

Take Action on 10 October 2013 to End the death penalty!

10 things you can do to end the death penalty

- **Organize a public debate and a movie screening** with exonerees, murder victim's families, experts, to raise awareness on the reality of the death penalty
- **Organize an art exhibition** (photo, drawings, posters) or a **theatre performance** from Dead Man Walking to Victor Hugo
- **Organize a demonstration**, a sit-in, a 'die-in', a flash mob
- **Join the events** prepared for the abolition of the death penalty worldwide
- **Sign the petitions and encourage others to sign**
- **Write to a prisoner on death row**
- **Donate** to the World Coalition against the Death Penalty or another group working to end the death penalty
- **Join an abolitionist organization**
- **Mobilize the media** to raise awareness on the issue of the death penalty
- **Participate in "Cities Against the Death Penalty/Cities for Life"** on November 30, 2013

To find out more

Find out everything about World Day Against the Death Penalty at www.worldcoalition.org/worldday, including:

- The poster of the 2013 World Day
- The mobilisation kit
- The petitions
- Detailed factsheets on the death penalty around the world
- The 2012 World Day Reports which includes hundreds of examples of initiatives
- The instructional guide

World Day Against the Death Penalty was created in 2003 by the World Coalition Against the Death Penalty to help activists worldwide rally to oppose the death penalty and unite behind the struggle for universal abolition.

The World Coalition Against the Death Penalty is an alliance of more than 140 NGOs, bar associations, local authorities and unions.

The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty.

Its ultimate objective is to obtain the universal abolition of the death penalty.

The World Coalition gives a global dimension to the sometimes isolated action taken by its members on the ground.

It complements their initiatives, while constantly respecting their independence.



www.worldcoalition.org



World Coalition Against the Death Penalty

69 rue Michelet, 93100 Montreuil France

E-mail : contact@worldcoalition.org

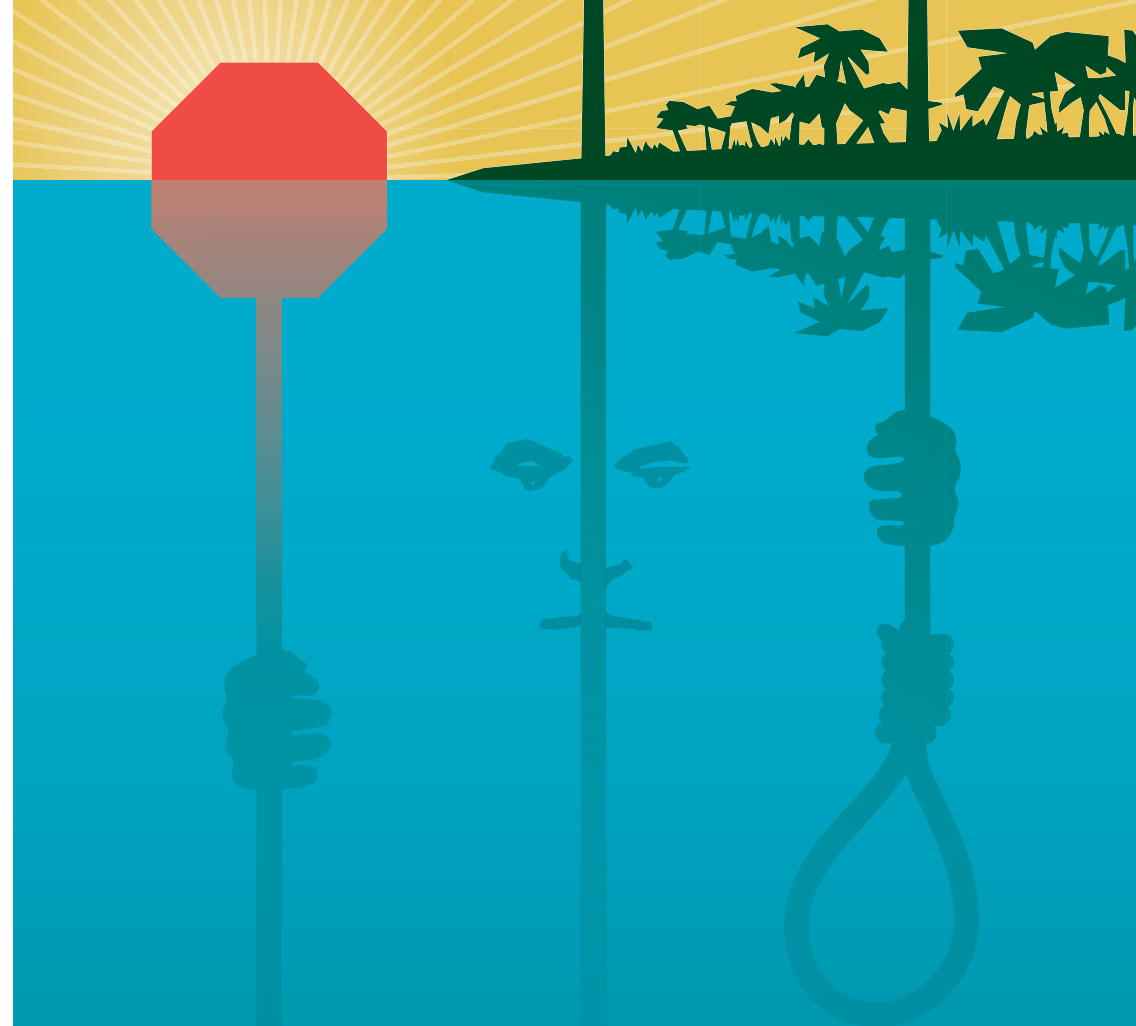
Tel : +33 1 80 87 70 43 • Fax : +33 1 48 70 22 25



