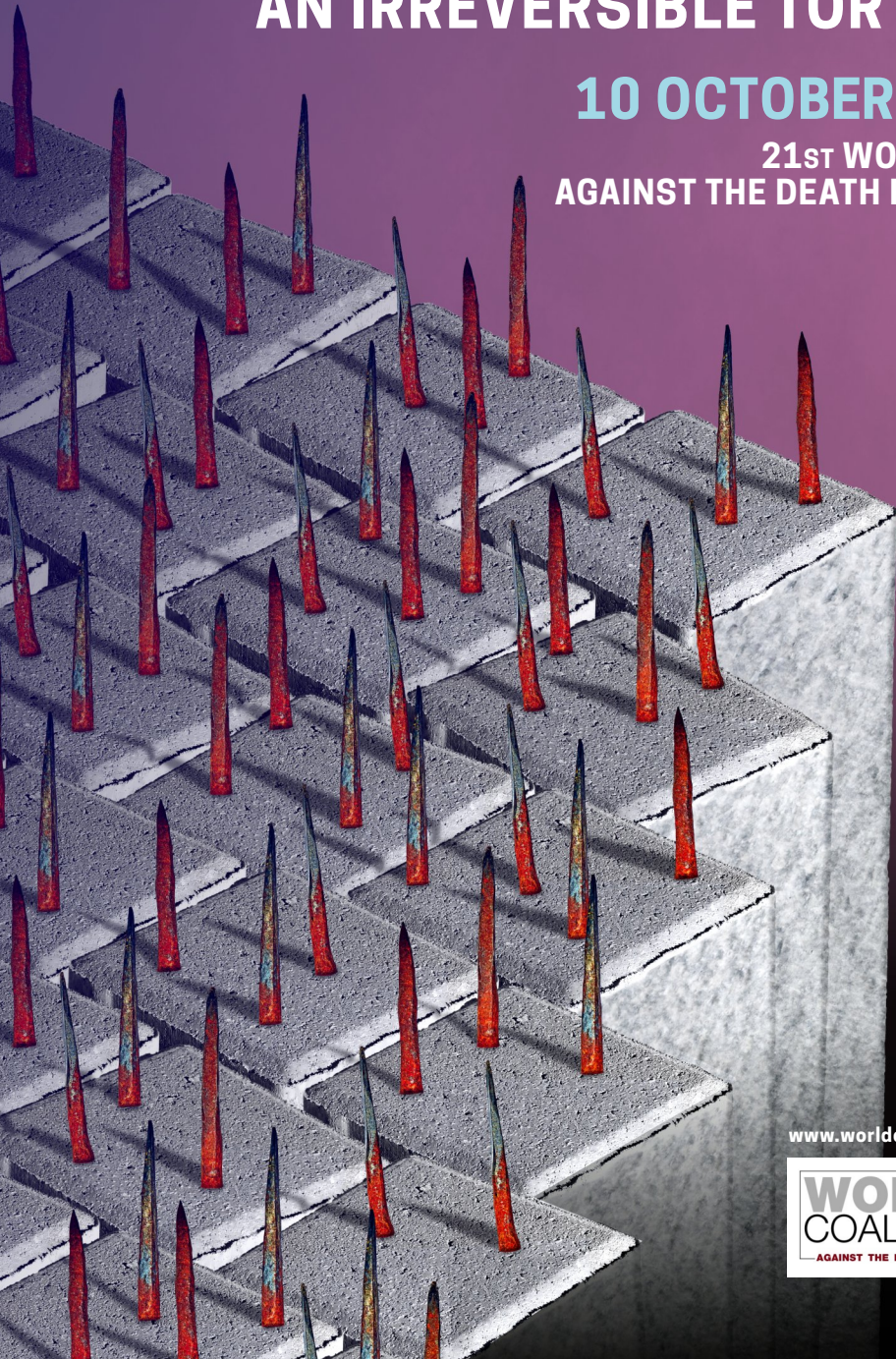


DEATH PENALTY: AN IRREVERSIBLE TORTURE

10 OCTOBER 2023

21ST WORLD DAY
AGAINST THE DEATH PENALTY



www.worldcoalition.org

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

On 10th October 2023, the World Coalition Against the Death Penalty and abolitionist actors worldwide will celebrate the 21st World Day Against the Death Penalty.

