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JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

Australia's advocacy for the abolition of the death penalty

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JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE

Thursday, 25 February 2016

Members in attendance: Senators Singh and Mr Laurie Ferguson, Ms Parke, Mr Ruddock.

Terms of Reference for the Inquiry:

To inquire into and report on:

Australia's efforts to advocate for worldwide abolition of the death penalty, having particular regard to:

- reviewing how Australia currently engages internationally to promote abolition of the death penalty; and
- further steps Australia could take to advocate for worldwide abolition, including by:
 - engaging with international institutions and likeminded countries;
 - cooperating with non-government organisations;
 - bilateral engagements and other diplomatic activities; and
 - other appropriate means.

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Subcommittee met at 11:43

Evidence was taken via teleconference—

CHAIR (Mr Ruddock): I declare open this meeting of the Joint Standing Committee on Foreign Affairs, Defence and Trade's subcommittee on human rights. We welcome our friends from Parliamentarians for Global Action. While other colleagues may come and go, Melissa Parke, whom you know, is with me. I welcome Dr David Cattin and Ms Maia Trujillo. We are taking a *Hansard* record of these proceedings, if you do not mind. I ask you to state the capacity in which you appear, then we will deal with some procedural matters and go to questioning.

Dr Cattin: I am the Secretary-General of Parliamentarians for Global Action. I have a PhD in international law, and I also teach international law at New York University.

Ms Trujillo: I am also from Parliamentarians for Global Action. I am the campaign manager of the parliamentary platform against the death penalty, and I have an LLM in international law and human rights.

CHAIR: Thank you very much. Can I just to alert you to the situation here. Witnesses who appear at public hearings of Australian parliamentary committees are advised that in giving evidence they are protected by parliamentary privilege. Thus it is unlawful for anyone to threaten a witness on account of the evidence given to the committee, and such action may be treated as contempt. However, these protections are only within Australia's jurisdiction, so you ought to be conscious of that. It is also a contempt for a witness to give false or misleading evidence to the committee.

These are public proceedings, although the committee will consider requests to have evidence heard in camera. If you object to answering a question, you should state the ground for objection, and the subcommittee will consider the matter. These are proceedings that are being broadcast and transcribed.

We thank you very much for your willingness to appear before us today. Would you like to make a statement before we proceed to questioning?

Dr Cattin: We are very honoured by this opportunity. We actually admire the work of your commission of inquiry. We are very impressed by the richness of your dedicated web page, and we consider this as really a model that we would encourage other parliaments and foreign affairs committees to follow.

CHAIR: We thank you very much for those very complimentary observations about our own work. Obviously, the purpose of this inquiry that we are proceeding with is to look at ways and means by which Australia may be able to undertake steps that will lead to worldwide abolition of the death penalty. We are conscious that there is some progress, but we are always looking at ways and means by which we might be able to enhance the steps that are being taken.

We do a number of things which you probably are aware of. We have campaigns where we bring in ambassadors, and we seek to speak through parliamentary delegations visiting Australia and offshore, where we raise these issues. For instance, I brought in the American ambassador fairly recently to meet with our group here in the Australian parliament and to put very strongly our view that America ought to change. He says, 'Well, I'm in favour of changing the death penalty, but I represent my country here and I have to defend that position.' He told us how good they were in the United States, because I think they no longer execute minors—laugh, laugh!

I then went and saw the Chinese—Madam Fu Ying, who used to be the ambassador here to Australia. I told her that I had been talking to one of our friends about why we thought they should abolish the death penalty, that I always like to talk to friends, and that, as China are a friend of Australia, I wanted to tell them too that they should abolish it.

What I am really looking for are useful suggestions, and I think you have made one: that we might identify parliaments that are focused on these issues. If I were to look for a list of parliaments that were campaigning on these issues through a group of parliamentarians against the death penalty like we have here in Australia, where would I find the list?

Dr Cattin: We have a global parliamentary platform, and we have seen in the last $2\frac{1}{2}$ years a lot of parliamentarians enrolling and willing to take action. So, from our side, we could provide you, certainly, with a list of countries and a number of contacts that we would be very happy to share and then facilitate—in regard to facilitating connection and cooperation.

