), whose support has been instrumental in establishing the first public database on Pakistan's prisons and on the publication and release of annual reports on the death penalty and prison statistics in Pakistan.

A special acknowledgement goes to Ms. Rabiya Javeri Agha, Chairperson of the National Commission for Human Rights (NCHR), for her unwavering commitment to upholding the rights of prisoners on death row and ensuring that the voices of the most vulnerable are heard. Her unwavering commitment to securing clemency for Abdul Basit exemplifies the impact of steadfast advocacy grounded in compassion and justice.



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PUBLISHED BY

THE NATIONAL COMMISSION FOR HUMAN RIGHTS

&

JUSTICE PROJECT PAKISTAN

PUBLISHED IN

OCTOBER 2025

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SPECIAL ACKNOWLEDGEMENT

European Union Delegation to Pakistan

METHODOLOGY AND DATA COLLECTION PROCESS

This report covers the use of the death penalty between October 2024 and October 2025. As with previous editions, the data has been compiled through formal requests to all provincial prison inspectorates and verified through direct engagement with prison authorities across Pakistan. A multi-tiered verification system was employed to ensure the reliability and accuracy of the information.

Under this system, formal data requests are filed under the respective Right to Information (RTI) laws. Once received, our data and investigation teams cross-check figures directly with individual prisons, reconcile inconsistencies, and confirm prisoner status. This process improves consistency across provinces and supports the integrity of the final dataset.

However, inconsistencies in record-keeping across provinces remain a challenge. Punjab is the only province that distinguishes between confirmed and unconfirmed death sentences.¹ Sindh, Khyber Pakhtunkhwa, Balochistan, Gilgit-Baltistan, and Azad Jammu & Kashmir do not disaggregate this data. To address this, JPP's team contacted individual prisons to confirm whether Unconfirmed Condemned Prisoners (UCCPs) were included in the official totals. As a result, the figures in this report encompass all individuals sentenced to death, including those awaiting confirmation by the High Court.

Similarly, crime-wise data is not uniformly reported. While Punjab, Sindh, KP, and Balochistan provide breakdowns by offence, Gilgit-Baltistan and AJK do not, limiting the detail available for these regions.

Despite these limitations, this report presents a current snapshot of Pakistan's death row population. It is part of a broader effort to promote transparency and public accountability. Regularly updated data is also available through online platforms, including the Execution Tracker at <https://data.jpp.org.pk/> and Prison Data Portal at <https://jppprisonreforms.com>.

The authors gratefully acknowledge the cooperation of provincial prison departments and individual prison staff, whose assistance made this report possible.

¹In this report, 'unconfirmed' refers to individuals who have been sentenced to death by a trial court but whose appeals are still pending before the High Court. 'Confirmed' refers to those whose death sentences have been upheld on appeal by the High Court.

EXECUTIVE SUMMARY

As of July 2025, Pakistan holds one of the world's largest known death row populations, with **3,394 prisoners**, including **18 women**, across 4 provinces, AJK and GB. While this marks a gradual decline from **3,604 in 2023**, Pakistan's continued retention of capital punishment — and its application to a wide range of offences — remains a defining feature of its criminal justice system. This report, now in its third edition, provides the most comprehensive assessment to date of the country's use of the death penalty. Drawing on verified data from provincial prison departments, it captures six years of trends (2019–2025), key legislative and judicial developments, and the lived realities of those condemned to die.

Despite the halt of executions since **December 2019**, Pakistan retains one of the largest reported death rows in the world. Over the reporting period, **murder** continues to account for the vast majority of death sentences, followed by rape. While the **abolition of the death penalty for drug offences (2023)** and several other non-lethal crimes — including **railway sabotage (2022)**, **stripping a woman (Section 354-A)**, and **harbouring hijackers (Section 402-C)** — represent significant progress, their uneven implementation exposes enduring weaknesses in Pakistan's penal administration. In Punjab and Sindh, for instance, individuals remain on death row for drug offences that no longer carry the death penalty, reflecting the failure of systemic case reviews and coordination between provincial and federal authorities.

The report reveals that Pakistan's death row population has **declined by roughly 20%** since 2019, though this reduction is largely the result of judicial reversals and appellate relief, not executive clemency or systematic reform. Provincial disparities remain stark: **Punjab alone accounts for nearly 68%** of all condemned prisoners. **Azad Jammu & Kashmir** and **Gilgit-Baltistan**, though smaller in absolute numbers, exhibit the highest death row-to-prisoner ratios nationally — **19% and 11%** respectively — underscoring the need for harmonised sentencing and improved recordkeeping.

Between 2022 and 2025, Pakistan witnessed a series of landmark developments that collectively point toward a slow but discernible shift in approach. The Supreme Court's jurisprudence evolved markedly, with judgments such as **Safia Bano (2021)**, **Muhammad Yasin (2023)**, and **Ghulam Shabbir (2024)** reaffirming the principles of human dignity, proportionality, and restraint. *Safia Bano* prohibited the execution of prisoners with severe psychosocial disabilities and established key procedural safeguards. *Muhammad Yasin* invoked **Article 6 of the ICCPR**, holding that the death penalty should be restricted to the “most serious crimes” involving intentional killing. In *Ghulam Shabbir*, the Court recognised prolonged incarceration on death row as a form of double punishment, ordering the prisoner's release after 34 years in confinement. These rulings reflect an emerging judicial recognition that Pakistan's death penalty framework must align with both its constitutional guarantees and international obligations.

On the legislative front, recent reforms demonstrate a growing willingness within the state to limit the scope of capital punishment. The **removal of the death penalty for four non-lethal offences** represents the most sustained legislative narrowing in decades. Similarly, the **Presidential commutation of Abdul Basit's death sentence in 2025**—Pakistan's first clemency in over two decades—signalled a critical precedent for using mercy as a constitutional safeguard, particularly for prisoners with disabilities.

Pakistan's engagement with **international treaty mechanisms** has also intensified, serving both as a catalyst and accountability framework for reform. The **2023 EU GSP+ monitoring review** acknowledged progress in narrowing the scope of capital punishment, while the **UN Human Rights Committee's 2024 review of Pakistan's ICCPR obligations** and the **Committee Against Torture's 2025 List of Issues** both called for a *de jure* moratorium, improvements in clemency procedures, and stronger safeguards for

juveniles and prisoners with psychosocial disabilities. These interventions, combined with domestic advocacy and judicial evolution, have created unprecedented momentum for reform.

However, significant structural and humanitarian challenges persist. Pakistan's **prisons operate at 152% capacity**, and **death row prisoners endure conditions that routinely amount to cruel, inhuman, or degrading treatment**. Those accused of capital offences often spend over a decade on death row, with infrequent access to legal counsel, medical care, or family visits. Despite the directives of *Safia Bano*, no province has yet established the required forensic mental health facilities or periodic review mechanisms for prisoners with psychosocial disabilities. Indigent defendants continue to face trials without adequately trained capital defence lawyers, and systemic failures in detecting juvenility, mental illness, and mitigating circumstances persist at every stage—from trial through clemency petition.

Gender and other vulnerability dimensions further expose inequities. As of 2025, **18 women** remain on death row—most from impoverished backgrounds, 3 facing capital charges under Pakistan's **blasphemy laws**, and all without access to gender-responsive safeguards.

Overall, the data and developments documented in this report illustrate that Pakistan stands at an inflection point. The combination of declining death row numbers, progressive jurisprudence, legislative reforms, and renewed international engagement signals readiness for deeper systemic change.

By codifying safeguards that guarantee the protection of those facing the death penalty—through fair trial standards, mental-health assessments, and transparent clemency procedures—Pakistan can transform its current restraint into lasting reform. Such action would not only fulfil its constitutional and international obligations but also advance the commitments underpinning its GSP+ status: respect for human rights, the rule of law, and effective governance. In doing so, Pakistan can ensure that **mercy, proportionality, and justice** define the future of its criminal law, moving decisively toward a humane and rights-compliant system of justice.

CHAPTER 1
PAKISTAN AND THE DEATH PENALTY

BACKGROUND — SCOPE OF THE DEATH PENALTY IN PAKISTAN

Pakistan and the Death Penalty Background: Scope and Legal Framework

Pakistan has historically retained one of the world's largest death row populations, accounting for approximately 27.3% of all death sentences issued worldwide in 2020.² Pakistan imposes the death penalty for a wide range of offences – 29 in total — including a number of non-lethal offences, such as kidnapping, perjury and blasphemy.³ The wide range of capital crimes places Pakistan in direct conflict with international legal standards, including Article 6 of the International Covenant on Civil and Political Rights (ICCPR), which restricts the use of capital punishment to the “most serious crimes.”

The majority of prisoners on death row are convicted under five primary offences: murder, rape, terrorism, the Pakistan Army Act, and dacoity. Murder remains the dominant offence across Punjab. Rape and dacoity remain among the top offences in Punjab and Sindh reflecting the expansive scope of capital sentences across provinces. Following the abolition of capital punishment for narcotics offences, the inflow to death row has declined, and by 2025 narcotics no longer feature among the top offences. However, Punjab and Sindh still retain some prisoners sentenced under now-repealed drug laws. Together, these offences account for the overwhelming majority of capital convictions, reflecting systemic, prosecutorial and judicial trends.

