

Issue Analysis

- Death Penalty - *Sessions 1-8*

Introduction

- Death Penalty is an issue that is raised fairly often within the context of the Universal Periodic Review.
- A total of 17 States posed advance questions on the issue while 51 States made recommendations.
- Out of 3533 advance questions from session 1 to 8, 134 questions concerned death penalty.
- Out of 12385 recommendations in total, 503 focused on death penalty.
- In order to facilitate further analysis of this issue, a division has been made between those questions and recommendations that concern substantive issues related to the death penalty, and those that concern the ratification of the Second Protocol to the ICCPR on abolition of the death penalty.

Analysis

Death Penalty

- This category contains all questions and recommendations that relate to the situation of death penalty and any general remarks regarding the issue. The recommendations concerned various issues, such as complete legal abolition of the death penalty, moratoria, removal of the death penalty from the criminal code, reduction of the number of crimes subject to this penalty and supply of information and statistics concerning the application of the death penalty.
- Out of 134 questions posed on death penalty, 118 of these focused on the situation of death penalty.
- Out of 503 recommendations on death penalty, 365 recommendations focused on the situation of death penalty.
- Questions and recommendations include, for example “Is the Government intending to declare a moratorium on the death penalty with a view to abolishing it in future?” and “Establish a moratorium on capital punishment, commuting such crimes to sentences of deprivation of liberty if not, to find a way to harmonize criminal and penal norms and laws with international human rights law”.

Top 5 States posing advance written questions on this issue

1. United Kingdom (25 questions)
2. Netherlands (21 questions)
3. Denmark (19 questions)
4. Sweden (12 questions)
5. Norway (10 questions)

Top 5 States making recommendations on this issue

1. Italy (39 recommendations)
2. Brazil (25 recommendations)
3. France (21 recommendations)
4. United Kingdom (20 recommendations)
5. Chile (17 recommendations)

The Second Protocol to the ICCPR

- This category contains all questions and recommendations that relate to the Second Protocol to the ICCPR including its signature or ratification, as well as the implementation of States' national obligations according to these documents.
- Out of 134 advance written questions, 16 focused on the ratification of the Second Protocol to the ICCPR.
- Out of 503 recommendations on death penalty, 138 recommendations focused on the issue of the ratification of the Second Protocol to the ICCPR.
- Questions and recommendations include, for example, "Could you please inform us whether you will ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at abolition of the death penalty?" or "Accede to and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty"

Top 3 States posing advance written questions on this issue

1. United Kingdom (5 questions)
2. Czech Republic and Sweden (3 questions each)
3. Hungary (2 questions)

Top 5 States making recommendations on this issue

1. Spain (22 recommendations)
2. Argentina (15 recommendations)
3. Chile (13 recommendations)
4. Australia and France (8 recommendations each)
5. Italy and Mexico (7 recommendations each)