

Retention of Death Penalty: A Comparative Analysis of China and Pakistan

Muhammad Fahad Anwar¹

Abstract

The use of the death sentence is a contentious topic in several countries. After implementing the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, many countries have successfully abolished the death penalty or placed it under a moratorium. China and Pakistan are the two countries that continue to carry out executions as their capital punishment. China and Pakistan both have a long history of using the death sentence. It was considered that putting individuals to death was the most effective way to reduce the amount of crime in both the countries. This article will provide the reasons for the retention of the death penalty in China and Pakistan.

Keywords: Death Penalty; Retention; China; Pakistan; Public Opinion;

¹PhD Candidate at China University of Political Science and Law, Beijing, China; Email: fahad@uosahiwal.edu.pk

Introduction

The legal standing of the death sentence as well as its application, continue to be contentious matters on a global level (Schabas, 1996). Despite being widely viewed as brutal, it is also violating the most fundamental human right, the right to life (Barry, 2019). The death penalty is still legal in almost 56 countries worldwide, including China and Pakistan (Schreiber, 1996). These countries continue to use the death penalty on a regular basis. China and Pakistan both have retained the death penalty in law and practice (Barca & Jingjing, 2019). Both China and Pakistan are members of the United Nations Security Council, and each country contributes in its particular way to forming the international world order (Wuthnow, 2013). China and Pakistan together are probably two of the most influential actors in the international system (Faruqui, 2001). Pakistan is a low-income developing country (Razzak, Hyder, Akhtar, Khan, & Khan, 2008), whereas China is among one of the world's largest economies (Morrison, 2019). Both China and Pakistan adhere to retaining the death penalty even though China describes itself as a socialist republic with Chinese characteristics. At the same time, Pakistan is a liberal democracy (Cheema, 2018). However, both countries have vastly different economic power and political systems (Warraich, 2024). Moreover, they also have subscribed to vastly different values and historical traditions.

Thousands of inmates on death row are put to death every year in China, making it the country with the highest rate of executions worldwide (Liang, 2015). It does not have the highest number of executions per million population. However, it is responsible for more executions than the rest of the world put together. It is an apparent anomaly regarding the number of individuals put to death by the death penalty and the number of executions. Unfortunately, China considers the number of death penalty sentences and executions a state secret and keeps the information classified (Monthly, 1998). There are strong indications that the true figure is in the

thousands of executions(Dui Hua, 2018). In addition, China continues to punish people by executing them for offences that are not considered the most serious crimes. These most serious crimes have been defined by the International Covenant on Civil and Political Rights, 1966. China signed it in 1998 but has not yet ratified it.

In addition, Pakistan is known for its practice of actively executing criminals who have been given death sentences(Khan & Bhatti, 2024). In 2022, Pakistan executed no death sentence but imposed 127 death sentences by courts. There are still 3,831 inmates on death row(Amnesty International, 2022). Both the federal government and individual provinces in Pakistan continue to uphold the constitutionality of capital punishment. The purpose of this paper is to investigate and provide an explanation of the primary parallels and differences that exist between China and Pakistan with regard to the application of the death penalty. It offers a historical perspective on ever-evolving legislation and the imposition of procedural safeguards, providing an overview of both. Its research seeks to emphasise distinctive features and the fundamental reasons for the continued use of the death sentence in both countries. These are influenced by evolving public opinion and pressure from international institutions and the community, the latter of which demands the eventual eradication of the practice.

A qualitative comparative analysis of the use of the death penalty in China and Pakistan is presented in this research. The study aims to investigate and explain why both countries have a retention attitude regarding the use of the death penalty.