In the past five years, Pakistan's judiciary has shown signs of evolving jurisprudence. The

Supreme Court has issued landmark judgments in cases such as *Muhammad Yasin*, which recognised Pakistan's obligation to only apply the death penalty for the ‘most serious crimes’ under the ICCPR, and *Safia Bano* and *Ghulam Shabbir*, which recognised severe psychosocial disability and prolonged detention on death row respectively as grounds to set aside death sentences.

Simultaneously, significant legislative reform has been undertaken. This includes the removal of the death penalty for railway sabotage (2022), drug offences (2023), stripping a woman in public (2025) and harbouring a hijacker (2025). The successive removal of the death penalty for four crimes is proof that the long-held illusion among Pakistan's policymakers that any reform to the country's capital punishment machinery will generate public backlash. While these developments signal a positive shift, they remain limited in scope.

² Al Jazeera (2020) *Fair trial concerns plague world's largest death row in Pakistan*.
<https://www.aljazeera.com/features/2020/10/9/fair-trial-concerns-plague-worlds-largest-death-row-in-pakistan>

³ Foundation for Fundamental Human Rights & Reprieve, *The Pakistan Capital Punishment Study* (2019).
<https://reprieve.org/wp-content/uploads/sites/2/2019/04/Pakistan-Capital-Punishment-Study.pdf>

Shifting Momentum: GSP+ Commitments and Treaty Body Engagement

The past decade has seen a slow but perceptible shift in Pakistan's approach to the death penalty, driven in part by international scrutiny and treaty obligations. A key inflection point came in 2014, when Pakistan was granted preferential trade access to the European Union under the Generalised Scheme of Preferences Plus (GSP+). As a condition of this status, Pakistan is required to ratify and effectively implement 27 core international conventions—including the ICCPR, CAT, CEDAW, CRC, CRPD, and key ILO instruments—and to regularly report on compliance through EU monitoring cycles.

The GSP+ framework has served as both an incentive and accountability mechanism. In tandem with advocacy by civil society and rights-based organisations, it has helped create space for long-overdue reforms. In 2018, the Ministry of Human Rights began reviewing offences punishable by death, with the stated aim of restricting its use to the “most serious crimes” and introducing alternative punishments for less serious ones. This move followed Pakistan's first review under the ICCPR by the UN Human Rights Committee in 2017, which issued detailed recommendations urging Pakistan to limit the death penalty to crimes involving intentional killing.⁴

These efforts translated into tangible changes in law between 2022 and 2025. In 2022, the death penalty was removed for railway sabotage. In 2023, it was repealed for narcotics offences under the Control of Narcotic Substances Act—an especially significant reform given Pakistan's historical reliance on drug-related capital convictions. In 2024–25, further amendments abolished the death penalty for harboring a hijacker and assault or criminal force to a woman and stripping her of her clothes. These developments brought Pakistan closer to compliance with international standards, particularly the “most serious crimes” threshold under Article 6 of the ICCPR.

⁴ Human Rights Committee, *Concluding Observations on the initial report of Pakistan, 2017* <https://docs.un.org/en/CCPR/C/PAK/CO/1>

RECENT UPDATES, PROGRESS, AND DEVELOPMENTS (IN YEAR 2024- 2025)

Between 2024 and 2025, Pakistan's death penalty framework underwent several notable developments. These shifts reflect growing momentum toward limiting capital punishment and strengthening legal safeguards—though challenges in implementation, particularly concerning clemency, protection for vulnerable groups, and cases previously convicted under now amended provision of Control of Narcotic Substances Act 1997, continue to frustrate progress. The sections below outline key legislative, executive, judicial, and treaty body updates, along with their implications.

1. Legislative Reform

In August 2025, Pakistan's National Assembly passed a bill introduced by the Ministry of Interior, removing the death penalty for two non-lethal offences under the Pakistan Penal Code:

- **Section 354-A** – Assault or criminal force to a woman and stripping her of her clothes
- **Section 402-C** – Punishment for harbouring hijackers

In both cases, the death penalty was replaced with life imprisonment. The Minister for Law and Justice & Human Rights, during parliamentary debate, emphasised that the certainty of punishment, not its severity, is the more effective deterrent. He also highlighted that capital punishment had not reduced crime over past decades and pointed out that Section 354-A, introduced under martial law in 1982, was prone to misuse in personal disputes. He further noted that the provision's non-bailable nature had enabled coercive and abusive practices.

Justice Project Pakistan's joint research with the Ministry of Human Rights reveals that Section 354-A fails to protect women or serve as a deterrent:

- No reported cases under Section 354-A had resulted in the death penalty
- Most incidents were resolved informally or settled outside court
- Courts often applied Section 354 instead, which carries a maximum two-year sentence

This evidence directly contradicts claims that removing the death penalty would "weaken protections for women." The opposite is true: the presence of the death penalty has discouraged prosecutions and made it harder to secure convictions, providing no additional protection against GBV.

2. Executive Action

On 26 August 2025, the death sentence of Abdul Basit, a paraplegic death row prisoner was commuted, through tireless engagement by the Minister of Law and Justice Azam Nazeer Tarrar and the Chairperson NCHR Rabiya Javeri Agha, delivering long-awaited relief after more than 15 years on death row. This landmark outcome carries national significance: it functionalized Pakistan's clemency framework, underscored the President's rarely exercised constitutional power to pardon, and set a precedent for protecting prisoners with severe disabilities

Abdul Basit's case, marked by severe medical negligence while in solitary confinement in 2010, resulted in permanent spinal damage and paraplegia. His prolonged incarceration in these conditions gained national and international attention. The National Commission for Human Rights worked tirelessly to highlight Abdul Basit's case as a clear-cut example of a case deserving clemency, including through consistent visits and monitoring of his conditions, as well as continuous advocacy with the Government. The 2025 commutation was the result of coordinated efforts by the National Commission for Human Rights, the Ministries of Law & Justice and Human Rights, and the Presidency. It now stands as a precedent for using clemency as a safeguard in cases involving serious illness and disability, in line with Article 6 of the ICCPR.



In 2010, whilst imprisoned in Central Jail Faisalabad, death row prisoner Abdul Basit was subjected to extremely inhumane and unsanitary living conditions for a prolonged period. He became severely ill with a fever but did not receive medical attention for several weeks. His condition was so severe that he fell into a coma for approximately three weeks and he was

eventually transferred to hospital, where he was diagnosed with TB meningitis. The illness, and the negligence of the jail authorities in treating him, caused him to lose all movement in his lower limbs, permanently confining him to a wheelchair.

In 2025, a line has finally been drawn under this ordeal. His mercy petition has been granted, commuting his death sentence to life imprisonment—the first presidential clemency for a death-row prisoner in decades. Beyond its significance for Abdul Basit, the decision signals a long-overdue willingness to use clemency as a safeguard as envisioned in the Constitution of Pakistan and Article 6 of the ICCPR— especially in cases involving people with disabilities and severe illness.

3. Judicial Development

Muhammad Yasin vs. the State: In November 2023, the Supreme Court of Pakistan issued a judgement, titled *Muhammad Yasin vs. The State*,⁵ that referred extensively to Article 6 of the ICCPR and the 1984/50 ECOSOC Resolution on Safeguards Guaranteeing Protection of Rights of Those Facing the Death Penalty. The judgement upheld the international law standard of only applying the death penalty for the most serious crimes, elucidating that Article 6 of the ICCPR was applicable to Pakistan in its full force, and commuted the death sentence of a defendant on the grounds that the prosecution was unable to establish a motive for the crime of murder.

Ghulam Shabbir vs. The State: In August 2024, while hearing a criminal appeal filed by condemned prisoner Ghulam Shabbir, Supreme Court Justice Jamal Khan Mandokhail highlighted the inhumane conditions and interminably long periods of time spent on death row. Ghulam Shabbir had spent 34 years in jail, including 24 years in a death cell. The judgement stated that having already served a life sentence, Shabbir could not be executed for the same offence or this would count as double punishment, and as such he was to be released. The judgement referenced the Nelson Mandela Rules and urged the Federal and Provincial Governments to:

- I. minimise time spent on death row by aligning prison laws and rules with international standards, improving conditions for death row prisoners, and;
- II. amend the procedure through which mercy petitions are filed before the President of Pakistan in line with international standards.⁶

III. Treaty Body Engagement

In October 2024, the UN Human Rights Committee reviewed Pakistan's compliance with the ICCPR. While acknowledging reductions in death-eligible offences, the Committee expressed concern about the continued application of the death penalty for non-lethal crimes and the lack of safeguards for juveniles and persons with psychosocial or intellectual disabilities, referencing the lack of implementation of the

⁵ 2024 SCLR 23, *Muhammad Yasin and another vs. the State*, <https://pakistanikanoon.com/supreme-court-law-review/2024-sclr-23/>

⁶ Para 14 *Ghulam Shabbir vs. the State*: "It is also important to mention here that the President has the power to pardon a death row prisoner, as provided by Article 45 of the Constitution. The prisoners in death cells present mercy petitions before the President through concerned Superintendent Jail, but mostly they are filed after a considerable period of time without any explanation. Besides, there is no procedure or mechanism in vogue nor is there any limitation for filing and deciding the mercy petitions by the President, hence, it takes years to decide. This is also one of the causes of delay in execution of the sentence of death. The matters pertaining to submission and disposal of mercy petitions also require consideration. All the respective governments should consider making policy, enacting laws and/or amending the existing laws, in line with the international standards, in order to minimize the period of detention of death prisoners in death cells to a possible minimum extent."

