

# FINAL DECLARATION OF THE ASIAN REGIONAL CONGRESS ON THE DEATH PENALTY

**KUALA LUMPUR, MALAYSIA  
JUNE 12, 2015**

Organised by



Co-organised by



Under the sponsorship



WE,  
the over 300 participants in the First Asian Congress on the Death Penalty, taking place in Kuala Lumpur (Malaysia), on June 11th and 12th, 2015, co-organized by the Association Together Against the Death Penalty (ECPM) and the Anti-Death Penalty Asia Network (ADPAN), in partnership with the Human Rights Commission of Malaysia (SUHAKAM) and the Bar Council Malaysia;  
ADOPT the following Declaration;

**WE EMPHASIZE:**

- that every human being has the inherent right to life. This right must be protected by law;

**WE ARE PLEASED:**

- that over the last decades, five countries in the Asia region have abolished the death penalty for all crimes, Nepal, Bhutan, Philippines, Cambodia and Timor Leste;
- that Mongolia committed to the abolition of the death penalty by ratifying the 2nd Optional Protocol to the International Covenant on Civil and Political Rights of the United Nations (ICCPR);
- that some countries are abolitionist in practice (Brunei Darussalam, Lao PDR, Myanmar, Sri Lanka, Maldives, Papua New Guinea, South-Korea, Thailand);
- that the relationships between civil society, National human rights institutions, bar councils, academics, jurists, journalists, and prominent figures for the abolition of the death penalty are being strengthened;

**WE REGRET THAT:**

- Asia remains the continent with the highest number of executions in the world.
- Since the beginning of 2015, some countries have resumed executions after the death penalty was suspended, such as Pakistan (over than 150 executions), Singapore and Indonesia (14 executions), while others plan to reintroduce the death penalty such as Sri Lanka and Papua New Guinea;
- The death penalty is still applied for non-most serious crimes with reference to ICCPR definition and international standards;

**WE CALL ON:**

**Asian Retentionist states:**

- To work toward the abolition of the death penalty to comply with the resolutions for a moratorium on executions, pending the abolition of the death penalty, passed by the General Assembly of the United Nations since 2007;

In partnership with



Bar Council  
Malaysia

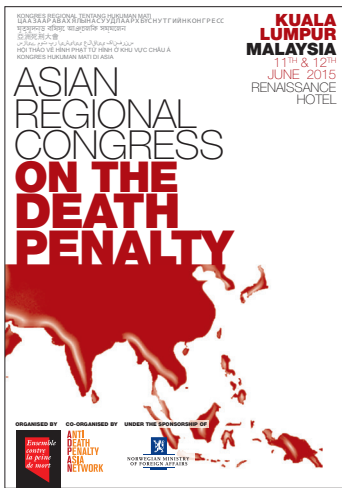


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- To publish transparent, regular and reliable information on their implementation of the death penalty;
- To reform the justice criminal systems to ensure fair trials and stop the use of mandatory death penalty: “the automatic and mandatory imposition of the death penalty constitutes an arbitrary deprivation of life, in violation of Article 6, paragraph 1 of the ICCPR”, and is fundamentally incompatible with the right to fair trial and due process guaranteed in Article 14;
- To reduce by law the list of crimes punishable by death, including those related to the drug trafficking and the fight against terrorism in accordance with the “most serious crimes” provision of the ICCPR;

## **Intergovernmental regional organizations and international organizations:**

- To continue and intensify their cooperation with States toward abolition;
- To collaborate with Asian and international civil society to promote the universal abolition of the death penalty;

## **Asian Abolitionist states:**

- To commit, beyond words, in concrete and stronger actions in favour of the universal abolition of the death penalty, especially in their diplomatic relations with the retentionist states and with the inter-governmental regional organisations;
- To take the lead of the abolitionist movement among regional human rights bodies;
- To sign and ratify the Second Optional Protocol to the ICCPR and to call on other Asian states to do the same;
- To provide assistance and support to national citizens on death row abroad;

## **People’s representatives (Parliamentarians, Congressmen, Deputies):**

- To gather in national, regional and international networks and bring the debate to abolish into the heart of retentionists Parliaments;

## **National Human Rights Institutions:**

- To work jointly at a national and regional level to bring the issue of the abolition of the death penalty among their priorities and recommendations;

## **Bar Councils:**

- To mobilize, raise awareness and train lawyers and jurists everywhere in Asia on the fight against the death penalty, including on defences in capital cases, for due process and fair trials

## **Judges in retentionist countries:**

- To use their discretionary power to individualize sentences, to not sentence to death or to encourage juries to decide not to condemn to death;

## **Abolitionist civil society and academic actors:**

- To NGOs, lawyers, academics and human rights defenders in Asia-Pacific to join the Anti-Death Penalty Asia Network (ADPAN) to promote human rights and the abolition of the death penalty;
- To act jointly with, and eventually join, the World Coalition against the Death Penalty and strengthen interactions;
- To undertake educational activities in favour of abolition with the public, including policy makers, students; and to celebrate every year the annual World Day against the Death Penalty on October 10th and the Cities for Life on November 30th;
- To actively continue in our work towards abolition of the death penalty including supporting and attending the upcoming World Congress against the death penalty in Oslo in June 2016.

Drafted in KL  
Jun. 12, 2015