Past and Present of the Death Penalty in the World

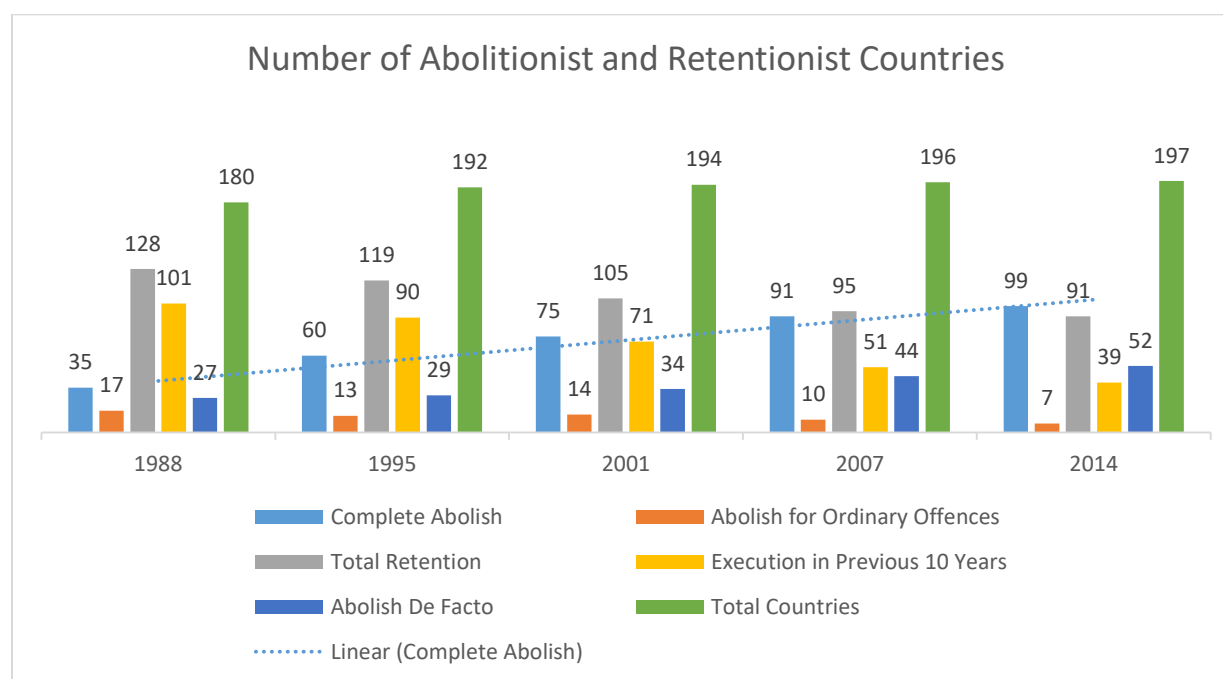
Since the beginning of human history, society has considered the death sentence the ultimate form of retribution and an effective means of social control(FBA & Hoyle, 2008). The use and award of the death penalty served both as a display of authority and as a deterrent to those who broke the law. Almost all societies around the globe have used the death penalty(Sarat, 2002). In 18th and 19th century Europe, the beginnings of abolitionist thinking began to take shape in many forms. These ideas began to surface at the same time when the Enlightenment and ideas of humanism and rationalism were becoming popular. In 1764, a young Italian reformer, Marquis Cesare Beccaria from Milan, wrote and published an essay titled On Crimes and Punishments. In this essay, he raised concerns about the constitutionality of the death penalty. He also advocated for punishments proportionate to the seriousness of the offences committed. He advocated for eliminating the death penalty(Maestro, 1973). He claimed that the state does not have the right to take life. Moreover, he pointed out that the death penalty is irrevocable in the event of a judicial error. Later, he was proved correct about both of these points. Even with the best intentions, it is hard to avoid making mistakes that lead to unjust convictions, as both the past and the present have shown us.

In spite of this, it wasn't until the 20th century that the actual abolitionist tendency started to acquire noticeable traction on both the level of public opinion and the level of policy. Even though there are examples of numerous states in the United States doing away with the death penalty in the 19th century, after the end of the Second World War, the movement for global abolition began in Europe. However, in 1948 the adoption of the Universal Declaration of Human Rights (UDHR) at the level of the United Nations marked the first step toward the elimination of the death sentence. This is because the UDHR states that all people have the same

fundamental rights(United Nations, 1948). The European Communities, most notably the Council of Europe and the European Union, which took the lead in the global promotion of the abolitionist narrative and played a vital role in the battle toward the complete abolition of the death penalty, played a crucial role in the fight toward the comprehensive abolition of the death penalty. This is the role that must be given to the crucial role in the battle. Especially the Council of Europe was essential in the promotion of human rights. It also promoted the complete abolition of the death sentence throughout Europe. After that, in the second part of the 20th century, the countries of Europe were the ones to get the ball rolling for the international drive to abolish the death penalty. As a direct result of this, the number of countries that maintained their status as retentionists began to undergo an abrupt decline in the later half of the 20th century. A new trend has evolved, particularly since the fall of the Soviet Union, which recognises that the death sentence violates human rights, most notably the "right to life".

The world has seen a significant transformation in the past few decades. The trend towards the universal abolition of the death penalty is apparent. Figure 1 shows that the number of countries still using the death sentence has decreased. In 1988 this figure was 101; in 2014, it dropped to 39. This represents a significant decrease in the use of the death penalty. More than two-thirds of countries worldwide have done away with the death penalty. It is either in law or in practice. By the end of 2014, 99 countries had outlawed the use of the death penalty for all crimes. It has brought down the total number of countries to 98 that are still practising the death penalty in either way. On the other hand, the number of countries around the world that carried out executions in 2014 was 39.

Figure 1 (FBA & Hoyle, 2008)



Death Penalty in China

In China, the practice of putting criminals to death has a long and storied history. According to the findings of many historical investigations, the execution of criminals in China may be traced back as far as 2200 BC, during the reign of the Xia dynasty. In order to maintain and protect state authority and social order, the use of the death sentence was employed as both the ultimate punishment and a control tool. Even after the fall of imperial China in the early twentieth century, the practice persisted, indicating that it had been in use for several centuries prior to that time.

At one point in time, the Communist Party of China was open to the idea of doing away with the death sentence. The Chinese Communist Party formally urged the death penalty to be abandoned on 15 June 1922. This was in accordance with the traditionalist concepts of Marx and Engels, which had a humanising aspect and looked at the death sentence as a cruel method. They believed that the death penalty should be abandoned. Despite this, the position was rapidly abandoned throughout the succeeding revolutions and struggles and was never regained after it had been lost.

The death penalty was not done away with after Mao Zedong and the Communist Party of China took power in China in 1949. However, there were references concerning its removal during the decade of the 1950s, particularly in legal textbooks and even in the statements of high-level politicians. Even though the Chinese Marxist ideology frowned upon the use of the death sentence, the Chinese state has always used it, always maintaining that it is required at this stage of development(Bakken, 2011). Nevertheless, the practice was extensively utilised for political reasons throughout the years of Maoist rule, in accordance with the Leninist concept that harsh kinds of punishment were necessary to preserve the revolution from bourgeois counter-revolutionaries(Noakes, 2014).