Safia Bano judgement. It also noted Pakistan's failure to provide data on commutations and clemency applications. The Committee's detailed recommendations appear in **Table A**.

Separately, in May 2025, the UN Committee Against Torture released its List of Issues ahead of Pakistan's second periodic review scheduled for 2027.⁷ The List raised concerns regarding Pakistan's death penalty framework, including inadequate safeguards and the heightened risk of torture or cruel, inhuman, or degrading treatment. The Committee's detailed observations appear in **Table A**.

EU GSP+ Review

On 22 November 2023, the European Commission released its latest GSP+ monitoring report on Pakistan, covering the 2020–2022 period. The report welcomed the *de facto* moratorium from 2019 and acknowledged recent legislative reforms, including the abolition of the death penalty for certain offences. It notes that further steps are needed to ensure compliance with international requirements in the area.

Table A

GSP+ Report 2023	ICCPR Review 2024	UNCAT List of Issues 2025
<i>Safeguards for those on death row:</i> The report recommended reforms to enhance transparency, ensure timely decisions, and provide meaningful safeguards for those on death row in line with international human rights obligations.	<i>Reducing the scope of the death penalty:</i> The State party should refrain from carrying out executions by keeping a <i>de facto</i> moratorium; take specific steps towards adopting a <i>de jure</i> moratorium, and consider abolishing the death penalty and acceding to the Second Optional Protocol to the Covenant. If the death penalty is maintained, the State party should ensure that it is provided only for the most serious crimes involving intentional killing.	<i>Data on the death penalty:</i> With reference to information before the Committee regarding recent efforts by the State Party to review and narrow existing legislation providing for capital punishment, please provide updated information on the number and types of offences that carry the death penalty, the number of persons sentenced to death, the number of those executed, and the number of sentences commuted during the reporting period.
<i>Shortcomings in the Mercy Petition Procedure:</i> Concerns were raised over procedural shortcomings in the mercy petition process under Article 45 of the Constitution.	<i>The right to meaningfully seek pardon:</i> If the death penalty is maintained, the State party should guarantee that pardon or commutation of the sentence is available in all cases and develop comprehensive rules for submitting and reviewing mercy petitions that align with international standards, ensuring transparency, certainty, due process and objectivity.	<i>Abolition of mandatory death sentencing:</i> Has the State Party considered the abolition of mandatory capital sentencing and the establishment of a <i>de facto</i> or <i>de jure</i> moratorium on the death penalty, with a view to its abolition? In that connection, please also include information regarding discussions relating to the ratification of the Second Optional Protocol to the

⁷ List of issues in relation to the 2nd periodic report of Pakistan : Committee against Torture, CAT_C_PAK_Q_2-EN
<https://digitallibrary.un.org/record/4084066?v=pdf>

		International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
	<i>Executions of juveniles:</i> If the death penalty is maintained, the State party should ensure that the death penalty is not applied to a person who was below 18 years of age at the time of the commission of an offence by amending the Juvenile Justice Systems Act 2018 and ensuring that the accused is treated as a child if doubts remain about the age at the time of the commission of the crime, and by establishing an effective and independent age determination process.	
	<i>Executions of persons with psychosocial disabilities:</i> If the death penalty is maintained, the State party should enforce the Supreme Court's judgement in the Safia Bano case (2021) and enact legislation prohibiting that persons with psychosocial or intellectual disabilities are sentenced to death and executed.	

CHAPTER 2

PRISONERS ON DEATH ROW

STATISTICS AND TRENDS

DEATH ROW STATISTICS AND TRENDS (2019–2025)

This section presents a detailed analysis of Pakistan’s death row population based on data compiled by the authors from October 2019 to October 2025. The figures reveal not only sentencing practices but also broader systemic factors—delayed appeals, underuse of executive clemency, and a lack of effective alternatives to capital punishment. By disaggregating data by province, crime, gender, and status of confirmation, this section aims to provide a comprehensive overview of trends in the use of the death penalty.

This analysis focuses on convicted prisoners currently on death row, excluding undertrial detainees. These individuals fall into two key categories:

- **Confirmed Prisoners (CP):** Those whose death sentences have been upheld by the High Court.
- **Unconfirmed Condemned Prisoners (UCCP):** Those sentenced to death by trial courts whose appeals are still pending before the High Court. The distinction between Confirmed Condemned Prisoners (CPs) and Unconfirmed Condemned Prisoners (UCCPs) is critical for both accurate data recording and effective policy planning.

The figure below charts the size of Pakistan’s death row population over the past six years. Data for 2019–2022 includes only the four provinces (Punjab, Sindh, Khyber Pakhtunkhwa, and Balochistan). From 2023 onward, data from Azad Jammu & Kashmir (AJK) is incorporated, and from 2024 onward, figures also include Gilgit-Baltistan (GB). While this expanded coverage marginally increases the national totals in later years, the vast majority of Pakistan’s death row population continues to be concentrated in the four provinces.

NATIONAL DEATH ROW POPULATION TREND

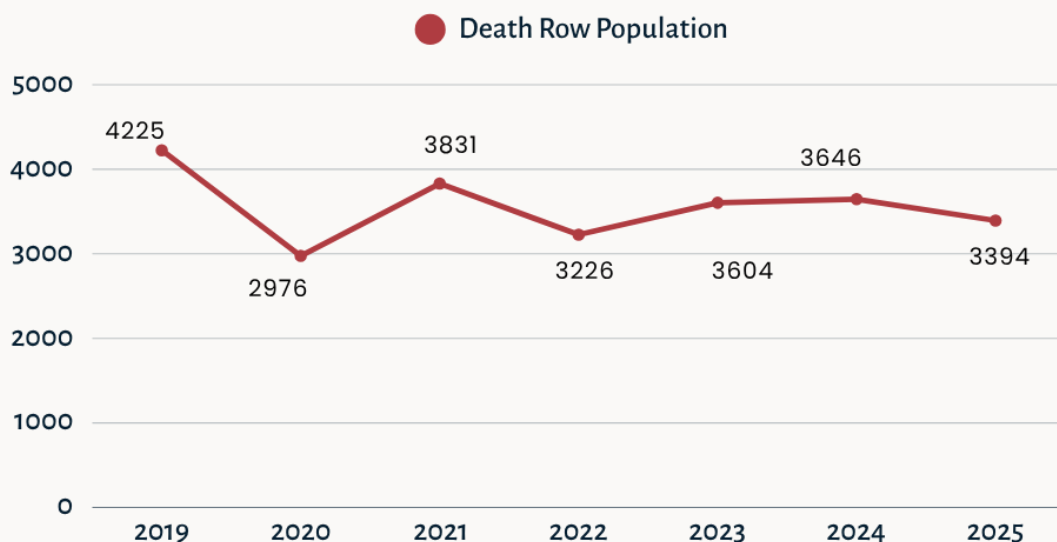


Figure 1.1: Death Row Population in Pakistan (2019–2025)

Note: Totals for 2023 include AJK but exclude GB; totals for 2024–2025 include both AJK and GB.⁸

⁸ Inclusion of AJK and GB data in later years (2023–2025) reflects improved access and data-sharing from these regions. Earlier years reflect only the four provinces.

Tracing the Evolving Trajectory of Pakistan's Death Row – Year by Year

2019 — Baseline (4,225).

Reform spills over after Justice Khosa's retirement. Appellate scrutiny tightens discouraging routine death sentences, but the overall death row population remains high at year-end.

2020 — Sharp decline to 2,976 (–29.6%).

Two key factors drive the drop: (1) appellate relief and stricter confirmation standards established during the Khosa era begin to remove prisoners from death row; and (2) COVID-19 disruptions lead to fewer trials and capital convictions. While the de facto moratorium halted executions, it did not itself reduce the death row population—this decline stems primarily from judicial reversals.

2021 — Rebound to 3,831 (+28.7%).

Courts and prosecutions resume post-COVID, increasing inflow of new death sentences and confirmations. Appellate relief continues but is outweighed by higher trial throughput and limited commutations.

2022 — Fall to 3,226 (–15.8%).

With courts and prosecutions resuming post-pandemic, the inflow of new death sentences and High Court confirmations increases sharply. While appellate relief continues, it is outweighed by the rise in trial activity and the continued absence of large-scale commutations.

