

Crime and Justice

Death Penalty and the Right to Life



August 2010

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.

Khmer Rouge Verdict Hailed as a "First Step"

By Hannah Rubenstein

UNITED NATIONS, July 26 (IPS) - Lauding the conviction of a Khmer Rouge leader Monday as a historic moment in the history of Cambodia, some international human rights groups also expressed disappointment with what they view as a lenient sentence, and urged an end to what they described as "political interference" in the judicial process.

[MORE >>](#)

TRINIDAD: Death Penalty Debate Revived

By Peter Richards

PORT OF SPAIN, July 20 (IPS) - Faced with a steep escalation of the murder rate since it came to power on May 24, the new People's Partnership government in Trinidad and Tobago is considering resuming capital punishment as a means of dealing with the situation.

[MORE >>](#)

Columnist Service

Iran: Theocratic Regime Survives Through Repression

by Elisabetta Zamparutti Elisabetta Zamparutti is deputy in Italian parliament and treasurer of Hands Off Cain, an international organisation against the death penalty.

ROME (IPS) The latest report of Hands Off Cain documents no fewer than 346 executions in Iran in 2008, a figure far exceeded by the total for 2009. Iran's theocratic regime is second only to China in its implementation of the death penalty.

However, the real numbers might even be even higher, given that Iranian authorities do not release official statistics for executions. The figures available are culled from local newspapers by humanitarian organisations, which have no complete source of information on the practice.

According to Iranian lawyer Mohammed Mostafei, the real number of executions is much higher than those given by humanitarian organisations. Mostafei provides legal defense for many charged with capital offenses, particularly 25 prisoners condemned to death for crimes committed when they were minors.

"In my calculations, in 2008 there were over 400 executions, and perhaps as many as five or even six hundred," says Mostafei, who was arrested and taken to an undisclosed location on June 26, 2009, for having taken part in the mass demonstrations that swept the country in response to the fraudulent elections of last June 12, when President Ahmadinejad was officially proclaimed the victor.

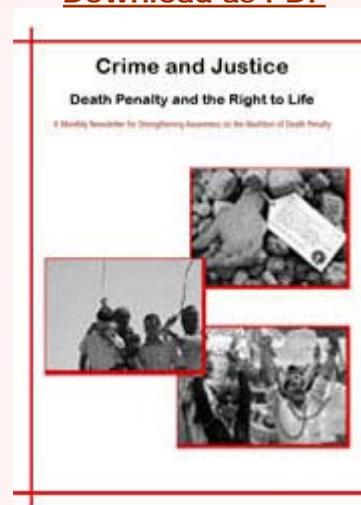
The execution of people who were minors when they committed their crimes is a clear violation of the Convention on the Rights of the Child, which Iran signed and ratified and yet continues to violate.

The method of execution preferred by Islamic law is hanging. Though recent years have seen cases of stoning and even throwing the condemned off a cliff.

Repression of members of religious and ethnic minorities has also continued, especially against the Azeris, Kurds, and Baluch, as has the imposition of capital punishment for what are essentially political motives and for non-violent offenses.

Two men, Mohammad Reza Ali Zamani, 37, and Arash Rahmani Pour, 20, were hanged on January 28 for allegedly being militants in the pro-monarchy organisation Tondar. It would seem that this is the first execution for participation in protests against the fraudulent re-election of President Mahmoud Ahmadinejad, though 13 other people have been charged

Download as PDF



10.10.10 World Day Against the Death Penalty – USA special

On 10 October 2010, the World Day Against the Death Penalty will focus on the USA. There are two months left to prepare and promote the events planned around the world on the big day. [en](#) | [fr](#)

with the same offense and sentenced to death.

In addition to the death penalty, Iranian Islamic law sanctions various forms of torture, the mutilation of limbs, whipping, among other cruel, inhuman, and degrading practices. Nor are these restricted to isolated cases; they are cited by thousands and thousands of young people each year who are whipped for drinking alcohol or attending parties where men and women are both present. The regime is particularly severe with women whom it considers to be insufficiently covered in the street or other public places.

When in 2007 the UN General Assembly approved its historic resolution in favour of a universal moratorium on executions, Iran was the only country that categorically refused to consider the proposal. The government of Teheran instead opted for a categorical opposition to international law and human rights conventions.

The significance of this intransigent attitude is most easily understood in relation to the continuing development of Iran's nuclear programme. However, it is necessary to consider the fact that if the government of Iran today represents a threat to international security on the nuclear front, this is because it has been allowed for too long to be a threat to the security of its own citizens. In this context, European policy and its search for a "constructive dialogue" with Teheran has resulted in the omission of demands that Iranian authorities respect human rights; its responsibility for the current situation must therefore be acknowledged.

It is equally grave that Italy continues to consider Iran a valid interlocutor in the search for a solution to the problems of the Middle East; instead, it should be recognised as part of the problem. It is precisely the respect for fundamental human rights that the current theocratic system simply cannot allow, because this would plunge it into crisis. Europe and the West must revise their policy towards Iran regarding this contradiction and reorient it towards the necessity of respecting human rights. (END/COPYRIGHT IPS)

For more information please visit: [IPS Columnist Service](#)

WORLD PRESS REVIEW:

JAPAN HANGS TWO, BUT URGES DEBATE ON EXECUTION - CHINA 'MAY REVIEW EXECUTION POLICY CHANGES' - CHINA: MAN EXECUTED FOR GUN TRADING - NORTH KOREA REPORTEDLY EXECUTES FORMER OFFICIAL - MALAYSIA: DEATH SENTENCES UPHELD FOR MURDER OF ACTRESS - SINGAPORE: DRUG TRAFFICKING DEATH SENTENCE - BANGLADESH: CABINET OKAYS BORDER GUARD BANGLADESH ACT - PAKISTAN: TALIBAN EXECUTE TWO TRIBESMEN - IRAQ EXECUTED 230 PEOPLE FROM 2005-2009 - IRAQ: US HANDS OVER TARIQ AZIZ, OTHER DETAINEES - IRAN: YEARS ON DEATH ROW FOR BRIDE TOO YOUNG TO BE STONED - IRAN HALTS WOMAN'S DEATH BY STONING - IRAN: YOUTH SENTENCED TO DEATH FOR HOMOSEXUAL RELATIONS - LEBANON: MAN SENTENCED TO DEATH FOR SPYING FOR ISRAEL - LEBANON: ANOTHER ISRAELI SPY SENTENCED TO DEATH - LEBANON: CABINET AGREES ON DEATH PENALTY AGAINST ISRAELI SPIES - GAZA: MAN SENTENCED TO DEATH FOR MURDER - MOROCCO: MAN SENTENCED TO DEATH FOR MURDER - MOROCCO: MAN SENTENCED TO DEATH FOR MURDERING THREE WOMEN - YEMEN: APPEAL COURT - CONFIRMS DEATH SENTENCES FOR AL-QAIDA MEMBERS OVER ATTACKS - YEMEN: MAN EXECUTED FOR RAPE, MURDER OF GIRL, 4 - SAUDI ARABIA: SAUDI MAN EXECUTED FOR MURDER - SUDAN: PALESTINIAN CITIZEN SENTENCED TO DEATH FOR KILLING BUSINESSMAN - BENIN: THREE GET DEATH SENTENCE FOR MURDER - GAMBIA COURT HANDS DEATH PENALTY TO COUP PLOTTERS - TANZANIA: MAN SENTENCED TO DEATH FOR ALBINO KILLING - NIGERIA: BUTCHER TO HANG FOR KILLING FRIEND OVER N700 - TEXAS (USA): MAN EXECUTED FOR DEATHS OF 2 HOUSTON OPERA SINGERS - TENNESSEE (USA): GOVERNOR COMMUTES DEATH SENTENCE OF WOMAN - TRINIDAD & TOBAGO: HEADCOUNT ON DEATH ROW BEGINS

News from International NGOs:

Open Letter to Kamla Persad-Bissessar, president of Trinidad & Tobago - Hands Off Cain presents the 2010 Report on the Death Penalty worldwide - Amnesty asks Iran to end harassment of stoning case lawyer - Japan executions of two men condemned - Japan executions "a step backward for Asia" - Like Taiwan, Japan breaks unofficial moratorium - 'Singapore must release British author of death penalty book'

IPS has partnered with [Penal Reform International](#) to expand its independent coverage of issues surrounding capital punishment and long-term imprisonment.

The contents of this publication, funded by the European Union, are the sole responsibility of IPS and can in no way be taken to reflect the views of the European Union.

Khmer Rouge Verdict Hailed as a "First Step"

By Hannah Rubenstein

UNITED NATIONS, Jul 26, 2010 (IPS) - Lauding the conviction of a Khmer Rouge leader Monday as a historic moment in the history of Cambodia, some international human rights groups also expressed disappointment with what they view as a lenient sentence, and urged an end to what they described as "political interference" in the judicial process.

Thirty years after genocide claimed the lives of more than two million people under Cambodia's Khmer Rouge rule, a United Nations-backed tribunal issued its first verdict in response to the atrocity: a conviction and 35-year jail sentence for the prison chief of the S-21 Security Office called Tuol Sleng, who oversaw the detention and torture of 14,000 prisoners from 1975 to 1979.

The conviction of Kaing Guek Eav, also known as Duch, comes after an eight-month trial before the Extraordinary Chambers in the Courts of Cambodia (ECCC), a tribunal established in 2003 to prosecute cases of senior officials and others who violated human rights laws during Khmer Rouge leadership. The tribunal is comprised of members from both Cambodia and the international community.

The ECCC found Duch guilty of crimes against humanity and war crimes, and assigned the former official a jail sentence of 35 years. The court deducted five years from the sentence due to illegal detention by the Cambodian Military Court between 1999 and 2007, and counted 11 years as time already served. Duch will be imprisoned until 2029, at which time he will be 86 years old.

Following the hour-long verdict, ECCC co-

prosecutor Chea Leang told reporters, "This court has tried and punished a perpetrator of Democratic Kampuchea, one of the most macabre regimes of the modern era." The Democratic Kampuchea, or Khmer Rouge, rule is responsible for the massacre of a quarter of Cambodia's population from 1975 to 1979, as a result of forced labour and starvation.

A court spokesman, Lars Olsen, said that the tribunal's decision not to assign a life sentence—the harshest conviction possible, as Cambodia does not recognise the death sentence—took into consideration Duch's cooperation, his admission of responsibility and limited expressions of remorse, the coercive environment of the Khmer Rouge period, and the possibility of rehabilitation.

One survivor of the Tuol Sleng prison who testified in the trial, 79-year-old Chum Mey, told the New York Times that he was "unsatisfied" with the outcome. "We are victims two times," he said, "once in the Khmer Rouge time and now once again."

"His prison is comfortable with air conditioning, food three times a day, fans and everything," he said outside the courtroom. "I sat on the floor with filth and excrement all around."

Sara Colm, a senior researcher at Human Rights Watch who is based in Cambodia, released a statement praising the tribunal for holding Duch accountable for the crimes he committed. "But," she said, "It will take much more than today's verdict to achieve real justice for the Cambodian people who suffered under Khmer Rouge rule."

One major point of contention against the

proceedings from human rights groups is the ECCC's decision to prosecute only a few individuals in connection with the Khmer Rouge genocide. Later this year, the court will decide whether to indict five senior members of the regime on war crimes: head of state Khieu Samphan; Foreign Minister Ieng Sary; Minister of Social Affairs Ieng Thirith, and Nuon Chea, a senior Communist Party of Kampuchea officer known as "Brother No 2."

Donna Guest, Amnesty International's deputy director for the Asia-Pacific programme, released a statement asserting that this approach "falls short of fulfilling the Extraordinary Chambers' mandate to prosecute those most responsible for grave crimes committed under Khmer Rouge rule."

"Identifying only five or 10 people as allegedly responsible for the massive atrocities does not do enough to satisfy the justice that Cambodians deserve and are entitled to under international law," she said.

Two more cases, filed by Office of the Co-Prosecutors in September 2009, charge the suspects with 40 incidents of murder, torture, unlawful detention, forced labour, and persecution. Following these charges, Leang stated that no more cases would be pursued by the Office due to political - not legal - considerations, such as "past instability" and a "need for national reconciliation".

Human rights groups like Amnesty International and Human Rights Watch are urging both the Cambodian government and the United Nations to uphold a standard of justice over political concerns.

"Progress could be undermined by political

interference from Cambodian officials who openly oppose more prosecutions, and by disagreements between the Cambodian and International Co- Investigating Judges," said Guest.

"Up to two million Cambodians died during the Khmer Rouge's horrific rule, yet the government is refusing to hold more than five people to account," added Colm. "The U.N. and the tribunal's international donors should not allow political interference with the court to undermine its credibility."

In a press release, the chair of the U.S. Senate Foreign Relations Committee, John Kerry, said, "I support the ECCC as it moves forward with its investigations and urge all involved to ensure the process lives up to and reflects the imperatives of justice, transparency, and reconciliation for the Cambodian people."

He added, "I look to this process not only to provide justice, but to allow some closure for the families of the victims... These proceedings have touched an entire generation of Cambodians." (END)

TRINIDAD

Death Penalty Debate Revived By Peter Richards

PORT OF SPAIN, Jul 20, 2010 (IPS) - Faced with a steep escalation of the murder rate since it came to power on May 24, the new People's Partnership government in Trinidad and Tobago is considering resuming capital punishment as a means of dealing with the situation.

Prime Minister Kamla Persad Bissessar and senior members of her cabinet have already indicated that they are not averse to resuming capital punishment, which was last carried out here in 1999.

The new administration vowed in its first 120-day plan in office to initiate an anti-crime strategy that would cut the country's high murder rate, with the first phase of the plan running from June to December.

In fact, Austin Jack Warner, a senior minister, said that Attorney General Anand Ramlogan had been asked to make a presentation to the cabinet on the issue.

"I have told the Attorney General that he must tell us what are some of the things we must do so as to free ourselves from these international organisations which try to frustrate the law of the land," said Warner, who was heading the government while the Prime Minister was abroad earlier this month.

"I am convinced that were we to reinstitute hangings, which is the law of the land, it will have a dent on crime. I am convinced," he said.

Former Prisons Commissioner Cipriani Baptiste agrees that the death penalty should be enforced. But, he argues that murders should be classified in order to differentiate crimes of passion from premeditated murders.

You cannot prevent murder when a person, in a fit of passion, murders someone while trying to protect himself or his family, Baptiste says. "But there are those people who sit and plot to go into people's homes and murder them; these are the crimes that should be punishable by death, and this is why we need classification,"

he told a local newspaper.

But not everyone is convinced.

President of the Law Association of Trinidad and Tobago Martin Daly in his newspaper column said it is simplistic, wrong and misleading for anyone to say that the law calls for the death penalty for convicted killers.

"It is true that the Offences Against The Person Act simply provides that 'every person convicted of murder shall suffer death'. However, as a result of judicial decisions the law cannot be carried out simply following an instruction by a Prime Minister to an Attorney General such as the 'instruction' Minister Jack Warner purported to give when acting as Prime Minister," he wrote.

The London-based Privy Council - the nation's highest court - has placed restrictions on the carrying out of the death penalty. "The Privy Council has plainly stated that its judicial decisions, which can be properly described as restrictions on carrying out the death penalty, can be reversed. But that the means to do so is by amendment of the Constitution," Daly said.

The Special Advisor on Children's Affairs to the Prime Minister, Verna St. Rose-Greaves, has publicly stated her opposition to the resumption of hangings here.

"I am not going to change my opinion on this. Nor am I prepared to be silent on it," she said, adding, "we cannot say that we are moving forward as a nation but then we go back to barbaric practices like hangings... I understand the pain of victims and their families, I do, and the anger from that is what is fuelling this bloodlust, but the death penalty is not a

solution," she said on a radio programme.

Scholar, author and social activist Dr. Merle Hodge has said that no government in this country has ever encouraged a proper airing of the death penalty issue and is calling on politicians to stop "giving us the 'hanging will curb crime' story".

"We, the people frightened out of our wits by violent crime, latch on to this one solution that we have never really looked in the eye. We haven't been allowed to. Hanging is very useful to politicians as they can use it to cynically whip up support at any time... We need a period of sober, level-headed and informed discussion among citizens on all issues of such gravity as the death penalty," Hodge said.

The country's last execution was carried out in 1999 when Anthony Briggs was sent to the gallows for the murder of a taxi driver in 1992.

A month before Briggs execution, nine people - including the reputed drug lord, Dole Chadee - went to the gallows for killing a family.

"It is inconceivable to have 295 [convicts] on death row awaiting the hangman when of course no one is trying to apply the law," Warner said, adding that, "the law says death by hangings. And if a person is convicted and has of course used all his measures of relief up to the Privy Council, why should he stay in the prison anymore?"

So far this year, 292 people have been murdered here. In 2009, the figure stood at nearly 600.

However, despite those statistics, the Catholic Commission for Social Justice (CCSJ) is calling on

the new government to devise an anti-crime plan that does not include hanging.

"We can find no conclusive proof that the death penalty is a deterrent that reduces crime rates," said CCSJ Chairperson Leela Ramdeen. "In Trinidad and Tobago human life seems to be losing its value. Violence pervades the very fabric of our society," she said, adding that the CCSJ, "welcomes this opportunity for a new national dialogue in Trinidad and Tobago about how we deal with crime and violence, how we restore respect for law and life, how we protect and rebuild communities, and how we help offenders to redeem themselves."

The Trinidad and Tobago Humanist Society (TTHS) says that there is no country in the world where the death penalty has been proven to reduce crime.

"One notable comparison is between Canada, where the death penalty was abolished in 1976, and the U.S., where it was reinstated that same year after a ten-year moratorium. American homicide rates rose after the 1976 reinstatement, while Canadian homicide rates declined after its abolition," the TTHS said.

"Warner's statement is yet another example of politicians pursuing policy which is not based on either proof or principle." (END)

IPS Columnist Service JULY 2010

Iran: Theocratic Regime Survives Through Repression

by Elisabetta Zamparutti Elisabetta Zamparutti is deputy in Italian parliament and treasurer of Hands Off Cain, an international organisation against the death penalty.

ROME (IPS) The latest report of Hands Off Cain documents no fewer than 346 executions in Iran in 2008, a figure far exceeded by the total for 2009. Iran's theocratic regime is second only to China in its implementation of the death penalty.

However, the real numbers might even be even higher, given that Iranian authorities do not release official statistics for executions. The figures available are culled from local newspapers by humanitarian organisations, which have no complete source of information on the practice.

According to Iranian lawyer Mohammed Mostafei, the real number of executions is much higher than those given by humanitarian organisations. Mostafei provides legal defense for many charged with capital offenses, particularly 25 prisoners condemned to death for crimes committed when they were minors.

"In my calculations, in 2008 there were over 400 executions, and perhaps as many as five or even six hundred," says Mostafei, who was arrested and taken to an undisclosed location on June 26, 2009, for having taken part in the mass demonstrations that swept the country in response to the fraudulent elections of last June 12, when President Ahmadinejad was officially proclaimed the victor.

The execution of people who were minors when they committed their crimes is a clear violation of the Convention on the Rights of the Child, which Iran signed and ratified and yet continues to violate.

The method of execution preferred by Islamic law is hanging. Though recent years have seen cases of stoning and even throwing the condemned off a cliff.

Repression of members of religious and ethnic minorities has also continued, especially against the Azeris, Kurds, and Baluch, as has the imposition of capital punishment for what are essentially political motives and for non-violent offenses.

Two men, Mohammad Reza Ali Zamani, 37, and Arash Rahmani Pour, 20, were hanged on January 28 for allegedly being militants in the pro-monarchy organisation Tondar. It would seem that this is the first execution for participation in protests against the fraudulent re-election of President Mahmoud Ahmadinejad, though 13 other people have been charged with the same offense and sentenced to death.

In addition to the death penalty, Iranian Islamic law sanctions various forms of torture, the mutilation of limbs, whipping, among other cruel, inhuman, and degrading practices. Nor are these restricted to isolated cases; they are cited by thousands and thousands of young people each year who are whipped for drinking alcohol or attending parties where men and women are both present. The regime is particularly severe with women whom it considers to be insufficiently covered in the street or other public places.

When in 2007 the UN General Assembly approved its historic resolution in favour of a universal moratorium on executions, Iran was the only country that categorically refused to consider the proposal. The government of Teheran instead opted for a categorical opposition to international law and human rights conventions.

The significance of this intransigent attitude is most easily understood in relation to the continuing development of Iran's nuclear programme. However, it is necessary to consider the fact that if the government of Iran today represents a threat to international security on the nuclear front, this is because it has been allowed for too long to be a threat to the security of its own citizens. In this context, European policy and its search for a "constructive dialogue" with Teheran has resulted in the omission of demands that Iranian authorities respect human rights; its responsibility for the current situation must therefore be acknowledged.

It is equally grave that Italy continues to consider Iran a valid interlocutor in the search

for a solution to the problems of the Middle East; instead, it should be recognised as part of the problem. It is precisely the respect for fundamental human rights that the current theocratic system simply cannot allow, because this would plunge it into crisis. Europe and the West must revise their policy towards Iran regarding this contradiction and reorient it towards the necessity of respecting human rights. (END/COPYRIGHT IPS)

WORLD PRESS REVIEW JULY 2010

This review provides a glimpse of developments related to death penalty as reported by media around the world.

JAPAN HANGS TWO, BUT URGES DEBATE ON EXECUTION

Japan hanged two men for murder in the first executions since the centre-left Democratic Party of Japan took power last year, but the government also announced a review of capital punishment, Agence France Presse reported on July 28.

Justice Minister Keiko Chiba, a long-time opponent of the death penalty, said she attended the executions and announced she would launch a study group within her ministry to review its use. "I confirmed the executions with my own eyes," said Chiba. "It made me again think deeply about the death penalty, and I once again strongly felt that there is a need for a fundamental discussion about the death penalty."

The state put to death Kazuo Shinozawa, 59, who killed six people by setting fire to a jewellery store, and Hidenori Ogata, 33, who killed a man and a woman and seriously injured two others. After the two executions at the Tokyo Detention House, Chiba called a press conference and told reporters: "Under my order, the two people -- Kazuo Shinozawa and

Hidenori Ogata -- were executed."

"Since the executions were ordered by me, it's my responsibility to see them through properly, so I was present at today's executions," she said, adding that she may have been the first justice minister to do so.

She announced her decision to launch a ministry review panel on the death penalty, and to open up death chambers to the media for the first time -- though not on execution dates -- to expose the process to public view. Chiba may be replaced soon as justice minister, since she lost her parliamentary seat in upper house elections early this month, casting doubt about how much influence she will have on the issue.

CHINA 'MAY REVIEW EXECUTION POLICY CHANGES'

July 23, 2010: China is considering reviewing the number of crimes which attract the death penalty, a report suggests. The country's highest law-making body will debate a draft amendment to the criminal law next month, a report in a liberal newspaper said.

There are currently 68 crimes which carry the death penalty in China. The South Weekend newspaper quotes a law professor at Beijing University as saying this was unnecessary and hurt China's global image. The report has been widely republished in China's online media. The newspaper, based in the southern city of Guangzhou, says the draft amendment will be debated by the Standing Committee of the National People's Congress. One suggestion, it says, is that the death penalty is unsuitable for elderly people. (Sources: bbc, 23/07/2010)

CHINA: MAN EXECUTED FOR GUN TRADING

July 16, 2010: Wu Zhiqiao was executed in eastern China for illegally making and selling firearms. He was sentenced to death by the Intermediate People's Court April 22, 2009. The Supreme People's Court upheld the verdict, China Daily reported on its website. Wu, from Guizhou province, was arrested in November 2007 for selling more than 50 guns and 200 bullets. (Sources: Indo-Asian News Service, 17/07/2010)

NORTH KOREA REPORTEDLY EXECUTES FORMER OFFICIAL

July 19, 2010: North Korea executed a former Cabinet official over policy failures. Kwon Ho Ung, Pyongyang's chief delegate from 2004 to 2007 for ministerial talks with the South's government, was executed by firing squad, Seoul's mass-circulation Dong-a Ilbo newspaper said, citing an unidentified source in Beijing. Calls to South Korea's intelligence agency and the Unification Ministry, which handles relations with North Korea, seeking comment went unanswered. The newspaper report said it had not confirmed when and where Kwon was executed. (Sources: Associated Press, 19/07/2010)

MALAYSIA: DEATH SENTENCES UPHELD FOR MURDER OF ACTRESS

July 20, 2010: Justices Lah, Maarop and Daud of the Malaysian Court of Appeal upheld the death sentences of unemployed man Mohd Fazli Ismail, 28, and make-up artist Esmā Faizul Zainul Nor, 39. The Kuala Lumpur High Court found the two guilty of murdering Singaporean actress Una Angelia Oliveira, 44, in Kuala Lumpur on November 14, 2001. (Sources: Bernama, 20/07/2010)

SINGAPORE: DRUG TRAFFICKING DEATH SENTENCE

July 10, 2010: Justice Kan Ting Chiu of the Singapore High Court sentenced Azman Sanwan, 38, to death for trafficking in 1,525.7g of cannabis. He was arrested by Central Narcotics Bureau officers on April 28, 2007, at Yishun Ring Road. (Sources: Straits Times, 10/07/2010)

BANGLADESH: CABINET OKAYS BORDER GUARD BANGLADESH ACT

July 12, 2010: The Bangladeshi cabinet approved the draft of the Border Guard Bangladesh Act 2010 that contains a provision for capital punishment. A three-tier court system would replace the existing one-tier one. The new Special Border Guard Court would have the power to award capital punishment for mutiny,

or instigating mutiny or similar offences.

The draft includes a provision of death penalty as maximum punishment, which was seven years' imprisonment for mutiny offences under the existing law. The cabinet at a meeting on March 1 approved the draft act in principle and formed a six-member committee for scrutinising the proposed law. (Sources: Daily Star, 13/07/2010)

PAKISTAN: TALIBAN EXECUTE TWO TRIBESMEN

July 16, 2010: The Taliban in northwest Pakistan publicly executed two unidentified tribesmen accused of spying for the USA by detonating explosives strapped to their bodies in Degan village in Datta Khel sub-division in Waziristan. They were sentenced to death by a Taliban court. The Taliban have in recent months executed several men who were accused of being US spies after a series of drone strikes in the tribal region. (Sources: Press Trust of India, 17/07/2010)

IRAQ EXECUTED 230 PEOPLE FROM 2005-2009

July 27, 2010: Iraq executed 230 people from 2005 to 2009 and 1,254 were sentenced to death, government spokesman Ali al-Dabbagh said. His remarks were in response to a UN report that said 12,000 people had been sentenced to death in Iraq since 2003. (Sources: Agence France Presse, 27/07/2010)

IRAQ: US HANDS OVER TARIQ AZIZ, OTHER DETAINEES

July 14, 2010: The U.S. this week handed over nearly 30 former members of Saddam Hussein's inner circle, including the longtime international face of the regime, Tariq Aziz, 74, officials said. It raises concerns about the fate of Aziz and the other detainees at the hands of a government whose venom for the previous regime has not lessened in the seven years since Saddam was overthrown.

Deputy Justice Minister Busho Ibrahim said "we have received 55 former regime officials, the main one is Tariq Aziz, and the others are the oil

and culture ministers," adding that they have also received Saddam's former secretary, as well as former education and trade ministers. (Sources: AP, 14/07/2010)

IRAN: YEARS ON DEATH ROW FOR BRIDE TOO YOUNG TO BE STONED

July 11, 2010: Within months of her arranged marriage in Iran, Azar Bagheri had been charged with adultery and sentenced to be stoned to death when was only 14 years old. For the past four years she has been languishing on death row while the courts waited for her to reach maturity. According to Mina Ahadi, an Iranian human rights activist, the teenager has been subjected to two mock stonings in the yard of Tabriz prison.

On each occasion she was taken from her cell and buried up to her shoulders in the yard of the prison, as if being prepared to be stoned. According to Ahadi, Bagheri was denounced by her own husband, who accused her of committing adultery with two men. Bagheri's lawyers are now planning to ask judges to reduce her sentence to 99 lashes, Ahadi said. (Sources: Sunday Times, 11/07/2010)

IRAN HALTS WOMAN'S DEATH BY STONING

July 8, 2010: The authorities in Iran have announced that a woman convicted of adultery will not be stoned to death. But it is not clear whether they have lifted the death sentence against Sakineh Mohammadi Ashtiani or if she faces execution by another means. Sheo has been in prison in Tabriz since 2006. The 43-year-old had already been punished with flogging for an "illicit relationship" outside marriage when another court tried her for adultery. She was given 99 lashes. (Sources: Bbc, Guardian.co.uk, 08/07/2010)

IRAN: YOUTH SENTENCED TO DEATH FOR HOMOSEXUAL RELATIONS

July 4, 2010: An Iranian youth in Tabriz has been sentenced to death by hanging for the charge of having homosexual relations. Mohammad Mostafai, attorney for the accused announced that three other people accused in

the case were acquitted of the same crime.

According to Iranian law, homosexual relations are against the law and given the death penalty. Mohammad Mostafai maintained that Hamid Taghi, Ebrahim Hamidi, Mehdi Pouran and Mohammad Rezai were accused of having homosexual relations and were sentenced to death in the preliminary court. Mosatafai adds after appealing to the Supreme Court, three of them were acquitted while Ebrahim Hamidi's death sentence was upheld.

Mosatafai also maintains that the plaintiff in the case has said that his parents forced him to make a complaint and Ebrahim Hamidi has in no way sexually assaulted him. (Sources: Eurasia Review, 04/07/2010)

LEBANON: MAN SENTENCED TO DEATH FOR SPYING FOR ISRAEL

July 21, 2010: A Lebanese military court sentenced former school principal Hassan Ahmed al-Hussein, 58, to death for spying for Israel in 2008, a judicial official said. Al-Hussein allegedly provided Israel with information on Hezbollah leadership and their locations. (Sources: Agence France Presse, 21/07/2010)

LEBANON: ANOTHER ISRAELI SPY SENTENCED TO DEATH

July 13, 2010: A Lebanese military court sentenced a man to death for spying for Israel's Mossad intelligence agency and aiding Israel in a deadly 2006 war against Lebanon, a judicial source said. "The head of the military court General Nizar Khalil sentenced Ali Hassan Mentesh to death for arms dealing, entering and collaborating with Israel, providing it with information about certain targets," the source said.

Israel "used this information to hit its targets" in 2006 war with Shiite militant group Hizbullah, which killed more than 1,200 Lebanese, mainly civilians, and 160 Israelis, mainly soldiers. Lebanon and Israel remain technically in a state of war, and convicted spies face life in prison with hard labor or the death penalty if found guilty of contributing to Lebanese loss of life. Mentesh, 53, hails from the southern area of Nabatieh and was arrested in April last

year when Lebanon launched what is an ongoing crackdown on suspected Israeli espionage rings. (Sources: The Daily Star, 14/07/2010)

LEBANON: CABINET AGREES ON DEATH PENALTY AGAINST ISRAELI SPIES

July 1, 2010: Lebanese Youth and Sports Minister Ali Abdullah said that ministers had unanimously agreed during a cabinet session that the best punishment for Israeli collaborators is the death penalty. Lebanese President Michel Suleiman said that he would sign death penalties against Israeli spies issued by the judiciary. 'I trust verdicts issued by the military court and I will sign them,' Suleiman said. (Sources: Monsters & Critics, 01/07/2010)

GAZA: MAN SENTENCED TO DEATH FOR MURDER

July 6, 2010: Gaza's Central Court handed down a death sentence, following the conviction of an An-Nuseirat refugee camp man for the murder of a child. Nine-year-old Ahmad Mussa Faraj-Allah, also from An-Nuseirat camp, was found dead in a plastic bag in November, with his hands and feet bound. An autopsy revealed that Ahmad was struck over the head with a sharp tool, and sustained a second blow behind his left ear.

A suspect was detained shortly after the boy's body was found, but investigations lasted six months. Police handed the suspect over to psychiatric experts, suspecting he was mentally unstable and requesting he be tested to ensure he was fit to stand trial. While the man was said by local experts to be Schizophrenic, he was also deemed to have been aware of his actions. The trial began in June. When the verdict was handed down, the Gaza Ministry of Justice released a statement saying it would ensure every killer was brought to justice. (Sources: maannews.net, 07/07/2010)

MOROCCO: MAN SENTENCED TO DEATH FOR MURDER

July 15, 2010: A Moroccan court sentenced Tareq H., 26, to death for murdering and

robbing an unidentified Spanish couple two months ago, state-run MAP news agency reported. Tareq allegedly stabbed the man, 50, and his wife, 49, in a resort of Asilah. He was also ordered to pay one million Moroccan dirhams compensation to the couple's family. (Sources: Xinhua, 15/07/2010)

MOROCCO: MAN SENTENCED TO DEATH FOR MURDERING THREE WOMEN

July 6, 2010: The Tangier court of Appeals in Morocco sentenced an unidentified man to death for murdering and aggravated theft committed in February 2009. He was also ordered to pay 500,000 dirhams compensation to the victims' families and return all stolen objects. The victims were a woman, 55, her daughter, 35, and a relative, 55. (Sources: Agence Maghreb Arabe Presse, 06/07/2010)

YEMEN: APPEAL COURT CONFIRMS DEATH SENTENCES FOR AL-QAIDA MEMBERS OVER ATTACKS

July 11, 2010: A Yemeni security appeal court upheld death sentences against gang members Rawi Ahmed al-Saiary, Sultan Ali al-Saiary, Said Naif Sankar and Ali Muhsin al-Akbary for terrorism offences in March and April 2008. The court also reversed the death sentences of Haitham bin Saeid and Khaled Ba-Taisto to 12 years in jail for involvement in the killing of two Belgian tourists in southeastern province of Hadramout in 2008. (Sources: Xinhuanet.com, 12/07/2010)

YEMEN: MAN EXECUTED FOR RAPE, MURDER OF GIRL, 4

July 5, 2010: A Yemeni man was executed by firing squad in prison after being convicted of raping a four-year-old girl and killing her, the victim's father said. Akram al-Samawi was executed in the presence of the family of the victim, Nassiba al-Aghwani, and his own family, Nader al-Aghwani told AFP. Journalists and the public were kept outside the prison in Taiz, south of Sanaa.

The 32-year-old unemployed man was convicted in November for the rape of his neighbour's

daughter on the roof of his family home last August, after which he smashed her head and threw her corpse off the roof. Samawi was also ordered to pay 300,000 riyals (about R10 000) in fines and court costs.

Aghwani protested outside the prison, saying the execution should have taken place in public, as in previous executions in Yemen. He also told AFP he rejected an offer from Samawi's family to pay up to 15 million riyals in blood money in return for sparing his life, in line with the Islamic sharia laws on which Yemen's penal code is based. (Sources: Sapa-AFP, 05/07/2010)

SAUDI ARABIA: SAUDI MAN EXECUTED FOR MURDER

July 20, 2010: A Saudi man was beheaded by sword in the Western city of Taif after being convicted of shooting dead another Saudi national, the state news agency reported. Abdullah bin Obeid al-Thawri al-Sobaie was found guilty of murdering Hazaa bin Rashed al-Thawri al-Sobaie after shooting him with a pistol in a dispute, SPA quoted an interior ministry statement as saying. (Sources: Afp, 28/07/2010)

SUDAN: PALESTINIAN CITIZEN SENTENCED TO DEATH FOR KILLING BUSINESSMAN

July 13, 2010: In Sudan, Khartoum's criminal court sentenced Palestinian citizen Iyad Hani Mahmud to death by hanging for killing Sudanese businessman Babikir Muhammad Babikir. (Sources: BBC, 13/07/2010)

BENIN: THREE GET DEATH SENTENCE FOR MURDER

July 26, 2010: In Edo State, Benin, Justice Cromwell Idahosa sentenced Chief Priest Felix Osador, alias Afro, Ogbemudia Omoruyi and Oluwafemi Aihevua to death by hanging for killing palace chief Sunday Ahanon. Ahanon was murdered by gunmen on November 15, 2005. (Sources: AllAfrica.com, 26/07/2010)

GAMBIA COURT HANDS DEATH PENALTY TO COUP PLOTTERS

July 15, 2010: At a Gambian court, Judge Emmanuel Amadi sentenced eight people to death for plotting to overthrow the country's government. Six Gambian army officers, including the former chief of defence staff and former director of the national intelligence agency, were convicted of treason alongside a local businessman and a Gambia-based Lebanese businessman. (Sources: Reuters, 15/07/2010)

TANZANIA: MAN SENTENCED TO DEATH FOR ALBINO KILLING

July 20, 2010: A Tanzanian court sentenced a 50-year-old man to death by hanging for the ritual murder of an albino in 2008, an official said. The man allegedly hacked off the limbs of a five-year-old albino girl and drank her blood at midnight. The High Court in the northern town of Mwanza convicted Kazimiri Mashauri after hearing he disappeared with the severed limbs and left her to die. (Sources: Independent Online, Reuters, 27/07/2010)

NIGERIA: BUTCHER TO HANG FOR KILLING FRIEND OVER N700

July 7, 2010: Presiding judge Abdullahi Sanya Yerima of the Maiduguri High Court in Nigeria sentenced Abubakar Kabiru, a 22 year old butcher from the Loncon Cinci area of Maiduguri, to death by hanging for killing his friend Lawali Zaraye. Kabiru allegedly stabbed Zaraye in the back during a fight over N700 on October 25, 2006. (Sources: AllAfrica.com, 08/07/2010)

TEXAS (USA): MAN EXECUTED FOR DEATHS OF 2 HOUSTON OPERA SINGERS

July 20, 2010: Texas executed a man convicted of killing two Houston opera singers nearly 22 years ago. Forty-two-year-old Derrick Jackson declined to make a final statement before the lethal injection was administered. He was the 15th person to be executed in Texas this year.

Jackson contended he was unfairly convicted of the September 1988 fatal beatings and slashings of Forrest Henderson and Richard Wrotenbery. The two 31-year-old men were in the Houston Grand Opera chorus. The slayings inside Henderson's apartment went unsolved until 1995, when a bloody fingerprint from the scene was matched to Jackson. By then, Jackson already was in prison serving a 12-year term for aggravated robbery. (Sources: AP, 20/10/2010)

TENNESSEE (USA): GOVERNOR COMMUTES DEATH SENTENCE OF WOMAN

July 14, 2010: Tennessee Gov. Phil Bredesen has commuted the death sentence of a woman convicted of hiring a man to kill her husband. The governor's move changes Gaile Owens' sentence to life in prison. She could be eligible for parole in 2012.

The 57-year-old was scheduled to be executed in September. It has been nearly 200 years since Tennessee executed a woman. One other woman is on death row, but she is still appealing.

Owens was convicted in 1986 of hiring a man to kill her husband, Ron. He was beaten to death with a tire iron at the suburban Memphis home where they lived with their two sons. Bredesen said he commuted the sentence because she once had a plea deal to avoid the death penalty that fell through when her co-defendant refused to plead guilty. (Sources: AP, 14/07/2010)

TRINIDAD & TOBAGO: HEADCOUNT ON DEATH ROW BEGINS

July 8, 2010: A headcount began in Trinidad & Tobago to determine how many convicted murderers can be executed as soon as possible. Acting Prime Minister Jack Warner said he asked the Attorney General to "look at what international organisations, to which we are affiliated, which have been preventing us from enforcing hangings... and if it means that we

have to delink from them, then we shall do so." (Sources: Guardian.co.tt, 09/07/2010)

News for International NGOs JULY 2010

Open Letter to Kamla Persad-Bissessar, president of Trinidad & Tobago

Following the announcement that Trinidad and Tobago will resume the execution of its death row prisoners, PRI together with other organizations has written to Kamla Persad-Bissessar, the country's president, expressing its grave concerns. Following is the text of the open letter, written on July 21, 2010:

We, the under named write to express our concern and dismay at the recent announcement of the new Government of Trinidad and Tobago that it will imminently resume execution of its death row prisoners. Our organisations exist to promote the rule of law, democracy and human rights throughout the world.

We understand that Trinidad and Tobago has not carried out an execution since 1999. The crime rate since this date has increased considerably, and with the rest of the Caribbean region intentional homicides have reached the highest in the world.¹ This has undoubtedly led to many people in the islands fearing for their safety. We welcome the new Government's commitment to tackling and reducing crime. Yet we urge you to consider the extensive global research on the deterrent effect of capital punishment and its conclusive findings: there is no correlation between execution and the murder rate. Murder has many complexities which do not contemplate deterrence. In the particular circumstances of Trinidad and Tobago, the difficulties in even bringing the perpetrators of these heinous crimes to justice further distances the act of execution from those engaged in criminal activity.

We advocate the alternatives and commend the detailed report and recommendations of the

United Nations to solving these problems.² Trinidad and Tobago needs a radical review of the police service and weapons importation. The government must regain the public's trust and support so that people feel able to report crime and give testimony in the courts to bring perpetrators to justice. We do not consider that reduction in crime will be achieved through executing convicts who, despite their heinous crimes, continue to be human beings.

South Africa, which has an almost equal intentional homicide rate per capita to Trinidad and Tobago, with similar crime related problems, abolished the death penalty in 1997. The Constitutional Court in 1995 acknowledged ³ that the level of violent crime had reached alarming proportions, but it held that this could not simply be attributed to the moratorium on executions; the upsurge in violent crime came at a time of great social change associated with political turmoil and conflict. It further held that executing a few people each year would not solve this. The greatest deterrent to crime was the apprehension, conviction and punishment of criminals, an effective system lacking in South Africa then as it is in Trinidad now.

As to retribution, the Court observed that punishment must to some extent be commensurate with the offence, but there is no requirement that it be equivalent or identical to it. As such, they commented, a person who causes blindness in an assault is not given blindness as punishment, nor is a rapist castrated. Equally, the state does not need to engage in the cold and calculated killing of murderers in order to express moral outrage at their conduct. A long prison sentence can achieve the same goal. The Court referred to the South African Constitution, which enshrines similar values to that of Trinidad and Tobago:

We have made the commitment to "a future founded on the recognition of human rights, democracy and peaceful co-existence...for all South Africans." Respect for life and dignity lies at the heart of that commitment. One of the reasons for the prohibition of capital punishment is "that allowing the State to kill will cheapen the value of human life and thus [through not doing

so] the State will serve in a sense as a role model for individuals in society." Our country needs such role models.

Many other courts and parliaments across the world have reached a similar conclusion. There are now 139 countries who are abolitionist in law or in practice, in comparison to 59 countries retaining the penalty.⁴

Furthermore, Trinidad and Tobago maintains a mandatory death penalty. Whilst some jurisdictions within the United States retain capital punishment, it was acknowledged as long ago as 1972 by the US Supreme Court in *Furman v Georgia* that a penalty administered without a discretionary sentence, weighing up the aggravating and mitigating factors involved in the crime, could not be constitutional.

The Inter-American Court of Human Rights has recently reiterated the same in relation to Barbados and the matter is before Parliament. The mandatory imposition of the death penalty:

treats all persons convicted of a designated offence not as uniquely individual human beings, but as members of a faceless, undifferentiated mass to be subjected to the blind infliction of the death penalty. 5

Execution obliterates life. The mechanics of death should not be exercised lightly. We call upon you not to recommence executing your prisoners, but to fully review the imposition of the mandatory penalty and its place within the free and democratic society Trinidad and Tobago can proudly claim itself to be.

