

# Crime and Justice

## Death Penalty and the Right to Life

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



June 2011

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## CRIME AND JUSTICE

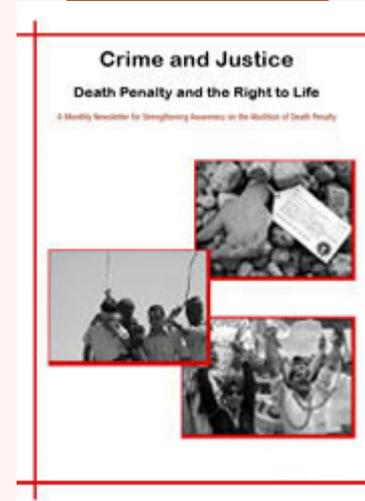
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#### **Amnesty's Tireless Vigil during South America's Dark Night**

Marcela Valente\*

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Peter Richards

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## PROJECT ARTICLES

### **Amnesty's Tireless Vigil during South America's Dark Night**

**By Marcela Valente\***

BUENOS AIRES, May 28, 2011 (IPS) - In the 1970s, with no Internet or social networking sites to get information out, Amnesty International managed to become a thorn in the side of the dictatorships of the Southern Cone of South America, several people who benefited from its advocacy work recalled on the occasion of the rights watchdog's 50th anniversary.

"[Amnesty International](#) played a key role in the release of prisoners of conscience in our countries," 1980 Nobel Peace Prize-winner Adolfo Pérez Esquivel told IPS. "I myself was one of those prisoners."

Pérez Esquivel, an Argentine human rights activist, was the founder of the [Peace and Justice Service \(SERPAJ\)](#). In 1977, the military regime that ruled Argentina from 1976 to 1983 arrested and tortured him, and held him for 14 months as a political prisoner.

In 1961, British lawyer Peter Benenson wrote the article "[The Forgotten Prisoners](#)", which was published on the front page of the London Observer newspaper on May 28, 1961.

The article called for the release or fair trial of six detainees in different countries, who were described for the first time as "prisoners of conscience." It was reprinted in newspapers around the world and became an amnesty campaign that marked the birth of the organisation.

Delegates from Belgium, France, Germany, Ireland, Switzerland, the United Kingdom and the United States held their first meeting in July that year and decided to establish "[a permanent international movement in defence of freedom of opinion and religion](#)".

On Dec. 10, 1961 the first candle – which became the symbol of Amnesty International – was lit in remembrance and support of all prisoners of conscience, in the church of St Martin-in-the-Field in London.

Pérez Esquivel describes the basic mechanism followed by Amnesty: "They adopted prisoners of conscience in a country and held global campaigns for their release."

Solidarity with the prisoners was expressed through letters to governments, which were also published by the press.

Amnesty was the first human rights group to send a delegation to Argentina during the 1976 to 1983 dictatorship to assess the state of human rights and investigate reports of illegal detentions, torture and forced disappearance.

An estimated 30,000 trade unionists, left-wing activists, students, journalists and other opponents were victims of forced disappearance at the hands of the military regime.

The subsequent report, published in 1979, included the names of 2,665 missing people whose whereabouts the regime denied any knowledge of.

"Amnesty was a great support for the nascent human rights groups of mothers and grandmothers" seeking their missing children and grandchildren, said Pérez Esquivel.

By 1970, Amnesty was a network of 850 groups in 27 countries. In 1977, it was awarded the Nobel Peace Prize. Today, it is a global movement with more than three million members in 150 countries,

and its global actions focus on an increasingly broad spectrum of social groups that are victims of abuses.

Indigenous people, violence against women, the death penalty, prison conditions, police brutality, torture, the right to development of the poor, and arms control are all issues that have been the focus of its campaigns.

But in Argentina, as in Brazil, Chile, Paraguay and Uruguay, Amnesty is remembered best for its actions on behalf of the victims of persecution by the dictatorships governing the Southern Cone countries in the 1970s and 1980s.

The 1973-1985 Uruguayan dictatorship, which attempted to keep a low profile, did not escape Amnesty's accusing finger. In a 1976 report, the organisation stated that by December 1975, "one in every 500 inhabitants of Uruguay was in prison for political reasons and one in every fifty citizens had been through a period of imprisonment, which for many included interrogation and torture."

This gave Uruguay the highest per capita rate of political prisoners in the world, the rights group said, adding that torture was a routine practice in

political cases.

Ivan Morris, chairman of Amnesty International USA, wrote at the time that "The police and army have perfected a revolting variety of torture methods".

During the 1964-1985 military regime in Brazil, Amnesty played an important role, the organisation's Brazil researcher Patrick Wilcken told IPS.

On Mar. 19, 1973, Amnesty issued its first urgent action, on behalf of a Brazilian arrested and tortured for political reasons: University of São Paulo professor of history Luiz Basilio Rossi.

The Brazilian authorities began to receive thousands of letters from around the world in support of Rossi. "I knew that my case had become public, I knew they could no longer kill me. Then the pressure on me decreased and conditions improved," the professor said later.

Rossi was arrested at his home in São Paulo and released seven months later. In cooperation with the Catholic Church, Amnesty managed to get the professor and his family out of the country.

Amnesty also sent the United Nations a

list of 210 people who died in mysterious circumstances while in custody, and in 1975 it took 240 political prisoners under its protection.

"Amnesty International's actions and campaigns contributed to the opening up and eventual democratisation of Brazil," said Wilcken. The rights group continues to demand that those responsible for the human rights abuses be brought to justice.

The urgent action "turned out to be a simple but effective strategy," and today it is used by many organisations, said Wilcken. The urgent action network created in 1973 now issues some 350 urgent actions every year.

