



No. Sp/Proc/1/2025

The Permanent Mission of the Islamic Republic of Pakistan to the United Nations Office at Geneva and other International Organizations based in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to refer to communication JAL PAK 8/2025 dated 10 September 2025.

The Permanent Mission has the further honour to attach the response of the Government of Pakistan to the communication under reference.

The Permanent Mission of the Islamic Republic of Pakistan to the United Nations Office at Geneva and other International Organizations based in Geneva avails itself of this opportunity to renew the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

Geneva, 19 January 2026

The Office of the United Nations
High Commissioner for Human
Rights (OHCHR)
Geneva



Permanent Mission of Pakistan to the UN
Geneva

Government response to JAL PAK 8/2025 dated 10 September 2025

The Government of Pakistan reaffirms its commitment to upholding its international human rights obligations and as enshrined in the Constitution of Pakistan, 1973 and its domestic legal framework, of which rule of law, and the independence of the judiciary are a bedrock.

The matters referred in the communication are currently being adjudicated before the courts of law. Under Pakistan's Constitution, such matters fall within the judicial domain, and the Executive is constitutionally prohibited from intervening in individual cases.

Article 175(3) of the Constitution mandates the separation of the judiciary from the executive. Courts function independently, and prosecution services operate autonomously as officers of the court. The Government neither directs prosecutorial decisions nor influences judicial assessment of evidence, conviction, sentencing, or appellate review.

Pakistan's legal system guarantees fair trial and due process under Articles 9 and 10-A of the Constitution, supported by mandatory appellate review in capital cases and access to constitutional remedies under Articles 199 and 184 (3). Allegations relating to evidentiary sufficiency, procedural irregularity, delay, or trial fairness are justiciable matters to be resolved through judicial processes.

The cases of Mr. Shahzad Masih, Mr. Qaiser Ayub, and Mr. Amoon Ayub are currently subjudice. Questions relating to evidentiary sufficiency, procedural compliance, due process, delay, or the application of substantive criminal law are matters that fall within the competence of the judiciary. The Executive has neither the authority nor the constitutional mandate to substitute its assessment for that of the courts.

Any intimidation, harassment, or threats directed at judges, prosecutors, lawyers, or litigants is strictly prosecuted and special security measures are put in place. Courtroom security and maintenance of public order is ensured to safeguard the administration of justice without any prejudice to the independence of judiciary.

The imposition and confirmation of the death penalty remain subject to multi-tiered judicial scrutiny and no death sentence attains finality without confirmation by the High Court and a right of appeal to the Supreme Court remains available to all convicts. In these cases, the appeals are *sub judice*, and any executive commentary on their merits or judicial outcomes would amount to unconstitutional interference in the judiciary's work.

Similarly, scheduling issues fall within the institutional competence of the courts. Delays, where they occur, arise from case-specific legal and procedural factors, including adjournments sought by parties. While the Government has no authority to prioritize or expedite individual cases, however, it remains engaged institutionally with the judiciary to ensure availability of resources aimed at addressing the delays.

Preventive detentions are required to be carried out in accordance with law and remain subject to judicial review. Alleged violations of fundamental rights, including unlawful detention or procedural non-compliance, are cognizable before the courts and they grant appropriate relief, as per the merits of the individual cases.

The clemency jurisdiction under Article 45 of the Constitution is exercised after judicial processes are exhausted and on humanitarian grounds; it does not constitute interference in the judicial work.

Lastly, the Government underscores that the courts and prosecution services in Pakistan function independently under constitutional protection.

The Government hopes that the information provided above would be sufficient to clarify the allegations raised in the letter.

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