



DEATH PENALTY IN LIBERIA

WHEN WILL IT BE ABOLISHED?

FIACAT

The International Federation of ACATs (Action by Christians for the Abolition of Torture), FIACAT, is an international non-governmental human rights organization, set up in 1987, which works towards the abolition of torture and the death penalty. The Federation brings together some thirty national associations, the ACATs, present in four continents.

> FIACAT - REPRESENTING ITS MEMBERS IN INTERNATIONAL AND REGIONAL ORGANIZATIONS

It enjoys Consultative Status with the United Nations (UN), Participative Status with the Council of Europe and Observer Status with the African Commission on Human and Peoples' Rights (ACHPR). The FIACAT is also accredited to the International Organization of the Francophonie (OIF).

By referring the concerns of its members working on the ground to international bodies, the FIACAT's aim is to encourage the adoption of relevant recommendations and their implementation by governments. The FIACAT works towards the application of international human rights conventions, the prevention of torture in places of deprivation of liberty, and an end to enforced disappearances and impunity. It also takes part in the campaign against the death penalty by calling on states to abolish capital punishment in their legal systems.

To give added impact to these efforts, the FIACAT is a founding member of several campaigning coalitions, in particular the World Coalition against the Death Penalty (WCADP), the International Coalition against Enforced Disappearances (ICAED) and the Human Rights and Democracy Network (HRDN).

> FIACAT - BUILDING UP THE CAPACITIES OF THE ACAT NETWORK IN THIRTY COUNTRIES

The FIACAT assists its member associations in organizing themselves, supporting them so that they can become important players in civil society, capable of raising public awareness and having an impact on the authorities in their country.

It coordinates the network by promoting exchanges, proposing regional and international training events and joint campaigns, thus supporting the activities of the ACATs and providing them with exposure on the international scene.

> FIACAT - AN INDEPENDENT NETWORK OF CHRISTIANS UNITED IN FIGHTING TORTURE AND THE DEATH PENALTY

The FIACAT's mission is to awaken Churches and Christian organizations on the issues of torture and the death penalty and convince them to act.

ACAT LIBERIA

The ACAT Liberia was created in 2004 and recognized by the Government of Liberia in 2011. It has been affiliated with FIACAT since 2005. The ACAT Liberia's activities are geared towards the abolition of torture and the death penalty. Its members ensure the improvement of prison conditions through regular prison visits. The ACAT Liberia works closely with civil society organizations specialized in human rights including the Independent National Commission on Human Rights of Liberia (INCHR).

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The FIACAT and the World Coalition Against the Death Penalty set up a joint program in 2015 to increase mobilization for the abolition of the death penalty in Africa. The aim of this program is to strengthen the capacities of the FIACAT and World Coalition's members, encourage African Union Member States to make commitments to abolish the death penalty and raise public awareness of the benefits of the abolition.

In this context, the FIACAT and ACAT Liberia organized an awareness-raising workshop on 17 and 18 September 2019 in Monrovia (Liberia) for 30 participants: Muslim and Christian religious leaders, traditional chiefs, members of civil society organizations, journalists, members of the Independent National Commission on Human Rights (INCHR) and parliamentarians. This workshop resulted in the production of this publication to raise awareness among opinion leaders on the abolition of the death penalty in Liberia, considering the specific characteristics and needs of the country.

To follow up on this workshop and encourage the Liberian authorities to move towards the abolition of the death penalty, the FIACAT and ACAT Liberia conduct a series of advocacy and follow-up missions with diplomatic missions and government functionaries to raise awareness among Liberian political decision-makers so that Liberia can ratify the Second Optional protocol to the ICCPR to which it acceded in September 2005 and amend its laws to abolish the death penalty, as well as to undertake to support the draft Additional Protocol to the African Charter on Human and Peoples' Rights on the abolition of the death penalty in Africa.

ACAT Liberia and the FIACAT would like to take the opportunity of this publication to thank the French Development Agency (AFD) and the Ministry of Foreign Affairs of Luxemburg for their support in the implementation of these activities.

Dale Nikke Tokpah
President of the ACAT Liberia

Under the direction of: Xavière Prugnard

With the participation of: Dale Tokpah and Amara Kanneh

Acknowledgements to: the panellists and all the participants in the awareness-raising workshop on the abolition of the death penalty on 17 and 18 September 2019 in Monrovia (Liberia), the ACAT Liberia's members, Marie Salphati and Anne-Gaëlle Bonnefoy.