www.facebook.com/worldcoalition



@WCADP



Stop Crime, Not Lives

ABOLISH THE DEATH PENALTY NOW

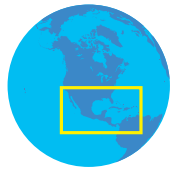
OCTOBER 10. 2013

WORLD DAY AGAINST THE DEATH PENALTY

worldcoalition.org



10 October 2013 11th World Day Against the Death Penalty dedicated to the Caribbean



The Greater Caribbean, also known as the Caribbean Basin, is composed of 25 countries, it includes 13 Caribbean islands, the Caribbean states of South America, and the countries of Central America and Mexico (in addition to Puerto Rico, and the US, British, Dutch and French Caribbean territories).

■ 10 countries are abolitionist in law

Colombia, Costa Rica, El Salvador (for ordinary crimes only), Haiti, Honduras, Mexico, Nicaragua, Panama, Dominican Republic and Venezuela.

Some abolished the death penalty more than a century. **Venezuela** was the first country in the modern era to abolish the death penalty in 1863 shortly after its independence, followed by **Costa Rica** in 1877, **Panama** in 1903 and **Colombia** in 1909.

All voted in favour and most were co-sponsors of the UN General Assembly resolution calling for a moratorium on executions with a view to

abolishing the death penalty.

All have ratified international or regional treaties preventing them from reintroducing the death penalty into their legislation.

■ 2 countries are considered abolitionist in practice

Grenada and Suriname, which have not carried out an execution since 1978 and 1982 respectively.

■ 13 countries are retentionist

Antigua and Barbuda, Bahamas, Barbados, Belize, Cuba, Dominica, Guatemala, Guyana, Jamaica, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago.

Even though most of these countries have not carried out any executions for the past ten years, Amnesty International considers them retentionist because they do not have a policy or international commitment not to carry out executions.

The paradox of retentionist Caribbean: few executions but a core of countries strongly opposed to abolition

Many countries in the Caribbean region continue to retain the death penalty as part of their criminal justice system.

For example, when **Trinidad and Tobago** ratified the American Convention on Human Rights, it specified that *“the death penalty is not an issue related to human rights.”*

Seven years after its ratification, **Trinidad and Tobago** denounced that treaty to avoid its effects in the application of capital punishment.

