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Argentina: Amnesty International welcomes ratification of international instruments abolishing the death penalty

Two recent ratifications by Argentina unequivocally support its recent abolition of the death penalty. It has now become the sixth country to ratify all the human rights instruments of the inter-American system.

The *Second Optional Protocol to the International Covenant on Civil and Political Rights*, aiming at the abolition of the death penalty, was ratified on 2 September. Argentina deposited its ratification of the *Protocol to the American Convention on Human Rights to Abolish the Death Penalty* before the Organization of American States on 5 September, becoming the tenth country to ratify. Both of these instruments were ratified without any reservation.

This significant development comes only a month after the Argentine Senate unanimously approved the law repealing the 1951 Military Code of Justice. This abolished provisions for the use of the death penalty for crimes committed in times of armed conflict or in peace time by members of the armed forces, and also deposed the military courts of justice.

Amnesty International welcomes the initiatives taken by the government of Argentina during the past month to abolish the death penalty and show international commitment to the abolition of the capital punishment. It supports the call made by OAS Secretary General José Miguel Insulza for other countries to follow Argentina's example and contribute to the policy to put an end to the death penalty in the Americas. In the region, only the USA, Guatemala and several Caribbean countries retain the death penalty.

"To have ratified all of the important human rights instruments of the inter-American system is a very positive development, but must be followed through by their full implementation", said Susan Lee, Americas Director at Amnesty International.

Background information

As of 10 September 2008, 137 countries in the world have abolished the death penalty in law or practice. This global trend towards abolition was recognized by the adoption of Resolution 62/149 calling for a moratorium on executions by the UN General Assembly on 18 December 2007.

The *Second Optional Protocol to the International Covenant on Civil and Political Rights* was adopted by the United Nations General Assembly in 1989. The *Protocol to the American Convention on Human Rights to Abolish the Death Penalty* was adopted by the General Assembly of the Organization of American States in 1990. Both can be ratified by any state party to the relevant instruments, and provide for the total abolition of the death penalty but allow state parties to retain the death penalty in time of war if they make a reservation to that effect at the time of ratifying or acceding the Protocol. Argentina ratified both of these Protocols without any reservations, since the repeal of the Military Code of Justice abolished provisions for the use of death penalty in such instances.

Other countries to have ratified all the human rights instruments of the Inter-American system are Costa Rica, Ecuador, Mexico, Panama, Paraguay and Uruguay.

The last execution took place in Argentina in 1916.

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