[**Condemned to die**](https://www.dawn.com/news/1737428/condemned-to-die)

[Haris Zaki](https://www.dawn.com/authors/10195/haris-zaki) Published February 16, 2023 Updated a day ago

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THE kingdom of Saudi Arabia is one of Pakistan’s closest allies, the two countries sharing a long-standing relationship that encompasses economic cooperation, cultural affinity and Islamic fraternity. An integral aspect of this entente is the over two million Pakistani migrants employed there, who, in 2021, sent back a whopping $7.66 billion in remittances to Pakistan. As the third largest immigrant group in a country where roughly 38.4 per cent of the population are foreign nationals, Pakistani workers are a powerful organ in Saudi Arabia’s workforce.

Parallel to this collaborative relationship, however, runs the story of the Saudi criminal justice system, and the Pakistanis who find themselves at its mercy. Saudi Arabia’s use of the death penalty is prolific, and foreign nationals often find themselves being disproportionately affected by capital punishment. Between 2014 and 2019, over 100 Pakistanis were executed in the kingdom, and there are currently 2,000 of our countrymen languishing in Saudi jails, mostly over drug offences.

Lack of economic opportunities at home drives destitute Pakistanis into the arms of predatory criminals masquerading as overseas employment promoters, or benevolent facilitators of free umrah and Haj schemes. These civilians are then trapped and trafficked as drug mules, particularly to Gulf states. The smuggling of narcotics in Saudi Arabia is punishable by death under ta’zir, the discretion of the judges.

In recent years, diplomatic efforts resulted in marked improvements for Pakistanis imprisoned overseas. In 2019, on a state visit to Islamabad, Saudi Crown Prince Mohammed bin Salman announced the release and repatriation of over 2,100 Pakistanis from Saudi jails. The same year saw 80 Pakistani nationals released and returned home under the royal clemency. For the first time in decades, it seemed as though the fortunes of Pakistanis ensnared in the kingdom’s prisons had taken a turn for the better.

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Covid-19 brought about the temporary cessation of these repatriations, with then prime minister Imran Khan working to ease travel restrictions and effect the return of the 400,000 Pakistani migrant workers trying to enter the kingdom.

In January 2021, the news of a moratorium on executions for drug offences in Saudi Arabia was welcomed globally by human rights activists. Repatriations of Pakistani nationals briefly resumed; 63 prisoners returned home on Eid in 2021, followed by another 28 in August.

Since then, efforts to repatriate the remaining Pakistanis in the kingdom’s jails seem to have hit a brick wall, despite Pakistan and Saudi Arabia finalising an official prisoner transfer agreement in February 2022. This agreement, which was negotiated by successive governments, is a testament to the cross-party recognition of the importance of protecting Pakistani prisoners in Saudi Arabia. The PTA allows for any convicted Pakistani prisoner to serve their sentence in Pakistan.

On Nov 10, 2022, Liaquat Ali and Muhammad Irfan were executed in Riyadh, having been found guilty of smuggling heroin into the kingdom. Five days later, Gulzar Khan was beheaded for the same offence. The executions symbolised an abrupt reversal of the moratorium on executions for drug offences, and the first executions of Pakistani nationals in roughly three years. The question must be asked: why now?

Most of these prisoners are migrant workers who lost their fights with an alien legal system. The due process violations that abound in Saudi courts render any deprivation of life by the state arbitrary and unlawful. Pro­ce­e­dings are cond­u­c­ted entirely in Ara­bic, and def­­e­n­dants are bereft of legal aid and translation services.

Pakistan has a constitutional duty to provide consular assistance to citizens confronting the kingdom’s justice system. In 2010, at the behest of the Supreme Court, the Ministry of Foreign Affairs drafted guidelines on securing the release/repatriation of Pakistanis jailed abroad. In 2017, the Lahore High Court determined that the guidelines did not amount to a policy, and directed the ministry to pass a consular protection policy forthwith. There exists no such policy, and despite a five-day gap between executions, the government was unable to intervene and protect Gulzar Khan, whose conceivable fear that he was next in line came true.

The diplomatic engagement seen in the past decade brought forth a hard-earned respite from executions of Pakistanis in Saudi Arabia. Now that their lives are once again at risk after three years of safety, the goodwill cultivated over the years must be put to use. Concrete policy reform must be coupled with tenacious diplomacy to implement the PTA between the two countries and secure the repatriation of vulnerable Pakistani nationals.

*The writer is a policy and advocacy officer at Justice Project Pakistan.*

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