IPS, the global news agency, brings you independent news and views on capital punishment. In this newsletter you will find in-depth reports by IPS correspondents from around the world and columns by experts, in addition to special sections for news from international NGOs and a review of the global media for a glimpse of what is happening on the ground. Join us in helping strengthen awareness about the abolition of death penalty – and encourage your friends and colleagues to subscribe to this free monthly newsletter.

**BULGARIA: Inhuman Life Sentences Replace Death Penalty**
By Claudia Ciobanu
BUCHAREST - The death penalty was outlawed in Bulgaria in 1998. But restrictive legislation on conditional release, and the overcrowding and precariousness of the Bulgarian prison system makes life hardly livable for some lifers.
MORE >>

**EGYPT: Death Sentences Rise With Poverty**
By Cam McGrath
CAIRO - Egyptian courts are handing down death sentences with "alarming frequency" as the state attempts to use capital punishment to stem rising crime rates.
MORE >>

**MIDEAST: Palestinian Death Penalty Very Much Alive**
By Mel Frykberg
RAMALLAH - Last November, Muhammad Al Saba, 36, from Rafah in the southern Gaza Strip was sentenced to death by hanging by a military court in Gaza for alleged acts of "treason and collaborating with hostile forces."
MORE >>

**RIGHTS: Not Quite Islamic Executions**
By Sanjay Suri
LONDON - The Middle East leads the world in executions after China, says an annual Amnesty International report released Tuesday.
MORE >>

**MIDEAST: 'Palestinian Life is Cheap'**
By Mel Frykberg
RAMALLAH - In early February, 41-year-old Fayez Ahmed Faraj, a father of nine from the city of Hebron, 30 miles south of Jerusalem, in the southern West Bank, was shot dead in his home town by Israeli soldiers after he allegedly tried to stab one of them.
MORE >>

**WORLD PRESS REVIEW:**

**News from International NGOs:**
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IPS has partnered with Penal Reform International to expand its independent coverage of issues surrounding capital punishment and long-term imprisonment.

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BUCHAREST, Mar 31, 2010 (IPS) - The death penalty was outlawed in Bulgaria in 1998. But restrictive legislation on conditional release, and the overcrowding and precariousness of the Bulgarian prison system makes life hardly livable for some lifers.

A moratorium on the death penalty was issued in the country in 1990 - after the fall of communism - and this most severe form of punishment was outlawed completely in 1998.

With a total population of 7.5 million, Bulgaria has had around 150 prisoners serving life sentences in its prisons over the past five years.

About 60 of them do not have the possibility of parole (the courts can automatically switch their sentences to 30 years after having served 20), according to Daniel Stoyanov, chairman of the management board of the Advocacy Campaign for fighting discrimination and overcrowding in Bulgarian prisons.

Lifers are likely to find themselves in limbo for years to come because reforms to the Bulgarian penal code currently debated in the parliament do not point in the direction of expanding the right of parole for lifers. "Nowadays the parliament discusses only proposals for more severe punishments and more restrictive penal policy," Stoyanov tells IPS.

But Stoyanov is optimistic about the long-term chances for extending parole in Bulgaria: "for the first time in our country, we are getting grassroots support for the elaboration of new objective criteria to be used in the parole procedure."

Over a third of Bulgarian lifers could potentially spend the rest of their lives in prison. The others will have to serve at least 20 years before being considered for parole.

"At the moment, the biggest problem for lifers is the lack of an adequate prison for them, which leads to improper treatment," says Daniel Stoyanov. "There are plans to build a new high-security prison where all lifers would be gathered, but this has been postponed because of the financial crisis."

Lifers are currently spread out among the country's 12 prison complexes for adults. According to a 2006 report of the European Committee for the Prevention of Torture (CPT), a common practice in Bulgarian jails is to house lifers in the section also used for disciplinary isolation. "This juxtaposition is unfortunate and suggests that the lifer segregation rule is of a punitive nature," says the report.

CPT, however, notes that attempts are being made by prison authorities to integrate some of the lifers with the general prison population, as in the case of Pleven prison in northern Bulgaria. The Committee describes the integration as unproblematic and praises the access to work granted to some of the lifers at Pleven prison.

Even though access to work is crucial to rehabilitation, experts say offering jobs to lifers is most difficult given the increased security risks they pose. Lifers spend most of their days inside their cells. "Life-sentenced prisoners at
Sofia prison were locked up in their cells except for periods of outdoors exercise (1.5 hours daily),” the CPT report says.

"In-cell activities included watching TV and reading books from the library and the daily newspaper; nine lifers worked in their cell, making gift bags." In some cases, the CPT noted that lifers were handcuffed during their daily one- and-a-half hours of physical exercise, even though this was not justified by security risks.

Human rights NGO Bulgarian Helsinki Committee (BHC), which has been conducting prison monitoring visits since 1994, says in its 2006 report that "opportunities to carry out effective rehabilitation activities in prisons are very restricted because of the fact that one social work inspector has to cover 90-100 inmates."

Insufficient staffing is also affecting the healthcare of prisoners, writes the BHC, as not enough programmes to combat drug addiction and to cater for psychiatric problems are in place, even though these conditions are on the rise in Bulgarian jails.

But there are signs of hope. Bobov Dol prison in western Bulgaria, which receives support from international organisations, holds literacy courses for 40 out of its over 450 prisoners, and even welcomes employers on its premises in view of hiring inmates. Even though the prison is still short on staff - with eight social workers, two psychologists and one priest in charge of all prisoners - it provides inmates with access to professional training courses and to work on the prison farm.

Yet most of the approximately 11,000 prisoners in the country do not enjoy all these benefits.

"Bad living conditions in prisons, the use of physical force on prisoners, overcrowded police detention centres, and inhuman and degrading treatment during detention" are some of the main issues facing Bulgarian inmates, according to the annual report of BHC, published at the end of March 2010.

Most of the country's prisons were opened at the beginning of the last century and additional buildings are often old hostels refitted to be prisons, lacking proper spatial organisation to house inmates.

The 2006 BHC report starkly concluded that Bulgaria is in breach of the European Prison Rules, according to which "every inmate has to be provided with enough fresh air, daylight, heating, access to sanitary facilities and drinking water, bathing, medical care and opportunities for educational, sport, labour and other activities."

"The available material resources in Bulgarian prisons are insufficient for most of these recommendations to be implemented," says the BHC. "During prison monitoring missions in other countries in the region (Macedonia, Serbia, Hungary), conducted in 2004-2005 the BHC found that material conditions in Bulgarian prisons are the worst." (END)

EGYPT

Death Sentences Rise With Poverty

By Cam McGrath

CAIRO, Mar 31, 2010 (IPS) - Egyptian courts are handing down death sentences with “alarming frequency” as the state attempts to use capital
punishment to stem rising crime rates.

Over 269 death sentences were imposed in 2009, up from 86 the previous year. Rights groups say the courts appear to be acting under government pressure to send a strong message to the public.

"We've haven't seen anything like this in over 200 years," says Nasser Amin, director of the Cairo-based Arab Centre for the Independence of the Judiciary and Legal Profession. "The numbers are alarming. In one case last year 24 people were sentenced to hang, and in another a judge handed down 10 death sentences."

Egypt has expanded its application of capital punishment since President Hosni Mubarak took office in 1981. Capital offences, previously confined to premeditated murder and crimes against the state, now number over 40 and include drug trafficking, rape and arson.

"For the last 20 years, whenever this regime has faced a problem, especially a social one, it has tried to solve it by making the crime punishable by death," says Amin. "One member of parliament recently proposed public executions in Tahrir Square (in downtown Cairo)."

A report released last week by the National Council for Services and Social Development identified population growth, high unemployment, low wages, and the breakdown of family life as leading contributors to crime. It said widespread corruption and a lack of faith in the country's legal system had prompted many people to take their perceived rights by force.

"Society is suffering from despair and frustration that leads to resorting to violence," the report says.

The United Nations General Assembly passed a resolution in December 2007 calling for a worldwide moratorium on executions and review of the use of capital punishment. Egypt voted against the resolution, and has said it would not abolish the death penalty.

"It's a deterrent, especially in murder cases," Mufid Shehab, minister of state for legal and parliamentary affairs, said during a recent legislative session. "The penalty is carried out with full guarantees of a fair trial over several stages, and the accused is not executed until the mufti has weighed in on the case."

Egyptian law requires the Grand Mufti to be consulted on all capital sentences. The state-appointed religious authority must determine whether the punishment contravenes Sharia (Islamic law), which mandates death in only four cases: premeditated murder, armed robbery, adultery and apostasy.

The mufti's opinion is non-binding and only President Mubarak has the power to pardon or commute a sentence.

Local opponents of capital punishment argue that defendants are not given fair trials. Confessions are often extracted by torture. Emergency laws in effect since 1981 allow the government to try civilians in military courts without the right of appeal.

Death sentences handed down by regular criminal courts can be appealed to the Court of Cassation. However, the court does not re-examine the evidence, it only determines whether due process was followed.

While Egypt's judiciary is nominally
independent, Amin accuses judges of bowing to government pressure to act as partners in ensuring the safety of society. He says their heavy sentences absolve the government of its duties of preventing crime.

"The role of policing society is for the police, not for judges," says Amin. "The judge's role is to deliver the law."

Last June a judge handed down death sentences to 24 defendants involved in clashes that erupted over a disputed piece of land in Wadi Natroun, north of Cairo. Eleven people were killed in a gun battle that lasted 48 hours.

"More people were sentenced to death by the judge than died in the shoot-out," says Hafez Abu Seada, chairman of the Egyptian Organisation for Human Rights (EOHR). "This was completely the wrong verdict as the people died shooting each other. This was not premeditated murder."

Abu Seada is also concerned with the high level of corruption and negligence in the Egyptian police force and judicial system, which increases the risk of executing an innocent person. He cites several recent cases where this is believed to have occurred.

"This is the only sentence that cannot be reversed," he says. "After execution no one can talk about mistakes."

Negad El-Borai, a human rights lawyer, says Egypt's experience has proven that capital punishment is an ineffective deterrent to crime.

"The government applied the death penalty for drug offences for over 20 years, but the volume of hashish (trafficked) is higher now than ever," he says. "You cannot stop crimes by using the death penalty or long-term jail sentences. If you want to solve these problems you must go to the roots of the problems." (END)

### Arabic

MIDEAST

Palestinian Death Penalty Very Much Alive

By Mel Frykberg

RAMALLAH, Mar 31, 2010 (IPS) - Last November, Muhammad Al Saba, 36, from Rafah in the southern Gaza Strip was sentenced to death by hanging by a military court in Gaza for alleged acts of "treason and collaborating with hostile forces."

Al Saba is one of 17 Palestinians, 14 in Gaza and three in the West Bank, sentenced to death in 2009, and currently languishing in prisons across the occupied Palestinian territories.

Military or state security courts in both the Palestinian Authority (PA) controlled West Bank and the Hamas controlled Gaza Strip continue to sentence Palestinians to death at an alarming rate, despite calls from international and regional human rights organisations for a complete moratorium.
Of particular concern to the rights groups is the significant number of Palestinians sentenced to death for allegedly collaborating with a rival Palestinian faction as well as the broad number of offences for which capital punishment can be meted out.

"Executing prisoners convicted in unfair trials would only undermine Abu Mazen’s [PA President Mahmoud Abbas’ nickname] attempt to bolster his ‘law and order’ credentials," says Sarah Leah Whitson, Middle East director of Human Rights Watch.

"To ensure the rule of law and security for Palestinians, the PA needs to establish an independent judiciary that respects due process," adds Whitson.

"On a practical level it is imperative that Abu Mazen refuse to ratify the death warrants as they can’t be carried out in the West Bank without his consent," Sarit Michaeli from Israeli rights group B’tselem told IPS.

The Palestinian Centre for Human Rights (PCHR) in Gaza has repeatedly called upon the PA to announce a complete moratorium on the use of the death penalty, "which violates the Universal Declaration of Human Rights (1948), the Covenant of Civil and Political Rights (1966), and the UN Convention against Torture (1984)."

"The PA asserted in its temporary constitution of 1997, and its amended version of 2003, its commitment to work – without delay – to join international and regional instruments that protect human rights, and that it would respect all international human rights," Jaber Wishah from PCHR told IPS.

"Although only a few of the West Bank sentences are carried out as Abbas doesn’t sign the orders, the judicial system and sentencing procedures haven’t improved. We continue to struggle with other human rights groups to get the PA to change its laws," Wishah added.

The death penalty is applied in accordance with article 37 of the Penal Law of 1936 applicable in the Gaza Strip, and article 14 of the Jordanian Penal Law of 1960 applicable in the West Bank.

Many of the death sentences are also passed on the basis of the 1979 Revolutionary Penal Code of the Palestine Liberation Organisation and are carried out by the state security courts without due process.
These state security courts were established by a presidential decree by the late Yasser Arafat in 1995 without determining their mandates or the nature of the cases to be considered by them.

Human rights activists argue that the trials are summary, the accused are not given time to prepare a defence and are denied access to effective legal counsel.

Sentences issued by these courts, even death sentences, cannot be appealed to a higher body.

"Furthermore, the revolutionary penal code is unconstitutional and has not been approved by the Palestinian Legislative Council (PLC)," Wishah told IPS.

But the PLC has been frozen since the 2007 infighting between Hamas and the Fatah-affiliated PA divided the Gaza Strip from the West Bank politically and split the judiciary between Hamas and the PA.

During the seventies the Israeli military occupation brought a temporary stay on capital punishment in the Palestinian territories as Israel does not have the death penalty.

"The death penalty was abolished under an Israeli military order when Israel controlled the West Bank’s legal system," says Ramallah-based Thuraya Judi Alwazir, one of the few female judges sitting on the PA’s Judicial Authority.

"The current civil and criminal courts of the PA still can’t implement the death penalty. The death sentences that have been handed out here are by PA military courts," Alwazir told IPS.

"We have a problem with this and want to limit the jurisdiction of the military courts and return the trial of civilians guilty of treason, and other offences warranting capital punishment, to the civilian courts.

"A draft bill to this effect is currently before PA President Abbas," adds Alwazir.

But ironically, despite international pressure, an inactive PLC, the current split between the judiciaries of Hamas and Fatah, and a pledge by the PA to respect international law, the lack of Palestinian political will may also be a significant factor in no moratorium being passed.
"Actually we are discussing the return of the death penalty to the civil courts. This is consistent with our Islamic beliefs and this is also supported by a number of religious leaders. It is not the place of the international community to impose its value system on us," Alwazir told IPS.

