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The Death Row Phenomenon:
The Need To Call For Moratoriums On Sentencing
Report to the 22nd Session of the Human Rights Council
February 2013

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I. INTRODUCTION

In the last few decades, many countries have shifted, changed, and evolved their policies and practices of capital punishment. In late 1970's, only 16 countries in the world had abolished the death penalty for all crimes. Gradually, more countries joined this movement towards a death-penalty-free world and by 2012, this number added up to 141 countries, which are abolitionist by law or practice.¹

Consistent and steady advance towards the recognition that capital punishment is cruel and degrading has been made in the international community, but there are still significant obstacles that need to be overcome. This report will establish that the death penalty, mainly because of the death row phenomenon and forms of executions used today, constitutes torture, cruel, inhuman and degrading treatment, prohibited by Article 7 of International Covenant of Civil and Political Rights. Other treaties with similar prohibitions include the European Convention on Human Rights,² the African Charter on Human and Peoples Rights,³ the American Convention of Human Rights,⁴ the Convention Against Torture and other Cruel and Inhuman and Degrading Treatment or Punishment. The Interim Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment acknowledges the death row phenomena.⁵

¹ Amnesty International, *Death Penalty Facts and Trends*, found at: <http://www.amnestyusa.org/our-work/issues/death-penalty/us-death-penalty-facts/death-penalty-trends>, [last accessed January 30, 2013].

² European Convention on Human Rights, Article 3: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

³ African Charter on Human and Peoples' Rights, Article 5: "...torture, cruel, inhuman or degrading punishment and treatment shall be prohibited."

⁴ American Convention of Human Rights, Article 5: "No one shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment."

⁵ UN General Assembly, *Interim Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, Juan E. Méndez, August 9, 2012, *A/67/279, available at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N12/458/12/PDF/N1245812.pdf?OpenElement>, [last accessed February 25, 2013] (herein after *Interim Report*).

According to a report on the death penalty by the International Bar Association:

The assertion that the death penalty constitutes torture or cruel, inhuman or degrading treatment is gaining ground. These human rights breaches may occur in the period following sentencing and before execution, (which is known commonly in the United States as ‘death row phenomenon’), in the method of execution, or in the loss of life itself.⁶

Because of the death row phenomena, moratoriums on executions only exacerbate the problem, violating prohibitions against torture in countries where death sentences are still permitted. The General Assembly has previously called on moratoriums to be imposed on executions, with a view of abolishing the death penalty.⁷ However, the next step must be to impose moratoriums on sentencing, as this is the only way to prevent further exacerbation of the death row phenomenon.

II. THE DEATH ROW PHENOMENON

A. Definition

The death row phenomenon occurs when people are sentenced to death and consequently spend long periods of time awaiting execution. Consequently, the permanent stress and rising fear leads to extreme psychological and physical harm, amounting to cruel, inhuman and degrading treatment. This is aggravated by poor and dehumanizing conditions⁸ and inhumane methods of executions used today.⁹ The Special Rapporteur on torture’s August 2012 report notes: “Those circumstances include the lengthy and anxiety-ridden wait for uncertain outcomes,

⁶ International Bar Association, *The Death Penalty under International Law: A background paper on the IBAHRI Resolution on the Abolition of the Death Penalty*, May 2008.

⁷ U.N. General Assembly Resolution, *Moratorium on the use of the death penalty*, A/RES/62/149 (18 December 2007); A/RES/63/168 (18 December 2008); GA/11041 (21 December 2010); GA/11331 (20 December 2012).

⁸ *Soering v. The United Kingdom*, 1/1989/161/217, Council of Europe: European Court of Human Rights, 7 July 1989, available at: <http://www.unhcr.org/refworld/docid/3ae6b6fec.html>, [last accessed February 26, 2013].

