



International Conference on Death Penalty

Recommendations from conference participants

October 2021

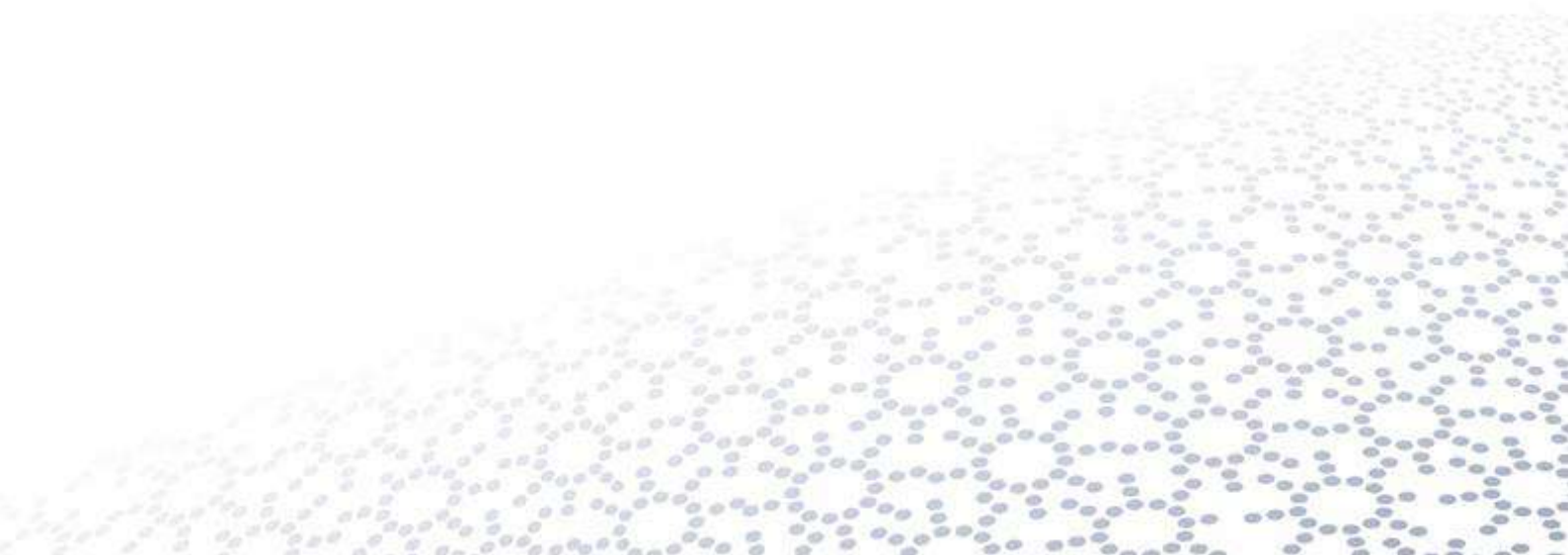


FOREWORD

The abolishment of the death penalty is a global priority to which Portugal – as pioneer country in abolishing capital punishment – remains strongly committed.

The death penalty violates the inalienable right to life enshrined in the Universal Declaration of Human Rights and is the ultimate cruel, inhumane, degradant, immoral, irreversible punishment, inefficient to the prevention of crime. Moreover, its enhanced discriminatory nature on the basis of ethnicity, race, religion, and gender disproportionately affects marginalised groups.

The OSCE participating States have made several commitments that strive towards the abolition of the death penalty that, *inter alia*, promote the exchange and availability of information to the public.



In recent years, the number of countries which carry out executions has gradually declined, and an increasing number of countries have recognised that capital punishment undermines human dignity and respect for human rights. These developments show that the international trend is towards universal abolition.

Statements and initiatives from the European Union, the OSCE, the Council of Europe, the UN and individual Member States calling for the abolition of the death penalty are relevant contributions to the imperative need of keeping the issue high on national and multilateral agendas. Not only do these create broad coalitions that facilitate political will and leadership in the countries where it is still a practice,

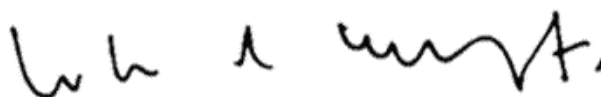
but they also prevent the *abolitionists* States from becoming dormant to the populist call for reintroduction.

It was in this context that the Permanent Representation of Portugal to the OSCE organised the **International Conference on Death Penalty**, on 4 May 2021.

