Research Question: Should the death penalty be abolished to protect human rights??

Introduction

The death penalty is the ultimate cruel, inhuman, and degrading punishment of executing an individual for a specific crime. According to Amnesty International, 1,518 executions were recorded in 2024, which is up 32% from 2023. Every day, people are executed and sentenced to death by states as punishment for a variety of crimes, sometimes for acts that should not be criminalized. In some countries, it can be for drug-related offences, in others, this cruel punishment is reserved for terrorism-related acts and murder. Some countries execute people who were under the age of 18 when the crime for which they have been convicted was committed, others use the death penalty against people with mental and intellectual disabilities, and several others apply the death penalty against people after unfair trials – in clear violation of international law and standards. People can spend years on death row, not knowing when their time is up, or whether they will see their families one last time. This report will further analyse the question from three perspectives: global, national, and local. It will give an in-depth view of the human rights implications of the death penalty.

Global Perspective

The use of the death penalty is not consistent with the right to life and the right to live free from torture or cruel, inhuman, or degrading treatment. As of 2023, over 70% of countries (112 nations) have abolished the death penalty, according to Amnesty International 2023. In 1989, 33 years after the adoption of the Covenant itself, the UN General Assembly adopted the Second Optional Protocol to the ICCPR, which gave abolition decisive new momentum. As of 2022, 91 countries have ratified this treaty, reinforcing a global consensus towards abolition (UN Treaty Collection, 2022).Widespread evidence of injustice and wrongful convictions on death row has fueled the global push toward abolition. Nonetheless, a small number of countries continue to implement the death penalty, often clinging to the mistaken belief that it serves as an effective deterrent to crime. Some nations still impose capital punishment for offenses that do not meet the threshold of “most serious crimes,” such as drug-related offenses or terrorism. In 2023, the countries with the highest number of executions were China, Iran, Saudi Arabia, Somalia, and the United States, in that order. China remained the top executioner globally; however, the true scale of its use remains unknown, as execution data is classified as a state secret. The global total of at least 1,153 executions does not include the thousands believed to have taken place in China. Excluding China, a staggering 89% of all reported executions were carried out in just two countries: Iran and Saudi Arabia.

National Perspective

To this day, China remains one of the world's largest users of the death penalty. Although the state does not divulge the number of executions because it is a state secret, Amnesty International and other observers approximate that thousands of people are executed annually, higher than the rest of the world combined. This sort of abuse of capital punishment is seriously compromising fears about transparency, justice, and the protection of human rights.

The death penalty in China is not only applied to violent crimes such as murder but also to non-violent crimes such as the smuggling of drugs, bribery, and certain economic crimes. This extensive application is at variance with international standards of human rights, which hold the view that the death penalty if used at all, has to be reserved for "the most serious crimes." To this, one would have to add the comment that legal protection is often in short supply in China. The defendants are frequently denied proper legal representation, and there have been cases where confessions have been obtained by torture and coercion. These are violations of international fair trial standards and significantly increase the risk of wrongful executions. China has introduced some minor reforms to its death penalty system. For instance, since 2007, the Supreme People's Court has had to examine all death sentences before their carrying out with a view to restricting miscarriages of justice. There are suggestions that this has reduced executions, but in the absence of public release of full data, it cannot be measured as an improvement.

Moreover, the government also controls media and civil society, and independent examination of death penalty cases is virtually impossible. China's application of the death penalty is but one manifestation of a broader struggle between state power and human rights. Although the government rationalizes its use as a way of maintaining social stability and preventing crime, its opponents argue that it is applied inconsistently and discriminatorily and that it disproportionately victimizes marginalized groups. Lacking real transparency and reform, China's application of capital punishment is inherently at odds with international human rights standards.

Local Perspective

At the local level, the death penalty disproportionately affects poor and marginalized communities. In the United States, for example, African Americans make up 41% of death row inmates despite comprising only 13% of the total population—highlighting deep-rooted racial and economic inequalities. In India, capital punishment is applied inconsistently, often in response to high-profile cases like the 2012 Delhi gang rape. While the executions in that case were hailed by many as justice, they failed to address systemic issues such as gender-based violence and severe delays in the legal system. The emotional and economic burden of the death penalty also falls heavily on local communities. Death penalty cases are significantly more expensive than non-capital cases due to prolonged trials and appeals, resources that could instead be used for crime prevention or victim support services. Moreover, the risk of wrongful convictions underscores the irreversible nature of this punishment. A striking example is the Rajiv Gandhi assassination case in India, where 14 individuals were acquitted after spending two decades on death row. In response, grassroots movements around the world are calling for abolition and promoting restorative justice approaches. In countries like Kenya and the Philippines, national campaigns are focused on tackling the root causes of crime—such as lack of education and poverty—rather than relying on harsh punitive systems. These efforts seek systemic reform aimed at protecting vulnerable populations and upholding human rights.