



No.2(119)/2021-Chair-NCHR
GOVERNMENT OF PAKISTAN
NATIONAL COMMISSION FOR HUMAN RIGHTS
5th Floor Evacuee Trust Complex, F-5/1,
Agha Khan Road, Islamabad.



Islamabad, 20th June, 2022

Subject: **REVOCATION OF DEATH PENALTY FOR CRIMES UNDER SECTION 127 OF THE 1890 RAILWAYS ACT**

Dear Sir,

The National Commission for Human Rights (NCHR) is a statutory body set up under the NCHR Act XVI of 2012. The NCHR Act, 2012 stipulates a broad and overarching mandate for the promotion and protection of human rights as provided under the Constitution of Islamic Republic of Pakistan, national domestic law and international human rights treaty framework. Amidst its core functions, the Commission is mandated to study international human rights treaties and advice Government of Pakistan for effective implementations.

2. Lately, the Commission has been following up on the observations being made in the Human Rights Committee that monitors the implementation of International Covenant on Civil and Political Rights (ICCPR) by the its State parties. It may be recalled that the GSP + eligibility requirements essentially depend on the concluding observations made in treaty bodies. As such, Government of Pakistan needs to diligently follow-up on recommendations coming from treaty bodies especially which are under observation with the GSP + monitoring team.

3. Therefore, the Commission would like to raise the issue of death penalty. Pakistan is still amongst the countries in the world where death penalty is excessively prescribed in the law. The prisoners on death row have continued to increase although the unofficial moratorium against executions remain in place. The outstanding challenges in fair and reliable prosecution in our judicial system also presents cause to reconsider number of offences with death penalty. It is important to apply the threshold of “the most

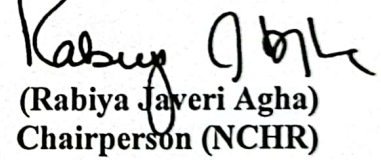


serious crimes” as required under Article 6 of the ICCPR which stipulates “*a sentence of death may be imposed only for the most serious crimes*”.

4. In view of Pakistan’s international obligations, the Government of Pakistan is encouraged to review, and reduce the numbers of, the offences which carry punishment of death penalty. In this regard, in order to conform to the ICCPR, the Commission recommends amendment of the Section 127 of the Railways Act, 1890 to replace death penalty with sentence of life imprisonment. The Government is further encouraged to officially acknowledge the moratorium on executions of prisoners sentenced with death penalty.

Thanking you,

Yours Sincerely,


(Rabiya Javeri Agha)
Chairperson (NCHR)

**The Secretary,
Ministry of Interior,
Government of Pakistan,
Islamabad.**

Copy for information to:

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