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THE DEATH PENALTY IN AFRICA

"It is important that Liberia join the global and African fight for the abolition of the death penalty. Liberia needs to do more for the improvement of various prison centers in the country. In doing so, the death penalty should be abolished."

Hon. Thomas Bureh,
former Commissioner of the Independent National Commission on Human Rights of Liberia (INCHR)

2018 KEY FIGURES IN SUB-SAHARAN AFRICA :

- 24 executions in 4 countries (Botswana, Somalia, South Sudan and Sudan)
- 212 death sentences, a 75% decrease compared to 2017 (818 death sentences recorded)
- Burkina Faso abolished the death penalty for ordinary crimes and the Gambia established a moratorium on executions
- Chad, Gambia and Kenya have made commitments towards abolition

A CONTINENTAL TREND TOWARDS ABOLITION

Despite the increase in the number of abolitionist countries, capital punishment remains a widespread punishment throughout the world. Today, most African countries are in favour of the abolition. The last to have abolished the death penalty are Rwanda (2007), Burundi and Togo (2009), Gabon (2010), Benin (2012), Congo and Madagascar (2015), Guinea (2016 for ordinary crimes and 2017 for military crimes) and Burkina Faso (2018). The Gambia (in September 2018) and Angola (in October 2019) were the latest African countries to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

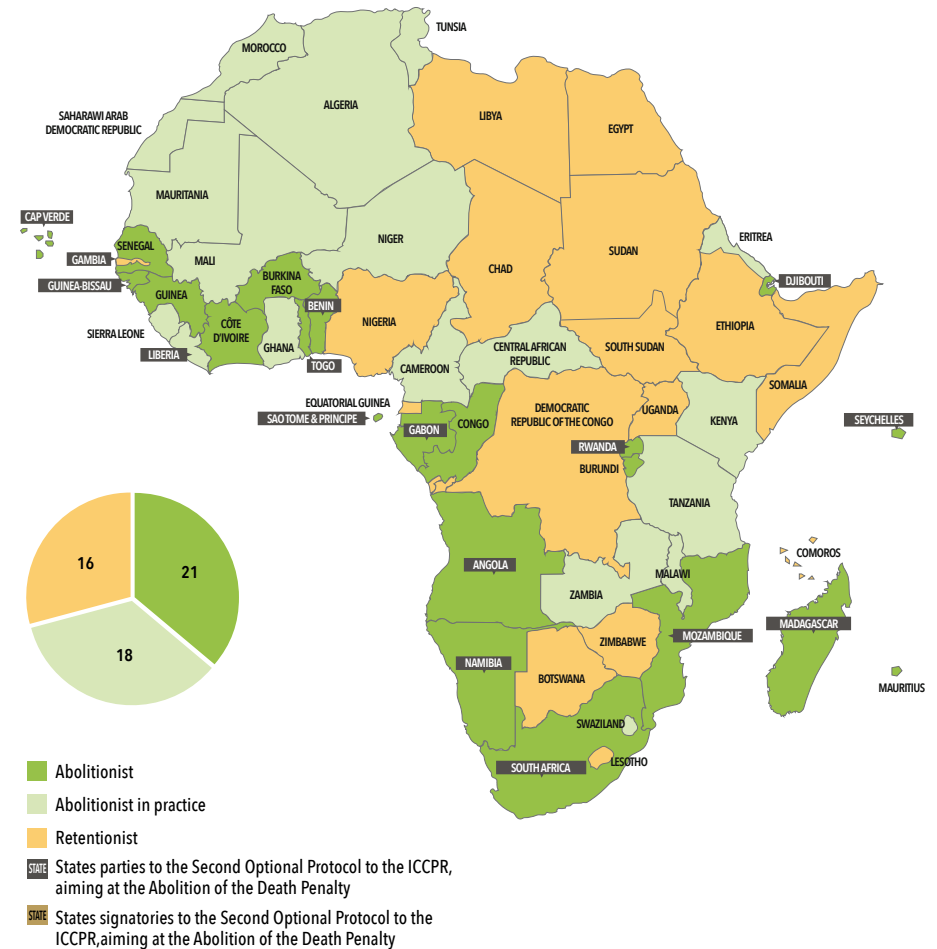
Four countries – Botswana, Somalia, South Sudan and Sudan – executed death sentences in 2018. A drop in recorded executions in Somalia drove an overall decrease in the region, from 28 in 2017 to 24 in 2018, despite an alarming increase in executions in South Sudan. The significant decrease of 75% in the number of death sentences is due to the decrease in sentences handed down in Nigeria.

