

# Crime and Justice

## Death Penalty and the Right to Life

A Monthly Newsletter for Strengthening Awareness on the Abolition of Death Penalty



December 2011

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## CRIME AND JUSTICE

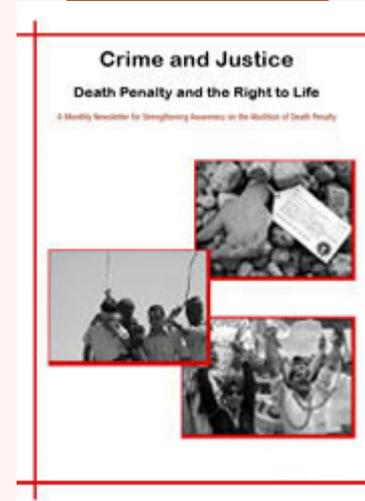
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IPS, the global news agency, brings you independent news and views on capital punishment. In this newsletter you will find in-depth reports by IPS correspondents from around the world and columns by experts, in addition to special sections for news 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.

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By Michael J. Carter

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DEATH PENALTY TO EIGHT IN TRIPLE MURDER - TEXAS EXECUTES MAN WHO KILLED 7-YEAR-OLD GIRL - UNITED ARAB EMIRATES: 10 DRUG DEALERS GET DEATH IN KHOR FAKKAN - SAUDI ARABIA: 2 CHADIANS, SAUDI BEHEADED FOR RAPE - SOMALIA: PUNTLAND COURT SENTENCES TO DEATH AL SHABAAB LINKED MAN - NIGERIA: 924 PRISONERS ON DEATH ROW -LEDAP - 'INTO THE ABYSS' REVIEW: EMOTIONS ON DEATH ROW - AFGHANISTAN: MOTHER, DAUGHTER STONED TO DEATH - CHINA: BROTHERS, FATHER GET DEATH SENTENCE FOR FRAUD - IRAQ: TUNISIAN'S EXECUTION POSTPONED AFTER INTERVENTION BY GHANNOUCHI - MALAYSIA: ZAMBIAN WOMAN TO HANG FOR DRUG TRAFFICKING - MALAYSIA: THREE IRANIANS SENTENCED TO DEATH - CALIFORNIA (USA): NO EXECUTIONS UNTIL 2013 -

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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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## PROJECT ARTICLES

### **Will Texas Execute Man, Despite Untested Evidence?**

**By Michael J. Carter**

SEATTLE, Nov 29, 2011 (IPS) - To date, 138 people have been exonerated from death row in the United States. That figure represents 11 percent of the 1,277 executions carried out since the reinstatement of the death penalty in the country in 1976.

Could it be that innocent people have been mistakenly killed?

"There are a lot of cases with a lot of doubts," Rob Owen, an attorney specialising in capital punishment, told IPS. "It would be foolhardy to say we've never executed an innocent person given the amount of exonerations."

In Texas, where [12 people](#) have been exonerated from death row, Owen is trying to prevent the execution of his client Hank Skinner, 49, on death row since 1995 for a triple homicide in Pampa, Texas.

Critical DNA evidence that could

potentially either exonerate him or confirm his guilt remains untested, and previous motions to access it for forensic testing have all been denied.

The prosecution previously maintained that since Skinner's original court-appointed attorney chose to forgo DNA testing out of fear it would incriminate his client, Skinner is not entitled to further access.

The Gray County District Attorney's office declined to comment to IPS.

Although a new state law took effect Sep. 1 that cleared hurdles for post-conviction DNA testing, in early November, the trial court judge denied Skinner's most recent appeal without explanation. On Nov. 7, two days before he was scheduled to die, the Texas Court of Criminal Appeals ordered a stay on the execution, pending a review of the recent ruling.

The stay was Skinner's second near miss. In March 2010, he came within an hour of execution until the Supreme Court intervened to consider judicial review, which was ultimately declined.

According to Owen, the case could have been decided over a decade ago. Post-conviction forensic testing of the

evidence, which includes a rape kit, fingernail clippings from one of the victims, two knives and a windbreaker covered with hair and blood, was first requested in 2000.

Other doubts regarding Skinner's guilt emerged when a key witness for the prosecution recanted parts of her testimony.

"(The prosecution) is so committed to the idea that he's guilty that they haven't kept an open mind, and are unwilling to take another look at the evidence," said Owen.

Richard Dieter, executive director of the [Death Penalty Information Centre](#), feels the prosecution has grown frustrated by the challenges and delays in Skinner's case.

"Only about 15 percent of people sentenced to death are executed," he told IPS, calling the recent ruling that denied Skinner access to forensic testing "sloppy work by the judge". Dieter expected the judge to be required to elaborate on his decision by the court of criminal appeals. Owens expects the appellate decision by late spring or early summer.

"All the district attorney (has) got to do

is turn over the evidence, test it and let the chips fall where they may," Skinner said in an interview with CNN last year. "If I'm innocent I go home. If I'm guilty I die."

To date, 17 people have been exonerated from death row as a result of post-conviction DNA testing.

Innocent until proven guilty?

The issue remains whether the state should proceed with executions in cases with ambiguity and risk wrongful executions of the innocent.

In January 2000, George Ryan, then-governor of Illinois, issued a moratorium on all executions after the state's 13th death row exoneration, which surpassed its total number of executions since 1976.

Before leaving office in 2003, Ryan commuted all death sentences to life in prison. This year, Illinois became the 16th state to abolish the death penalty.

"If the system can't be guaranteed 100 percent error-free, then we shouldn't have the system," Pat Quinn, the current governor, said. "It cannot stand."

Illinois, with 20 exonerations, is surpassed only by Florida, with 26.

Numerous factors hamper state justice systems, leading to wrongful conviction.

They range from witness misidentification and improper forensic science to false confessions and unreliable informants, according to the [Innocence Project](#), an organisation dedicated to exonerating innocent individuals through DNA testing.

Other, less quantifiable issues such as ineffectual court-appointed defence lawyers and prosecutorial and police misconduct and racism, also play a part in wrongful conviction.

Owen believes Skinner's case was a compounded by poor representation and what he described as "tunnel vision" with law enforcement and prosecutors.

"There's a tendency to narrow the focus to that one suspect," he said. "It's a premature selection that screens out other suspects. They become so persuaded that they can't see the possibilities that he (Skinner) isn't guilty."

"There's a lot of pressure to get a suspect," Dieter said. "You can't present

a gray case to a jury. Prosecutors become adversaries for their side instead of their proper role of upholding justice and the law."

In Texas, the issue of innocence has been highlighted again with new findings in the case of Cameron Todd Willingham, executed in 2004 for the arson deaths of his three daughters. The Texas Forensic Science Commission recently closed its inquiry into the case that was fraught with unreliable forensic science.

The state district attorney informed the commission that it had no jurisdiction in making a ruling on the case. The Innocence Project, which worked together with fire experts, concluded that Willingham was wrongfully charged and innocent of setting the fire for which he was executed.

In 2002, capital punishment was ruled unconstitutional on the basis it violated the right to due process by posing a substantial risk of executing innocent defendants. That ruling was later overruled in circuit court and the U.S. Supreme Court declined to review the case.

As for the pending ruling in Skinner's case, Owen remains hopeful that access

will be granted to untested DNA evidence. If it is not, he is prepared to pursue a lawsuit against the district attorney for access, and if necessary he can appeal to Governor Rick Perry.

The death penalty has been in the spotlight with the highly controversial case of Troy Davis, who was executed in September despite the fact that seven of nine witnesses against him recanted their testimony, and other factors caused doubts about his guilt.

(\*The story moved Nov. 29 was unclear in its fourth paragraph. The 12 people exonerated were exonerated from death row, and a previous correction indicating 41 people had been exonerated with DNA testing were not all exonerated from death row.) (END)

## **LATIN AMERICA: How to Prevent 'Femicide'**

**By Marcela Valente**

BUENOS AIRES, Nov 23, 2011 (IPS) - Vanina Alderete, an 18-year-old from Argentina, is a survivor of a particularly heinous case of domestic violence: when she was 11, her father killed her mother and her two little brothers and left her seriously injured.

Her mother had gone to the police five times to report the threats and abuse. "They told her it wasn't their job to prevent problems, but to crack down on crime, and they told her not to drag us kids into their problems as a couple," the young woman told IPS.

Alderete, who lives in the northeastern province of Salta, sued the government and won nearly 250,000 dollars in damages due to the authorities' negligence and failure to protect her.

The provincial government has said it will appeal the sentence. "Everything they proclaim about the rights of children and women is contradicted by their appeal," her lawyer, Oscar Juárez, told IPS.

Alderete's father, who was sentenced to life in prison, left the young woman bereft of family. He killed his wife and their sons, aged eight and five, with a kitchen knife, and left his daughter for dead. She spent three months in the hospital with serious injuries, and now lives with her grandfather.

The triple murder is an extreme example of what is being combated on Nov. 25, International Day for the Elimination of Violence Against Women,

which will usher in 16 days of activities worldwide to raise awareness of what activists call the "[silent genocide](#)".

Over the last five years, the legal definition of "femicide" - a term coined for gender-based killings of women and girls – has begun to be incorporated in the criminal codes of some Latin American countries, to give visibility to these cases and to secure policies to combat violence against women.

But experts on gender law, convened by the Latin American and Caribbean Committee for the Defence of Women's Rights ([CLADEM](#)), were generally sceptical about the effectiveness of this legal definition.

Rather than introduce a new type of crime that may be difficult to prove, the experts would rather demand that an official record be kept of these deaths, and recommend a stronger response by the state to reported attacks on women.

