



**Explanation of Vote before the Vote, delivered by Mr. Afaq Ahmed, Counsellor, during adoption of the draft resolution A/HRC/48/L.17/Rev.1 on “The question of death penalty”**

**08 October 2021**

Madam President,

We thank the core group for holding several rounds of discussions on the draft resolution, as contained in document L.17/Rev.1. We engaged constructively and articulated our perspective on this important subject.

It is clear there is no international consensus for or against the death penalty when imposed in full compliance with due process of law. This has repeatedly been affirmed by the voted adoption of the resolutions, both at the HRC and UNGA, on the subject.

International human rights law is very clear about death penalty.

ICCPR, in its Article-6, states that it can be imposed for the most serious crimes. States have the sovereign right to determine the gravity of serious crimes, depending upon national context and circumstances, and accordingly, choose criminal justice responses in pursuit of people’s welfare, peace and security. Fundamental rights to life and effective remedy must be protected for the victims of the horrific most serious crimes.

We, therefore, oppose any attempt to unilaterally define ‘most serious crimes’ or use General Comments to promote a lop-sided narrative and approach on this subject.

Madam President,

Pakistan’s policy on death penalty is in full accord with its Constitution, national laws and international obligations under ICCPR. 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. Those below the age of 18 and individuals with mental health conditions are exempt from death sentence. Our authorities periodically examine the possibility of narrowing down the range of offences with respect to death penalty.

For these reasons, Pakistan will not support document L.17/Rev.1 and will vote against it. In case the resolution is adopted, we will dissociate from it.

I thank you.