Why is it important for Armenia to accede to the United Nations Protocol to abolish the death penalty?

Armenia is an abolitionist country for all crimes and has never carried out any executions.

Acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Acceding to the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman, or degrading treatment. It is essential that the world’s abolitionist countries ratify this Protocol.

Armenia is the only country in the world that, as a member state of the Council of Europe, has ratified Protocol No. 6 and signed Protocol No. 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms but has neither signed nor ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights (hereafter “the Protocol”).

What are the international commitments already taken by Armenia to ratify the Protocol?


**What are the steps to be taken as regard to internal law?**

According to Article 7.3 of the Protocol, it “shall be open to accession by any State that has ratified the Covenant or acceded to it.” Armenia acceded to the International Covenant on Civil and Political Rights in 1993 and it is therefore competent to accede to or ratify the Protocol.

To accede to the Protocol, a State must express its consent to be entirely bound by the provisions of a Treaty by depositing a written instrument of **accession without previously signing the Treaty**.

Among the obligations incumbent upon Armenia following ratification of the Protocol are the **prohibition of executions** and **withdrawal of the death penalty from internal criminal law**. These two obligations have already been fulfilled by Armenia in practice. It may therefore now unreservedly accede to the Protocol.

The Minister for Foreign Affairs submits a document of accession to the President of the Republic. The President then presents it to the Constitutional Court for the Court to give advice about the Protocol’s compliance with the constitution of Armenia. The President of the Republic then puts the document before the National Assembly of Armenia for the ratification in application of Article 81 2) b) of the Constitution.

The instrument of ratification or accession must then be deposited with the UN Secretary General (Article 7.4 of the Protocol).

**What are the legal obstacles to accession?**

There is **no legal obstacle** as the death penalty has been abolished in Armenia’s national legislation.

We therefore encourage Armenia to accede to this Protocol as soon as possible.

**How can accession to the Protocol be implemented?**

The Protocol shall come into force three months after the instruments of accession have been deposited with the UN Secretary General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Armenia must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Armenia to ratify **Protocol 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances.**

For more information, contact the World Coalition Against the Death Penalty and visit its website: [http://www.worldcoalition.org/protocol](http://www.worldcoalition.org/protocol)