

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:311
ANSWERED ON:23.12.2003
CAPITAL PUNISHMENT
RENUKA CHOWDHURY

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether a United Nations Resolution, calls for a 5-year moratorium against awarding death penalty;
- (b) if so, the details thereof and the response of the Government thereto; and
- (c) the number of persons on death-row in the country at present and the number of persons executed during the period following the UN Resolution?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D.SWAMI)

(a) to (c): A statement is laid on the Table of the House.

Statement referred to in reply to Parts (a) to (c) of Lok Sabha Starred Question No.311 for 23.12.2003 by Shrimati Renuka Chowdhury regarding Capital Punishment.

(a) & (b): At the 59th Session of the United Nations Commission on Human Rights, which was held in Geneva in March/April, 2003, there was a resolution on `the question of death penalty`. India has abstained on the resolution on the grounds that-

- the said resolution urges States not to execute a person as long as any related legal procedure is pending at the international level, which is against India's position that the national courts and the national law will determine the fate of any judicial procedure;
- the resolution urges States to establish a moratorium on execution and that this is the matter of national policy and implementation; and
- the resolution places unwarranted restrictions on the extradition of individuals to countries where the law provides for death penalty.

(c): The UN Resolution being too recent, this information has not yet become available.