This year, World Day is continuing the momentum it started in 2022 on understanding the link between the use of the death penalty and torture or other cruel, inhuman, and degrading treatment or punishment (CIDTP).

TO FIND OUT MORE

Find out everything about World Day Against the Death Penalty at :

<https://worldcoalition.org/campagne/21st-world-day-against-the-death-penalty/>

- The 2023 World Day poster
- The Mobilization Kit
- The testimonies collection
- Detailed factsheets on the death penalty around the world
- The 2022 World Day Report

Today, 144¹ States are abolitionists in law or in practice, which represents more than two-thirds of the world's countries. According to Amnesty International's report on the death penalty in 2022, at least 28,282 people around the globe were known to be under a sentence of death. Among those sentenced to death worldwide, women account for less than 5%.² This conservative estimate also represents the number of people who have experienced torturous conditions and CIDTP due to their sentence.

From sentencing to execution, the death penalty inevitably causes physical harm and psychological suffering that can be likened to torture or ill-treatment.

→ **At the time of sentencing**, it is considered as torture where the guarantees of a fair trial are not respected (in cases where the death sentence is the result of a confession obtained under torture) or if it is applied to vulnerable groups protected by international law such as minors, pregnant women or persons with severe psychosocial or intellectual disabilities.

→ **While awaiting execution**, prisoners on death row face psychological torture or the "death row phenomenon" due to the long and agonizing wait, isolation, drastically reduced human contact and even the undignified physical conditions of detention.

→ **The execution methods** - gas asphyxiation and induced hypoxia, stoning, hanging, firing squad, lethal injection, decapitation, all still used - have already been condemned by international and regional jurisprudence as torture and CIDTP.

The death penalty itself should be considered a form of torture in all circumstances.

The idea that the death penalty is inherently incompatible with the prohibition of torture and cruel, inhuman or degrading treatment or punishment is shared by a large part of the international community, civil society and the academic world - and it is gaining more traction in national and regional courts.

October 2022

UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Alice Edwards, and the **Special Rapporteur on Extra-judicial summary or arbitrary executions**, Morris Tidball Binz published a joint declaration addressing the relationship **between the death penalty and the absolute prohibition of torture.**

Chairperson of the Human Rights Commission in Pakistan published a statement demonstrating **that the application of capital punishment amounts to torture.**

¹ Amnesty International, *Death Sentenced and Executions 2022* <https://www.amnesty.org/en/documents/act50/6548/2023/en/>

² Cornell Center on the Death Penalty Worldwide, *Judged for More than Her Crime: A Global Overview of Women Facing the Death Penalty* <https://deathpenaltyworldwide.org/publication/judged-more-than-her-crime/>

November 2022

The African Commission on Human and Peoples' Rights passed Resolution N.544 in which it urged, among other things, "States Parties to the African Charter that still retain the death penalty to fully implement the right to life, the right to human dignity and the prohibition of torture."

THE DEATH PENALTY IN NUMBERS

- 1 China
- 2 Iran
- 3 Saudi Arabia
- 4 Egypt
- 5 USA

are the 5 States that executed the most in the world in 2022.

23
States are abolitionists in practice.

112
States have abolished the death penalty for all crimes.

55
States are retentionists .

9
States have abolished the death penalty for common law crimes.

December 2022

the African Court on Human and Peoples' Rights issued judgments regarding the death sentences of Marthine Christian Msuguri and Ghati Mwita in Tanzania. The Court reiterated that the imposition of the death penalty violates Article 5 of the African Charter, on the right to human dignity. The Court found **that the psychological impact of a death sentence constitutes inhuman and degrading treatment**

Statistics from Amnesty International

Our deep thanks to the individuals who provided testimonies and to the organizations which sent them. For additional, full testimonies, please read 'Testimonies: Where Torture and the Death Penalty Intersect' on the World Coalition website.



PAKISTAN



Kanizan Bibi was sentenced to death in 1991. Her sentence was overturned by the Supreme Court in February 2021.