"I would like to combat the neutrality of criminal law, but the question is how to do this, because in five countries in the region where the legal definition of femicide exists, it has led to greater impunity rather than effective punishment," lawyer Susana Chiarotti told IPS.

Chiarotti is a member of the CLADEM advisory council and sits on the Committee of Experts on Violence, part of the monitoring mechanism for the [Inter-American Convention](#) on the Prevention, Punishment and Eradication of Violence against Women.

This treaty, also known as the Convention of Belém do Pará, requires the countries of the Americas to "exercise due diligence to prevent, investigate and punish acts of violence against women." But in cases like Alderete's, this commitment is dead letter. "It is disgraceful that the state should appeal the verdict, instead of making reparations," said Chiarotti.

Femicide has been incorporated into the legislation of Chile, Costa Rica, El Salvador, Guatemala and Mexico. "For some countries, creating a new legal definition is the easy way out, but the law is only enforced once the woman has already been killed," she said.

In her view, it would be better to emphasise prevention, and improve the involvement of the state from the moment a woman makes her first complaint.

But not all the legal experts were in

favour of removing the new crime definition from the law.

abuse, in order to identify the state's failures in its duty of prevention.

At the debate convened by CLADEM in Buenos Aires, whose results were published in October as "Contribuciones al debate sobre la tipificación penal del feminicidio" (Contributions to the Debate on the Definition of the Crime of Femicide), some participants felt that the legal definition of femicide might help raise awareness among judges.

Some experts, for example, proposed alternative measures such as arresting male aggressors who violate restraining orders barring them from the couple's home.

Even today, justice officials regard jealousy as a valid mitigating factor in femicide cases, and concepts such as "crimes of passion," "provocation" on the part of the woman, or "violent emotion" are still used to justify the murders, they said.

The results have not been encouraging in the countries that did incorporate femicide as a legal crime definition. One of the pioneers was Guatemala, where international bodies have sounded an alert over an epidemic of gender-based murders – in a country with one of the highest overall homicide rates in the world.

However, most of the legal experts were unconvinced by this approach. Peru's deputy minister for women's affairs, Rocío Villanueva, analysed the experience of her country at the debate. In Peru femicide does not exist as a legal definition, but prevention work is effective, she said.

Between 2000 and 2010, over 5,200 [women were murdered in Guatemala](#), according to the police. In 2008, femicide was introduced as a specific crime, and yet the murders have continued and the legal definition appears not to be effective, in terms of prevention or punishment.

Peru has created an observatory under the attorney general's office that records murders due to sexist violence each year, and documents the victims' previous complaints of violence or

"Most of the perpetrators in Guatemala are convicted for first-degree murder, because it's hard to prove femicide: it requires proving unequal power relations, misogyny or gender hatred," said Chiarotti.

The victims' families are all too aware of these difficulties. In July, Cristina Siekavizza, a business administrator, went missing from her home.

One month later, her husband Roberto Barreda fled, taking their two children with him, and became the main suspect in the disappearance of his wife. A domestic employee in the family home then testified that he had beaten his wife to death.

"Justice in this country moves slowly, if at all," Juan Siekavizza, father of the woman who is missing, presumed dead, told IPS. "Months have gone by and we're still no further on," he complained.

Barreda's mother, Beatriz de León, a former president of the Supreme Court, has been arrested for obstruction of justice after using her influence to block her son's capture and conceal the whereabouts of her grandchildren - another example of the way the state treats victims of gender-based crime.

Siekavizza acknowledged that Guatemala has a progressive law against femicide, but said "enforcement is a different issue."

How can it be that, in spite of the laws

against violence in every country, there are still so many men who beat women, disfigure them, and kill them with knives, firearms, their bare hands, or by dousing them with alcohol and [setting them alight](#)?

Natalia Gherardi of the [Latin American Team on Justice and Gender](#) (ELA) offered this answer to IPS's question: "There has been a lot of progress on legislation in Latin America, but laws are not the solution to the problems.

"Clearly, states are not indifferent to this extreme form of violence, and the phenomenon is repudiated throughout the region, but there are unpaid debts (to women) unrelated to the legal sphere," she said.

Gherardi said, for example, that statistics on violence were needed. Today, with the exception of a few countries, most femicide registers are the responsibility of women's organisations that record cases published in the press.

"Better information would lead to better policies," she concluded.

She also said the state owes women another debt: guaranteed access to justice. "Criminal law does not prevent

crimes; the law must provide other responses so that there are no more deaths," Gherardi said.

\* With reporting by Danilo Valladares in Guatemala City. (END)

## **NIGERIA: A Deadly Case of Mistaken Identity**

**By Sam Olukoya**

LAGOS, Nov 22, 2011 (IPS) - The worst day of Olaniyi Emiola's life was Mar. 17, 1998. At least it was for Olaniyi Emiola, 22, the spare motor parts trader. For Olaniyi Emiola, the armed robber, it was a lucky escape as another man with the same name had been wrongly sentenced to death for a crime he committed.

That day, as Emiola stood in the dock of the now defunct Robbery and Firearms Tribunal in Nigeria's southwestern city of Ibadan, Oyo State, he could not believe what was happening.

"Several members of my family ... were all weeping. I was weeping too. The whole thing seemed like a nightmare to me," the now 35-year-old Emiola told IPS.

His ordeal started three years earlier when police arrested him for armed robbery, an offence that carries the [death penalty](#) in Nigeria. This was despite the fact that his co-accused had repeatedly told police they had arrested the wrong man.

"But the police ... said the robber was trying to cover up for me."

In 2004, after spending six years on [death row](#), Emiola came face to face with the robber whose sentence he was carrying out.

The man, who had been sentenced to death for another robbery, accepted responsibility for the crime the spare motor parts trader was accused of. Emiola wrote a letter to the Oyo state attorney general and the state governor calling for a review of his case, but there was no response.

If it had not been for Pastor Hezekiah Olujobi, head of the Ibadan-based Centre for Justice, Mercy and Reconciliation, which fights for the release of innocent prisoners, Emiola would probably still be on death row, or possibly dead.

Emiola's case highlights the state of Nigeria's criminal justice system as

human rights groups say the system cannot guarantee a fair trial in capital cases.

"Over the years, we have seen that the Nigerian justice system is not reliable," Princewill Akpakpan, head of penal reforms at the Lagos-based Civil Liberties Organisation, a leading human rights group in Nigeria, told IPS.

He said reasons for this include the fact that police make arbitrary arrests and force people to accept responsibility for crimes they have not committed. He added that police investigation of criminal matters is often poor.

"It is only when you correct these lapses that you can guarantee a transparent and dependable justice system," Akpakpan said.

It took three years but eventually Emiola was released in January. "You can imagine what would have happened to this man if we had not intervened," Olujobi said.

Olujobi said Emiola's case is a reflection of how innocent people are sentenced to death in Nigeria.

"At the Abeokuta Federal Prison (one of the prisons where Emiola served time),

we have identified six other people on death row who seem to have been wrongly convicted," he said. "In one case, a man who fought with a policeman's wife was arrested, charged with armed robbery and sentenced to death." Looking back at his death sentence, Emiola said it is the worst form of injustice.

"The tribunal did not dispense any form of justice at all. It was like a pre-arranged thing, they just entered a guilty judgment against me," he said. "This is a country where the criminal goes free while the innocent person is not only found guilty but is also sentenced to death."

Emiola could not appeal his conviction because the Robbery and Firearms Tribunals, which were set up during years of military rule, had no appeal process.

Global rights watchdog [Amnesty International](#) said more than 2,600 death sentences were carried out under military rule between 1970 and 1999, with the Robbery and Firearms Tribunals passing most of the death sentences.

Even though the tribunals have since been abolished with the return to

civilian rule in 1999 and the rights of appeal restored, Amnesty International said numerous people were executed without being informed of their right of appeal. The human rights group said many of the 700 prisoners currently on death row in Nigeria were convicted by the tribunals. "There is a strong link between poverty and these convictions. Most times the relatives of the accused persons have no money to pursue their cases," Olujobi said.

In 2004, the National Study Group on the Death Penalty, which was set up by the Nigerian government, admitted that there are flaws in the country's justice system.

"A system that would take a life must first give justice," the group said in a report. It recommended a suspension of the death penalty until "the criminal justice system can ensure fundamental fairness and due process in capital cases and minimise the risk that innocent people will be executed." Nigeria has observed [an unofficial moratorium on executions since 1999](#). But Amnesty International said executions have been carried out in the country prior to this. The human rights group said it uncovered evidence of at least seven executions between 2009 and 2010. It said it feared more might have taken

place.

Human rights lawyers like Akpakpan say that until the justice system is reviewed "there will always be a chance that innocent people will end up being executed for crimes they did not commit." (END)

## **Indonesian Migrants Facing Death Get Legal Aid from Home**

**By Matthew Cardinale**

ATLANTA, Georgia, U.S., Nov 14, 2011 (IPS) - With 221 Indonesian migrant workers facing death sentences in China, Malaysia and Saudi Arabia, the government of Indonesia has approved a legal aid budget to assist these workers, who often do not have access to such assistance otherwise.

In July, Indonesian President Susilo Bambang Yudhoyono formed a migrant task force to address a variety of issues involving the large number of low-income Indonesians who have emigrated to other countries, where they face alleged abuse, legal difficulties, and other barriers.

Indonesia formed the task force after an

incident in which the government of Malaysia beheaded an Indonesian maid who was charged with murder without even notifying the Indonesian government, a violation of the usual diplomatic protocol.

