

The Death Penalty: A Worldwide View

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Overview

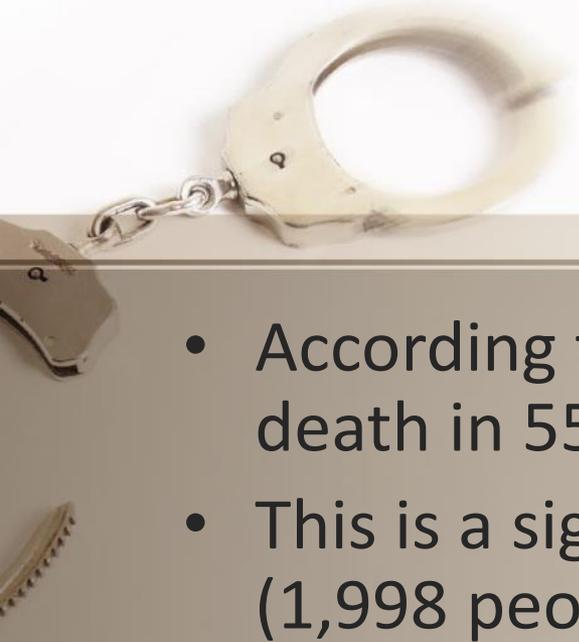
We will take a brief look at the following worldwide trends concerning the death penalty in 2016:

- Death sentences.
- Use of the death penalty.
- Abolition or retention of the death penalty, and some main reasons why countries retain the penalty.

Most of the statistics in this presentation are from the *Amnesty International Global Report: Death Sentences and Executions 2016* (2017)



Death Sentences

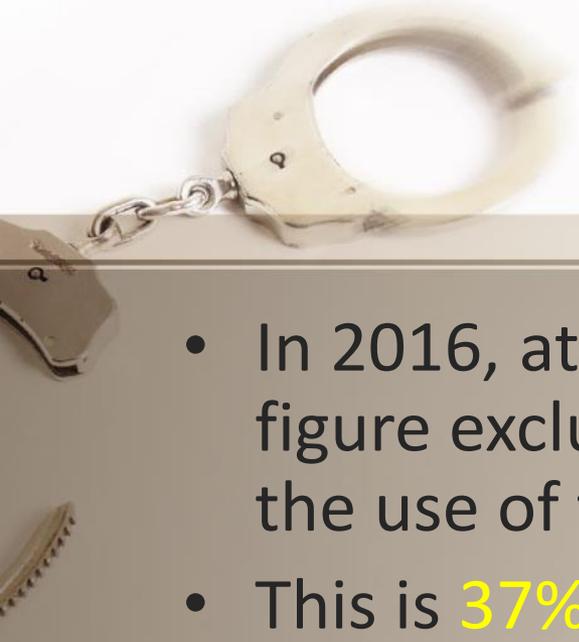


Death Sentences

- According to AI, **3,117 people** were sentenced to death in 55 countries in 2016.
- This is a significant increase over the 2015 figure (1,998 people), and exceeds the previous highest figure in 2014 (2,466 people).
- AI explains that the increase is partly because some countries such as Thailand provided detailed information for the first time, and because of AI's own ability to obtain more credible data on other countries.
- At the end of 2016, at least **18,848 people** are known to be under sentence of death.