Its participants are ready to send letters, email and faxes to authorities around the world on behalf of people at risk of torture or ill-treatment, who have been unlawfully arrested or are being held incommunicado, are on hunger strike in protest against human rights abuses, have urgent health needs, are in danger of imminent execution, are faced with imminent repatriation to countries where they may be at risk of torture, forced disappearance or death, or are threatened with extrajudicial execution.

After General Augusto Pinochet staged

the military coup in Chile in 1973, Amnesty became one of the regime's most tenacious watchdogs. That year, the de facto regime agreed to the visit of three Amnesty delegates to investigate allegations of human rights violations.

On the first anniversary of the coup, in 1974, Amnesty published a report exposing political oppression, executions and torture under the Pinochet regime.

During Chile's 1973-1990 dictatorship, more than 3,000 people were killed or "disappeared" and some 30,000 were tortured. But when he stepped down, Pinochet remained army chief and later became senator-for-life, which gave him immunity from prosecution.

In September 1998, few knew that Pinochet was travelling to London for surgery on a slipped disc. But three days after he arrived, Amnesty published a call to the international community, titled: "Chile: European States protect human rights? The visit of General Augusto Pinochet to Europe".

In the communiqué, Amnesty urged the countries of Europe that were party to the United Nations Convention Against Torture to assume their responsibility

and "take into custody or take other legal measures to ensure the presence of any person within its territory who has been alleged to have committed torture or an act which constitutes complicity or participation in torture."

"I was at home and I went running over to the Amnesty offices," Chilean lawyer Leonardo Aravena told IPS. "Just imagine what it was like for us. Thanks to laws that he himself had decreed, Pinochet enjoyed immunity in his country."

Aravena, a human rights defender and professor at the Central University of Chile, says the Amnesty communiqué helped usher in a debate on the responsibility of tracking down torturers wherever they were found. "It had psychological, emotional, and even media importance."

Pinochet was arrested in October 1998 by the British authorities in response to an international arrest warrant issued by Spanish Judge Baltasar Garzón, who had been investigating the former dictator since 1997. "Suddenly, an Easter gift: Pinochet was in prison; it was like a dream come true," said Aravena.

Pinochet was under house arrest for a

year and a half in London, during which time not only Spain but three other European countries requested his extradition.

The process involved recognition of the principle of universal jurisdiction over crimes against humanity because the courts determined that there were legal grounds for extradition.

But the British government released him on humanitarian and health grounds, and Pinochet returned to Chile in March 2000.

Back in his own country, he faced 40 lawsuits that had moved forward since his arrest in London. But although he was prosecuted for a number of crimes, he died in 2006 without ever being convicted.

Nevertheless, the outlook for justice in Chile had undergone a definitive change.

\* With reporting by Fabíola Ortiz in Rio de Janeiro and Pamela Sepúlveda in Santiago. (END)

## **BRAZIL: Red Tape Undermines Witness Protection – Part 2**

**By Fabiola Ortiz**

RIO DE JANEIRO, May 27, 2011 (IPS) -

The scarce funds and abundance of red tape that plague Brazil's federal witness and victim protection programme, PROVITA, effectively discourage people from stepping forward with information and hinder criminal investigations, while weakening the protection of the families whose lives depend on the service.

Nevertheless, PROVITA boasts of 100 percent effectiveness, reporting that not a single person under its protection has been killed.

"Witnesses are essential, and this service has to be strengthened, because we do not have a good system of (police) investigation, and many of the witnesses are the only available evidence to help solve cases," Rio de Janeiro state legislator Marcelo Freixo of the Socialism and Freedom Party told IPS.

Although PROVITA is a federal government programme of the Special Secretariat for Human Rights of the

Presidency, it is run in a decentralised manner. The government signs agreements with the states, which in turn work with non-governmental organisations that are in charge of providing assistance to the protected witnesses and their families.

In each state, the highest authority of the programme is the deliberative council, made up of delegates of the public prosecutor's office, the judiciary, the Secretariat (or state ministry) of Social Defence, the human rights movement, and the associations of lawyers and psychologists.

To receive protection, witnesses of a crime must be in danger, offer testimony and information useful to the investigation, and voluntarily request assistance. In exchange, they are given housing, food and skills or job training for those who have to move away from their hometown or state. They are also supposed to receive social, psychological and legal assistance.

But the programme has been denounced for delays and for failure to deliver, as illustrated by the story that MAA and his family told IPS.

Rio de Janeiro is one of the most problematic states with respect to

delivery of PROVITA funds and other assistance, along with Pará in the north and Ceará and Maranhão in the northeast.

The NGO that runs the programme in Rio de Janeiro has not received funds for four months, leaving the nearly 80 witnesses under its protection, along with their families, in a highly vulnerable position.

"In practice, this means the witness is going to die of hunger or his or her family could be evicted for falling behind in rent payments," said Freixo, who chairs the human rights committee in the Rio de Janeiro state legislature.

According to the lawmaker, there are so many witnesses in need of protection in Rio that PROVITA cannot provide assistance to all of them. He said the programme has stopped accepting new witnesses or victims because it simply does not have the funds to cover them.

As a result of these difficulties, "witnesses end up becoming criminals or victims, even though they are people living under threat who have helped the state," he complained.

Some 1,200 people in this country of 192 million are now in the witness

protection programme. The press reported that PROVITA's budget this year was not cut, and totals 8.5 million dollars. With these funds, the federal government finances around 80 percent of the costs of protection of the witnesses and their families, estimated at around 9,000 dollars a year per witness.

Since PROVITA was created in the 1990s, 4,500 people have received protection, including 1,500 witnesses. They receive coverage for two years, but that period can be extended. Four percent have dropped out of the programme.

