



AUSTRALIA



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UNGA Third Committee Item 72: Dialogue with Special Rapporteur on extrajudicial, summary or arbitrary executions

Intervention for 24 October 2019

- Australia thanks the Special Rapporteur for her report, and particularly welcomes the report's focus on the death penalty.
- As set out in our Strategy for Abolition of the Death Penalty, Australia opposes the death penalty in all circumstances for all people.
- We agree with the Special Rapporteur that, as an important part of progress towards global abolition, states should take steps to protect persons from the imposition of the death penalty outside their territory.
- We thank the Special Rapporteur for highlighting the vital importance of consular assistance in potential death penalty cases.
 - Australians facing, or potentially facing, the death penalty receive high priority, targeted and sensitive consular assistance.
- We call upon States to meet their obligations under Article 36 of the Vienna Convention on Consular Relations in relation to communication with and access to nationals of sending States.
- We join the Special Rapporteur in encouraging states to ensure national laws on extradition and deportation do not facilitate the imposition of the death penalty.

- Australia will not surrender a person to a foreign country where there is a risk that the death penalty will be carried out upon the person, unless the foreign country provides an undertaking that the death penalty will not be applied.
- As a matter of policy, and consistent with our international obligations, Australia does not deport or return individuals to situations where they face a real risk of the application of the death penalty.
- It is also important that states do not deliberately or inadvertently share information which may contribute to the imposition of the death penalty
 - Australia's federal police force applies safeguards to control information-sharing in situations where a person may face the death penalty.
 - In the case of formal government-to-government requests for assistance, Australian legislation prohibits the provision of assistance to a foreign country if this assistance may result in the death penalty being imposed, unless special circumstances apply.
- Australia asks the Special Rapporteur: How can we support other states to introduce reforms to ensure they do not directly or indirectly facilitate the imposition of the death penalty abroad?

349 words