

Contents

1 Why abolish the death penalty? 1

2 The test of logic and experience 9

Deterrence 10

Preventing prisoners from repeating their offences 14

Retribution 16

The death penalty and political violence 19

Drug-trafficking 20

Public opinion 22

The financial cost 24

Alternative punishments 24

3 The death penalty in practice 27

The death penalty and discrimination 27

Is the death penalty used arbitrarily? 30

Risks to the innocent 31

Clemency as a safeguard 33

Violations of international restrictions and safeguards 34

Restriction to the ‘most serious crimes’: the death penalty as an exceptional punishment 35

Non-retroactive use 37

Exclusion of young people 38

Exclusion of the elderly 39

Exclusion of pregnant women and new mothers 40

Exclusion on grounds of mental incapacity 41

Unfair trials 42

An instrument of political repression 46

4 The cruelty of the death penalty 54

Methods of execution 54

Waiting for execution 61

The ritual of execution 65

Effects of executions on others 67

5 Towards worldwide abolition 71

A step forward: commutation of sentences 73

Official commissions on the death penalty 75

The death penalty and medical ethics 77

International treaties to abolish the death penalty 82

Non-extradition from abolitionist countries 85

The decision not to reintroduce the death penalty 86

The death penalty worldwide 95

Afghanistan 97

Albania 98

Algeria 99

Andorra 99

Angola 100

Anguilla 101

Antigua and Barbuda 101

Argentina 102

Australia 102

Austria 103

The Bahamas 103

Bahrain 104

Bangladesh 104

Barbados 106

Belgium 107

Belize 108

Benin 108

Bermuda 109

Bhutan 109

Bolivia 110

Botswana 110

Brazil 111

British Virgin Islands 111

Brunei Darussalam 112

Bulgaria 112

Burkina Faso 113

Burma 114

Burundi 114

Cameroon 115

Canada 116

Cape Verde 117

Cayman Islands 117

Central African Republic 117

Chad 118

Chile 119

China 121

- Colombia 123
Comoros 123
Congo 123
Costa Rica 124
Côte d'Ivoire 125
Cuba 125
Cyprus 127
Czechoslovakia 127
Denmark 128
Djibouti 128
Dominica 129
Dominican Republic 129
Ecuador 129
Egypt 130
El Salvador 131
Equatorial Guinea 132
Ethiopia 133
Fiji 134
Finland 134
France 134
Gabon 135
Gambia 135
German Democratic Republic 136
Germany (Federal Republic of) 137
Ghana 137
Greece 138
Grenada 139
Guatemala 140
Guinea 141
Guinea-Bissau 142
Guyana 143
Haiti 144
Honduras 144
Hong Kong 145
Hungary 145
Iceland 146
India 146
Indonesia 148
Iran 149
Iraq 151
Ireland 153
Israel and the Occupied Territories 154
Italy 155
Jamaica 155
Japan 157
Jordan 159
Kampuchea (Cambodia) 160
Kenya 161
Kiribati 162
Korea (Democratic People's Republic of) 162
Korea (Republic of) 162
Kuwait 163
Laos 165
Lebanon 165
Lesotho 166
Liberia 166
Libya 168
Liechtenstein 169
Luxembourg 169
Madagascar 170
Malawi 170
Malaysia 171
Maldives 173
Mali 173
Malta 174
Marshall Islands 174
Mauritania 174
Mauritius 176
Mexico 176
Micronesia (Federated States of) 177
Monaco 177
Mongolia 177
Montserrat 178
Morocco and Western Sahara 178
Mozambique 179
Namibia 180
Nauru 182
Nepal 182
Netherlands 183
New Zealand 183
Nicaragua 184
Niger 184
Nigeria 185
Norway 187
Oman 187
Pakistan 187
Panama 189
Papua New Guinea 189
Paraguay 190
Peru 190
Philippines 191
Poland 192
Portugal 193
Qatar 193
Romania 194
Rwanda 195
St Christopher and Nevis 196
St Lucia 197
St Vincent and the Grenadines 197
San Marino (Republic of) 198

- São Tomé and Príncipe 198
Saudi Arabia 198
Senegal 200
Seychelles 200
Sierra Leone 201
Singapore 201
Solomon Islands 202
Somalia 202
South Africa 204
Spain 207
Sri Lanka 207
Sudan 208
Suriname 210
Swaziland 210
Sweden 211
Switzerland 211
Syria 212
Taiwan (Republic of China) 213
Tanzania 214
Thailand 214
Togo 216
Tonga 216
Trinidad and Tobago 217
Tunisia 218
Turkey 219
Turks and Caicos Islands 221
Tuvalu 221
Uganda 221
Union of Soviet Socialist Republics 223
United Arab Emirates 225
United Kingdom 226
United States of America 227
Uruguay 230
Vanuatu 230
Vatican City State 230
Venezuela 231
Viet Nam 231
Western Samoa 232
Yemen (Arab Republic) 232
Yemen (People's Democratic Republic of) 233
Yugoslavia 234
Zaire 236
Zambia 237
Zimbabwe 238
- 2 International Covenant on Civil and Political Rights 242
3 General comment on Article 6 of the International Covenant on Civil and Political Rights 244
4 Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, adopted by the UN Economic and Social Council 245
5 American Convention on Human Rights 246
6 Geneva Conventions and Additional Protocols 247
7 Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms 249
8 United Nations General Assembly resolution 32/61 of 8 December 1977 252
9 United Nations General Assembly resolution 35/172 252
10 Checklist of main restrictions and safeguards on the death penalty 253
11 Statute of Amnesty International 254
12 Declaration of Stockholm (11 December 1977) 255
13 Amnesty International Declaration on the Participation of Health Personnel in the Death Penalty 256
14 Joint statement by 42 international non-governmental organizations concerned with human rights in consultative status with the UN Economic and Social Council 257
15 Abolitionist and retentionist countries and territories 259
16 Countries which have abolished the death penalty since 1976 262
17 Table 1: Distribution of executions among countries 1985 - mid-1988 263 · Table 2: Countries with an age limit of 18 or over, below which people are exempted from the death penalty 264 · Table 3: Methods of execution provided in law 265

Appendices 241

- 1 Universal Declaration of Human Rights 242