

Delegation of the Russian Federation

**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1197th MEETING OF THE
OSCE PERMANENT COUNCIL**

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On the World Day against the Death Penalty

Mr. Chairperson,

The use of the death penalty was officially suspended for the first time in Russian history in 1598. This form of punishment was then abolished a number of times, for example, in 1753. It is well known that most European countries were not even contemplating this at that time.

In the modern era, Russia made a commitment not to use the death penalty when it joined the Council of Europe in 1996. This commitment was fulfilled by establishing a comprehensive moratorium on the use of this form of punishment in 1999. Since then – in other words, for 19 years – Russian courts have not sentenced anyone to death. The Criminal Code stipulates alternative forms of punishment, ranging from lengthy prison sentences to life imprisonment.

We take the position that, as a result of the moratorium, the human right not to be subjected to the death penalty is firmly guaranteed in our country. A constitutional and legal framework has emerged, under which there is an irreversible process aimed at abolishing the death penalty, with account taken of Russia's international commitments. In 2009, the Constitutional Court of the Russian Federation confirmed this understanding.

The Federal Assembly of the Russian Federation is considering the legislative abolition of the death penalty and accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights.

The death penalty is not used in Russia, but this does not mean that we support imposing the legislative abolition of the death penalty on other countries. We believe it important to be guided in this matter by the cultural, historical, legal and other contexts of the development of States.

The crucial point is what methods are used to carry out the death penalty and whether they rule out any additional suffering equivalent to torture.

In the United States of America, as is well known, most executions are carried out by means of lethal injection. However, according to human rights defenders, such injections only create the appearance of a humane method of killing. For example, US doctors have serious concerns not only about the often “weak” dosage of the drugs injected, but also about the qualifications of the personnel administering the injections. According to eyewitnesses, many condemned prisoners died in terrible agony simply because, in accordance with the law, the lethal injection was administered by officers appointed by the court and not by qualified medical personnel. There have been cases where the execution was drawn out over several hours, and the condemned person’s body was full of needle holes because the executioners had been unable to find a suitable vein.

The United Nations Secretary-General, António Guterres, has been forced to criticize the United States and last year urged the US Government to end this “barbaric” practice. The Office of the UN High Commissioner for Human Rights also expressed serious concern regarding this matter, referring to the fact that drugs that were past their expiry date were being used in executions in the United States. The consequences of the criticism of this and other hard-hitting issues are well known – the United States of America withdrew from the UN Human Rights Council.

The situation with US pharmaceutical companies refusing to deliver lethal injection drugs to states that practise the death penalty (and there are 31 such states) is also a matter of concern. In fact, this situation often forces the authorities to experiment with unapproved drug combinations. There is evidence that, in the light of this, a number of states have returned to the old methods of execution – a firing squad or the electric chair.

We once again call on the US Government to respect its international commitments to prevent the torture and cruel treatment or punishment of prisoners.

Thank you for your attention.