In 2008, **Jamaica** voted to retain the death penalty in its legislation.

In January 2013, President Raul Castro justified the death penalty in **Cuba** saying: *“Our laws allow the death penalty. This action has been suspended, but it’s on the books, because one time we suspended it and all this*

did was to stimulate acts of aggression and sabotage against my country.”

The use of capital punishment, however, has dramatically declined in these retentionist countries, highlighting the apparent disparities between policy and practice.

The last execution in the Caribbean took place in 2008 in Saint Kitts and Nevis. It is the only execution that has taken place since 2003.

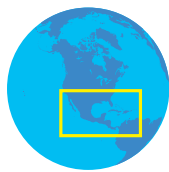
Only three states issued death sentences in 2012 (**Barbados, Guyana, and Trinidad and Tobago**).

Cuba and **Dominica** have no prisoners on death row.

Six countries only have one remaining prisoner on death row: **Bahamas, Granada, Guatemala, Saint Kitts and Nevis, Saint Lucia, and Saint Vincent and the Grenadines.**

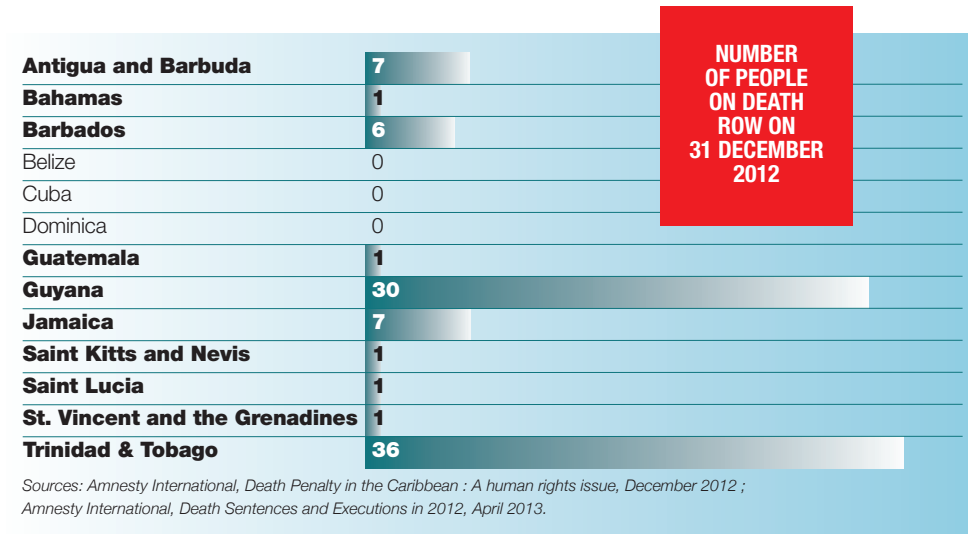
Date of the last execution / moratorium vote

Countries	Last execution	Vote UN Moratorium Resolution	Note verbale of dissociation
Antigua and Barbuda	1991	no (abstention in 2012)	signed in 2007, 2010, 2012
Bahamas	2000	no	signed in 2007, 2008, 2010
Barbados	1984	no	signed
Belize	1985	no	x
Cuba	2003	abstention	x
Dominica	1986	no (abstention in 2010)	signed in 2007, 2008, 2010
Guatemala	2000	yes (abstention in 2008)	x
Guyana	1997	no	signed
Jamaica	1998	no	signed in 2007, 2010, 2012
Saint Kitts and Nevis	2008	no	signed
St. Vincent and the Grenadines	1995	no	signed
Saint Lucia	1995	no	signed
Trinidad and Tobago	1999	no	signed



10 October 2013

11th World Day Against the Death Penalty dedicated to the Caribbean



At the international level

• 9 states (Bahamas, Barbados, Belize, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and Trinidad and Tobago) have consistently voted against the UN General Assembly resolution calling for a moratorium on the use of the death penalty.

