AMNESTY INTERNATIONAL

LEARNING FROM SUCCESS: AI's CONTRIBUTION TO THE UN's DEATH PENALTY MORATORIUM

REPORT SUMMARY

INTRODUCTION

Learning from success – AI's contribution to the UN's death penalty moratorium, examines the influence of Amnesty International's lobbying at the UN and the mechanisms that trigger change in this environment. The main purpose of this study is to establish AI's contribution to the UN's landmark decision to back a resolution calling for a global moratorium on executions.

On 18 December 2007, the UN General Assembly (UNGA) adopted a historic resolution calling for a worldwide moratorium on executions. The resolution was adopted by 104 out of the 192 UN countries. Until then the concept of a moratorium on executions had failed to progress several times at the UN. However, the proposal was making remarkable progress elsewhere, for example at the Council of Europe and at the African Commission on Human and People's Rights. At the same time, the worldwide trend towards abolition continued to grow. As of June 2009, 93 countries had abolished the death penalty for all crimes. Ten other countries have abolished the death penalty for ordinary crimes and 36 are abolitionist in practice.

METHODOLOGY

Using AI's "Dimensions of Change"[1] framework, this impact assessment was carried out by the IS' Learning and Impact Unit (LIU) and was focused on the *policy* dimension which encompasses changes in legislation, policy principles and standards. "Changes in discourse" of relevant various actors was chosen as the progress indicator and stakeholders' engagement was used as the main method of enquiry.

Two main groups of stakeholders were sampled:

- UN mission delegates who were divided according to their country's standing on the death penalty: i.e. abolitionists in law, abolitionists in practice and retentionists; and
- Non-governmental organisations (NGOs) actively working for the resolution who were drawn mainly from members of the Steering Committee of the World Coalition Against the Death Penalty (WCADP).

The stakeholder interviews took place late in 2007. This was a crucial time for UN mission delegates – falling between the Third Committee and UNGA vote – and for NGOs which we approached just two weeks before the Third Committee vote.

We conducted face-to-face interviews with representatives from a total of 23 UN missions over 10 days at the UN in New York. Individuals from a total of five NGOs were interviewed by telephone.

FINDINGS

EXTERNAL FACTORS INFLUENCING THE ADOPTION OF THE RESOLUTION

[1] The Dimensions of Change is Amnesty International's (AI) policy on impact assessment. It is a framework for measuring AI's results and added value, and it is based on AI's vision and mission as defined in AI's Statute.

A number of external factors led to the successful passing of the UN resolution:

- **Moratorium is part of a step-by-step process towards abolition:** The decision to shift from a resolution calling for the abolition of the death penalty to one calling for a moratorium was key to the success of the UN vote: "The fact that we concentrated on a moratorium rather than the abolition at this stage was key to passing the resolution"; "Better to have a step-by-step approach because if we had failed it would have been a step backwards".

- **Cross-regional initiative:** Although the resolution was initiated by the EU, their strategy was to engage a wider group of co-sponsors/authors to demonstrate global support for the resolution. This strategy was especially successful in the UNGA setting where voting can be forced into regional blocks and specifically the North versus the South: "Having a multi-regional initiative was key during the vote"; "African nations worked hard and Latin Americans made a difference. Without them we wouldn't have won it".

- **Fitting into a global trend:** According to the majority of those interviewed, one of the main factors contributing to the resolution's success was that it coincided with the current global trend towards abolition of the death penalty: "A growing number of states [are] working towards abolition"; "There is a trend in the world"; "There is also a trend towards abolition in Latin America and Africa"; "We have never been in a better situation. We now have two-thirds of countries who are abolitionists".

- **Champions – within governments:** UN mission champions working effectively and passionately together around the resolution was acknowledged as one of the key factors influencing the adoption of the resolution. The EU was considered the most important agent of the resolution's success, with Gabon, Italy, Mexico and Portugal highlighted as important players. Brazil, New Zealand and the Philippines were also identified as having played a positive role in the debate around the resolution. Other countries mentioned as influential were Angola, Croatia, Macedonia, the Netherlands and Timor-Leste.