The extreme radicalisation that occurred during the Cultural Revolution was a direct response to the harsh radicalisation that happened when the Criminal Law was adopted in 1979. The new legislative body made the death penalty more legally sound and introduced the first changes to administering it. However, the death sentence was never repealed during Deng Xiaoping's leadership, and in fact, it grew even more widespread and violent after the first of several strike-hard anti-crime campaigns was launched in 1983. After years of brutalisation and extra-legal executions, Deng called for greater use of the death penalty and expanded the list of capital crimes to include corruption, recidivism, major theft, smuggling, tax evasion, and a variety of other crimes to curb economic crime that increased with the opening-up. In spite of this, the promulgation of the Criminal Law and the Criminal Procedure Law represented a significant advance toward the establishment of procedural safeguards and a more legalistic mode of operation. These reforms also resulted in the introduction of China's first official bans on the use of the death penalty, including a prohibition on the execution of juveniles.

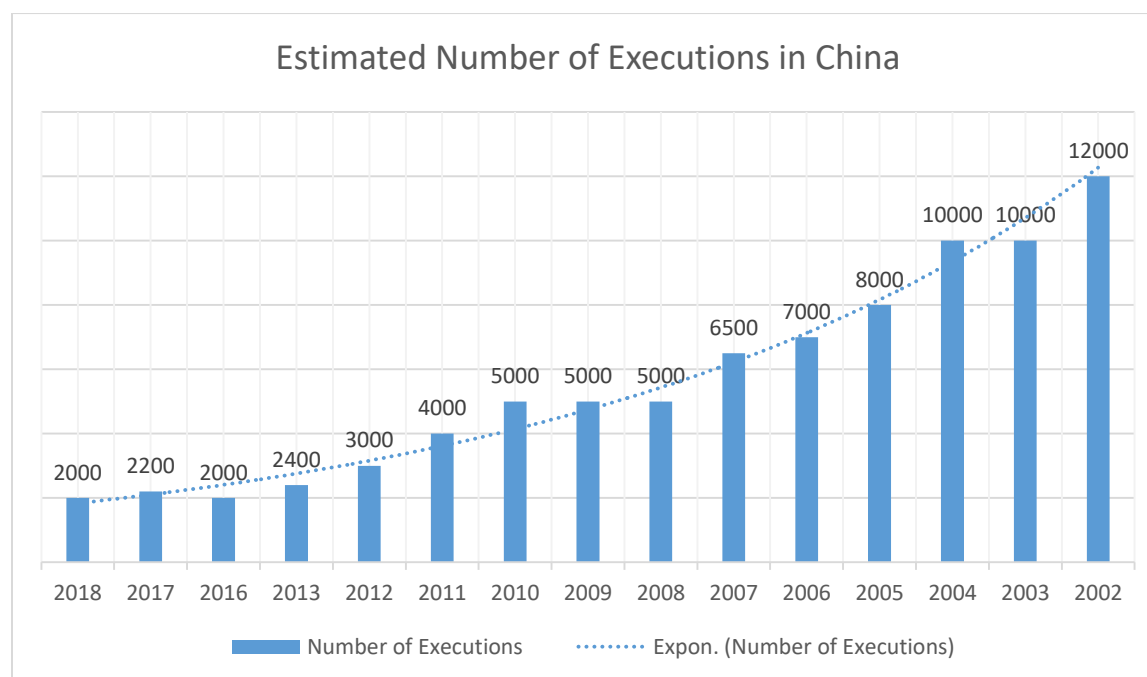
As a consequence of this, the Yanda campaign was restarted in the 1990s under the leadership of Jiang Zemin, who was the president at the time. In the same way as the first one, this led to torture, the presumption of guilt, and a lack of police, prosecutor, and court checks and balances(Jiang, Hu, & Lambert, 2018). In 1997, the Chinese government passed the second criminal code to maintain "national stability". This amendment strengthened defendants' rights,

but the death penalty was extended from 28 to 68 crimes, also covering economic and social order violations(Noakes, 2014).

The most significant advancement in the Chinese death penalty procedural safeguards was the beginning of the government's "kill fewer, kill carefully" strategy. In 2007, the Supreme People's Court restored the power to review all death penalty sentences in which defendants were subject to immediate execution. This reversal of a 1983 policy decentralises appellate review to provincial and local courts. Encouraging executions to deter crime was the most significant development in the Chinese death penalty procedural safeguards.

In circumstances when instant execution was unnecessary, the government strengthened to suspend the death penalty. In these cases, the death penalty was automatically converted to life imprisonment if the convicted person did not commit another crime within two years. The government introduced this policy in 1979, and it was further revised in 1997. The purpose of this policy was to reduce the number of executions. It is a unique feather in China to award the death penalty with suspension of execution of the death penalty.

Figure 2



Moreover, there has been an outstanding achievement in China that helps in reducing the execution of the death penalty after the award of the death penalty. This achievement was commenced when the eighth amendment in Chinese criminal law was introduced in 2011. This amendment abolished the death penalty for 13 capital crimes. Furthermore, the ninth amendment was introduced in 2015 in Chinese criminal law, reducing the death penalty for nine other capital crimes. These capital crimes include non-violent and non-lethal offences(Li, Longmire, & Lu, 2018). Because of these amendments, the number of crimes for the death penalty was reduced to 46 from 68. These amendments also improved the other relevant provisions related to the death

penalty. These improvements include the applicability of conditions of suspensions of the death penalty sentence. It also helps in procedural safeguards, which can help in decreasing the execution of the death penalty.

China does not publish a complete record of executions of the death penalty; thus, we cannot assess the number of death penalties and executions. We can only rely on the data provided and released by a few international NGOs. Figure 2 shows that in 2002 death penalties executed by China were around 12000, and this number started to decrease in upcoming years and in 2018, it was estimated that 2000 death penalties were executed (Dui Hua, 2018).