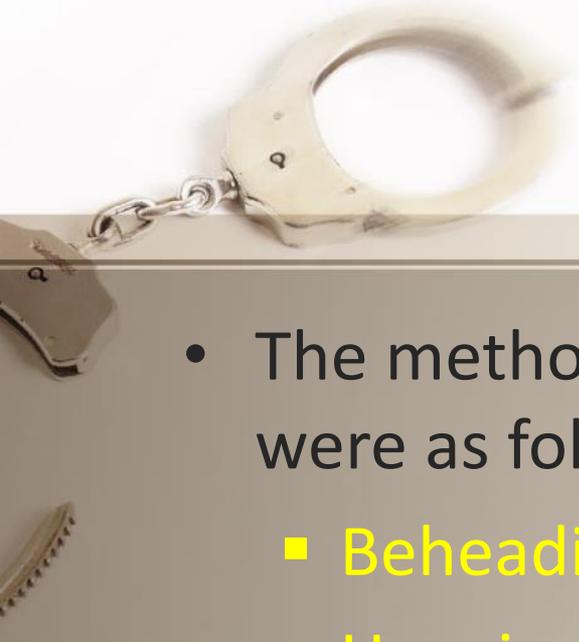


Use of the Death Penalty



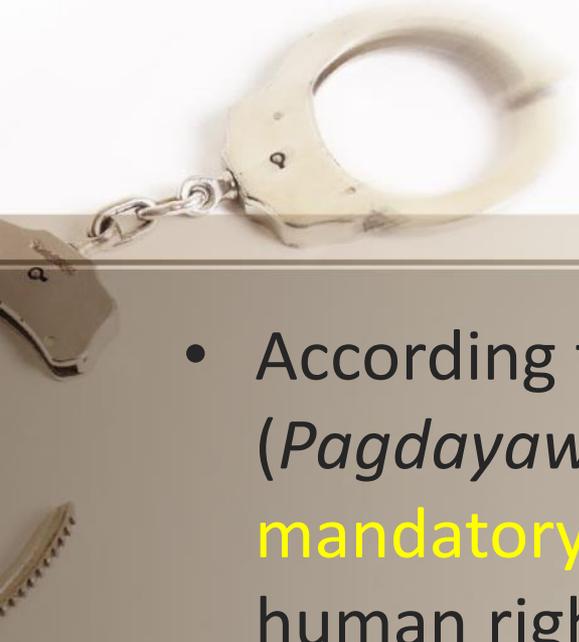
Use of the Death Penalty

- In 2016, at least **1,032 people** were executed. (The figure excludes executions in China, where data on the use of the death penalty is a state secret.)
- This is **37% lower** than in 2015, in which AI noted a record number of people executed since 1989.
- Four countries accounted for 87% of the executions: Iran, Iraq, Pakistan and Saudi Arabia. Iran itself accounted for 55%.
- In Singapore, **four people** were recorded as having been executed in 2016. (It is believed that more than seven had the death penalty imposed on them last year, and more than 38 are on death row.)



Use of the Death Penalty

- The methods used for carrying out the death penalty were as follows:
 - **Beheading** – Saudi Arabia.
 - **Hanging** – Afghanistan, Bangladesh, Botswana, Egypt, Iran, Iraq, Japan, Malaysia, Nigeria, Pakistan, Palestine (State of), Singapore, South Sudan, Sudan.
 - **Lethal injection** – China, USA, Vietnam.
 - **Shooting** – Belarus, China, Indonesia, North Korea, Palestine (State of), Saudi Arabia, Somalia, Taiwan.



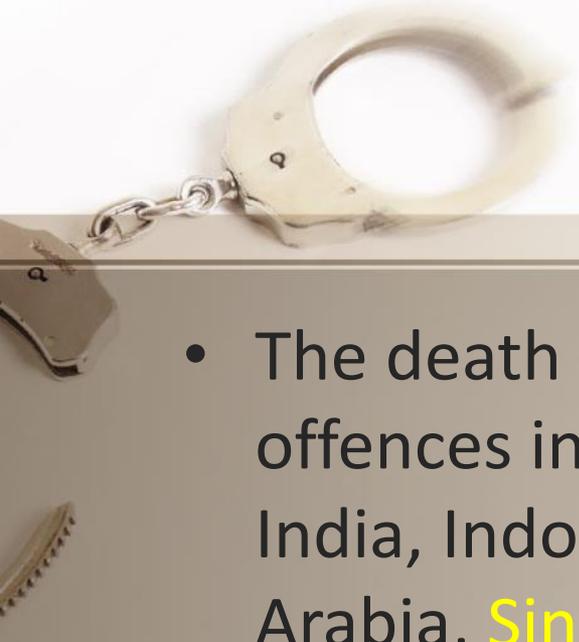
Use of the Death Penalty

- According to the UN Human Rights Committee (*Pagdayawon Rolando v Philippines*, 2004), **mandatory death sentences** are inconsistent with human rights protections because they do not allow “any possibility of taking into account the defendant’s personal circumstances or the circumstances of the particular offence”.
- Mandatory death sentences are still imposed in Barbados, Ghana, Iran, Jordan, Malaysia, Maldives, Myanmar, Nigeria, Pakistan, Saudi Arabia, **Singapore** and Trinidad and Tobago.