2023 — Rise to 3,351 (+3.9%).

The death penalty for narcotics offences is abolished in July 2023, but implementation is uneven: many older narcotics cases (sentenced under previous law) remain pending review, and new death sentences for murder and other capital offences continue to add to the population. In *Muhammad Yasin v. The State*, the Supreme Court reaffirms that capital punishment must be limited to the “most serious crimes”, specifically intentional killing, bolstering doctrinal momentum, though reforms have yet to produce substantial relief at scale.

2024 — Rise to 3,514 (+4.9%).

With the moratorium ongoing and few systematic commutations or reviews of mercy petitions, the population slowly accumulates. The Supreme Court's *Ghulam Shabbir* ruling (double punishment after decades on death row) is significant but not yet applied at scale.

2025 — Decline to 3,204 (–8.8%).

Reform measures begin to bear fruit: more appellate reversals, a modest increase in clemency decisions, and the removal of prisoners convicted under repealed capital offences contribute to the overall decline. However, without comprehensive systemic reform, progress remains incremental.

The downward trend is largely attributable to the high rate at which superior courts overturn death sentences on appeal. The Supreme Court upholds capital punishment mostly in cases involving death and

aggravating circumstances such as terrorism or kidnapping.⁹ Despite mandatory High Court review of all death sentences, the appeals process remains slow due to a severely overburdened judiciary.¹⁰

The reforms introduced under Chief Justice Khosa also played a pivotal role. During his tenure, a dedicated criminal bench was established to clear backlogged capital cases, resulting in a significant reduction in the number of prisoners on death row. Justice Khosa adjudicated around 55,000 cases, with the special bench upholding death sentences in only 5% of capital appeals.

However, following his retirement, this momentum waned. The death row population stagnated and gradually began to climb again. This stagnation has been compounded by structural constraints, including a crushing backlog of over 57,000 cases before the Supreme Court, many of them capital appeals.¹¹ A key factor has been the absence of systemic commutations or coordinated reviews despite a de facto moratorium on executions in place since December 2019.

The following sections track developments over time, highlighting provincial breakdowns, sentencing trends by crime, and categories of vulnerable prisoners. These insights are intended to support reform efforts and build greater transparency around Pakistan's use of capital punishment.

⁹ Foundation for Fundamental Human Rights & Reprieve, *The Pakistan Capital Punishment Study* (2019). <https://reprieve.org/wp-content/uploads/sites/2/2019/04/Pakistan-Capital-Punishment-Study.pdf>

¹⁰ Justice Project Pakistan, and International Human Rights Clinic: Yale Law School, A *"Most Serious Crime": Pakistan's Unlawful Use of the Death Penalty* (Sept., 2016), https://law.yale.edu/sites/default/files/area/center/schell/2016_09_23_pub_dp_report.pdf

¹¹ Associated Press of Pakistan, *2.4 Million Cases Pending in National Judicial System*, Jan 2025, <https://www.app.com.pk/national/2-4-million-cases-pending-in-national-judicial-system-57347-in-scp/>

PAKISTAN'S DEATH ROW BY PROVINCE

Pakistan's death row population is not evenly distributed across the country. Punjab, with its larger population and higher volume of criminal cases, consistently accounts for the vast majority of death row prisoners—exceeding 68% of the national total. Other provinces such as Sindh and Khyber Pakhtunkhwa (KP) show comparatively lower numbers but still contribute significantly to the overall figures. Balochistan, despite its large geographic size, has a small share of prisoners on death row due to its lower population density and case volume.

NUMBER OF DEATH ROW PRISONERS

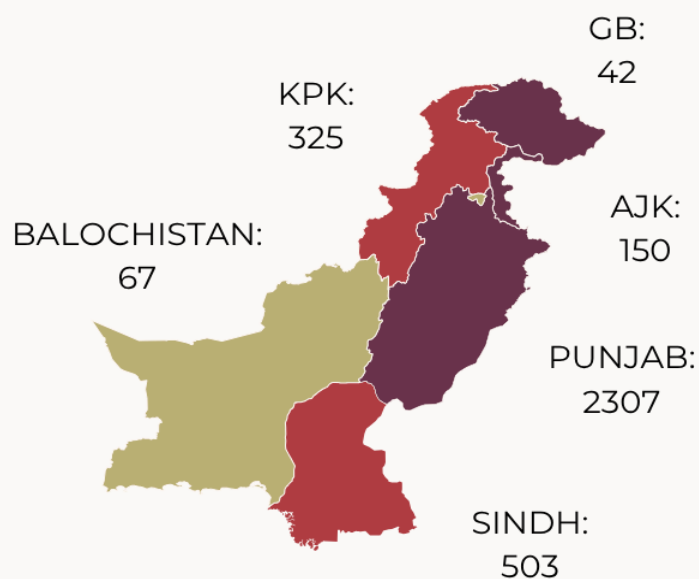


Figure 1. Distribution of Death Row Prisoners by Province

1. Punjab

Overview of the Death Row Population in Punjab

Punjab holds **2,307 prisoners** on death row, including 13 women and accounts for nearly 68% of Pakistan's total death row population.

- **Distribution of Capital Offences:** Murder (302 PPC) overwhelmingly dominates with 2,122 prisoners (93.5%). Other major offences include 35 convictions for rape (1.4%), 33 under the Pakistan Army Act (1.47%), 21 under blasphemy laws (0.9%), and 25 under the Anti-Terrorism Act (1.11%). Despite the removal of capital punishment for drug offences in 2023, four prisoners remain on death row under the Control of Narcotic Substances Act (CNSA).

DISTRIBUTION OF CAPITAL OFFENCES IN PUNJAB

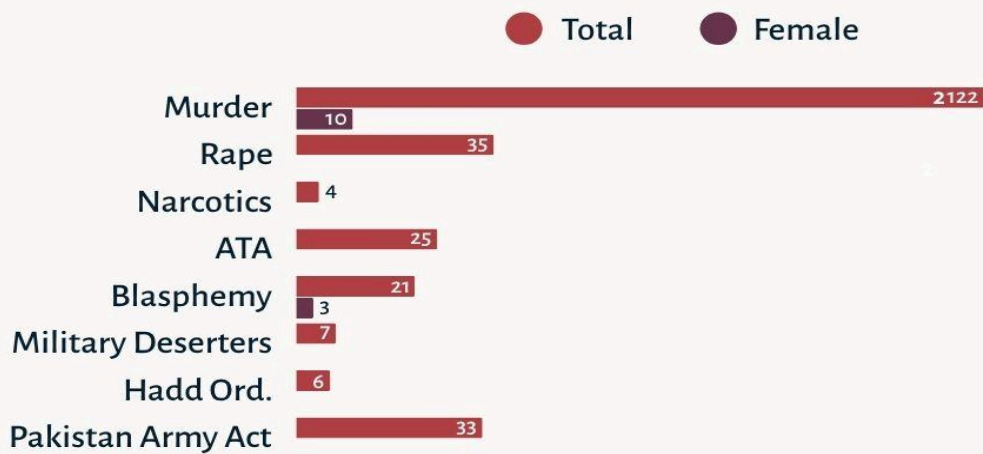


Figure 2.1 Distribution of Death Row Prisoners by Offence as of 17.07.2025

- **Gender and Vulnerable Groups:** Punjab has the highest number of female death row prisoners nationally (13). The majority are incarcerated for murder (10), while three face capital charges under blasphemy provisions.
- **Trial Status and Appellate Backlog:** Approximately 90% of Punjab's death row population (2,075 out of 2,307) consists of unconfirmed prisoners. Only 10% (232) prisoners have had their sentences confirmed, illustrating the province's extensive backlog and the prolonged legal limbo many prisoners face.

TRIAL STATUS - PUNJAB

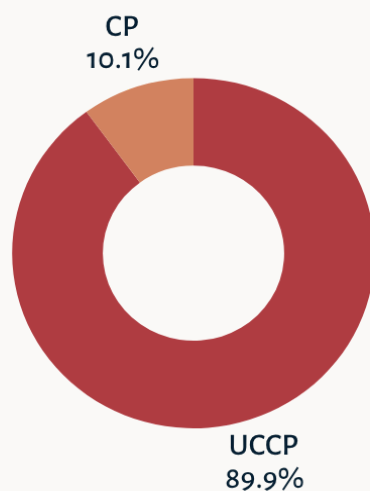


Figure 2.2 Breakdown by Trial Status

This staggering concentration of death row prisoners in Punjab reflects a broader judicial pattern of overuse of the death penalty at the trial court level, despite the Supreme Court’s jurisprudence limiting its imposition to the most serious crimes. The inconsistent application of this sentencing principle contributes to excessive capital sentencing, which in turn fuels case backlogs and prolonged incarceration. Notably, data on how many of these trial court convictions are overturned by the High Courts remains unavailable to the public, making it impossible to evaluate appellate performance or identify systemic flaws. Transparency in High Court reversal rates, along with greater adherence to established sentencing standards, is critical. Without it, the criminal justice system risks reinforcing a punitive culture that clogs an already overburdened appellate system and fails to deliver timely or proportionate justice.

