

ASEAN: Death penalty is not the answer

Amnesty International today urged ASEAN countries meeting in Bali, Indonesia, not to erode human rights protection by using the death penalty to fight drug trafficking.

"The concern within ASEAN about increasing drug addiction and drug-related crimes is justifiable, yet there is compelling evidence of the futility and injustice of trying to use the death penalty to suppress drug trafficking and abuse," Amnesty International said.

"There is no evidence, despite the high number of executions, that the death penalty has been an effective tool in combatting the trafficking or abuse of illegal drugs in South East Asia. The death penalty not only adds to the terrible waste of life caused by use of illegal drugs, but also carries the inherent risk of executing the innocent."

This comes after recent statements by several member governments -- including Indonesia, Thailand and Philippines -- which could point towards a strategy of increased reliance on the death penalty to combat the illegal drugs trade.

The People's Republic of China will also be present as a donor country. A large proportion of sentences and executions in China monitored by Amnesty International each year include those relating to drug-related crimes. China has an appalling record of executions: between April and June 2001, Amnesty International recorded at least 2,960 death sentences and 1,781 executions.

Nine out of the ten member states of ASEAN have some provision in law for the use of the death penalty for drug-related offences.

Amnesty International is worried that, on top of the already high rates of executions for drug offences, recent statements and actions by some governments may herald its increased use.

"Governments often justify their use of the death penalty saying public opinion favours it. However, no studies on the use of the death penalty have found that it has a deterrent effect," Amnesty International said.

In October 2001, the President of Indonesia, Megawati Sukarnoputri called for the increased use of the death penalty for drug traffickers and drug dealers. Amnesty International knows of thirteen people on death row convicted of drug smuggling since January 2000.

In particular, there is concern that the use of the death penalty is especially dangerous when trials may be unfair. In September 2000, the Indonesian National Human Rights Commission highlighted the case of Saka bin Juma, who was allegedly tortured to extract a confession and denied access to legal counsel before the trial. He is currently on death row and has complained that he does not know how to access the appeals process.

"More than half of the world's countries have abolished the death penalty in law or practice," said Amnesty International. "Our hope now is that governments in Southeast Asia will join that majority and demonstrate respect for human life by ending all executions, including for drug offences."

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