Use of the Death Penalty

- Article 6(2) of the International Covenant on Civil and Political Rights ('ICCPR') states in part: “In countries which have not abolished the death penalty, sentence of death may be imposed only for the **most serious crimes** in accordance with the law in force at the time of the commission of the crime [...]”
- According to AI, crimes that do not involve intentional killing do not meet the threshold of “most serious crimes” prescribed by Article 6(2). Thus, it does not regard drug-related offences as “most serious crimes”.

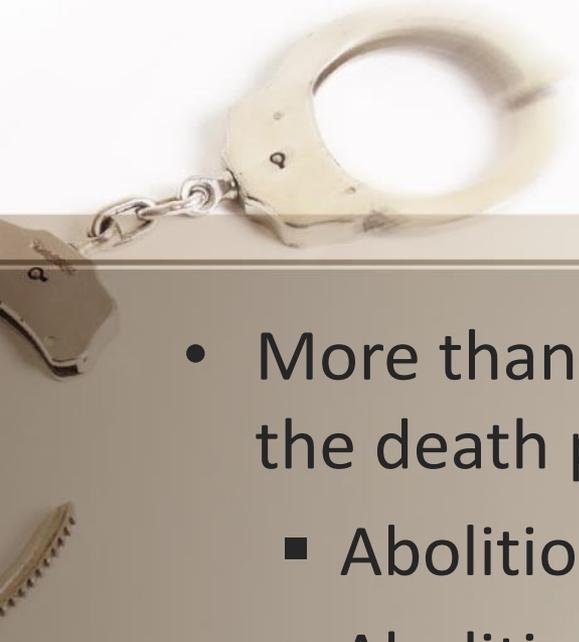


Use of the Death Penalty

- The death penalty is still imposed for drug-related offences in a number of countries, including China, India, Indonesia, Iran, Kuwait, Laos, Malaysia, Saudi Arabia, **Singapore**, Sri Lanka, Thailand, United Arab Emirates and Vietnam.
- Singapore is not a party to the ICCPR.



