## Materials for Report concerning “Moratorium on the use of the death penalty” pursuant to resolution 75/183 of the General Assembly

The death penalty was abolished in the State of Mauritius by way of the enactment of the Abolition of Death Penalty Act 1995. All death sentences imposed prior to the said enactment have been commuted to sentences of penal servitude for life. The Supreme Court may now inflict sentences of penal servitude for life or sentences for terms not exceeding 60 years where the law so provides.

However, Section 4 (1) of the Constitution provides that “*No person shall be deprived of his life intentionally save in the execution of the sentence of a Court in respect of a criminal offence of which he has been convicted*”.

This section has not yet been amended to prohibit the imposition of death sentences. An amendment to Section 4(1) of the Constitution would need to be supported at the final voting in the Assembly by the votes of not less than three quarters of all members of the Assembly.

It is worth noting that the last execution of death penalty was on 10 October 1987.

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