

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:281
ANSWERED ON:30.11.2010
DEATH PENALTY
Semmalai Shri S. ;Sugumar Shri K.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether any resolution has been passed in the United Nations regarding abolition of/moratorium on the death penalty;
- (b) if so, the details thereof alongwith the number of countries which have abolished the death penalty;
- (c) whether the Government has taken any view in this regard;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MULLAPPALLY RAMACHANDRAN)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 281 FOR 30.11.2010.

(a): Yes, Madam.

(b): Since 2007, the UN General Assembly has adopted three resolutions titled "Moratorium on the use of the death penalty". All these resolutions have been passed after a vote. On 11th November, 2010, the non-binding third resolution received 107 votes in favour, 38 votes against and 36 abstentions. As reported by the Ministry of External Affairs, the exact figures of number of countries which have abolished death penalty are not available. However, UN Secretary General's report of July, 2008 on 'Moratoriums on the Use of Death Penalty' mentioned that 141 countries had abolished the death penalty in law or practice. Of these, 93 are completely abolitionist, 10 are abolitionist for ordinary crimes only and further 38 can be considered de facto abolitionist. The remaining 56 countries and territories retain and practice the death penalty.

(c) to (e): Under the present scheme of sentencing process, death penalty is inflicted only on dangerous incorrigibles for crimes of heinous nature in rarest of rare cases. There is no proposal under consideration of the Government to abolish capital punishment.