



Fédération internationale des ACAT – Action des chrétiens pour l'abolition de la torture  
International Federation of ACATs – Action by Christians for the Abolition of Torture

## 48th session of the Human Rights Council

### FIACAT's oral statement during the general debate under item 3

*22 September 2021*

Thank you Madam President,

FIACAT welcomes the Secretary-General's report on the question of the death penalty and shares some of the concerns about the impact of the lack of transparency in the application of the death penalty on the enjoyment of human rights, including the right not to be subjected to torture.

Many countries do not have official public figures on the number of people on death row. Furthermore, the places of detention of those on death row are not always known. The lack of transparency in this regard is problematic as it does not allow death row detainees to have access to their lawyers or to maintain contact with their families and loved ones in contradiction with rules 433, 584, 615 and 686 of the Nelson Mandela Rules.

There is also a great lack of transparency regarding the application of pardon and commutation of sentences. FIACAT recalls that in its General Comment No. 36, the Human Rights Committee stressed that "*pardon or commutation procedures must offer certain essential guarantees, including certainty about the processes followed and the substantive criteria applied*".

Finally, FIACAT stresses the need for public information on the death penalty and its application for a credible and transparent public debate. Many States, which claim to maintain the death penalty because public opinion is in favour of it, do not present the research and surveys on which their arguments are based, thus distorting the debate.

While advocating for the universal abolition of the death penalty, we call on States to ensure access to full, accurate and reliable information on its imposition and execution.

Thank you for your attention.