In Rio de Janeiro witnesses are covered until the threat has vanished or until the person and his or her family are completely safe, prosecutor Renata Bressan, chairwoman of the Rio de Janeiro PROVITA deliberative council, told IPS.

Almost all of the families that request protection are poor and live in areas that have high levels of violent crime and drug trafficking or are controlled by paramilitary groups made up of police, soldiers and fire fighters.

"Some people don't want to follow so many rules, even if they are under

extreme threat. There are people who tend to break the rules," which is grounds for being kicked out of the programme, said Bressan.

"People who are able to afford it find their own protection: they move away and they don't ask for help from the state. But the programme helps many families survive," he said.

Bressan acknowledged that PROVITA has suffered from shortcomings since it was established, but stressed that it is "100 percent successful in terms of keeping people safe - no witness under our protection has ever been killed."

A civil society initiative

PROVITA emerged as a civil society response to the need to protect witnesses of murders committed by the police, organised crime groups or death squads. Today it provides assistance in cases of torture, slave labour, trafficking of weapons, people and drugs, corruption and election crimes.

It was created in 1996 at the initiative of the Legal Advisory Office for Popular Organisations (GAJOP) of Pernambuco in northeast Brazil, with support from the state public prosecutor's office. The aim was to "break the cycle of

impunity," according to GAJOP, a highly respected human rights group.

Two years later, as similar schemes began to emerge in other states, the Justice Ministry's National Secretariat of Human Rights granted them official status through agreements for technical and financial cooperation with state authorities and GAJOP, which started to help implement the new programmes.

In July 1999, a new law made PROVITA a federal system, and stipulated that a large part of its funding would come from the national budget, although the states would have autonomy in how the funds were used and NGOs would continue running the programme.

Bressan said that contracting out the service gives "a certain sense of tranquillity" because society feels there is a guarantee of neutrality.

"In Brazil, unfortunately, crime permeates politics and the secretariats of security. People have more confidence when the police are not directly involved in a programme like this," he said.

Amnesty International's Brazil researcher Patrick Wilcken told IPS that he has heard the stories about the

shortages of funds and witnesses living in "precarious situations," sometimes without even a home or incomes to survive on.

"I know the protection service is going through a rough time now due to a lack of funds and because they aren't always delivered regularly. The problem is red tape in the federal system," Wilcken said.

Amnesty plans to open an office in Brazil in the next few months, which will focus on protection for witnesses, among other human rights questions. (END)

## **BRAZIL:**

### **Protected Witness Speaks**

#### **Out - Part 1**

**By Fabíola Ortiz**

RIO DE JANEIRO, May 26, 2011 (IPS) - Despite the risks involved, a man who is under the witness protection programme in Brazil and his wife decided to tell their story to IPS, to denounce flaws in a system that, in their case, has added neglect and isolation to the total anonymity in which they must live.

On Aug. 5, 2007, MAA was shot twice in the stomach, once in the shoulder and once in the leg outside the doorway to his house on the west side of Rio de Janeiro. The order to kill him came from the "justice league", one of dozens of militias made up of police, security agents, members of the military and fire fighters who extort local residents in many neighbourhoods.

After putting up with extortion and abuses from the group for so long, MAA knew too much.

When he was released from hospital, he had to hide until he decided to give a statement to prosecutors and enter [the federal witness and victims' protection programme, PROVITA](#). Today he is 48 years old.

"I knew there was a plan to kill me," MAA told IPS in the apartment where he is temporarily living, in southeast Brazil. "After the murder attempt, I took shelter on my brothers' farm. I had no other alternative, and I didn't have any money, and my family was going to be targeted."

The "justice league" and other militias are active in many neighbourhoods in Rio, especially in the north and the west. The groups emerged in recent

years under the pretext of fighting drug trafficking but actually became new players in the drug trade, while imposing their own rules and demanding that local residents and shopkeepers make "protection" payments and pay for illegally provided services like security, transportation, electricity, cooking gas and cable TV.

When MAA (his initials) entered PROVITA, his life and the lives of his wife and their two teenage children underwent a radical change.

On Dec. 21, 2007 he signed an agreement pledging to live up to the programme's rules. "We quickly said good-bye to our family and left," said the witness, who has not seen his parents or siblings again.

They left behind the city where they had always lived, along with their plans and dreams for the future.

It wasn't just that they had to move away. Uprooting themselves at a moment's notice, without leaving a trace, whenever they received a warning from PROVITA became routine. They have so far moved to four different cities, to avoid being tracked down.

MAA, a lawyer and retired member of

the military police, and his wife, a business administrator, had a comfortable middle-class lifestyle in which they could afford health insurance and a private school education for their children.

But after they entered PROVITA, they were no longer able to exercise their professions, and for a living they depend on the delivery of MAA's pension payments by the non-governmental organisation that administers the witness protection programme.

Although PROVITA is a federal government programme, it is run through agreements with the states and non-governmental organisations, which are in charge of providing assistance to the protected witnesses.

"I was really scared of being tortured, and of dying. I'm not anymore," said MAA's 42-year-old wife MR. "I'm only afraid for the future of my children. We can't tell our story, no one knows about us. We have to lie all the time, and even if we make friends, we can't tell the truth."

They have been deprived of many things: they can't talk about their past or reveal their real identity to anyone. They can't use the computer or the

Internet, have a bank account, drive a car, or even talk on the phone. And they always have to lie about where they are from.

But more painful than these rigid rules is the scornful treatment they receive from the programme, they said.

Because of the bullet wounds that MAA received, he required intestinal reconstruction surgery. But he was not given the operation until six months later, when it was too late. By the time he underwent surgery, he was once again on the verge of death, and he lost his large intestine, he said.

"I'm still waiting for compensation for my health problems," he added.