Regrettably, **Dominica** changed their vote from an abstention in 2010 to a vote against the resolution in 2012.

• 6 states (Barbados, Guyana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and Trinidad and Tobago) have signed each Note Verbale, dissociating them from the moratorium resolution. Caribbean votes against these resolutions are more than one-fourth of the total votes opposed to the global moratorium.

• Only two Spanish-speaking countries are retentionist (Cuba and Guatemala) while

most English-speaking countries retain the death penalty in their criminal system.

• Altogether, **Commonwealth Member States** account for 38 per cent of the world's retentionist countries.

Different answers to high homicide rates

According to the first global study on homicide published in 2011 by the UNODC*, lack of public safety continues to grow and the number of homicides has steadily increased in the Caribbean since 1995.

Latin America and the Caribbean account for 8.5 per cent of the world's population, yet 27 per cent of all global homicides took place in the region according to a 2012 report by the UNDP** .

* UNODC : United Nations Office on Drugs and Crime
 ** UNDP : UN Development Programme

For example, in the period 2009-2012, gang-related homicides in **Jamaica** and **Trinidad and Tobago** have almost doubled compared to 2006-2009.

Significantly, no scientific study to date has proved that violent crime rates are linked to the application of the death penalty.

Costa Rica, abolitionist for over a century, has a low homicide rate similar to that of **Antigua and Barbuda**, a retentionist country, while **Honduras**, an abolitionist state since 1956, has a higher homicide rate than retentionist **Jamaica**.

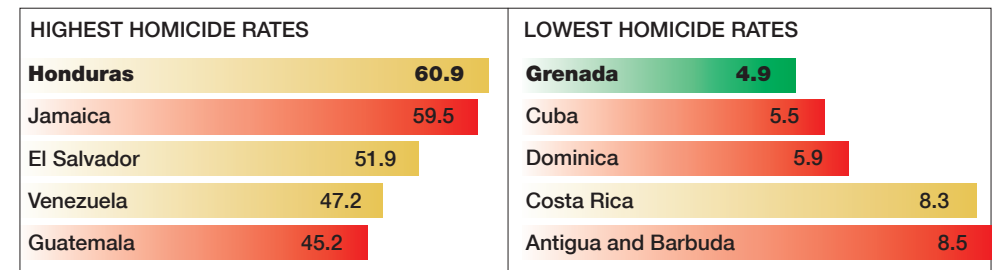
The death penalty is often seen as a desperate response to a rise in violent crime, but does not address the underlying causes of criminal behaviour. **In fact, some governments are increasingly realising that they must focus on prevention rather than punishment.** This includes increasing investment in education, youth development, creating jobs, solving crime, and reducing poverty and socio-economic disparity.

These measures are being undertaken in a number of Caribbean countries, and practices are starting to have a positive impact.

"We will always have crime, but what we need to do is to reduce whatever brings and drives people to crime and as a country we are better off spending our time, money and energy trying to tackle these issues".

Adriel Brathwaite, Attorney General of Barbados, October 2011 in the *Barbados Advocate*

Crime rate / state of the abolition (Murder rates for 100 000 habitants)

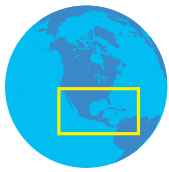


Source : Greater Caribbean for Life, 2012



Puerto Rico

Puerto Rico has a special status: it is a "Commonwealth" of the United States of America. The Puerto Rican Constitution expressly prohibits the death penalty; however, a US federal law allows federal prosecutors to seek the death penalty in Puerto Rico. In addition, early in 2010, the local government signed a memorandum of understanding with the US federal justice department to cede investigative and judicial jurisdiction over violent crimes in some regions. One of the side effects of that agreement has been a significant increase of death penalty cases certified or awaiting to be certified by the US Department of Justice. **Neither the 2010 memorandum of understanding, nor the 1994 Federal Death Penalty Act have succeeded in reducing the homicide rates in the Caribbean archipelago of Puerto Rico.**



10 October 2013

11th World Day Against the Death Penalty
dedicated to the Caribbean

Restriction of the use of the death penalty

The role of the Inter-American Court of Human Rights and the Privy Council.

