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Liberia: President must veto death penalty bill

Following the confirmation by the Liberian Senate of a bill re-proposing the death penalty for certain crimes, Amnesty International called on President Ellen Johnson-Sirleaf to veto the bill.

“The surest way to address crime is to strengthen the criminal justice system and the capacity of law enforcement agencies – not to carry out state killings, which have never been shown to be a deterrent,” said Amnesty International.

The bill, passed by the House of Representatives on 7 May and the Senate on 16 July, makes armed robbery, terrorism and hijacking capital offenses.

The move came despite the fact that in September 2005, Liberia acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), which obliges Liberia to take all necessary measures to abolish the death penalty.

“The Liberian government must fulfil its obligation under international law to abolish the death penalty,” said Amnesty International. “Rather than introducing legislation such as this bill, the Liberian government should introduce a constitutional provision abolishing the death penalty for all crimes.”

“This legislation is in bad faith, and entirely inconsistent with the object and purpose of the protocol to which the Liberian government acceded, which aims to abolish the death penalty.”

Amnesty International urged the Liberian government to carry out a survey of current legislation with a view to abolishing the death penalty for all crimes, including in military penal codes.

Amnesty International opposes the death penalty in all circumstances as a violation of the right to life and as the ultimate cruel, inhuman and degrading punishment.

Notes to editors:

According to Article 31 (1) of the Vienna Convention on the Law of Treaties, a treaty is to be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose. The presumption of good faith justifies the conclusion that states parties intend treaties to be effective.

Since the accession to the Second Optional Protocol of the ICCPR by Liberia was a voluntary undertaking, the government's behaviour must produce the effects it has openly sought, and the government is effectively

bound, in accordance with its declarations.

As of today, 137 states in the world have abolished the death penalty in law or practice. In recognition of this trend the United Nations General Assembly adopted, in December 2007, resolution 62/149 calling on all retentionist countries to establish a moratorium on executions with a view to abolishing the death penalty, and on states that have abolished the death penalty not to reintroduce it.