⁹ *Interim Report*, Supra at note 5.

isolation, drastically reduced human contact and even the physical conditions in which some inmates are held.”¹⁰

B. International Recognition

Several courts have identified the death row phenomenon. In *Soering v. United Kingdom*, the European Court of Human Rights decided that extraditing the applicant would amount inhuman and degrading punishment, since upon his return to the US he would face the death penalty, and be subjected to the death row phenomenon. The Court also took into account the psychological effects that his extradition (leading to the death row phenomenon) would bring upon him, including the likelihood of extreme physical violence, fear of rape, homosexual abuse from other inmates, and all these fears amounting to the applicant being suicidal.¹¹

The Judicial Committee of the Privy Council, in *Pratt v. Jamaica*, acknowledged the death row phenomenon to be inhumane, and violating the Jamaican Constitution. It also created a presumption that a wait longer than 5 years constituted torture, inhuman and degrading treatment or punishment, as it exposed the inmate to prolonged agony, suspense and fear. The Privy Council also stated, that if the due process of appeal of the State allows the prisoner to suffer the death row phenomenon, ‘the fault is to be attributed to the appellate system that permits such delays and not to the prisoner who takes advantage of it.’ The Privy Council clearly denounced the death row phenomenon as it stated ‘[t]he death row phenomenon must not become established as part of our jurisprudence.’¹²

The Inter-American Commission of Human Rights (hereby the Inter-American Commission) has found that conditions on death row violate Article 5, paragraph 1 of the

¹⁰ Id. at ¶43.

¹¹ *Soering v. The United Kingdom*, 1/1989/161/217, Council of Europe: European Court of Human Rights, 7 July 1989, available at: <http://www.unhcr.org/refworld/docid/3ae6b6fec.html>, [last accessed February 26, 2013].

¹² *Pratt and Morgan v. Jamaica*, (1993) 4 All E.R. 769.

American Convention on Human Rights, as they violated the physical, moral and psychological dignity and integrity of the inmates.¹³ The Inter-American Commission reached a similar conclusion in *Aitken v. Jamaica*, when the inmate was held under cruel and torturous conditions for 4 years on death row. The court concluded that this was not a humane treatment and therefore found a violation of the Convention.¹⁴ Prison conditions of inhumane living standards include, but are not limited to, “solitary confinement for up to 23 hours a day in small, cramped, airless cells, often under extreme temperatures; inadequate nutrition and sanitation arrangements.”¹⁵

As is noted in the Interim Report of the Special Rapporteur on torture, the Inter-American Court of Human Rights has stated that “the death row phenomenon was a cruel, inhuman and degrading treatment, and was characterized by a prolonged period of detention ... detention conditions while awaiting execution; delays in the appeal process, ... [and] the fact that the judge did not take into consideration the age or mental state of the condemned person....”¹⁶

An egregious example is that of N.I. Sequoyah, an inmate at San Quentin State Prison, in California, USA. He was convicted on November 18, 1991, and sentenced to death on March 2, 1992. Since then, it took the state about 5 years to appoint counsel, and another 10 years to put in order transcripts of his initial trial, due to the fact that the trial court had lost many of the transcripts of his trial. These facts have been acknowledged in an admissibility decision by the Inter-American Commission on March 2012, ruling that Mr. Sequoyah does not have to exhaust

¹³ *Paul Lallion v. Grenada*, Case 11.765, Report No. 55/02, Inter-Am. C. H.R., Doc. 5 rev. 1, October 21, 2002, found at: <http://www1.umn.edu/humanrts/cases/55-02.html>, [last accessed February 26, 2013].

¹⁴ *Denton Aitken v. Jamaica*, Case 12.275, Report No. 58/02, Inter-Am. C.H.R., Doc. 5. Rev. 1 at 763 October 21, 2002, found at: <http://www1.umn.edu/humanrts/cases/58-02.html>, [last accessed February 26, 2013].

¹⁵ *Interim Report*, Supra at note 5, at ¶42.

¹⁶ *Id.* at ¶44.

his domestic remedies.¹⁷ This will allow the Inter-American Commission to address whether the delay in the national proceedings to go forward, despite the current delay that is expected before the California Supreme Court decides the case. Spending more than 20 years on death row has led N.I. Sequoyah to suffer both physical and mental anguish.

In *Cox v. Canada*, a case before the Human Rights Committee, the author claimed that among other things, if extradited from Canada to the US, he would face the death row phenomenon, as he was highly likely to be sentenced to death and wait for a prolonged period of time on death row. Although the Human Rights Committee stated that this specific case does not amount to a violation in terms of the death row phenomena claim, it stated that ‘prolonged imprisonment under sentence of death could raise an issue under article 7 of the Covenant’¹⁸ if its unreasonable and if the State is liable for the extended stay on death row.¹⁹

While the death row phenomenon is a combination of both psychological and physical effects of death row inmates, greater attention needs to be given to the psychological effects that occur directly because of the lengthy period of time on death row.²⁰ In a partly concurring, partly dissenting opinion, by Mr. Tamar Ban, he stated:

