



## DEATH PENALTY AND POVERTY

### Model Letter

#### 15th World Day against the Death Penalty

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President XXX  
Address :  
Phone :  
Fax :

City, date

Dear Minister/ President

As we celebrate the **15<sup>th</sup> World Day Against the Death Penalty**, I would like to bring to your attention the discriminatory character of the application of the death penalty. Indeed, the death penalty and poverty are inextricably linked. All over the world, the death penalty disproportionately affects people living in poverty.

We categorically and absolutely oppose the death penalty in all circumstances and consider its use to be a human rights violation; it is irrevocable, it does not keep society safe and it has never been conclusively shown that the death penalty deters crime more effectively than other punishments. For these reasons, we are convinced that the death penalty should be abolished worldwide.

At every stage of criminal proceedings, social and economic inequalities affect access to justice for those who face the death penalty. For these reasons, the Supreme Court of India acknowledged that poverty was a new mitigating factor when commuting a person's death sentence to life imprisonment in the 2013 judgement *Sunil D. Gaikwad vs State of Maharashtra*. The Court declared that it was necessary to consider socio-economic conditions, such as poverty, when constructing and imposing a sentence.

International human rights standards recognize stringent requirements that must be met for the imposition of the death penalty. We refer to Article 26 of the International Covenant on Civil and Political Rights, which states that, "All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

The death penalty is a discriminatory practice, often used against the poor, and it should be abolished.

We call on the government of.....[name of country] to:

- Abolish this unfair practice;
- Require that all competent authorities consider the economic status of the defendant in deciding whether to impose or uphold a sentence of death;
- Ensure full respect for the right to a fair trial and the right to effective counsel; and
- Work to reduce poverty and inequality in . . . [name of country].

Yours sincerely,

Name

Signature