Amicus Bar Human Rights Committee of England and Wales Centre for Capital Punishment Studies International Commission of Jurists Law Society International Human Rights Committee of England and Wales Penal Reform International Reprieve

CC: Attorney General, Anand Ramlogan

¹ According to the most recent statistics, UN Office on Drugs and Crime, latest figures 2003-2008 available at <http://www.unodc.org/unodc/>

[en/data-and-analysis/homicide.html](http://www.unodc.org/pdf/research/Cr_and_Vio_Car_E.pdf)

2 Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean, Joint Report by the United Nations Office on Drugs and Crime and the Latin America and the Caribbean Region of the World Bank, Report No. 37820, March 2007, available at http://www.unodc.org/pdf/research/Cr_and_Vio_Car_E.pdf

3 In *S v Makwanyane and Another* [1995] ZACC 3

4 As at 23rd March 2010, Amnesty International.

5 *Boyce at al v Barbados*, 20th November 2007, Series C No. 169 and followed in *Dacosta Cadogan v Barbados*, 24th September, 2009, Series C No. 204

Hands Off Cain presents the 2010 Report on the Death Penalty worldwide

Hands Off Cain presented the 2010 Report on the death penalty worldwide, edited by Elisabetta Zamparutti, at their headquarters in Rome on July 31. Attending the press conference was the President of the African Union Commission, Jean Ping. He was given the 2010 Abolitionist of the Year award, instituted by Hands Off Cain in recognition of the person who above all others was committed to the moratorium on capital punishment and the abolition of the death penalty.

Senate Vice President Emma Bonino, undersecretary to the Council President Gianni Letta, Foreign Affairs undersecretary Vincenzo Scotti, Hands Off Cain president Marco Pannella, Hands Off Cain honorary president Aldo Ajello, Hands Off Cain Secretary Sergio D'Elia and Elisabetta Zamparutti all participated. Ambassadors and numerous representatives of foreign embassies were also present.

During the conference accompanying the award, undersecretary to the Council President Gianni

Letta said: "The commitment by this government makes up for preceding governments in successfully taking on concrete initiatives for the abolition of the death penalty."

The undersecretary thanked Senate Vice President Emma Bonino and Radical leader Marco Pannella for their commitment. He emphasised that "despite often having different ideas, I have always appreciated this type of battle. The government will always be by your side in future initiatives."

Chamber President Gianfranco Fini wrote in a message sent to the Association that "the death penalty strengthens a logic of violence and abuse that casts a shadow on the conscience of the entire collective human race and on its civil, moral and judicial progress. Its worldwide abolition constitutes an important objective for promoting a model of humanity coherently founded on the dignity of the individual as well as the rule of law and justice.

"After having reminded that "an important step forward was taken on December 18, 2007, with the approval of the resolution by the United Nations General Assembly," the Chamber president continued: "the terrible news presented by the 2010 report on the executions carried out in countries where the death penalty is still employed today confirms the necessity of not losing the commitment, by the entire international community, to constantly find a more effective strategy for the abolition of the death penalty at a global level. The strategy must be based on creating awareness and influencing worldwide public opinion and on the initiatives of governments and organisations."

Foreign Affairs undersecretary Vincenzo Scotti, interviewed at the conference, emphasised that the abolition of the death penalty is "a daily quest for everyone. An objective to be achieved through patience, consistency and through the strength of dialogue."

Senate President Renato Schifani, through a greeting delivered by vice-president Emma Bonino, said that the choosing Jean Ping to

receive the award showed the positive and encouraging abolitionist force in the African continent.

Amnesty asks Iran to end harassment of stoning case lawyer

Amnesty International urged on July 28 the Iranian authorities to stop harassing human rights lawyers amid continuing uncertainty over the whereabouts of the defence counsel in a recent controversial stoning case and the arrest of two of his relatives.

Mohammad Mostafaei's whereabouts have been unknown since shortly after he was released from questioning by judicial officials on July 25.

Late that evening, the Iranian authorities detained his wife and brother-in-law, prompting fears that they are being held to put pressure on Mohammed Mostafaei to turn himself in to the authorities, if he is not already being detained.

The acclaimed lawyer is defending Sakineh Mohammadi Ashtiani, whose case became the subject of an international outcry when it was reported that she was soon to be executed by stoning.

He has also defended many juvenile offenders, political prisoners and others sentenced to stoning. Mostafaei has been a vocal critic of the administration of justice in Iran.

"Mohammad Mostafaei is a thorn in the side of the Iranian authorities and we fear that he is being persecuted in an attempt to stop him carrying out his professional activities as a defence lawyer and in support of human rights," said Malcolm Smart, Amnesty International's Middle East and North Africa director.

Mostafaei was summoned for questioning by judicial officials at Tehran's Evin prison on Saturday but released after several hours. However he later received a telephone call summoning him back to the prison. It is not known whether he complied with this summons or not.

Mohammad Mostafaei's wife, Fereshteh Halimi, and her brother, Farhad Halimi, were arrested on Saturday evening. They remain held and have been denied access to their lawyer.

Following his interrogation on Saturday, Mostafaei wrote on his blog that he was questioned mainly about his defence of juvenile offenders. He also wrote on his Facebook account: "It is possible they will arrest me".

"The Iranian authorities appear intent on silencing anyone who speaks out against stoning or other issues where Iran's international human rights obligations are clearly being violated," said Malcolm Smart.

"Mohammad Mostafaei should be allowed to get on with his job as a lawyer rather than face arrest himself for trying to defend victims of human rights abuses.

"If Fereshteh and Farhad Halimi are held solely because they are related to Mohammad Mostafaei, or in order to place pressure on him, they are prisoners of conscience and must be immediately released."

Fereshteh Halimi and Mohammad Mostafaei have a young daughter who is said to be in the care of her maternal grandmother.

There is a longstanding pattern of harassment and imprisonment of human rights lawyers in Iran. In 2002, Nasser Zarafshan was sentenced to five years' imprisonment, partly on trumped-up charges of possessing a firearm and alcohol offences.

Abdolfattah Soltani was sentenced to five years' imprisonment in 2005 for disclosing public documents and "propaganda against the system". The sentence was overturned on appeal in 2007 but he was arrested again in 2009 and held for two months before being released on bail.

Other lawyers currently held for their human rights work include Mohammad Olyaeifard, who is serving a one-year prison sentence imposed for comments he made criticizing the judiciary

after the execution of one of his clients, juvenile offender Behnoud Shojaee.

Other Iranian human rights lawyers such as Nobel Prize winner Shirin Ebadi and Shadi Sadr, recipient of various international human rights awards, now work outside of Iran, fearing to return.

Mohammad Mostafaei was briefly detained following the disputed 2009 presidential election before being released on bail.

Japan executions of two men condemned

Amnesty International condemned on July 28 the executions of two Japanese men in the first death sentences carried out since the country's new government came to power last year.

Convicted killers Ogata Hidenori, 33, and Shinozawa Kazuo, 59, were hanged in the Tokyo Detention Centre on Wednesday, exactly one year after the last executions took place.

"Japan continues to go against the international trend toward abolition and mete out this cruel, inhuman and degrading punishment," said Donna Guest, Deputy Director of the Asia Pacific Programme.

"A day that should have marked one year without executions has instead seen Japan return to carrying out state-sponsored killings."

The executions are the first to be approved by Minister of Justice, Keiko Chiba, since she took office under the Democratic Party of Japan in September 2009.

Minister Chiba, who has previously spoken out against executions, announced plans to set up a working group on the death penalty within the Ministry of Justice, following the double hanging.

However, there are concerns among non-governmental organizations in Japan that more executions will take place outside of Tokyo in

the coming days. There are currently 107 people on death row in Japan.

