



Parliamentarians for Global Action
Parlamentarios para la Acción Global
Action Mondiale des Parlementaires
برلمانيون من أجل التحرك العالمي

**Kuala Lumpur Parliamentary Declaration on the abolition of the
mandatory death penalty in Malaysia**

Parliament of Malaysia

Kuala Lumpur

17 November 2015

We participants of the PGA Parliamentary Roundtable on the abolition of the mandatory death penalty in Malaysia:

Guided by Human Rights considerations and the safeguards guaranteeing protection of those facing the death penalty;

Recalling international Human Rights standards and instruments, that guarantee the right to life and to a fair trial, such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, in particular its Second Optional Protocol;

Considering the General Assembly's resolution on the moratorium on the use of the death penalty;

Observing that the death penalty has no proven deterrent effect, and that drug-related offences and firearms offences do not meet the threshold of the 'most serious crimes', as set out in the International Covenant on Civil and Political Rights;

Considering that the mandatory death penalty does not allow taking into account the special circumstances of each case;

Recognising that there is political will and support for the abolition of the mandatory death penalty for such crimes in Malaysia;

Acknowledging the crucial role that can be played by us, Parliamentarians, in different ways, 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;

Welcoming the interventions and discussions that took place today during PGA's Parliamentary Roundtable on the abolition of the death penalty;

We commit:

1. To welcome and support the introduction by H.E. Hon. Nancy Shukri and the Attorney General of a bill aiming at the abolition of the mandatory death penalty for all offences and maximum term of life imprisonment for drug-related offences;
2. To encourage as a result a review of existing death row cases which resulted from the imposition of the mandatory death penalty;
3. To create a working group under the leadership of the PGA National Group Chair in order to proactively engage with our fellow parliamentarians and other stakeholders to achieve national and multi-partisan consensus to remove the barriers towards abolition, starting by reducing the number of offences carrying the death penalty and to ensure better standards for its use in accordance with UN and EU standards, in particular related to transparency;
4. To promote the drafting of a study on the effectiveness of the death penalty;
5. To generate support and request the Malaysian Government to institute a *de facto* moratorium on executions pending the assessment of the report on effectiveness of the death penalty;
6. To urge the Malaysian Government to ratify the International Covenant on Civil and Political Rights, in particular its Second Optional Protocol and to remove the reservation to the Convention on the Rights of the Child allowing for capital punishment for children to properly reflect the position of the law under the Child Act of 2001.