2. Sindh

Overview of the Death Row Population in Sindh

Sindh has **503 condemned prisoners** (502 men and 1 woman), representing approximately **15% of the national total**.

- **Distribution of Capital Offences:** Murder (Section 302 PPC) remains the dominant offence, accounting for 463 prisoners (92%). Other convictions include 2 for kidnapping (0.4%), 5 for robbery (1.09%), and 6 for rape (1.2%). Alarming, Sindh continues to hold 7 individuals (1.4%) on death row for drug-related offences under the Control of Narcotic Substances Act (CNSA), despite the removal of capital punishment for such crimes in 2023. Additionally, 18 prisoners (3.6%) are recorded under an undefined “other” category, indicating significant gaps in record-keeping and a lack of clarity regarding the specific offences for which they were sentenced to death.

DISTRIBUTION OF CAPITAL OFFENCES IN SINDH

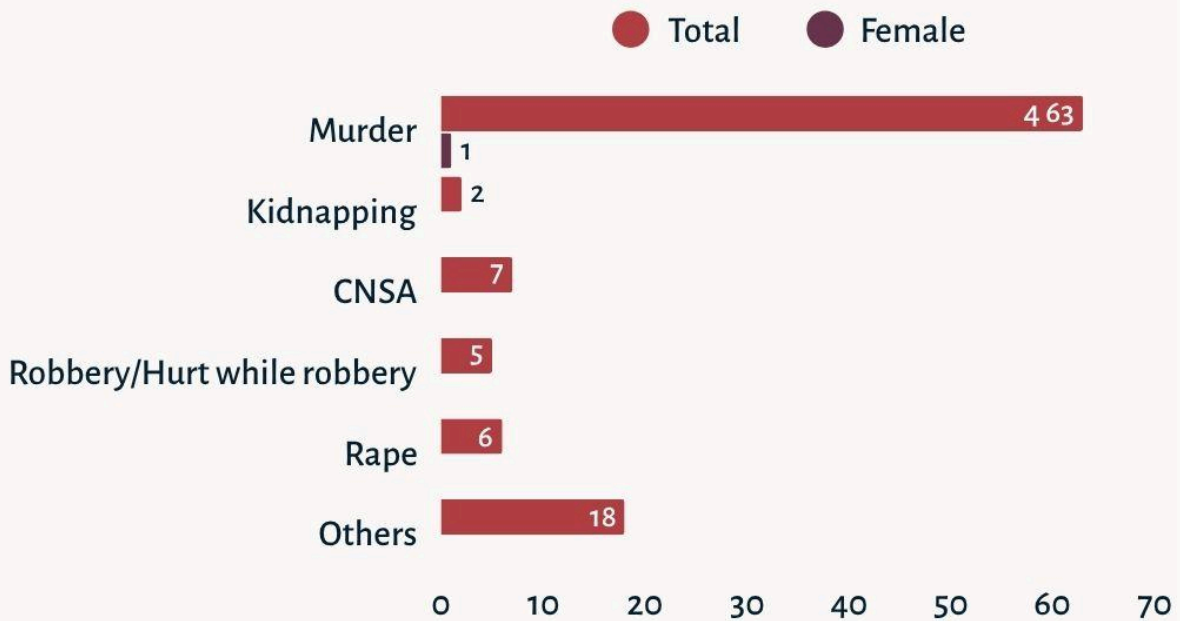


Figure: 2.3 Distribution of Death Row Prisoners by Offence (as of 07.08.2025)

- Geographic Distribution:** Death row prisoners in Sindh are concentrated across four central prison regions: Hyderabad (40%), Sukkur (33%), Karachi (22%), and Larkana (5%). Hyderabad Central Prison holds the largest share of the province's death row population.

GEOGRAPHICAL BREAKDOWN SINDH

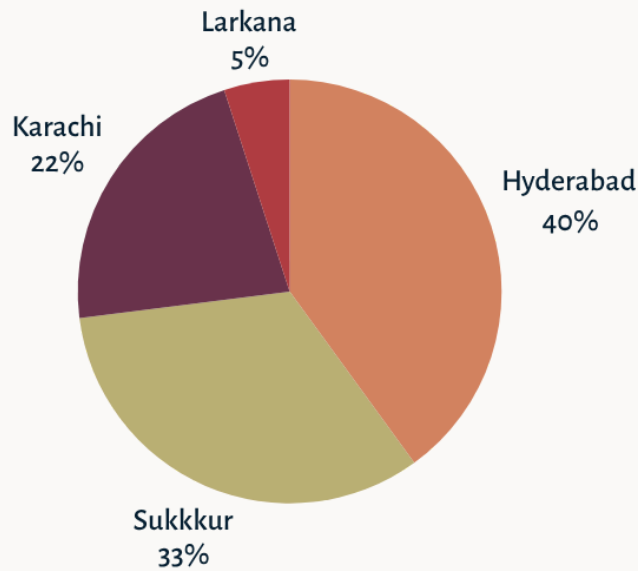


Figure: 2.4 Geographic Distribution of Death Row Population

- **Gender and Vulnerable Groups:** Sindh has only one female prisoner on death row for murder charges, housed at Hyderabad Women's Prison.

Despite the 2023 abolition of the death penalty for drug offences, Sindh continues to hold seven individuals on death row for CNSA convictions. This signals a serious failure in implementing legislative reforms at the provincial level, compounded by gaps in judicial awareness, the absence of systematic case reviews, and a lack of coordination between federal and provincial authorities. The continued incarceration of these individuals, well after the law was repealed, points to broader weaknesses in Pakistan's post-appellate relief and clemency infrastructure. Without urgent reform, such cases will continue to clog an already overburdened justice system, with little practical benefit to public safety or deterrence.

Case Study — *A Minor Condemned under Terrorism Charges*

Muhammad Azam— arrested at 17; has been on death row for 26 years.

Merely a boy at the time of his conviction, Azam was booked for an accidental death that happened during a row with his friend's debtor. . He was prosecuted under the **Anti-Terrorism Act (ATA) without a demonstrable nexus to terrorism** (no alleged proscribed group, terror financing, intimidation of the public/state, or intent to create terror). The case was triable in ordinary criminal courts but was shifted to an Anti-Terrorism Court (ATC), where safeguards are fewer. In Pakistan, the accuser can reach a compromise of forgiveness or financial settlement and a pardon may be issued to the accused.

A compromise was reached between Azam and the complainant in 2008, and he was formally forgiven by the victim's family. Under Pakistan's Penal Code, a forgiveness would have resulted in the dismissal of the capital charge; however, because the convictions were booked under the **non-compoundable Anti-Terrorism Act (ATA)**, the reconciliation could not take legal effect.

Exposing children to capital punishment is an egregious violation of both **domestic and international law**. Under the **Juvenile Justice System Act, 2018 (JJSA)** and the **UN Convention on the Rights of the Child (CRC)** — to which Pakistan is a State Party — **children cannot, under any circumstances, be sentenced to death**. Doing so directly contravenes Pakistan's binding legal obligations and undermines the foundational principle of juvenile justice: rehabilitation over retribution.

3. Khyber Pakhtunkhwa

Overview of the Death Row Population in KP

KP holds **325 death row prisoners**, including **two women** and **one juvenile**. The presence of a juvenile, despite the categorical prohibition under the Juvenile Justice System Act 2018 (JJSA), constitutes a grave legal violation and underscores systemic failures in case classification and rights protection.

- **Distribution of Capital Offences:** The majority of death row prisoners in KP—214 individuals, or approximately 65%—have been sentenced under the Pakistan Army Act (PAA). Murder follows as the second most common capital offence, with 107 prisoners (32.9%) convicted under Section 302 PPC. In addition, 4 prisoners are on death row for blasphemy-related charges, making up 1.2% of the death row population.