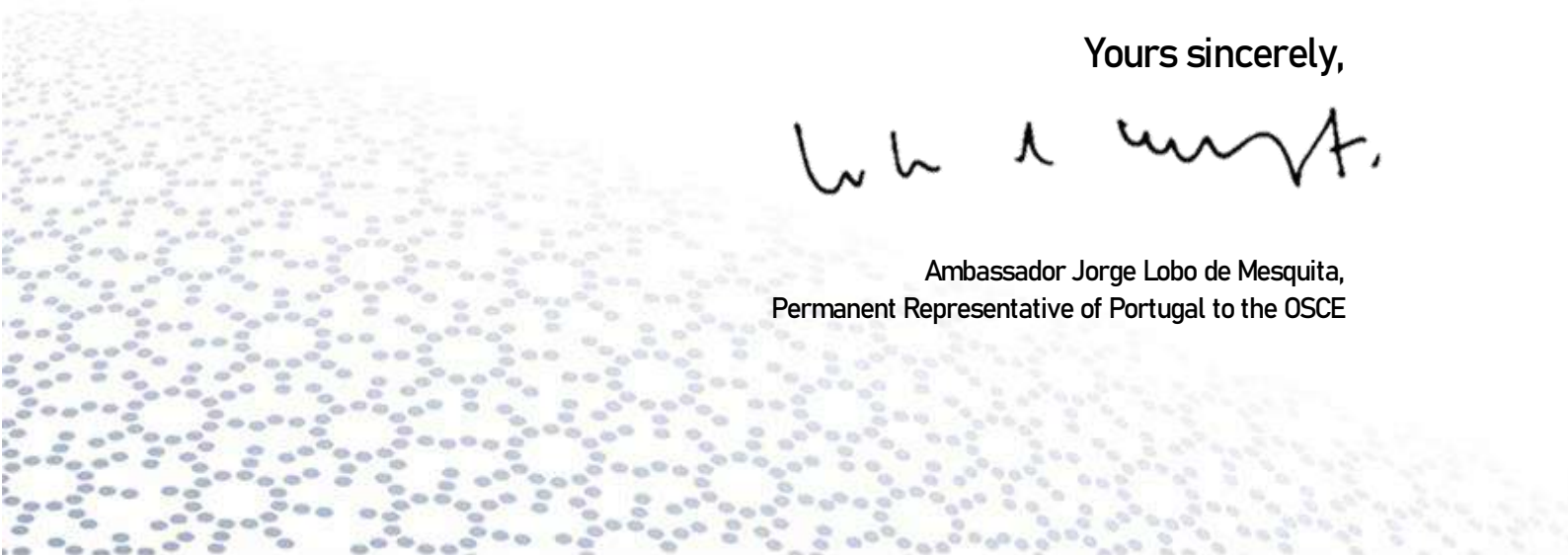
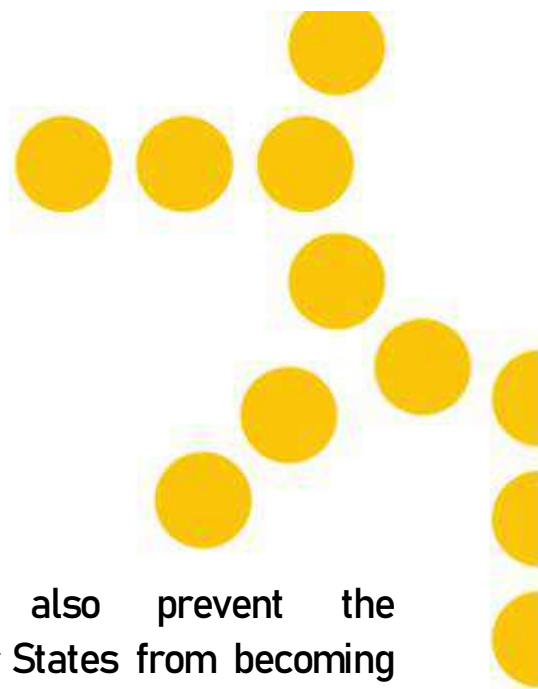
This publication outlines the recommendations made by the participants, aiming to contribute to future dialogue and foster action of relevant stakeholders.

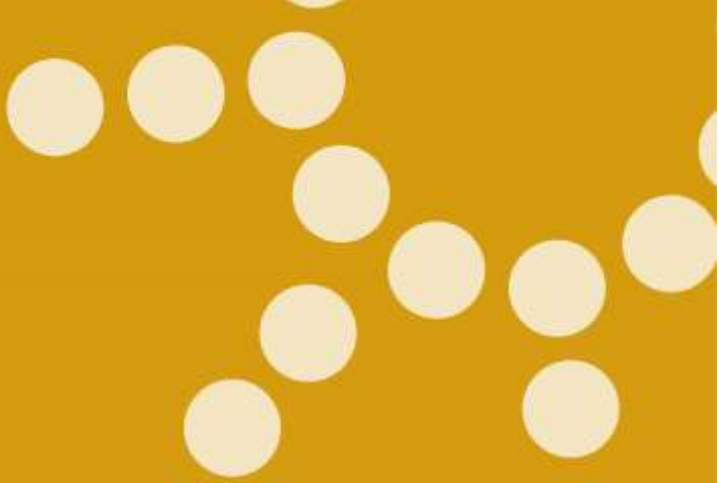
We reiterate our words of appreciation to all conference participants for their valuable contributions.

