

# Advocacy strategy

# What is the Advocacy

As defined by *Advocates for Human Rights*, advocacy is “a set of organized actions aimed at influencing public policies, social attitudes, or political processes.

Advocacy strategies aiming at the **abolition of the death penalty** can target different publics, who all have, at various levels, leverage and influence to push for abolition. Depending on the target chosen, strategies can involve public education, media advocacy, lobbying and legislative advocacy, appeals before human rights bodies, etc.

An efficient strategy can also entail several aspects and target different publics, i.e. be multi-faceted.

It is crucial for a good advocacy strategy to be devised with consideration of the national or local context, in order to come up with the most adapted strategy having the best chances of success.

# **Define the goals of the advocacy strategy: what change is intended?**

The ultimate goal remains the definitive and irreversible abolition of the death penalty in domestic law. Still, in the view of the full abolition of the death penalty, intermediate objectives can be set, such as:

- Establishing an official moratorium on executions
- Commuting the death sentences to prison sentences

- Abolishing the mandatory death penalty
- Reducing the number of death sentences imposed and carried out
- Reducing the number of offences punishable by death and ensuring that legislation on the death penalty respects international human rights law (no death penalty for juveniles, pregnant women, or mentally-ill individuals)

- Ensuring compliance with internationally recognized standards for fair trials
- Ensuring that methods of execution cause the least possible amount of physical suffering and themselves do not amount to torture or cruel, inhuman, or degrading treatment or punishment

- Ensuring that individuals sentenced to death are not subjected to torture or cruel, inhuman, or degrading treatment or punishment while awaiting execution.
- Ratifying the ICCPR and the OP2
- Improving transparency in criminal trials and on the application of the death penalty
- Improving public awareness of the death penalty



# Define the targets: who has the power to abolish the death penalty?

- In relation with the identified goal(s), targets shall then be identified.
- The question to be answered is the following: “who
- has the power to help in the process of abolishing the death penalty?” i.e. “who can positively influence and make a contribution towards the abolition of the death penalty?”

Many targets, depending in the objectives set, can be identified:

- Members of the judiciary
- National human rights institutions
- Prison commissioners and wardens
- State officials, Ministers, Parliamentarians
- Journalists

# Develop convincing and clear argumentation

For an advocacy strategy to be efficient, the message conveyed must be clear and convincing.

Your argumentation should include one or more reasons why the death penalty should be abolished and the positive consequences of the abolition. It should also acknowledge the potential negative consequences of the abolition and mention the alternatives to the death penalty. The recommendations should be clear and concise, as well as adapted to the target(s) you have previously identified.

If you have identified several targets, it may be necessary to develop several sets of arguments, adapted to each interlocutor. Some reasons will be persuasive with some audiences, but not others. For many audiences, an individual story is the most powerful tool to change minds and prompt people to take action. Test your arguments with people who are not abolitionists to solicit honest feedback about whether the arguments are persuasive and how they could be improved.

# Engage with allies

Engage with all individuals or organisations which may be of help in the fight against the death penalty to share best practices, unite efforts in advocacy, organise joint actions and events. You may engage with organisations that have closer contacts with or direct access to official institutions and bodies.

- You can consider building up a national or regional coalition against the death penalty with other organisations working on the issue to amplify your voice and prevent the duplication of actions.
- You may also consider involving other relevant stakeholders, as diplomats of other African abolitionist countries or representatives of champion states of the abolition in Africa

- Some steps for the setting up of a coalition or network:
- Identify partners (lawyers, journalists, etc.) and contact them (individual meetings, calls, social media campaigns). Face-to-face meetings with possible members you previously identified among your contacts may be relevant to convince them to join.
- Invite them to your events or meetings to present your activities and ideas.
- Establish a network with the interested stakeholders

# Identify and implement means for action

- **Officials (head of the State, State representatives, parliamentarians, ministries, etc.)**

## **Send lobbying letters**

- Such letters can include:
- a presentation of the use of the death penalty in the country
- arguments against the death penalty i.e. why this punishment shall be abolished or a moratorium introduced



## Organise a meeting

- Come prepared to the meeting, having in mind the official position on the death penalty and the current legislation, as well as the possible international human rights law obligations of the country.
- Come with materials (as leaflets, reports, etc.) to be distributed.

# Organise an event targeting parliamentarians

- Conferences or workshops addressed to parliamentarians can contribute to raise their awareness on the need to abolish the death penalty. Such events can also help to connect abolitionist MPs and to build up an abolitionist parliamentary network

# Strategic Litigation

- Strategic Litigation consists of bringing cases before national courts so as to set legal precedents. Such a strategy can also be conducted before international human rights bodies.

- Strategic litigation was successful in **South Africa** (Makwanyane case leading to full abolition, Suzan Kigula, Francis Kefantayeni,), and **Botswana** (access to a lawyer, right to clemency).
- Regional courts
- **Regional human rights bodies: the African Commission and the Working Group on the Death Penalty**

# Quote

**"The possibility of a judicial error, for whatever reason, assumes ever greater danger because the death penalty is irreversible, it is the end of the matter, and it cannot be corrected. And mind you, convictions for murder in error (after the appeals) are not rare "**

**Justice Mwalusanya. 1994.**

**Rights are not gifts – we should fight for them – Mahatma  
Ghandi**

**Thanks for listening**