Last month, the task force released its initial findings, leading House of Representatives deputy speaker Priyo Budi Santoso to call for the legal aid budget to be approved.

The task force recently met with the Coordinating Ministry for Politics, Legal and Security Affairs to discuss the findings and the recommendations. There, the decision was reached to hire the full-time attorneys.

"We hope that through the appointment of these lawyers, our citizens and migrant workers who are facing legal problems will be able to go through a just legal process," Humphrey Djemat, a spokesman for the task force, told the Jakarta Globe.

"We also hope those lawyers can protect our migrant workers and citizens to the best of their abilities so that distressing cases like those we have seen recently can be avoided in the future," Djemat said.

"It sounds like a good step," Joe Stork, deputy director of the Middle East and North Africa Division of Human Rights Watch, told IPS. "It's a positive step, let's see how it works. Let's see if the prosecutor is actually able to find some recourse for people who find themselves in those situations."

Stork said the legal challenges for Indonesian migrants in Saudi Arabia include lack of access to attorneys as well as intrinsic problems with the court system itself.

"In Saudi Arabia, it's both. As far as I'm aware, there's not legal aid available. Even if it were, there's a serious problem with a lack of any kind of independent judiciary; having an attorney is not going to change that," Stork said.

"People in Saudi Arabia sometimes do have attorneys, and don't get satisfaction from the courts. It's not a silver bullet. It doesn't take care of the underlying problems, but it's a good first step," he said.

Six of those previously on death row in Saudi Arabia have escaped execution after traditional fines and compensation were paid to the families of the victims and pardons granted.

However, two cases causing the Indonesian government particular concern involve Tuti Tursilawati and Siti Zaenab, who have not been forgiven by the alleged victims' families, raising questions about whether they will be able to avoid execution.

The Indonesian House of Representatives passed a resolution asking Saudi Arabia to pardon these two workers, according to an Oct. 14 report on [tempointeractive.com](http://tempointeractive.com). Previously, President Yudhoyono sent a letter on Oct. 6 regarding the two.

The attorneys Indonesia has hired are experienced professionals, including one who previously served as a prosecutor in Saudi Arabia.

The government task force on Indonesian migrant workers recently reported that, of the 221 labourers facing capital punishment abroad, 148 of them are in Malaysia; 45 are in Saudi Arabia; and 28 are in China. These numbers are slightly different than the initial figures released last month.

Of the 148 in Malaysia, 118 are on death row for drug-trafficking offences; 28 for murder; and the rest for possession of firearms.

Of the 28 in China, all are on death row for drug trafficking.

Of the 45 in Saudi Arabia, most were charged over illegal sexual activity and alleged black magic practices.

In Saudi Arabia, black magic is considered "haram" or prohibited. Meanwhile, black magic is a booming business in Indonesia, where people seek the help of witch doctors to address a range of problems, from personal to political.

"A lot of times what's called witchcraft is the remnant of religious magical and healing traditions. In Indonesia, there's a very rich culture that is ancient that understands the powers of human mind on a very deep level... of people who are healers who you go to in the village if you are sick, who are kind of like the lay psychologists," Starhawk, a U.S.-based author of numerous books on contemporary earth-based spirituality, told IPS.

She argued that the powerful people in Saudi Arabia use the threat of people who practice witchcraft as a way to distract common people from "the real problems... See, here's these people who are so scary and awful."

"It's part of a way for a dominant religion to denigrate an indigenous religion," Sara Amis, an Occupy Atlanta spokeswoman who practices Wicca, told IPS.

"My basic opinion is that it's religious intolerance. The same way I would view someone being put to death for being homosexual - it's bigotry," Amis said.

Indonesian House members are expected to request China, Malaysia and Saudi Arabia to release the detained Indonesian workers in their respective countries, both during a meeting of lawmakers from the Association of Southeast Asian Nations (ASEAN) taking place in Syria next month, and again at a conference for Islamic organisations scheduled for January 2012. (END)

## **SRI LANKA: Alive or Beheaded this Maid is a Heroine**

**By Aditya Alles**

SSHAFINAGAR, Sri Lanka, Nov 14, 2011 (IPS) - Will Rizana Fathima Nafeek return to this poverty-ridden coastal village in Sri Lanka alive and in one piece? Or will

the beheading sentence passed on her by a Saudi Arabian court in 2007 be finally carried out?

Either way Rizana is a heroine. She is one of many young women who risk abuse and torture to work as domestic help in the Middle East and send in the remittances that support their families, and also keep the Sri Lankan economy going.

Senior minister Sarath Amunugama believes that if Sri Lanka doubles the number of people working overseas to around three million, it could quickly decrease national poverty levels in this island nation with an economy recovering from decades of ethnic conflict.

"One of the shortest ways to grow and to get out of poverty is to encourage migration from 1.6 million now to three million," said Amunugama at the launch of the U.N. Population Fund's annual report on Oct. 31.

Economists estimate that domestic workers contribute at least 30 percent of the over four billion dollars repatriated annually to this country and provide a vital lifeline to the economy.

There is, however, a price to be paid.

Many of the women are known to suffer death in 2007.

severe abuse at the hands of their employers – two of them returned to the island from the Middle East last year with nails hammered into their bodies.

According to Sri Lanka's foreign employment bureau, Saudi Arabia, Jordan and Kuwait account for 75 percent of the 12,000-odd complaints of abuse that it receives annually.

A good many of those complaints come from domestic workers in Saudi Arabia, young women from impoverished villages like Shafinagar, a coastal hamlet 330 km from the capital of Colombo.

It was grinding poverty that compelled Mohamed Nafeek and his wife Ranzeena to send their schoolgirl daughter, Rizana, to work as a domestic maid in Saudi Arabia in mid-2005.

But, a little more than a fortnight after landing in the kingdom, Rizana was in jail, facing charges of infanticide - the boy she was bottle-feeding had accidentally choked to death.

Rizana had no training in looking after infants when she arrived at the al-Qtaibi household in Dawadamissa, about 300 km from Riyadh. To her family's horror she was convicted and sentenced to

If the sentence has not yet been carried out it is due to national and international campaigns on her behalf.

As news of the conviction filtered in the villagers got together to sign a petition that was sent to the Saudi authorities. It set off a campaign joined, among others, by Sri Lankan President Mahinda Rajapaksa.

In Shafinagar, Rizana is a heroine. "She is a truly courageous woman. How she has held up all these years, how she cares for her sisters and her family," Mohammed Naqueeb, the principal at the Imam Sherfi School, where Rizana once studied, told IPS.

The village school did not have classes beyond the ninth grade and when she passed that Rizana decided not pursue her education further. "She wanted to help her family," Naqueeb said.

By then Sri Lanka's civil war had intensified and her father found it difficult to go into the woods to collect firewood to sell in the village. When a recruiting agent said Rizana, then 17 according to her birth certificate, could get a job in the Middle East, he did not hesitate. Naqueeb told IPS that Rizana is someone who is admired as a poor girl

who tried to get her family out of poverty.

"Most of the villagers are poor and uneducated and don't see the dangers. Rizana's case has not deterred women in this area from seeking work without training or proper documents," Naqeeb said.

Lawyers say that Rizana was a victim of unscrupulous recruitment agencies that send Sri Lankan women as domestic workers to Middle Eastern countries like Saudi Arabia - which hosts some 500,000 Sri Lankan migrant workers.

"We are doing everything we can to make sure that those seeking employment as maids are properly trained and travel through registered agencies," Kingsley Ranawaka, director-general of Sri Lanka's foreign employment bureau said. "But there are people who still abuse the system."

Only last month, a young girl was detained at the airport trying to fly to the Middle East on forged documents, suggesting that the illegal recruitment system was still functional.

In October, when news reached Sri Lanka that Rizana's sentence had been confirmed and would be carried out any

day, there was renewed focus on the issue of migrant workers getting a fair deal in a foreign justice system.

President Rajapaksa has written to Saudi Arabia's King Abdul Aziz seeking a pardon for Rizana as also have leading rights organisations like Amnesty International and the Asian Human Rights Commission (AHRC).

There has been criticism that no legal aid was extended to Rizana during her trial and that the Sri Lankan embassy in Riyadh contacted a lawyer only after she was convicted.

When the embassy stuck to rules that disallow hiring of legal services in criminal cases, the AHRC moved in with the funds. It has so far spent 30,000 dollars in legal fees to appeal against Rizana's death sentence.

"Saudi Arabia has an infamous record of having one of the highest executions rates in the world, with at least 69 executions carried out in 2009, 102 in 2008 and 158 in 2007, an average of almost two persons a week," the AHRC said in a statement. (END)

## WORLD PRESS REVIEW November 2011

**This review provides a glimpse of developments related to death penalty as reported by media around the world, in a chronological order from the end of November to the beginning of the month.**

### **COUNCIL OF EUROPE: BELARUS URGED TO INTRODUCE A MORATORIUM ON EXECUTIONS**

November 30, 2011: The Council of Europe urged Belarus not to execute two men found guilty of carrying out a subway terrorist attack in Minsk. Secretary General Thornbjorn Jagland called on Minsk to discard the death penalty for Dmitry Konovalov and Vladislav Kovalyov and put a general moratorium on executions. He noted that Belarus is the only European country that practices capital punishment. Konovalov and Kovalyov were sentenced to death by firing squad in connection with the April 11 blast inside a Minsk underground station. The explosion killed 15 people and wounded more than 200 others. The date of the execution has not yet been set, but the Supreme Court's ruling is final and can not be appealed.

