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## **Nigeria: Imo State death penalty decision puts victims at risk**

Amnesty International today expressed dismay at the decision by the Imo State House of Assembly to pass a bill providing for the death penalty for anyone convicted of kidnapping or whose premises are used by a kidnapper to hold someone hostage. The organization urged the Imo State Governor, Chief Ikedi Ohakim, not to sign the bill into law.

“Kidnapping is a terrible crime that causes anguish for both the victims and their families,” said Aster van Kregten, Amnesty International’s Nigeria researcher. “But extending the scope of the death penalty to include this crime is a retrogressive step that does nothing to protect the victims – in fact, it only serves to put them at greater risk.”

“This law may act as an incentive to kill, as perpetrators may decide they have ‘nothing to lose’ – leading to an increase in killings of victims, innocent bystanders and police officers trying to apprehend the criminals.

Amnesty International said that making kidnapping a capital offence not only flies in the face of global and national trends away from the death penalty, but may also encourage even more violent behaviour by kidnappers.

“Experience has shown that the threat of the death penalty is not an effective answer to violent crime – it can actually exacerbate violence in a society,” said Aster van Kregten.

Retention of the death penalty has not reduced armed robbery or murder rates in Nigeria. Between 1970 and 1999, more than 2,600 death row prisoners were executed, but the crime rate did not decrease.

Studies in the US also show that the death penalty has no deterrent effect on murder. The average murder rate in the US in states that use the death penalty is higher than in states that did not use it.

In countries where the death penalty has been abolished, crime rates have often fallen. In Canada, 27 years after the abolition of the death penalty, murder rates had fallen by 44 percent.

“The way to be tough on violent crime like kidnapping is to strengthen the police’s ability to detect potential crimes before they occur and prevent them,” said Aster van Kregten.

“The Federal government needs to strengthen police training and resources to increase investigation capacity and effectiveness. This is the best way to start keeping citizens safe from violent crime in Nigeria – rather than resorting to knee-jerk and outmoded responses like the death penalty.”

On 9 February 2009, at the 4th Session of the United Nations Universal Periodic Review (UPR) in Geneva,

Nigeria's Minister of Foreign Affairs said that "Nigeria continues to exercise a self-imposed moratorium [on the death penalty]."

"The Nigerian government recent statement at a UN forum that it is practicing a moratorium on the death penalty was widely welcomed. We are therefore very disappointed to see Imo State taking steps that are contrary to that position," said Aster van Kregten.

"State governments should be making every effort to reflect the Nigerian federal government's self-imposed moratorium, not undermine it."

#### **Notes to editors:**

- 139 countries have abolished the death penalty in law or in practice. Africa is largely free of executions, with only four of the 53 African Union member states known to have carried out executions in 2008: Botswana, Egypt, Libya, and Sudan.
- In November 2008, the African Commission on Human and People's Rights, at its 44th Ordinary Session in Abuja, adopted a resolution calling on state parties to the African Charter on Human and Peoples' Rights to observe a moratorium on the death penalty.
- In Nigeria, two expert groups set up by former President Obasanjo – the National Study Group on Death Penalty (2004) and the Presidential Commission on Reform of the Administration of Justice (2007) – recommended a moratorium on executions.
- Extension of the scope of the death penalty is contrary to Nigeria's international human rights commitments. In resolution 32/61, adopted on 8 December 1977, the UN General Assembly stated: "...the main objective to be pursued in the field of capital punishment is that of progressively restricting the number of offences for which the death penalty may be imposed with a view to the desirability of abolishing this punishment..."
- The UN Human Rights Committee, which oversees the implementation of the International Covenant on Civil and Political Rights by states parties has called on states to reduce the number of crimes punishable by death, restricting them to the "most serious crimes" in accordance with Article 6(2) of the International Covenant on Civil and Political Rights, with a view to abolishing the death penalty. Nigeria ratified the International Covenant on Civil and Political Rights (ICCPR) in 1993.
- In October 2008, an Amnesty International and Legal Defence Assistance Project (LEDAP) joint report 'Nigeria: Waiting for the hangman' (AFR 44/020/2008) called on the Nigerian authorities to declare a moratorium on executions, in line with the recommendations of its own experts.