

**Title:** Unfolding the Death Penalty in ASEAN/Southeast Asia

**Convenor:** Dr. Sriprapha Petcharamesree

The proposed panel will present the findings from a regional research project undertaken in 2019/2020 that examined how, despite a global trend towards abolition, the death penalty situation within the ASEAN region has remained worryingly static. Whilst the right to life is universally recognized as a fundamental human right, and is often described as a supreme human right upon which all other human rights depend, eight out of 11 States in Southeast Asia still allow capital punishment. Furthermore, reflecting the absence of any shared policy on the death penalty among ASEAN members (other than the proviso “in accordance with law”) certain ASEAN Member States seem to be expanding the crimes to which the death penalty shall be considered as a “most serious crime. This dichotomy is thus explored and analytically presented in this panel which will be grounded in theoretical and empirical perspectives of each issue under study.

The panel is comprised of home-grown scholars who have been not only conducting studies on the death penalty in the region but have also been advocating for legal reforms. As the death penalty is perceived as politically sensitive within ASEAN, this has resulted in limited evidence-based research and inadequate scholarly discussions. The presentations included in the panel touch upon the different justifications for the use of capital punishment in the region and expose the secrecy, sensitivities and dilemmas that mask violations of international human rights laws. The panel will highlight new perspectives which have been overlooked in the traditional discourse surrounding the perception of the death penalty as a deterrent; the dignity of death row inmates and their families; contradictions within religion and capital punishment; and the way in which growing authoritarianism and the media are adversely influencing the public’s perception and support for capital punishment in the region. Input and feedback from conference participants will be fed into a book being prepared by the researchers.

**The panel will comprise of the following presentations:**

Dr. Mark Capaldi (Institute of Human Rights and Peace Studies, Mahidol University, Thailand): *“Fact or Fiction? Deconstructing the Death Penalty as a Deterrent to Crime in ASEAN”* illustrating how the theories and assumptions popular in the region in support of capital punishment are on shaky ground in ASEAN.

Dr. Patricia Rinwigati Waagstein (Faculty of Law, University of Indonesia): *“Unfolding Dignity for Death Row Inmates”* which concludes that the full appreciation and protection of one’s dignity requires the abolition of death penalty.

Professor Maita Chan-Gonzaga (Ateneo School of Law, the Philippines): *“Authoritarian Regimes and Media: How These Shape Perception and Support for Capital Punishment in ASEAN”* examining the tenacious, oft perplexing, support for capital punishment in the region.

Dr. Khemthong Tonsakulrungruang (Chulalongkorn University, Thailand): *“Religion and the Death Penalty in ASEAN”* which looks into how Buddhism, Islam and Christianity approaches the question of death penalty and importantly, asks if there are any opposing views or interpretations of these religions against such practice.

The panel presentations will conclude with an overview by the convenor addressing the theoretical and legal pathways to abolition. It is proposed to allocate 60 minutes for the panel presentations to be followed by 30 minutes for questions and discussion.