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## المجلس الاقتصادي والاجتماعي



لجنة حقوق الإنسان

الدورة الحادية والستون

البند ١٧ (أ) من جدول الأعمال

تعزيز حقوق الإنسان وحمايتها: حالة العهدين

الدوليين الخاصين بحقوق الإنسان

رسالة مؤرخة ٢٠ نيسان/أبريل ٢٠٠٥ موجهة من الممثل الدائم

للمملكة العربية السعودية لدى مكتب الأمم المتحدة في جنيف

إلى رئيس لجنة حقوق الإنسان

باسم الوفود المدرجة في المرفق، يشرفني أن أطلب تعميم البيان المشترك\* المرفق كوثيقة رسمية من وثائق  
الدورة الحادية والستون للجنة حقوق الإنسان في إطار البند ١٧ (أ) من جدول الأعمال.

(توقيع) عبد الوهاب عطار

السفير

الممثل الدائم

\* مستنسخ في المرفق كما ورد، وباللغة التي قُدم بها فقط.

## Annex

**61<sup>st</sup> Session of the Commission on Human Rights  
Agenda Item 17(a)****JOINT STATEMENT ON THE QUESTION OF THE DEATH PENALTY**

(List of Co-sponsoring Delegations as in Annex)

We would like to place on record our disassociation from Commission on Human Rights resolution E/CN.4/2005/L.77 on the question of the death penalty for the following reasons:

- (a) There is no international consensus that capital punishment should be abolished. Article 6, paragraph 2, of the International Covenant on Civil and Political Rights states that "sentence of death may be imposed only for the most serious crimes". This view was reflected in the joint statement contained in the document E/CN.4/2004/G/54 in which 64 delegations disassociated themselves from Commission on Human Rights Resolution 2004/67. This view was also reflected in (i) the joint statement contained in E/CN.4/2003/G/84 in which 63 delegations disassociated themselves from Commission on Human Rights Resolution 2003/67, (ii) the joint statement contained in E/CN.4/2002/198 in which 62 delegations disassociated from Commission on Human Rights resolution 2002/77, (iii) the joint statement contained in E/CN.4/2001/161 and E/CN.4/2001/161/Corr.1, in which 61 delegations disassociated themselves from Commission on Human Rights resolution 2001/68, (iv) the joint statement contained in E/CN.4/2000/162, in which 51 delegations disassociated themselves from a Commission on Human Rights resolution 2000/65, (v) the joint statement contained in the ECOSOC document E/1999/113 in which 50 delegations disassociated themselves from the Commission on Human Rights Resolution 1999/61, (vi) the joint statement contained in document E/1998/95 in which 51 delegations disassociated themselves from Commission on Human Rights resolution 1998/8, (vii) the joint letter contained in document E/CN.4/1998/156 in which 51 delegations expressed their reservations prior to the adoption of the Commission on Human Rights resolution 1998/8, and (viii) the joint statement contained in document E/1997/106 in which 34 delegations disassociated themselves from a similar Commission on Human Rights resolution 1997/12.

- (b) At the 54th UNGA in New York, a large majority of delegations disapproved of a draft resolution on the death penalty tabled by the EU. As a result, its co-sponsors decided to withdraw the EU draft resolution.
  
  - (c) In his statement to the plenary of the Rome Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on 17 July 1998, the President of the Conference declared that the debate at the Conference on the issue of which penalties should be applied by the Court showed that there is no international consensus on the inclusion or non-inclusion of the death penalty, and further that not including the death penalty in the Rome Statute would not in any way have a legal bearing on national legislations and practices with regard to the death penalty, nor should it be considered as influencing, in the development of customary international law or in any other way, the legality of penalties imposed by national systems for serious crimes.
  
  - (d) Capital punishment has often been characterised as a human rights issue in the context of the right of the convicted prisoner to life. However, this must be weighed against the rights of the victims and the right of the community to live in peace and security.
  
  - (e) Every State has an inalienable right to choose its political, economic, social, cultural and legal systems, without interference in any form by another State. Furthermore, the purposes and principles of the Charter of the United Nations, in particular, Article 2, paragraph 7, clearly stipulates that nothing in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State. Accordingly, the question of whether to retain or abolish the death penalty should be carefully studied by each State, taking fully into account the sentiments of the people and the state of crime and criminal policy. It is inappropriate to make a universal decision on this question or to propose such action in the forum of an international organisation.
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61st Session of the Commission on Human Rights Agenda Item 17(a)

JOINT STATEMENT ON THE QUESTION OF THE DEATH PENALTY

LIST OF CO-SPONSORS

1. Antigua and Barbuda
2. Commonwealth of the Bahamas
3. State of Bahrain
4. People's Republic of Bangladesh
5. Barbados
6. Republic of Botswana
7. Brunei Darussalam
8. Chad
9. People's Republic of China
10. Union of the Comoros
11. Democratic Republic of Congo
12. Commonwealth of Dominica
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15. State of Eritrea
16. Federal Democratic Republic of Ethiopia
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19. Grenada
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31. Republic of Lebanon
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45. Republic of the Philippines
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49. Saint Lucia
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51. Republic of Singapore
52. Republic of Somalia
53. Republic of the Sudan
54. Republic of Suriname
55. Kingdom of Swaziland
56. Arab Republic of Syria
57. United Republic of Tanzania
58. Kingdom of Thailand
59. Republic of Togo
60. Kingdom of Tonga
61. Republic of Trinidad and Tobago
62. Republic of Uganda
63. United Arab Emirates
64. Socialist Republic of Vietnam
65. Republic of Yemen
66. Republic of Zimbabwe

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