Persons sentenced to death can only ask the president for a pardon.

Jagland said that the crime perpetrated by the two men was "barbaric" but that their punishment should not be the same. (Source: Voice of America, 30/11/2011)

### **IRAN: NINE HANGED FOR RAPE, DRUG TRAFFICKING**

November 29, 2011: Iran hanged three convicted rapists and six drug traffickers -- one of them a woman -- in different cities, local media reported.

Two of the men, aged 23 and 25, were hanged in public in the western city of Kermanshah, Fars news agency reported.

They were executed after being found guilty of raping a number of women, some of them university students. They were not identified.

ISNA news agency also reported a young man convicted of rape and identified by the initials M.S. was hanged publicly in the central town of Saveh, some 120 kilometres (72 miles) southwest of the capital.

Fars also said five men and one woman were hanged for drug trafficking, notably dealing in heroin. They were not identified either. (Source: AFP, 29/11/2011)

#### TWO GET DEATH IN SOUTHERN VIETNAM

November 29, 2011: a Ho Chi Minh City court sentenced Vietnamese woman Nguyen Thi Kim Anh, 40, to death for trafficking drugs from China and selling them to dealers in a northern Vietnamese city.

Hai Phong was also sentenced to death for buying the drugs from Anh.

Anh was convicted for selling 2.5 kilograms of heroin, 2,500 ecstasy tablets, and more than 100 grams of methamphetamine between 2009 and 2010. (Source: Thanhniennews.com, 29/11/2011)

#### SUDAN CONDEMNNS SEVEN DARFUR REBELS TO DEATH

November 28, 2011: A Sudanese court sentenced seven members of a Darfur rebel group to death by hanging for ambushing a convoy last year and killing more than 50 soldiers escorting it, state media reported.

"The special court for crimes in Darfur... during the morning session today at its headquarters in El-Fasher, the capital of North Darfur, sentenced to death by hanging seven members of the Justice and Equality Movement (JEM)," the official SUNA news agency reported. Of the 10 defendants on trial, three were spared the death penalty and

placed in custody, being below the age of criminal responsibility.

The January 2010 attack targeted a convoy travelling from Khartoum to Nyala in South Darfur, in which the JEM rebels killed the convoy commander and 53 soldiers and stole fuel trucks and food supplies, according to the report. Those convicted have appealed the ruling, which must be approved by the high court in Khartoum. (Source: AFP, 28/11/2011)

#### **MALI: DEATH PENALTY HANDED TO FRENCH EMBASSY ATTACKER**

November 28, 2011: A Malian court has sentenced to death a Tunisian man accused of throwing an explosive device at the French embassy in Mali's capital in January, wounding two people, state television reported.

"In the terrorism case against Bachir Sinoun, who exploded a grenade outside the French embassy on January 5, the accused has been sentenced to death and has to pay a fine of 10 million CFA francs," the court said in its ruling. Mali and its neighbours Mauritania and Niger are struggling to contain a growing threat by Islamist militants operating across West Africa's remote desert regions.

However, Malian authorities have said Sinoun, who escaped prison in March but was rearrested a few days later, was

acting alone in the botched attack and had no known links with Islamist militants. (Source: Reuters, 29/11/2011)

### **CHINA GIVES DEATH SENTENCE IN TAINTED PORK SCANDAL**

November 25, 2011: China sentenced Liu Xiang to death with two years' reprieve for harming public safety in a tainted pork scandal, China Daily said. An investigation revealed that from 2007 to March 2011, Liu sold over 2,700 kilograms of banned chemical clenbuterol to pork farmers across eight provinces in China, the official state media Xinhua reported. His workshop in Xiangyang city, Henan province, was raided in March. (Sources: Agence France Presse, 25/11/2011)

### **IRAQ: 16 'QAEDA' MEMBERS EXECUTED FOR MURDER**

November 24, 2011: Iraq executed 16 Al-Qaeda members convicted of involvement in the massacre of 70 people at a wedding, although they were officially put to death for other murders, a judicial spokesman said. "Sixteen people were executed this morning," Abdelsattar Birakdar told AFP, adding that "all of them were Al-Qaeda members." Birakdar said that the 16 were convicted of involvement in the massacre of 70 people at a wedding in 2006, but were

were put to death for the sectarian murders of cooking gas salesmen. Baghdad security spokesman Major General Qassim Atta said in May that "the gas sellers were from Sadr City in Baghdad. They used to come to the Taji area to sell gas to residents."

The Sadr City district in the north of the capital is overwhelmingly Shiite. Taji on the city outskirts is mainly Sunni Arab. The gas sellers were killed in 2006 and their bodies set on fire, Atta said without specifying how many.

According to police, militants also carried out the systematic killing of a wedding party celebrating the marriage of a Shiite man to a Sunni woman in the Taji area in 2006.

The murders came as confessional violence was raging across Iraq, with tens of thousands killed in 2006 and 2007. (Source: AFP, 24/11/2011)

### **INDIA: AJMAL KASAB HANDED DOWN DEATH SENTENCE**

November 23, 2011: Pakistani terrorist Ajmal Amir Kasab was handed down the death sentence for his role in the 26/11 attack in Mumbai. Pronouncing the verdict, Special Court judge M L Tahaliyani said the case fell in the rarest of rarest category as defined by the Supreme Court and hence Kasab will have to face the hangman's noose.

Kasab was pronounced guilty May 3 in the November 26, 2008 Mumbai terror attack and the Special Judge's sentencing came in the afternoon. (Source: News.in.msn.com, 23/11/2011)

#### **VIETNAM: MAN CONDEMNED TO DEATH FOR MURDERS**

November 23, 2011: An appellate court in the southern province of Dong Nai, Vietnam, sentenced a 26-year-old local man to death for murdering and robbing a girl and a pregnant woman last year. Nguyen Thien Kim, hailing from the provincial capital Bien Hoa City, had appealed to the court for leniency but it said his crime was too serious for any such.

Kim confessed he had killed Chau Kim Phuc, the pregnant 16-year-old girl from the city, with an electric wire on July 7, 2010. The killer also admitted, to murdering 26-year-old Vo Thi Hong Thanh in retaliation against her husband who had badmouthed him. (Source: Tuoitrenews.vn, 23/11/2011)

#### **OREGON (USA): GOVERNOR BANS DEATH PENALTY FOR REST OF TERM**

November 22, 2011: The governor of Oregon announced a halt to executions in the northwestern US state, the latest to drop capital punishment as a penal option.

Governor John Kitzhaber issued a temporary reprieve for a prisoner due to die next month, and said he would allow no more executions while he remains in office.

Kitzhaber, who approved executions in 1996 and 1997, said the current system was unfair, as it allowed some criminals to serve jail time for the same offense that others faced the death sentence for.

He said he regretted his previous decisions.

"They were the most agonizing and difficult decisions I have made as governor and I have revisited and questioned them over and over again during the past 14 years.

"I do not believe that those executions made us safer; and certainly they did not make us nobler as a society. And I simply cannot participate once again in something I believe to be morally wrong," he said in a statement.

And he added: "Both because of my own deep personal convictions about capital punishment and also because in practice, Oregon has an expensive and unworkable system that fails to meet basic standards of justice."

"It is time for Oregon to consider a different approach... I refuse to be a part of this compromised and inequitable system any longer; and I will

not allow further executions while I am governor."

Kitzhaber noted that Illinois banned executions earlier this year, joining along with New Jersey and New Mexico the ranks of states that no longer include capital punishment as a sentencing option.

While 34 states still have it on their statute books, only 12 applied it in 2010, according to the Death Penalty Information Center, a non-governmental organization (NGO). (Source: AFP, 22/11/2011)

#### **TANZANIA: EIGHT TO HANG FOR ALBINO MURDERS**

November 21, 2011: Tanzania's Prime Minister Mizengo Pinda said eight suspects were sentenced to death by hanging for the murder of albinos since a wave of witchcraft killings erupted in 2007. Pinda said in a report that 94 suspects had been arrested and 11 cases were before the courts.

"Thanks to these efforts, attacks on albinos have considerably reduced," Pinda said.

More than 60 albinos have been murdered in Tanzania since 2007 and their body parts chopped off to be sold to witch doctors who concoct charms which some believe bring good fortune and prosperity. (Source: Agence France Presse, 22/11/2011)

#### **MALAYSIA: THREE IN FAMILY TO HANG**

November 21, 2011: A company director and his two children were sentenced to death by the High Court in Malaysia for processing drugs for trafficking.

Ong Hooi Beng, 50, his son Eng Keat, 26, and daughter Gaik Ee, 24, were found guilty of processing 368.12kg of methamphetamine for trafficking at Zmas Synergy Sdn Bhd in Taman Makmur, Lunas, Kulim at about 4pm on July 9, 2006.

Justice Mohd Azman Husin passed the mandatory death sentence on them after finding that they had failed to raise a reasonable doubt on the prosecution's case.

Mohd Azman said Hooi Beng was the company's director, Gaik Ee a shareholder and Eng Keat a general worker.

"Therefore, they must have some knowledge of the activities that were carried out in the factory.

"There is only one sentence for the charge and that is the death penalty.

"However, it is not the end of the road for the three of you, as you can still appeal in the higher courts," he said. Evidence showed there were traces of methamphetamine under their nails and on their hair.

Police had seized several types of utensils and instruments used to process the drug. (Source: TheStar.com.my, 21/11/2011)

#### **LIBYA: SAIF GADDAFI COULD FACE DEATH PENALTY - MINISTER**

November 19, 2011: Saif al-Islam Gaddafi will be put on trial in Libya for serious crimes that carry the death penalty, Libya's interim justice minister said.