There is the precedent established by the All-Party Parliamentary Group on the Abolition of the Death Penalty, in the UK parliament, covering both the House of Commons and the House of Lords. In fact, just three days ago the chairman of the PGA, who is also chairing that group, wrote to me from North Dakota, where he went to speak with the state legislators to advocate for abolition. North Dakota is in the United States. That group was the origin of the engagement of PGA because it was that group that proposed us to the World Coalition Against the Death Penalty as the parliamentary network that could take on this issue, also taking into account all our experience in the field of international law and human rights and, in particular, the ICC campaign, the International Criminal Court campaign.

Our understanding, of course, is that other parliaments are not as organised as you and the UK are. While there are individual initiatives—another country where there is a group similar to yours, as far as we know, is Switzerland, but it is not so well organised. My colleague Maia says that it is coordinated by an external actor, Amnesty International. If you wish, it is a very influential and important group, but it is not a full parliamentary entity like you and the all-party parliamentary group in the UK. In other words, it depends on the cooperation of an external NGO.

In PGA we believe that the protagonism and direct involvement of MPs make a big difference because, as you pointed out, when you talk to friends and to your peers, you have an authority that is much stronger and more direct and better heard from the other side than if it was an initiative that was identified as stemming from an NGO—as authoritative and as good as it can be. Amnesty is certainly one of the best in the world, if not the best, in the field of human rights. But another issue is when your advocacy is perceived as genuine, and that is why we are very happy to work with parliamentarians on this, because we are seeing them making a difference.

We are today and we were yesterday in Indonesia, where the climate is very, very difficult. There is not willingness to go on the record. Even those among the parliamentarians here who are critical of the death penalty do not want to take the issue on the public—with one exception. Yesterday, one of our members, as an outcome of our meeting—we are here on a peer-to-peer basis with a delegation of two Malaysian MPs who are engaged in efforts to promote abolition of the mandatory death penalty as a first step towards full abolition in Malaysia. They agreed to come here upon the invitation of the Indonesian colleagues to informally discuss strategies on how to move forward the conversation on abolition—a very delicate issue. We know that there are lives at stake, so we are very aware that we should not raise anything public at the moment here. We understood there is an informal agreement to not carry out certain decisions, and we do not want to go into the detail of that, because I think it is not a public arrangement, so we are very cautious of that.

We saw that there is an enormous willingness to listen and to open the debate, at least in private, and to understand the reasons why executions are not useful for law enforcement, for justice, for prevention and deterrence—for a number of policy goals that the Indonesian government believes are served by the death penalty. We see this as a very important first step.

What we do in PGA—and I think it is the same approach as the Australian government and certainly also, I believe, of the Australian parliamentarians—is to try to tailor our action on each and every different scenario that we approach. So what we are doing here in Indonesia is certainly very different to what we are doing in legislatures of the United States that can vote for abolition. The type of advocacy and public discourse is very, very different and is tailored to the reality of the place. It requires a lot of expert input, so our campaign manager, Maia Trujillo, has done a very thorough work research with our team before coming here to analyse all the political parties positions and past controversies around the justice system on one side and the death penalty, in particular, and then move on with very targeted bilaterals with the members of parliament representing their political party on the specific issue.

We are meeting also a number of retentionist MPs. It is very important for us to underscore that the PGA platform is not a place where only the abolitionists meet and exchange views and opinions, but the idea is to be able to open our doors to anyone who is interested in justice and the rule of law. In good faith they support the death penalty. We want them to be engaged and understand the reasons from our side with the view to making them open their minds and probably change their positions. We want to make sure that we are not the parliamentarians against the death penalty; we are the parliamentarians for global action. In that way we want to make sure that everyone is engaged and involved with our activities.

Ms PARKE: You have suggested that Australia could support non-death-penalty clauses in trade agreements. Can you provide examples where this has been done in other places and how it works in practice?

Dr Cattin: I am sorry, we understood just the last part of your question, when you referred to death penalty clauses in trade agreements. Did you say something at the beginning of your question?

Ms PARKE: No. Could you provide examples where this has been done and how you think it might work in practice?

