

# URGENT ACTION

## EXECUTION IMMINENT AFTER 16 YEARS ON DEATH ROW

**After spending 16 years on death row, Zulfiqar Ali Khan's most recent stay of execution expired on 31 March and he is at risk of imminent execution for murder. According to his current lawyers, he committed the crime in self-defence and received an unfair trial.**

Death row prisoner, **Zulfiqar Ali Khan**, is set to be executed on 6 May. He was arrested and charged with murder on 14 April 1998, and sentenced to death by an Anti-Terrorism Court in Rawalpindi, Punjab province, in 1999. His death sentence was upheld by the High Court in 2001, and his subsequent appeal was rejected by the Supreme Court in 2008, following a review. He is currently being detained in Adiala Central Jail in the city of Rawalpindi.

According to his current lawyers, Zulfiqar Ali Khan committed the crime of murder in self-defence and received an unfair trial. The then state-appointed lawyer reportedly failed to challenge falsified witness statements that were used by the prosecution against him.

Zulfiqar Ali Khan has spent 16 years on death row, the equivalent of a life sentence in Pakistan. During this period, he has received over 15 execution warrants, meaning that he has had to mentally prepare each time to be executed by a firing squad. The severe anxiety felt when facing execution can amount to torture or cruel, inhuman or degrading treatment.

During his time in prison he has educated himself and obtained 48 degrees and certificates. He has also educated over 400 fellow prisoners: 27 of his students in prison have earned university degrees, 48 have graduated from college and 51 obtained matriculation certificates.

### **Please write immediately in Urdu, English or your own language:**

- Urging the authorities to halt the execution of Zulfiqar Ali Khan immediately, and re-establish the official moratorium on all executions in the country as a first step towards the abolition of the death penalty, in line with five UN General Assembly resolutions adopted since 2007;
- Calling on them to ensure that any measures taken to combat crime do not violate Pakistan's obligations under international human rights law and that all safeguards guaranteeing the rights of those facing the death penalty are respected;
- Urging the authorities to commute all existing death sentences.

### **PLEASE SEND APPEALS BEFORE 11 JUNE 2015 TO:**

#### President of Pakistan

Honourable Mr Mamnoon Hussain

President's Secretariat

Islamabad, Pakistan

Fax: +92 51 920 8479

Twitter: @Mamnoon\_hussain

**Salutation: Your Excellency**

#### Prime Minister of Pakistan

Mr Muhammad Nawaz Sharif

Prime Minister House

Secretariat, Constitution Avenue

Islamabad, Pakistan

Fax: +92 51 922 0404 (PM Secretariat)

Twitter: @PMNawazSharif

**Salutation: Dear Prime Minister**

#### **And copies to:**

#### Chief Minister of Punjab

Mr Shahbaz Sharif

Chief Minister Secretariat

7-Club Road

GOR-I, Lahore

Pakistan

Fax: +92 42 9920 4915 /

+ 92 42 9920 3224

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 302/08. Further information:

<https://www.amnesty.org/en/documents/ASA33/003/2009/en/>

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Following the Pakistani Taliban attack on the army-run school in Peshawar on 16 December 2014, Prime Minister Nawaz Sharif partially lifted the six-year moratorium on executions, allowing the death penalty to be used in terrorism cases. On 11 March 2015, the Pakistan government announced that it was completely lifting the moratorium for all capital crimes and has threatened to send up to 1,000 prisoners to the gallows who have exhausted all legal options and their mercy petitions. In total, 101 prisoners have been executed since the moratorium was lifted.

Around 8,200 prisoners are on death row in Pakistan. The death penalty may be imposed in Pakistan for at least 28 crimes, including for non-lethal offences which do not meet the threshold of the “most serious crimes” as set out in article 6.2 of the International Covenant on Civil and Political Rights (ICCPR) to which Pakistan is a state party.

Amnesty International unequivocally condemned the Peshawar school attack which resulted in 149 deaths, including 132 children. The organization called for indiscriminate attacks and attacks against civilians, including the Peshawar attack, to be thoroughly investigated and for suspected perpetrators to face prosecution in proceedings that comply with international fair trial standards, without resort to the death penalty. Since the attack, Pakistan has amended its constitution to speed up the prosecution of terrorism-related cases and move them from civilian to military courts. The jurisdiction of military courts over cases of terrorism raises serious concerns about fair trial guarantees, as rights could be violated in the rush to ensure speedy terrorism-related convictions.

Amnesty International opposes the death penalty in all cases and under any circumstances, regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to carry out the execution. The organization considers the death penalty a violation of the right to life as recognized in the Universal Declaration of Human Rights and the ultimate cruel, inhuman and degrading punishment. Furthermore, there is no convincing evidence that the death penalty is a particular deterrent in capital crimes compared to other forms of punishment. The most comprehensive study carried out by the UN in 1988 and most recently updated in 2008 concluded that there is no proof that executions are a greater deterrent to crime than life imprisonment.

Amnesty International's concern is heightened by the fact 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 often poorly trained and paid, and may 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. These courts operate with restricted public access and with the requirement for trials to be completed within a matter of days or weeks, putting judges under extreme pressure to convict. In 2012 the UN Special Rapporteur on Extrajudicial, summary or arbitrary executions concluded that military or other special jurisdictions should not have the authority to impose the death penalty.

Name: Zulfiqar Ali Khan  
Gender m/f: male

Further information on UA: 302/08 Index: ASA 33/1497/2015 Issue Date: 30 April 2015