Asked by Reuters what Libya planned for him, Mohammed al-Alagy said: "He has instigated others to kill, has misused public funds, threatened and instigated and even took part in recruiting and bringing in mercenaries.

"This is just a small account of the crimes that the Libyan prosecutor general is going to bring against him." Asked if such crimes carried the death penalty, Alagy, who has said he does not expect to retain his post in a new government due to be named in the coming days, said: "Yes.

"It was created by Gaddafi."

"We are ready to prosecute Saif al-Islam," Alagy said. "We have adopted enough legal and judicial procedures to ensure a fair trial for him."

"We call on all international and local organisations to attend Saif al-Islam's trial. We will prosecute him in accordance with the international

standards." (Source: REUTERS, 19/11/2011)

#### **IDAHO (USA): FIRST EXECUTION SINCE 1994**

November 18, 2011: Paul Ezra Rhoades, 53, white, was executed this morning, in Idaho's 1st execution since 1994 and only its 2nd since 1977.

Rhoades admitted his crimes, which terrorized an eastern Idaho community for 3 weeks in 1987. His appeals have focused mostly on technicalities and on his abusive childhood and drug addiction. Rhoades was sentenced to death for the 1987 kidnapping and murders of 34 year old Susan Michelbacher and 21 year old Stacy Dawn Baldwin. Following the 1987 murder of 20 year old Nolan Haddon, Rhoades was also sentenced to life in prison without parole. About 45 people gathered in a circle in the freezing darkness outside Idaho's state prison complex this morning to protest capital punishment. Rhoades becomes the 43rd condemned inmate to be put to death this year in the USA and the 1277th overall since the nation resumed executions on January 17, 1977. One more execution is scheduled in the USA this year, in Oregon, on Dec. 6. If carried out as expected, there would be 44 executions in the country this year, continuing a downward trend; there

were 46 executions in the USA last year and 52 in 2009. (Source: The Spokesman - Review & Rick Halperin, 18/11/2011)

**MALAYSIA: SINGAPOREAN SENTENCED TO DEATH FOR STEPSON'S MURDER**

November 18, 2011: A Singaporean was sentenced to death by the High Court in Malaysia after he was found guilty of murdering his stepson three years ago. Judicial Commissioner Samsudin Hassan handed down the sentence on Shawal Senin, 35, after finding that the defence had failed to raise reasonable doubts on the prosecution's case.

Shawal, an unemployed, was charged with murdering seven-year-old Siwakorn Sukuntha, a Thai national, at Block A, Pulai View Condominium, Taman Kobena near Tampoi, between 9pm on Dec 24, 2008 and about 1pm on Dec 27, 2008.

The offence, under Section 302 of the Penal Code, carries the mandatory death sentence upon conviction. Deputy public prosecutor Farah Ezlin Yusop Khan and Jasmee Hameeza Jaafar prosecuted, while lawyer Amy Law represented Shawal. (Source: BERNAMA, 18/11/2011)

**IRAQ: TUNISIAN, WOMAN AMONG 11 EXECUTED FOR TERROR**

November 17, 2011: Eleven people sentenced to death for terrorist activity

were executed in Iraq, according to the Iraqi Justice Ministry.

Among those executed was a Tunisian sentenced to death for detonating a bomb in Shia enclave of Samarra where sectarian violence exploded in 2006.

"Eleven were executed early today Among them was a woman and Ysri Fakhir, a Tunisian accused of exploding a bomb at the Askari shrine," one of Shia Islam's holiest sites, said a ministry of Justice spokesman in Iraqi media reports.

The Askari bombing on 22 February 2006 caused no casualties but the retaliatory violence killed more than 1,000 people on the first day alone, according to reports.

The bombing caused major damage to the shrine's golden dome and is believed to have been carried out by Al-Qaeda. (Source: AKI, 17/11/2011)

**INDIA: COURT AWARDS DEATH PENALTY TO EIGHT IN TRIPLE MURDER**

November 16, 2011: A local court in Uttar Pradesh's Mathura district, India, awarded capital punishment to eight people and life sentence to 27 in a two-decade-old triple murder carried out on the orders of a village panchayat, a lawyer said.

Additional district and session judge A.K. Upadhyay pronounced the judgment in the murder of a young couple - Roshni

and Brijendra - and their friend Ram Kisan.

"The judgment comes a day after (Nov 15) 35 people were held guilty by the court in the triple murder case," prosecution lawyer Shiv Shankar told reporters in Mathura, some 300 km from Lucknow.

The three were killed in March 1991 following an order of a panchayat of the Mehrana village.

The panchayat had passed the order after Roshni eloped with Brijendra and later returned to the villager after marrying him with the help of Ram Kisan, police said.

"All the three were hanged on the directions of the village Panchayat," said Shankar. (Source: [dayafterindia.com](http://dayafterindia.com), 17/11/2011)

#### **TEXAS EXECUTES MAN WHO KILLED 7-YEAR-OLD GIRL**

November 16, 2011: A registered sex offender in Texas convicted of kidnapping, raping and murdering a 7-year-old girl was executed by lethal injection, state prison officials said. In 1999, Guadalupe Esparza abducted Alyssa Vasquez from her San Antonio home when her babysitter was at a neighbor's place, authorities said. Her strangled body was found in a nearby field.

On the night Alyssa died, Esparza had called and visited her home, looking for her mother, according to an account of the case by the Texas attorney general's office. DNA testing showed the sperm found on Alyssa's body belonged to Esparza.

"To the family of Alyssa Vasquez, I hope you will find peace in your heart," Esparza, 46, said in his final statement, according to Jason Clark, a Texas Department of Criminal Justice spokesman.

"My sympathy goes out to you. I hope you find it in your heart to forgive me. I don't know why all this happened."

Esparza had a long criminal record, including a 1985 aggravated sexual assault conviction for beating a woman with a loaded gun and forcing her to have sex with him. And in 1984, he was convicted of assault causing bodily injury for hitting a man with a metal pipe and a baseball bat.

Alyssa's mother, Diana Berlanga, attended the execution with a few other family members, Clark said.

Esparza was the 42nd person executed in the United States this year and the third this week.

Esparza was the 13th person executed this year in Texas.

There are no more executions scheduled in Texas this year. (Source: Reuters, 16/11/2011)

**UNITED ARAB EMIRATES: 10 DRUG DEALERS GET DEATH IN KHOR FAKKAN**

November 15, 2011: A criminal court in Khor Fakkan, UAE, sentenced 10 men to death after they were convicted of trying to smuggle nearly 2.5 tonnes of drugs into the country by sea, press reports said.

The court sentenced another defendant to 10 years in jail and ordered the deportation of him and three minors involved in the operation.

Anti-drug squads had seized the gang from Iran and Pakistan in January while trying to smuggle the quantity of hashish and opium by boat which was anchored in the UAE's international waters off Khor Fakkan.

Posing as customer, police detectives agreed with the drug dealers to buy the staff, allowing a large police force backed by helicopters to capture them in the territorial waters. They had all confessed to trying to smuggle narcotics. (Source: Khaleej Times, 15/11/2011)

**SAUDI ARABIA: 2 CHADIANS, SAUDI BEHEADED FOR RAPE**

November 14, 2011: Three men, a Saudi and two Chadians, were executed in Jeddah, Saudi Arabia.

Badr bin Sami Al-Sudani (Saudi), Ahmad Zain Ishaq and Muhammad Bashir

Hasan (both Chadians) were sentenced to death after being convicted of raping a maid and two men in a house in the Al -Mushrefah district of north Jeddah two years ago.

According to the court verdict, the men attacked the maid after she started screaming when she saw strangers scaling the outside wall of the house.

The criminals overpowered two men who came out of their rooms hearing the woman's screams. They tied and gagged the men before sodomizing them. Police started investigations and arrested the culprits shortly afterward. "The trio broke into the house late in the night. The first and third defendants, Al-Sudani and Hasan, raped the housemaid repeatedly after threatening to kill her. They also attacked three other people in the house and raped two of them. Their crimes also included robbing the house," an Interior Ministry statement said. (Source: ARAB NEWS, 15/11/2011)

**SOMALIA: PUNTLAND COURT SENTENCES TO DEATH AL SHABAAB LINKED MAN**

November 12, 2011: A court in Somalia's semi-autonomous state of Puntland sentenced a man found guilty of having links with the al Qaeda affiliated group al Shabaab to death.

Osman Abdi Gabow confessed to being involved in security related activities in parts of Puntland towns, according to Puntland judge Ali Nur Jama in Garowe town.

The judge also told the media that there is evidence, including video, showing he took part in several vandalism activities. “Mr. Osman was sentenced to death for his involvements in roadside bomb attacks in Garowe, the capital of Puntland state and the port town of Bosaso, about 1,500 km north of Mogadishu” Jama was quoted as saying and added that several Puntland officials were killed in those bomb attacks. (Source: Allheadlinenews.com, 13/11/2011)

#### **NIGERIA: 924 PRISONERS ON DEATH ROW –LEDAP**

November 11, 2011: A non-governmental organization, Legal Defence and Assistance Project (LEDAP) has disclosed that 924 Nigerians have been sentenced to death and are awaiting execution in Nigeria. According to LEDAP, South West Coordinator, Mr. Dare Adeoye, the finding is contained in the recent publication of the organization, disclosing that eight out of the condemned people are female. “As of July 2011, 924 persons awaiting execution are being held in death row cells in maximum security prisons at

Kirikiri, Lagos, Enugu, Jos, Kaduna, Port Harcourt, Warri and Ibara (Abeokuta). 96 countries have abolished the use of the death penalty while 59 countries including Nigeria still use it.

