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Human Rights Council

26th Session

**Side-Event on the 25th Anniversary of the Adoption of the Second Optional
Protocol to the International Covenant on the Civil and Political Rights**



**Opening remarks of
Ms. Flavia Pansieri
United Nations Deputy High Commissioner for Human Rights**

**18th June 2014
12:30p.m.-14:00 p.m.
Room XXIV, Palais des Nations**

Excellencies, Ladies and Gentlemen,

I thank the Permanent Missions of Argentina, Belgium, France, Italy, Mexico, Turkey, the United Kingdom, Norway, Spain, Switzerland, Moldova, the International Commission against the Death Penalty and the World Coalition against the Death Penalty International for organizing this important side-event.

Let me begin by firmly stating that OHCHR opposes the use of the death penalty in all circumstances. The death penalty is the ultimate denial of human rights. Its abolition contributes to the enhancement of human dignity and the progressive development of human rights.

The 1989 adoption of the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) gave abolition a decisive new momentum. Since its adoption, progress towards the prohibition of executions has significantly accelerated. 25 years ago, only 52 States of the then 180 Member States of the United Nations had abolished the death penalty, while today, around 160 countries have either abolished the death penalty, or do not practice it.

Despite these progressive trends, I regret that some States continue to execute people. In many cases, death sentences are issued and executions carried out in flagrant violation of international human rights standards.

Excellencies, Ladies and Gentlemen,

There are many reasons to aim for the universal ratification of the Second Optional Protocol to the ICCPR.

Adopting the Protocol has national significance. The Protocol obliges State Parties, immediately after ratification, to take all necessary measures to abolish the death penalty within their jurisdiction, if they have not already done so.

Ratification also protects against regression. In a State that has abolished the death penalty, but not yet ratified the Second Optional Protocol, there is always a risk that the legislation be changed at any time to reintroduce capital punishment. States parties to the Protocol are obliged to irrevocably abolish the death penalty regardless of any changes in government or political situations. The Protocol ensures that the death penalty, once abolished, is abolished forever.

Adopting the Protocol also has international significance. It opens the way to independent and international supervision to ensure that abolitionist countries are complying with their commitment to abolition, through monitoring by the Human Rights Committee.

Furthermore, the Second Optional Protocol is a means for States to establish their abolitionist stance through international law. Ratification on a large scale could create the momentum to ultimately outlaw executions under international law.

However, such an aspiration requires a “critical mass” of States parties to the Protocol. As of today, 81 States have ratified the Second Optional Protocol. I welcome the

recent ratification by El Salvador, Gabon and Poland. I also call on other States that have not yet done so to follow suit. It is our sincere hope to see many more ratifications before the end of the year, as we celebrate the Protocol's 25th anniversary.

I am pleased to note that the Human Rights Committee continues to play an important role in encouraging ratification of the Second Optional Protocol as well as ensuring its implementation. This year, the Committee has acknowledged the importance of this 25th anniversary. It has been systematically referring to this occasion in its Concluding Observations when encouraging States parties to the ICCPR to ratify the Protocol. Those States which have received such recommendations may wish to grasp the momentum and give them due consideration this year.

I would also like to commend States on the use of the Universal Periodic Review Process (UPR) of the Human Rights Council to promote the ratification of the Second Optional Protocol. We are encouraged to observe that more than 250 recommendations on the ratification of the Second Optional Protocol to the ICCPR were made during the first and the current cycle of the UPR process. Several concerned States have accepted those recommendations. Some of them have already implemented their UPR commitments by completing the ratification process.

Dear Colleagues,

To mark the twenty-fifth anniversary of the adoption of the Second Optional Protocol, we should strengthen our efforts to secure increased ratification. I urge decision-makers, political leaders, civil society, the media and other relevant stakeholders to keep the light shining on the fact that the application of the death penalty is unjust and incompatible with fundamental human rights values. It is an affront to the right to life and the right to dignity.

I sincerely hope today's discussion will contribute to facilitate the universal ratification of the Second Optional Protocol to the ICCPR, and the arrival of the day when the death penalty is forever abolished.

Let us all do our utmost to put a final stop to this cruel and inhumane practice.

Thank you for your attention.
