

Human Rights Council – 40th Session

High Level Panel Discussion on the Death Penalty

26 February 2019

Australian Statement

Mr President and members of the panel.

Australia opposes the death penalty in all circumstances for all people. Our steadfast opposition is built on four fundamental principles, some of which the panel has highlighted today:

- the death penalty is irrevocable and no legal system is free of error
- it denies any possibility of rehabilitation to the convicted individual
- there is no convincing evidence that it is a more effective deterrent than long-term or life imprisonment
- finally, it is deeply unfair. We know that the death penalty is used disproportionately against the poor, people with disabilities, and minority groups. It is an affront to justice when those who are most in need of the protection of the law, should find themselves needing protection *from* the law.

We regret some countries continue to see the death penalty as an acceptable form of punishment, including for crimes that do not meet the threshold of “most serious crimes”, such as apostasy, blasphemy, adultery, and consensual same-sex relationships.

We urge all states to heed this Council’s call for abolition. We further call on states that still use the death penalty to ensure it is not applied on the basis of discriminatory laws, or as a result of discriminatory or arbitrary application of the law.

The Secretary-General’s report makes clear that transparency around use of the death penalty is critical to ensure human rights standards are being upheld. We call on all countries that use the death penalty to publish full and accurate execution data.

234 Words [*220 word limit*]