

# **AMNESTY INTERNATIONAL**

## **PUBLIC STATEMENT**

18 December 2017

AI Index: ACT 50/7614/2017

### **Death penalty: Ten years since first UN call for moratorium on executions, case for abolition stronger than ever**

Ten years since the UN General Assembly adopted its first resolution on a moratorium on the use of the death penalty, the global momentum towards abolition continues unabated. On the occasion of this anniversary, Amnesty International renews its calls on states that still retain the death penalty to take immediate steps to bring the world closer to ridding itself of the ultimate cruel, inhuman and degrading punishment.

#### **A powerful call**

Today, 18 December 2017, marks the tenth anniversary since the UN General Assembly – the main deliberative body of the UN with full membership – adopted ground-breaking resolution 62/149, calling on states that still retain the death penalty to establish a moratorium on executions with a view to abolishing this punishment. Although not binding on states, the powerful call by this UN body has carried considerable moral and political weight. It was proposed and enjoyed cross-regional support from an overwhelming majority of states and put the abolition of the death penalty clearly within the human rights priorities of the international community.

Since 2007, the UN General Assembly has since adopted five other resolutions on this issue, including most recently on 19 December 2016. The text of the resolutions evolved around the central call for a moratorium on executions, but also made important requests on states to strengthen the protection and promotion of human rights of those facing the death penalty, including by: reducing the number of offences for which the death penalty may be imposed; making publicly available information on any scheduled executions; not imposing the death penalty for offences committed by persons below 18 years of age, on pregnant women or on persons with mental or intellectual disabilities; and ensuring that those facing the death penalty can exercise their right to apply for pardon or commutation of their death sentence by ensuring that clemency procedures are fair and transparent, among other calls.

#### **A growing momentum**

The adoption of the 2007 resolution was a landmark development as it also generated a new momentum for global campaigning against the use of this punishment. The consideration and adoption by the UN General Assembly of such resolutions every two years has offered new opportunities for civil society and other abolitionist actors to engage governments and promote new debates on abolition where these dialogues did not exist before. It created an ongoing platform for

important debates around the death penalty, changing its perception as a criminal justice issue to one directly relating to the protection and promotion of human rights. The call for a moratorium on executions was also echoed in pronouncements against the death penalty in recent years by international and regional organizations, such as the UN Office on Drugs and Crime or the African Commission on Human and People's Rights, or international professional bodies, such as the World Medical Association.

Momentum against the death penalty saw the resolutions being adopted at the UN General Assembly with progressively increasing support, raising from 104 votes in favour in 2007 to 117 in most recent years. The increase is also mirrored in the number of states that have abolished the death penalty since 2007, with 14 countries repealing the death penalty completely from their national legislation and a further two becoming abolitionist for ordinary crimes only. During the past decade, 20 more countries undertook an irreversible commitment under international law to abolish the death penalty and several others have taken important steps to move in this direction.

### **The case for abolition**

While there is no doubt that the global journey towards abolition continues and that it is only a matter of time before the death penalty will be consigned to the history books, the challenges witnessed in the isolated minority of countries that still carry out executions could not paint a clearer case for renewed action in support of a moratorium on all executions, as a first step. [Figures](#) compiled by Amnesty International indicate that in 2016 172 (89%) of the 193 UN Member States were executions-free and only 11 countries known to have carried out executions every year of the previous five years. A handful of countries – China, Iran, Iraq, Pakistan and Saudi Arabia – were responsible for more than 90% of all known executions.

It is a well-documented fact that serious [violations of international human rights law and standards](#) have often been associated with the use of the death penalty, including in States that have undertaken voluntary commitments by ratifying international treaties. In many cases this punishment is imposed after proceedings in which the right to a fair trial is violated, including where defendants have been subjected to torture or other ill-treatment to extract “confessions” often used to convict them; on people who were below 18 years of age when the crime was committed; or on people or who have mental or intellectual disabilities. In some countries, it is imposed for offences that do not meet the threshold of the “most serious crimes”, such as drug-related offences, to which it must be restricted under international law, and is often imposed as a mandatory punishment. Amnesty International has repeatedly expressed concern about the [secrecy](#) that surrounds the use of the death penalty in a number of countries, including the world's lead executioner, [China](#); and remains alarmed at how those from vulnerable socio-economic backgrounds remain at greater disadvantage in their experience of criminal justice systems around the world.

### **Time for action**

Developments, including in recent weeks such as in [Iraq](#), have showed that some states completely disregard their international law obligations in this context. This calls for international condemnation and action. But despite all obstacles, there is no doubt that humanity's journey towards ridding itself the death penalty will continue.

As we look forward to 2018 and the forthcoming resolution on a moratorium on the use of the death

penalty that the UN General Assembly is likely to consider at its 73<sup>rd</sup> session, Amnesty International encourages all states to work together and support initiatives that will help see an end to the use of this punishment, once and for all.