



Ratification Kit

Fiji

Why is it important for Fiji to ratify the United Nations Protocol to abolish the death penalty?

Fiji abolished the death penalty for all crimes in 2015 after the adoption of a short bill repealing the death penalty from legislative provisions.

Ratification of 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.

Ratifying 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.**

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

Fiji demonstrated its commitment as regards abolition of the death penalty by co-sponsoring and voting in favor of **three UNGA Resolutions for a moratorium on the use of the death penalty in 2014, 2016 and 2018**. The country also co-sponsored the resolution in 2016.

Fiji participated in the **Universal Periodic Review of the Human Rights Council in 2019** and accepted the recommendation to ratify the Second Optional Protocol to the International Covenant to Civil and Political aiming at the abolition of the death penalty. The Human Rights Council, **of which Fiji are currently a member**, would inevitably commend Fiji if they ratified the Protocol.

What are the steps to be taken as regards internal law?

According to Article 7.2 of the Protocol, it “is subject to ratification by any State that has ratified the Covenant or acceded to it.” **Fiji acceded to the International Covenant on Civil and Political Rights in 2018** and is therefore competent to ratify this Protocol.

Among the obligations incumbent upon Fiji 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 Fiji following the abolition of the death penalty. It may therefore now **unreservedly** ratify the Protocol.

In accordance with Article 51 of the Constitution, “an international treaty or convention binds the State only after it has been approved by Parliament”.

The instrument of ratification must then be deposited with the UN Secretary General (Article 7.2 of the Protocol).

What are the legal obstacles to ratification?

There is **no legal obstacle** as the death penalty has been abolished in 2015.

We therefore encourage Fiji to ratify this Protocol as soon as possible.

How can ratification of the Protocol be implemented?

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

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

For more information, contact the World Coalition Against the Death Penalty and visit its website: <http://www.worldcoalition.org/protocol>