Today, 21 States, out of 55 members of the African Union, have abolished the death penalty for all crimes. An estimated 18 States apply a *de jure* or *de facto* moratorium on capital punishment (see the map on the right).

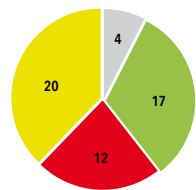
The United Nations General Assembly (UNGA) adopted seven Resolutions calling for a universal moratorium on capital punishment in 2007, 2008, 2010, 2012, 2014, 2016 and 2018. These resolutions reaffirm that the application of the death penalty violates human dignity and call upon all "States that still maintain the death penalty to establish a moratorium on executions". The number of African States that have voted in favour of these Resolutions has grown steadily over the past decade.

Liberia abstained on the vote of the various United Nations Resolutions for a universal moratorium. The country could assert its *de facto* abolitionist position by voting in favour of the resolution.

The next resolution calling for a moratorium on the death penalty will be presented to the United Nations General Assembly in 2020. It is important that even more countries vote in favour in order to advance the fight against the death penalty in Africa.

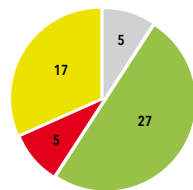


Votes on the resolution
62/149 (2007)



■ For ■ Against ■ Abstentions ■ Absents

Votes on the resolution
73/589 (2018)





THE DEATH PENALTY IN INTERNATIONAL AND AFRICAN LAW

INTERNATIONAL TEXTS

International human rights law does not prohibit the application of the death penalty but regulates its use.

For example, article 6 of the 1966 **International Covenant on Civil and Political Rights (ICCPR)**, that Liberia signed on 18th April 1967 and ratified on 22nd September 2004, states that "in countries where the death penalty has not been abolished, a death sentence may only be imposed for the most serious crimes". The jurisprudence of the United Nations Human Rights Committee has clarified that the term "most serious crimes" can only include blood crimes.

The ICCPR specifies that the death penalty must be imposed by an impartial and competent court and may not be imposed to minors or carried out on pregnant women.

This international convention was supplemented by the **Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty** in 1989. It is the only universal treaty that prohibits capital punishment. States ratifying this protocol must:

- prohibit executions within their jurisdiction;
- take the necessary measures to abolish the death penalty in domestic law if it has not yet been abolished;
- commute the sentences of those already sentenced to death.

By November 2019, **88 states** worldwide had ratified it. Of these, **16 are African States¹**; the last ones are Gabon in 2014, Togo in 2016, Sao Tome and Principe and Madagascar in 2017, the Gambia in 2018 and Angola in 2019.

Liberia deposited its instrument of accession to the Second Optional Protocol in September 2005. In terms of international law, this means that it has ratified this international instrument. But it has not ratified the Protocol on a domestic level despite the fact that Liberia's Constitution requires that international agreements be ratified by the Legislature.

Under the Second Optional Protocol, **Liberia is required to impose a moratorium on executions and amend its laws to eliminate the death penalty.** In 2008, however, Liberia "reintroduced" the death penalty with an amendment to the Penal Law, relying on the legal analysis by the Justice Minister that the Protocol has no effect until it is properly ratified by the Legislature.

REGIONAL TEXTS

Article 4 of the African Charter on Human and Peoples' Rights (ACHPR) protects the right to life but does not prohibit the use of the death penalty.

The African Charter on the Rights and Welfare of the Child prohibits the application of the death penalty to minors (*article 5*) and the Additional Protocol to the ACHPR on the Rights of Women in Africa prohibits the application of the death penalty to pregnant or nursing women (*article 4*).

In 2011, the ACHPR adopted a strategy to fight for abolition of the death penalty in Africa. Among the priorities, it recommends the adoption of the **Additional Protocol to the African Charter on Human and Peoples' Rights on the abolition of the death penalty** in all circumstances.

In November 2015, the ACHPR adopted a **General comment on the Right to life (article 4)**. The ACHPR specifies that the death penalty can only be applied for the "most serious crimes" (committed with the intention of killing) and imposed after a fair trial, otherwise it constitutes a **violation of the right to life**.

