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Bangladesh: Do not expand the use of the death penalty!

The Bangladesh cabinet's approval of a bill that expands the scope of the death penalty is a step in the wrong direction. The Human Trafficking Prevention and Curbing bill, if approved by Parliament, will add human trafficking to the long list of capital offences. The addition will single out Bangladesh as one of few states moving against the worldwide trend to limit the scope of the death penalty.

Amnesty International urges the Bangladesh government to remove the death penalty from the provisions of the bill. If the government fails to do that, Members of Parliament should limit the scope of the death penalty in their country and refrain from approving the bill.

The bill was approved at a cabinet meeting chaired by Prime Minister Sheikh Hasina on 11 July.

Amnesty International has documented and condemned various forms of human trafficking around the world as violations of human rights. Amnesty International acknowledges the states' responsibility to take action against those who lure individuals into situations where they will be trafficked, with all the risk of violence and abuse that this entails. But there is no convincing evidence that the death penalty deters crime more effectively than other forms of punishment.

Alternatives to the death penalty could range from providing improved work and education opportunities for girls and boys equally, empowering poor and destitute families not to be tricked by the deceptive promises the traffickers will make to them, setting up well equipped advice centres for individuals or families to discuss any offers they receive and seek advice and support, and bringing accused persons to justice in fair trials without recourse to the death penalty.

Bangladesh is a state party to the International Covenant on Civil and Political Rights. Article 6 of the Covenant allows for the use of the death penalty in certain circumstances with specific safeguards, but Article 6 has been interpreted, by UN authorities, to refer to abolition in terms that strongly suggest that abolition is desirable.

In March 2010, the High Court Division of the Supreme Court of Bangladesh ruled that mandatory imposition of the death penalty for murder after rape was unconstitutional. Bangladesh should work to further reduce the number of offences for which the death penalty is imposed. To do so, the government must reverse its decision to expand the death penalty to cover human trafficking offences.

Amnesty International urges the Bangladesh government to establish a moratorium on executions as the first step towards abolition of the death penalty.

Amnesty International also calls on the Bangladesh government to join the global trend towards abolition of the death penalty. This trend is unmistakable. As of today, 139 countries have abolished the death penalty in law or practice. Even in countries that retain the death penalty, less than half regularly execute. In the Asia-Pacific region, which still accounts for the

majority of the executions in the world, as many as 17 countries have already abolished the death penalty for all crimes. Instead of increasing the scope of the death penalty Bangladesh has the opportunity to join this trend. That will be a major human rights achievement for the country.

Background information

At least nine executions were carried out and 32 people were sentenced to death in Bangladesh in 2010. Amnesty international opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the individual on whom it is imposed, or the method of execution used by the state.

Since 2007, the United Nations General Assembly has adopted, with increased cross-regional support, three resolutions calling upon UN Member States to establish a moratorium on executions with a view to abolishing the death penalty.

In resolution 2005/59, adopted on 20 April 2005, the UN Commission on Human Rights called upon all states that still maintain the death penalty "not to extend its application to crimes to which it does not at present apply."

The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has stated: "The scope of application of the death penalty should never be extended..." The Special Rapporteur has deplored reinstatements and expansions of the scope of the death penalty and has stated that these developments "are in clear violation of the international trend towards abolishing the death penalty."