“In Africa, many large democratic states have abolished it, including Senegal, Ghana, South Africa, Gabon and Togo. 49 countries permit it but have not used the death penalty for at least 10 years”, LEDAP findings show. “The offences that carried death penalty are murder, armed robbery, treason and conspiracy to treason, kidnapping (Abia, Akwa Ibom, Anambra, Ebonyi Enugu and Imo states), instigating an invasion of Nigeria, fabricating false evidence leading to the conviction and death of an innocent person and aiding the suicide of a child or lunatic. In the states practicing Sharia (Islamic) Law, such as Bauchi, Borno, Gombe, Kaduna, Kano, Kebbi, Jigawa, Niger, Sokoto, Yobe and Zamfara states, the following offences attract death penalty; Rape, Incest, Liwat (homosexual sodomy) and Zina (adultery).” Meanwhile, participants at the workshop organized by LEDAP in Osogbo on “Reform of Criminal Justice Administration and Death Penalty” were divided on whether the death penalty should be abrogated or not. Those who canvassed for abolition of death penalty noted that life is sacred

and nobody under any guise has right to take it while those who wanted it retained said for such heinous crimes that attract the ultimate penalty, there is no other punishment that commensurate with the gravity of the offence. (Source: Sunnewsonline.com, 11/11/2011)

### **'INTO THE ABYSS' REVIEW: EMOTIONS ON DEATH ROW**

November 11, 2011: "Into the Abyss", a Werner Herzog documentary about a killer on Death Row, opens today as part of the DOC NYC festival.

Written, directed and narrated by Herzog in his familiar singsong cadences, "Into the Abyss" explores the case of Michael James Perry, who was convicted with accomplice Jason Burkett for a 2001 triple murder in Conroe, Texas. Their motive: a red Camaro. Perry got the death sentence. Burkett got life. In interviews, each blames the other for the killings.

Subtitled "A Tale of Death, a Tale of Life," Herzog's film is built around contemplative and revealing talks with inmates, family members, a sheriff, a reverend, an ex-Death Row supervisor and a few local characters.

Herzog remains offscreen but gently present, prodding his subjects to explore their deepest feelings. Because that's what matters to him: emotions.

Not facts - not the truth of what happened that night, not the guilt or innocence of Perry and Burkett, not even the raw number-crunching for Texas executions, although Herzog makes clear his opposition to the death penalty.

In jailhouse interviews, the perpetrators come across as oddly mature (Burkett) and unnervingly childlike (Perry). Much more stunning - and candid - are clips of Burkett's dad, a repeat felon himself, as he assesses his own failings as a parent. Jason, he says, "had trash for a father." "Into the Abyss" bears the usual Herzog hallmarks: the uncanny music (in this case, restless string arrangements by Mark De Gli Antoni); the clear-eyed cinematography by Peter Zeitlinger, scattered with eerie Herzogian stillness; the flights of poetic narration. His usual fixation on the madness of nature shows up once, as Perry recalls an Everglades canoe trip plagued by alligators and monkeys. But Herzog, as ever, is obsessed most of all with human nature: "Into the Abyss" explores our deepest urges to love, and live, and kill. (Source: Sfgate.com, 11/11/2011)

### **AFGHANISTAN: MOTHER, DAUGHTER STONED TO DEATH**

November 10, 2011: An Afghani mother and her young daughter were stoned and shot to death for "adultery and

moral deviation” in the town of Ghazni, in the eastern part of the country.

Security officials told the BBC that the armed men carried out the execution while the residents of the town abstained from intervening or calling for help.

The armed men reportedly dragged the woman, a widow who lives with her daughter, out of their home and started stoning them; then the two were later shot. Police forces arrested two men over their involvement in the crime and they are believed to be affiliated with the Taliban.

The town of Ghazni is supposedly under the control of the Afghani security forces, yet in reality much of the area is believed to be ruled by the Taliban.

(Source: bikyamasr.com, 12/11/2011)

#### **CHINA: BROTHERS, FATHER GET DEATH SENTENCE FOR FRAUD**

November 7, 2011: Two brothers and their father were sentenced to death for cheating 15,000 investors out of over \$1.1 billion in east China’s Zhejiang province.

Ji Wenhua, president of the Yintai Real Estate and Investment Group, was sentenced to death for the fraud, said the Intermediate People’s Court in the city of Lishui, where the company was based, Xinhua reported.

However, his brother, Ji Shengjun, and father, Ji Linqing, could be spared execution as their death penalties have a two-year reprieve.

The family, along with others, had illegally raised over 7.04 billion yuan (\$1.12 billion) between 2003 and 2008 before they were arrested in 2008 for not informing investors that their company had been losing money for years, according to the court.

A third brother, Ji Yongjun, was sentenced to life imprisonment.

The four men also had their political rights deprived for life and personal property confiscated.

The court also sentenced two other people involved in the case to three years in prison each. (Source: HillPost.in, 07/11/2011)

#### **IRAQ: TUNISIAN’S EXECUTION POSTPONED AFTER INTERVENTION BY GHANNOUCHI**

November 4, 2011: The execution of a young Tunisian in Iraq has been stayed after the intervention of Ennahda party leader Rached Ghannouchi.

Yosri Triki left Tunisia to fight against the United States in Iraq in 2003. His execution by the Iraqi government, rumored to be scheduled for today, has been suspended, pending a future trial. According to Yosri’s father, Fahker Triki, the personal intervention of Rached

Ghannouchi, leader of moderate Islamist party Ennahda, was instrumental in securing the delay. An Ennahda spokesperson confirmed this new development.

Yosri was captured by the Iraqi police on May 5th, 2006 in the Salaheddine district, located in northern Iraq. Under reported conditions of torture, Triki admitted to his involvement in the bombing of Marqad al Imamayn Houssin and Hedi Askari — a tomb of two imams located in Samarra, north of Baghdad. According to Rachid Mefli, a lawyer and legal director for Al Karama Human Rights Association, Triki was forced to sign a statement of confession in October of 2010. Without a chance to defend himself, Yosri was sentenced to death that very month, on October 10th.

Ennahda's spokesperson could not comment on the future of Yosri Triki's case, however, and could neither confirm nor deny Fakher's claims that the trial would be reopened after Eid's conclusion. (Sources: Tunisia-live.net, 04/11/2011)

#### **MALAYSIA: ZAMBIAN WOMAN TO HANG FOR DRUG TRAFFICKING**

November 4, 2011: A Zambian woman was sentenced to death in Malaysia for trafficking in 770.2gm of

methamphetamine at the Penang International Airport.

Judicial Commissioner Mohd Amin Firdaus Abdullah found Mailesi Phiri, 34, guilty of the offence under Section 39B of the Dangerous Drugs Act 1952.

He said the court had no other choice but to order for the accused to be hanged.

Phiri, who committed the offence at 7.30pm on Dec 8 last year, looked momentarily stunned when the judgment was delivered. She broke into tears as she was led out of the courtroom later.

In her defence Phiri testified that her Nigerian boyfriend's brother George her given her the luggage, which contained the drugs, at the Mozambique airport before she headed to Penang.

She also said that George had repacked her belongings. (Source: Eastday.com, 08/11/2011)

#### **MALAYSIA: THREE IRANIANS SENTENCED TO DEATH**

November 4, 2011: A Malaysian high court sentenced three Iranians to death by hanging after they were found guilty of trafficking drugs, state-run media reported.

The three men were detained at Kuala Lumpur International Airport in early February and brought to Serdang Hospital in Selangor state for further

examination. They were eventually found to have swallowed dozens of capsules with a combined total of 859.9 grams (30.3 ounces) of syabu, the local word for methamphetamine.

The defendants had come from Iran to Malaysia to find work and claimed they thought the capsules contained bodybuilding steroids, vitamins and powdered toothpaste. But Judge Datuk Mohtarudin Baki rejected this, saying the claims "did not hold water," according to the Bernama state-run news agency. (Source: Channel6newsline.com, 04/11/2011)

### **CALIFORNIA (USA): NO EXECUTIONS UNTIL 2013**

November 3, 2011: There will be no executions in California until 2013 because of a federal judge's decision today.

Executions have been delayed since 2006 by court order as lawyers argue the issue of California's lethal injection procedures. A timetable proposed by attorneys for both the state and a variety of condemned individuals was approved by U.S. District Judge Richard Seeborg in San Francisco, to give both sides time for evidence exchanges. This will push back any scheduled executions into 2013 because of the time it takes a judge to rule and the expected appeals by the losers. At issue

is California's constitutional ban on cruel and unusual punishment. Several federal court rulings during the past 5 years have required prison officials to revise execution techniques to conform with existing law. (Sources: Cal Coast News, Associated Press, 03/11/2011)

## **News from International NGOs - November 2011**

### **PRI Conducts Expert Meetings on Holistic Rehabilitation and Torture Prevention in Tbilisi**

Within the framework of the Torture Prevention project two consecutive events were organised in Tbilisi for the experts from Armenia, Azerbaijan and Georgia between 23 - 30 November 2011. One event was a training of trainers provided by the Freedom from Torture on holistic rehabilitation issues and the other one was an expert meeting with the researcher from the Bristol University to discuss the country background studies on Armenia, Azerbaijan and Georgia. The Bristol University Human Rights Implementation Centre and Freedom from Torture are the official partners of PRI Torture Prevention project.