- **Champions – within NGOs and civil society:** Every participating mission saw a valuable role for NGOs and civil society: "We couldn't have done it without the support of NGOs". Organisations mentioned were the Community of Sant' Egidio, the Fédération Internationale des Droits de l'Homme, Human Rights Watch – described as "a big strength" – Hands Off Cain, and the WCADP. AI was identified by the majority of participants as the main NGO player on the issue at UN level: "Other organisations have local influence but Amnesty International has international influence. This made a difference".

AMNESTY INTERNATIONAL'S CONTRIBUTION

DIRECT INTERNATIONAL LOBBYING AND PROVISION OF INFORMATION AT THE UN

WHAT WORKED?

- **Direct lobbying**: AI's direct lobbying and bilateral conversations with UN mission delegates, particularly among African delegates, emerged as one of our main contributions to the successful vote: "You sent an expert who was excellent and it was very valuable to have him demarche the countries of his own region [Africa] as these people have the credibility and background that we don't have". This view is confirmed by the shift in voting patterns of African countries between the Third Committee and the Plenary Session. Four out of seven countries changing their votes positively were from Africa.

- **Factual information:** AI's provision of background information was key to helping participants articulate their position effectively: "We gave good arguments, especially Amnesty International's ones".

- **General lobbying:** AI's general lobbying work was seen as effective, active and engaged: "Pressure from Amnesty International (works) and this should continue". AI was considered the most noticeable and vocal of all NGOs on the resolution – a fact corroborated by missions from all voting patterns. This level of recognition translated into AI being seen as an important player in engaging others in the debate and driving forward the campaign for the resolution: "AI definitely influenced our country".

- **IS New York office:** The role of the IS New York Office was praised by all delegates, as was the information and materials that they produce: "Every delegation knows the staff of AI in New York (international office) and it says a lot. It means it is harder to say no to meeting with Amnesty International".

WHAT CAN BE IMPROVED?

- **Lobbying too one-sided:** Some participants suggested that AI's contribution could have been more effective: "Amnesty International concentrated on the convinced countries rather than on the undecided ones, which was a waste of effort". Others thought that AI's lobbying could have been more aligned with what mission delegates were themselves doing both in New York and in capitals: "AI's best scenario is to prepare delegations, discussions and documents in New York and in the capital to prepare international opinion on the issue". Other missions – who voted against the resolution – thought that AI's lobbying on the death penalty was partial and one-sided.

ORGANISATION AND SPONSORSHIP OF PUBLIC EVENTS AT THE UN

WHAT WORKED?

- **Awareness of AI events[2]:** Almost all the delegates interviewed were aware of the events organised by AI. Only two were not aware of them; they were from missions that voted against the resolution.

- **Power of personal stories:** Of the two events organised by AI, those interviewed felt that the second event with former death row inmates was more successful due to the power of the personal stories of the individuals: "They (former death row inmates) touched everyone in different ways; (the event) had a huge impact on member states. I was speechless".

WHAT CAN BE IMPROVED?

- **Venues**: The first event with a celebrity panel was thought of as a lost opportunity partly because it was held in an inappropriate venue. "Your panel discussion contributed to increasing debate on the issue. Not many delegations were there but I went"; "I expected more people and a broader audience".

- **Timing**: Most mission delegates interviewed who voted against the resolution were unable to attend the events because they were too busy to do so. An idea could be to spread out the events throughout the year rather than just around the times when the General Assembly takes place.

- **Avoid "preaching to the converted"**: Because of low attendance, the impression was that the events were conducted to an audience of allies "It was attended mostly by friendly states who have already abolished the death penalty, or who were already supportive so you were preaching to the converted a bit".

- **Events might make little difference as an influencing technique:** Most of the mission's delegates interviewed who voted against the resolution expressed doubts about the usefulness of lobbying events in changing voting patterns. This was linked to the fact that on death penalty issues, decisions are made in capital and so influencing mission delegates at the UN would not make any difference: "Events are not that influential because it's too late and the decisions are already made somewhere else".

THE AMNESTY INTERNATIONAL BRAND IN THE UN ENVIRONMENT

WHAT WORKED?