The delivery of the funds they need to survive is also frequently delayed by red tape, they said. Nor are they able to communicate with the heads of the programme, and they are not given legal, social or psychological assistance, they complained.

For speaking out and violating the confidentiality clause of their agreement with PROVITA, MAA and MR know they can be kicked out of the programme and left on their own. But the need to get their story out was even

stronger than their fear of being left without protection.

They are one of the nearly 80 families from Rio de Janeiro who are under protection from the state. Nationwide, there are 1,200 witnesses who are receiving protection.

According to the heads of PROVITA, the programme has been 100 percent effective in the 15 years since it was founded: none of the 4,500 people under its care have been killed.

MAA and his family are not typical members of the programme, who tend to be poor.

When the order to move arrives, they often spend months living out of hotel rooms, without protection, waiting to be assigned rental housing.

The last time, the family was given one night's warning to pack up and move to another city in the northeast, carrying just three days worth of clothing, and had to spend nearly two months in a hotel until MR decided to find an apartment on her own for them to rent.

The belongings that they left behind on that occasion took several months to arrive, and had been ransacked along

the way. They were able to salvage very few things and once again had to purchase furniture and household items. They have not received reparations for this either.

And MAA and his wife say they suffer discrimination and intimidation from the PROVITA staff themselves, who treat them "like criminals."

"We already filed complaints in 2009, and suffered intimidation and threats of being removed from the programme. We're treated as if we were criminals. It's psychological torture. We feel like we're in exile, without the rights of citizens in our own country."

The health coverage, they say, is limited to prescriptions of high doses of antidepressants and other prescription drugs, although psychological assistance would appear to be indispensable.

Their children have had a hard time adapting to new schools every time they move, which generally occurs in the middle of the school year. They have had to repeat grades because of missing months of schooling.

The uncertainty of not knowing where and when they will be moving has caused problems for their children, MAA

says. Not only do they have learning disabilities and problems socialising, but they have symptoms of depression and suicidal tendencies, he said.

"We are really worried about the future of our kids. I can't work, even as a self-employed professional, which is really frustrating. The only thing I can do is stay at home," said MR.

In the three bedroom apartment where they live, the brightly coloured walls with simple decorations stand in for a real home.

After five moves in four different cities, the couple do not want to leave the peaceful southeastern town of 50,000 people where they are now living.

MR hasn't had news of her family for years either, and she cries every day. "My body aches, I miss them so much," she said.

"We were naive to believe in the programme," she added. "They stole our futures from us and didn't help us reinsert ourselves in society."

Nationwide, witnesses are to be covered by PROVITA for two years. But the [decentralised administration of the programme](#) means each state adopts its

own rules. The policy is for witnesses or victims to remain covered until they no longer face any threat.

"We are now in a process of getting back to some sort of life, but we have been outside the labour market and we need support to help us get a job," MR said.

She hopes her children will complete secondary school and that she and her husband can build a life "from scratch," at a calmer pace and without risks.

Returning to Rio is impossible, though.

When MAA offered to testify as a witness, in December 2007, the authorities arrested the heads of the "justice league". But because they have high-up contacts, they should soon be able to make it out of prison thanks to sentence reduction or commutation mechanisms.

The militias are now active in more than 300 neighbourhoods in Rio de Janeiro, state legislator Marcelo Freixo of the Socialism and Freedom Party told IPS. In 2008 he chaired a parliamentary inquiry into the paramilitary groups.

Fewer than 10 percent of homicides are solved in Rio, according to Freixo.

"Witnesses are often the only proof in a criminal investigation."

"I'm not going to give up, because it is the state's duty to keep us safe," said MAA. "I just want to be treated as a citizen. Safety and protection aren't a business deal, but a right. Today we are surviving and we are protecting ourselves," he said. (END)

## **ST. LUCIA Shootout Fuels Debate over Extrajudicial Killings**

**By Peter Richards**

CASTRIES, May 17, 2011 (IPS) - By their own account, the police said they had been monitoring five men who attempted to rob a restaurant in the south of the island, and in the ensuing gun battle, four were shot and killed, while the fifth died a few days later in hospital.

Autopsies are to be performed on the five men Tuesday. But the May 5 killings have rekindled a simmering debate as to whether the police here are engaging in extrajudicial assassinations, following rumours that some alleged criminals killed since the start of the year were on a death list drawn up by St. Lucia law

enforcement officials.

In March, local television showed a former murder suspect displaying a list that he claimed contained his name and photograph as well as 45 others, some of whom have already been killed in alleged gun battles with the police.

"Perhaps what we are doing is exchanging the untrained criminals with guns, who fight mainly among themselves in gang warfare, and replacing them with trained police criminals who wear facial masks sometimes, when they go on their illegal activities and as a rule take no prisoners," said Denis DaBreo, editor-in-chief of the One Caribbean media grouping here.

"The job of the police is to apprehend and charge and bring to court all criminals. They are supposed to do all in their power not to kill or injure anyone and are allowed to use deadly force only when their lives, or that of someone else, are in immediate threat," he wrote in his newspaper column.

"If the police use more force than is needed then they have to be charged and brought to court. This has never happened in St. Lucia and it appears that the present establishment is

steeped in the fact that it will never happen so they could kill our citizens ad infinitum."

Police Commissioner Vernon Francois vehemently denies the existence of a death squad within the St. Lucia police force, and has assured the public that recent police shootings are being properly investigated.

"A number of others are going through the court processes so that cases involving killings by police officers are the definitive subject of a review and determination is made as to whether or not the action of the Police is justified," the Commissioner said in a statement.

In January, police shot and killed one man and seriously injured another during a search for illegal weapons in a section of the capital that has witnessed frequent outbreaks of gang violence.