Although I accept the notion that physical conditions play an important role when assessing the overall situation of prison inmates on death row, my conviction is that the decisive factor is rather psychological than physical; a long period spent in awaiting execution or the granting of pardon or clemency necessarily entails a permanent stress, an ever increasing fear which gradually fills the mind of the sentenced individual, and which by the very nature of this situation, amounts –

¹⁷ N.I. Sequoyah, Report No. 42/10, Inter-Am. Commission of H.R., found at: www.cidh.org/annualrep/2010eng/USAD120-07EN.doc, [last accessed February 21, 2013].

¹⁸ *Cox v. Canada*, Communication No. 539/1993, U.N. Doc. CCPR/C/52/D/539/19930. December 9, 1994, found at: <http://www1.umn.edu/humanrts/undocs/html/vws539.htm>, [last accessed February 26, 2013].

¹⁹ Id., Individual opinion by Messrs. Kurt Herndl and Waleed Sadi (Concurring), Individual Opinions Appended to the Committee’s Views.

²⁰ Id., Individual opinion by Mr. Tamar Ban (Partly Concurring, Partly Dissenting), Individual Opinions Appended to the Committee’s Views.

depending on the length of time spent on death row – to cruel, inhuman and degrading treatment, in spite of every measure taken to improve the physical conditions of the confinement.²¹

In *Francis v. Jamaica*, the Human Rights Committee ruled against Jamaica on the grounds that 12 years on death row constitute violation of Article 7. The Committee relied on the prolonged stay on death row (death row phenomenon), the inhuman conditions in the prisons, and danger to the defendant's health.²²

C. Methods of Execution

There are currently no methods of executions that comport with international standards of humanity and self-dignity. Retentionist countries use various forms of executions, some committed to one main form, and others offering alternative options to their prisoners.²³ The Human Rights Committee has found that “public executions are... incompatible with human dignity”²⁴ as they “often expose convicts to undignified and shameful displays of contempt and hatred.”²⁵

1. Beheading

Beheading, also known as decapitation, is the intentional severance of the head from the body. Saudi Arabia is one of the leading countries to use this form of execution. Between 2010

²¹ Id.

²² *Francis v. Jamaica*, Communication No. 606/1994, U.N. Doc. CCPR/C/54/D/606/1994, August 3, 1994, found at: <http://www1.umn.edu/humanrts/undocs/html/vws606.htm>, [last accessed February 26, 2013].

²³ Amnesty International, *Methods of Executions*, found at: <http://www.amnestyusa.org/our-work/issues/death-penalty/us-scheduled-executions/methods-of-execution>, [last accessed February 22, 2013].

²⁴ International Bar Association, *The Death Penalty under International Law: A background paper on the IBAHRI Resolution on the Abolition of the Death Penalty*, May 2008.

²⁵ *Interim Report*, Supra at note 5, at ¶40.

and 2011, the number of people executed more than tripled. In this year alone, nearly 2 people per week have been beheaded.²⁶

In 2009, Saudi Arabia beheaded, and then placed the body of Ahmed Al-Shamlani Al-Anzi for a public display, as one of the customary sentencing where crucifixion follows beheading.²⁷ Although this was done as a deterrent factor to warn others,²⁸ it completely disregards all international standards for inherent human dignity and respect of the family.

Another victim of this brutal method of execution is Rizana Nafeek, a Sri-Lankan citizen, who was allegedly only 17 years old when she committed the crime she was accused of. Although she claims it was an accident, convicted of strangling the baby she was babysitting, Rizana Nafeek was later beheaded on January 2013. This case was also criticized for not complying to fair trial standards.²⁹ Following this incident, in order to protect their own citizens (especially their children), the government of Sri Lanka will limit the amount of people allowed to travel to Saudi for work, as well as raise the minimum age to 25 for those who wish to work as maids in Saudi Arabia.³⁰

2. Hanging

In 2010, Japan allowed the media to enter the execution chambers for the first time and do a report on it, with the hopes of initiating a national discussion of the realities of capital

²⁶ Amnesty International, *Saudi Arabia beheading nearly two people per week this year*, (February 2013), found at: <https://www.amnesty.org/en/news/saudi-arabia-beheading-nearly-two-people-week-year-2013-02-08>, [last accessed February 19, 2013].