Abolition or Retention of the Death Penalty

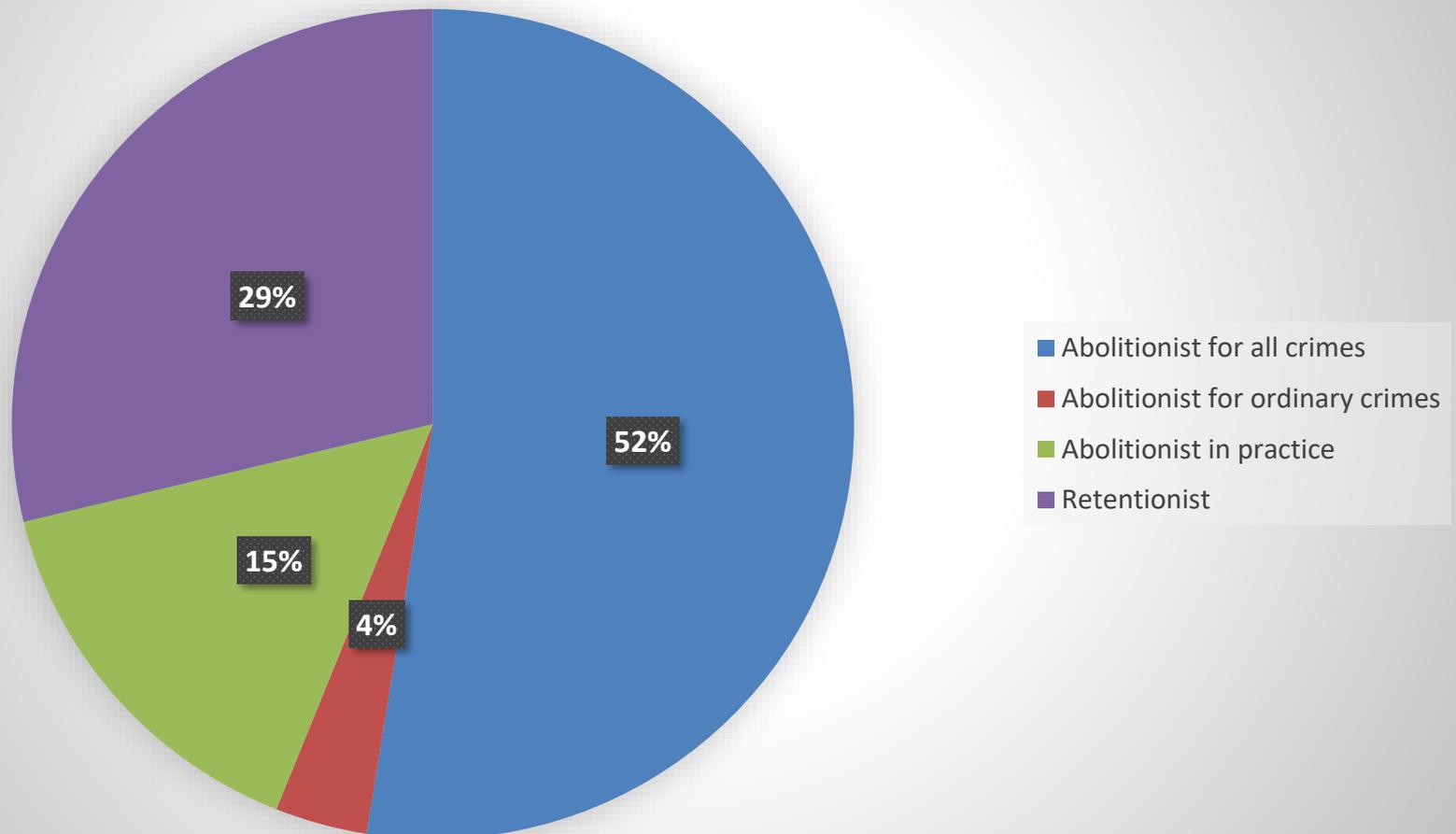


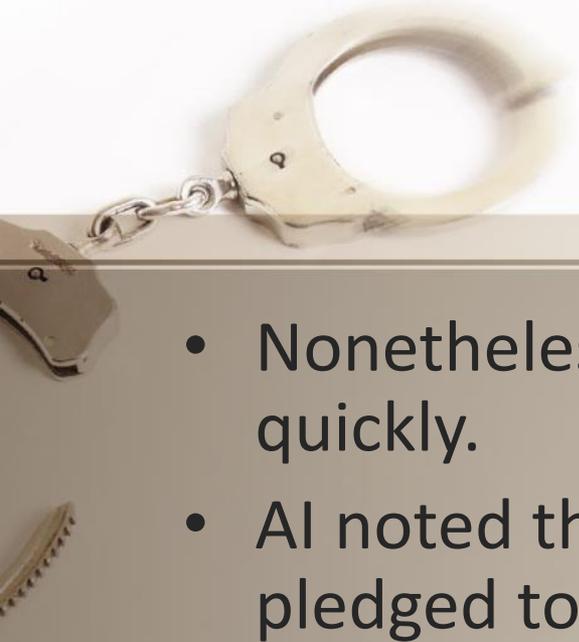
Abolition or Retention

- More than two-thirds of all countries have abolished the death penalty in law or in practice:
 - Abolitionist for all crimes: **104 (52.5%)**.
 - Abolitionist for ordinary crimes (retained for military or exceptional crimes): **7 (3.5%)**.
 - Abolitionist in practice (no executions for past ten years and believed to have policy of not carrying out the death penalty): **30 (15.2%)**.
 - Total: **141 (71.2%)**.
- Number of retentionist countries: **57 (28.8%)**.

Abolition or Retention

Abolitionist and Retentionist Countries as at 31 December 2016





Abolition or Retention

- Nonetheless, the situation in a country can change quickly.
- AI noted that in 2016, the Philippines and Turkey pledged to reintroduce the death penalty as a measure to tackle crime and threats to national security, even though both countries are parties to treaties on the abolition of the death penalty. In November 2016, the Philippines House of Representatives started considering a bill to reintroduce the death penalty.
- Maldives took steps to resume executions after more than 60 years.