- **Links to grass-roots activity:** AI's added value was closely linked with its influence at both local and international levels. One of the strengths attributed to AI was its ability to connect UN delegates with the grass roots level, from which they felt disconnected.

- **A trusted brand:** Respect for and trust in AI's brand were the main reasons why AI's information was sought after and taken seriously: "We trust Amnesty International because you respect confidentiality … we know you're serious".

- **Partnerships:** Another of AI's strengths was its relationship, developed over the course of many years, with co-sponsors of the resolution.

- **Endorsement of the moratorium:** The most important contribution mentioned by several of those interviewed was AI's support for shifting the focus of the resolution from abolition to moratorium.

WHAT CAN BE IMPROVED?

[2] An AI public seminar in New York with former death row prisoners from Japan, Uganda and USA on the issue of innocence and the death penalty and AI's work on the World Day Against the Death Penalty with press conferences in five cities and a petition for presented to the UNGA on 2 November 2007, through a delegation including AI.

- **Should have acted earlier:** Some participants thought that had AI shifted its position earlier, the resolution would have passed years ago: "If AI had a different position on the moratorium; the resolution would have been passed in 2003 and even in 1999".

WCADP AND CIVIL SOCIETY ORGANIZATIONS ON AMNESTY INTERNATIONAL'S CONTRIBUTION

WHAT WORKED?

- **International scope and research:** Most of the NGO interviewees agreed that AI's added value was in its international reputation, its ability to research and present facts and figures, and in its international structure and resources.

WHAT CAN BE IMPROVED?

- **Be more flexible:** Some participants noted a lack of flexibility in AI's decision-making: "[It] takes a long time to make decisions at AI. I know it's a big organisation so it's complicated but it does make it slow".

LESSONS LEARNED AND RECOMMENDATIONS

- **Potentiate international lobbying work**: This study reflected that AI's lobbying activities at the UN are important and effective. However, it also found that more attention should be given to the nature and logistics of events which need to be aimed at wider UN audience, focusing particularly on those who are in disagreement with AI's standpoint. These lobbying events need to be held throughout the year and not only around the time of discussion and meeting. AI needs to increase its role as an ambassador of human rights movement by building image of AI as an organisation striving towards diversity and inclusiveness.

- **Demystify the need of the death penalty**: Our findings clearly highlight the importance of AI as a provider of information and counter arguments against death penalty. For this reason, by undertaking or promoting existing AI report or studies from other respected organisations, AI should continue to make available arguments which demystify the perception that death penalty is essential to enduring social problems. AI should promote the increased global trend towards the elimination of the death penalty. This could include the promotion of the UNGA Resolution on the Moratorium at national and international levels.

- **Promote the concept of indivisibility of rights**: Our findings also brought up a perceived division between the West and the Global South in the perception of human rights. AI should focus on changing the perception at the UN that AI is only about Civil and Political rights. AI needs to promote the concept of indivisibility of rights and work towards changing the public perception of human rights, especially in the Global South.

- **Improve the design of AI's global strategies**: The findings point to the need for AI to improve its strategy development around the death penalty. AI is perceived as a powerful actor but not as such a flexible one. This case example shows that a step by step approach can work better than positions based on absolute principle which risk conveying a rigid message and preventing dialogue as a possible tactic to effect change. This calls for investment of more time and other resources for reflection when designing campaigning actions. The findings also points towards the need to combine international lobbying with strategies at the national level. This entails a closer coordination within and between the IS, sections and structures, partner organisations and other civil society organizations.

- **Diversify AI's identity, its voice and representation**: The findings revealed that a more diversified AI voice and representation at the UN can make a positive difference. We found that there is a view in certain quarters of the Global South that AI is a "western" organisation imposing western values. This asks for diversifying AI's membership and developing a global communication strategy to clearly state and make real AI's aims of inclusiveness and local relevance.

- **Case study research methodology:** The impact study confirms that stakeholders' engagement as a technique which can function in different environments. The participants' engagement and approval of the exercise were found to be overwhelmingly positive. Mainstreaming some of the elements of this technique into regular operations as a way of reviewing and improving strategies will be helpful in making AI better at learning and impact assessment.