



Australian Government

Department of the Prime Minister and Cabinet

ONE NATIONAL CIRCUIT
BARTON

Reference:C08/51900

Ms Rachel Walsh

Dear Ms Walsh

Thank you for your email of 7 October 2008 to the Prime Minister regarding the death penalty. I have been asked to reply on the Prime Minister's behalf. I apologise for the delay in responding to you.

Australia is opposed to the death penalty. Australia is a party to the Second Optional Protocol to the International Covenant on Civil and Political Rights, which requires countries that are a party to that instrument to abolish the death penalty within their jurisdiction. Australia, through the States and Territories, abolished the death penalty more than 20 years ago. The view of the Commonwealth of Australia, shared by all state and territory governments, is that the death penalty is not appropriate for Australia.

Internationally, Australia supports the abolition of the death penalty as a form of punishment. Australia has been active in the United Nations over an extended period of time, urging this view upon nations which continue to use the death penalty as a sanction. Indeed, in December 2007, one of the first acts of the current Government was to co-sponsor a resolution at the United Nations General Assembly calling for countries that retain the death penalty to put in place a moratorium on executions. Australia was again an original co-sponsor of this resolution during the 2008 General Assembly session.

The Australian Government will continue to take other appropriate opportunities to register its concerns over the death penalty's continued use throughout the world.

Consistent with Australia's long-standing policy, the Government will continue to make representations on behalf of Australians facing the death penalty overseas. In relation to individuals who are not Australian nationals, the Government decides on a case-by-case basis whether and how to make representations against the application of the death penalty in other sovereign states.

Thank you again for writing to the Prime Minister.

Yours sincerely

A handwritten signature in black ink that reads "A.J.C. Anderson". The signature is written in a cursive style with some capitalization.

Alex Anderson
Assistant Secretary
Legal Policy Branch
20 January 2009