President Xi Jinping is also expressing the same view, "kill fewer, kill carefully", and making efforts to curb the award of death penalties and its executions. China has not yet committed seriously to a time frame when the death penalty will eventually be abolished. Moreover, China still considers the death penalty statistics a state secret. Thus it is impossible to assess the death penalty statistics in China, and it is not expected that China will soon abolish it.

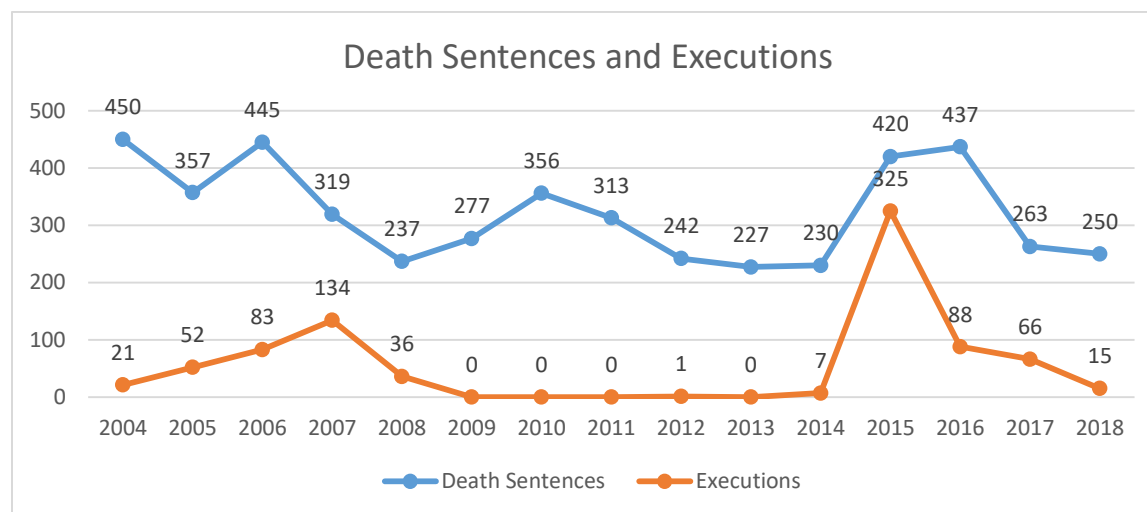
Death Penalty in Pakistan

Pakistan is an Islamic state and is situated in South Asia. Most of the Pakistani laws have been derived from Indian laws, and the penal code of Pakistan is also derived from Indian Penal Code which is called Pakistan Penal Code. Chapter III of the Pakistan Penal Code provides different kinds of punishment for offenders. The death penalty is legal in Pakistan, and Pakistan Penal Code has provided the death penalty for twenty-seven various offences. These crimes include high treason, murder, blasphemy, rape, abduction, stripping clothes of women and others. Being an Islamic state, Pakistani law follows the Quran.

As mentioned in Article 227 of the Constitution of Pakistan, all laws made in Pakistan shall be in accordance with the injunctions of Islam, and thus, no law can be made in Pakistan that is against the Islamic injunctions. God says in Quran that if anyone has killed any person, unless it is for a murder, then it would be as if he has killed all people because Islam and other religions have prescribed that life is sacred. Thus, in Pakistan, any person's life cannot be taken except by way of justice and law. Accordingly, the court can apply the death penalty as a punishment for serious crimes as mentioned in Pakistan Penal Code. The Supreme Court of Pakistan is the custodian of the Constitution, and whenever any movement arises in Pakistan to change the law or to commute the legitimacy of the death penalty, the Supreme Court can always intervene in it.

In 2008, Pakistan suspended the execution of the death penalty. But in 2014, there was a terrorist attack on the Army Public School in Pakistan in which 151 children and teachers died. But three days after the attack, Pakistan lifted this suspension on the execution of the death penalty and three prisoners were executed. The United Nations shows its concerns over these executions.

Figure 3 shows that in 2018, Pakistan executed death penalties were 15, and the death sentences awarded by courts were 250 in the same year. Whereas in 2014, this figure was 450 and 21. There were ups and downs in 14 years from 2004 to 2018 for death sentences awarded and executed (Justice Project Pakistan, 2018).

Figure 3

A prisoner cannot be executed unless the High Court of the concerned province confirms his death penalty. If the High Court confirms the execution of the death penalty, then the Session Judge of the district issues an execution warrant. This execution warrant has the specific date on which the execution has to be made. The prisoner can also have the right to appeal before the Supreme Court of Pakistan, and if the Supreme Court dismisses his appeal, then the prisoner can file a mercy petition before the President of Pakistan. President has the power to grant a pardon to any person under Article 145 of the Constitution of Pakistan.

International Convention on Civil and Political Rights and Child Rights Convention prohibits the death penalty for juveniles under the age of 18 years at the time of committing the crime. For this purpose, Pakistan promulgated the Juvenile Justice System Ordinance in 2000, which abolished the death penalty for juveniles. After the promulgation of this ordinance in 2002, Pakistan removed 74 young offenders from death row. Most of the people of Pakistan are heavily in favour of the death penalty. Few of them are also forcing to abolish the death penalty.

Comparative Analysis

United Nations Framework on Death Penalty

The international community has brought forward many international instruments to eradicate and restrict the death penalty and its execution worldwide. This international discussion on the death penalty is taking place within the framework of the United Nations. The main agenda of this discussion is the right to life, which is a fundamental human right. The United Nations first adopted the right to life in the Universal Declaration of Human Rights (UDHR). UN's General Assembly adopted UDHR on 10 December 1948. UDHR was the first step towards the abolition of the death penalty, although it was not directly mentioned in it. Article 3 of UDHR defined the right to life as everyone has the right to life, liberty and security of person (United Nations, 1948). Although this article has not further clarified the abolition of the death penalty, however, both China and Pakistan have signed and ratified it. UDHR is just an example of soft law under the Vienna Convention on the Law of Treaties. It has a quasi-legal

character and is declaratory only, so formally, it does not legally bind its parties. Despite being signed and ratified by China and Pakistan, the UDHR does not bind them to follow its provisions.

There are few treaties, covenants, conventions and protocols that are considered hard laws in international law. After drafting, negotiating and signing these treaties, the individual states have to ratify them to become parties. This act of ratification of these hard laws makes the states intentionally bound to the provisions and obligations of these treaties. Thus these can be enforced through courts against ratified states (European Center for Constitutional and Human Rights, 2019). In 1966, the UN adopted the first notable hard law regarding the death penalty, International Covenant on Civil and Political Rights (ICCPR). ICCPR came into force in 1976 after ten years of its adoption. ICCPR also transformed the UDHR's definition of the right to life, recognising capital punishment as an exception to the right to life (Franck, Nyman, & Schabas, 2003). Article 6(1) of ICCPR states that every human being has an inherent right to life, and the law shall protect this right.

Furthermore, no one shall be arbitrarily deprived of his life (United Nations, 1966). According to Article 6(2) of ICCPR, in countries that have not abolished the death penalty, the death penalty may be imposed on serious crimes only (United Nations, 1966). It was an attempt to limit the execution of the death penalty, as the death penalty can be awarded and executed only in serious crimes. But ICCPR has not defined the term serious crimes. Later on, the UN in Economic and Social Council (ECOSOC) defined the term most serious crime in 1980.

In 1984, ECOSOC and the UN General Assembly adopted the Safeguard Guaranteeing Protection of the Rights of those Facing the Death Penalty. According to these safeguards, the death penalty can be awarded only in cases of the most serious crimes consisting of international crimes with lethal and other grave consequences (United Nations, 1984). Thus, finally, the UN gave a clear definition of the crimes that are exempted from the death penalty.

One hundred seventy-three countries have signed and ratified the ICCPR (Antonakakis, 2022). China is among the six countries that have signed the ICCPR but have not ratified it yet (Lee, 2007). At the same time, Pakistan has signed and ratified the ICCPR. Later, in 1989 the UN adopted the Second Optional Protocol to the International Covenant on Civil and Political Rights to abolish the death penalty completely. It was also hard law in UN instruments. However, as of 2022, only 90 out of 173 countries have ratified this second protocol of ICCPR. Most countries, including China, Pakistan, the United States and Saudi Arabia, have not ratified it or taken no action. In 1994, the UN also put forward a resolution encouraging the states those have not yet abolished the death penalty to suspend the execution of the death penalty in their countries (Franck et al., 2003). But the UN General Assembly did not pass this resolution, and it was failed/ denied because of eight votes. Another such proposal was made in 1999 but was withdrawn at the last moment.

Finally, in 2017, another resolution was introduced in the General Assembly of the UN for worldwide suspension of the execution of the death penalty urging countries to respect international standards and to protect the rights of prisoners facing the death penalty. Moreover, to restrict the death penalty progressively and reduce the number of offences punishable by death. The UN passed the last resolution for the suspension of the death penalty in 2020. Out of

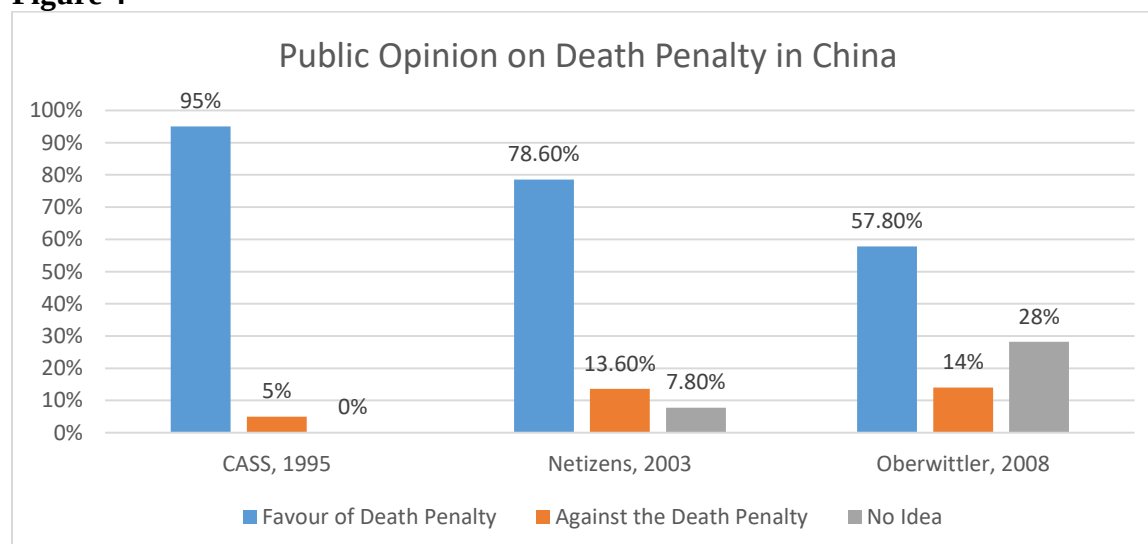
193 members of the UN, 123 countries voted in favour of the suspension of the death penalty, 35, including China, voted against it, and 24 abstained, including Pakistan (Amnesty International, 2020).

Public Opinion on Death Penalty in China

Public opinion on the death penalty is being studied worldwide. Scholars have tried to pay great attention to China executing more people than the combined world (Zimring, Fagan, & Johnson, 2009). In 2000, a discussion was started among the scholars regarding the death penalty in China. In the beginning, a few believed that the death penalty should be abolished, but the majority was of the view that the death penalty should be retained to minimise the crime ratio. In the middle of 2000, few Chinese believed that the death penalty should be abolished for economic crimes (Ning, 2010).

In 1995, the Chinese Academy of Social Sciences (CASS) conducted a survey with the collaboration of the National Bureau of Statistics of China over public opinion on the death penalty (Hu, 2000). This survey shows that the majority, 95% of the participants, were in favour of the death penalty. However, this survey was conducted only in Beijing, Canton and Hubai. Thus this result cannot be considered as the opinion of the general public as other provinces may have different opinions. In 2003, a famous web portal, Netizens on Sina, conducted another survey on the death penalty. Over 4600 people commented on this survey; out of these, 78.6% supported the death penalty, while 13.6% were against it (Liu & Liang, 2019). Between 2007 and 2008, another survey was conducted in Beijing, Canton and Hubai. According to this survey, 57.8% of the interviewees were in favour of the death penalty, while 14% were against it (Oberwittler et al., 2010). The interviewees were asked whether China should abolish the death penalty; 20% believed that China should speed up the process and abolish the death penalty, whereas over 50% opposed the abolishment. These surveys show that most people in China still want to retain the death penalty in China. Figure 4 shows the public opinion on the death penalty in China over the different years in various surveys conducted, with the percentage of people in favour, people against, and people who have no idea.

Figure 4



Public Opinion on Death Penalty in Pakistan

In Pakistan, society's public opinion highly favours the death penalty. This favour is also acknowledged by those who are against the death penalty and in favour of abolishment (Hubbard, Burry, & Widener, 1982). However, it is suggested that the death penalty should be only for heinous crimes. For this purpose, the government should take guidance from the teachings of the Holy Prophet that the blood of Muslim brothers should not be shed except in three cases; Firstly, in qisas for murder; secondly, illegal intercourse by a married person and third, for apostasy (Imam Bukhari, n.d.). The death penalty may also be awarded in cases of grave offences like robbery on the road and high treason.

As per the public's opinion, major reforms are urgently needed in the infrastructure of Pakistan. There are many severe defects that have been noted by the observers in Pakistani law, including the administration of justice, prosecution, police service and huge corruption. These issues should be addressed by implementing comprehensive rules, policies and regulations. Another reason for the public's support for the death penalty is Pakistan's high crime rate. Because only in the province of Punjab the reported incidents of murder had increased as compared to the population increase. Despite the fact that the death penalty is still imposed and regularly being awarded. This opinion from the public shows that there is immense pressure on judges too. Besides this, the judiciary is independent in Pakistan; this pressure contributes to the arbitrary and inequitable application of the death penalty. Moreover, if a judge is not awarding the death penalty, then it is considered that the judge is corrupt; that's why he is taking the side of the criminal by not awarding him the death penalty.