Yours sincerely,



Ambassador Jorge Lobo de Mesquita,
Permanent Representative of Portugal to the OSCE





“Death penalty
has no place in the
21st century.”

*António Guterres,
United Nations Secretary-General*





Recommendations

from conference participants

Every human being has the right to life, liberty and security. These principles have been an integral part of the OSCE's *acquis* since 2008.

In recent years, we have witnessed a widening adherence to international standards aiming at the abolition of the death penalty. Nevertheless, it remains a reality, also in the OSCE area, even though it violates commitments, namely on torture and ill-treatment.

It is crucial to address the myths that fuel the retentionist side of the debate. The death penalty has proven to be inefficient in the fight against violence and crime. Moreover, it is impossible for a State to develop a humane system of killing human beings.

At this conference, it became clear that understanding the obstacles – real or perceived – to the abolition of the death penalty in every given jurisdiction is a solid first step towards eradication.

Participants also pointed out that abolition is more likely to occur when the process follows a top-down approach, backed by a broad coalition, and guided by political leadership and will.

These are the 13 main recommendations from the **International Conference on Death Penalty** participants towards the abolition of the death penalty:

Multilateral and bilateral scopes

1 Keep the topic high on national and multilateral agendas

Continued dialogue and reflection between abolitionist, retentionist states, and within the abolitionist ranks, is fundamental to consolidate the progress achieved and maintain communication flows.

2 Reinforce coordinated action within regional and international fora

Promote periodic dialogue through bilateral and multilateral engagement between partner countries on human rights issues within organisations such as the UN, the Council of Europe, the EU and the OSCE.

3 Leverage diplomatic and political weight and influence towards a moratorium on executions

Financial and technical support, as well as application of human rights instruments, can be used as means to encourage states to support relevant UN resolutions and declare moratoriums as first step for retentionist States to join the abolitionist ranks.

4 Encourage respect for international commitments and adherence to relevant international standards

Urge countries to adhere to relevant international documents, particularly Protocol 6 and 13 to the European Convention on Human Rights and Second OP to ICCPR and respect internationally recognised safeguards that aim at protecting the rights of persons facing the death penalty.

5 Use trade policy as a tool

Prohibiting or restricting the trade and transfer of goods that are inherently abusive or that can be used for torture and executions, such as barbiturate agents and lethal injections, can deter States from carrying out executions. These restrictive trade policies can, furthermore, encourage countries to ratify relevant international conventions.

6 Disseminate positive developments

Enhancing information flows between retentionists and abolitionists States by documenting, disseminating, and reflecting upon the factors of progress in the international fora may contribute to their replication.



National and institutional framework

7 Promote the vital role of the media

Ensure media freedom and civil society spaces is crucial to guarantee the provision of reliable information and the mitigation of public misinformation.

8 Support the work of Civil Society Organisations

Organisations that provide additional training within the judiciary, raise public awareness, create national networks, monitor the use of the death penalty, and advocate for legal reform and dialogue play an important role.

9 Capitalise on institutional expertise and perspectives

Institutions, such as the ODIHR, monitor trends, thus presenting pathways towards abolition in their reporting. An up-to-date, revised national approach, in line with identified trends, will prove more effective than a static, potentially misleading one.

10 Raise public awareness

Promote debate on abolition among all relevant stakeholders, including parliaments, civil society, academia, religious leaders, experts, as well as victims and their families. The more people know about this cruel punishment and its impact, the wider support there will be towards its abolition.

11 Promote and fund research


Scientific evidence and its dissemination can ensure that the adoption of measures is informed by factual evidence, rather than emotional debate and public pressure.

12 Sponsor data gathering and analysis

Statistics disaggregated by gender, age, ethnic and social origin, including about persons on death row and the number of executions and pardons, can inform national and international debates and contribute to steady global progress towards the abolition of the death penalty.

13 Identify ways to address persisting difficulties

Strengthening partnerships and broad coalitions, and ensuring availability of advice and assistance that non-abolitionist States may require to undertake legal and institutional reforms.



**towards the complete abolition
of death penalty in the 21st century.**



Review the conference here.

Permanent Representation of Portugal to the OSCE
2021