

Ms. Barbara Lochbihler, MEP (Germany)

President Thommessen,

Honourable Colleagues,

I am delighted and honoured to address you here today.

My name is Barbara Lochbihler. I am member of the European Parliament and co-convenor of the International Law and Human Rights Programme of Parliamentarians for Global Action (PGA). The largest organisation of more than 1,300 legislators in 143 elected parliaments around the globe. In our capacities, as democratically elected legislators, we promote human rights, the rule of law, gender equality, non-discrimination, and peace and security.

In 2013, PGA's International law & Human Rights programme launched a new campaign, the Global Parliamentary Platform for the Abolition of the Death Penalty with the goal of maximizing the impact and giving visibility to individual parliamentary abolitionist initiatives worldwide.

In 2015-16, PGA worked on a number of targeted campaigns in countries including Ghana, Uganda, Tanzania and Malaysia. PGA's work has already led to promising results in Suriname and Cote d'Ivoire as both abolished the death penalty in March 2015.

While the majority of States have essentially outlawed the death penalty in 102 countries, there are still 64 States, which retain and implement the death penalty with at least 1637 people having been executed in 2015.

As Parliamentarians, we can play a strong role towards the abolition of the death penalty. Through PGA's global network we are supporting our colleagues in those countries who are trying to raise awareness about the negative effects of the death penalty and persuade an often hostile public opinion towards abolition, using arguments that are tailored to each specific context.

Our Members in retentionist countries are working on a programme of action aimed at raising public awareness of the growing international movement against executions, which may lead to the introduction of relevant legislation.

In abolitionist countries, such as my own country Germany, we MPs and MEPs support our colleagues in other countries through parliamentary diplomacy and by actively promoting the international movement for abolition.

I am proud to say, that on a regional level, the European Union has become a leading force towards the abolition of the death penalty, within its general framework of the promotion of human rights for all. The last execution by an EU Member state was in Latvia in 1996. The EU's fight for the abolition of the death penalty is for instance promoted through its delegations and EU supported programs worldwide, as well as prominently reflected in its Action Plan on Human Rights and Democracy.

However, the most difficult work remains that of MPs in countries where the death penalty is still being imposed and justified by stereotypes and religious justifications

We will argue against stereotypes and myths surrounding the imposition of the death penalty:

- 1) Empirical evidence has proven that there is no causal link between crime prevention and the availability of the death penalty. Deterrence is one of the main justifications given for retaining the death penalty. However, there are States in which the death penalty has been abolished and the crime rate went down. Within the framework of a national justice system, it is not the severity of the penalty but the relative certainty and predictability in applying any proportionate penalty that renders a functioning criminal justice system a deterrence factor. For example, in the USA: murder rates in non-death penalty states have remained lower than in death penalty states for the last 25 years.
- 2) The death penalty is irreversible. Where the death penalty exists, there is the ever-present possibility of the most extreme injustice being applied to innocent people. There is always scope for human error. Therefore, no decision of any branch of the Government shall be definitive or irreversible. History tells us that many people have been executed mistakenly, because evidence was flawed and manipulated, and other decisive evidence emerged only after the execution took place.
- 3) Under International Law, the most serious crimes of concern to the International Community as a whole are genocide, crimes against humanity (which may include the most vicious acts of terrorism), war crimes and the crime of aggression. The persons allegedly most responsible for these core crimes can be adjudicated before the International Criminal Court in The Hague, where they may be sentenced to a maximum penalty of life imprisonment. How can we morally justify that for crimes of a lesser gravity and scale (e.g. with a few victims and not the thousands of victims of ICC cases) we would still apply the capital punishment in our domestic systems?

PGA stands ready to work with MPs from all of your countries towards abolition of the death penalty. We are committed towards the common goal of a world free of state sanctioned killing in the form of capital punishments.

PGA provides Legislators with their own action-based and result-oriented platform that may facilitate their efforts towards abolition.

As PGA Members, we call upon our fellow Members of Parliament to work together to convince Governments where the death penalty is still enforced to progressively restrict its use and eventually abolish it.

In specific, we call upon states:

- To establish moratorium on executions with a view to abolishing the death penalty;
- To make available information with regard to the use of the death penalty;
- To disseminate among MPs existing data with regard to the number of executions and the number of individuals on death row; and
- To respect international standards that provide safeguards guaranteeing the protection of the rights of those facing death penalty.

We need to promote a better understanding of global and regional trends on this issue in order to identify the legal and political opportunities for parliamentary involvement so that we as Parliamentarians can overcome the many challenges other countries face.

As you may know, this year, a new resolution for a moratorium on executions will be voted at the UNGA in December. A global moratorium is the first step in abolishing the death penalty worldwide. Our aim is to increase the number of votes in favour of the resolution while maintaining a strong text as the 2014 one. We, as PGA, stand ready to provide assistance to countries wishing to work on such a global moratorium.

Thank you for your attention and I am wishing us all a fruitful outcome of this timely conference.