¹ Angola, Benin, Cape Verde, Djibouti, Gabon, Gambia, Guinea-Bissau, Liberia, Madagascar, Mozambique, Namibia, Rwanda, Sao Tome and Principe, Seychelles, South Africa and Togo.

THE DRAFT AFRICAN PROTOCOL ON THE ABOLITION OF THE DEATH PENALTY IN AFRICA

The African Commission on Human and Peoples' Rights decided to address the issue of the death penalty in 1999 by adopting a resolution at its 26th Ordinary Session in Kigali, Rwanda, "**calling on States to consider a moratorium on capital punishment**".

This Resolution was supplemented by Resolution 136 (2008) adopted at the 46th Ordinary Session of the Commission on 26 November 2008. In particular, it calls on the members of the African Union to implement a moratorium on executions with a view to abolishing the death penalty and urges them to ratify the **Second Optional Protocol to the International Covenant on Civil and Political Rights (OP2)**.

To strengthen its work on the abolition of the death penalty, the ACHPR established a **Working Group on the Death Penalty in Africa** in 2005.



The ACHPR proposed that the AU adopts a specific protocol on the abolition of the death penalty which specifies that "*the right to life is the foundation of all other rights*" and that "*the abolition of the death penalty is essential for the effective protection*" of this right. **The idea is to create an African protocol, for Africans, elaborated by Africans.**

It is easier for a State to ratify and appropriate a regional instrument. Hence the interest in drafting an additional Protocol to the African Charter on Human and Peoples' Rights on the abolition of the death penalty. The adoption of an African regional instrument aiming at the abolition of the death penalty would meet both political and legal objectives while playing a mobilizing role.

HISTORY OF THE PROTOCOL

April 2015	The ACHPR formally adopted the draft Protocol at its 56 th Ordinary Session and transmitted it to the AU for adoption
November 2015	The African Union's Specialized Technical Committee on Justice (STC) decided not to consider the draft Protocol due to a supposed lack of a legal basis for the adoption of such a text.
July 2016	The draft Protocol was discussed at the 32 nd Ordinary Session of the Permanent Representatives Committee (PRC) held in Kigali from 10 to 12 July 2016. There was no significant opposition and the discussions went well. The PRC therefore forwarded the text to the AU Executive Council, which met from 13 to 15 July 2016 but did not discuss the text.

From a legal point of view, this instrument would only be binding upon States that have ratified it; it would complement the provisions of the African Charter on Human and Peoples' Rights relating to the right to life. It would have the advantage of clarifying the legal means to achieve the abolition of the death penalty and, above all, would prevent any possibility of its unilateral reintroduction in States parties.



THE DEATH PENALTY IN LIBERIA

The death penalty in Liberia in brief :

- **Last execution:** 2000
- **Method of execution:** hanging
- **Last death sentences:** two death sentences were rendered in 2016 for murder by the 13th Judicial Circuit Court in Kakata, Margibi County.

The 1986 **Constitution of Liberia** guarantees the right to life of all persons within the territory of Liberia. Article 11a of the 1986 Constitution states as follows: *“All persons are born equally free and independent and have certain natural, inherent and inalienable rights, among which are the right of enjoying and defending life and liberty”*. This implicitly implies that capital punishment could be considered unconstitutional.

Liberia has been under a *de facto* moratorium on executions since 2000. The death penalty remains in the **Penal Code of Liberia** of 1976 (amended in July 2008) and the crimes punishable by death (only when they result in death) are :

- armed robbery (*Sub-chapter C, Section 15.32*)
- espionage (*Chapter 11, section 11.8 and chapter 50, section 50.5 (a) and 51.3*)
- hijacking (*Sub-chapter C, Section 15.33*)
- mercenarism (*Chapter 11, section 11.13 and chapter 50, section 50.5 (a) and 51.3*)
- murder (*Chapter 14, Subchapter A, Section 14.1 and chapter 50, section 50.5 (a) and 51.3*)
- terrorism (*sub-chapter C, Section 14.54*)
- treason (*Chapter 11, section 11.2 (c)*)

We estimate that there are 14 people on death row in Liberia at the end of 2019.

