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ON THE DEATH PENALTY
LIST OF ABOLITIONIST AND RETENTIONIST COUNTRIES
(SEPTEMBER 1995)

More than half the countries in the world have abolished the death penalty in law or practice.

South Africa's Constitutional Court ruled on 6 June that capital punishment as provided for under the Criminal Procedure Act is inconsistent with the country's constitution. South Africa is now classified as abolitionist for ordinary crimes.

Albania and Moldova committed themselves in June to cease executions and to ratify the Sixth Protocol to the European Convention on Human Rights concerning the abolition of the death penalty, preparatory to joining the 34-nation Council of Europe. Albania and Moldova are now classified by Amnesty International as abolitionist de facto.

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 have abolished the death penalty in law or, having done so for ordinary offences, have gone on to abolish it for all offences.

The lists have been compiled on the basis of information available to Amnesty International as of the end of September 1995. Any changes or corrections will be issued as necessary.

The number of abolitionist and retentionist countries is now as follows:

Abolitionist for all crimes	54
Abolitionist for ordinary crimes only	16
Abolitionist <u>de facto</u>	30
Total abolitionist in law or practice	100
Retentionist	94

1. ABOLITIONIST FOR ALL CRIMES

(Countries and territories 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
ANGOLA	1992		
AUSTRALIA	1985	1984	1967
AUSTRIA	1968	1950	1950
CAMBODIA	1989		
CAPE VERDE	1981		1833
COLOMBIA	1910		1909
COSTA RICA	1877		
CROATIA	1990		
CZECH REPUBLIC	1990*		
DENMARK	1978	1933	1950
DOMINICAN REPUBLIC	1966		
ECUADOR	1906		
FINLAND	1972	1949	1944
FRANCE	1981		1977
GERMANY	1949/1987**		1949**
GREECE	1993		1972
GUINEA-BISSAU	1993		1986***
HAITI	1987		1972***
HONDURAS	1956		1940
HONG KONG	1993		1966
HUNGARY	1990		1988
ICELAND	1928		1830
IRELAND	1990		1954
ITALY	1994	1947	1947
KIRIBATI			****
LIECHTENSTEIN	1987		1785
LUXEMBOURG	1979		1949
MACEDONIA			
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
PARAGUAY			
PARAGUAY			1903***
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: 54 countries			

* 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.

** 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.

*** Date of last known execution

**** No executions since independence

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
MALTA	1971	1943
MEXICO		1937
NEPAL	1990	1979
PARAGUAY	1992	1928
PERU	1979	1979
SEYCHELLES		**
SOUTH AFRICA	1995	1991
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 can be considered abolitionist in practice in that they have not executed anyone during the past 10 years or more, or in that they have made an international commitment not to carry out executions)

<u>Country</u>	<u>Date of Last Execution</u>
ALBANIA*	
BHARAIN	1977
BELGIUM	1950
BERMUDA	1977
BHUTAN	1964**
BOLIVIA	1974
BRUNEI DARUSSALAM	1957
BURUNDI	1982
CENTRAL AFRICAN REPUBLIC	1981
CONGO	1982
COMOROS	***
COTE D'IVOIRE	
DJIBOUTI	***
GAMBIA	1981
MADAGASCAR	1958**
MALDIVES	1952**
MALI	1980
MOLDOVA****	1989
NATURU	***
NIGER	1976**
PAPUA NEW GUINEA	1950
PHILIPPINES	1976
RWANDA	1982
SENEGAL	1967
SRI LANKA	1976
SURINAME	1982
TOGO	
TONGA	1982
TURKEY	1984
WESTERN SAMOA	***

TOTAL: 30 countries and territories

* Preparatory to Albania's joining the Council of Europe, in a declaration signed on 29 June, Pjetër Arbnori, President of the Albanian Parliament, said he was willing to commit his country "to put into place a moratorium on executions until [the] total abolition of capital punishment".

** Date of last known execution

*** No executions since independence

**** Preparatory to joining the Council of Europe, Moldova committed itself on 27 June "to uphold the moratorium on executions until the total abolition of capital punishment".

