

A global perspective on capital punishment

By Frederic Laplanche

The World Day Against the Death Penalty — Oct. 10 — gives us an opportunity to reflect again about the situation at the global level and its evolutions.

The risk of a miscarriage of justice remains the most compelling argument in favor of abolition of capital punishment. Executing an innocent is no longer an acceptable risk to take in our developed societies, which should aim for better justice.

Unfortunately, wrongful verdicts happen and will continue to happen, as no judicial system is able to guarantee perfection. However, when a wrongful execution has been carried out, it is already too late and there is no way to go back. Such situations actually happen more frequently than people generally believe. Evidence of this appears clearly in results of judicial review processes and research.

For example, information published in the US shows that the risk of miscarriage of justice and wrongful executions remains very high, even in the best organized judicial systems. Since 1989, in the US, there have been 300 post-conviction exonerations based on new DNA evidence analysis. Of these 300 convictions, 18 were death sentences. In these 18 cases, it was only because the accused had not yet been executed that such DNA evidence could be used. Had these 18 death row inmates been executed, they would not have been exonerated, and there would be no chance of ever finding the real perpetrators.

As the evidence piles up of the defects of capital punishment for a form of justice, there has been steady progress on the way to abolition at the global level in the past few years.

Even if this is still too much, only 21 countries carried out executions last year — a very small minority, out of almost 200. This year, Connecticut has abolished the death penalty — the fifth US state to take this course in five years. In Asia as well, we have seen recent progress. The parliament of Mongolia, in January, voted by a large majority to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, thus abolishing the death penalty through an international commitment.

The hope of further, incremental progress toward the abolition of the death penalty is a universal message addressed by the EU to the citizens of the world.

Of course, this message is also addressed to Taiwan, and we shall continue to raise here this important and difficult question in a spirit of mutual respect, dialogue and cooperation.

Frederic Laplanche is the head of the European Economic and Trade Office.