The ToT of the Freedom from Torture was a long planned and well organised event, where apart from the training participants also received all the needed materials for their further trainings that they are going to deliver to others. The Trainer's manual and other training materials on holistic rehabilitation were developed specifically for this event. The group of trainees was a multidisciplinary one comprised of lawyers and psychologists. The trainees were mainly acquainted with the holistic rehabilitation as an approach for the work with the survivors of torture and also techniques of training adult professionals on rehabilitation work. On the last day of the event the participants of the training group met with one of the rehabilitation centres in Tbilisi, "Emphaty". The mentioned organisation provides rehabilitation services to the victims of torture and a number of their staff was trained within the framework of the PRI current Torture Prevention project. The meeting with the executive director of the organisation was very fruitful also because a number of future possible cooperation aspects were discussed. The meeting of national experts with the Bristol University researcher was mainly aimed at reviewing the draft country background reports and adding the missing information. The researcher

brought forward some questions that he came across while working on the papers. The country experts were also asked to provide relevant comments on sections of the country reports, which they think could have more relevant information. The three day expert workshop was very productive and as a result the country background research papers were enriched with the relevant information received from the country experts and also with recommendations to the states at the end of the research papers.

Both events were organised by the PRI regional office in Tbilisi within the framework of the Torture Prevention project. The PRI Tbilisi office provided all the logistical and organisation support for the events and they both went flawless.

Apart from the mentioned events, PRI also met with some local partners on the ground, in particular with the Ombudsman of Georgia and UN OHCHR regional office executives. With both partners the possible future cooperation was discussed. The OHCHR office in particular expressed willingness to participate in the upcoming events of PRI next year and also support PRI on local level in all three South Caucasus republics.

## **Enhancing Torture Prevention - OPCAT Global Forum**

(30 November 2011) On 10 and 11 November, nearly 300 representatives from over 90 countries gathered in Geneva to take stock of progress and challenges in the prevention of torture, five years after the Optional Protocol to the Convention against Torture entered into force. The Global Forum was organised by the Association for the Prevention of Torture (APT).

The Optional Protocol to the Convention against Torture (OPCAT) was a ground-breaking development as it was the first international treaty to create not only an international monitoring body, but an obligation of states to establish such a mechanism at the national level where it would allow for more regular visits to places of detention, increasing the preventive effect. At the international level, the Sub-Committee to Prevent Torture (SPT) conducts visits to states parties of the OPCAT. But at the same time, countries which ratified this convention are obliged to establish so-called National Preventive Mechanisms (NPMs) and to allow them to conduct unannounced visits to any place where people are deprived of their liberty. Five years into this system of preventive visits to places of detention being in force, the forum was convened in order

to take stock of progress and challenges faced by the SPT and the NPMs in the prevention of torture and other forms of ill-treatment and to discuss how the work of the mechanisms established under this convention could be improved.

A variety of workshops looked into specific issues and raised various suggestions and recommendations for improvement. The exchange of experience ranged from thematic workshops on an inclusive strategy in torture prevention, the enhancement of the SPT's impact and ratification campaigns to regional workshops. A conference report summarising the discussions and recommendations will be published by the APT early next year. PRI was represented by the Policy Director Andrea Huber and Torture Prevention Project Manager Mushegh Yekmalyan and, for example, raised that many of the conditions in detention amounting to torture and ill-treatment result from overcrowding. As a consequence, it would be important to look into and address the underlying causes of this phenomenon. At the same time, it would require the SPT and the NPMs to analyse criminal justice issues more broadly, beyond issues relating directly to the infrastructure and rules regulating the detention facilities. PRI Policy Director Andrea

Huber was one of the session rapporteurs of the OPCAT Global Forum. Alongside the in-depth discussions on the impact of the mechanisms created by the OPCAT, the Forum provided PRI with an opportunity to meet with representatives of the APT, the Office of the High Commissioner for Human Rights and various partner organisations, experts and stakeholders. PRI also promoted its bilingual website “Together against torture”. This first networking event has allowed the main players to share good practices and identify ways forward: to continue the campaign of OPCAT ratification as well as ensuring implementation on the ground by increasing the effectiveness of national monitoring bodies, and to include new actors in the process. If you would like to find out more about the OPCAT Global Forum organised by APT, including a webcast of the whole conference, please click [here](#). To find out more about the APT’s work on torture prevention, click [here](#).

### **PRI at the UN Committee Against Torture: Review of Belarus**

On 10 November 2011, Penal Reform International, along with a group of independent Belarusian human rights NGOs, with the cooperation of Human Rights House, provided oral evidence in

relation to the review of Belarus at the 47th session of the United Nations Committee against Torture. A copy of PRI’s oral statement (delivered by Jacqueline Macalesher, Death Penalty Project Manager) to the Committee against Torture can be downloaded [here](#).

The priority recommendations raised by the NGO coalition regarding the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Belarus included:

- Establishment of legal controls to prevent torture including a legal definition of torture;
- Investigate the illegal use of force by police, prison and other security officials, to guarantee that there is not impunity from prosecution;
- Independently monitor prisons and other places of detention;
- Strengthen the parliamentary Working Group on the Death Penalty to work towards implementing a moratorium, and provide information to the family of those executed as to the place of burial;
- Uphold and guarantee the independence of the judiciary and lawyers.

The oral evidence was supported by a joint NGO report on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment by the Republic of Belarus. The report was prepared by a group of Belarusian independent non-governmental organisations: Committee "Solidarity", Legal Initiative, the Belarusian Helsinki Committee, Centre for Legal Transformation, National Civil Society Platform, and the Human Rights Centre "Viasna", in partnership with Penal Reform International and Human Rights House. A copy of the full report can be downloaded [here](#) and the summary can be downloaded [here](#).

On 11 and 14 November the UN Committee against Torture began its consideration of the fourth periodic report (CAT/C/BLR/4) submitted by Belarus. Mikhail Khvostov, Ambassador and Permanent Representative of Belarus to the United Nations at Geneva, presented the report which covers how it implemented the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment during the period from September 1999 to August 2009.

A Webcast, provided by the Human Rights House Network and the Centre for Civil and Political Rights, of the Committee's review of Belarus can be accessed [here](http://www.ustream.tv/channel/cat-webcast1): <http://www.ustream.tv/channel/cat-webcast1>

The concluding observations of the Committee against Torture will be published in the last week of November.

[PRI Oral Statement to CAT Belarus Death Penalty 47th session \(114 KB PDF\)](#)

[BELARUS NGO Report to CAT FULL REPORT 47th session \(1.21 MB PDF\)](#)

[BELARUS NGO Report to CAT Summary 47th session \(218 KB PDF\)](#)

### **PRI Submits Comments on Draft New EU Human Rights Strategy**

New EU Human Rights Strategy (23 Nov 2011) Ahead of a consultation meeting with civil society on 14 November PRI submitted comments on the draft new EU Human Rights Strategy, "New Direction for the EU on Human Rights and Democracy". The comments were also submitted to the European External Action Service, the EU Human Rights Working Group (COHOM) and Members of the European Parliament.

The EU, through its foreign policy instruments, its enlargement process and as an actor at regional and international inter-governmental organisations plays a significant role in shaping the human rights discourse and in promoting and supporting the

implementation of human rights standards within its foreign relations. However, given the seismic changes in the world since the current EU human rights strategy has been adopted in 2001, the review of the current EU strategy on human rights has long been awaited, and provides a rare opportunity to demonstrate leadership in enhancing human rights implementation through foreign relations.

PRI therefore very much appreciates the initiative to review the EU Human Rights Strategy. At the same time, the organisation noted that the process of consultation - of other EU institutions, member states and civil society actors - appears to be very rapid, given an initial draft has only been made available in November.

As for the draft of a new EU Human Rights Strategy, amongst other comments, PRI raised that criminal justice issues, penal reform, detention and imprisonment are not given the appropriate weight, in the light of 10.2 million people incarcerated globally, a large percentage of them awaiting trial, while presumed - and often found - to be innocent.

PRI also noted that, while stressing the importance of the rule of law, to date EU foreign policy has an almost exclusive scope of police cooperation

and prosecution relating to the fight against drugs and organised crime with a link to the EU. References to the “independence of the judiciary”, “access to justice and redress” or to the “functioning of the judiciary” remain rare and general. The development of a policy is envisioned only for the area of transitional justice, hence not encompassing (criminal) justice issues in third countries beyond dealing with abuses in previous armed conflicts.

PRI therefore, amongst others, recommended expanding the section on justice issues, on detention and imprisonment and consider the drafting of a policy document or guideline in order to outline the EU’s concrete objectives, benchmarks and possible measures in order to strengthen the judiciary in third countries, and to enhance the criminal justice system more specifically.

Please find PRI’s full submission on the draft new EU Human Rights Strategy [here](#)

### **Belarus: Two Sentenced to Death over Minsk Metro Bombing**

30 November 2011 - A court in the Belarusian capital Minsk today handed down death sentences for two men after what Amnesty International said

was a flawed trial that fell short of international standards.

The court convicted Dzmitry Kanavalau of producing explosives and committing terrorist attacks, including in Minsk metro system earlier this year.

Uladzslau Kavalyou was found guilty for assisting him and failing to inform the authorities.

“We have serious concerns that both Dzmitry Kanavalau and Uladzslau Kavalyou were ill-treated in order to force them to confess and that this trial does not stand up to international scrutiny,” said John Dalhusien, Europe and Central Asia Deputy Programme Director.

