

Asia: it's time to end executions



Open your eyes

OCTOBER 10TH

2008

**WORLD DAY
AGAINST THE
DEATH PENALTY**

www.worldcoalition.org

**WORLD
COALITION**
— AGAINST THE DEATH PENALTY —

The World Day Against the Death Penalty

On 10 October 2008, World Day Against the Death Penalty, the World Coalition Against the Death Penalty calls on all citizens to take action to end executions in Asia.

According to Amnesty International, at least 664 executions and 2561 death sentences have been reported in Asia in 2007. Amnesty International and others believe that the real figures are much higher.

A recent study by Franklin Zimring and David Johnson estimates that 85 to 95% of the world's executions take place in Asia. A growing number of countries in the region, however, have committed to the abolition of the death penalty. This Sixth World Day is an opportunity to publicly oppose the use of this inhuman, cruel and degrading punishment and to support those in the Asian region who are fighting for its abolition.

Responding to the World Coalition Against the Death Penalty's appeal, every year on 10 October citizens, national and international institutions and NGOs rally together to oppose the use of the death penalty and to recall that its abolition is a universal struggle. Since the creation of the World Day in 2003, hundreds of initiatives including debates, concerts, press conferences, demonstrations, petitions, and educational and cultural activities, have been organised in more than 70 countries across five continents.



France
Organisation of fake hangings during 2007 World Day

The death penalty in Asia

More than two-thirds of the world's countries, 137 as of 31 July 2008, have abolished the death penalty in law or in practice. 60 countries still maintain capital punishment but less than half of these carry out executions. Asia alone represents 60% of the world's population and 95% of this population lives in a country with the death penalty.

This apparent homogeneity nevertheless hides huge variations in reality: 27 countries have already abolished the death penalty in law or in practice while 14 countries continue to carry out executions. Significant changes are taking place in some of these countries. Japan, for instance, has increased the rate of executions, while others are moving towards abolition: in example, Taiwan, which has suspended executions since 2005, and South Korea has not carried out executions for ten years. Amnesty International classified South Korea as abolitionist in practice. Others, like The Philippines in 2006, have abolished the capital punishment for all crimes.

Abolitionist countries in law*

(countries that have legally abolished the death penalty)

Australia
Bhutan
Cambodia
Fiji
Cook Islands
Marshall Islands
Kiribati
Micronesia
Nepal
New Zealand
Niue
Palau
The Philippines
Samoa
Solomon Islands
Timor-Leste
Tuvalu and Vanuatu

* Two Special Administrative Regions of China have also abolished the death penalty in law: Hong Kong and Macao.

Abolitionist countries in practice

(countries that have not carried out any execution in the past 10 years)

Brunei
South Korea
Laos
the Maldives
Myanmar/Burma
Nauru
Papua New Guinea
Sri Lanka
Tonga.

Retentionist countries

(countries that maintain the death penalty)

Afghanistan
Bangladesh
China
North Korea
India
Indonesia
Japan
Malaysia
Mongolia
Pakistan
Singapore
Taiwan
Thailand
Viet Nam



Taiwan

Opening ceremony of the 2nd Film Festival "Murder by Numbers" during the 2007 World Day



South Korea

Demonstration during the 2007 World Day

The situation also varies greatly in terms of figures. In China alone, 470 executions were recorded by AI in 2007, but this number is based on public reports available and serves as an absolute minimum. The US-based organization "Dui Hua Foundation" estimates that 6,000 people were executed last year based on figures obtained from local officials. India, on the other hand, has only executed one person in the last ten years. Nonetheless, common trends in the application of the death penalty emerge all over Asia:

• Opaque systems

In a 2006 report on transparency and the death penalty, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston, stated that "*countries that have maintained the death penalty are not prohibited by international law from making that choice, but they have a clear obligation to disclose the details of their application of the penalty*".



Japan
Demonstration in front of the detention centre of Osaka to ask for the liberation of death row inmates

Nevertheless, many Asian countries refuse to reveal information on the use of this punishment. In China, for example, the death penalty is a state secret and no figures on the numbers of death sentences or executions are available.

In Japan executions of death sentences are carried out in secret: people on death row live in total isolation, they are banned from talking to other prisoners and contact with the outside world is limited to infrequent and supervised visits from family and lawyers. They are not allowed to watch television or engage in personal interests or hobbies. They are notified of their execution only a few hours before it takes place and their families are not informed.

Some prisoners thus spend decades under sentence of death, waking up every morning with the fear of an imminent execution. The lack of transparency also increases the risks of unfair trials and prevents informed debate on the death penalty in these countries.



France Demonstration during the 2007 World Day

• Unfair trials

In many cases the accused cannot access adequate legal representation, trials are held in secret, or deadlines are so short that there is no time to appeal. In Pakistan, parallel judicial systems and anti-terrorism courts deprive the accused of adequate defence and this results in a considerable number of death sentences being handed down. Appeals for presidential pardons remain limited. In murder cases the law is discriminatory against disadvantaged people, as in accordance



Iran
Execution by hanging



Mongolia
Demonstration during the 2007 World Day

with the Islamic diyya custom, those sentenced to death may “compensate” their punishment to the families of their victim by paying them “blood money”. Thus only the richest and most influential Pakistanis escape the death penalty.

• Use for a wide range of crimes, including non-violent ones

In a large number of countries, the death penalty may be used as punishment for dozens of non-violent crimes: the death penalty is provided for approximately 160 offences in South Korea, 68 in China and 27 in Pakistan.

Some of these crimes are non-violent, like tax evasion or drug trafficking. In Viet Nam, 29 offences are punishable by death including non-violent ones such as embezzlement, smuggling, forgery, offering and accepting bribes and drug production or trafficking.

In total, one third of sentences are linked to drugs and last year over 80 people were sentenced to death for this crime alone. In Singapore, drug smuggling is automatically punishable by death, even for possession of a few grams of drugs.

• Trend toward abolition with longer and more frequent moratoria

Over the last few years, the total figures of death sentences and executions have decreased in Asia. Across the continent, periods of moratorium (i.e. the temporary suspension of executions) are longer and more frequent.

In Taiwan, the new President and the new Minister of Justice have stated their personal opposition to the death penalty and have promised not to sign any execution orders.

In South Korea, the last execution was carried out in 1997 but more than 50 prisoners remain on death row.

In India, although there is no official moratorium on executions, the last execution – the only one in ten years – took place in 2004.



Peru
Living exhibition and fake sale of the different means of executions across the world during the 2007 World Day

Alongside this reduction in the number of executions, there are more and more organised Asian activists in favour of the abolition of the death penalty.

The Anti-death Penalty Asia Network (ADPAN) launched on World Day 2006, currently has more than 40 members in the region. These changes are signs of hope for a death penalty-free Asia.

Take action: on 10 October 2008, take action against the death penalty in Asia



Denmark
Living exhibition about the death row inmate last meal

Denounce unfair trials and the lack of transparency, encourage the introduction of moratoria on executions, demand the reduction of the number of capital offences, prepare or join in hundreds of initiatives organised all over the world.

To convey this message and support the abolitionist movement in Asia, the World Coalition is focusing on six countries in the region. Each country is linked to a particular demand.

Japan

The World Coalition calls on the government to end secrecy surrounding the application of the death penalty.

It also appeals to the Japanese justice system to commute the sentence and review the case of Hakamada Iwao, sentenced to death in 1968 and detained in solitary confinement for the last 28 years.

Pakistan

The World Coalition calls on the government to guarantee the right to a fair trial.

It also calls on the President to commute the sentence of Younis Masih, sentenced to death on 30 May 2007 for blasphemy following an unfair trial.

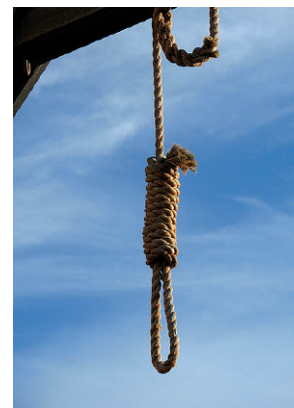
Viet Nam

The World Coalition calls on the president and the government to reduce the number of offences punishable by death.

It also requests that they commute the sentence of Tang Thi Ba, a former post office treasurer sentenced to death for embezzlement in May 2008.

India

The World Coalition calls on the government to declare a moratorium on executions with a view to abolishing the death penalty as provided by the United Nation General Assembly resolution 62/149.



Taiwan

The World Coalition calls on the government to declare a moratorium on executions with a view to abolishing the death penalty as provided by the UN General Assembly resolution 62/149.

It also calls on the president to commute the sentences of Liu Bing-lang, Su Chien-ho and Chuang Lin-hsun known as the "Hsichih Trio", sentenced to death in 1991 after they had confessed under torture committing a murder.

South Korea

The World Coalition calls on the government to affirm the moratorium on executions with a view to abolishing the death penalty in law for all crimes.

Save lives...

by signing and calling for the signature of these appeals. Visit the World Coalition's website where you can sign them online or download them to print and send them back to us.

Find all initiatives and actions of the World Day Against the Death Penalty on:

www.worldcoalition.org

The death penalty is...

• Irrevocable

No justice system is safe from judicial errors and innocent people are likely to be executed.

• Inefficient

It has never been shown to deter crimes more effectively than other punishments.

• Unfair

The death penalty is discriminatory and is often used disproportionately against the poor, the mentally ill, those discriminated against for reasons of sexual orientation, or from racial, ethnic and religious minorities..

• Inhuman, cruel and degrading

Waiting on death row inflicts extreme psychological suffering and execution is a physical and mental assault.

• Applied overwhelmingly in violation of international standards

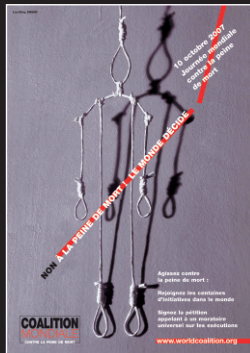
It breaches the principles of the 1948 Universal Declaration of Human Rights, which states that everyone has the right to life and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

It is also in contradiction with the international trend towards abolition recognized by a vote at the United Nations' General Assembly calling for the establishment of a universal moratorium on the use of the death penalty (resolution 62/149 adopted on 18 December 2007).

The World Coalition Against the Death Penalty

Created in Rome in May 2002, the World Coalition brings together 76 bar associations, trade unions, local governments and non-governmental organizations. It aims at strengthening the international dimension of the fight against the death penalty and at contributing to put an end to death sentences and executions. The World Coalition focuses specifically on helping the creation and development of national coalitions against the death penalty. In 2003, the World Coalition has established the World Day Against the Death Penalty on 10 October. This event is followed all over the world and especially in countries that continue to use the death penalty.

To find out
more...



2007 World Day

Find out everything about the World Day Against the Death Penalty at www.worldcoalition.org and in particular:

- the campaigning kit
- detailed factsheets on the death penalty in Asia
- the 2007 World Day Report including hundreds of examples of initiatives

www.worldcoalition.org

WORLD
COALITION
— AGAINST THE DEATH PENALTY —
www.worldcoalition.org