Human Rights Committee
97th Session, 12-30 October 2009
EL SALVADOR

List of Issues

The World Coalition Against the Death Penalty (WCADP) gathers 96 members: human rights organizations, professional associations and local authorities on the five continents who have united to campaign for the universal abolition of the death penalty. It was founded in 2002 in Rome.

In view of next session of the United Nations Human Rights Committee, during which a list of questions for El Salvador will be adopted, the World Coalition Against the Death Penalty (WCADP), would like to communicate to the Committee’s experts several points concerning the situation of the death penalty in El Salvador.

Article 6

As it is written in the State Report of El Salvador (paragraph 76 and 77), there has been no execution in this country since 1973. The death penalty was abolished for ordinary crimes in the Constitution in 1983. Article 27 of this Constitution states that “The death penalty may be imposed only in cases provided by military laws during a state of international war”. As the constitution of a given country is the reflection of the supreme values of this country, those who have restricted the use of the death penalty in their constitution demonstrate the importance they give to this decision.

Furthermore, El Salvador has showed its involvement against the capital punishment by voting in favor of the two resolutions of the United Nations General Assembly about a moratorium on the use of the death penalty (resolution 62/149 and 63/168) and by being a co-sponsor of the resolution 63/168 adopted at the United Nations General Assembly on 18 December 2008.

The accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty is extremely important because it is the only international treaty of worldwide scope to provide for total abolition of the death penalty. The adoption of this Protocol also has a symbolic value: it shows the universal trend towards the abolition of the death penalty, which is considered as a violation of the right to life. It is of utmost importance that all abolitionist countries in the world ratify this Protocol.

• Why has El Salvador not ratified yet the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty? Has it already considered such ratification? If yes, what is its agenda?

• Why has Salvador not abolished yet the death penalty for all crimes, even in times of war?