

RESEARCH SHOWS A GLOBAL TREND TOWARDS ABOLITION OF THE DEATH PENALTY, BUT MORE WORK REMAINS

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In its annual assessment of the death penalty, Amnesty International's research points to a further global decrease in 2017, down from the high peaks recorded for total executions in 2015 and death sentences in 2016. According to the report that was published today, 106 countries had abolished the death penalty in law for all crimes by the end of 2017 and 142 countries had abolished the death penalty in law or practice.

These figures reaffirm the global trend towards abolition of the death penalty. Only a few countries carry out executions. Just four countries were responsible for 84% of all recorded executions in 2017.

Sub-Saharan Africa made great strides with a significant decrease in death sentences being imposed across the region. Guinea became the 20th state in sub-Saharan Africa to abolish the death penalty for all crimes, while Kenya abolished the mandatory death penalty for murder. Burkina Faso and Chad also took steps to repeal this punishment with new or proposed laws.

“Now that 20 countries in sub-Saharan Africa have abolished the death penalty for all crimes, it is high time that the rest of the world follows their lead and consigns this abhorrent punishment to the history books” said Amnesty International’s Secretary General Salil Shetty.

How the United States Fares

People with mental or intellectual disabilities were executed or remained under sentence of death in several countries, including in the United States in 2017.

“It’s shameful that the United States finds itself once again on a short list of countries that continue to execute individuals with mental and intellectual disabilities” stated Margaret Huang, Executive Director of Amnesty International in the United States. “This practice is cruel and out of line with international standards. It is inhumane to impose capital punishment upon individuals with a limited capacity to understand what they were alleged to have done.”

In 2017, Amnesty campaigned on the case of Jack Greene, who was convicted in 1992 of the murder of Sidney Burnett. Greene waited on death row for over 20 years and was diagnosed by multiple doctors with severe mental illness, including delusional disorder. Fortunately, the Arkansas Supreme Court stayed his execution.

In 2017, of the 57 Member states of the Organization for Security and Co-operation in Europe, only Belarus and the United States carried out executions. Of the 35 Member states of the Organization of American States, only the US carried out executions. For the ninth consecutive year, the US remained the only country to carry out executions in the Americas.

The number of executions and death sentences in the US slightly increased compared to 2016, but remained within historically low trends recorded in recent years. For the second year in a row, and the second time since 2006, the US did not feature among the top five global executioners, with its position in the global ranking decreasing from 7th to 8th. Although the number of executions carried out and death sentences imposed in the US in 2017 remained in the low trends seen in previous years, there was a slight increase in a resort to capital punishment compared to 2016.

The US had 23 executions in 8 states in 2017: Alabama (3) Arkansas (4) Florida (3) Georgia (1) Missouri (1) Ohio (2) Texas (7) Virginia (2). Texas remained the state with the highest number of executions, accounting for 30% of the national total. Over a period of ten days Arkansas sought to execute eight men. Three executions were stopped by the courts and Governor Asa Hutchinson granted clemency in one case to Jason McGehee.

Guantánamo Bay detainees, including Abd al-Rahim al-Nashiri, who was charged with masterminding the attack on the USS Cole in 2000, continue to face capital punishment despite the deeply flawed military commissions system and lack of effective counsel. In 2017, all three of al-Nashiri's civilian lawyers with experience in death penalty defense were withdrawn, leaving him with just one military lawyer lacking any capital punishment experience. The case proceedings of Abd al-Rahim al-Nashiri have not adhered to international fair trial standards.

Looking forward, President Trump's recent comments pushing for the death penalty as a means to address the opioid crisis remain a cause of serious concern in 2018. There is no evidence that the death penalty would lower the alarming number of deaths related to the use of opioids. Utilizing the death penalty for a public health crisis would be an overly cruel and unusual punishment for a public health problem.

Significant progress elsewhere

At least 2,591 death sentences in 53 countries were recorded in 2017, a significant decrease from the record-high of 3,117 recorded in 2016. These figures do not include the thousands of death sentences and executions that Amnesty International believes were imposed and implemented in China, where figures remain classified as a state secret.

Significant steps to reduce the use of the death penalty were also taken in countries that are staunch supporters of it. In Iran, recorded executions reduced by 11% and drug-related executions reduced to 40%. Moves were also made to increase the threshold of drug amounts required to impose a mandatory death penalty. In Malaysia, the anti-drug laws were amended, with the introduction of sentencing discretion in drug trafficking cases. These changes will likely result in a reduction in the number of death sentences imposed in both countries in the future. These changes send a message to states currently considering harsher punishments to public health crises that other countries are moving away from imposing the death penalty for drug-related offenses.

“The fact that countries continue to resort to the death penalty for drug-related offences remains troubling. However, steps taken by Iran and Malaysia to amend their

anti-drugs laws go a long way towards showing that cracks are appearing, even in the minority of countries that still execute people,” said Shetty.

Disturbing trends

However, distressing trends continued to feature in the use of the death penalty in 2017. Fifteen countries still imposed death sentences or executed people for drug-related offenses, going against international law. The Middle East and North Africa region recorded the highest number of drug-related executions in 2017, while the Asia-Pacific region had the most countries resorting to the death penalty for this type of offense (10 out of 16).

Amnesty International recorded drug-related executions in four countries – China (where figures are classified as a state secret), Iran, Saudi Arabia and Singapore. The secrecy that shrouded capital punishment in Malaysia and Vietnam made it impossible to determine whether executions for drug crimes occurred. Singapore hanged eight people in 2017 – all for drug-related offenses, and double the amount in 2016. There was a similar trend in Saudi Arabia, where drug-related beheadings rocketed from 14% of total executions in 2016 to 40% in 2017.

“Despite strides towards abolishing this abhorrent punishment, there are still a few leaders who would resort to the death penalty as a ‘quick-fix’ rather than tackling problems at their roots with humane, effective and evidence-based policies. Strong leaders execute justice, not people,” said Shetty.

“The draconian anti-drug measures widely used in the Middle East and Asia-Pacific have totally failed to address the issue.”

Governments also breached several other prohibitions under international law in 2017. At least five people in Iran were executed for crimes committed when they were under 18 and at least 80 others remained on death row. Amnesty International recorded several cases of people facing the death penalty after “confessing” to crimes as a result of torture or other ill-treatment in Bahrain, China, Iran, Iraq and Saudi Arabia. In Iran and Iraq, some of these “confessions” were broadcast on live television.

Looking forward

With at least 21,919 people known to be under sentence of death globally, the campaign against the death penalty remains as essential as ever.

“Over the past 40 years, we’ve seen a huge positive shift in the global outlook for the death penalty, but more urgent steps need to be taken to stop the horrifying practice of state killing,” said Shetty.

“The death penalty is a symptom of a culture of violence, not a solution to it. We know that by galvanizing the support of people worldwide, we can stand up to this cruel punishment and end the death penalty everywhere.”