



F. No. 2(119)22-Complaint (NCHR)  
GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



NATIONAL COMMISSION  
FOR HUMAN RIGHTS

Islamabad, the 29<sup>th</sup> July, 2022

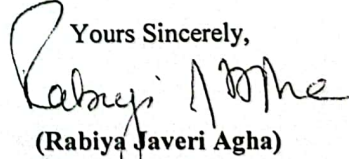
Subject: Mercy Petition for Abdul Basit, permanently disabled prisoner on death row

The National Commission for Human Rights (NCHR) is deeply concerned about the condition of Abdul Basit (s/o Allah Ditta), a paraplegic prisoner who has spent the last 13 years on death row. The NCHR would like to receive a progress report on the status of his Mercy Petition.

2. Abdul Basit was arrested in 2008 and sentenced to death in 2009. He contracted tuberculosis, and due to complications that arose from delays in providing him with essential medical care in jail, has spent the past 12 years permanently disabled and paralyzed from the waist down, unable to move from the floor of his death cell. Throughout his incarceration, he has faced inhumane treatment, solitary confinement, unhygienic conditions, and has been denied medical care.

3. Evidence shows that his previous mercy petition was delayed by jail authorities, who failed to provide certified copies of Abdul Basit's jail medical records to prove his permanent disability. This violated Basit's right to seek a commutation or pardon of his sentence under Article 45 of the Constitution of Pakistan. Abdul Basit's detention as a paraplegic prisoner also constitutes inhuman treatment, and is in direct violation of Article 7 of the International Covenant on Civil and Political Rights (ICCPR), Article 1 of the Convention on Torture (CAT) and Article 15 of the Convention on the Rights of Persons with Disabilities (CRPD). Pakistan has signed and ratified all three of these conventions. In 2016, the United Nations Special Rapporteurs issued a joint communication stating that executing Abdul Basit would be inconsistent with international human rights law.<sup>1</sup>

4. The NCHR urges the President and the Government to take notice of Abdul Basit's Mercy Petition and ensure that he is granted reprieve under Article 45 of the Constitution.

Yours Sincerely,  
  
(Rabiya Javeri Agha)  
Chairperson (NCHR)

The Secretary,  
Ministry of Human Rights,  
Government of Pakistan,  
Islamabad.

Copy for information to:

- The Secretary, Ministry of Law and Justice, Government of Pakistan, Islamabad.

<sup>1</sup> "Mandates of the Special Rapporteur on the rights of persons with disabilities; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on extrajudicial, summary or arbitrary executions; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment," UN OHCHR. REFERENCE: UA, PAK 3/2016: