

Department of Criminology
and Sociology of Law

Norwegian Center for Human Rights



**Invitation to
The 1st Oslo International Symposium
on Capital Punishment in Asia**



We would like to welcome you to
The 1st Oslo International Symposium on Capital Punishment in Asia
**The Symposium will take place at the Faculty of Law, University of Oslo.
the 18th to the 20th of March 2010.**

The 1st Oslo International Symposium on Capital Punishment in Asia
is funded by
The Royal Norwegian Ministry of Foreign Affairs

**Preliminary Symposium Program for
The first Oslo international Symposium on Death penalty in Asia**

Since Asia is the site of more than 90 percent of all the executions in the world, it must be paid the attention it deserves. Put simply, to understand the death penalty in the present, past, or future, one must study Asia. This symposium aims to contribute to those ends.

Day 1 – 18. March 2010

- 09.00** Opening by the political leadership - **The Minister of Foreign Affairs** from **The Royal Norwegian Ministry of Foreign Affairs,** **by the Director of The Institute of Criminology and Sociology of law, and** **by the Director of The Norwegian Center for Human Rights**
- 09.30** Lill Scherdin: “Understanding death penalty: An introduction”.
- 10.00** Nils Christie: “Death as punishment”
- 10.45** Discussion
- 11.00** Break
- 11.15** David Johnson: “Capital Punishment in Asia: Patterns, Causes, and Consequences”
- 12.00** Questions - Discussion
- 12.30** Lunch
- 13.15.** Tom Ellis and Koichi Hamai, “Updates on the Development of Criminal Justice, Prison Population and Death Penalty in Japan”, by Tom Ellis
- 13.45** Mai Sato: “What Do Japanese People Say about Death Penalty?”
Based on Sato’s extensive field work in Japan
- 14.15** Setsuo Miyazawa: “The Death Penalty Increase in Japan Seen in the Context both of Penal Populism and of Different Types of ‘Leadership from the Front ‘”
An elaboration on the relative influence and interplay between human rights norms, leadership from the front and penal populism: and a comment on the possible long and short term conditions for total abolition de jure in Japan.
- 15.00** Discussion – Japan
- 15.15** Break: Coffee, cakes and fruit
- 15.30** Sangmin Bae: “The Death Penalty Moratorium in South Korea in a Human Rights Perspective.” Including an elaboration on the relative influence and interplay between human rights norms, leadership from the front and penal populism: and the possible conditions for total abolition de jure in South Korea.
- 16.15** David Johnson and Sangmin Bae: “Why Abolition Has Not Occurred in Japan, with Comparisons to South Korea
- 17.00 -17.30** General Discussion

Day 2 – 19. March 2010

09.00 Liang Genlin

“Rethinking the Death Penalty in China? Some Possible Consequences of Changing Laws and Procedures?” Liang might also develop some possible future scenarios for China.

09.45 Discussion

10.00 Børge Bakken: “How is Death Penalty Used in China?”

Strike hard Campaigns. The Views of the People and of the Elite. Comments on the interplay between penal populism, leadership from the front and human rights. To what extent are hard strike campaigns formed as penal populism in the provinces or as a result of leadership from the front centrally. The hard strike campaigns in the future.

10.45 Discussion on death penalty in China

11.15 Break . Coffee, cakes and fruit

11.30 Nguyen Nhu Phat: “The problems of restraint of death penalty in Vietnam today”

12.15 Pham van Tinh “The trend of restraint in provisions, application and enforcement of the death penalty in Vietnam”

13.00 Questions, discussion

13.15 Lunch

14.15 Dao Tri Uc “Death Penalty in Vietnam: de jure and de facto and its future perspective.”

15.00 Chu HongThanh and Nguyen Dang Dung

“How to Understand Death Penalty in Vietnam. With special attention to the content of the discussions in the National Assembly of new death penalty statutes”

15.45 Vu Cong Giao – “Compares the laws and some practical aspects on death penalty in Vietnam and China”

16.15 Discussion on Vietnam – A land of its own between China and South-East Asia?

16.30 General Discussion On the background of Japan, South Korea, China and Taiwan: Is it possible to see relationships between Human Rights on different areas, social structure, governance through different degrees and kinds of democracy and authoritarianism in countries with different death penalty policies?

Day 3 – 20. March 2010

09.00 Wang Yunhai , “Comparing and understanding The Death Penalty Policy Choices in China, Japan, and South Korea”

09.45 Discussion

10.00 Fort Fu-Te Liao: “The Death Penalty in Taiwan, with Updates on Sentences, Executions, and Political Developments.

Fu-Te Liao will explore what cannot explain the de facto death penalty moratorium in Taiwan and human rights trends more generally.

10.45 Roger Hood: Introduction to discussion: An elaboration on the death penalty situation in Taiwan

11.00 Discussion on Taiwan

11.15 Break with coffee, cakes and fruit

11.30 Todung Mulva Lubis: “Death Penalty in Indonesia”.

Lubis has published a book on Death Penalty in Indonesia in 2009. He will bring a contextualized understanding of the Death penalty situation in Indonesia.

