



Madrid, 10 October 2017

**International Commission
against the Death Penalty**

President

Navanethem (Navi) Pillay

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Louise Arbour

Marc Bossuyt

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Statement by the International Commission against the Death Penalty on the occasion of the World Day against the Death Penalty

Death penalty: a fatal, inhuman practice that discriminates against the poor

We observe today the 15th World Day against the Death Penalty. As of today, 105 countries have abolished the death penalty for all crimes. In the past 25 years, 60 countries have abolished the death penalty for all crimes and the number of States that carry out executions has fallen by nearly half.

But it is still not enough: the world's most populated countries – China, India, United States of America and Indonesia still retain capital punishment along with States like North Korea, Iran, Saudi Arabia, Iraq, Pakistan, Belarus, Malaysia and Singapore. Around half of the world's population, who live in these countries, is not guaranteed the right to life, as prescribed in Article 3 of the Universal Declaration of Human Rights. Hundreds of executions are carried out every year and thousands are under sentence of death.

Worryingly, the International Commission against the Death Penalty (ICDP) is concerned that in practically every country applying the death penalty, it has been carried out arbitrarily and in a manner that discriminates against the poor and the marginalized sections of society including minority groups and migrant workers. Because of their limited economic means, because of their lack of knowledge of the legal systems and their rights, because of poor legal defense support, because of systemic bias that they face from law enforcement authorities, they are under greater risk of being sentenced to death.

In India, almost 75 per cent of the persons sentenced to death, and in Malaysia, nearly 90 per cent, reportedly belonged to economically vulnerable groups. In Saudi Arabia, Iran and Pakistan hundreds are executed every year, most of whom are poor or from minority communities; in addition, there are concerns that these three countries carry out executions of those who were juveniles when they allegedly committed the crimes for which they faced the death penalty.

In the USA, most persons facing the death penalty even today cannot afford their own attorney at trial and most court-appointed attorneys are overworked, underpaid or lacked the experience necessary to defend capital punishment trials. Moreover, prosecutors tended to seek the death penalty more often when the victim was white than when the victim was African-American or of another racial or ethnic origin. These factors have contributed to the arbitrariness of the death penalty. By doing so, the death penalty violates the right to equal dignity and this discrimination condemns them to further marginalization.



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In China, the number of executions carried out is a state secret and reportedly, those executed, feared to be in the thousands, include those belonging to marginalized communities including unskilled workers who have little means of defense.

In Indonesia, 13 of the 16 persons executed in the last two years were foreign nationals and there were questions of fair trials in several of these cases.

From the experiences and beliefs of the Commissioners of the ICDP, the death penalty is not the solution to end criminality. It is usually counterproductive as it worsens poverty, discrimination and inequalities, perpetrating the circle of violence.

The right to life is a universal human right and the death penalty has no place in the 21st century.

On the World Day against the Death Penalty, ICDP notes that more than half the countries in the world have abolished capital punishment because they have recognized that modern justice systems can protect the public from crime without the irrevocable and cruel nature of the death penalty and the constant risk of executing an innocent person. These nations have recognized that state killing is wrong and fails to deter crime more effectively than other punishments. Today, ICDP joins the abolitionist movement in committing ourselves to achieve a world free of the death penalty, a world free of this discriminatory practice that is based on vengeance and bias that only enhances the ever-present risk of wrongful convictions.

Judge Navi Pillay
President
International Commission
against the Death Penalty



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Background

Composed of 21 Commissioners, who are persons of high international standing from all regions of the world, ICDP acts with total independence and neutrality and works under its President Judge Navi Pillay.

ICDP opposes the death penalty under any circumstances believing that it violates the right to life enshrined in the Universal Declaration of Human Rights. The Commission promotes the abolition of capital punishment in law in those States that observe a de facto moratorium on the use of the death penalty and promotes moratoriums on executions in states that rarely use the death penalty.

ICDP works with the United Nations and other international and regional organizations, governments and nongovernmental organizations to further the abolition of capital punishment worldwide.

The work of ICDP is supported by a diverse group of 19 States from all regions of the world that are committed to the abolition of the death penalty. Its secretariat is based in Madrid.