International and African law prohibits the use of the death penalty for certain categories of the population, including minors, pregnant women and persons with mental disabilities. In Liberia, Chapter 51 (Sentencing Procedures), Section 51.3b (Sentence of Death or Life Imprisonment), Counts 1b and 6 (Mitigating Circumstances) of the Penal Law-Title 26-Liberian Code of Laws Revised of 1976 confirm these exceptions. The law is however silent on the sentencing and the execution of pregnant women and nursing mothers to death and there is no record of pregnant and nursing mothers being condemned to death penalty or executed.

At the level of international law, the situation in Liberia is unique. It is the only country in the world to have reversed its position following accession to the Second Optional Protocol to the ICCPR.

At its last Universal Periodic Review at the United Nations in May 2015, Liberia accepted some 20 recommendations on the abolition of the death penalty. The country has also abstained in every vote on UN General Assembly's resolutions calling for a universal moratorium on capital punishment with a view to abolishing the death penalty.

“Liberia should be prepared to commit itself to treaties it has signed in the past, and it is necessary that we prevail on our Government to implement the commitments made in the past and to abolish the death penalty.”

ClI. Tiawan Gongloe,
President of the Liberia National Bar Association



THE DEATH PENALTY IN AFRICAN TRADITIONS

The origin of the death penalty is lost in the mists of time. This death sentence seems to have been universally accepted on all continents.

However, in pre-colonial Africa, a person convicted of a capital offence was not necessarily executed. With colonization, often accompanied by evangelization, the legislation and judicial system of the colonial power were imposed on the African peoples. The death penalty, like state prisons, has thus appeared in areas where it was not necessarily practiced.

The creation of the human being, in the image of the only creator of the world, should, in the light of African traditions sacralising life, lead us to never, under any pretext, put an end to any human life of which we have never been the creator.

Death in African traditions is perceived differently according to the place of the deceased in his social environment. The death of an old man who has succeeded in his life is an opportunity for celebration; he is only leaving for the land of his ancestors. On the other hand, the death of an adult still able to perpetuate the family or clan lineage is experienced as a very serious loss that disrupts the balance of the living. The same is true of the death of a child, which is feared.

In African traditions, everything is set in motion to celebrate and sanctify human life. That is why in many African traditions; it is the Diya, or blood money, that is favoured as a conflict resolution system.

The death of the enemy during a war struggle or the killing of slaves and young women at the funeral of a king or a great clan chief, to serve him in the afterlife, are experienced as exceptional or accidental. They lead to reparation practices consisting of adapted rituals aimed at restoring the social balance that has been accidentally broken.

In addition, there was a modesty in African cultures: not to kill a member of the community. **The supreme sanction was not the death penalty but the banishment, the exclusion.**

“In Liberia, the death penalty and the wave of extra judicial killings are unacceptable and need to be stopped. The National Traditional Council in Liberia is in full support of the abolition of death penalty in Liberia, in its role of the maintenance of peace in the country.”

Chief Zanzan Karwo, Head of the National Traditional Council of Liberia



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THE DEATH PENALTY IN ISLAM

Islam derives its source from the Holy Quran, the Sunnah (tradition of the prophet) and, to some extent, the consensus of the Ulemas (Islamic scholars). These rules, prohibitions and recommendations will guide the Muslim's life.

In Surah 17:33 it is prescribed: *"And do not kill the soul which God has made sacred"*.

The Quran strictly limits the application of the death penalty to a defined number of crimes, the proof of which is very difficult to provide. The Koran distinguishes three types of crimes: voluntary, semi-voluntary and involuntary. The death penalty can only be applied to the four voluntary offences:

- voluntary homicide
- robbery
- adultery committed by a married person
- apostasy

Let us take the example of **murder**: the killing of a murderer is the extreme outcome of a procedure under strict conditions, all inspired by the promotion of **Mercy and Forgiveness, superior virtues that distinguish man from beast**.

For the death penalty to be applied to the murderer, four conditions must be met:

1. **That the victim's family demand the unanimous application of the death penalty**
 - The Prophet said: *"If a relative of anyone is killed, or if he suffers khabl, which means a wound, he may choose one of the three things: he may retaliate, or forgive, or receive compensation (diya)"* (reported by Abû Dâoûd).
2. **That there is irrefutable evidence of guilt**
 - A simple presumption of guilt is not enough to lead a presumed guilty person to the scaffold, it is necessary to have 4 direct witnesses from the scene to testify
3. **That it is proven that there was an intention to kill**
 - Irrefutable evidence about the identity of the murderer is not enough, it must also be shown that he intended to kill.
4. **That there are no mitigating circumstances**
 - The presence of mitigating circumstances such as self-defence renders the application of the death penalty null and void. The same is true if the criminal does not enjoy all his mental faculties (madness). In addition, the accused always benefits from the benefit of the doubt.

