

INTERNAL (for AI members only)

AI Index: ACT 50/04/93
Distr: SC/DP

Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

To: All Sections (for information)
Death Penalty Coordinators

From: Campaign and Membership Department (Themes Team)

Date: 29 June 1993

THE DEATH PENALTY
LIST OF ABOLITIONIST AND RETENTIONIST COUNTRIES
(JUNE 1993)

Summary

Attached is a revised list of abolitionist and retentionist countries, replacing the list dated February 1993 (AI Index: ACT 50/01/93). ANGOLA, GAMBIA and GUINEA-BISSAU are now listed as abolitionist for all crimes rather than as retentionist. HONG KONG is listed as abolitionist for all crimes rather than as abolitionist de facto.

The numbers of countries now stand as follows: 52 abolitionist for all crimes, 16 abolitionist for ordinary crimes only, 19 abolitionist de facto, 103 retentionist. The 87 countries which are now abolitionist in either law or practice make up 46 per cent of the total number of countries.

Distribution

This EXTERNAL circular is being distributed as indicated above.

Recommended actions

1. The information in this circular can be used in general publicity about the death penalty. It is valuable evidence of progress towards worldwide abolition.

2. This list has been compiled on the basis of information available to Amnesty International as of June 1993. Any changes or corrections will be issued as necessary. Sections planning to reprint the list are advised to consult the IS (Themes Team) in case there have been any last-minute changes.

EXTERNAL (for general distribution)

AI Index: ACT 50/04/93

SC/DP

Distr:

words: 1538

No. of

Amnesty International

International Secretariat

Easton Street

London WC1X 8DJ

United Kingdom

1

June 1993

THE DEATH PENALTY
LIST OF ABOLITIONIST AND RETENTIONIST COUNTRIES
(JUNE 1993)

Amnesty International's latest information shows that 52 countries have abolished the death penalty for all offences, while 16 have done so for all but exceptional crimes such as wartime crimes. Nineteen 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. One hundred and three 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, an average of two countries a year 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 June 1993. 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		1945
ANGOLA	1992		
AUSTRALIA	1985	1984	1967
AUSTRIA	1968	1950	1950
CAMBODIA	1989		
CAPE VERDE	1981		1835
COLOMBIA	1910		1909
COSTA RICA	1877		
CROATIA	1990		
CZECH REPUBLIC	1990****		
DENMARK	1978	1933	1950
DOMINICAN REPUBLIC	1966		
ECUADOR	1906		
FEDERAL REPUBLIC OF GERMANY	1949/1987***		1949***
FINLAND	1972	1949	1944
FRANCE	1981		1977
GAMBIA	1993		1981
GUINEA-BISSAU	1993		1986*
HAITI	1987		1972*
HONDURAS	1956		1940
HONG KONG	1993		1966
HUNGARY	1990		1988
ICELAND	1928		1830
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		1950
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		**
SLOVAK REPUBLIC	1990****		
SLOVENIA	1989		
SOLOMON ISLANDS		1966	**
SWEDEN	1972	1921	1910
SWITZERLAND	1992	1942	1944
TUVALU			**
URUGUAY	1907		
VANUATU			**
VATICAN CITY STATE	1969		
VENEZUELA	1863		

TOTAL: 52 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.

**** The death penalty was abolished in the Czech and Slovak Federal Republic in 1990. On 1 January 1993 the Czech and Slovak Federal Republic divided into two states, the Czech Republic and the Slovak Republic. The last execution in the Czech and Slovak Federal Republic was in 1988.

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
PARAGUAY	1992	1928
PERU	1979	1979
SEYCHELLES		**
SPAIN	1978	1975
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
MADAGASCAR	1958*
MALDIVES	1952*
NAURU	**
NIGER	1976*
PAPUA NEW GUINEA	1950
SAMOA, WESTERN	**
SENEGAL	1967
SRI LANKA	1976
TOGO	

TOTAL: 19 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.)

4. RETENTIONIST

(Countries and territories which retain and use the death penalty for ordinary crimes)*

Country

AFGHANISTAN	INDIA	SAINT CHRISTOPHER AND NEVIS
ALBANIA	INDONESIA	SAINT LUCIA
ALGERIA	IRAN	SAINT VINCENT AND THE GRENADINES
ANTIGUA AND BARBUDA	IRAQ	SAUDI ARABIA
ARMENIA	JAMAICA	SIERRA LEONE
AZERBAIJAZHANI	JAPAN	SINGAPORE
BANGLADESH	JORDAN	SOMALIA
BARBADOS	KAZAKHSTAN	SOUTH AFRICA
BELARUS	KENYA	SUDAN
BELIZE	KOREA (Democratic People's Republic)	SURINAME
BENIN	[North Korea]	SWAZILAND
BOTSWANA	KOREA (Republic)	SYRIA
BULGARIA	[South Korea]	TADZHIKISTAN
BURKINA FASO	KUWAIT	TAIWAN (Republic of China)
BURUNDI	KYRGYZSTAN	TANZANIA
CAMEROON	LAOS	THAILAND
CENTRAL AFRICAN REPUBLIC	LAOS	TONGA
CHINA	LAOS	TRINIDAD AND TOBAGO
(People's Republic)	LAOS	TUNISIA
CONGO	LAOS	TURKEY
CUBA	LAOS	TURKMENISTAN
DOMINICA	LAOS	UGANDA
EGYPT	LAOS	UKRAINE
EQUATORIAL GUINEA	LAOS	UNITED ARAB EMIRATES
ESTONIA	LAOS	UNITED STATES OF AMERICA
ETHIOPIA	LAOS	UZBEKISTAN
GABON	LAOS	Viet Nam
GEORGIA	LAOS	YEMEN
GHANA	LAOS	YUGOSLAVIA
GRENADA	LAOS	ZAMBIA
GUATEMALA	LAOS	ZIMBABWE
GUINEA	LAOS	
GUYANA	LAOS	

TOTAL: 103 countries and territories

* Most of these countries and territories are known to have carried out executions during the past 10 years. On some countries Amnesty International has no record of executions but is unable to ascertain whether or not executions have in fact been carried out. Several countries have carried out executions in the past 10 years but have since instituted moratoria on executions.

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 and CAPE VERDE 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 (4) abolished the death penalty for all offences.
- 1989: CAMBODIA, NEW ZEALAND, ROMANIA and SLOVENIA (5) abolished the death penalty for all offences.
- 1990: ANDORRA, CROATIA (5), the CZECH AND SLOVAK FEDERAL REPUBLIC (6), HUNGARY, IRELAND, MOZAMBIQUE, NAMIBIA and SÃO TOMÉ AND PRÍNCIPE abolished the death penalty for all offences.
NEPAL abolished the death penalty for ordinary offences. (7)
- 1992: ANGOLA and SWITZERLAND abolished the death penalty for all offences.
PARAGUAY abolished the death penalty for ordinary offences.
- 1993: GAMBIA, GUINEA-BISSAU and HONG KONG abolished the death penalty for all offences.

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. In 1990 the German Democratic Republic became unified with the Federal Republic of Germany, where the death penalty had been abolished in 1949.
5. Slovenia and Croatia abolished the death penalty while they were still republics of the Socialist Federal Republic of Yugoslavia. The two republics became independent in 1991.

6. In 1993 the Czech and Slovak Federal Republic divided into two states, the Czech Republic and the Slovak Republic.

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