"Kanizan Bibi was convicted and sentenced to death in 1991 for killing her pregnant employer and her young children. But Kanizan maintains her

innocence. [...] After she was arrested, Kanizan spent 11 grueling days in police custody. Villagers reported hearing cries and screams while she was being questioned at the police station. She was suspended from a fan by a rope and beaten. Police let mice loose in her pants. She was repeatedly electrocuted. She was hospitalized for her injuries, only to be discharged to prison. Kanizan was unable to hire private counsel to defend her against the murder charges. The central piece of evidence against Kanizan was her confession. Her statement was challenged in court as the product of torture but to no avail."

Testimonial gathered by Justice Project Pakistan and shared in 'Judged for more than her crime' by Cornell Center on the Death Penalty Worldwide.

Illustration provided by Justice Project Pakistan from the New Media Advocacy Project video.

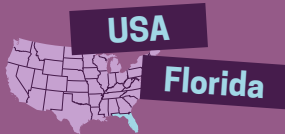


IRAN

Hashem Sha'Baninejad (Amuri), was arrested in Iran in 2012 and executed in January 2014.

"After spending five months in the Ministry of Information's secret solitary confinement, I succumbed to their wishes and did everything they asked me to, uttering the words that were dictated to me. Two months after the false confession, I was transferred to Karun Prison...At the first trial, which was conducted on May 21, 2012, I told the truth to the judge...I emphasized to the judge that I had implicated others at the behest of the security forces and that I had been coerced to do so under mental and psychological duress and under [physical] torture."

Testimonial gathered and shared by Abdorrahman Boroumand Foundation for the Promotion of Human Rights and Democracy in Iran.



Sunny Jacobs, was sentenced to death in the State of Florida in 1976. She was found innocent and freed in 1992.

Testimonial provided by the Sunny Center, gathered by the World Coalition Against the Death Penalty.



"I was held in solitary confinement, in complete isolation. [...] At first, I lived in fear of [the prison guards], coming into my cell to kill me. No one would have known because there was no one there. Every time you hear footsteps coming down the

hallway and it's not meal time, you wonder if they are coming to serve you your death warrant instead. I wrote my thoughts and my feelings, on little scraps of paper, so I would have something to leave behind for my children in case they did take my life. You are not allowed to work, and medical and dental care are minimal because, after all, you are going to die anyway. They take away all sense of meaning and all hope."



Mumia Abu-Jamal spent 29 years on death row in the state of Pennsylvania. His death sentence was overturned in 2011, but his sentence was commuted to life imprisonment without the possibility of parole.

"Why is such torture [for those sentenced to death] possible? Because the state, by creating such extreme conditions, sought to turn people into a kind of living dead, so broken that actual death would be but a relief."

Testimonial gathered by Free Mumia! French Support Group.



Miburo Abdulkarim is a Burundian refugee who was sentenced to death in Tanzania in 2007. His sentence was commuted to life imprisonment in 2020, and he has spent 24 years in prison. He has maintained his innocence before and after his conviction.

"One day, I was dropping off a customer [with his bike-share and rides job] when I was rounded up by the police. At the police station, I was kept apart from other people and was deprived of sleep for two days. Police officers beat me repeatedly and told me that the beatings would not stop unless I confessed to a crime I did not commit. They used sticks, a wooden club and the butt of a gun. I was desperate for the beatings to stop, so I gave in to their demands. At trial, I asked to withdraw my confession and said that I was beaten and threatened. However, I had no familiarity with the court system in Tanzania, nor did I know the language. I was sentenced to death and have spent over 24 years in prison without hope of finding my family again."

Testimonial gathered and shared by Reprieve.



Anonymous, is currently on death row in Taiwan.



"Our system isn't gonna let us [death row inmates] prove our worth. Even if they want me to go to war or guard nuclear waste, I can do it. We don't wanna be a useless person; you know what I mean? [...] We can't just live day by day and have our food and sleep like a dog in the prison till death. If they gave me a chance to read books for ten years, I might be a doctor by now. [M]aybe then I would have value and can take some responsibilities. [...] But the government puts us in prison and tortures us for a long time, and we contribute nothing. We made mistakes, but they should give us a chance to change our lives. But the government doesn't, that's why I'm pessimistic."