Islam recommends that relatives forgive rather than ask the courts to enforce the sentence.

Quran 5:45: *"a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and an equal wound for a wound; but whoever forgoes it in charity, it will serve as atonement for him."*

Surah 42:43 tells us that *"But whoever endures patiently and forgives, that is a sign of real resolve"*.

There is a **Universal Islamic Declaration of Human Rights**. Its article 1 states that *"human life is sacred and inviolable and every effort shall be made to protect it. In particular, no one shall be exposed to injury or death except under the authority of the Law"* (Shariah).

"For us as Muslim in Liberia we support and encourage the abolition of the death penalty in Liberia by repealing the laws, but we Muslims won't support it being repealed from the Holy Koran, as it is sanctioned by God. Until such time the death penalty is abolished, we would like to recommend that the penalty be determined by the Supreme Court of Liberia only and not the circuit courts as it is the practice currently."

Imam Ali Krayee, Chief Imam of Liberia National Imam Council



THE DEATH PENALTY IN CHRISTIANITY

The Catholic Church announced the Good News of Jesus who said, *"I came that they may have life and have it abundantly"*. Thus, the Church has always strongly expressed its preference for *"non-bloody methods of repression and punishment"* because they better reflect respect for the dignity of the human person. **The whole Bible is a celebration of life.**

In the Old Testament, the death penalty was applied to the people of Israel until the time of Jesus. Death was inflicted by stoning or, rarely, by the sword. Jews also respected the death penalty imposed by foreign legislation on citizens of God's people, such as the crucifixion of Jesus.

In the New Testament, **Jesus showed through his resurrection that it is life that will have the last word**: he came so that men may have the fullness of life.

From the 19th century onwards, many bishops raised their voices to demand the abolition of the death penalty. In particular, they found that if the **main function of any punishment is the repentance of the offender**, this result could not be achieved by death.

The Catholic Church is openly campaigning for the abolition of the death penalty. One example could be John Paul II's 1999 appeal to *"all leaders to reach an international consensus for the abolition of the death penalty"*. The call was followed and relaunched by Pope Benedict XVI in 2011 and Pope Francis considered in 2016 that *"the commandment" Thou shalt not kill "holds absolute value and applies to both the innocent and the guilty"*.



Pope John-Paul II in 2001

"An authentic dialogue between cultures cannot fail to nourish, in addition to sentiments of mutual respect, a lively sense of the value of life itself. Human life cannot be seen as an object to do with as we please, but as the most sacred and inviolable earthly reality. [...] I am speaking of a tragic spiral of death which includes [...] unnecessary recourse to the death."



Pope Benedict XVI in 2011

"[There is a] necessity to do everything possible to achieve the elimination of the death penalty. Self-defence must not lead to the extreme extent of the culprit's suppression, except in cases of absolute necessity."



Pope Francis in 2013

Added to this is the sanctity of life. Life is a gift from God. No one can take it away. It is in this sense that, in its opposition to the death penalty, the Church recalls the need to respect life at all levels and in all situations. Pope Francis affirms that the defence of life *"is an end in itself, and never a means to solve other difficulties"*; it is in this conviction that are the *"solid and permanent foundations for the defence of human rights"*.

"We are strongly in support of the abolition of the death penalty in Liberia as Christians because the Christian religion doesn't grant any one the right to take away the life of another even if the person committed murder. We believe that God will at His allotted time punish the said perpetrator."

Apostle Emmanuel Goego of the Pillar of Fire Deliverance Ministry



THE ROLE OF THE MEDIA IN THE ABOLITION OF THE DEATH PENALTY

The role of the media is to disseminate verified, accurate and useful information and news to the population in order to educate the population. Through their information and education activities, the media help to raise awareness and thus help citizens to get an idea of the problems of their society and to build their own opinion.

The following activities are required from media that want to contribute to the abolition of the death penalty:

- identify, collect and disseminate all actions and positions in favour of the abolition of the death penalty;
- identify and document cases of non-application of the death penalty and disseminate them with appropriate comments;
- give a voice to death row inmates (and their families) to talk about their actions and conditions of detention and the impact of the death sentence on their lives.