So are executions in non-Islamic countries such as the U.S. and India, to say nothing of China, which is believed to execute thousands a year that it lets the world know nothing about. And Amnesty acknowledges as much, challenging China this year to produce a figure rather than guessing one of its own.

But religion is not behind most executions in the Islamic world of the Middle East and North Africa - and not even in countries such as Saudi Arabia and Iran, says Luther.

"If you look at the majority of those sentenced and executed (in Saudi Arabia and Iran), they are executed on the basis of penal codes. Those sentenced under Islamic law are very few."

In Iran, many have been charged with enmity against god, "which clearly has a religious sanction," says Luther, "but which is used in a political way against people who are perceived by the state..."
of rebelling against the state." The motives in Iran are more political than religious because among those executed are a disproportionate number of political prisoners, or members of ethnic or religious minorities.

The sanction comes in the name of religion, but is basically a handle used by the state for its own political ends, and not because it's out to create Islam in society.

Amnesty International recorded 388 executions in Iran last year, but says the true figure could be higher. "At least 14 executions took place in public," the report says. "In one eight-week period between the presidential election on Jun. 12 and the inauguration of Mahmoud Ahmadinejad for a second term as President on Aug. 5, Amnesty International recorded 112 executions; by contrast, in the five-and-a-half months between Jan. 1 and Jun. 12, at least 196 executions had taken place."

Many countries within the region such as Algeria, Morocco, Tunisia and Lebanon have maintained a long-term moratorium on the death penalty of at least ten years.

The Amnesty report lists 624 executions across the Middle East and North Africa last year. There are no definite figures over earlier years to compare this with, but the general trend in the region is downward, says Luther. "Only seven countries in this region carried out executions last year (Egypt, Iran, Iraq, Libya, Saudi Arabia, Syria and Yemen). In terms of the number of countries, that trend is going down, as it is across the world as a whole."

At the same time there is a louder legislative debate in many of these countries to at least reduce the number of crimes punishable by death. "In Lebanon the ministry of justice itself is campaigning to end the death penalty," says Luther. "Algeria was one of the co-sponsors in the U.N. General Assembly in 2008 for a call for a global moratorium, the first Middle East or North African state to do so."

But even though executions are carried out mostly under the penal code, they are at their highest in Iran and Saudi Arabia. "In Saudi Arabia, the authorities continued to execute at an alarming rate," the Amnesty report says. "At least 69 people were publicly beheaded during 2009.

"At the end of 2009 Amnesty International knew of at least 141 people on death row in Saudi Arabia,
including at least 104 foreign nationals, mostly from developing countries in Africa, Asia and the Middle East. Prisoners are sentenced in largely secret and unfair trials, often without a defence lawyer, and so the true figures for those under sentence of death are believed to be much higher." (END)

Arabic

MIDEAST
'Palestinian Life is Cheap'
By Mel Frykberg

RAMALLAH, Mar 24, 2010 (IPS) - In early February, 41-year-old Fayez Ahmed Faraj, a father of nine from the city of Hebron, 30 miles south of Jerusalem, in the southern West Bank, was shot dead in his home town by Israeli soldiers after he allegedly tried to stab one of them.

After a preliminary investigation the Israeli military authorities stated that the soldiers had acted in self-defence and had used the necessary force.

The media subsequently reported that the Israeli Defence Forces (IDF) soldier who shot Faraj dead had acted within reason.

But further investigation by Palestinian and Israeli human rights organisations, and eye-witness reports, dispute the official version of events.

Questions have been raised and doubts expressed about the circumstances surrounding the shooting.

"This is not the first time that Israeli security forces have shot to kill when their lives have been in no danger. We have recorded many such incidents," says Shawan Jabarin from the Palestinian human rights organisation Al Haq in Ramallah.

"There seems to be a deliberate policy often to kill following the smallest provocation. Palestinian life is cheap for the Israelis," Jabarin told IPS.

According to eye-witnesses and paramedics following a possible verbal altercation with the soldiers Faraj was shot seven times in the course of an hour even as he lay on the ground seriously wounded and barely able to move.

The witnesses further claim that not only did the Israeli soldiers fail to arrest Faraj but they deliberately framed him by taking a knife from a nearby military jeep and threw it on the ground next to
the dying man after they had shot him. They then took photographs for "evidence".

Paramedics from the Palestine Red Crescent (PRC) also state that when they tried to evacuate the critically injured man to hospital they were held up at gunpoint by Israeli soldiers.

The hospital the paramedics were trying to reach was only a few hundred metres away from where the shooting took place. Time was of the essence as Faraj had lost copious amounts of blood.

One of the paramedics, Eid Abu Munshar, told Israeli human rights group B’tselem that one of the Israeli soldiers entered the ambulance and pulled the intravenous drip from Fayez’s arm.

Later an IDF officer ordered Faraj to be transferred to an IDF jeep. He was then placed in an intensive care ambulance where he waited another critical half an hour.

None of these subsequent details made media headlines with the exception of the investigative journalist Gideon Levy from the Israeli daily ‘Haaretz’ who decided to investigate further.

Further complicating the issue was the fact that several weeks earlier a Palestinian policeman had stabbed an Israeli soldier to death in the West Bank and many believed this to be a copy-cat killing.

Levy’s report raised several other questions regarding the murky circumstances and confusion surrounding Faraj’s death.

After speaking to Faraj’s employers and family he established that Faraj had little motivation to carry out a stabbing attack.

He was one of the few Palestinians in possession of a security permit to both enter Israel and sleep overnight something that a Palestinian deemed a security risk by the IDF would never have.

Faraj had been employed by the same Israeli company for 15 years in Tel Aviv where he worked as a shoemaker and was described as a happy guy. He had Israeli friends, spoke Hebrew fluently and was economically well off.

He was not an Islamic ideologue and as his brother explained to Levy if Faraj had wanted to attack Israelis he had plenty of chances to do so in Tel Aviv.
B’tselem, too, was not satisfied with the previous conclusions drawn and wrote to Israel’s Judge Attorney General asking that the case be thoroughly investigated.

"The circumstances of the incident, as they appear from B’Tselem’s investigation, contradict the announcements issued by the army," said the group’s website.

Al Haq, meanwhile, raised the following issues. Fayez was unarmed; the soldiers opened fire on him on three separate occasions; and in the aftermath of the shooting, an Israeli soldier took a knife from his own pocket and threw it down beside the victim.

A military investigation is currently underway. However, Jabarin is sceptical of the results.

"What is particularly problematic for us is that when the Israeli military or settlers attack Palestinians under dubious circumstances and these cases are brought to the attention of the relevant Israeli authorities very few are opened and even fewer lead to a conviction," Jabarin told IPS.

Lior Yavne from the Israeli human rights organisation Yesh Din which helps Palestinians to lay charges against Israeli attackers in the West Bank concurs. "Less than eight percent of cases opened result in any conviction."

"In many instances the police allegedly either ‘lose the paper work’ or ‘can’t identify the perpetrators’. This is not a problem they seem to have when investigating Palestinians accused of crimes against Israelis," Yavne told IPS.

(End)

WORLD PRESS REVIEW
MARCH 2010

VIRGINIA (USA): INMATE EXECUTED BY ELECTROCUTION

A Virginia man who killed a 16-year-old girl and then waited in her home to rape and stab her 14-year-old sister in 1999 was executed in the state's electric chair.

Paul Warner Powell, the second consecutive defendant executed in the 102-year-old electric chair at the Greensville Correctional Center in Jarratt, Virginia, was pronounced dead at 9:09 pm (0109 GMT, Friday), Virginia Department of Corrections spokesman Larry Traylor told AFP. He made no last statement. Family members of the victims attended the execution proceedings.

Powell, 31, admitted stabbing his friend Stacie Reed in the heart after she refused to have sex with him in January 1999 when he was 20 years old. But her younger sister, Kristie, survived and denounced Powell to the authorities. He was sentenced to death in 2000 but higher courts ruled he could not be executed for killing one girl and raping...
the other because the crimes were considered to be separate ones.

Convinced he no longer faced the death penalty, Powell then wrote a letter to prosecutors in which he said he had outsmarted them and also provided more details on the murder. The details allowed prosecutors to indict Powell a second time for capital murder and win a new conviction and death sentence in 2003 in a trial linking the attempted rape of Stacie to her murder.

It was the first execution this year in Virginia, which is only second to Texas in the number of executions since the death penalty was reinstated in 1976. Powell was the 11th defendant on death row to be executed this year in the United States. (Sources: AFP, 19/03/2010)

OHIO EXECUTES INMATE WHO KILLED NEIGHBOR IN 1994

A death row inmate who tried to kill himself last week by overdosing on pills as his legal challenges dried up was executed in Ohio for robbing and strangling his neighbor in 1994.

Lawrence Reynolds Jr., 43, was executed by lethal injection at the Southern Ohio Correctional Facility nine days after prison guards found him unconscious in his cell. Ernie Sanders, a spiritual adviser who met with Reynolds in prison, said Reynolds wanted to die alone, not in the state’s death chamber. "He just didn’t want his last act of life to be what he considered to be a sideshow or a circus," Sanders said.

Reynolds became the fourth inmate to die by Ohio’s new lethal injection procedure, which uses one drug instead of three. Like the others, his death came quickly. Reynolds was convicted of killing Loretta Foster, a 67-year-old widow who baby-sat children in her neighborhood and lived three doors down from him in Cuyahoga Falls near Akron.

Prosecutors said Reynolds was an alcoholic who was out of work and needed money for booze. He forced his way into Foster’s house, strangled her with rope and left with $40 in cash and a blank check from her purse. "I came in like a lion and go out like a lamb," Reynolds said in a brief final statement while lying on the gurney.

Addressing two women he didn't identify, he said, "Erin and Emma will forever and always hold the heart of the lion."

Reynolds then addressed other inmates on death row and his unsuccessful legal challenge of Ohio's new execution method. "To my brothers, I hope they will never have to walk these 15 steps I walked today," he said. "I have tried to bring attention to the futility and flagrantly flawed system we have today. Stop the madness." (Sources: Ap, 16/03/2010)

RUSSIA: UPPER HOUSE SPEAKER DOESN’T SUPPORT DEATH PENALTY FOR TERRORISTS

Sergei Mironov, speaker of the Federation Council upper house of Russian parliament, does not support death penalty for terrorists. He argued that because of blunders in a number of judicial processes, innocent people may be sentenced to death.

Mironov told reporters, "The proposal of Lyskov, the chairman of the Federation Council Committee on Judicial and Legal Affairs, for death penalty for terrorists whose actions caused many deaths is his personal opinion."

The speaker made assurances that “such legislative initiatives are not envisaged” in the Federation Council and “there is no working group on the matter.”

As to Mironov’s personal stand, it “remains constant: punishment must be unavoidable.”

The speaker holds that there must be life imprisonment for criminals instead of death penalty, and there must be a supplement to legislation precluding pardon. Life imprisonment “should not be mitigated for any reason, including ill health,” Mironov added.
He also pointed out that because of blunders in a number of judicial processes, innocent people may be sentenced to death. (Sources: ITAR-TASS, 31/03/2010)

**GRYZLOV: TERRORISM PREVENTS RUSSIA FROM BANNING THE DEATH PENALTY**

Russian State Duma Speaker Boris Gryzlov said Russia has refrained from ratifying Protocol 6 to the European Convention on Human Rights that covers the abolition of the death penalty due to terrorist threats.

"Certain circumstances do not allow us to do that [ratify the protocol abolishing the death penalty]. This issue has to do with terrorist activities in Russia," Gryzlov said in a meeting with Andreas Gross and Georgy Frunda, members of the PACE monitoring commission, in the State Duma.

Gryzlov reiterated that Russia has fulfilled most of the obligations it assumed when it joined the Council of Europe in 1996. Gryzlov said Russia is ready to continue working on the appropriate report "although some other countries, which in our view are in a worse situation, have stopped monitoring and it is also an issue to be addressed in our meeting," Gryzlov told the PACE officials. (Sources: Interfax, 23/03/2010)

**COUNCIL OF EUROPE DENOUNCES EXECUTIONS IN BELARUS**

The Council of Europe denounced the execution of two death row inmates in Belarus.

“Death penalty is barbaric and degrading, and this is why it has been abolished by the Council of Europe through Protocol 6 to the European Convention on Human Rights," the chair of the Committee of Ministers, the president of the Parliamentary Assembly and the secretary general of the Council of Europe said in a joint statement. Andrey Zhuk, 25, and Vasil Yuzepchuk, 30, were executed by shooting last week, Amnesty International said referring to Mr. Zhuk's mother who was told by prison staff about the executions. The Council of Europe "strongly condemns" the executions, the Council’s statement said.

“The authorities of Belarus are the only remaining ones in Europe who execute people," it said. “The recent executions, if confirmed, are a serious setback to our aspiration to bringing Belarus closer to European values”. (Sources: Belapen, 23/03/2010)

**HARYANA (INDIA): 5 GET DEATH SENTENCE FOR MURDER**

In a landmark judgement in a Haryana (India) honour killing case, a court awarded capital punishment to five persons and life sentence to one for murdering a couple on the diktats of a self-styled community panchayat for marrying against societal norms.

Additional District and Sessions Judge Vani Gopal Sharma pronounced the sentence after reserving the judgement in the case.

The prosecution had termed the case as the "rarest of the rare" and pleaded for capital punishment to the six convicts for killing Manoj (23) and Babli (19), who hailed from Karora village in Kaithal district and had got married on May 18, 2007. (Sources: PTInews.com, 30/03/2010)

**INDIA: ANTI-HIJACKING LAW GETS TOUGHER, DEATH SENTENCE INCLUDED AS PUNISHMENT**

The UPA government made the anti-hijacking law much tougher by including death sentence as a punishment.

The Cabinet was expected to consider the proposal moved by civil aviation ministry to amend Anti-Hijacking Act of 1982 to make it more stringent to deter hijackers from using an aircraft as a missile.

With enhanced terror threats, a group of ministers headed by home minister P Chidambaram had cleared the "tougher" proposals paving the way for civil aviation
ministry to move the amendments for Cabinet approval. The Cabinet’s approval paves the way for amending section 4 of the 1982 Act, which provides for life imprisonment and a fine for hijacking, to include death penalty also.

The government is likely to place the proposed amendments before Parliament in the budget session itself once the House meets again after the recess. The GoM had also decided to incorporate a new clause to cover the aspect of conspiracy to hijack an aircraft which does not exist in the 1982 Act.

The fresh move to ensure legal sanction to anti-hijacking policy comes almost five year after the Cabinet Committee on Security had cleared it in August, 2005. The policy allows shooting down of a "hostile plane if there is conclusive evidence that it is likely to be used as a missile to blow up strategic establishments".

The policy recognises that hijacked aircraft can be transformed into a "hostile" entity. It also prescribes surrounding of hijacked planes by fighter aircrafts in Indian airspace.

The law will authorise Indian Air Force to take quick steps for scrambling fighters to guard and guide hijacked aircraft and force land it in an Indian airport. (Sources: timesofindia, 19/03/2010)

JAPAN: MAN SENTENCED TO DEATH FOR DOG-REVENGE MURDERS
A Japanese court sentenced to death a man who murdered a former vice-minister and his wife to avenge the death of his pet dog, which had been put down decades earlier.

The court handed the punishment to Takeshi Koizumi, 48, after rejecting his lawyer's argument that he was mentally incompetent, said officials at the Saitama District Court north of Tokyo.

The court was told that Koizumi stabbed to death former vice-health minister Takehiko Yamaguchi, 66, and his wife Michiko, 61, on November 17, 2008 while they were asleep at their home in Saitama. The following day he also wounded the wife of another former vice-health minister, the top post in the ministry's bureaucracy.

Japan, which has one of the world's lowest crime rates, was shocked by the attacks, particularly after Koizumi said his motive was revenge because his dog Chiro had been put down more than 30 years earlier.

Although stray dogs are sometimes put down in Japan by municipalities to control diseases such as rabies, Koizumi blamed the health ministry, believing its officials had killed the dog when he was at high school.

"The crime was very deliberate and extremely brutal," presiding judge Yoshihisa Denda told the court according to the Sankei Shimbun daily online.

"Even if he cherished the dog a lot, this serious crime cannot be justified," the judge said. "The multiple murders sent a big shock through society. There is no room for consideration."

In a letter to his father, Koizumi reportedly wrote: "The public health office killed our family dog Chiro on April 5, 1974. I avenged his death."

The pet was reported to be a former stray that had lived with the family for about a year before it was put down. (Sources: Agence France Presse, 30/03/2010)

JAPAN: MURDER- TOWARDS ABOLITION FOR STATUTE OF LIMITATIONS
Japan’s controlling Democratic Party approved a draft law that would abolish the statute of limitations for crimes punishable with the death penalty. Experts say that it would be an important development for the Japanese justice system.

The draft law in question, that modifies the penal code, also raises the limitation for crimes punishable with life imprisonment to 30 years. The draft law is based on the proposal presented by the Justice Minister last February. Observers say that the draft will be approved by Parliament by the end of June. It is highly unlikely that the largest
opposition party, the Liberal Party, will vote against it. (Sources: 9Colonne, 30/03/2010)

TAIWAN: NEW JUSTICE MINISTER ORDERS DEATH ROW REVIEW
Taiwan's new justice minister, who was appointed after his predecessor refused to authorise executions, said he had ordered a review of the cases of all 44 prisoners on Taiwan's death row. Tseng Yung-fu was also quoted by the official Central News Agency as suggesting that his ministry would carry out the death sentence in cases where the condemned prisoners' guilt had been confirmed. "The justice ministry will decide whether to execute any of the death row prisoners and will not avoid its responsibility if the review confirms they were guilty," Tseng was quoted as saying.

He also told the news agency that carrying out executions would not violate two UN human rights conventions to which Taiwan was a signatory and which oblige signatories to reduce the number of executions. "Carrying out executions (of those already convicted) should not go as far to violate the two conventions," Tseng said, after he was sworn in as minister.

Tseng replaced Wang Ching-feng, who resigned this month after attracting a storm of criticism over her refusal to order the execution of any of the 44 prisoners on death row. The option of abolishing the death penalty was still open, Tseng was quoted as saying. (Sources: Afp, 23/03/2010)

SOUTH KOREA: ASSEMBLY SPEAKER CALLS FOR ABOLITION OF DEATH PENALTY
The National Assembly speaker demanded the abolition of the death penalty in South Korea, just days after the justice minister indicated the government could resume executions after more than 12 years.

"A human life is a dignified given value and right, and even the power of the state should not be able to take it away," House Speaker Kim Hyung-o said in a radio interview. Justice Minister Lee Kwi-nam said the government may build a facility where executions of convicts imprisoned for heinous crimes can be carried out, suggesting a resumption of capital punishment.

Kim said South Korea should completely abolish the death penalty instead of continuing an "ambiguous" moratorium. "A country that has propelled itself into the 21st century should not return to the habits of the old era," Kim said. "Criminals committing serious crimes can be punished through lifetime imprisonment without a chance for parole or pardon."

Justice Minister Lee told lawmakers that he did not mean executions would resume immediately. "We have taken a cautious approach to the matter and will also do so in the future," he said. (Sources: Yonhap, 18/03/2010)

NORTH KOREA: OFFICIAL SHOT OVER CURRENCY CHAOS
North Korea has executed a top financial official in a desperate attempt to quell public anger at its bungled currency revaluation, South Korean news reports and analysts said. Pak Nam-Ki, who was earlier reported sacked as chief of the ruling communist party's planning and finance department, was shot dead last week at a military range in Pyongyang, Yonhap news agency said. Pak, 77, was charged "with ruining the national economy deliberately as the son of a big landlord who infiltrated the ranks of revolutionaries," Yonhap said, quoting sources familiar with events in the North.

But it said many North Koreans believe he was made a scapegoat for the botched
revaluation, which fuelled inflation and worsened serious food shortages. Yonhap said the regime executed Pak as public anger had derailed a propaganda campaign to promote ailing leader Kim Jong-II's youngest son Jong-Un as eventual successor.

"All the blame has been poured on Pak after the currency reform failure exacerbated public sentiment and had a bad effect" on the succession plan, one source was quoted as saying.

Pak was one of Kim Jong-II's close associates and frequently accompanied the leader on his trademark "field inspections" outside Pyongyang. He had not been mentioned by official media since early January. (Sources: Afp, 18/03/2010)

UAE: DEATH PENALTY FOR 17 INDIANS IN UAE
A court in the United Arab Emirates sentenced 17 Indian nationals to death for killing a Pakistani man after a dispute over control of an illegal alcohol business. The Pakistani man was stabbed repeatedly in Sharjah in January 2009. Other surviving Pakistani victims were able to identify the suspects.

Correspondents said gang violence connected to illicit alcohol is on the increase in the UAE, where the sale of such drink is controlled. Reports said this could be the highest number of death sentences handed down at one time in the Emirates. Sharjah, an Emirate just north of Dubai, has the toughest restrictions on the sale of alcohol of all the Emirates - it is completely banned there. (Sources: BBC, 29/03/2010)

EGYPT: 4 SENTENCED TO DEATH OVER KILLING BOY
An Egyptian court in al-Sharqiya in the northern Nile Delta sentenced four men to death by hanging for murdering a young boy, the Egyptian daily al-Masry al-Youm reported. The court found that the four, from a village in the Nile Delta province of al-Sharqiya, had kidnapped Maher Abdel-Raziq's younger son after learning that he had received compensation for the death of his elder son in a 2006 ferry accident.

