



The Death Penalty in  
Asia:  
Australian Perspectives  
on Japan, Malaysia,  
China and Indonesia

- Presenters:
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- Inspired partly by: David Johnson (ANJeL Research Visitor in 2003) & Franklin Zimring, *The Next Frontier: National Development, Political Change & the Death Penalty in Asia* (OUP 2009)
  - Reviewed by: Cynthia Bantham, “**Killing off executions**”  
<http://www.smh.com.au/national/killing-off-executions-20090313-8xum.html>



**Fig.1: Status of the death penalty in 29 Asian jurisdictions as of January 2008.**

Source: Johnson, D.T. & Zimring, F.E., *The Next Frontier* (Oxford University Press, New York: 2009) 16.

# Death Penalty in Asia, 2008

- Abolition: Australia ('85), Bhutan ('04), Cambodia ('89), HK ('93), Macao & Nepal ('97), NZ ('89), *Philippines* ('06 – also '87-'93)
- De facto: Brunei (last execution '57), Laos ('89), Maldives ('52), Myanmar ('89), PNG ('50), *South Korea* ('97), Sri Lanka ('76)
- Retention: Bangladesh, **China**, India, Indonesia, Japan (not '89-92), Malaysia, Mongolia, **North Korea**, Pakistan, **Singapore**, *Taiwan* (not '06-), Thailand, **Vietnam**

# Execution rate/policy, 2000

- 'Operational' ( $> 1/\text{million population}$ )
  - China (6.3/m), Singapore (5.2)
- 'Exceptional' ( $> 1/10\text{million}$ )
  - Taiwan (0.77), Vietnam (0.152)
- 'Nominal' ( $> 1/25\text{million}$ )
  - Malaysia (0.092), Pakistan (0.04)
- 'Symbolic' ( $< 1/25\text{ million, or none}$ )
  - Thailand (0.032), Japan (0.024),  
Philippines (0.01); Bangladesh, India,  
Indonesia, Mongolia, South Korea

# Execution rate/policy, 2006

- ‘Operational’ ( $> 1/\text{million}$  population)
  - China (dropped to 4.7/m)
- ‘Exceptional’ ( $> 1/10\text{million}$ )
  - Pakistan (up to 0.8), Singapore (down to 0.455), Vietnam (0.29)
- ‘Nominal’ ( $> 1/25\text{million}$ )
  - Japan (up to 0.024, ie 4 executions)
- ‘Symbolic’ ( $< 1/25\text{million}$ , or none)
  - Bangladesh (0.04), Indonesia (0.004);  
India, Thailand, Mongolia, Taiwan

# Correlation with prosperity

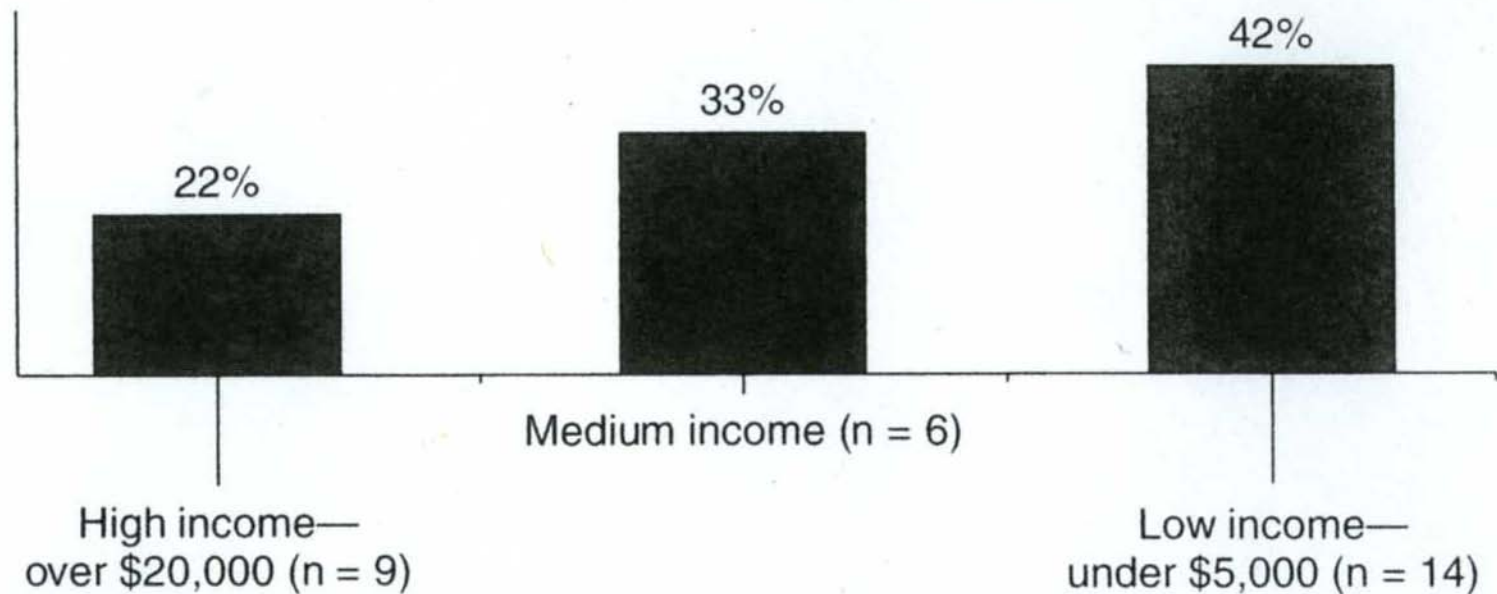


Fig. 2: Percentage of Asian nations with executions in 2006, by GDP per capita adjusted for purchasing power.

Source: Johnson, D.T. & Zimring, F.E., *The Next Frontier* (Oxford University Press, New York: 2009) 33.

# Consistencies with Europe etc

- Long-term declines in executions
- Recent declines & periods without executions
- Economic development linked to decline
- Influence of character of government
- Not 'culture' (ie 'Asian values')
- Less importance for crime control
- Linked to non-judicial killings (without trials)
- Reform through 'leadership from the front'
- 'Human rights' & 'limits of gov't' influences (belatedly)

# Differences from Europe etc

- Persistence of national autonomy
  - Cf '83 Protocol of European Convention of Human Rights
- Single-party dominance
- Communism

## So: FUTURE OF DEATH PENALTY IN ASIA?

- International and regional influences
- < Pace of national change
  - Non-authoritarian countries: low salience (except for Philippines = US) means 'inertial retention', but some opportunity for strong influence by leaders, NGOs, neighbors
  - Authoritarian countries: like to retain executions especially for criminals, but as reserve if needed vs political opponents



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