

■ By Tracy P. Pabico

"The history of using punishment by death had not prevented determined men from injuring society and that death was only a momentary spectacle, and therefore a less efficacious method of deterring others, than the continued example of a man deprived of his liberty...."

- *Crime and Punishment, Cesare Beccaria, 1767*

AT THE beginning of the 20th century, only three states had permanently abolished the death penalty for all crimes - Venezuela (1863), San Marino (1865), and Costa Rica (1877).

In the second half of the 20th century the international abolitionist movement gained significant momentum with the development of international human rights standards providing tighter restrictions on the application of the death penalty and favoring its progressive abolition on the basis of human rights norms.

TOWARDS UNIVERSAL ABOLITION

The community of nations adopted several international human rights instruments binding all states to the abolition of the death penalty. These include the **Universal Declaration of Human Rights (UDHR)**, adopted and proclaimed by UN General Assembly 217/ A (III) on December 10, 1948; the **International Convention on Civil and Political Rights (ICCPR)**, adopted on December 16, 1966 (total State parties: 154); and the **Second Optional Protocol to the International Convention on Civil and Political Rights**, adopted on December 15, 1989 (total State parties: 51).

The abolitionist trend is significantly remarkable in Europe, the only region in the world today where the death penalty has been almost completely abolished. The Council of Europe played a pioneering role in the battle for abolition, believing that the

death penalty has no place in democratic societies under any circumstances. The abolitionist trend has also been significant in other continents, such as Latin America (with 10 abolitionist countries so far) and Africa (with 24).

At present, a total of 120

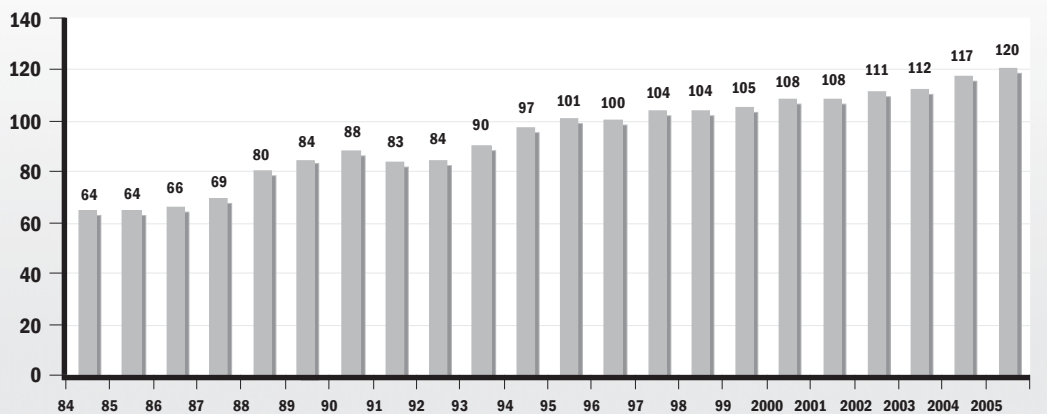
countries (or 61% of the countries in the world) have already abolished capital punishment. It has been abolished in all Western European countries; other countries in Africa, Asia-Pacific and Latin America are currently dismantling their laws on

As of November 2005, there are 1,184 Filipinos awaiting execution. 30 of them are women.



capital punishment. Since 1990, an average of 3 countries put an end to death penalty every year. The latest country to do so is Mexico, which abolished the death penalty for all crimes in April this year.

NUMBER OF COUNTRIES THAT HAVE ABOLISHED THE DEATH PENALTY IN LAW OR IN PRACTICE, BY YEAR.





CREATIVE EXPRESSIONS: Cebu death penalty opponents call for the repeal of RA 7659 thru street murals (above) and a die-in (below). Photos by MTB-Cebu

Amidst the growing worldwide abolitionist trend, the death penalty remains embedded in the criminal justice system of most developing countries. Significantly, majority of the Southeast Asian countries stubbornly pay no heed to the abolitionist trend. The Philippines is among 76 countries and territories that have yet to join the international community of anti-death penalty adherents.

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A Global Advocacy

The 1st World Congress Against the Death Penalty which was held in Strasbourg, France on June 2001 paved the way for the creation of the World Coalition Against the Death Penalty. The World Coalition was created in Rome



on May 13, 2002 and is composed of NGOs, legal and bar associations, local governments, unions, and other organizations involved in the struggle against the death penalty.

The World Coalition aims to reinforce the international dimension of the fight against capital punishment, and to

contribute everywhere it exists to the reduction and, ultimately, to the abolition of death sentences and executions. The World Coalition was given the mission to facilitate the constitution and the development of national coalitions against the death penalty, to take actions such as lobbying in international

organizations and countries, and to organize events of international significance.