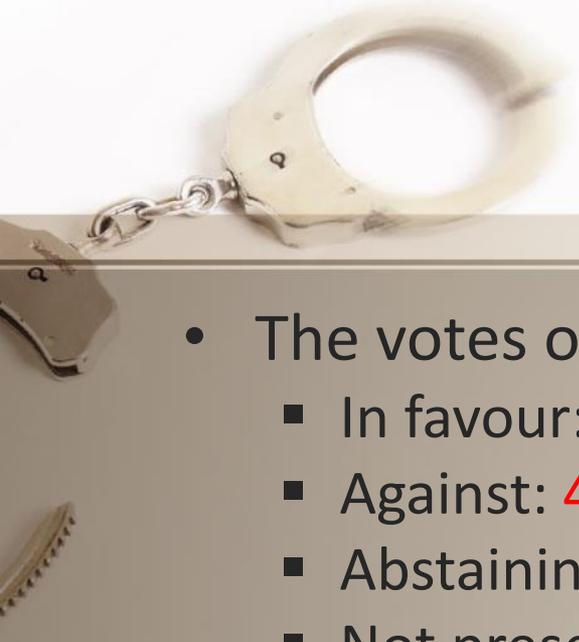
Abolition or Retention

- In 2016, some countries broadened the use of the death penalty:
 - Bangladesh made some offences relating to mutiny punishable by death.
 - India introduced the death penalty for hijacking when it results in death.
 - South Korea made the death penalty available for some terrorism-related offences.



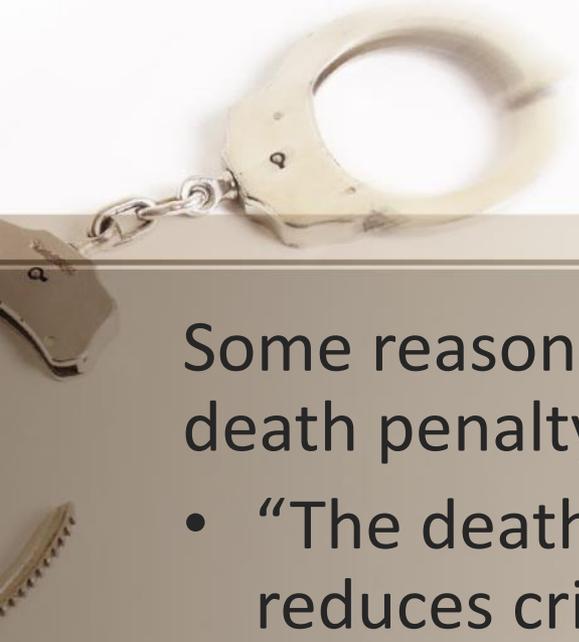
Abolition or Retention

- On 19 December 2016, the UN General Assembly adopted GA Resolution 71/187, its sixth resolution on a moratorium on the use of the death penalty.
- The resolution called on all States to respect international standards that provided safeguards guaranteeing protection of the rights of those facing the death penalty, to comply with their obligations on consular relations, to progressively restrict death penalty use, to establish a moratorium on executions, and to make available relevant disaggregated data.



Abstention or Retention

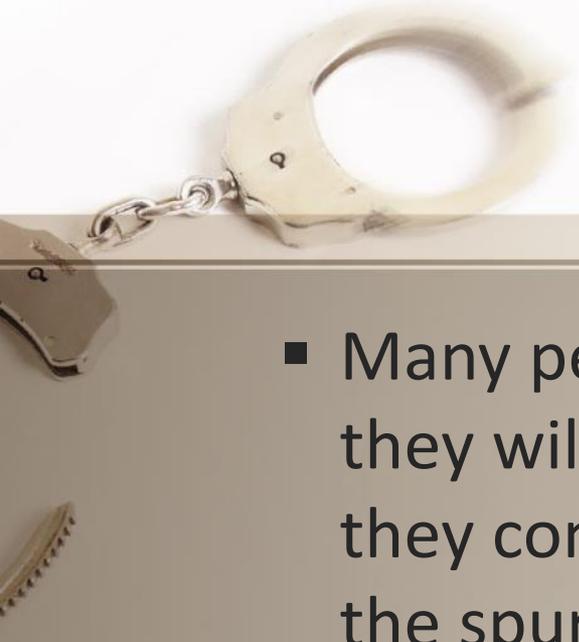
- The votes on the resolution were as follows:
 - In favour: 117 countries (60.6%).
 - Against: 40 countries, including Singapore (20.7%).
 - Abstaining: 31 countries (16.1%).
 - Not present: 5 countries (2.6%).
- Singapore's representative "said there was no international consensus against capital punishment, making it a sovereign matter for States. The death penalty was an issue of criminal justice, not of human rights. [...] The focus of the draft had, over the years, shifted from being a moratorium to a push for abolishing the practice. For those and other reasons, his delegation had voted against the text as a whole." (<https://www.un.org/press/en/2016/ga11879.doc.htm>.)