Attorney Mary Francis, who described the police killing of the five men earlier this month as "alarming", noted that there have been 10 killings by police officers over a three-month period. "Is this the system of government that we have set up by our constitution and our laws? I would say no, this is not our tradition. Is this the legacy that we want to bequeath for our country?" she

asked.

"I don't wish to be misunderstood and I am saying this at the risk of being criticised... but each and every time we have those police killings I want to repeat and request that an inquest must be held," she said.

She added that the government's crackdown on crime, dubbed "Operation Restore Confidence", cannot restore confidence unless it also includes accountability.

Another human rights advocate, Martinus Francois, who is a brother of the police commissioner, has repeated calls for due process as well as an inquest to determine the circumstances surrounding the deaths of the five bandits.

"I am truly worried at the perceived lack of due process, as criminals should be apprehended and put on trial. This sounds very much like extrajudicial killings, and this is not a form of justice," he told a recent news conference.

"The role of the police is to apprehend criminals and bring them to justice and not to mete out justice themselves, and it seems to me that the police are embarking on a new policy of shooting

to kill," he added.

One senior government minister has also cautioned that the police run the risk of losing the goodwill of the public who may deem them to be "judge, jury and executioner".

"We cannot allow the police or anyone else to usurp the authority of any arm of the judiciary because that would be sowing the seeds of anarchy and a more and more aggressive brand of criminality," Commerce Minister Tessa Mangal said during a recent parliamentary debate here.

St. Lucians have been turning to social media like Facebook to vent their views on the issue, with many expressing support for the police.

"For years, it appeared that the police were banging their heads against a brick [wall]," commented one person, while another summed it up by writing "damned if they do and damned if they don't. It is good to know the police are now in charge. Investigate if you must, but let them do their work."

Not everyone agrees, however.

"Tranquillizer guns would be a more civil way of doing their jobs" one citizen commented. "Bounty killings is below

the least, third world thinking."

The debate here over police killings here coincides with the annual report released by the London-based Amnesty International on May 13 that police officers in several Caribbean countries, notably Trinidad and Tobago and Jamaica, are guilty of extrajudicial killings.

(END)

## WORLD PRESS REVIEW

May 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 May to the beginning of the month.**

### **MIMIKO COMMUTES 3 DEATH SENTENCES, PARDONS 14 PRISONERS** **By Ayodeji Moradeyo**

May 31, 2011: The Ondo State governor, Olusegun Mimiko, has commuted the death sentences passed on three persons to life imprisonment, and granted executive pardon to 14 other inmates serving various jail terms. A statement issued by the special

assistant to the governor on media, Akinwale Oshodi, at the weekend, noted that the gesture which was to mark the 2011 Democracy Day was in exercise of his powers as enshrined in Section 212 of the 1999 Constitution of the Federal Republic of Nigeria, and was exercised based on the recommendation of the State Advisory Council on Prerogative of Mercy.

The trio of Sunday John, Ayodele Ikuomenihan and Oluwatimilehin Ifaramoye, who were condemned to death by hanging for murder, had been awaiting execution since September 2006.

The 14 prisoners who were pardoned and ordered to be released, were convicted for offences ranging from stealing to attempt to commit felony, impersonation, and possession of Indian hemp. They were released on the grounds of good conduct in prison and poor health.

The lucky inmates were Olusola Johnson, Busuyi Ajibola, Murudeen Meina, Jimoh Momoh Saliu, Ogungbemi Gbemileke, Victory Robert, Dada Tunde Osho, Wasiu Olalere, Ibrahim Abudu, Gbenga Joshua, Rasaki Bankole, Elegbeleye Kehinde, Ayanmo Ezekiel and Sefunmi Elegbeleye. (Source: 234next.com)

#### GAZA: MILITARY COURT SENTENCES MAN TO DEATH

May 31, 2011: The Military Court in Gaza City sentenced Fadel Msallam Shallouf, 26, from the southern Gaza Strip town of Rafah, to death by hanging, Palestinian Centre for Human Right reported.

The court convicted Shallouf of spying in favor of an enemy state (Israel), in violation of the Palestinian Revolutionary Penal Code of 1979. Shallouf had been kidnapped on January 10, 2010 by members of the Popular Resistance Committees in Rafah, and was handed over to the Internal Security Service on January 17, 2010. (Source: Palestinian Centre for Human Right, 01/06/2011)

#### IRAN: 300 ON DEATH ROW FOR DRUG SMUGGLING

May 31, 2011: Iran has 300 convicted drug smugglers on death row, Tehran prosecutor Abbas Jafari Dolatabadi said in comments published today, adding that, to his regret, few of them were major traffickers.

"300 people have been sentenced to death in relation to drug smuggling," the English-language government-owned Iran Daily quoted the prosecutor as saying.

"However, these people are not the major drug traffickers. We need to

move towards the big smugglers." Jafari Dolatabadi did not specify whether all those he referred to had exhausted all avenues of appeal. (Sources: Afp, 31/05/2011)

#### **SAUDI ARABIA: TWO MEN BEHEADED FOR MURDER**

May 30, 2011: Two men have been beheaded recently in Saudi Arabia for murder.

Ibrahim al-Muwis was executed on May 29 for the fatal stabbing of Sulaiman al-Saqr, also a Saudi, in Al-Ahsa in the east of the kingdom, the interior ministry announced in the state-run news agency SPA.

On May 27 Saudi Arabia beheaded a Sudanese man convicted of murdering a compatriot in the capital Riyadh, the interior ministry announced.

Sadiq Abdel Mullah was sentenced to death for the fatal stabbing of Ahmed Mohammed, it said, quoted by the state-run news agency SPA. (Sources: AFP, 27-29/05/2011)

#### **IRAN: TWO CHILD RAPISTS HANGED IN PUBLIC**

May 29, 2011: Iran hung two men who were previously convicted of raping young children, state-run media reported.