“Belarus has a flawed justice system and routinely flouts international fair trial standards, increasing the risk of a miscarriage of justice exists and of executing an innocent person.”

During the trial, Uladzslau Kavalyou retracted his confession which he claims was obtained under pressure. He stated that during the interrogation he heard Dzmitry Kanavalau screaming and assumed that he would also be tortured. His mother claims that both men were beaten during interrogation. There are reports that an ambulance was called during Dzmitry Kanavalau’s interrogation, due to the ill-treatment he had suffered.

Both men were detained on 12 April, the day after an explosion in the Minsk metro killed 15 people and injured hundreds.

The following morning, President Alyaksandr Lukashenka violated their presumption of innocence by declaring that two men who had been detained had confessed to carrying out the attack, as well as previous bomb attacks in Belarus. In fact, Dzmitry Kanavalau and Uladzslau Kavalyou were not questioned until later that day.

There is no forensic evidence linking either man to the explosion, and no traces of explosives were found on them. Numerous experts have refuted the allegations that they prepared explosives in a basement, concluding it would have been impossible to do so. The trial repeatedly flouted the men’s fundamental rights, including by blocking key witnesses for the defense, and relying on video footage of the men that had been allegedly tampered with. Amnesty International has repeatedly condemned the use of the death penalty in Belarus. Despite public statements hinting at a moratorium on the practice, Belarusian authorities executed two men in 2010 and at least one man so far this year.

“The death penalty is irrevocable and we oppose its use in all cases. President

Lukashenka should immediately declare a moratorium on the death penalty and join the growing ranks of countries that have abandoned this barbaric punishment," said John Dalhuisen. "The death penalty is the ultimate cruel, inhuman and degrading punishment. Belarus remains the only country in Europe and the former Soviet Union which still carries out executions."

### **Oregon State Governor Blocks Executions and Opens Door To Abolition**

25 November 2011 - Amnesty International has hailed the principled stance of a US state governor who this week imposed a moratorium on executions for the rest of his term in office.

Oregon governor John Kitzhaber issued a reprieve to convicted murderer Gary Haugen, who was due to be executed on 6 December after giving up his appeals.

Kitzhaber said Oregon's death penalty was "neither fair nor just" and that he would allow no further executions while he is governor.

"This sort of principled stand is something we have seen too little of in the USA as executions there have continued, even as other countries have abandoned this punishment," said Rob

Freer, Amnesty International's USA researcher.

"Oregon's state legislature should seize the opportunity provided by Governor Kitzhaber and turn this temporary moratorium into permanent abolition." Governor Kitzhaber announced on 22 November that he was blocking the execution of Gary Haugen, a 49-year-old man facing death by lethal injection after waiving his appeals.

A day earlier, the Oregon Supreme Court had ruled that the execution could go forward, narrowly rejecting a petition seeking a new mental competency hearing for Haugen. Haugen was sentenced to death in 2007, along with Jason Van Brumwell, for the murder of fellow inmate David Polin in Oregon State Penitentiary in 2003.

Earlier this year, a neuropsychologist assessed Haugen as suffering from a "delusional disorder that makes him incompetent to be executed".

Oregon has carried out two executions since judicial killing resumed in the USA in 1977 – one in 1996 and one in 1997. Both were executed during Governor Kitzhaber's first term in office.

Governor Kitzhaber said that he had allowed the two earlier executions to go ahead "despite my personal opposition to the death penalty."

"I do not believe that those executions made us safer; and certainly they did not make us nobler as a society. I could not participate once again in something I believe to be morally wrong," said Kitzhaber.

The governor noted that many judges, prosecutors, legislators and victim family members were now in agreement that Oregon's capital justice system is "broken".

He called on the state legislature to "bring potential reforms before the 2013 legislative session", adding that he was "convinced we can find a better solution" to violent crime that promotes public safety and assists victims and their families.

Governor Kitzhaber said that he had chosen not to commute Gary Haugen's death sentence, or any of the other 36 inmates on the state's death row, because "the policy of this state is not mine alone to decide".

"What Governor Kitzhaber has done is entirely consistent with the abolitionist spirit of international human rights law and the UN General Assembly's repeated calls for a global moratorium - other US states should follow his example" said Rob Freer.

Governor Kitzhaber was elected to a third four-year term as governor in 2010, taking office in January 2011. His term runs until January 2015.

## **Idaho Urged To Prevent First Execution in 17 Years**

17 November 2011 - The US state of Idaho should prevent its first execution in 17 years, Amnesty International has urged ahead of tomorrow's planned execution of a death row prisoner. Paul Rhoades, 54, is due to be put to death by lethal injection on Friday, in what would be Idaho's first execution since 1994, and only its second in more than half a century.

"The execution of Paul Rhoades looms at a time when many in the USA are questioning the death penalty and when a clear majority of countries have turned against judicial killing," said Rob Freer, Amnesty International's USA researcher.

Paul Rhoades has been on death row for nearly a quarter of a century. He was arrested on 25 March 1987 and charged with three separate murders committed over the previous month. He was sentenced to death a year later.

The Idaho Commission of Pardons and Parole has refused to hold a clemency hearing for Paul Rhoades.

He had sought the hearing and a commutation of his death sentence to life imprisonment without the possibility of parole.

His petition stated: "Over the past 24 years, I learned that repentance is the only positive way to express my guilt and remorse. For me, repentance means finding ways to make amends for my actions, even if those efforts seem inconsequential in comparison to the crimes I committed... I try to make amends by helping others move from anger toward reconciliation."

A number of Rhoades' fellow inmates submitted letters in support of clemency saying he had changed their lives by persuading them to turn away from violence or by helping them in other ways.

"The death penalty rejects any notion of reconciliation or rehabilitation, labelling the condemned prisoner as an object to be toyed with and discarded. This is a punishment that offers no constructive solutions to violent crime," said Rob Freer.

Lawyers for Paul Rhoades are challenging Idaho's lethal injection procedures, including the selection and training of the execution team. On Monday, a federal judge refused to issue a stay of execution. The issue is now before the US Court of Appeals. Paul Rhoades' childhood was marked by physical, psychological and emotional abuse. In 2006, a psychologist described his as "a damaged human being with little opportunity to be a healthy adult".

The judges who imposed the death sentences on Rhoades did not have the full picture about his background and severe addiction to the drug methamphetamine.

Rhoades' victims were school teacher Susan Michelbacher and convenience store clerks Stacy Baldwin and Nolan Haddon.

He received two death sentences for the murders of Stacy Baldwin and Susan Michelbacher, and life imprisonment for the murder of Nolan Haddon.

There are 14 people under sentence of death in Idaho. The last execution, of Keith Wells in 1994, was the first in the state since 1957. Keith Wells had given up appeals against his death sentence. There have been 42 executions in the USA this year and 1,276 since judicial killing resumed there in 1977.

### **Iraq Urged To Commute Death Sentences As 11 Are Hanged**

17 November 2011 - The Iraqi authorities must commute all death sentences and ensure verdicts are not based on forced confessions involving torture, Amnesty International said today after 11 people, convicted of terrorism-related offences were hanged in Baghdad on Wednesday.

Among the executed men was a Tunisian national who was sentenced to

death for his alleged involvement in an attack against the al-‘Askari Shi’a Muslim Shrine in Samarra in February 2006 which sparked an eruption of sectarian violence. A further 10 people are reportedly due to be executed in Iraq today.

“While the Iraqi government has the right to bring to justice those responsible for serious crimes, the death penalty violates the right to life and should not be used in any case” said Philip Luther, Amnesty International’s Acting Director for the Middle East and North Africa.

“Given the appalling state of Iraq’s justice system, it is questionable whether these 11 people received a fair trial.

“Iraq must immediately commute the death sentences of the hundreds of people remaining on death row in the country. The authorities must also ensure that trials meet international standards for fair trial, and are not based on confessions extracted under torture and other ill-treatment,” he said.

Yosri Trigui, a Tunisian who had been living in Iraq since 2003, was arrested in 2006 by US forces for his alleged involvement in terrorist acts.

In October 2006 he was sentenced to death for his involvement in a bomb attack in Samarra in February 2006. The

shrine was considered one of Shi’a Islam’s holiest sites and the attack sparked a surge in sectarian violence between Sunni and Shi’a Muslims in Iraq.

He was also convicted of the killing of a female Iraqi journalist from the Al Arabiya TV channel, Atwar Bahjat. Amnesty International has previously voiced concern that Yosri Trigui’s trial did not appear to meet international standards.

The execution of the 11, including one woman, took place in spite of attempts by Tunisian authorities to obtain a pardon for Yosri Trigui.

Trials in Iraq consistently fall short of international standards for fair trials.

The Central Criminal Court of Iraq (CCCI), established by the Coalition Provisional Authority in 2003 after the US-led military invasion of the country, is the main criminal court, which handles crimes relating to terrorism, sectarian violence, organized crime and government corruption.

The court has handed down the vast majority of the death sentences.

Defendants often complain that “confessions” are extracted under torture and other ill-treatment during pre-trial interrogation, often when they were held incommunicado in police stations or in detention.

Defendants are often not brought before an investigative judge within a reasonable time and not told of the reason for their arrest.

The “confessions” extracted from them are often used as evidence against them at their trials, and accepted by the courts without taking any or adequate steps to investigate defendants’ allegations of torture.

Such “confessions” have also frequently been broadcast on the Iraqi government - controlled satellite TV Al Iraqiya. This practice undermines the presumption of innocence, which is a fundamental human right.

Trial proceedings before the CCCI are very brief, often lasting only a few minutes before verdicts are handed down.



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