Since its inception, the World Coalition has coordinated various efforts of its members and network to compel governments to declare moratorium on executions leading towards the abolition of the death penalty.

The World Coalition has declared October 10th the World Day Against the Death Penalty.

World Day Against the Death Penalty

The World Coalition has been organizing the World Day Against the Death Penalty since 2003. The World Coalition Against the Death Penalty calls on all NGOs, teachers, lawyers and magistrates, local elected officials and parliamentarians, religious figures, artists, reporters and citizens to take the initiative and call for the

universal abolition of capital punishment.

A campaign to say "NO to the Death Penalty" was organized in 2003. Over 188 initiatives were organized in 63 countries across 5 continents on October 10, 2003 in the campaign to say "NO to the death penalty".

The commemoration of the World Day in 2004 coincided with the 2nd World Congress against the Death Penalty which was held from October 6 to 9, 2004 in Montreal, Canada with the theme "Together against the Death Penalty". The Congress aims to accelerate the process of universal abolition initiated during the 1st World Congress.

The members of the World Coalition took an active part in the 2nd World Congress Against the Death Penalty. Delegates from across the globe joined the peaceful demonstration in the streets of Montreal to express their opposition to the continuing use of the death penalty and call for its immediate abolition. 215 initiatives were put into place in 24 countries for 2004.

Local Initiatives

The Mamamayang Tutul sa Bitay-Movement for Restorative Justice (MTB-MRJ), a nationwide network of organizations and individual advocates pushing for the repeal of Republic Act 7659 or the Death Penalty Law, joined other anti-death penalty advocates in the observance of the 3rd World Day Against the Death Penalty.

Bannering the theme "Itaguyod ang Buhay Tungo sa Mundong Walang Bitay," MTB-MRJ organized nationwide activities such as exhibits, public forums, film showings, mobilizations, a dialogue, and Congress trooping to boost the campaign for the repeal of the death penalty law in the country.

MTB-MRJ began the commemoration of the 3rd World Day Against the Death Penalty with a press conference and launching of "Postcards Against the Death Penalty" on October 2, 2005.

On October 10, MTB-MRJ in cooperation with the House Committee on Human Rights, Philippine Jesuit Prison Service (PJPS) and the Alyansa ng mga Inmates sa Death Row (ALIS-



Akbayan Party-List Representative Etta Rosales is joined by families and friends of death row inmates in launching the "Postcards Against the Death Penalty" campaign. The postcard blitz aims to prod Philippine legislators to hasten the abolition of the death penalty law in the country. (Photo by Vanessa Retuerma)



CONGRESS GOES TO PRISON: Alagad Partylist Representative Rodante Marcoleta and Buhay Partylist Representative Rene Velarde at the October 10, 2005 visit to the National Bilibid Prison, which houses 1,154 death row inmates. (Photo by Vanessa Retuerma)

DR) facilitated a dialogue between six legislators led by Rep. Loretta Ann P. Rosales and two hundred death row inmates at the National Bilibid Prison (NBP).

Among the issues tackled during the dialogue were the deteriorating prison facilities, overcrowding, food subsidy, and health care. ALIS-DR also brought to the attention of the solons the incarceration of 18 youth offenders and 11 elderly in the death row which the law prohibits.

Around 200 MTB-MRJ members attended the plenary session of the House of Repre-

sentatives to urge legislators to hasten deliberations on bills seeking the repeal of the death penalty law. Reps. Etta Rosales, Renato Magtubo and Edcel Lagman, members of the Legislators Against the Death Penalty delivered their privilege speeches urging their colleagues to join them in their fight against capital punishment. Anti-death penalty pins and postcards were also distributed to the legislators.

The sixteen (16) abolition bills filed before the House Committee on Revision of Laws have been approved and consolidated into HB 4826. Committee Report 1142 along

with the consolidated bill was submitted to the Committee on Rules for sponsorship and floor deliberations during the World Day Commemoration.

The commemoration of the World Day culminated in a Benefit Show for death row inmates and their families. Dubbed "Jamming Kontra Bitay", the show also served as a solidarity night for anti-death penalty activists. It featured progressive artists such as Noel Cabangon, Gary Granada, Susan Fernandez, Cookie Chua and many more.

The World Day against the Death Penalty is a worldwide effort to abolish the use of capital punishment. Despite this milestone in the continuing struggle for universal abolition, there is an urgent need to make the campaign as intensive and extensive for the rest of the year. This is particularly true for all countries that continue to employ the death penalty in their justice system.

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