



Action Plan

Recalling the international human rights standards and instruments that guarantee the right to life and protect the human dignity of death row inmates, as well as the General Assembly of the United Nations' resolution on the moratorium on the use of the death penalty;

Considering that the death penalty continues to be used in many countries of the region, despite the lack of evidence of its deterrent effect, and that some abolitionist countries are considering resuming executions and/or reintroducing capital punishment;

Acknowledging the crucial role that legislators hold to promote the abolition of the death penalty, to reduce and restrict its use and to further the development of the Rule of Law through legislative initiatives and by leading public opinion;

Thanking and congratulating Malaysia for hosting this event and for taking concrete steps to materialize its commitment to the abolition of the death penalty;

Noting that any achievement we may accomplish will be discussed and celebrated at the upcoming 7th World Congress Against the Death Penalty, which will take place in a few months in Brussels (Belgium);

We, the participants of the Regional Parliamentary Seminar “*Standing Against Death Penalty in Asia*”, commit to:

1. Continue to inform our constituents and others about the death penalty and its related issues, in order to grow a consensus in favour of its abolition, including through public statements;
2. Create within our respective parliaments a multi-partisan group of parliamentarians dedicated to further the abolitionist cause, through engagement with other stakeholders including student bodies, families affected by the death penalty (both the relatives of victims and of accused) and PGA, ECPM and ADPAN;
3. Make clear, whenever the opportunity arises, that under international law the death penalty should only be applied to “the most serious crimes” and that drug-related crimes do not meet this threshold;
4. Make clear, whenever the opportunity arises, that under international law the death penalty should not be made mandatory for any category of crimes, as it negates the rights of the accused to benefit from a sentence reflecting the circumstances of the crime;
5. Request from our respective governments that a review of existing death row cases be conducted in order to assess *inter alia* the impact of the mandatory death penalty and the

background of those affected;

6. Raise the issue, whenever the opportunity arises, of the discriminatory aspect of the death penalty, in particular against poverty-stricken communities, trafficked individuals, the mentally ill, juveniles, and minorities;
7. Keep the abolition of the death penalty at the forefront of legislative discussions, and especially when discussing matters of criminal justice and criminal procedure, so as to ensure that the capital punishment should only be used at the outcome of a fair and transparent trial;
8. Urge our respective governments, both federal and state, and all bodies that exercise clemency powers to commute death sentences;
9. Demand from our respective governments that no execution be carried out in secret, that an adequate notice be given to the family of the accused before execution, and that statistics on executions are strictly kept and made public;
10. Develop strategies to reduce the scope of the death penalty in our respective countries, especially by introducing legislation reducing the number of capital offences;
11. Encourage our colleagues from the region, in particular those who could not be present with us today, to engage on the path against the death penalty;
12. Bring issues related to the death penalty at the forefront of regional discussions, including at the ASEAN Inter-Parliamentary Assembly, in order to develop a better cooperation among MPs throughout the region and promote abolition; *and*
13. Call upon all governments to abolish the death penalty; and more specifically:

In Australia:

14. Maintain our inter-parliamentary efforts to promote the abolition of the death penalty, in particular in Asia;
15. Offer our support to our colleagues actively engaged in the abolitionist fight in their own country; *and*
16. Inform our government and urge it to take all possible steps to reduce the use of the death penalty in the region and protect the individuals who take a stand against it;

In Malaysia:

17. Strengthen our awareness-raising efforts towards the population, in order to support the commitment and the initiatives of our government to abolish capital punishment;
18. Urge the government of Malaysia to ratify the International Covenant on Civil and Political Rights (ICCPR);

19. Work together with the government towards a full and effective abolition of the death penalty, as soon as possible; *and*
20. Urge the government to take a lead position in the region regarding the promotion of human rights, including the right to life;

In Pakistan:

21. Request a full moratorium on the use of the death penalty and that a national Commission of Inquiry on the efficiency of the capital punishment be created and its results published;
22. Promote a revision of the Anti-Terrorism Act of 1997 so as to ensure that defendants accused of ordinary crimes not be tried before Anti-Terrorism Courts; and
23. Demand that torture be expressly prohibited in Pakistani criminal law, that penalties and remedies be defined, and that a National Prevention Institution be created;

In Papua New Guinea:

24. Request a full moratorium on death sentences;
25. Urge the government to proceed with an abolition *de jure* as no execution occurred since 1954;

In the Philippines:

26. Strengthen our efforts to raise awareness with the population about the absence of deterrent effect of the death penalty and about the negative effects it would have, should it be reintroduced;
27. Develop strong partnerships with civil society representatives and take active part in their strategy drawing in fighting against the resurgence of the death penalty and extra-judicial executions; *and*
28. Continue to use our legislative prerogatives to block any effort of the Executive to reintroduce capital punishment in Filipino law.