Abdel-Raziq, an official in the telephone authority, used the money to build a mosque, an orphanage, and to pave a road in the village, the court heard. Prosecutors said his generosity caught the attention of four neighbours, who then kidnapped his younger son and demanded a ransom of 200,000 Egyptian pounds (36,483 dollars) for his release. The court ruled that the kidnappers then killed Abdel-Raziq's second son when he was unable to pay, al-Masry al-Youm reported. The four may appeal the sentence.

The decision to execute the four men comes as the United Nations Human Rights Council called on Egypt to establish a moratorium on the death penalty for the immediate future in order to review the use of capital punishment in the country. (Sources: Bikyamasr.com, Middle East World News, 20/03/2010)

GAZA: HAMAS TO EXECUTE SEVERAL 'AGENTS OF ISRAEL' SOON
Hamas announced it will execute several men found guilty of collaborating with Israel. The movement's 'interior minister' Fathi Hammad said in a statement: "The death penalty will be implemented for agents [of Israel] who have been sentenced to death, regardless of the position of rights groups that reject these kinds of sentences."

"The near future will witness the carrying out of the death sentences," Hammad said. The Hamas-run government in the Gaza Strip said the sentences had been handed down in the last two months, with some other alleged informers given prison time.

Hamas has approved the death penalty for informers, murderers and drug dealers, but has not officially executed anyone since it
seized power in Gaza in a violent coup June 2007 and drove out official Palestinian forces loyal to President Mahmoud Abbas. However, several dozen opponents to the regime were killed by armed groups during the Gaza war, according to human rights groups. Palestinian law says the president must approve all execution orders before they can be carried out, but Hamas is likely to bypass this as it no longer recognizes the legitimacy of Abbas, whose four-year term officially ended in 2009. (Sources: States News Service, 26/03/2010)

BAHRAIN: DEATH SENTENCE FOR MURDER

Male prostitute Russell Mezan, 26, from Bangladesh, was sentenced to death by the High Criminal Court in Bahrain for murdering and robbing his 68-year-old Kuwaiti client in March, 2009. He allegedly smashed a bottle over the man’s head as he slept and then smothered him with a pillow.

Forensic teams were able to identify Mezan by DNA found on bottles of alcohol left in the Kuwaiti’s room, as well as traces of the victim’s blood on the Bangladeshi’s clothes. However, the lawyers said they would appeal against the death sentence.

Bangladeshis were banned from entering Bahrain in May 2008 following a spate of brutal murders committed by their countrymen. However, the ban was lifted in September the same year. (Sources: Gulf Daily News, 24/03/2010)

SAUDI ARABIA: DEATH ROW MAID IN A FIGHT FOR HER LIFE

March 15, 2010: Rizana Nafeek is appealing her death sentence for the accidental death of a child that a family in Dawadmi, Saudi Arabia, employed her to mind. Nafeek was 17 at the time of the child’s death, and the confession she signed was in Arabic, a language she does not understand. She was sentenced to death in 2007. (Sources: The National, 15/03/2010)

(Acknowledgement: Most of the news briefs and pictures are taken from www.handsoffcain.info)

News from International NGOs – March 2010

PRI Co-signs Appeal for Juvenile Justice to be Efficient and Fair

On the occasion of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, from 12-19 April 2010 in Salvador, Brazil, Defence for Children International (DCI), the international movement for the rights of children and adolescents, with consultative status with the UN Economic and Social Council and the undersigned organizations, calls upon States to take immediate action to ensure the functioning of effective, specialized, fair and respectful Juvenile Justice Systems:

General considerations

Children and adolescents are the principal victims of violence in the world. As pointed out by the conclusions of the United Nations Study on Violence against Children, the settings in which violence is particularly significant are: family, school, community, and state institutions.

One area that starkly reflects the reality of violence in State Institutions is Juvenile Justice, referring to the State’s response in dealing with cases of crimes attributed to, or committed by adolescents.

While there are international instruments ratified by the majority of States to ensure that criminal cases are resolved effectively, efficiently, fairly, respectfully, and in a specialized way without infringing upon fundamental rights, in practice these standards are not met.

International instruments establish the specialization of Juvenile Justice Systems according to their socio-educational content,
considering the age of the subjects, and the imposition of non-custodial sanctions as preferable to freedom deprivation. Likewise, they emphasize that States should respond to crimes by striving to achieve an appropriate balance between the rights of adolescent perpetrators of the crime, the rights of victims, and society's interest in public safety and crime prevention.

Even though States have developed specific legislation on Juvenile Justice in accordance with international principles, there is still a need to develop more actions to establish specialized justice systems.

The recurring recommendations of the Committee on the Rights of the Child and other international reports show that states have failed to fully implement the socio-educational sanctions established in international commitments. Neither have they allocated enough resources for a comprehensive and effective implementation of these measures. On the contrary, they maintain the use and abuse of freedom deprivation, as exemplified by the overcrowding of prisons.

It is known that there are ongoing and serious rights violations, particularly against adolescents, such as killings, torture, cruel, inhuman, and degrading treatment, arbitrary or illegal detention, in addition to the well known grave conditions in detention centers. These situations have been identified in the Study on Violence against Children in the 2009 Interim Report of the Special Rapporteur on Torture and Other Cruel, Inhuman and Degrading Treatment, in a number of reports by the World Organization Against Torture and in other international and national studies.

In this context, we see justice systems operating in unsuitable conditions, generating more violence, while at the same time social concerns about the situation of insecurity become ever more pronounced. This reality shows that no effective response is being offered to conflicts generated by the crimes. On the contrary, it weakens the rule of law while commitments to the specialization of the Juvenile Justice system in accordance with international standards remain unfulfilled.

**Appeal**

In response, the undersigned organizations demand that States do the following:

Make greater commitments to the eradication of the violent practices within Juvenile Justice Systems, ensuring the observance of international standards and establishing mechanisms for regular monitoring with the participation of civil society organizations.

Apply international standards for the specialization of Juvenile Justice to thereby put into operation justice systems that are truly fair and effective and efficient in resolving the conflicts generated by the crime.

To train and professionalize all players in the system: judges, prosecutors, advocates, authorities and professionals who implement measures, police, teachers, etc. in order to streamline the whole justice system.


Ensure that policies on Juvenile Justice are specialized in nature, which are expressed in their socio-educational content, understood as the assumption of responsibility for crimes and their consequences through comprehensive programs with a multidisciplinary perspective, consistent with and targeted towards achieving better social, family, school and community integration that involves adolescents and their families.

Consider raising the minimum age of criminal responsibility and maintaining the maximum age at 18. There is no reliable information to indicate that lowering the minimum age reduces levels of crime and insecurity.

Develop a social policy for adolescents that is inclusive and allows for suitable processes of socialization through family, school, and the community avoiding the criminalization of youth.
Prioritize investment in public policies on children and adolescents, promoting comprehensive national protection systems to combat inequality and social exclusion and the inequality of opportunities, improving the mechanisms for collecting, analyzing and using data that enable greater efficiency in addressing the causes of conflict with criminal law and social vulnerability of children and adolescents.

Adopt development models that are inclusive, just, and equitable to provide the experience of human rights and open up opportunities for all sectors of the population.

Establish policies for mass media to present the phenomenon of adolescence, crime, and public policy from a perspective of accountability and inclusion avoiding the criminalization of the adolescent population.

The assumption of these commitments by the States will contribute to the specialization of Juvenile Justice, to a reduction in the use and abuse of prison and the development of nonviolent and really effective proposals for resolving conflicts produced by the commission crimes.