²⁷ CNN World, *Convicted killer beheaded, put on display in Saudi Arabia*, May 30, 2009, found at: <http://edition.cnn.com/2009/WORLD/meast/05/30/saudi.arabia.execution/index.html>, [last accessed February 22, 2013].

²⁸ Id.

²⁹ CNN Opinion, *Saudi Execution: Brutal, Inhuman and Illegal?*, January 11, 2013, found at: <http://www.cnn.com/2013/01/10/opinion/saudi-arabia-sri-lankan-maid-opinion/index.html>, [last accessed February 22, 2013].

³⁰ CNN World, *Sri Lanka Limits Maids Working Saudi Arabia after Beheading*, January 25, 2013, found at: <http://www.cnn.com/2013/01/25/world/asia/sri-lanka-maid-beheading>, [last accessed February 19, 2013].

punishment.³¹ Although this initially seemed a step in the right direction, on February 21, 2013, Japan executed three men by way of hanging.³² It is also reported that Japan still chooses whether or not to inform the prisoners of their upcoming execution, and only notifies the family after the fact.³³

India also executed a man on February 9, 2013 by way of hanging. Unfortunately, it ended its 8th year unofficial moratorium on the death penalty in November 2012.³⁴ However, these recent executions that are coming to light are more than disturbing. Pakistan also ended a moratorium set in 2008, when on November 2012, Muhammad Hussein was executed by hanging.³⁵ Although many are hanged every year in Iran, most recently two men have been the victims of public humiliation and a violation to their inherent dignity, as they were hanged publicly, in order to set an example for others.³⁶

3. Shooting

The most humane form of execution for the inmate is firing squad, but that has also been rejected as not respecting the rights of the family members, as well as bringing unnecessary public humiliation both to the family, and to the inmate.³⁷

³¹ BBC News, *Japanese Media get Tour of Death Chamber*, August 27, 2010, found at: <http://www.bbc.co.uk/news/world-asia-pacific-11107790>, [last accessed on February 26, 2013].

³² Amnesty International, *Japan hangs three in first executions under 'merciless' Abe government*, February 21, 2013, available at: <http://www.unhcr.org/refworld/docid/512737192.html>, [last accessed 22 February 2013].

³³ Id.

³⁴ Human Rights Watch, *India: Secret Hanging a major step back*, February 9, 2013, found at: <http://www.hrw.org/news/2013/02/09/india-secret-hanging-major-step-back>, [last accessed February 26, 2013].

³⁵ Human Rights Watch, *Pakistan: Execution ends Moratorium on Death Penalty*, November 21, 2012, found at: <http://www.hrw.org/news/2012/11/20/pakistan-execution-ends-moratorium-death-penalty>, [last accessed February 22, 2013].

³⁶ The New York Times, *Iran Resorts to Hangings in Public to Cut Crime*, January 20, 2013, found at: http://www.nytimes.com/2013/01/21/world/middleeast/iran-resorts-to-hangings-in-public-to-cut-crime.html?_r=0, [last accessed February 19, 2013].

³⁷ *Interim Report*, Supra at note 5, at ¶40.

4. Stoning

Execution by stoning is heavily criticized as being cruel, inhuman and degrading treatment, as it prolongs the process and is highly torturous.³⁸ Particularly, the size of the stones are chosen so that they are not too big to immediately kill, nor too small to be harmless. Often times, the prisoner is buried up to the waist (for males) and up to the neck (for females), and then stoned until the person dies.³⁹

The Commission on Human Rights condemned stoning as a cruel, inhuman and degrading treatment as specified at the Human Rights resolution 2005/59, paragraph 7 (*i*) and called for its immediate stop.⁴⁰ According to the Special Rapporteur, in *Jabari v. Turkey*, the European Court of Human Rights also held that execution by stoning would violate the prohibition of torture.⁴¹

5. Lethal Injection

Some countries that still have the death penalty have determined that the most humane form of execution is the three-drug cocktail that makes up the lethal injection. The three drugs are sodium pentothal, pancuronium bromide, and potassium chloride; each believed to be at a lethal dose when administered.⁴²

³⁸ International Bar Association, *The Death Penalty under International Law: A background paper on the IBAHRI Resolution on the Abolition of the Death Penalty*, May 2008.