Figure 5

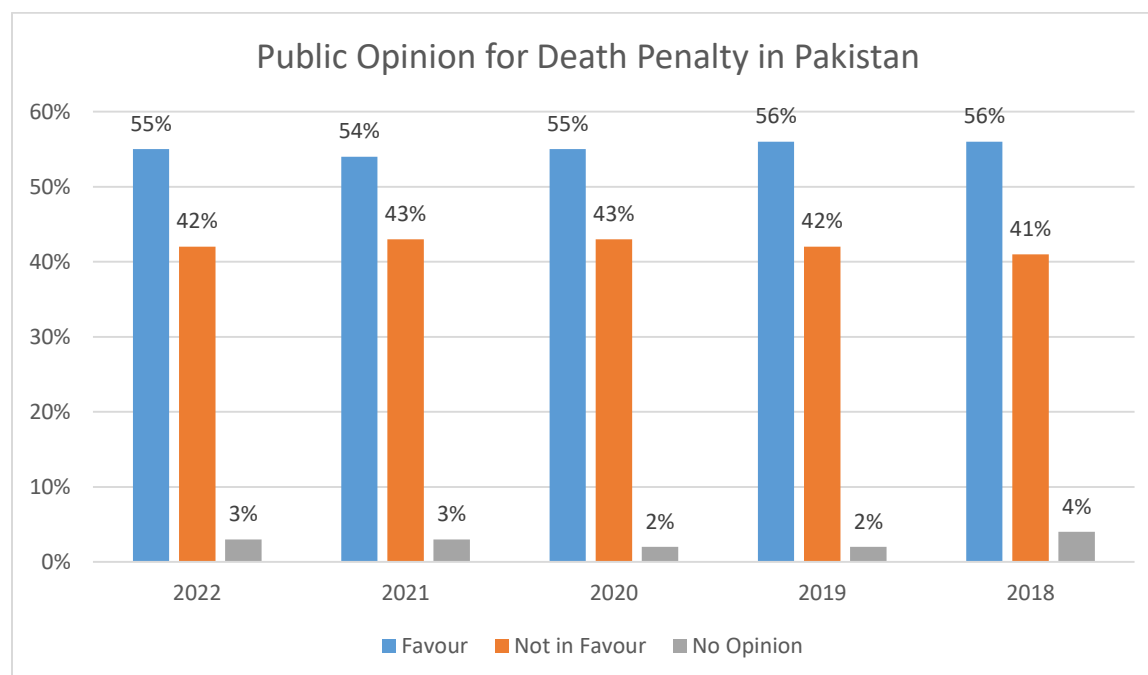


Figure 5 shows the public opinion on the death penalty in Pakistan over the different years in a survey conducted by Gallup(Gallup, 2022). This survey shows that in 2022 55% of the people favoured the death penalty, and 42% did not in favour, and 3% had no opinion on it. Moreover, in 2021 54% of the people favoured the death penalty, 43% did not in favour, and 3% had no opinion. Furthermore, in 2020 55% of the people favoured the death penalty, 43% did not in favour, and 2% had no opinion. The situations in 2019 and 2018 were also almost similar.

Government Reaction to the Death Penalty

China and Pakistan oppose the international narrative on the death penalty, and they have their own view. The public in China and Pakistan still favours the retention of the death penalty. Thus, to not lower their public support and gain political support, the governments of both countries have chosen to retain the death penalty. Moreover, the Chinese government don't want any kind of public unrest, and the Pakistani government don't want to lose the chance of re-election. Although the public opinion is in favour of the death penalty in China and Pakistan, the public still demands that it should be just and humane and that the judiciary should avoid making errors while granting convictions.

China is opposing the international narrative that is pushing towards the abolition of the death penalty. In 2007, a firm commitment was made by China to the Human Rights Council of the UN that the death penalty would be reviewed in China and its execution would be shortened, and steps would be taken towards the abolishment of the death penalty. Since then, no other commitment has been made by the Chinese government at any forum. In 2018, China submitted its national report to the Human Rights Council of the UN, and in this report, China's policy is to retain the death penalty, control it strictly and apply it prudently. In September 2021, the State Council Information Office of China presented the Human Rights Action Plan for China (2021-25)(State Council Information Office of the People's Republic of China, 2021). In this plan about the death penalty, only one paragraph was added, stating that there will be strict control on the death penalty and that it will be applied prudently.

Moreover, it will ensure that the death penalty will apply only to very few criminals involved in serious crimes. In December 2018, the State Council Information Office of the People's Republic of China published a white paper on Progress in Human Rights over the 40 Years of Reform and Opening Up in China(State Council Information Office of the People's Republic of China, 2018). It was a 47-page long document with only two sentences regarding the death penalty.

Although Pakistan is performing a low number of executions, the situation in Pakistan is still almost the same as in China. But Pakistan is fully transparent in using the death penalty and regularly publishes its executions and related information. Pakistan has signed and ratified the UDHR. UDHR is declaratory in nature; thus, Pakistan is not bound to follow it. Pakistan has also signed and ratified the ICCPR and transposed it into its domestic law. However, Pakistan is still using the death penalty in the most serious crimes and is arguing that it is still a matter of domestic law. Moreover, religion is playing an important role in still applicability of the death penalty. Thus, the government of Pakistan cannot go beyond Islamic law and is bound to follow it religiously and constitutionally.

Conclusion

Both China and Pakistan have retained the death penalty in practice and law. Both countries are awarding the death penalty to the accused and also executing them. But the scale of the death penalty is different in both countries, as Pakistan is executing it in dozens and whereas China is executing in thousands a year. Both countries follow various international treaties and have signed and ratified many of them. But still, because of public opinion and pressure, both governments cannot abolish the death penalty. However, both are executing it in heinous crimes only. Thus, both countries still need to go a long way to abolish the death penalty entirely.

References

1. Amnesty International. (2020). Opposition to the Death Penalty Continues to Grow, <https://www.amnesty.org/en/latest/press-release/2020/12/un-opposition-to-the-death-penalty-continues-to-grow/>.
2. Amnesty International. (2022). Report on Death Sentences and Executions 2022. Retrieved from <https://www.amnesty.org/en/documents/act50/6548/2023/en/>
3. Antonakakis, E. P. (2022). Religion-based Reservations to International Human Rights Treaties in Theory and Practice.
4. Bakken, B. (2011). China, a punitive society? *Asian Journal of Criminology*, 6, 33–50.
5. Barca, R., & Jingjing, X. (2019). Comparative study of death penalty in China and the United States: Reasons for retention in international and domestic context. 2019.
6. Barry, K. M. (2019). The death penalty and the fundamental right to life. *BCL Rev.*, 60, 1545.
7. Cheema, M. H. (2018). Pakistan: The state of liberal democracy. *International Journal of Constitutional Law*, 16(2), 635–642.
8. Dui Hua. (2018). Estimated No. of Executions in China, <https://duihua.org/resources/death-penalty-reform/>.
9. European Center for Constitutional and Human Rights. (2019). Hard Law / Soft Law. Retrieved 10 June 2023, from <https://www.ecchr.eu/en/glossary/hard-law-soft-law/>
10. Faruqui, A. (2001). The Complex Dynamics of Pakistan's Relationship with China. Islamabad Policy Research Institute, Summer.
11. FBA, R. H. C. B. E. Q. C. H. D. C. L., & Hoyle, C. (2008). *The Death Penalty: A Worldwide Perspective*. OUP Oxford.
12. Franck, H. G., Nyman, K., & Schabas, W. A. (2003). The Death Penalty in International Law. In *The Barbaric Punishment* (pp. 53–78). Brill Nijhoff.
13. Gallup. (2022). Death Penalty.
14. Hu, Y. (2000). Retention or abolition: Studies on basic theories of death penalty. Beijing: China Prosecution Press.
15. Hubbard, F. P., Burry, B. G., & Widener, R. (1982). A Meaningful Basis for the Death Penalty: The Practice, Constitutionality, and Justice of Capital Punishment in South Carolina. *SCL Rev.*, 34, 391.
16. Imam Bukhari. (n.d.). Sahih al Bukhari, Book 9, Volume 83, Hadith 17, <https://www.quranexplorer.com/hadithebook/english/Hadith/bukhari/009.083.017.html>.
17. Jiang, S., Hu, M., & Lambert, E. G. (2018). Predictors of death penalty views in China: An empirical comparison between college students and citizens. *International Journal of*