Abolition or Retention

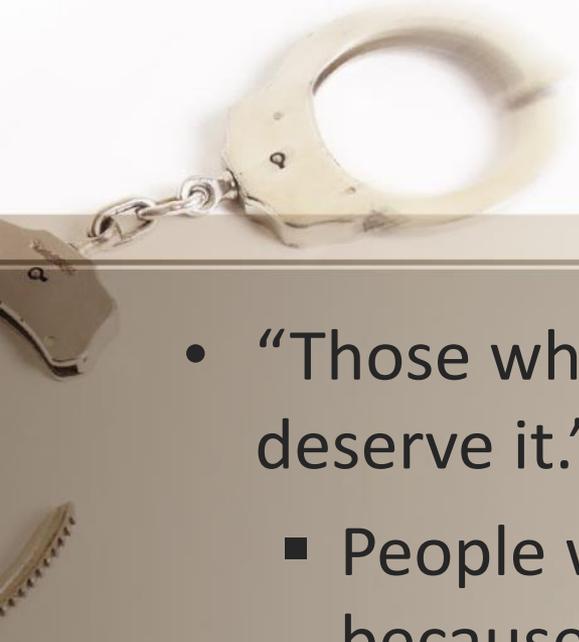
Some reasons given by countries for retaining the death penalty, and responses (Reprieve, 2010):

- “The death penalty acts as a deterrent, and therefore reduces crime.”
 - 88% of criminologists do not think it is an effective deterrent.
 - According to the UN Development Programme, the five countries with the highest homicide rates that do not impose the death penalty have almost half of the murders per 100,000 people of the five countries with the highest homicide rates that do impose the death penalty.



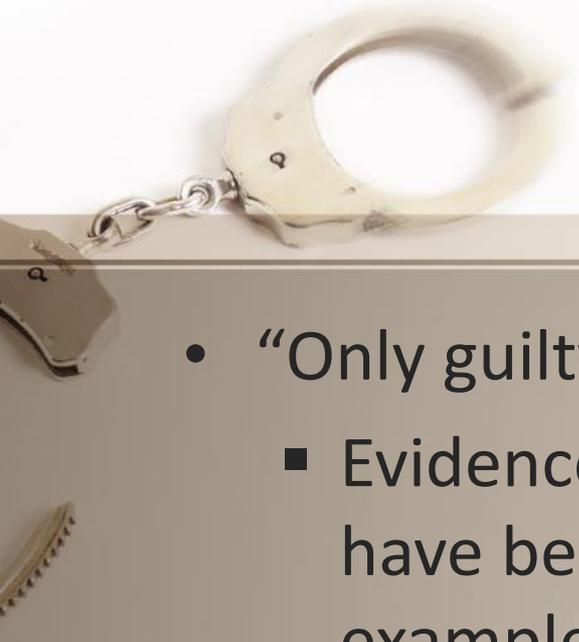
Abolition or Retention

- Many people do not consider the possibility that they will be sentenced to death at the time when they commit murder. The crime is committed on the spur of the moment, or under the influence of some intoxicant.
- The death penalty may in fact increase crime by:
 - desensitizing people to the immorality of killing; and
 - legitimizing the idea that vengeance for past misdeeds is acceptable – people may feel that if the government can kill wrongdoers, they can do so too.