The state-run Islamic Republic News Agency (IRNA) reported that the men,

who were identified only as P. Mohammadi Pashterizeh and A. Namaki, were hanged in the western city of Kermanshah, the capital of Kermanshah province.

The early morning execution, which took place at around 6.30 a.m. local time, was carried out in public and was witnessed by an IRNA reporter.

Pashterizeh had reportedly been convicted of sodomizing a young child and filming the crime.

Namaki was previously convicted for raping a 9-year-old child, IRNA reported, without giving more details about the crime. The news agency said people who witnessed the execution shouted "Judiciary, thank you, thank you!" (Sources: BNO NEWS, 29/05/2011)

#### **IRAN: THE MAN WHO CARRIED OUT THE EXECUTION WAS 23 YEARS OLD - AUTHORITIES**

May 28, 2011: Ebrat News, a site close to the Iranian authorities revealed more details about the execution of Mehdi Faraji, hanged in Qazvin two days ago. According to the site, the young man who carried out the execution was identified as Ali, 23, the son of Kimia, one of the women allegedly murdered by Mehdi.

Iran Human Rights (IHR) had published a report on May 26th regarding the public

execution of "Mehdi Faraji" in Qazvin titled: "Young boy was used to carry out execution of a man in public in Iran". The information was based on eyewitness reports who said, "A young boy was used to draw the chair Mehdi was standing on and carry out the execution."

Ebrat News wrote: "The man was not a minor as claimed by some sites...so-called human rights defenders have forgotten that, according to the qesas (retribution/eye-for-an-eye) law in a murder case [in Iran], the execution must be carried out by the family or the oldest child of the offended". (Sources: Iran Human Rights, 28/05/2011)

#### **CHINA ORDERS DEATH PENALTY FOR FOOD SAFETY CRIMES**

May 28, 2011: China's Supreme People's Court ordered capital punishment for food safety crimes that result in fatalities. "Those food safety crimes leading to fatalities or any other serious aftermath should be sentenced to death in accordance with the law," the notice said. The court also urged harsher penalties for manufacturers who produce tainted foodstuffs and for food inspectors convicted of dereliction of duty. (Sources: Mysinchew.com, 28/05/2011)

#### **IRAN: FIVE MEN HANGED IN PUBLIC**

May 26, 2011: Iran hanged in public five men convicted of murder, rape, armed robbery and kidnapping, the official IRNA news agency reported.

The report said "serial killer" Mehdi Faraji (37), convicted of murdering five middle-aged women who boarded his minibus, was hanged in public in the city of Qazvin.

He was executed in the beginning of Qazvin's "Isfahan street" early in the morning.

According to the report a young boy (minor) was used to draw the chair Mehdi was standing on and carry out the execution.

IRNA said that two men, Hamid Ranjbar and Hamid Reza Baqeri, were hanged in public after they were convicted of armed robbery and abduction.

The two were executed at the "Kozegari" square of Shiraz.

Two more men, Masoud Dehqan and Mehdi Alipour, were hanged in public in the Golestan area of Shiraz, after being found guilty of rape. (Sources: Afp, IHR, 26/05/2011)

#### **IRAN: SUPREME COURT GIVES GO-AHEAD FOR REVENGE OF WOMAN DISFIGURED WITH ACID**

May 25, 2011: The Iranian Supreme Court gave the go-ahead for the punishment of Majid Mohavedi, who will be blinded with acid based on the

eye for an eye principle. He disfigured Ameneh Bahrami, 30, his university friend, with acid after she repeatedly rejected his offers of marriage, as reported by Iranian media.

The confirmation of the shocking sentence comes after its suspension in mid May, an hour before the punishment was to take place.

Amnesty International called the punishment "cruel and inhuman, amounting to torture."

The uproar regarding the sentence, the first of its kind in Iran, and the appeals by many doctors against the practice, forced the judge to suspend the punishment.

According to the Iranian press, the sentence will be carried out in a Tehran hospital after Ameneh refused to pardon her attacker. She demanded two million euros in order to renounce the punishment.

Islamic Shariah in Iran normally only applies the 'eye for an eye' principle in murder cases, where justice is achieved by inflicting the same crime on the accused.

Bahrami was 24 in 2002 when she knew Mohavedi. She was blinded in the attack and suffered severe wounds to her face and body.

Bahrami now resides in Spain where she is undergoing numerous facial reconstruction operations. In mid May

she returned to Iran to aid in the punishment of Mohavedi and has said she is ready to carry out the sentence herself. (Sources: AGI, 25/05/2011)

#### **MAURITANIA: 13 QAEDA PRISONERS MOVED TO SECRET SPOT**

May 24, 2011: Thirteen members of Al-Qaeda in the Islamic Maghreb, including eight on death row, were moved from the Mauritania capital's central jail to a secret location, security sources said.

Security sources and relatives of the prisoners said they were transferred on May 22 night by armed, masked soldiers, without explanation.

Authorities refused to comment.

Among the eight sentenced to death, three had been found guilty of involvement in the murders of four French tourists in Aleg in south Mauritania in December 2007.

The other five are serving sentences ranging from ten to 15 years.

Relatives of the prisoners staged a sit-in outside the prison on May 22 and 23, demanding information on the whereabouts of their family members.

Local media reported that "prisoners considered to be dangerous were taken by helicopter to a military prison in the north of the country." (Sources: Middle East Online, 25/05/2011)

**CHINA: COURTS URGED TO BE PRUDENT IN USE OF DEATH PENALTY**

May 24, 2011: Chinese courts were told to pronounce a two-year suspension of execution for condemned criminals if an immediate execution is not deemed necessary.

