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President of Pakistan  
Honourable Mr Mamnoon Hussain  
President's Secretariat  
Islamabad, Pakistan

1 May 2015

**AMNESTY  
INTERNATIONAL**



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Your Excellency

I am writing on behalf of the undersigned organizations to express our deep concern at the extensive use of the death penalty in Pakistan, as well as the continued disregard for international law and standards shown in its application in recent months. We urge you to immediately re-impose a moratorium on all executions and end the use of this punishment once and for all.

This week marks the 100<sup>th</sup> execution in Pakistan since the six year moratorium on executions was lifted. We were deeply saddened by and have unequivocally condemned the terrorist attack in Peshawar on 16 December 2014, which resulted in 149 deaths including 132 children. It was indeed a horrific attack, and one which demanded a strong government response. We continue to call for perpetrators of terrorist attacks and crime to be brought to justice in fair trials, but without resorting to the death penalty, which is the ultimate cruel, inhuman and degrading punishment. There is no evidence that the death penalty deters crime more effectively than terms of imprisonment.

We are further concerned that in Pakistan many death sentences are handed down after trials that do not meet international fair trial standards. These trials are characterized by a lack of access to legal counsel and an acceptance of evidence inadmissible under international law. Statements extracted through torture continue to be used as evidence in court. Defendants often face restrictions in trying to access a lawyer or are given state-appointed lawyers who are mostly poorly trained and paid, and do not represent their clients vigorously unless given further payments by the defendant or their family. In addition, the right to fair trial has been undermined in trials before lower courts which continue to sentence people to death. Military or other special jurisdictions should not have the authority to impose the death penalty.

We are greatly concerned that people who were below 18 years old when convicted of crimes are currently on death row and are facing execution. A prominent case that has generated public concern is that of Shafqat Hussain, scheduled for execution on 6 May. Shafqat Hussain's lawyers have a government issued birth certificate showing that Shafqat Hussain was a juvenile when convicted of the crime for which he has been sentenced to death. A recent government led inquiry disputes claims of Shafqat Hussain's juvenility at the time of the offense. This issue is currently being litigated before the Islamabad High Court. When such a doubt exists, the benefit must be given to the defendant and he must be treated as a juvenile offender. Such an approach is consistent with the principle that the best interests of the child shall be a primary consideration in all actions concerning children, as required by Article 3(1) of the Convention on the Rights of the Child, to which Pakistan is a State Party. While the issue of Shafqat Hussain's juvenility remains disputed and is under consideration by a court of law, his death warrant must be cancelled.

The high rate of executions since the beginning of the year, which is greatly concerning, has also meant in practice that several prisoners who did not have adequate support and legal representation in recent

years when the death penalty was not implemented never made use of all legal avenues and defences available to them. The risk of executing persons who were convicted on unsafe convictions, or who should not even be on death row, is higher than ever.

We urge you to immediately stop all executions and take all measures in your power to ensure the strictest adherence by Pakistan to international law and standards regulating the use of the death penalty and strengthening justice in Pakistan, including by abolishing the death penalty.

Yours sincerely

Richard Bennett  
Director, Asia-Pacific Programme  
Amnesty International

This letter is co-signed by the following organizations:

Amnesty International

Ansar Burney Trust International

Anti-Death Penalty Asia Network (ADPAN)

Democratic Commission for Human Development

Justice Project Pakistan

Reprieve