



Explanation of Vote before the Vote, delivered by Amb. Zaman Mehdi, DPR, during adoption of the draft resolution entitled “The question of death penalty”

54th HRC Session
13 October 2023

Mr. President,

Pakistan’s policy on death penalty is in full accord with its international human rights obligations.

Our constitution, national legislations and policies ensures adherences to the due process of law, pursuant to a final judgment rendered by a competent court, and with the right to seek appeal or presidential pardon for commutation. All necessary safeguards are in place to avoid any negligence or miscarriage of justice.

There have been no executions in Pakistan since December 2019, and between 2010 and 2018, the Supreme Court overturned death sentences in 78% of the cases.

Our authorities periodically examine the possibility of narrowing down the range of offences with respect to death penalty.

Those below the age of 18 and individuals with mental health conditions are exempt from capital punishment.

Pakistan has also taken steps to reform its mercy petition process and has taken vital steps towards complying with the standards laid down in the international human rights law. The President has the constitutional power to grant pardon, reprieve and respite, and to remit, suspend or commute all sentences, including capital punishment.

Notably, in August 2023, Pakistan’s parliament passed an amendment to the Control of Narcotics Substances and the maximum punishment for drug related crimes was reduced to life imprisonment.

On the draft text, A/HRC/54/L.34, before us today, we thank the core group for holding several rounds of discussions on the draft resolution.

We remained constructively engaged with the core group and conveyed our perspective on the draft text throughout the course of informal consultations.

While we acknowledge that the core group addressed some of our concerns and included certain suggestions, however, some crucial elements remain unaddressed.



We underscore that the draft text still lacks balance and takes a lopsided view of this important issue.

It is clear that there is no international consensus for or against the death penalty when imposed in full compliance with due process and pursuant to article 6 of ICCPR and which stipulates that death penalty can be imposed for the most serious crimes.

This has repeatedly been affirmed by the voted adoption of the resolutions, both at the HRC and UNGA, on the subject.

Furthermore, we underline that the 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.

We, also, oppose attempts to unilaterally define 'most serious crimes' or use Treaty Bodies' General Comments to promote a biased approach and narrative on this subject.

In light of these concerns, we join the call to put the draft resolution to a vote.

I thank you!