DISTRIBUTION OF CAPITAL OFFENCES IN KP

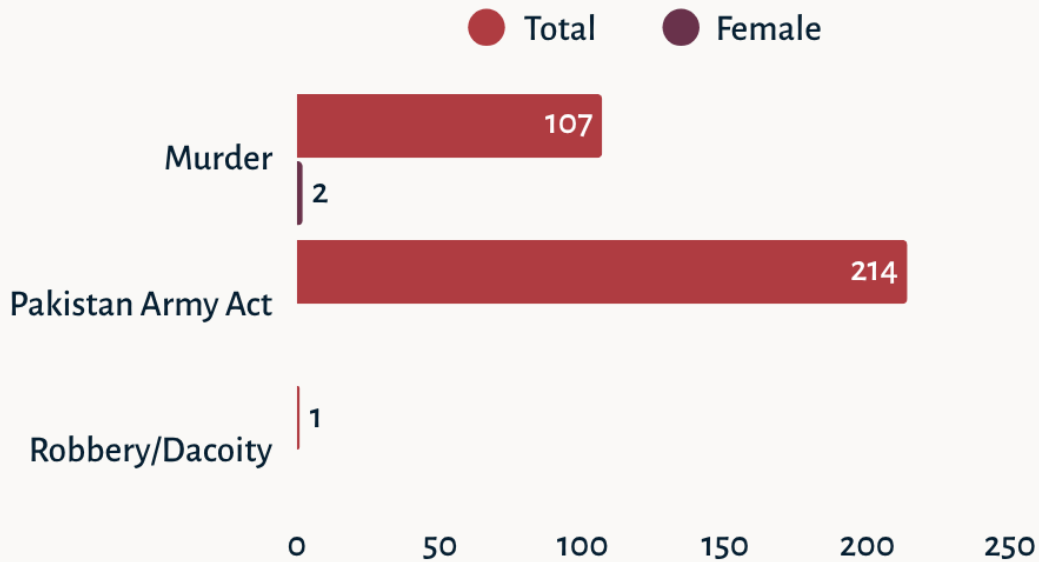


Figure 3.1 Distribution of Death Row Prisoners by Offence (as of 20.08.25)

- **Gender and Vulnerable Groups:** Two women remain on death row (UCCP, DI Khan Jail), and one juvenile (CP, Peshawar)—both warrant urgent review.
- **Status-wise Breakdown and Clemency Stage:** Of the total condemned population, 71 prisoners have had their sentences confirmed by the High Court, while 83 remain unconfirmed, with appeals pending. The largest group, 171 individuals, is awaiting decisions on mercy petitions. This distribution reflects a pronounced delay in post-appellate relief, leaving more than half the death row population in prolonged legal limbo.

TRIAL STATUS - KP

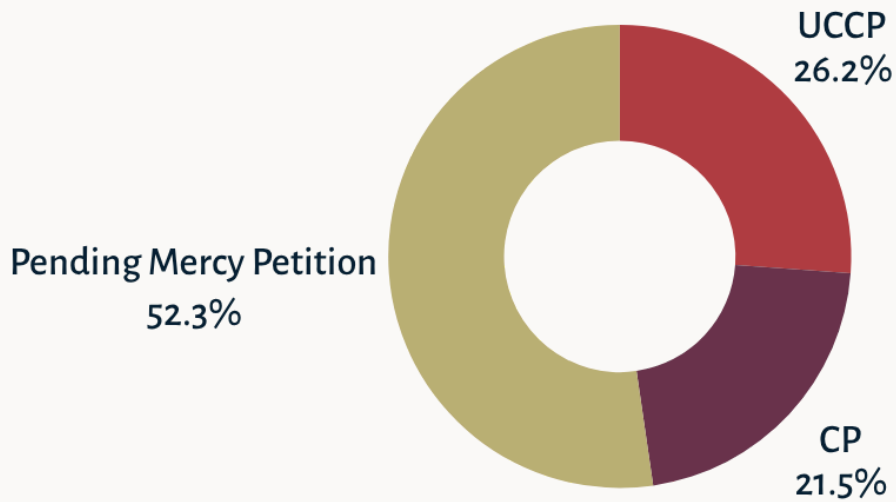


Figure 3.2. Breakdown by Trial-Status

KP's backlog of mercy petitions indicates a structural weakness in post-conviction review. Unless judicial processes are strengthened and sentencing practices aligned with constitutional and international standards, the risk of irreversible miscarriages of justice remains high.

4. Balochistan

Overview of the Death Row Population in Balochistan

Balochistan has the lowest death row population in the country, with a total of 67 condemned prisoners—all of them men. No women, juveniles, or foreign nationals are currently on death row in the province.

- **Distribution of the capital offences:** Every prisoner on death row in Balochistan has been convicted under Section 302 PPC for murder. There are no other offences represented among capital convictions in the province.
- **Status-wise Breakdown and Clemency Stage:** Out of the 67 condemned prisoners, 45 have had their sentences confirmed by the High Court, 13 remain unconfirmed (UCCP), and 9 are awaiting decisions on mercy petitions.

TRIAL STATUS - BALOCHISTAN

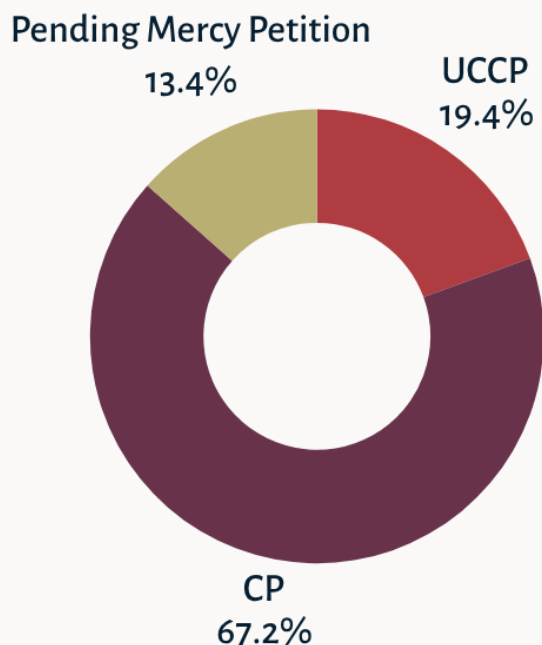


Figure 4.1 Breakdown by Trial Status (as of August 2025)

Balochistan's small numbers should not obscure systemic gaps. Like other provinces, Balochistan faces challenges in ensuring that legal reforms translate into meaningful reductions in the use of the death penalty and that existing cases are reviewed for compliance with current laws and standards.

5. Azad Jammu & Kashmir (AJK)

Overview of the Death Row Population in AJK¹²

Azad Jammu & Kashmir (AJK) currently holds **150 prisoners on death row**, including **two women**. While relatively modest in size compared to provinces like Punjab or Sindh, AJK's capital sentencing practices exhibit unique characteristics that warrant attention.

- **Primary Offences Leading to Capital Convictions:** All 150 prisoners in AJK have been convicted of murder under Section 302 of the Pakistan Penal Code (PPC). Although these cases are uniformly categorised as murder, some include additional charges under the Hudood Ordinances—particularly zina-related offences. The absence of recorded diversity in offence types may reflect limited charging practices or poor documentation at the trial level.
- **Gender and Vulnerable Groups:** AJK reports two women on death row for murder but no juveniles.

¹² as of 13.08.25

Despite the apparent uniformity in offence categories, the data infrastructure in AJK reflects broader systemic limitations. The region lacks a streamlined prisoner classification system and does not distinguish between confirmed and unconfirmed death sentences in official records. During the data collection process, there was a need to engage repeatedly with prison authorities to verify figures and legal status, underscoring the limited digitisation and inconsistent documentation practices in place. These challenges likely stem from capacity constraints, under-resourced prison administration, and the absence of standardised recordkeeping protocols. As a result, meaningful oversight and legal review are hindered, highlighting the urgent need to invest in institutional strengthening.

Moreover, although AJK’s death row population is small in absolute terms, it represents a striking 19% of the region’s total prison population, the highest death row-to-prisoner ratio in the country. This figure, far exceeding the national average, points to an urgent need to review sentencing trends, improve classification systems, and ensure that the death penalty is applied only in line with applicable legal standards and procedural safeguards.

Case Study — Iftikhar Ahmed: Misinterpretation of Clemency Powers under AJK’s Constitutional Setup

Arrested in 2001 and sentenced to death in 2006 as a ta’zīr offence under Section 302(b) of the Azad Jammu and Kashmir Penal Code (APC), Iftikhar has now spent almost two decades on death row— beyond the length of a life sentence. His conviction arose from a domestic dispute that tragically escalated into a fatal shooting. Over the years Iftikhar’s health has deteriorated severely; he suffers from spinal canal stenosis, restricted mobility, and mental illness resulting from prolonged confinement. Despite serving more time than the maximum period contemplated for life imprisonment, his appeals were exhausted in 2021, and his mercy petition was rejected in 2022 on flawed legal grounds.

The AJK authorities declined to consider Iftikhar’s clemency request, citing the AJK Constitution, which limits pardons in qisās (retribution) cases to the victim’s heirs. However, this reasoning failed to recognise that Iftikhar’s conviction was for a ta’zīr offence—where the power to pardon rests with the state. The AJK Interim Constitution (Article 10) explicitly vests the President with authority to pardon, commute, or remit sentences in ta’zīr cases, a constitutional power that cannot be curtailed by subordinate legislation. By misinterpreting this framework, the AJK authorities effectively denied Iftikhar his right to seek mercy under both domestic constitutional law and Article 6(4) of the ICCPR.

6. Gilgit-Baltistan (GB)

Overview of the Death Row Population in GB¹³

While GB accounts for just over 1% of the national death row population, the internal proportion is disproportionately high: death row prisoners make up nearly **11%** of the region’s total prison population. This is significantly higher than in provinces like Punjab (3.7%) and KP (2.4%), suggesting a heavier

¹³ as of 20.08.25

reliance on capital punishment in a region with otherwise low incarceration rates.

Primary Offences Leading to Capital Convictions: The precise breakdown remains incomplete due to limited access to disaggregated data.

