

OCTOBER 10, 2013

WORLD DAY AGAINST THE DEATH PENALTY

On the occasion of the World Day Against the Death Penalty, celebrated each year on October 10th, UIA reminds its members of the importance of constant commitment vis-à-vis States and international organisations to promote abolition of the death penalty.

The UIA encourages its members --- individually or collectively – to work towards increasing the number of ratifications of the Second Optional Protocol to the International Covenant on Civil and Political Rights, and/or regional instruments pertaining to the abolition of the death penalty, as well as the number of moratoriums on exercising the death penalty.. Compliance with international standards for the protection of persons subject to the death penalty must, in particular, be the goal of an active struggle against the death penalty in those retentionist countries that still seek to impose it.

On the international level, the number of countries party to the Second Optional Protocol remains limited¹, , with only 5 new countries having ratified² and 2 new signatories³ since October 2011. Additionally, although [the UIA's November 2011 worldwide study on the state of the death penalty](#) noted an increase in the number of states that were honoring a moratorium against the death penalty, more recently, at least **7 countries made headlines by resuming executions in 2012 and 2013**, after a moratorium of several years⁴.

At the regional level, human rights defence institutions have launched encouraging initiatives to push countries towards abolitionism.

In August 2012, the Inter-American Commission on Human Rights (IACHR), including in its published report on the issue of the death penalty⁵, called for a moratorium and the ratification of the Protocol to the American Convention on Human Rights pertaining to the abolition of the death penalty.

In March, within the framework of its 147th session, the IACHR held a meeting on the subject of the death penalty in the Americas, at the request of four OAS member States: Costa Rica, Ecuador, Mexico and Panama.

¹ 78 member States to date

² Mongolia, Benin, Latvia, Bolivia, Guinea Bissau

³ Madagascar and Angola

⁴ Gambia, Pakistan, India, Indonesia, Nigeria, Kuwait, Vietnam

⁵ "[The Death Penalty in the Inter-American Human Rights System: From Restrictions to Abolition](#)"

The report dated December 31, 2011 examines the limited application of the death penalty in the past 15 years in the region.

Similarly, alarmed by the extrajudicial, summary or arbitrary executions carried out on the African continent, the African Commission on Human and Peoples' Rights, which met in October 2012 for its 52nd session, decided to extend the mandate of the Working Group on the Death Penalty to cover issues relating to extrajudicial, summary or arbitrary executions⁶. Henceforth, the Working Group's mandate directs the Working Group to advise the Commission of urgent measures that need to be taken to deal with extrajudicial, summary or arbitrary executions that require immediate action and to react effectively to any information that reaches it, particularly when an extrajudicial, summary or arbitrary execution is imminent or has taken place.

The Council of Europe, on its part, noted its particular concern about Belarus – the only European country that is not part of the Pan-European Organisation and that still applies the death penalty. In fact, Europe is the only region in the world today where the death penalty has been almost outlawed, as 47 Council Member States have either abolished capital punishment or, failing that, have instituted a moratorium on executions. In addition, abolition has become a condition for membership of the Council.

The Council of Europe's action is also directed towards retentionist countries that enjoy observer status, particularly Japan and the USA.

Record support to the Fourth United Nations Resolution on a Moratorium on the Death Penalty

The United Nations General Assembly adopted a fourth resolution on November 19, 2012, calling for a moratorium on the death penalty. It was adopted by an unprecedented number of favourable votes – *i.e.*, 111 votes in favour, 41 against and 34 abstentions.

This massive vote in favour of the resolution reflects the ever-strengthening force of the international movement to abolish the death penalty.

The UIA also welcomes the establishment of the first network of abolitionist parliamentarians created in Morocco at the initiative of the First Regional Congress on the Death Penalty (Rabat, October 2012) and the 5th World Congress Against the Death Penalty (Madrid, June 2013).

It encourages the development of similar networks in other regions and calls upon lawyers in countries that still practice the death penalty *de facto* and *de jure* to identify and mobilise abolitionist parliamentarians in their region.

[The 11th World Day Against the Death Penalty focuses on the Greater Caribbean](#)

The Greater Caribbean will be the focus of the 11th World Day Against the Death Penalty. This region offers the paradox of having few executions, while at the same time constituting a hub of countries that are firmly opposed to abolition. The proportion they represent in any vote against resolutions in favour of a moratorium calls for and justifies specific actions vis-à-vis the region.

In sum, notwithstanding that progress on abolition of the death penalty is being made, the UIA wishes to note its tireless support and commitment to the abolitionist movement. To that end, it especially notes the importance of the role lawyers must play in the abolitionist struggle and strongly encourages all lawyers to work towards abolition.

⁶ [Resolution on the expansion of the mandate of the Working group on Death Penalty in Africa](#)