³⁹ Women Living Under Muslim Laws, *Iran Penal Code, Article 104, Code of Punishment for Adultery*, found at: <http://www.wluml.org/node/3908>, [last accessed February 26, 2013].

⁴⁰ UN Commission on Human Rights, Human Rights Resolution 2005/59: The Question of the Death Penalty, April 20, 2005, E/CN.4/RES/2005/59, found at: <http://www.unhcr.org/refworld/docid/45377c730.html>, [last accessed February 26, 2013], at ¶ 7(*i*).

⁴¹ *Interim Report*, Supra at note 5, at ¶ 31, referring to: *Jabari v. Turkey*, Appl. No. 40035/98, Council of Europe: European Court of Human Rights, July 11, 2000, found at: <http://www.unhcr.org/refworld/docid/3ae6b6dac.html>, [last accessed February 26, 2013].

⁴² California Department of Corrections & Rehabilitation, Office of Research, *Lethal Injection Procedures*, found at: http://www.cdcr.ca.gov/reports_research/lethal_injection.html, [last accessed February 22, 2013].

However, new evidence suggests that lethal injection is neither safe nor humane. As numbers of executions gone wrong are steadily increasing, and more research is being done on the field, some horrific events have come to light. Angel Nieves Diaz, inmate in Florida, USA, was a victim of such inhumane treatment, as it took him 34 minutes to die after the lethal dose had been injected into his veins. “His eyes widened. His head rolled. He appeared to speak... ‘[h]is face was contorted, and he grimaced on several occasions... his jaw was clenched’ ”.⁴³ Angel Diaz is one of many who suffered similar fate.⁴⁴ Bill Leroy, Missouri, USA, his reactions include coughing, gasping for air as if he was being asphyxiated, and witnesses testified that Leroy died a ‘violent and agonizing death’.⁴⁵ The three-drug cocktail has now been shown to only paralyze the person, not eliminating the excruciating pain they suffer, as a significant number of people die a slow death.⁴⁶

III. A DIFFERENT APPROACH: FROM MORATORIUMS ON EXECUTIONS TO MORATORIUMS ON SENTENCING

The General Assembly has repeatedly called for moratoriums on executions with a view to eliminating the death penalty.⁴⁷ Although this is a positive step towards abolishing the death penalty, at the same time it further exacerbates the death row phenomenon. Countries that establish a moratorium on executions do not necessarily commit to abolishing capital

⁴³ Suzanne Goldenberg, *America Turns its back on Death Penalty after botched lethal injection of killer*, January 9, 2007, found at: <http://www.guardian.co.uk/world/2007/jan/10/usa.suzannegoldenberg>, [last accessed January 30, 2013].

⁴⁴ Death Penalty Information Center, *Examples of Post-Furman Botched Executions*, October 1, 2010, found at: <http://www.deathpenaltyinfo.org/some-examples-post-furman-botched-executions>, [last accessed February 22, 2013].

⁴⁵ Id.

⁴⁶ *Interim Report*, Supra at note 5, at ¶37.

⁴⁷ U.N. General Assembly Resolution, *Moratorium on the use of the Death Penalty*, A/RES/67/176, (20 December, 2012), GA/11331.

punishment. Therefore, the inmates on death row are subject to prolonged sentences and aggravated conditions that will lead to the death row phenomenon.

Pakistan has established a moratorium on executions since November 2008, but instead of completely abolishing the death penalty, they re-instated executions by hanging Muhammad Hussein four years later.⁴⁸ Morocco also has a moratorium on executions since 1993, but still continues to sentence people to death, leaving prisoners to suffer and live in constant terror of execution.⁴⁹ Human right activists even have grounds to believe that the state has decided not to abolish the death penalty.⁵⁰ The state of California, in USA is also another example of this inhumane practice. With the highest number in the country of people awaiting executions, California has sentenced at least 134 people to death,⁵¹ regardless of the already court-ordered moratorium. Zimbabwe has recently hired a new hangman, leaving international human rights organization fearful that executions are about to start after an 8-year moratorium.⁵²

India also ended an eight-year unofficial moratorium on November 2012, when it executed Ajmal Kasab by hanging.⁵³ The same year India started its moratorium, people were still being sentenced to death, and now, with the death penalty being reinstated as a legitimate

⁴⁸ Human Rights Watch, *Pakistan: Execution Ends Moratorium on Death Penalty*, November 21, 2012, found at: <http://www.hrw.org/news/2012/11/20/pakistan-execution-ends-moratorium-death-penalty>, [last accessed February 19, 2013].

