



Explanation of Vote before the vote on Resolution
“The Question of the death Penalty/HRC/30/ L.11.Rev.1
during the 30th Session of the Human Rights Council

Mr. President,

My delegation has taken the floor to make an Explanation of Vote (EOV) before the vote on the draft resolution "the question of the death penalty" contained in document A/HRC/L.11/Rev1.

We would like to appreciate the core-group members for a transparent process of informal consultations. Unfortunately, the final draft does not accommodate our concerns.

In our view, human rights approach to the death penalty is lopsided as reflected in the draft text which portrays death penalty as violation of human rights and detracting Council's attention from a number of other crucial human rights issues.

The issue of death penalty essentially requires a holistic and integrated approach from the perspective of criminal justice including due process of law and fair trial as well as punishments to deter further heinous crimes and protection of human rights of the victims. We are disappointed over the unilateral interpretation of international law while absolutely ignoring certain provisions of law in particular Article 6 of the ICCPR. Article 6 paragraph 2 of the ICCPR clearly states that "countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes" and none could be more serious than the slaughtering and killing innocent, defenseless men, women and children.

We believe that each country has the sovereign right to decide its own criminal justice system, including whether to maintain or abolish the death penalty, in accordance with its international human rights obligations. Pakistan's Constitution and national laws allow capital punishment. But it is imposed under due process of law. All legal avenues are exhausted before any sentence is carried out.

Mr. President,

We strongly believe that any discussion on the question of the death penalty should be comprehensive which should include discussion in the context of its application, impact and requirement on mass murderer, terrorists and criminals of heinous crimes as well as human rights of victims and their families. Secondly, any decision to abolish the death penalty or maintain it should be based on national debates and parliamentary decisions but not the adoption of such resolutions

For all the reasons highlighted above, we will vote against the resolution.