The Supreme People's Court (SPC) said, in an annual report of the work of people's courts, that death penalty should only be applied to "a very small number" of criminals who have committed "extremely serious crimes." Under the policy of "justice tempered with mercy," capital punishment reprieves should be granted as long as they are allowed by law, the supreme court said.

The people's courts have shown respect, in the use of death penalty, for the right to life, which is the most basic human rights, the report said.

"The report shows that China is more and more discreet on death penalty," Wang Sixin, a law professor at the Communication University of China, told the Global Times on May 24. The country's top court is expected to introduce a unified guideline over the use of the capital punishment in China soon. (Sources: Xinhua, Global Times, 24/05/2011)

**EGYPT: CRIMINAL COURT HANDS DOWN FIRST DEATH SENTENCE IN REVOLUTION KILLINGS**

May 23, 2011: A criminal court in Cairo sentenced to death a police officer for killing protesters, the first such penalty to be handed down following the revolution that ousted former president Hosni Mubarak, Egyptian state TV reported.

The court sentenced Mohammed Mahmud Abdul Mun'em in absentia for killing 20 protesters and wounding 15 on January 28 -- one of the pivotal days of the revolution that saw hundreds of thousands take to the streets and Egyptian troops replace police who had been battling demonstrators.

The court found Mun'em had randomly fired at demonstrators, Nile TV said.

Authorities have been unable to locate Mun'em, and it was not immediately known what evidence the court used to convict the police officer. (Sources: CNN, 23/05/2011)

**SRI LANKA: DEATH ROW PRISONERS COMMENCE A FAST UNTO DEATH**

May 19, 2011: death row prisoners started a fast unto death campaign at the Welikada prison in Colombo, Sri Lanka. All 224 condemned prisoners are refusing food requesting their death penalties either be subdued or implemented without delay. The death

penalty is not implemented since the President does not endorse it as required by law. The inmates were all sentenced for serious crimes and therefore cannot receive pardons. Prison authorities under the directions of Prisons Commissioner General Major General V.R De Silva are negotiating with the prisoners to diffuse the situation, local media reported. (Sources: Colombopage.com, 19/05/2011)

#### **PAKISTAN: CAMPAIGN AGAINST DEATH SENTENCE TO JUVENILES**

May 18, 2011: National Juvenile Justice Network (NJJN) and organizations working in Pakistan for the protection of children urged the government and judiciary to stop charging juvenile offenders with inhumane charges including death sentences. The child supporters asked the Chief Justice, President and Prime Minister of Pakistan to intervene into the increasing plight of child offenders and review the laws regarding juvenile justice in the country.

“A number of children have been imprisoned ruthlessly and there are cases where child offenders have been awarded death sentences in far flung districts”, claimed NJJN members while addressing a press conference in connection with the launch of a

postcard campaign to stop degrading sentences for child offenders in Pakistan.

Abdullah Khoso, Coordinator of NJJN said that the “NJJN in association with Child Rights Information Network (CRIN) and Defence for Children International (DCI) has launched the postcard campaign against inhuman and degrading sentences for child offenders in Pakistan.” The postcard includes a joint letter sent to the Prime Minister of Pakistan by the NJJN, CRIN and DCI-IS.

The campaign is part of a global campaign initiated by CRIN against inhuman and degrading treatment for child offenders.

CRIN, DCI and NJJN urged the government to review the criminal justice system, mainly laws and practices under which children are made subject to torture or other cruel, inhuman or degrading treatment or punishment which includes life imprisonment and rigorous imprisonment. (Sources: Pakobserver.net, 18/05/2011)

#### **OHIO (USA): MAN EXECUTED FOR 1984 MURDERS**

May 17, 2011: An Ohio man was executed in the morning after the U.S. Supreme Court declined to hear his appeal, officials said.

Daniel Lee Bedford was put to death by

lethal injection for a double homicide in Cincinnati in 1984, according to the Ohio Department of Rehabilitation and Correction. His defense attorneys had argued for clemency, citing dementia and mental retardation.

A federal judge had granted Bedford a stay of execution Monday, but this was lifted by the 6th U.S. Circuit Court of Appeals, and the U.S. Supreme Court rejected his final appeal.

Bedford was convicted of shooting to death his ex-girlfriend Gwen Toepfert and her boyfriend John Smith.

Bedford told the state parole board in March that he does not remember the slayings.

Bedford was the 16th person executed in the United States so far this year, according to the Death Penalty Information Center. At 63, he was the oldest person executed in Ohio since the state resumed administering capital punishment in 1999. (Sources: Reuters, 17/05/2011)

#### **CHINA EXECUTES CONVICTED KILLER AFTER RAISING SENTENCE**

May 17, 2011: China executed a convicted murderer after raising his suspended death sentence following a new conviction for attacking another prisoner, state media said.

Xiao Mouping was executed in the southern city of Meizhou, Guangdong

province, the local Yangcheng Evening News reported.

Xiao was sentenced to death with a two-year suspension in 2008 after a court in Meizhou found him guilty of murder, the newspaper said without giving details of the murder case.

In May 2009, one week after his punishment for taking a shower outside regulated hours, Xiao attacked a cellmate who he believed had informed prison authorities of the breach. The cellmate suffered minor injuries in the attack, the newspaper said.

Xiao's execution followed a rare case of a court raising a suspended death sentence.

Subject to good behaviour in prison during the two-year suspension, such sentences were normally commuted to up to 20 years in prison until recently. A new rule from May 1 allows courts to impose minimum sentences of 25 years for the most serious offenders whose suspended death sentences are commuted. (Sources: DPA, 17/05/2011)

#### **IRAN: THREE MEN EXECUTED**

May 17, 2011: Three men have been hanged in Iran, Iran Human Rights reported.