- **Geographical Distribution:** The 41 prisoners on death row are held in three detention facilities: Minawar Jail (37 prisoners), Ghizer Jail (3 prisoners), and Skardu Jail (1 prisoner), with Minawar holding over 90% of the province's condemned population.
- **Gender and Vulnerable Groups:** There are no women, juveniles or foreign nationals currently recorded on death row in Gilgit-Baltistan.

While GB's death row population is numerically small, it reflects broader national concerns around data accuracy, transparency, and consistency. As with AJK, improvements in digital record-keeping and coordination with national databases are essential to enable effective oversight and ensure compliance with evolving legal standards on capital punishment.

Inter-Provincial Trends and National Overview of Pakistan's Death Row

Across Pakistan's provinces and territories, stark contrasts persist in the size, composition, and legal status of death row populations. Punjab alone accounts for nearly 68% of the country's total condemned prisoners, while Balochistan, GB, and AJK maintain relatively smaller populations in absolute terms. Yet proportionally, **AJK and GB have the highest death row rates relative to their total prison populations** — at approximately 19% and 11% respectively — compared to just 3.7% in Punjab and 2.4% in KP.

Murder remains the dominant offence in all jurisdictions. Worryingly, **Punjab and Sindh continue to detain prisoners for narcotics offences**, despite the 2023 abolition of capital punishment under the CNSA.

Across provinces, post-appellate stagnation is widespread; more than half of KP's condemned population awaits clemency decisions, while Punjab and Sindh show disproportionately high rates of unconfirmed death sentences. Gender disparities persist, with only a handful of women on death row — all of them in Punjab, Sindh, and AJK. Juvenile protections remain fragile: KP is the only province with a juvenile prisoner on death row, in open violation of domestic and international law.

These trends underscore a critical need for harmonisation of sentencing practices, improved data systems, and coordinated mechanisms for post-conviction review. The uneven application of the death penalty, coupled with gaps in oversight and legal reform implementation, reflects deeper structural weaknesses across Pakistan's criminal justice system.

Women On Death Row

As of August 2025, 18 women are on death row across Pakistan— incarcerated in just four regions: Punjab (13), Sindh (1), KP (2), and Azad Jammu & Kashmir (2). No female death row prisoners are currently reported in Balochistan, or Gilgit-Baltistan.



14 of the women on Pakistan's death row are facing the death penalty for murder, while 3 for blasphemy.

Women represent a small fraction of the overall death row population, yet their cases expose compounded layers of vulnerability. Many come from impoverished or socially marginalised backgrounds, with limited access to effective legal representation or awareness of their procedural rights. In addition to the stigma of criminal prosecution, many have experienced gender-based violence, coercion, abandonment, or mental health issues prior to their alleged offences. Despite this, Pakistan's criminal justice system does not incorporate gender-sensitive safeguards in sentencing or post-conviction review.

The majority of women on death row have been convicted of intentional murder under Section 302 PPC. However, a significant subset—at least three in Punjab—face death sentences under Pakistan’s blasphemy laws (Sections 295 A/B/C), which carry concern due to the high risk of miscarriages of justice, the influence of mob pressure, and limited fair trial guarantees. These trials are often conducted in highly charged environments, leaving defendants with little recourse or legal protection.

Unlike juveniles or prisoners with mental illness, women have very few targeted legal protection or post-sentencing review framework.

This data underscores the urgent need to mainstream gender-responsive reforms in capital cases, both at the trial and appellate levels. Without structural recognition of the complex socio-legal vulnerabilities facing women, Pakistan risks upholding death sentences that are both disproportionate and legally unsound.

Case Study – Kanizan Bibi: The Intersection of Poverty, Gender, and Injustice



Arrested in 1989 as a minor from a poor household, Kanizan Bibi was sentenced to death in 1991 for allegedly assisting in a multiple murder, despite serious doubts about the evidence and reports of torture in custody. She was beaten, electrocuted, and forced to confess after twenty days of interrogation. Over time, her mental health deteriorated drastically, and by 2006 she was diagnosed with chronic schizophrenia and transferred to the Punjab Institute of Mental Health (PIMH), where she has remained under constant care. The Supreme Court, recognising her condition, commuted her death sentence to life imprisonment in 2021 in the landmark *Safia Bano* judgement, holding that executing a person unable to comprehend the reason for their punishment would offend both justice and human dignity.

Kanizan Bibi has now spent more than **thirty-five years in custody**—longer than a standard life sentence under Pakistani law—making her eligible for release. Her continued detention at PIMH beyond completion of her sentence serves no legal or rehabilitative purpose and underscores the systemic neglect faced by mentally ill prisoners on death row. Kanizan’s case illustrates how, even after a sentence is commuted, prisoners can remain in prolonged confinement — existing in a space between mercy granted and freedom yet to be realized.

Living Conditions and Treatment of Prisoners on Death Row

Despite judicial and legislative reforms affecting the administration of capital punishment, the conditions in which condemned prisoners are held remain deeply problematic. Death row prisoners across Pakistan face prolonged incarceration in overcrowded, under-resourced facilities with limited access to legal, medical, or psychological support. These conditions are not only a source of physical and mental suffering but often amount to cruel, inhuman or degrading treatment in violation of Pakistan's constitutional and international obligations.¹⁴

Prolonged Isolation and Incarceration

Condemned prisoners spend an average of 11.4 years on death row, a period long enough to expose them to a high risk of *death row syndrome*—marked by severe psychological distress, depression, and deteriorating mental health.¹⁵ Many have minimal human interaction, especially those housed in solitary confinement. These long periods of uncertainty compound psychological distress and undermine any meaningful rehabilitative opportunities.

Overcrowding and Infrastructure Gaps

Pakistan's prisons are chronically overcrowded, operating at about 152% of their official capacity,¹⁶ and this congestion extends to death cells. In Punjab, death cells were once reported to hold up to six prisoners in a space built for two. However, after the landmark *Aslam Khaki* judgment in 2010, which required that prisoners

be shifted to death cells only after their sentence was confirmed by the High Court, Punjab saw a significant reduction in overcrowding.

By contrast, Sindh follows a stricter policy: prisoners are only moved to death cells after their conviction has been upheld by the Supreme Court, resulting in most condemned prisoners being housed in regular barracks until that stage.¹⁷ This has reduced overcrowding within Sindh's designated death cells. In other provinces where such reforms have not been institutionalised, prisoners sentenced to death are often confined three to a cell measuring roughly 8 by 10 feet, with limited access to outdoor space. This chronic congestion erodes dignity, increases the risk of disease, and amplifies the psychological toll of long-term incarceration.

Access to Medical and Mental Health Services

Medical care for death row prisoners remains rudimentary at best. Mental health evaluations are sporadic and unsatisfactory, even when prisoners exhibit signs of psychosocial disability. The Supreme Court's landmark *Safia Bano* ruling established critical safeguards for prisoners with psychosocial and intellectual disabilities — including mandatory mental health assessments, periodic reviews of fitness for execution, and recognition of disability as a mitigating factor. The judgment further directed the federal and provincial governments to establish forensic mental health facilities for the assessment, treatment, and rehabilitation of such prisoners. However, no tangible progress or official reporting suggests that these directives have been implemented, leaving the protections envisioned in *Safia Bano* largely unfulfilled in practice.

Lack of Access to Legal Counsel and Communication

Many condemned prisoners face significant barriers in maintaining contact with legal counsel, especially those from remote areas or

¹⁴ Justice Project Pakistan and International Human Rights Clinic: Yale Law School, A "Most Serious Crime": Pakistan's Unlawful Use of the Death Penalty (Sept., 2016), https://cdn.prod.website-files.com/67bea41f1a04786e3ba5f258/6828c4df465b1c09e13b6733_A%20Most%20Serious%20Crime%2C%20Pakistan's%20unlawful%20use%20of%20the%20Death%20Penalty.pdf

¹⁵ Justice Project Pakistan and International Human Rights Clinic: Yale Law School, A "Most Serious Crime": Pakistan's Unlawful Use of the Death Penalty (Sept., 2016), https://cdn.prod.website-files.com/67bea41f1a04786e3ba5f258/6828c4df465b1c09e13b6733_A%20Most%20Serious%20Crime%2C%20Pakistan's%20unlawful%20use%20of%20the%20Death%20Penalty.pdf

¹⁶ National Commission for Human Rights and Justice Project Pakistan, *Prison Data Report 2024*, https://nchr.gov.pk/wp-content/uploads/2025/01/Prison-Data-Report-2024_NCHR-x-NAPA-x-JPP.pdf

¹⁷ DAWN News, *Appellants no longer being kept in condemned cells*, <https://www.dawn.com/news/976839/karachi-appellants-no-longer-being-kept-in-condemned-cells>

marginalised communities. Visits from lawyers or family members are infrequent and often restricted by prison authorities, logistical costs, or lack of awareness about legal entitlements.

There is also minimal training on how to screen for mental illness or psychosocial disabilities, resulting in key mitigating factors being routinely overlooked.

