

Pakistan's Explanation of Vote before the Vote

Resolution on 'The question of death penalty'

A/HRC/42/L37

**Remarks delivered by Ambassador Tahir Hussain Andrabi,
Action Permanent Representative**

27 September 2019

Mr. President,

Pakistan constructively engaged in the informal consultations on the resolution on 'The question of death penalty'. We appreciate the core group's open approach to discuss the draft.

2. There is no international consensus for or against the death penalty when imposed according to the due process of the law. This has repeatedly been affirmed by the votes on past resolutions on the death penalty. International human rights law is very clear about death penalty. ICCPR clearly states that it can be imposed for the most serious crimes. We do not support any attempt to unilaterally define 'most serious crimes' or using General Comments to promote a particular narrative.

3. The international human rights law has kept the issue of capital punishment and the types of crimes for which the death penalty is applied to, as a sovereign right for every State to decide for itself, taking into account its own circumstances. Every State's inalienable sovereign right to choose its legal and criminal justice systems in line with the international law is an established fact. Death penalty when applied in accordance with due process of law and judicial safeguards, does not infringe on any other human right but in fact augment efforts to protection of rights of all citizens especially vulnerable segments of the society. Right to life must be protected for the victims of horrific most serious crimes as well.

4. Pakistan fully respects and complies with its international obligations. Our national legislation is inline with international law especially international human rights law. In Pakistan the death penalty is only applied after adhering to the full due process of law, pursuant to a final judgment rendered by a competent court, and with the right to seek pardon or appeal for commutation.

5. Due to foresaid reasons, Pakistan will not support the document A/HRC/42/L37 and vote against it. In case the resolution is adopted, we dissociate from the resolution.

I thank you.