

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **TAIWAN: Abolition of the Death Penalty in Taiwan: a Further Serious Setback**

Amnesty International is deeply disappointed that Taiwan's Constitutional Court has rejected a petition to halt executions made on behalf of 44 death row inmates. The petition, filed by the Taiwan Alliance to End the Death Penalty (TAEDP), argued that Taiwan's application of the death penalty was unconstitutional and violated the International Covenant on Civil and Political Rights (ICCPR).

Amnesty International considers the death penalty the ultimate cruel, inhuman and degrading treatment and a violation of the right to life.

Amnesty International urges the government of Taiwan not to carry out executions and to make concrete progress towards its long stated goal to abolish the death penalty.

The brief decision published on 28 May by the Justices of the Constitutional Court made scant reference to the ICCPR and other international standards Taiwan has chosen to be bound by. These standards require that proceedings leading to the imposition of the death penalty must at every stage conform to the highest fair trial standards.

The Justices rejected lawyers' arguments that under current Taiwan law

- a) provisions for legal representation, particularly at the final stage trials, are inadequate, and violate fair trial guarantees in the ICCPR (article 14).
- b) opportunities to debate appropriate sentencing during trials are inadequate and could lead to arbitrary executions violating the ICCPR (article 6).

Amnesty International believes such arguments deserve the most careful scrutiny as executions following inadequate, unfair trials would certainly violate the right to life.

By resuming executions the government in Taiwan is out of step with global trends. Across the world, more than two thirds of countries have abolished the death penalty in law or practice and in 2009 only 18 countries were known to have carried out executions.

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