

10 April 2013



Press Conference

Department of Public Information • News and Media Division • New York

PRESS CONFERENCE TO PRESENT AMNESTY INTERNATIONAL'S ANNUAL REPORT ON DEATH PENALTY

The 2012 figures on use of the death penalty confirmed the overall global trend towards abolition, a senior Amnesty International official said at a Headquarters press conference today.

However, 2012 had also witnessed setbacks, said Widney Brown, the human rights campaign group's Senior Director of International Law and Policy, citing the resumption of capital punishment in Gambia, India, Japan and Pakistan. The alarming rise in Iraq's reported executions, compared to the previous year, was also of grave concern, she added.

Ms. Brown said the first four Governments had carried out executions after not having done so for significant periods. Japan had applied the death penalty after 20 months, but probably the most alarming case was the Gambia, where nine people had been executed after 30 years. India and Pakistan had also resumed executions, respectively after eight and four years without applying capital punishment.

Presenting the report, Ms. Brown said the support of Governments was "absolutely crucial" to winning the campaign for total abolition of the death penalty, noting that it was never good news to see retrogression on such an issue. However, there was also some "very positive" news: in terms of absolute numbers that Amnesty had been able to confirm, virtually the same number of people had been executed around the world, excluding China, compared to the previous year. Secondly, the number of countries that had actually executed people in 2013 and 2012 had not risen, she said, noting that although the actors had changed, it remained at 21.

Of those 21, five were responsible for the vast majority of executions, she continued, adding that in order of numbers, they were China, Iran, Iraq, Saudi Arabia and the United States. "Those five countries consistently show up as the top executors year after year; although we are seeing even there some drops, with the exception of Iraq, where we actually saw double the number this year than we had in 2011." Most executions were therefore carried out by a small number of States that were persistent in their defence of the death penalty — something that must be challenged.

Many of those Governments continued to defend the death penalty after at least two decades of a strong shift away from acceptance of the death penalty as a legitimate form of punishment, she said, describing capital punishment as "the ultimate violation of the right to life and a cruel, inhuman and degrading punishment". They cited an array of reasons, the most consistent one being popular support for the death penalty. However, the whole point of government was to ensure that rationality and observance of international standards trumped emotions. Because humans tended to err, it was particularly critical that Governments had the maturity and ability to lead, even when the governed may not fall in behind them, she emphasized.

Sponsored by the Permanent Mission of France, the press conference also heard from Gérard Araud, that country's Permanent Representative, as well as Jean-François Régis Zinsou and Eduardo Ulibarri, his counterparts from Benin and Costa Rica, respectively. All three countries have abolished the death penalty.

Mr. Araud said everyone knew the death penalty did not reflect justice but rather failed justice or a miscarriage of justice, because it was irreversible and had proven ineffective in fighting crime. For that reason, France had committed for 30 years now to the fight for universal abolition of the death penalty. With each passing year, that fight was moving forward, with well over a 100 States having abolished it and a greater number continuing to support the General Assembly's call for a moratorium on executions, he said, recalling that some 111 countries had voted in favour of the relevant Assembly resolution last December.

However, the Amnesty International report showed that the battle was far from being won, he emphasized. For instance, numerous countries had recently resumed the practice of executions which they had interrupted for some time while others had continued to carry out the death penalty, sometimes in secret. France's Foreign Minister had decided to mobilize his Government's diplomacy around the world in favour of the campaign to abolish capital punishment and in support of the essential efforts by Amnesty International. "We will continue to fight the death penalty until it is abolished, because the idea that we can kill on behalf of justice or in the name of justice goes against our values and the values of humanity," he declared. But the fight to ban the death penalty would not be won unless the international community and civil society worked together, he cautioned.

Mr. Ulibarri said his country had abolished the death penalty in 1877, and the ban had been permanent since 1882 when it had been enshrined in the Constitution. Costa Rica opposed capital punishment for the practical reason that there was no clear evidence at all that it was, by itself, a strong deterrent against crime. Rather, a coherent, balanced and well-enforced criminal policy was much more effective in fighting crime, he said, emphasizing the need to improve existing policies.

While recognizing that the issue was sensitive for some countries, he said that from Costa Rica's point of view, the best way to engage and promote constructive dialogue on the issue was to have facts and good information, both of which were provided by the Amnesty International report.

Mr. Zinsou said his country was honoured to be among those that had "turned the corner" by adopting and ratifying the Additional Protocol to the International Covenant on Civil, Social and Political Rights. The seventy-fifth State party to do so, Benin had reached that decision after observing the moratorium on the death penalty for "quite a long time", he explained. There was a strong civil society movement in favour of abolition, in addition to a citizenry that was "very attached" to its rights and that wished to follow the legal procedures established by the Constitution. A notable institution in that regard was the Constitutional Court, to which all citizens turned when it came to violations of the Constitution or of rights enshrined in it. He called for international mobilization to strengthen prison systems in countries like Benin because very often the lack of such capacities led to overcrowding, which in turn resulted in an inability to manage dangerous criminals.

Asked why the United States did not wish to join the movement to abolish the death penalty, Ms. Brown said the country's "exceptionalism" on a wide range of issues was "perplexing". However, Amnesty International knew that pressure had persuaded the United States finally to stop executing people for capital crimes committed when they were children because it was consistently being lumped with Governments that had very poor human rights records. That had ultimately driven the Supreme Court to change the situation, she said, expressing hope that the United States would eventually be brought on board. She pointed out that 17 states had now abolished capital punishment, adding that others were expected to follow suit.

When asked about new progress on the diplomatic front, Mr. Araud said that although the agenda items for the next General Assembly session had not yet been decided, France wished to continue with the moratorium established by the last session, with a view to consolidating consensus, at least on the non-resort to the death penalty.

Asked if drone strikes should be considered a form of death penalty, and whether they should be described as extra-judicial executions in future reports, Ms. Brown acknowledged that the United States was trying to coat drone attacks with a "patina of legitimacy", but was equally "un-transparent" on that score and

must equally be criticized in the same way as both China and the Democratic People's Republic of Korea for their lack of transparency. The report did not cover drone attacks because they were not considered judicially authorized executions and therefore fell outside its scope, she said. "But certainly, the whole issue of transparency is very much one to bring home to the host Government on this."

When asked about the presence of French armed forces in Mali, Mr. Araud said that had nothing to do with the death penalty, which was the consequence of due legal process. Additionally, he explained, the French armed forces were implementing international humanitarian law and the laws of war in the West African country.

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