Dr Cattin: We have not analysed in specifics any trade agreement—I need to be clear on this. What we have seen is mainly the linkage—I would not say conditionalities but the linkage—that the European Union has been trying to put, vis-a-vis certain partners, between the respect for human rights, the so-called human rights clause in the trade agreements that is included in the European Union, Africa, Caribbean, Pacific revised Cotonou agreement and I believe also in bilateral agreements with industrialised nations that are retentionist, like the EU-Japan one, between the respect for the elements of this human rights clause and the fulfilment of the conditions of the agreement. In the Cotonou system you have an incentive to ratify and respect a number of treaties, which I believe also includes the second optional protocol to the ICCPR on the abolition of the death penalty. If you as a state from these developing countries ratify, implement or otherwise abide to all these treaties then you can become a favourite-plus partner of the EU for trade. So in addition to having the benefits of the free trade agreement under the Cotonou treaty you have additional benefits as one of the most-favoured-nation clause within that framework. In other words, it is a system of positive incentive rather than negative conditionality. I know there is a lot of reluctance among our development and humanitarian NGO colleagues to put into these trade agreements negative clauses or negative conditionalities.

To be honest, this debate should probably be reopened. It was one that was very alive some 15 or 20 years ago. I believe that there should be some reflection again. In some cases, an approach that would be a bit more aggressive on conditionality could be useful, because, in some cases, it could be really justified and it could have an impact. I think this is our assessment. Of course, there is also a role for us, as a parliamentary group, that cannot be overestimated. What we do well is to create trust, dialogue and exchanges on a peer-to-peer level, while these other elements of multilateral or bilateral relations amongst states are the ones where maybe the executives or the NGOs who are lobbying the executive branch of government have much more to say.

Ms PARKE: You have proposed that the Australian government draft a strategy for the abolition of the death penalty and focus on key strategic countries or regions. What countries or regions do you think Australia is best placed to focus on?

Ms Trujillo: Thank you for the question. We know that Australia is very influential or interested in the Asia-Pacific region. I think that you have an important role to play in this region and that a lot of countries look up to you in that sense. You should continue to be engaged in those countries, especially in South-East Asia, where the situation with the death penalty is most critical. I think Australia should maybe also expand its interest and work on the abolition of the death penalty in other countries or regions. For example, I think you can have an important role to play in the United States, and maybe also in Africa.

I am not sure if you have many embassies in Africa, but many times, because of the link between the past colonisers and African countries, having an external player that is still important in the international community playing a role and trying to engage on this issue could make a difference. I think that, in some countries, they could be more interested in listening to you than to the UK or France. It could be interesting for Australia to start looking at those countries in Africa where there still is a death penalty and where parliamentarians or the executive might be interested to receive your encouragement to move away from the death penalty.

Dr Cattin: If I can add, I would say that the No. 1 point of departure for the current process of revision of the Indonesian criminal code is to get rid of many of the approaches that the former coloniser, the Netherlands, left in the criminal code 100 years ago. It is still the basis for today's criminal law in Indonesia. We realised—and yesterday the MPs agreed with us on this approach—that the death penalty did not exist before colonisation. In other words, it was included by the colonisers in the criminal code as a way to sanction a number of offences, including some of the least serious or grave offences. This provides an argument for abolition.

In Africa, as Maia said, Australia could use the Commonwealth, particularly the group of Attorney-Generals, ministers of justice or rule-of-law ministers of the Commonwealth—in addition to, of course, the parliamentary relations, which are very important—to promote abolition. In many countries in Africa, the most severe punishment was not capital punishment. They had other forms of punishment, but they did not reach the level of execution. One of the main arguments in Africa was: you wanted to safeguard in the traditional justice systems the ability of the perpetrator to reparate the victim. This was a long-term or multi-generational issue, because a perpetrator was convicted for almost the remainder of his lifetime to reparate the children and the next generation of the person that was killed by him of that was seriously injured, and so on and so forth. This is part of the African tradition. When we deal with our members in Africa, we find enormous support for the idea of abolition based on this argument.

I think Australia could be a very important voice, especially within the Commonwealth, to advance this cause.

Ms PARKE: Yes, I think that is right, particularly because Australia does not have the same kind of baggage in Africa that a lot of European countries have.

Dr Cattin: Yes.

Ms PARKE: You mentioned the need for us to set, in this strategy, clear and specific goals. Could you expand upon those goals that we should be including?

