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THE DEATH PENALTY LIST OF ABOLITIONIST AND RETENTIONIST COUNTRIES

The death penalty was abolished for murder in Anguilla, British Virgin Islands, Cayman Islands, Montserrat, and Turks and Caicos Islands after discussions between the British Government and the governors of the five dependent territories. Abolition came into force on 10 May. (The five territories are no longer included in the List of Abolitionist and Retentionist Countries, as their laws on the death penalty are now in line with those of the parent country.)

The death penalty was reintroduced for murder, rape and other "crimes of extreme violence" in Papua New Guinea on 28 August. Members of parliament voted 48 to 19 in favour of the restoration of capital punishment which was abolished for all crimes except treason and piracy shortly after independence in 1975. The penalty will not be mandatory but at the discretion of a trial judge.

Amnesty International's latest information shows that 44 countries have abolished the death penalty for all offences, while 16 have done so for all but exceptional crimes such as wartime crimes. Twenty countries can be considered abolitionist *de facto*: they retain the death penalty in law but have not carried out any executions for the past 10 years or more. Ninety-six countries retain and use the death penalty.

Attached is a list of countries, indicating whether or not their laws provide for the death penalty. For abolitionist countries, information is also given, where available, on the date of abolition and the date of the last execution carried out; and for countries which have abolished the death penalty for all crimes, the date when it was abolished for ordinary offences if this was done before. (The date given for abolition is normally the date when the decision to abolish the death penalty was taken, but if that decision only came into effect several years later, the latter date is given.)

Also attached is a list of countries which have abolished the death penalty in law since 1976. It shows that in recent years, at least one country a year on average has abolished the death penalty in law or, having done so for ordinary offences, has gone on to abolish it for all offences.

The lists have been compiled on the basis of information available to Amnesty International as of 16 September 1991. Any changes or corrections will be issued as necessary.

1. ABOLITIONIST FOR ALL CRIMES

(Countries whose laws do not provide for the death penalty for any crime)

<u>Country</u>	<u>Date of Abolition</u>	<u>Date of Abolition for Ordinary Crimes</u>	<u>Date of last Execution</u>
ANDORRA	1990		1943
AUSTRIA	1985	1984	1967
AUSTRIA	1968	1950	1950
CAMBODIA	1989		
CAPE VERDE	1981		1835
COLOMBIA	1910		1909
COSTA RICA	1877		
CZECH AND SLOVAK FEDERATIVE REPUBLIC	1990		1988
DENMARK	1978	1933	1950
DOMINICAN REPUBLIC	1966		
ECUADOR	1906		
FINLAND	1972	1949	1944
FRANCE	1981		1977
FEDERAL REPUBLIC OF GERMANY	1949/1987***		1949***
HAITI	1987		1972*
HONDURAS	1956		1940
HUNGARY	1990		1988
ICELAND	1928		1850
IRELAND	1990		1954
KIRIBATI			**
LIECHTENSTEIN	1987		1785
LUXEMBOURG	1979		1949
MARSHALL ISLANDS			**
MICRONESIA (Federated States)			**
MONACO	1962		1847
MOZAMBIQUE	1990		1986
NAMIBIA	1990		1988*
NETHERLANDS	1982	1870	1952
NEW ZEALAND	1989	1961	1957
NICARAGUA	1979		1930
NORWAY	1979	1905	1948
PANAMA			1903*
PHILIPPINES	1987		1976
PORTUGAL	1976	1867	1849*
ROMANIA	1989		1989
SAN MARINO	1865	1848	1468*
SAO TOME AND PRINCIPE	1990		**
SOLOMON ISLANDS		1966	**
SWEDEN	1972	1921	1910
TUVALU			**
URUGUAY	1907		
VANUATU			**
VATICAN CITY STATE	1969		
VENEZUELA	1865		

TOTAL: 44 countries

* Date of last known execution

** No executions since independence

*** The death penalty was abolished in the Federal Republic of Germany (FRG) in 1949 and in the German Democratic Republic (GDR) in 1987. The last execution in the FRG was in 1949; the date of the last execution in the

GDR is not known. The FRG and the GDR were unified in October 1990. The name of the unified country is the Federal Republic of Germany.