"A working group to discuss the death penalty is not enough. There needs to be an open and public debate and an immediate moratorium on executions while the discussion takes place," said Donna Guest.

Shinozawa Kazuo was convicted of killing six women when he set fire to a jewellery shop in 2000, while Ogata Hidenori was sentenced to death for killing a man and a woman in 2003.

Japan executed seven people in 2009 but no death row inmates had been killed since 28 July 2009.

Executions in Japan are by hanging and are typically carried out in secret. Death row inmates are only notified on the morning of their execution and their families are usually informed only after the execution has taken place.

This means that prisoners live in constant fear of execution. Enduring these conditions for years or even decades has led to depression and mental illness among death row inmates.

Amnesty International opposes the death penalty in all cases as a violation of the right to life. It calls on the government of Japan to immediately commute all death sentences and introduce a formal moratorium on executions as a first step towards abolition of the death penalty.

Japan executions "a step backward for Asia"

Activists in Japan and elsewhere have criticised Justice Minister Keiko Chiba for ordering two men to be hanged in Tokyo on July 28 despite her earlier abolitionist statements.

Japan's Justice Minister Keiko Chiba announced on July 28 that she had just witnessed the hanging of two convicted murderers for whom she signed execution warrants.

Chiba, who had previously opposed capital punishment, said that she would establish a study panel on the death penalty and allow journalists into the death chamber. But abolition "will be something for this country's people to decide, if after various discussions the majority of public opinion is for the death penalty to be abolished," she said, according to Yomiuri Shimbun newspaper.

The executions – the first in one year in Japan – were severely criticised by human rights defenders.

World Coalition member organization Centre for Prisoners' Rights (CPR) regretted that Chiba took so long to take measures tackling the secrecy that surrounds the death penalty in Japan. "Initiating the discussion or disclosure of the information should have been done far earlier, not only after claiming lives of the two," CPR said in a statement.

In a joint open letter to Chiba, CPR secretary Maiko Tagusari and Souhayr Belhassen, president of the International Federation for Human Rights, condemned the executions. "Our organisations are deeply disappointed that you, as a former member of the Japanese Parliamentary League against the Death Penalty and a lawyer with strong human rights credentials, decided to sign the orders for execution," they wrote.

Like Taiwan, Japan breaks unofficial moratorium Another World Coalition member, the Taiwan Alliance to End the Death Penalty (TAEDP), labeled the Japanese hangings "a step backward for Asia". The organisation established a parallel between Japan and Taiwan, where executions resumed after a four-year unofficial moratorium. "Like the Japanese minister of justice, Taiwanese Minister of Justice Tseng Yung-fu had previously spoken in favour of scrapping the death penalty, and has set up a committee under the ministry to research capital punishment. Both ministers once expressed serious reservations about capital punishment, yet later signed execution warrants – and firmly stood by their actions," TAEDP regretted in a statement.

Amnesty International, which recently exposed the damage the Japanese capital punishment system did to the mental health of those sentenced to death, expressed concern that more executions may happen soon as 107 people are on death row in Japan. "A working group to discuss the death penalty is not enough. There needs to be an open and public debate and an immediate moratorium on executions while the discussion takes place," said Donna Guest, deputy director of Amnesty's Asia Pacific programme.

At the diplomatic level, the European Union's foreign policy chief, Catherine Ashton, "deeply regretted" the hangings of Hidenori Ogata and Kazuo Shinozawa and called on Japan to establish a moratorium on executions to "bring Japan into line with the worldwide trend away from the death penalty".

'Singapore must release British author of death penalty book'

Amnesty International called on the Singapore authorities to immediately release British author Alan Shadrake, who was arrested for criminal defamation on July 18 after he published a book critical of Singapore's use of the death penalty.

"Singapore uses criminal defamation laws to silence critics of government policies," said Donna Guest, Asia Pacific Deputy Director at Amnesty International. "The Singapore government should release Shadrake at once."

Shadrake launched his book *Once a Jolly Hangman: Singapore Justice in the Dock* in Singapore on July 17. His book features an interview with a former hangman at Singapore's Changi Prison. A day later, Shadrake was arrested, and is currently being detained at Cantonment Police Station, according to AI.

The Singapore Police Force confirmed

Shadrake's arrest in a statement, which said: "He is being investigated for alleged offences of criminal defamation and other offences."

Police said the arrest was made pursuant to a complaint lodged on July 16 by the Media Development Authority (MDA) the government body responsible for censoring publications and broadcasts. According its website, the MDA is "developing Singapore into a vibrant global media city".

"If Singapore aspires to be a global media city, it needs to respect global human rights standards for freedom of expression," said Donna Guest. "Singapore should get rid of both its criminal defamation laws and the death penalty."

Criminal defamation in Singapore carries a sentence of up to two years in prison and uncapped fines. This has had a chilling effect on freedom of speech. According to Amnesty International, peaceful criticism of government policies must never be the subject of criminal proceedings.

In 2010 the UN Special Rapporteur on freedom of expression, Frank La Rue, called on all states to abolish all criminal defamation laws, which he said could not be justified, given that non-criminal defamation laws adequately protect people's reputations.

Singapore's death penalty laws also fail to meet international human rights standards. Its drug law violates fair-trial standards by a presumption of guilt against defendants charged with drug-trafficking, which in turn carries a mandatory death penalty. This prevents judges from considering the circumstances of a case, or handing down lighter sentences.

The UN Special Rapporteur on extrajudicial, summary or arbitrary executions has stated that the death penalty should under no circumstances be mandatory by law, regardless of the charges involved.

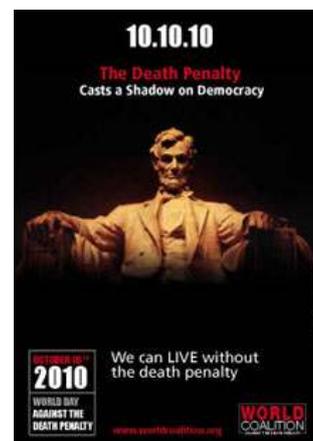
10.10.10 World Day Against the Death Penalty – USA special

On 10 October 2010, the World Day Against the Death Penalty will focus on the USA. There are two months left to prepare and promote the events planned around the world on the big day.

The 8th World Day aims to strengthen the trend towards abolition in the US and also the trend towards universal abolition. It is an opportunity to publicly oppose the use of this inhuman, cruel and degrading punishment and to support those in the US who are fighting for its abolition.

On 10 October 2010, take action against the death penalty! The event is only two months away, now is the time to prepare.

Wherever you are : in Africa, America, Asia, Oceania or Europe
Whoever you are: NGOs, teachers, lawyers, local representatives,



parliamentarians, artists, reporters, religious leaders, citizens

Whatever your plans are: debates, concerts, press conferences, demonstrations, petitions, educational and cultural activities...

✦ Find out more about the World Day and download posters, a banner for your blog, tips to organise an event, etc.: www.worldcoalition.org/worldday

✦ [Get in touch with the World Coalition](#) to announce the events you are preparing for October 10 and we will promote them widely on the internet

✦ Accept the [Facebook invitation for the World Day](#) and share it with your friends



Read the latest information about worldwide
efforts to abolish the death penalty!

<http://www.ipsnews.net/deathpenaltyabolition>



These pages include news coverage which is part of a project funded by the European Union

The contents of this news coverage, including any funded by the European Union, are the sole responsibility of IPS and can in no way be taken to reflect the views of the European Union.

www.ipsnews.net