This is why we the undersigned organizations urge the State authorities in charge of Juvenile Justice to take the necessary measures to implement the changes that will contribute to a better respect of the rights of children and adolescents in conflict with the law. R

Prevention of Human Rights Violations

Penal Reform International attended the workshop, ‘Prevention of Human Rights Violations: conceptual, methodological and practical implementation issues’, in Copenhagen, 7 April 2010. The event was organised by the Rehabilitation and Research Centre for Torture Victims (RCT) in collaboration with the Danish Institute for Human Rights (DIHR), the University of Bristol and the University of Copenhagen.

This workshop was intended to facilitate the dialogue between social scientists and human rights practitioners on the subject of conditions conducive to human rights protection, in general, and prevention of physical integrity rights violations, in particular. Specifically, it was purported (1) to sensitize researchers to the concerns of practitioners; and (2) to amplify human rights practitioners’ awareness of relevant theories and findings from latest empirical social scientific research.

Mary Murphy, PRI’s Policy Director was a discussant in the session, ‘Theorizing and measuring human rights protection’. This session examined the different ways in which empirical social science has sought to address human rights problems. In particular, it focused on the broad theoretical approaches, the trade offs between different methodological approaches (including the role for measurement), the main findings of the literature, and the challenges that remain.

Liberia’s Deputy Minister of Justice for Administration and Public Safety Visits PRI

Eva Happy Morgan, Liberia’s Deputy Minister of Justice for Administration and Public Safety, visited Penal Reform International’s London office on 24 March, 2010 to discuss some of the challenges facing her country in the area of criminal justice. Her stay in the UK is sponsored by a UK Foreign and Commonwealth Office’s Chevening Scholarship.

The main area of discussion was the prospect of resolving the problem of overcrowding in Liberia’s pre-trial prisons by use of paralegals, a model whose implementation PRI has promoted in a number of countries, particularly in Africa. The main remand prison in the capital, Monrovia, has a capacity of 350 but on any one day has to cope with a population of 800. Many of them are petty offenders who, because of the lack of lawyers, particularly in rural areas, and poor case follow-up, sometimes spend longer awaiting trial than they would serving a sentence appropriate to their crime. A shortage of resources
makes meeting even their most basic physical needs a significant challenge for the Ministry. Ms Morgan estimated that alternative ways of dealing with as many as 65% of the prisoners could be found if current positive experience with the use of paralegal volunteers could be extended.

Liberia benefits from a new and energetic Minister of Justice, Ms Christiana Tah, who is taking steps to speed up a reform process which started only two to three years ago following many years of conflict. Penal Reform International will be exploring with the Minister, her staff and other stakeholders in civil society and government, the prospects for playing a part in the reform programme.

**Hamas Must Not Carry Out Executions in Gaza**

31 March 2010

Amnesty International has urged the Hamas de facto administration in Gaza not to carry out several pending death sentences, after high-ranking officials signalled their intention to execute those convicted of "collaboration" with Israel and "murder".

It is feared that these executions, which would be the first to be carried out in Gaza since 2005, may be carried out in the next few days.

Since seizing control of Gaza in 2007, Hamas has not carried out executions although its military courts have continued to hand down death sentences after proceedings that failed to meet international standards for fair trial.

"Hamas must not start carrying out executions. That would be a profoundly retrograde step and go against the emerging trend towards a worldwide moratorium on executions," said Malcolm Smart, Director of Amnesty International’s Middle East and North Africa Programme.

"It would be especially abhorrent to execute prisoners who, as in these cases, were sentenced to death after proceedings which failed to meet international fair trial standards."

Hamas has not released information on how many people could face execution. However, in 2009, a total of 14 people are known to have been sentenced to death by military courts in Gaza after being convicted on charges of "collaboration", treason and murder.

On Sunday, the General Prosecution Office in Gaza said that ratification of outstanding death sentences was not only necessary but that it was a legal duty.

In a public statement issued on 25 March, Mohammed Abed, Hamas's Attorney General in the Gaza Strip, announced that during the previous two months, the General Prosecution Office had begun the process of ratifying the death sentences of those convicted of "collaboration" and murder.

Two days earlier, Fathi Hammad, the Hamas Interior Minister in Gaza, said in a radio interview that his Ministry had decided to execute prisoners convicted of "collaboration" despite the objections of local human rights organizations.

Mohammed Abed has also said the death penalty will be used against people convicted of dealing drugs - "We have the right to hasten the execution of those who are willing to kill their own people".

In November 2009, the Hamas de facto administration in Gaza approved a legal change that would permit the execution of convicted drug dealers.

Under Palestinian Law, death sentences must be ratified by the Palestinian Authority (PA) President before they can be carried out.

However, as a result of inter-factional tensions between the two main Palestinian political parties, Fatah and Hamas, since June 2007, the West Bank has been governed by a PA caretaker government appointed by PA President Mahmoud Abbas of the Fatah party and Gaza has been ruled
by a Hamas de facto administration led by Isma'il Haniyeh.

After June 2007, PA President Abbas suspended operations of PA security forces and judicial institutions in Gaza, creating a legal and institutional vacuum there.

Hamas responded by creating a parallel law enforcement and judicial apparatus. These however lack appropriately trained personnel, accountability mechanisms or safeguards.

In May 2009, Hamas announced that it was establishing a committee composed of legal advisors and officials in the Hamas Ministry of Justice who would be responsible for ratifying death sentences in Gaza. The General Prosecution Office said on Sunday that the cabinet had a duty to help ratify death sentences in order to implement outstanding death penalties.

The last known executions in Gaza were carried out in June and July 2005, prior to the establishment of the Hamas de-facto administration in Gaza.

Four men were hanged in Gaza central prison and one was killed by firing squad in the Police headquarters in Gaza City. All five had been convicted of murder in earlier years, some by the State Security Court, which has since been abolished.

Iran Executions Send a Chilling Message
30 March 2010

Recent developments in Iran have prompted fears that the Iranian authorities are once more using executions as a tool to try and quell political unrest, intimidate the population and send a signal that dissent will not be tolerated.

There was a noticeable surge in the rate of executions at the time of mass protests over last year’s disputed Presidential elections. Although many of the executions were for criminal offences committed before the unrest, they sent a chilling message to those involved in protests.

One hundred and twelve people were put to death in the eight weeks between the June election and the re-inauguration of President Mahmoud Ahmadinejad in early August—almost a third of the total for the entire year.

In 2009 as a whole at least 388 people were put to death in Iran - the largest number recorded by Amnesty International in recent years. Figures collated by various human rights organizations, including Amnesty International, suggest the annual number of executions has almost quadrupled since President Mahmoud Ahmadinejad was first elected five years ago. Many of those executed did not receive fair trials.

"The continuing surge in executions at a time when Iran has experienced the most widespread popular unrest since the 1979 Islamic Revolution, combined with numerous statements by officials threatening protestors with execution, indicates that the Iranian authorities are again using the death penalty to try and cow the opposition and silence dissent," said Hassiba Hadj Sahraoui, Amnesty International’s Deputy Director for the Middle East and North Africa.

"Show Trials"
A series of "show trials" led to two men being hanged in January; the first executions which the authorities linked directly to the current unrest; although it later emerged that the pair were already in detention at the time of last June’s presidential election.