⁴⁹ Inter Press Service News Agency, *Death Penalty-Morocco: Abolitionists Resigned to Long Wait*, March 17, 2008, found at: <http://www.ipsnews.net/2008/03/death-penalty-morocco-abolitionists-resigned-to-long-wait/>, [last accessed on February 19, 2013].

⁵⁰ Id.

⁵¹ California Department of Corrections and Rehabilitation Division of Adult Operations, *Death Row tracking System Condemned Inmate Summary List*, February 8, 2013, found at: http://www.cdcr.ca.gov/Capital_Punishment/docs/CondemnedInmateSummary.pdf, [last accessed February 19, 2013].

⁵² Amnesty International, *Zimbabwe: Appointment of New Hangman Raises Spectre of Imminent Executions*, February 8, 2013, found at: <http://www.amnesty.org/en/news/zimbabwe-appointment-new-hangman-raises-spectre-imminent-executions-2013-02-08>, [last accessed February 22, 2013].

⁵³ Human Rights Watch, *India: Secret Hanging a Major Step Back*, February 9, 2013, found at: <http://www.hrw.org/news/2013/02/09/india-secret-hanging-major-step-back>, [last accessed February 19, 2013].

form of punishment, executions are being carried out. Afzal Guru was sentenced in 2001, and recently executed on February 9, 2013.⁵⁴

States must do everything in their power to insure that conditions of humane standards are being followed. They must insure that torture, inhumane and degrading treatment is not being practiced and adhere to human rights standards. While presenting the death row phenomenon as a human rights violation that arises with lengthy periods of time on death row, combined with poor conditions, it should not be misconstrued to mean that faster executions would solve the problem. The right to due process of people is in no means to be sacrificed in order to have speedy executions. Due process procedures are not to be shortened nor eliminated. If States allow the death penalty within their laws, then they have the responsibility to prevent the death row phenomenon without abridging due process.⁵⁵ As the Human Rights Committee stated: "... in capital punishment cases, States parties have an imperative duty to observe rigorously all the guarantees for a fair trial set out in article 14 of the Covenant."⁵⁶

IV. RECOMMENDATIONS

While Human Rights Advocates commends the General Assembly's call for a moratorium on executions with a view to eliminating the death penalty,⁵⁷ additional steps are needed to prevent

⁵⁴ Id.

⁵⁵ *Earl Pratt and Ivan Morgan v. Jamaica*, Communication No. 210/1986 and 225/1987, U.N. Doc. Supp. No. 40 (A/44/40) at 222, April 6, 1989, found at: <http://www1.umn.edu/humanrts/undocs/session44/210-1986.htm>, [last accessed February 26, 2013].

⁵⁶ *Paul Kelly v. Jamaica*, Communication No. 253/1987, U.N. Doc. CCPR/C/41/D/253/1987 at 60, April 10, 1991, found at: <http://www1.umn.edu/humanrts/undocs/session41/253-1987.html>, [last accessed February 26, 2013].

⁵⁷ U.N. General Assembly Resolution, *Moratorium on the use of the death penalty*, A/RES/62/149 (18 December 2007); A/RES/63⁵⁷/168 (18 December 2008); GA/11041 (21 December 2010); GA/11331 (20 December 2012).

other ongoing violations that result from death penalty sentences. With that goal in mind, HRA urges:

1. The Human Rights Council to:
 - a. Condemn the death row phenomenon as cruel, inhuman and degrading punishment or treatment, especially the psychological torture that follows the lengthy stay on death row.
 - b. Call for moratoriums on sentencing as well as on executions, with a view to abolish the death penalty.
 - c. Call for higher transparency in death penalty proceedings and executions, in order to ensure no violations of human rights occur.

2. States to:
 - a. Begin a dialogue about the death penalty within their individual countries, as Japan did in 2010, by allowing the media to enter the execution chambers.⁵⁸
 - b. Impose moratoriums on sentencing and pledge to abolish the death penalty within a reasonable period of time.
 - c. Adhere to international human rights standards of human dignity and self-integrity by instituting alternative methods of punishment.

⁵⁸ BBC News, *Japanese Media get Tour of Death Chamber*, August 27, 2010, found at: <http://www.bbc.co.uk/news/world-asia-pacific-11107790>, [last accessed on January 30, 2013].