2. ABOLITIONIST FOR ORDINARY CRIMES ONLY

(Countries whose laws provide for the death penalty only for exceptional crimes such as crimes under military law or crimes committed in exceptional circumstances such as wartime)

<u>Country</u>	<u>Date of Abolition</u>	<u>Date of Last Execution</u>
ARGENTINA	1984	
BRAZIL	1979	1855
CANADA	1976	1962
CYPRUS	1983	1962
EL SALVADOR	1983	1973*
FIJI	1979	1964
ISRAEL	1954	1962
ITALY	1947	1947
MALTA	1971	1943
MEXICO		1937
NEPAL	1990	1979
PERU	1979	1979
SEYCHELLES		**
SPAIN	1978	1975
SWITZERLAND	1942	1944
UNITED KINGDOM	1973	1964

TOTAL: 16 countries

* Date of last known execution

** No executions since independence

3. ABOLITIONIST DE FACTO

(Countries and territories which retain the death penalty for ordinary crimes but have not executed anyone during the past 10 years or more)

<u>Country</u>	<u>Date of Last Execution</u>
BAHRAIN	1977
BELGIUM	1950
BERMUDA	1977
BHUTAN	1964*
BOLIVIA	1974
BRUNEI DARUSSALAM	1957
COMOROS	**
COTE D'IVOIRE	
DJIBOUTI	**
GREECE	1972
HONG KONG	1966
MADAGASCAR	1958*
MALDIVES	1952*
NAURU	**
NIGER	1976*
PARAGUAY	1928
SAMOA, WESTERN	**
SENEGAL	1967
SRI LANKA	1976
TOGO	

TOTAL: 20 countries and territories

* Date of last known execution

** No executions since independence

(In keeping with the system of classification used by the United Nations in its quinquennial reports on capital punishment, all of these countries and territories can be considered abolitionist de facto in that they have not carried out executions for the past 10 years or more. However, death sentences have continued to be imposed in a number of these countries and territories, and not all of them have a policy of regularly commuting sentences.)

LIST OF COUNTRIES WHICH HAVE ABOLISHED THE DEATH PENALTY SINCE 1976

1976: PORTUGAL abolished the death penalty for all offences.

CANADA abolished the death penalty for ordinary offences.

1978: DENMARK abolished the death penalty for all offences.

SPAIN abolished the death penalty for ordinary offences.

1979: LUXEMBOURG, NICARAGUA and NORWAY abolished the death penalty for all offences.

BRAZIL, FIJI and PERU abolished the death penalty for ordinary offences. (1)

1981: FRANCE abolished the death penalty for all offences.

1982: The NETHERLANDS abolished the death penalty for all offences.

1983: CYPRUS and EL SALVADOR abolished the death penalty for ordinary offences.

1984: ARGENTINA and AUSTRALIA abolished the death penalty for ordinary offences. (2) (3)

1985: AUSTRALIA abolished the death penalty for all offences. (3)

1987: The PHILIPPINES, HAITI, LIECHTENSTEIN and the GERMAN DEMOCRATIC REPUBLIC abolished the death penalty for all offences.

1989: CAMBODIA, NEW ZEALAND and ROMANIA abolished the death penalty for all offences.

1990: ANDORRA, the CZECH AND SLOVAK FEDERATIVE REPUBLIC, HUNGARY, IRELAND, MOZAMBIQUE, NAMIBIA and SÃO TOMÉ AND PRÍNCIPE abolished the death penalty for all offences.

NEPAL abolished the death penalty for ordinary offences. (4)

Notes:

1. Brazil had abolished the death penalty in 1882 but reintroduced it in 1969 while under military rule.

2. Argentina had abolished the death penalty for all offences in 1921 and again in 1972 but reintroduced it in 1976 following a military coup.

3. In 1984 the death penalty was abolished in Western Australia, the last Australian state to retain the death penalty for ordinary offences. In 1985 it was abolished entirely in Australia when the state of New South Wales abolished it for piracy, treason and arson at military and naval establishments - the only remaining capital offences.

4. Nepal had abolished the death penalty for murder in 1946 but reintroduced it in 1985 after bomb explosions in which several people were killed.