Among other things, they were convicted of "mohabareh", or "enmity against God". Nasrin Sotoudeh, lawyer for one of the men, Arash Rahmaniour, told Reuters "An execution with this speed and rush has only one explanation ... the government is trying to prevent the expansion of the current (opposition) movement through the spread of fear and intimidation."

An increasing number of people have been charged with "moharebeh", a vaguely-defined offence. According to Philip Alston, the UN’s Special Rapporteur on extrajudicial, summary or arbitrary
executions, it is "imposed for a wide range of crimes, often fairly ill-defined and generally having some sort of political nature."

At least nine other people, sentenced to death following the popular demonstrations which began last summer and were continuing at the end of 2009, are believed to be on death row.

Recent comments by Tehran prosecutor Abbas Jaf'ari Dowlatabadi served to fan suspicions that the sentences were politically motivated. Referring to the imposition of death sentences on a group of protesters, he said: "Today the Islamic system has firmly put its opponents and dissidents in their place. The people will not allow such incidents to reoccur in the country."

**Executions Under Previous Governments**

This is not the first time that Iran's leaders have been accused of using summary executions or the death penalty as a tool of political control. Executions were used extensively under the Shah, and in the early days of the Islamic Republic as a way of eliminating political enemies and suppressing opposition.

In the 1970s, an increasingly unpopular Shah used the mass arrest of political opponents to eliminate political enemies and suppress opposition. At the time, Amnesty International criticized the Iranian authorities for what it described as the "extremely high number of executions" conducted after unfair trials by military tribunals.

In 1979, more than 600 people were summarily executed by firing squad in the months following the Islamic Revolution. Many were former ministers, officials or army officers under the Shah. Some were executed after grossly unfair trials lasting only a few minutes. By 1982, Amnesty International had recorded well over 4,000 executions since the time of the Revolution.

But the largest number of summary executions came in 1988. Up to 5,000 people – many of them political prisoners - are believed to have died in the so called "prison massacre" between 1988 and 1989, in what Amnesty International described at the time as a "purposeful mass killing of political opponents." Many were members of the People's Mojahedin Organization of Iran, an opposition organization accused of collaborating with Saddam Hussain's Iraq during the eight yearIran-Iraq war. But others were members of secular, left-wing political parties regarded as a threat to Iran's Islamic system. In many cases, their "trials" consisted of a few questions put to them in their prison cells by members of what prisoners dubbed "The Death Commission".

**A Revival Of The Death Penalty**

The number of executions decreased in the 1990s. (Death sentences were handed down in the wake of student unrest in 1999, but were not implemented.) But they rose rapidly again after President Ahmadinejad was elected in 2005, pledging to improve public order, take action against "thugs and hooligans" and return Iran to the original values of the Islamic Revolution.

There was also a rise in the number of executions of juvenile offenders – people sentenced to death for crimes committed when they were under the age of 18. Iran is one of only a handful of countries to continue such executions, in clear violation of international law. According to UN Special Rapporteur Philip Alston "No state really tries to defend it as a matter of principle - it's clearly outlawed. And yet Iran continues to not only charge juveniles, but to execute them in significant numbers."

Even before last summer's unrest, there were signs that President Ahmadinejad's government was increasingly using the death penalty as a way of stemming unrest in areas with large ethnic minorities. Bomb attacks in the predominantly Arab province of Khuzestan and ethnic Baluch areas of Sistan-Baluchistan province in recent years were followed by a wave of often public executions. Some of the condemned men were shown on state television making "confessions" that are believed to have been extracted from them under torture or other duress.

Ehsan Fattahian, arrested in 2008 and convicted of being a member of a Kurdish...
opposition group, was executed last November. In a letter sent two days before he was hanged, he said his original sentence had been increased because he refused to appear on camera confessing to crimes he had not committed. He alleged that this move was "a result of pressure from security and political forces outside the judiciary." Since last year's unrest, the number of Iranian Kurds being sentenced to death for political offences has continued to rise.

UN Special Rapporteur Philip Alston adds that "International law says very clearly that the death penalty can only be carried out for the most serious crimes. I have shown very clearly that that phrase was intended to refer to crimes which result in an intentional death of some sort - homicide - and that any lesser crimes cannot be punished by the death penalty. Again, that is a prohibition that the Iranian courts and the Iranian government have consistently neglected or ignored."

Hundreds, probably thousands, of individuals are currently on death row in Iran. Sometimes their ordeal can last for years. Amnesty International spoke to one prisoner who spent years on death row before his sentence was eventually commuted. In a telephone interview from jail he said:

"Have you ever experienced receiving a death sentence? Have your partner, parents, brother, sister and relatives been told that tonight a close relative of yours is going to be executed? Can you understand the horror and shock of hearing such news? But me, two of my close relatives and our families have been going through this – not for a night or two or few nights, but for a period of over two thousand nights."

**Belarus Carries Out Two Executions**

22 March 2010

Amnesty International has called on the President of Belarus Alyaksandr Lukashenka to establish an immediate moratorium on the use of the death penalty after it was revealed two men were executed at the end of previous week.

Andrei Zhuk and Vasily Yuzepchuk were both sentenced to death in 2009 for separate crimes but had been sharing a death row cell in the capital Minsk. Andrei Zhuk’s mother told Amnesty International on Monday she was informed by prison staff that both men had been shot.

"The death penalty is the ultimate cruel and inhuman punishment. It violates the right to life and should be abolished," said Halya Gowan, director of Amnesty International's Europe and Central Asia programme.

"No executions were reported in Belarus in 2009 and for the first time since Amnesty International began keeping records Europe was an execution-free zone last year. It is very disappointing that the Belarussian authorities have taken this step, against the tide of world opinion that is moving toward the abolition of the death penalty."

Andrei Zhuk’s mother tried to deliver a food parcel on Friday morning, 19 March, but the parcel was returned and she was told that the two men "had been moved" and that she should not come looking for her son anymore, but should wait for the notification from the court.

His father was taken to hospital on Monday having suffered a heart attack after hearing the news of the execution.

"Andrei Zhuk and Vasily Yuzepchuk were executed without being granted a last meeting with their relatives. The authorities must give their bodies and belongings to their relatives, should they wish to receive them. If they refuse to hand over the bodies, they must at least inform the relatives where their loved ones were buried," Halya Gowan said.

Vasily Yuzepchuk was sentenced to death on 29 June 2009, for the murder of six elderly women, following an investigation and trial which his lawyer argues were fundamentally flawed: he says that Vasily Yuzepchuk was beaten to force him to confess.

Andrei Zhuk was sentenced to death on 22
July 2009, for the armed assault on and murder of a man and woman in February 2009. His lawyer has expressed his concerns regarding procedural violations during Andrei Zhuk’s initial interrogation.

Both men appealed against their sentences and were turned down. Both had applied for clemency, but according to information received by Amnesty International the President’s decision regarding clemency is communicated to prisoners minutes before they are executed.

In October 2009 the UN Human Rights Committee registered both cases and called on the Belarusian government not to execute the two men pending the Committee’s consideration of their cases.

The death sentences of Andrei Zhuk and Vasily Yuzepchuk were passed shortly after the Parliamentary Assembly of the Council of Europe (PACE) voted to restore Special Guest Status to the Belarusian Parliament, on the condition that Belarus declare a moratorium on the imposition of the death penalty.
Read the latest information about worldwide efforts to abolish the death penalty!

http://www.ipsnews.net/deathpenaltyabolition

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