12.15 Discussion on Indonesia

12.45 Lunch

13.45 Fasihuddin: “Death penalty in Pakistan”

14.30 Discussion on Pakistan

15.00 Break: coffee cakes and fruit

15.15 Bikram Jeet Batra “Death penalty in India” A huge democracy with death penalty, but very few executions. How to understand the Indian situation in context?

16.00 Discussion on death penalty in India

Including Buddhism and Hinduism and death penalty

16.30 – 17.00 Roger Hood: Introduction to a general discussion: Death penalty abolition, lessons learned and future scenarios for research and abolitionism

Reopening the question of what has been learned, revisiting The Next Frontier’, comparing its findings with updated and new information, including human rights, social structures and inequality, governance through different degrees and kinds of democracy and authoritarianism in countries with different death penalty policies, etc. Governance in general and governance through crime in China and India compared?

Background and Purpose

Asia, being the site of some 90 percent of all the executions in the world, must be paid the attention that matches its actual importance. Thus, to understand death penalty in the present, past or future, one must study Asia. This symposium aims to contribute to those understandings.

Quality research has been done by many scholars in many Asian countries already, both in the form of national case studies and in the form of comparisons of death penalty policies and practices in different countries. However, a quantum leap was made with David Johnson's and Franklin E. Zimring's new book: "*The Next Frontier, National Development, Political Change and The Death Penalty in Asia*" (Oxford university Press, 2009). In this book the authors delve into a vast and largely unexplored field with theoretical vision and a rigorously empirical approach. At the same time they openly acknowledge that much more research needs to be done.

The Next Frontier has an open and inviting form: five in depth case studies; a theoretical interplay of lessons learned and new questions to be asked; and seven shorter case studies that take necessary first steps so that other researchers can go farther. In short, in this book one finds a serious invitation to do additional research.

Responding to this invitation, our symposium will focus on death penalty in these Asian jurisdictions: China, Vietnam, India, Indonesia, Japan, Pakistan, South Korea, and Taiwan. In order to answer this call for further research, each participant in the symposium is asked to:

- 1) Update and deepen the extensive case studies that already exist. This will be done by describing the death penalty situation as of March 2010 and by analyzing still unexplored areas. This might involve a further contextualization of death penalty trends, as to changes in the criminal justice system, or changes in other important institutions such as the welfare structure, the electoral system/political system, the media, moral panics and cultural wars, general "governmentality" developments, or changes in regional and/or global influences, influences associated with human rights, cosmopolitanism, and so on.

Thus, this symposium will improve the already developed case studies by inviting several different papers on the death penalty situations in Japan, South Korea, Taiwan, and China. This will further discussions on what the new year (2009) update or the newly suggested contextualizations might mean for evaluating alternative or complementary theories, either for understanding rising punitiveness or for understanding the conditions of abolition. Of course, participants will be able to choose their angle and develop it independently. However, where it is possible, we would like participants to be "in conversation" with the appropriate sections of *The Next Frontier*. In this sense, we are undertaking a cumulative effort, empirically and theoretically.

- 2) Exploring further the possibilities of international comparisons. The further development of contextualized understanding will necessarily involve exploring new ways of comparative understanding. Comparative explorations might be between selected Asian cases or between Asian and Western cases. Different types of comparative approaches will be welcomed for common discussion.

- 3) Contributing to and supporting the development of more comprehensive case studies from those that are less developed, can create the possibility of more contextualized understanding and comparisons with the more developed case studies. Here we would like to focus on a further development of the Vietnamese case, including comparisons with China, as well as a development of case studies of Indonesia, Pakistan, and India.

To further an in depth and informed discussion, we aspire to a conference in which several researchers talk about each country. We propose a conference structure in which presentations (between 30 and 45 minutes) are followed by short invited comments (5 minutes. Please see the preliminary program below.

Papers and Preparation for Book Publication

The participants are asked to write their papers before the symposium, noting especially the underlined sections above. Please write with the ultimate publication of a book in mind. We hope participants will be willing to develop their papers into book chapters, to be finished six months after the conference, by 1 October 2010. First drafts will be due 1 July 2010. A preliminary book proposal will be made, following the program, below. Financial support for publication will also be sought.

As can be seen in the program, we have made a few suggestions as to topics to address in the papers. Most are made after discussions with the participants themselves. Suggestions are not binding on the invited participants, but they are inspired by the cumulative purpose of this symposium and by the structure of the book to come.

Practical Information

All invited participants will receive one round-trip airplane ticket (coach class) as well as 4 nights in a hotel close to Oslo University. Arrival is (at the latest) the evening of 17 March 2010, with departure on 21 March. Further practical details will be sent in the near future. You also will receive ticketing details soon; please explain then what sort of visa formalities will be needed for you. Hotel rooms have already been reserved.