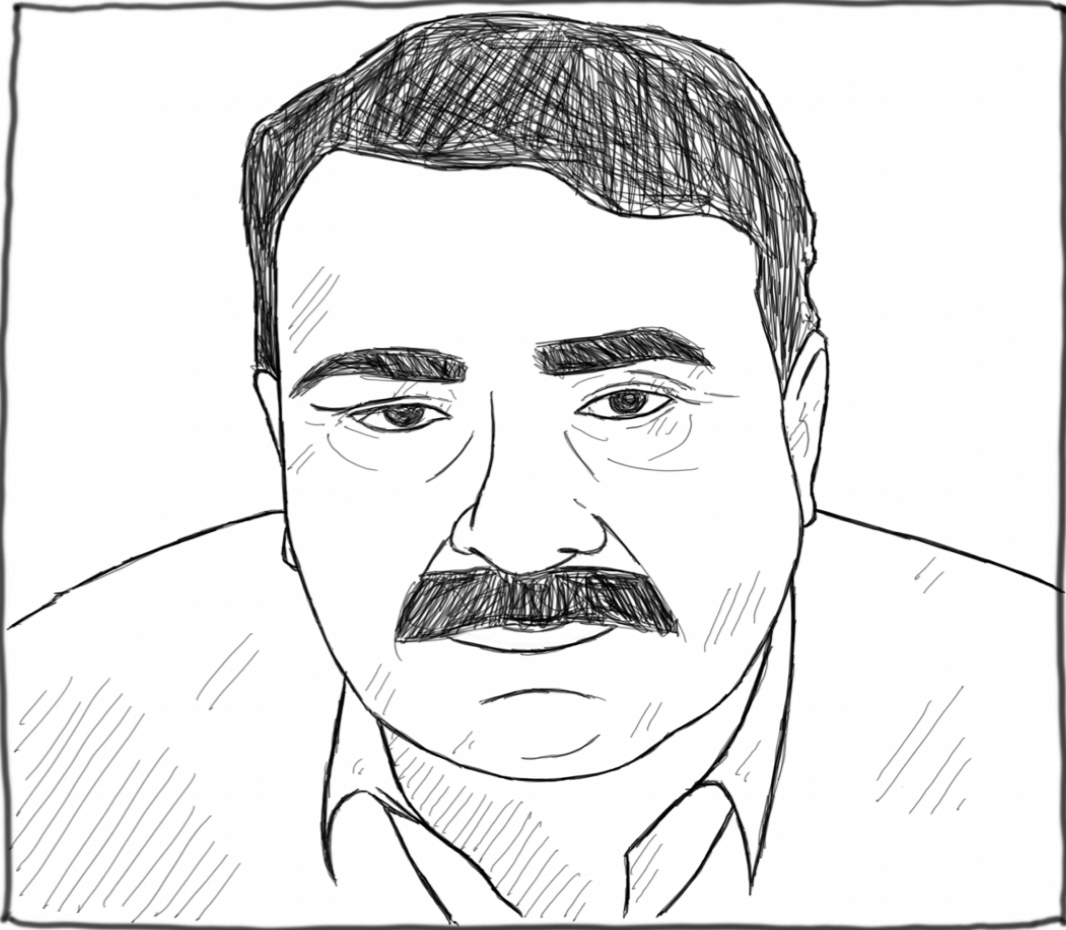
Most indigent defendants lack access to competent legal counsel equipped to mount an effective capital defence. Many lawyers are unaware of how to identify, collect, and present mitigating evidence during the trial, appellate, or clemency stages.

Conclusion

While Pakistan's judiciary has taken steps to reform the substantive application of the death penalty, prison conditions for death row inmates remain harsh, arbitrary, and under-scrutinised. In many instances, these conditions amount to punishment beyond the sentence itself, as noted by Justice Jamal Khan Mandokhail in the *Ghulam Shabbir* judgement.¹⁸ Addressing this structural neglect—including overcrowding, prolonged detention, and lack of medical and psychological care—is essential not only to uphold basic human dignity, but to ensure that those awaiting final adjudication are not subjected to irreparable harm.

¹⁸ *Ghulam Shabbir and another vs. The State*, https://www.supremecourt.gov.pk/downloads_judgements/crl.r.p. 103 2017.pdf

Case Study – *Muhammad Iqbal: A Juvenile Enduring the Terror of an Adult Jail*



“It was a cruel world. I was kept in a jail for adult inmates. I had to beg to not be sodomised. Thankfully, they spared me. But a jail is no place for children, much less on death row. Unfortunately, my story isn’t unique; there are lots of children living in the terror of an adult jail.”

— *Muhammad Iqbal, a former juvenile prisoner, who was set free after 22 years on death row*

RECOMMENDATIONS

Pakistan stands at a critical juncture where the tools for reform already exist — in jurisprudence, legislation, and emerging political will. To consolidate progress and align domestic practice with constitutional guarantees and international obligations, particularly under the GSP+ framework, the following actions are essential:

Legislative Reform:

- **Codify safeguards guaranteeing protection of those facing the death penalty** in domestic law, in line with the ECOSOC Safeguards and the Supreme Court’s *Safia Bano* judgment. This should include mandatory mental-health assessments, proportional sentencing standards, and a statutory prohibition on executing persons with psychosocial or intellectual disabilities.
- **Continue narrowing the scope of capital punishment**, by removing the death penalty for all non-lethal offences and reviewing provisions under the Pakistan Penal Code to ensure compliance with the “most serious crimes” standard under Article 6 of the ICCPR.
- **Amend the Anti-Terrorism Act** to restrict the definition of terrorism to crimes involving a demonstrable nexus with terrorist intent, ensuring that ordinary criminal offences are tried in regular courts.
- **Develop a National Framework on Alternatives to Capital Punishment** that identifies rehabilitative, restorative, and community-based sentencing options in place of the death penalty.
- **Reduce the scope of the definition of “terrorism”** under the Anti-Terrorism Act and ensure that only those crimes that pertain to terrorism or to militancy or organized terrorist outfits are tried by the Anti-Terrorism Courts.

Executive and Administrative Action

- **Institutionalise transparency and accountability** by publishing annual disaggregated statistics on capital sentencing, appellate reversals, and clemency outcomes—broken down by offence, gender, and province—to inform evidence-based policymaking.
- **Operationalise and reform the clemency process** by issuing clear procedural rules, timelines, and regular reporting for mercy petitions under Article 45 of the Constitution to guarantee due process and transparency.
- **Implement the directives of *Safia Bano*** by establishing independent forensic mental-health boards and facilities in every province to assess, treat, and monitor prisoners with psychosocial disabilities.
- **Initiate systematic reviews of all death sentences imposed under repealed or amended laws**, including those for narcotics and other non-lethal offences, to ensure commutation in accordance with current legislation.
- **Digitise prison and judicial records** to create a national database of death-eligible cases, improving data consistency across provinces and facilitating regular oversight by the Ministry of Human Rights and the National Commission for Human Rights.

Judicial and Institutional Strengthening

- **Develop and adopt sentencing guidelines** to ensure consistency, proportionality, and alignment with the principle that the death penalty may be applied only to the most serious and aggravated crimes.
- **Mandate automatic judicial review** of all death sentences pending confirmation for more than five years to prevent prolonged incarceration and the double punishment identified by the Supreme Court in *Ghulam Shabbir v. The State*.
- **Launch regular training for judges, prosecutors, and defence lawyers** on capital defence standards, identification of mitigating evidence, and safeguards for persons with mental illness or juvenility.
- **Establish an oversight role for the National Commission for Human Rights (NCHR)** to monitor the implementation of judicial directions in capital cases and publish periodic reports on compliance.

Cross-Cutting and Systemic Reforms

- **Integrate gender and vulnerability considerations** into all stages of capital proceedings by providing gender-sensitive legal aid, psychosocial support, and review mechanisms for women, juveniles, and persons with disabilities.
- **Strengthen engagement with international treaty bodies and partners** by adopting a formal implementation plan for recommendations issued by the Human Rights Committee, Committee Against Torture, and other UN mechanisms, thereby demonstrating tangible progress under GSP+.
- **Conduct a national review of the death penalty system**, jointly led by the Ministry of Human Rights, Ministry of Law and Justice, and the National Commission for Human Rights (NCHR), to establish a unified roadmap toward progressive narrowing of the scope in line with international standards.

Conclusion

By codifying safeguards that guarantee the protection of those facing the death penalty, through fair-trial standards, mental-health assessments, and transparent clemency procedures, Pakistan can transform its current restraint into lasting reform. Such action would not only fulfil its constitutional and international obligations but also advance the commitments underpinning its GSP+ status, including respect for human rights, the rule of law, and effective governance. In doing so, Pakistan can ensure that mercy, proportionality, and justice define the future of its criminal law, moving decisively toward a humane and rights-compliant system of justice



**NATIONAL COMMISSION
FOR HUMAN RIGHTS**
Government Of Pakistan



**JUSTICE
PROJECT
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