**Death & disorientation**

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| IMDAD knows things the rest of us don`t.Although his travels are mostly limited to his cramped living quarters which he shares with two other men, or the small courtyard outside his room which he shares with six others, Imdad finds a constant companion in his notebook.His record keeping is impeccable. His stories are diverse in theme, and with only short appointments to see Imdad, his stream of consciousness can prove convoluted and difficult to decipher. In our last rendezvous, he revealed how certain children are designed to be born, and in the same breath explained which cosmic forces determine how male children and female children will grow to become judges. In fact, much of Imdad`s commentary revolves around the criminal justice system. Imdad`s epiphanies are often too powerful for him to focus on mundane trivialities. If asked temporal questions, Imdad answers with reference to hundreds of years; his view of the world is panoramic, unfathomable to the rest of us.When we ask Imdad, who is a prisoner on death row, about his own case, he answers that he was told by a faceless voice to kill his victim, but then later bring the individual back to life. When asked how long he has been in prison, his countenance indicates absolute confidence in his response, yet his words once again attempt to create an image the rest of us can`t see. Imdad will inexplicably tell us that he founded Pakistan. He was a king, and he had a queen. This queen still visits him in prison.Imdad has schizophrenia. He was convicted for murder in 2002, and has been imprisoned on death row for the past 17 years. Perhaps one of the only verifiable facts in Imdad`s revelations has been that his queen does indeed visit him in prison: his loving and patient wife, Safia Bano. She has raised the issue of his mental illness countless times but to no avail.Unable to fund private medical evaluations, Imdad was simply not affluent enough to avoid the queue to the gallows.In April 2018, Imdad`s case was clubbed with that of Kanizan`s, a severely mentally ill woman who has spent over 30 years on death row for a crime she maintains she didn`t commit. In its suo motu, the Supreme Court ordered a fresh mental health evaluation for both, on the basis of which they could commute their sentences to life imprisonment. Kanizan, who was earlier determined too mentally ill to be kept in a prison, and who spent many years in the Punjab Institute of Mental Health, was shifted to Adiala jail for medical evaluation alongside Imdad in mid-2019. However, despite 20 months having passed since the court originally took notice of their cases, no material progress has been made.Imdad and Kanizan are only two of those who could potentially be Pakistan`s many mentally ill prisoners on death row. Imdad`s notebooks and his vivaciousfortune telling are brimming with detail and bear testament to the mental health symptoms that have been recorded by medical and legal professionals over the years. In stark contrast, Kanizan, who hasn`t spoken a single word in years, is a gated fortress with long lost keys. Her kind yet inscrutable expression reveals no clues about her thoughts. If not revived by physical touch, Kanizan does not even register that she is being spoken to.The guards tell us that she doesn`t argue with her cell mates. That she sometimes cries quietly. That she never gets any visitors. Trapped in the confines of her own mind, and kept out of the health facility where she received care, one cannot imagine the fear and disorientation a return to prison has put her through.Imdad`s family has heard that he and Kanizan were evaluated by a medical boardalmost four months ago. Yet the case has still not been fixed for hearing before the Supreme Court.Both Imdad and Kanizan remain in Adiala, and hence their treatment is still being disrupted, putting them at great risk.Through its jurisprudence, the UNHuman Rights Committee has recognised that the execution of mentally ill prisoners is prohibited as cruel, inhuman and degrading treatment under Article 6 and 7 of the International Covenant on Civil and Political Rights.In Pakistan, after decades of injustice despite genuine efforts by the Supreme Court to protect vulnerable prisoners from death row, perhaps this is the year these grave miscarriages of justice can finally be corrected. The Honourable Justice Gulzar Ahmed was sworn in as the 27th Chief Justice of Pakistan on Dec 21, 2019.Unwavering in his commitment to justice, renowned for authoring seminal judgements on crucial matters, and armed with the acumen and clarity that his illustrious legal career has brought, there is no better judge who can decide once and for all that, in line with Islamic principles and international obligations, that Pakistan will not execute its mentally ill offenders.  The writer is a lawyer working with Justice Project Pakistan.  |  |