Ms Trujillo: As David was saying earlier, for each country the goals might be a bit different. But you could have a series of goals that could be adapted to the different countries where you would be working. Of course, the ultimate goal is the abolition of the death penalty, but then there could be sub-goals leading to that—for example, having an informal moratorium or having an official moratorium, but, also, having other sets of goals that may be more realistic to some situations. These may be, for example, ensuring the reduction of the scope of the crimes that carry the death penalty, strengthening the safeguards that limit the use of the death penalty and ensuring that there are standards of use of the death penalty—for example, that juvenile offenders are not sentenced to death and that there is a fair trial that leads to giving a death sentence. Obviously, it is not ideal, but I think it is important to see that, in some countries, this might be the starting point on the abolition process.

Dr Cattin: On the point of a fair trial—and I would say, more in general terms, the upgrading of the justice system—what we are finding out more and more as a common trend in countries where parliamentarians are very shy, where they almost fear to speak publicly on abolition, is that this is happening in all countries where the justice system, for a reason or another, is perceived as unfair and ineffective. This, I would say, is also the case of Indonesia, where yesterday we met a few NGOs. We invited four of them; in the room we had 14 instead of four because of the enormous interest that they have on this issue. Really, the biggest conclusion of that meeting was: the need to link the issue of abolition with the issue of development of the country as a whole. One of the preconditions of development is to upgrade and to modernise the justice system so that trials are fair to the accused and, of course, to the victims, who should have access to justice, and so that the impunity rate for serious crime is not so high. There is enormous frustration in the general public that out of 10 cases of drug trafficking or murder that are denounced maybe one or two are brought to justice, and then the perpetrators are tried. Then when that single perpetrator out of 10 is arrested, and then is the alleged perpetrator or the convicted perpetrator, the public demands the harshest possible punishment as a way to revenge on behalf of the victims and not to really carry out justice.

There is an understanding in NGOs that this dynamic needs to be stopped—it needs to be broken by a circle of development corporation and rule of law programming, modernisation of the justice system. The reform of the penal code that is taking place now in the parliament is basically a similar trend that we see in many, many African countries and a few other Redemptorist countries in the Caribbean where the frustration vis-a-vis the justice system, the prevailing climate of corruption and impunity brings the public to support the death penalty as a sort of an act of desperation. We need to be aware of this political reality and address it so, while we have a goal to abolish the death penalty, we should also pursue in parallel the goal to support and strengthen the rule of law and the justice system to support and strengthen the implementation of victims' rights so that these particular elements of society do not have those feelings of frustration and hate and revenge that are inevitably conditioning the overall public opinion. In that way we also serve the notion that when we promote these types of human rights priorities we also do good in the field of development corporation. Everything should be integrated, I believe.

Mr LAURIE FERGUSON: You speak of the need to forbid the use of products that are used in torture, and you specify drugs. Yesterday we were at another meeting where we were advised of the degree to which China has an export industry with regard to instruments of torture. What is the current situation with regard to this? Are you mentioning drugs because it is harder to establish and there are actually some restrictions, or are there no restrictions whatsoever at the moment?

Dr Cattin: I think I was referring to drug offences for which in Indonesia and other countries the death penalty is applied. In our submission we mention the problem of certain drugs used for lethal injections. Of course the problem is the dual use of these drugs, so certain exports and imports are absolutely legitimate because they also serve the purpose of medical treatment or other uses that are legitimate. Honestly, this is an area where we would like to see parliaments develop a debate to find a way to at least forbid those products, if possible. We do not really have the technical expertise in PGA, but if it were possible to identify a list of products that could be substituted for the legitimate medical or biological or other uses and could be banned or at least limited, that would help a lot to at least send a signal that there is a strong political will to impede the trade and the import and export of certain drugs, pharmaceutical products.

This is an area where we would have to consider whether your academy of sciences or whichever national institution that you might have in Australia could produce an expert opinion that could maybe be shared with

similar bodies in countries that are exporting those goods to create some awareness that this is an issue because probably this is not one that has been considered at all in trade relations.