All formats can be used (radio and television broadcasts, print media interviews, social networks) to ensure wide coverage.

The prerequisite for all this is access to information, training and awareness raising of journalists and media professionals on the challenges for the abolition of the death penalty.

“As media practitioners, our role is to help convey this information to every part of Liberia and make sure this advocacy come to fulfilment and will highly support any resolution that will be brought forth from this historical workshop.”

We will need to forge stronger partnership with groups like ACAT, INCHR and others in increasing the media understanding of the benefits of the abolition of the death penalty in our country and the need to form a legion of journalism that will increase the public dialogue on this important matter.”

Mr. Romeo Togba,
a Media Practitioner working with ECOWAS Radio

Awareness-raising Workshop on the Abolition of the Death Penalty in Liberia (September 17-18, 2019)



FINAL DECLARATION OF THE AWARENESS RAISING WORKSHOP

TO CONTRIBUTE TO THE ABOLITION OF THE DEATH PENALTY IN LIBERIA²

Monrovia, the 18th September 2019

We, participants in the awareness-raising workshop to contribute to the abolition of the death penalty in Liberia, organized in Monrovia by ACAT Liberia and FIACAT, on 17 and 18 September 2019:

CONSIDER THAT:

- death penalty is not dissuasive, there are alternatives like life time imprisonment;
- the retention of the death penalty is an admission of impotence because the causes of the crime must be confronted;
- the death penalty does not enable the criminal to correct himself but merely eliminates him;
- the death penalty is not justice but revenge.

RECALL THAT:

- most African countries are abolitionist in law or in practice;
- the death penalty violates the most basic human right, the right to life protected by the *article 11a* of the 1986 Constitution;
- Liberia has applied a moratorium on the death penalty since 2000;
- Liberia already acceded in 2005 to the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of death penalty;
- Liberia is a secular state;
- the death penalty is irreversible.

CONVINCED THAT:

- God alone is the author of life;
- the death penalty does not leave room for repentance, and does not allow people to realize their mistake;
- the death penalty cannot save life; in most cases, wrong or innocent people can be killed;
- to take a man's life is to take the life of all men;
- forgiveness and love are unlimited.

CONCERNED ABOUT THE MAINTENANCE OF THE DEATH PENALTY IN LIBERIA, WE CALL ON THE LIBERIAN AUTHORITIES TO:

- abolish the death penalty for all crimes and respect the Second Optional Protocol to the International Covenant on Civil and Political Rights;
- sponsor the Resolution calling for a universal moratorium on the death penalty to be presented to the United Nations General Assembly in December 2020;
- support the draft Additional Protocol to the African Charter on Human and Peoples' Rights on the abolition of the death penalty in Africa when the African Union discusses it.

The participants

² The declaration was presented the 18th September 2019 to the Government of Liberia through the Ministry of Justice represented at the workshop by the Acting Minister and Deputy Minister for Codification, Hon. Nyenetue Tuan.

10 REASONS TO ABOLISH THE DEATH PENALTY IN LIBERIA

- 1** *No State should have the power to take the life of one of its citizens.*
- 2** *The death penalty is irreversible: no legal system is immune to miscarriages of justice and in all countries innocent people are sentenced.*
- 3** *The death penalty is ineffective: it has never been demonstrated that the death penalty has a more effective deterrent effect than other criminal sanctions.*
- 4** *The death penalty is unnecessary: the abolition of the death penalty does not mean impunity for perpetrators of serious crimes.*
- 5** *The death penalty is inhuman, cruel and degrading: deplorable living conditions on death row inflict extreme physical and psychological suffering and the execution itself is an assault.*
- 6** *The death penalty is in contradiction with religious texts that promote the sanctity of life.*
- 7** *The death penalty is unfair : the death penalty is discriminatory because it is often used on a massive scale against the poor, the mentally ill, and people who are victims of discrimination because they belong to a racial, ethnic, national or religious minority.*
- 8** *The death penalty is applied in violation of international standards which bind Liberia and the Constitution of Liberia, which guarantees the right to life of all persons.*
- 9** *The death penalty does not do justice to the families of murder victims: the effects of one murder cannot be erased by another murder.*
- 10** *The death penalty is the weapon of terrorists.*