- Offender Therapy and Comparative Criminology, 62(14), 4714–4735.
18. Justice Project Pakistan. (2018). Report on Death Sentences and Executions, <https://data.jpp.org.pk/page/9pa1cdfd4u>.
 19. Khan, M. S., & Bhatti, S. H. (2024). Influence Of International Human Rights Organizations On Pakistan's Death Penalty Policies: Balancing Sovereignty And Global Norms. *Contemporary Journal of Social Science Review*, 2(04), 2194–2205.
 20. Lee, K. (2007). China and the international covenant on civil and political rights: prospects and challenges. *Chinese Journal of International Law*, 6(2), 445–474.
 21. Li, Y., Longmire, D., & Lu, H. (2018). Death penalty disposition in China: what matters? *International Journal of Offender Therapy and Comparative Criminology*, 62(1), 253–273.
 22. Liang, B. (2015). China's death penalty practice: Working progress, struggle, and challenges within the global abolition movement. In *The death penalty in China: Policy, practice, and reform* (pp. 1–30). Columbia University Press.
 23. Liu, J., & Liang, B. (2019). A case study of Chinese netizens' opinions on capital punishment: Diversity, rationale, and interaction. *Modern China*, 45(6), 666–692.
 24. Maestro, M. (1973). A pioneer for the abolition of capital punishment: Cesare Beccaria. *Journal of the History of Ideas*, 34(3), 463–468.
 25. Monthly, J. T. (1998). Internal perspectives on Chinese human rights reform: The death penalty in the PRC. *Tex. Int'l LJ*, 33, 189.
 26. Morrison, W. M. (2019). China's economic rise: History, trends, challenges, and implications for the United States. *Current Politics and Economics of Northern and Western Asia*, 28(2/3), 189–242.
 27. Ning, Z. (2010). Public opinion and the death penalty debate in China. *China Perspectives*, 2010(2010/1).
 28. Noakes, S. (2014). 'Kill Fewer, Kill Carefully' State Pragmatism, Political Legitimacy, and the Death Penalty in China. *Problems of Post-Communism*, 61(3), 18–30.
 29. Oberwittler, D., Qi, S., Kuang, L., Zeng, Y., Li, K., Liu, S., ... Zhang, S. (2010). *Zhongguo sixing taidu diaoyan baogao*.
 30. Razzak, J. A., Hyder, A. A., Akhtar, T., Khan, M., & Khan, U. R. (2008). Assessing emergency medical care in low income countries: a pilot study from Pakistan. *BMC Emergency Medicine*, 8, 1–8.
 31. Sarat, A. (2002). *When the state kills: Capital punishment and the American condition*. Princeton University Press.
 32. Schabas, W. (1996). The death penalty as cruel treatment and torture: capital punishment challenged in the world's courts. UPNE.
 33. Schreiber, A. M. (1996). States that Kill: Discretion and the Death Penalty--A Worldwide Perspective. *Cornell Int'l LJ*, 29, 263.
 34. State Council Information Office of the People's Republic of China. (2018). Progress in Human Rights over the 40 Years of Reform and Opening Up in China. Retrieved from http://english.scio.gov.cn/node_8009249.html#:~:text=Over the 40 years since,self-development and life goals.
 35. State Council Information Office of the People's Republic of China. (2021). Human Rights Action Plan of China (2021-2025), http://english.www.gov.cn/news/topnews/202109/09/content_WS6139a111c6d0df57f98d

- feec.html.Retrieved20June2023,fromhttp://english.www.gov.cn/news/topnews/202109/09/content_WS6139a111c6d0df57f98dfeec.html
36. United Nations. Universal Declaration of Human Rights (1948). Retrieved from <https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf>
 37. United Nations. International Covenant on Civil and Political Rights (1966). Retrieved from <https://treaties.un.org/doc/publication/unts/volume-999/volume-999-i-14668-english.pdf>
 38. United Nations. Safeguards Guaranteeing Protection of the Rights of those Facing the DeathPenalty(1984).Retrievedfromhttps://www.unodc.org/documents/commissions/CCP/CJ/Crime_Resolutions/1980-1989/1984/ECOSOC_Resolution_1984-50.pdf
 39. Warraich, M. Z. U. K. (2024). The Political Foundations of Economic Development in China: Lessons for Pakistan. UCP Journal of Humanities & Social Sciences (HEC Recognized-Y Category), 2(2), 1–17.
 40. Wuthnow, J. (2013). Chinese diplomacy and the UN Security Council: Beyond the veto. Routledge.
 41. Zimring, F., Fagan, J., & Johnson, D. T. (2009). Executions, deterrence and homicide: a tale of two cities. Columbia Public Law Research Paper, (09–206).