Testimonial gathered and shared by the Taiwan Alliance to End the Death Penalty.

Photo taken by World Coalition Against the Death Penalty, Entrance of Taichung Detention Center in Taiwan, where 4 people are under a death sentence as of 30 May 2023.



SINGAPORE

Angelia Selvam, sister of Pannir Selvam a Malaysian national who was sentenced to death in Singapore since 2017. His execution date was scheduled for May 2019, but was postponed at the last minute and is still awaiting an execution date.

"Pannir's scheduled execution was set for May 24th, 2019. It was an emotional turmoil beyond words. We were so overwhelmed that we could barely have the strength to enter the courtroom and take our seats. [...] We grappled with feelings of guilt as parents, siblings, and family members, even though we knew we were not responsible for the actions that led Pannir to receive the death sentence. [...] It is agonizing to accept the fact that it has been more than a decade since my brother last enjoyed a home-cooked meal, and it has been just as long since we touched and hugged him. He is deprived of exposure to sunlight and fresh air, he is subjected to an isolated and oppressive environment, deprived of basic human dignity."

Testimonial shared by Parliamentarians for Global Action (PGA).

10 REASONS TO END THE USE OF THE DEATH PENALTY

1

No State should have the power to take a person's life.

2

It is irrevocable.

No justice system is safe from judicial error and innocent people are likely to be sentenced to death or executed.

3

It is unfair.

The death penalty is discriminatory and is often used disproportionately against people who are poor, people with intellectual or psychosocial disabilities, and members of racial and ethnic minority groups. In some places, the imposition of the death penalty is used to target groups based on sexual orientation, gender identity, political opinion, or religion.

4

It is inhuman, cruel, and degrading.

Conditions on death row and the anguish of facing execution inflict extreme psychological and physical suffering, and execution is a physical and mental assault..

5

It denies any possibility of rehabilitation.

6

It creates more pain, particularly for the relatives of the person sentenced to death, including children, with harsh transgenerational consequences.

7

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. On nine occasions, the United Nations General Assembly has called for the establishment of a moratorium on the use of the death penalty (resolutions No. 62/149 in 2007, No. 63/168 in 2008, No. 65/206 in 2010, 67/176 in 2012, No. 69/186 in 2014, No. 71/187 in 2016, No. 73/175 in 2018, No. 75/183 in 2020 and No. 463 in 2022).

8

It is counterproductive

because by instituting the killing of a human being as a criminal justice solution, the death penalty endorses the idea of murder more than it fights it.

9

It is inefficient and does not keep society safer. It has never been conclusively shown that the death penalty deters crime more effectively than life imprisonment.

10

Not all murder victims' families want the death penalty. A large and growing number of crime 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.

10 THINGS YOU CAN DO TO END THE DEATH PENALTY

1

Organize a gathering

It can take the shape of a demonstration, a webinar, a remote workshop, a debate or a movie screening, an art exhibition or theater performance.

2

Organize a visit to prison

to raise awareness on the conditions of detentions of prisoners.

3

Build partnerships with minority group's rights organizations

(women, LGBTQIA+, religious minorities, ethnic minorities...) to raise awareness on how discriminations are an aggravating factor of the psychological and physical tortures.

4

Participate in a TV show or community radio

to raise awareness of the need to abolish the death penalty.

5

Join the events

prepared for the abolition of the death penalty worldwide. Visit the World Coalition page for events near you !

6

Build on existing knowledge

on the link between the use of the death penalty and torture by gathering local data on the physical and psychological torture faced by persons sentenced to death.

7

Write a letter

to death row inmates or to their families to show support and fight isolation.

8

Follow the social media campaign

on Facebook, Instagram and Twitter and launch your own using: *#nodeathpenalty*.

9

Mobilize the media

to raise awareness on torture experienced by those who are sentenced to death both locally and worldwide. Call for interviews, testimonies from death row detainees, investigations on local cases and raising awareness campaigns.

10

Participate in Cities Against the Death Penalty/Cities for Life

on 30 November 2023.

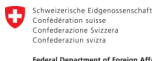


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