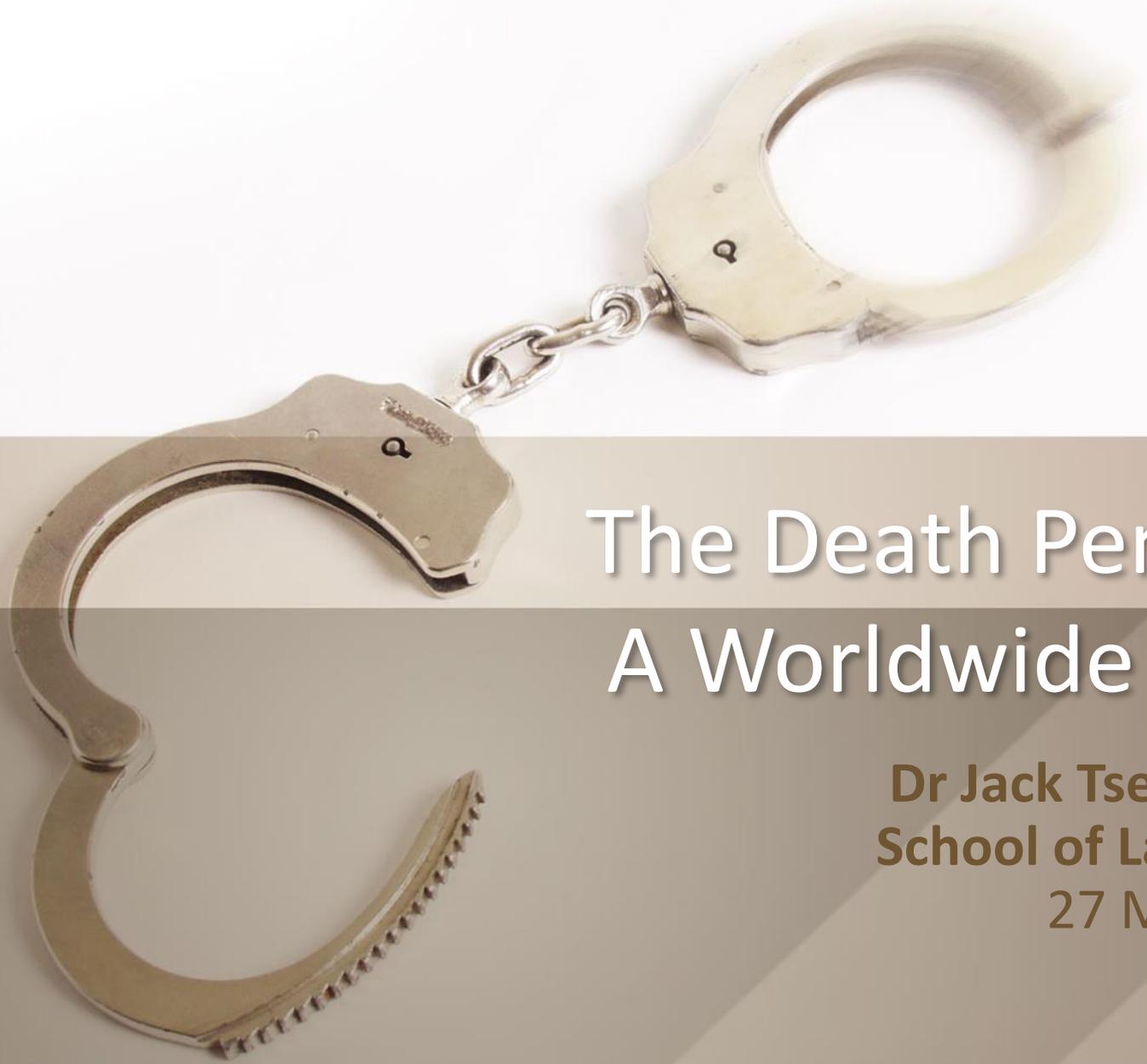
Abolition or Retention

- “Those who are executed are evil people and deserve it.”
 - People who commit serious crimes often do so because of past abuse, mental illness, or other negative life influences.
 - Research suggests that many murderers have the potential to be rehabilitated.



Abolition or Retention

- “Only guilty people are executed.”
 - Evidence from the US shows that innocent people have been wrongly sentenced to death. For example, between 1973 and 2012, 140 people were sentenced to death but later exonerated.
 - In a number of countries, the fairness of the trials leading to the death penalty being imposed is questionable. There is evidence that accused persons have been tortured or subjected to inhuman treatment to force ‘confessions’ from them.



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