

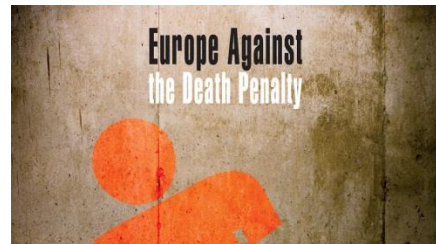
## NO PLACE FOR THE DEATH PENALTY IN THE DRUG POLICY TOOLBOX (or in criminal law generally)

Side event at the 61st session of the CND 2018  
Vienna International Centre (VIC) – Conference Room M6  
Thursday 15 March – 1.10 to 2.00 pm

*Organised by the Council of Europe, with the support of the Pompidou Group, and  
Co-sponsored by the Government of Switzerland, the Office of the United Nations High  
Commissioner for Human Rights (OHCHR), and the European Union*

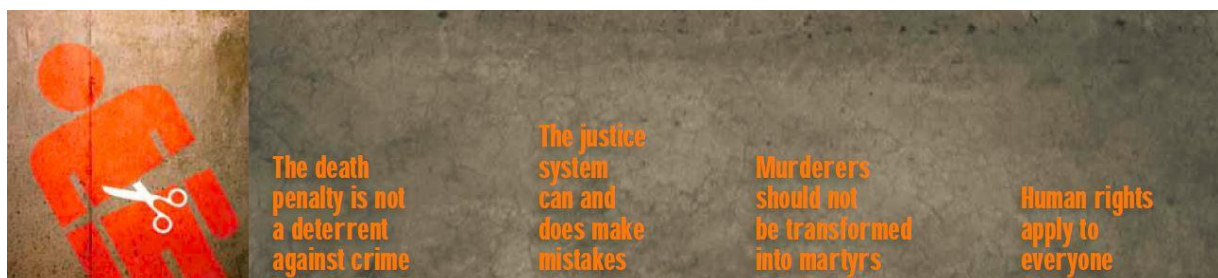
For several decades, the Council of Europe advocates abolition of the death penalty. By 1983, the anti-death penalty consensus reached a point of no return with the adoption of Protocol No. 6 to the European Convention on Human Rights (ECHR) on the abolition of the death penalty in peacetime. Abandoning the death penalty has been a formal condition for new member states joining the Council of Europe since 1994. Protocol No. 13 to the ECHR was adopted in 2002 filling the “wartime” gap by abolishing the death penalty in all circumstances.

**The 47 member states of the Council of Europe  
made Europe a lasting death penalty free area**

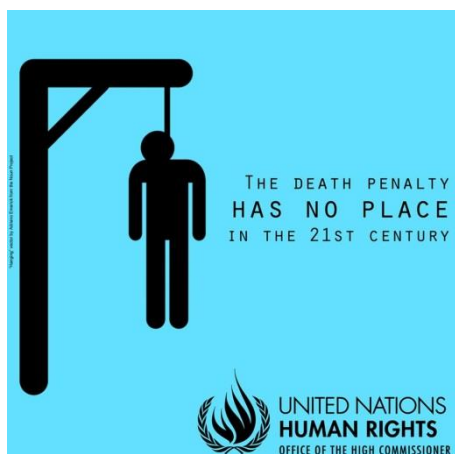


The profound, ancestral fears and misgivings about the “other” have often been at the root of the punishment by death, often accompanied with the infliction of extreme suffering (exemplified by witch-hunt and witch-burning). The death penalty has also served as a primeval means of rooting out challengers to incumbent autocrats and as a weapon against political opposition. More recently, capital punishment has been restricted to the gravest crimes based on retribution and justified by the purpose of dissuasion.

The death penalty is not a deterrent against crime. The more than 100 countries that abolished the death penalty are not as a result paradises for criminals. On the contrary, abolition has gone hand in hand with the humanisation of criminal justice, rationalising and rendering it more effective, and leading to a decrease in the number and the severity of criminal offences. The death penalty does not help victims either. Miscarriages of justice can occur and are more likely to happen in cases that raise strong emotions, such as terrorism. In practice, the death penalty is often applied in an unfair, arbitrary and discriminatory manner, and its irreversible nature leaves no space for redress in case of wrongful conviction.



Since 2007, the Council of Europe celebrates every 10 October the “European Day against the Death Penalty” as a contribution to the world day against the death penalty. For a number of years, the Council of Europe and the European Union join their voices on that day against the death penalty. They have stated clearly that the death penalty is incompatible with human dignity, that it constitutes inhuman and degrading treatment and is contrary to international law. Both organisations have also deplored that some countries continue to apply the death penalty for drug related offences. This position is consistent with the views expressed by various UN entities.



#### UN Secretary General

*« I want to make a plea to all States that continue this barbaric practice: Please stop the executions »*

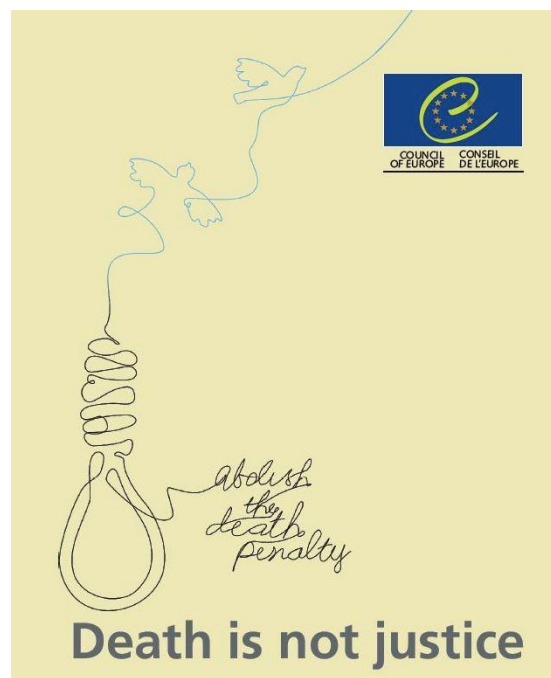
#### UNODC

*« As an entity of the United Nations system, UNODC advocates the abolition of the death penalty and calls upon Member States to follow international standards concerning prohibition of the death penalty for offences of a drug-related or purely economic nature »*

The side event “**No Place for the Death Penalty in the Drug Policy Toolbox (or in Criminal Law generally)**” will discuss resort to the death penalty in the framework of drug policy and analyse the legitimacy of its application as well as the human rights implications that stem from it. In addition to provoking discussion and encouraging reflection, it should bring out conclusions and suggest strands of policy that may facilitate exclusion of death from the arsenal of criminal law tools to deal with the drug problem.

#### **OUTLINE PROGRAMME:**

- Opening by the moderator – Jan Malinowski, Executive Secretary of the Pompidou Group, Council of Europe
- Short Council of Europe [video](#) (45 sec.)
- Adriano Martins, Division of Human Rights,, European External Action Service, European Union
- Zaved Mahmood, Drug Policy and Human Rights, Office of the High Commissioner for Human Rights (OHCHR), United Nations
- Sabrina Wittmann, Lawyer in the European Court of Human Rights (ECHR), Council of Europe
- Exchange with the audience / attendants
- Conclusions



More information: <https://goo.gl/ceERxo>

Short video <https://goo.gl/5fuZks>