Ms Trujillo: Actually, this is a measure that the EU, the European Union, has been taking very seriously. They have a new regulation forbidding pharmaceutical companies from exporting drugs that could be used abroad to carry out death sentences, and when I talk with many EU officials on this issue it is mainly directed to the US, to be honest. Actually, Switzerland has also started doing that because they have important pharmaceutical companies in Switzerland. They have also decided to do it so that the products that come from their companies cannot be used elsewhere to carry out death sentences. In the United States this posed an important issue last year and the year before because they had a shortage of drugs to carry it out, especially lethal injections. So I think it is something that Australia might consider. I am sure that, if you approached the European Union, they may already have a list of those drugs, and then it might be adapted to the company that you have in Australia. think this could be an interesting alternative measure to the trade agreement clauses.

Mr LAURIE FERGUSON: Thank you.

Senator SINGH: There seems to be a trend against the death penalty in some countries, over time, at least. If you agree with that, why do you think that is? What countries, then, should Australia focus on, as far as our efforts go to advocate against the death penalty, to get an outcome that will continue that downward trend?

Ms Trujillo: I just have one question. When you say that Australia should focus on certain countries, do you mean to lobby with you on the abolition of the death penalty, or so that they abolish the death penalty?

Senator SINGH: Yes. What countries that currently have the death penalty in place should Australia focus on in our advocacy efforts? Do you, as an organisation, have a list of countries that you focus on?

Ms Trujillo: First of all, to answer the first part of your question, I think there is a trend to abolish the death penalty. There are more and more actors involved in this, because I think it has been considered as really a human rights issue, and the first human right that is at stake here is the right to life. As this underpins all other rights, many countries have decided to get engaged, and many actors have decided to start working on this issue. The more countries who abolish, the more who will continue this trend. For example, the United States is becoming more and more isolated on this. Many countries, when they see others abolishing, will also want to be seen as a model of human rights and the rule of law and might decide to move away from the death penalty, because there is a general trend and a movement towards abolition. I think we are, at the moment, right in this period to continue this work.

Regarding the countries, as we were saying earlier, while Indonesia and Malaysia are countries that could definitely benefit from Australia's action, there are also other countries—for example, Japan, as I am sure they are economic partners with you. I think it could be interesting for Australia to engage with them. Some countries in Asia are not always considered. For example, Pakistan could be an interesting target country for Australia, as could closer cultures to you. For example, Papua New Guinea could be an interesting country for you to focus on, especially as they have recently said that they might be considering abolishing the death penalty, and I am pretty sure they look up to you. So I think Australia should focus on this country. Then, as I was saying earlier, the United States might also be another country to focus on for you. Also, I would say a few countries in Africa, such as Uganda, Kenya, Tanzania or Ghana, where, through the Commonwealth, Australia might have a role to play.

Dr Cattin: I would like to stress—is it Senator Lisa Singh?

Senator SINGH: Yes.

Dr Cattin: You are a senator for Tasmania. What is important, in my view, is also to consider that sometimes Australian government, or any other government, demarches may have, sometimes, a counterproductive approach or result because they are seen a little bit as patronising or replicating certain schemes—the industrialised nations tutoring the development nations, and so on and so forth. So they are not always well received. Instead, the demarches, approaches, the bilateral meetings and the types of advocacy that a senator like you can do with your colleagues from, for example, the Pacific Island states or, as my colleague said, Papua New Guinea, or other realities, or even the African countries that we mentioned, may have a totally different impact. First of all, that is because your colleagues are sitting in human rights, foreign affairs, justice and constitutional affairs committees, or legal and parliamentary affairs committees, like in Uganda. They would receive your demarches, your approaches, in a very open way. They would be very looking forward to what you have to say. They would see it as a sort of peer-to-peer mutual cooperation and exchange to enrich their portfolio of activities.

For those countries that we have mentioned, given that it is parliament to decide measures to either suspend or abolish, I think the parliamentary dimension of Australia's advocacy is very important. In our experience—and we are not really saying this just because we are a parliamentary organisation—we have seen it in Suriname and in

Kosovar, where our members played a key role in abolition last year. It is really the dialogue with other colleagues that sometimes opens the minds of domestic legislators and brings them to the decision, 'We need to do this'. So do not underestimate the role that a few can individually and collectively play.

