

Jailed Abroad

By Andalib Aziz August 30, 2018 Print : Opinion

During his first press conference as foreign minister, Shah Mehmood Qureshi stated that our foreign policy will be based on a 'Pakistan first' approach. In light of this statement, he directed all Pakistani missions to "treat our overseas Pakistanis with respect [as] this is the duty of all our embassies abroad".

A 'Pakistan first' approach should also involve putting overseas Pakistanis first. They have long been neglected by our corridors of power when it comes to protecting their rights. This is why there are more Pakistani prisoners in foreign jails than Indian inmates. According to some estimates, Pakistan has 9,364 prisoners abroad as compared with India's 7,737 inmates in foreign prisons.

From 2015 to 2017, there have been six reported cases of Pakistani citizens being executed in Iran on drug charges. However, official figures for the number of Pakistanis on death row in Iran are unknown.

There is no better occasion to gauge the sincerity and seriousness of our foreign minister's 'Pakistan first' claim than during Iranian Foreign Minister Mohammad Javad Zarif's visit

to the country between August 30 and August 31. During this official visit, the plight of Pakistani prisoners in Iran should be addressed.

This visit is especially important for the new administration and the determined foreign minister to prove that Pakistan will not only continue and strengthen its bond with Iran, but also cement its 'Pakistan first' approach. One way to accomplish this goal is to aid the most vulnerable overseas Pakistanis in Iran. Pakistanis on death row are specifically eligible for a reduction in their sentences under Iran's newly-amended anti-narcotics law.

In 2017, the anti-drugs law in Iran was amended to apply retroactively to prisoners on death row and sought to replace the death penalty with prison sentences (of around 30 years) and fines. The amended anti-narcotics law has reduced the minimum possession of drugs – which includes their production or distribution – that results in a death sentence from 30 grammes to two kilogrammes for industrial narcotics, and from five kg to 50 kg for traditional drugs.

This marks a major step forward as previous amendments that were made in 2007 and 2011 had increased the severity of sanctions for drug offences and broadened the death penalty. As of July 6, 2018, Iran's courts received 3,000 requests for review. They have reviewed 1,700 requests, with 1,300 others pending review.

Iran has one of the highest incarceration rates for drug offences. Prior to the 2017 amendment to the anti-narcotics law, the country had the second highest rate of drug-related executions in the world such that around 70 percent of all death sentences in the country were for drug-related offences. The amendments to the anti-narcotics law could potentially save more than 4,700 lives of the 5,300 inmates on death row for drug offences.

For the first time over the past eight years, drug offences didn't account for the majority of executions in 2017. Between January 1, 2018 and May 20, 2018, Iran has executed at least 77 people, of which one person was executed for a drug-related offence. During the same period in 2017, at least 203 people were executed, of which 112 were executed for drug offences.

This proves that the new amendments will substantially decrease the death row population that was previously convicted in narcotics cases. It also shows that the justice system in Iran is implementing the new changes efficiently. The benefits of this amendment should be extended to the Pakistanis who are on death row in Iran. There are currently over 189 Pakistanis imprisoned in Iran and a significant majority of them are part of the 5,300 prisoners on death row in Iran for drug-related crimes.

The desire to implement the amended anti-drug law is a sign that Iran might be willing to treat Pakistanis sentenced to death in a more humane manner.

We can no longer refuse to help Pakistanis on death row in Iran by using the excuse that these matters fall under a foreign law and jurisdiction. Aiding those on death row in Iran has now become simpler and the Foreign Office needs to help Pakistanis in Iran's jails by providing legal counsel in this regard. The process of reviewing punishments isn't automatic and has to be applied for – a hurdle that our Foreign Office can overcome.

However, the opportune moment of the Iranian foreign minister's visit can be used to make matters easier for Pakistanis on death row in Iran. Both states could agree to conduct a review of all Pakistani prisoners in Iran to determine their eligibility for the amended law and the benefits extended to them.

Trips by foreign ministers are mostly reported in newspapers and aired on TV channels through images of handshakes between dignitaries in a room filled with members of the press. After that, these trips are forgotten. If this policy is implemented, this particular visit will have a monumental impact and will be forever etched on the history of both nations.

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