4. RETENTIONIST

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

Country

AFGHANISTAN	GUYANA	QATAR
ALGERIA	INDIA	RUSSIA
ANTIGUA AND BARBUDA	INDONESIA	SAINT CHRISTOPHER AND NEVIS
ARMENIA	IRAN	SAINT LUCIA
AZERBAIJAZHIAN	IRAQ	SAINT VINCENT AND THE GRENADINES
BAHAMAS	JAMAICA	SAUDI ARABIA
BANGLADESH	JAPAN	SIERRA LEONE
BARBADOS	JORDAN	SINGAPORE
BELARUS	KAZAKHSTAN	SOMALIA
BELIZE	KENYA	SUDAN
BENIN	KOREA (Democratic People's Republic)	SWAZILAND
BOSNIA-HERZEGOVINA	[North Korea]	SYRIA
BOTSWANA	KOREA (Republic)	TADZHIKISTAN
BULGARIA	[South Korea]	TAIWAN (Republic of China)
BURKINA FASO	KUWAIT	TANZANIA
CAMEROON	KYRGYZSTAN	THAILAND
CHAD	LAOS	TRINIDAD AND TOBAGO
CHILE	LAOS	TUNISIA
CHINA (People's Republic)	LEBANON	TURKMENISTAN
CUBA	LESOTHO	UGANDA
DOMINICA	LIBERIA	UKRAINE
EGYPT	LIBYA	UNITED ARAB EMIRATES
EQUATORIAL GUINEA	LITHUANIA	UNITED STATES OF AMERICA
ERITREA	MAURITANIA	UZBEKISTAN
ESTONIA	MAURITIUS	VIETNAM
ETHIOPIA	MONGOLIA	YEMEN
GABON	MOROCCO	YUGOSLAVIA (Federal Republic of)
GEORGIA	MUANGKHAM	ZAMBIA
GHANA	NIGERIA	ZAMBIA
GREENLAND	OMAN	ZIMBABWE
GUATEMALA	PAKISTAN	
GUINEA	POLAND	

TOTAL: 94 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 national moratoria on executions.

LIST OF COUNTRIES WHICH HAVE ABOLISHED THE DEATH PENALTY SINCE 1976

- 1976: PORTUGAL abolished the death penalty for all crimes.
CANADA abolished the death penalty for ordinary crimes.
- 1978: DENMARK abolished the death penalty for all crimes.
SPAIN abolished the death penalty for ordinary crimes.
- 1979: LUXEMBOURG, NICARAGUA and NORWAY abolished the death penalty for all crimes.
BRAZIL, FJI and PERU abolished the death penalty for ordinary crimes. (1)
- 1981: FRANCE and CAPE VERDE abolished the death penalty for all crimes.
- 1982: The NETHERLANDS abolished the death penalty for all crimes.
- 1983: CYPRUS and EL SALVADOR abolished the death penalty for ordinary crimes.
- 1984: ARGENTINA and AUSTRALIA abolished the death penalty for ordinary crimes. (2) (3)
- 1985: AUSTRALIA abolished the death penalty for all crimes. (3)
- 1987: HAITI, LIECHTENSTEIN and the GERMAN DEMOCRATIC REPUBLIC abolished the death penalty for all crimes. (4)
- 1989: CAMBODIA, NEW ZEALAND, ROMANIA and SLOVENIA abolished the death penalty for all crimes. (5)
- 1990: ANDORRA, CROATIA, the CZECH AND SLOVAK FEDERAL REPUBLIC, HUNGARY, IRELAND, MOZAMBIQUE, NAMIBIA and SÃO TOMÉ AND PRÍNCIPE abolished the death penalty for all crimes. (5) (6)
- NEPAL abolished the death penalty for ordinary crimes. (7)
- 1992: ANGOLA and SWITZERLAND abolished the death penalty for all crimes.
PARAGUAY abolished the death penalty for ordinary crimes.
- 1993: GREECE, GUINEA-BISSAU and HONG KONG abolished the death penalty for all crimes.
- 1994: ITALY abolished the death penalty for all crimes.
- 1995: SOUTH AFRICA abolished the death penalty for ordinary crimes.

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 crimes 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 crimes. 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 crimes.
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.