CHAIR: We are going to finish fairly soon because some of us have another committee to go to. Can I be my usual provocative self. My view is that the one country that has to change to influence the rest of the world in a substantial way is the United States of America. But it is not the United States of America; it is some states of America. America, as I understand it, does not apply the death penalty. It is states of the United States of America that do. I find that a lot of Americans that I speak to are very embarrassed about the fact that they continue to have to be examined about these issues. And it is not the ones who have abandoned it that we have to be thinking of. It is: how do we change those who are in the particular states that retain it? If your organisation's view is like mine, that you want to move to where you are going to make the most difference in the quickest time, I would think changing the United States would change the world debate. I understand there were only 15 people executed in the United States last year. That is the figure. So it is a small number of states. How do we identify them and how do we, as parliamentarians, single them out and get to those people in those states that really matter?

Dr Cattin: It is a very hard question. Let me be equally provocative, if you allow me, Mr Chairman. We organised two weeks ago a major briefing with the Tom Lantos Human Rights Commission in the US House of Representatives. It was opened by PGA member Jim McGovern. The topic was on how to bring to justice and create accountability for mass atrocities in Syria and Iraq with a particular focus on the so-called self-described Islamic State or ISIS, Daesh. One of the elements that we discussed was the inadequacy of current counter-terrorism strategies and the contradiction that we have to live with and should address—that is, having a lot of these people being targeted by killings in the absence of any trial or conviction—and how this has had a negative impact on the weakening of these violent extremist groups which 14 years ago were not as big as they are today, the victims of whom have augmented between 2001 and 2013. So without looking at the recent escalation of violence in southern Iraq, they have augmented 400 per cent—the victims of terrorist-related offences in the 13 years between 2001 and 2013. This was done in the US Congress, highlighting the contradictions and the weaknesses of the global coalition against terrorists, and how unfortunately we did not have the progress that we would have wanted to act globally on preventing mass atrocities. We are looking at Syria as the worst conflict in the last 20 years. This is just to say that in the US there is an openness to discuss these matters in a very open and public way.

CHAIR: Yes, like they do in Russia.

Dr Cattin: We should invest in public debate, education and media outreach in highlighting this contradiction that regretfully exists. I am an Italian national so my country of nationality belongs to the same coalition against Daesh, the self-described Islamic State, which is anti-Islamic in our view. We have to work together and make sure that all the elements of our policy gain in terms of coherence and consistency and bring forward the idea of life, civilisation and justice—not revenge, pure retribution and retaliation.

If we are able to do that, we are able also to tap into the existing major debate in the United States which we are witnessing now during this time of primaries having regard to the incredibly big population that the United States has in its own penitentiaries—basically equal to two million people. This has become a very difficult problem to be managed in many of the states that have not yet abolished the death penalty. In this respect, Mr Chairman, let me tell you that the most powerful tool that we in PGA have been using, even abroad, to promote the idea worldwide of abolition is the study that was carried out at the beginning of 2014 by a number of scholars that was shared at the UN by Professor William Schabas from Canada. This study revealed that in the United States, in the states that had abolished the death penalty the crime rate went down vis-a-vis when the death penalty was in force, while in some of the states that retained the death penalty the crime rate went up. So, in other words, this statistical analysis, this study, highlights how the death penalty does not serve the purpose of deterrence or prevention.

I think that, thanks to this study and the advocacy of our colleagues in NGOs in the US, a lot of ground has been gained. We in our platform have seen some US state legislators from New Hampshire and other states join PGA on the basis of the death penalty abolition item, which is quite remarkable. So I think we should continue. I think a lot of very good work has been done so far and we should continue with this very straightforward, open and public analysis and advocacy.

I want to be optimistic and I think you are right; it will have an enormous effect on other countries. Even in Indonesia yesterday, one of the leaders of the secularist party told us, 'We don't really like the death penalty per se but, given that the United States has it, we should keep it.' So it will have an impact worldwide, and I think we

should continue. In my view, there will be a time in which the overwhelming majority—not only the relative majority—of the US states will have abolished the death penalty.

CHAIR: I thank you very much for your willingness to appear before us today. You have certainly not been short of ideas. It is time to come to an end; I am losing the members now to go to other meetings. I ask for one that remains to move that the subcommittee authorise publication of evidence given at public hearings today.

Mr LAURIE FERGUSON: I so move.

CHAIR: Thank you.

Dr Cattin: We are very happy for that. We look forward to any type of cooperation that your committee would consider appropriate for our global parliamentary network.

CHAIR: We will endeavour to do so. Thank you very much.

Committee adjourned at 12:31