The Inter-American Court of Human Rights, the Caribbean Court of Justice, the Eastern Caribbean Supreme Court, the UN Human Rights Committee, and the Judicial Committee of the Privy Council (traditional Court of Appeal for Commonwealth countries) have all taken positive steps to restrict and reduce the application of the death penalty in practice across the Caribbean.

Together, these bodies have successfully limited the amount of time a person could spend on death row, and have abolished the mandatory death penalty.

• **Waiting more than five years on death row has been considered a violation of the right not to be subjected to “inhumane and degrading treatment”.**

In the 1993 judgment of *Pratt & Morgan v. Attorney General of Jamaica*, the Judicial Committee of the Privy Council held that carrying out the execution of a prisoner sentenced to death after an unreasonable delay, violated the right to humane treatment.

This decision immediately benefitted fifty prisoners on death row in Jamaica who had their sentences commuted to life imprisonment.

In following cases across the Commonwealth Caribbean, the Judicial Committee of the Privy Council relied on the five year principle as a guide.

• Abolition of the mandatory death penalty

In 2001, the Eastern Caribbean Supreme Court held that the mandatory death penalty in the Constitution of **Saint Lucia** was “*inhumane and degrading*”.

The Court applied the same reasoning by the Privy Council in a 2004 case in **Jamaica** (*Watson v. The Queen*), and a 2006 case in the **Bahamas** (*Bowe v. The Queen*).

In three successive decisions of the Judicial Committee of the Privy Council in 2002 for **Belize, Saint Kitts and Nevis, and Saint Lucia**, it was established that the mandatory death penalty constituted an inhumane treatment because it did not take into account any mitigating circumstances.

23 countries in the Caribbean have now abolished the mandatory death penalty. **Barbados** and **Trinidad and Tobago** are the only two countries continuing to apply the mandatory death penalty for murder. **Guyana** abolished the mandatory death penalty in 2010, except for homicides committed against members of the security forces.

For World Day, the World Coalition Against the Death Penalty is asking...

- **Barbados** and **Trinidad and Tobago** to abolish the mandatory death penalty for all crimes;
- **Guyana** to abolish the death penalty for all crimes;
- **Guatemala** to fully abolish the death penalty in law.



10 reasons to end the death penalty

- 1 No state** should have the power to takes a citizen's life.
- 2 It is irrevocable:** no justice system is safe from judicial error and innocent people are likely to be sentenced to death.
- 3 It does not keep society safe:** it has never been shown that the death penalty deters crimes more effectively than other punishments.
- 4 It is unfair:** the death penalty is discriminatory and is often used disproportionately against the poor, the mentally ill, those from racial and ethnic minorities, and in some places in the world because of discrimination because of sexual orientation or religion.
- 5 Not all murder victims' families want the death penalty.** A large and growing number of victims' families worldwide reject the death penalty and are speaking out against it, saying it does not bring back or honor their murdered family member, does not heal the pain of the murder, and violates their ethical and religious beliefs.
- 6 It creates more pain:** the death penalty inflicts pain on the families of those on death row and causes great pain to the family members of those who have been executed.
- 7 It is inhuman, cruel and degrading:** the dreadful conditions on death row inflict extreme psychological suffering and execution is a physical and mental assault.
- 8 It is applied overwhelmingly in violation of international standards:** it breaches the principles of the 1948 Universal Declaration of Human Rights, which states that everyone has the right to life and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. It is also in contradiction with the international trend towards abolition reflected by three votes at the United Nations General Assembly calling for the establishment of a moratorium on the use of the death penalty (resolutions 62/149, 63/168, 65/206 and 67/176 adopted in December 2007, 2008, 2010 and 2012).
- 9 It is inefficient:** time and money are diverted from other more efficient law enforcement measures.
- 10 It denies any possibility of rehabilitation to the criminal.**

10/10/13