The two brothers Mohammad and Abdollah Fathi were executed on May 17 in the Dastjerd prison of Isfahan.

Mohamad Fathi (27), and Abdollah Fathi

(29), were arrested on March 2010 and transferred to Isfahan prison. According to the family they have been under physical and psychological torture to accept the false charges against them. The charges include, “Involvement with anti-revolutionary groups”, “Taking action for arms struggle”, “Enmity against God”, and “Armed robbery”. They were sentenced to death by Judge Moghiseh from branch 24 of the Revolutionary Court on the charge of Moharebeh (enmity against God). On May 12, one man was hanged in the city of Bandar Abbas (south of Iran) reported the official site of the Iranian judiciary in Hormozgan province. According to the state run Iranian news agency ISNA, the man was identified as "A. S." and was convicted of rape and robbery in the town of Minab. (Sources: Iran Human Rights, 17/05/2011)

#### **MYANMAR: PRESIDENT ANNOUNCES AMNESTY FOR DEATH ROW PRISONERS**

May 16, 2011: Myanmar's new president announced an amnesty for prisoners, commuting the sentences of inmates on death row to life in jail, and reducing all other sentences by one year, state television reported. President Thein Sein's announcement comes after last week's visit by United Nations special envoy to Myanmar, Vijay Nambiar. Nambiar reportedly

asked the newly elected government to release 2,000 political prisoners as a gesture that the regime was serious about democratic reforms. Myanmar officials told Nambiar that an amnesty was 'likely,' but continued to deny that there were any political prisoners in the country's penal system. Human rights groups and pro-democracy activists have condemned the recent regime change as purely cosmetic. The November 7 general election brought the pro-military Union Solidarity and Development Party to power led by former general Thein Sein. Human Rights Watch has urged the international community to continue to shun the elected government until it demonstrates a real commitment to political reform. The election was criticized by Western nations since it excluded opposition leader Aung San Suu Kyi and her National League for Democracy (NLD). The NLD boycotted the November polls after the military passed regulations that would have forced them to expel Suu Kyi from their party in order to contest the elections. “While the reductions are welcome news for political prisoners, they are astonishingly insufficient”, said Benjamin Zawacki, Amnesty International’s Myanmar researcher. “These actions fall well short of the comprehensive release of

all prisoners of conscience desperately needed in Myanmar”.

Amnesty International also called upon Myanmar to go beyond commuting death sentences and join the worldwide trend towards the complete abolition of the death penalty. The Myanmar authorities hold over 2,200 political prisoners, many of whom have been subjected to torture and other forms of cruel, inhuman or degrading treatment. They are held in poor conditions in prisons that lack adequate medical treatment and are often located far away from prisoners’ families. (Sources: DPA, AI, 17/05/2011)

#### **UGANDA: LAWMAKERS REMOVE DEATH PENALTY CLAUSE FROM ANTI-GAY BILL**

May 12, 2011: After intense international criticism, proponents of an anti-gay bill before Uganda's parliament have removed a punitive clause that called for hanging people who have consensual homosexual sex.

However, they were expected to push ahead with the measure, which criminalizes the promotion of homosexuality.

The bill was to be debated yesterday, the last day of the current parliament, but was dropped from the agenda.

There were reports it might be debated tomorrow in a special session.

If not, the bill can be reintroduced when the new parliament convenes.

Anti-gay activists have promoted the measure aggressively since it was introduced in 2009, accusing gays of recruiting children.

The bill was condemned in its original form as "odious" by President Obama, and has been attacked by groups such as Human Rights Watch and Amnesty International. More than 1.4 million people have signed an online petition opposing the bill.

"It is deeply alarming that the Ugandan parliament is again considering this appalling bill, which flies in the face of human decency and violates international human rights law," said Michelle Kagari, Amnesty International's deputy director for Africa.

Although the bill's author, lawmaker David Bahati, announced that the death penalty had been removed from the bill, no new version has been publicly released. One of the country's most prominent anti-gay campaigners, Pastor Martin Ssempe, told a parliamentary committee this week that he did not support the death penalty for homosexuality but urged legislators to go ahead with other aspects of the law. Anyone who counseled or abetted people in committing homosexual acts — including landlords who rented houses or rooms to gay people — would

face seven years in jail.

The bill makes it compulsory for people to report acts of homosexuality within 24 hours of becoming aware of them and penalizes those who fail to do so. (Sources: LA Times, 12/05/2011)

#### **NORTH KOREA: 60 EXECUTED PUBLICLY IN 2010 - AMNESTY INTERNATIONAL**

May 12, 2011: About 60 North Koreans were executed publicly in 2010 for acts against its regime, up from seven a year before, Amnesty International said in its annual report.

"North Korea continues to carry out executions, some in public and others in secret. At least 60 people are believed to have been executed publicly," Amnesty said.

It said an armaments factory worker was executed in late January in Hamheung for divulging — via an illegal Chinese mobile phone — rice prices and other information on living conditions to a friend who had defected to South Korea. (Sources: Korean Times, 12/05/2011)

#### **SOUTH AFRICA GRILLS IRANIAN DIGNITARY ON 'EXCESSIVE' EXECUTIONS**

May 12, 2011: "The number of executions in Iran is high because 74% of those executed are of drug traffickers who traffic drugs from Afghanistan to

Western European countries," secretary general of the Iranian Supreme Council for Human Rights, Mohammad Javad Larijani, on a visit to South Africa, told reporters in Pretoria.

International Relations Deputy Minister Ebrahim Ebrahim earlier raised concerns about human rights in Iran, during his meeting with Larijani.

Some of the issues Ebrahim wanted clarity on included "excessive" use of the death penalty, the stoning to death of a woman, Sakineh Ashtian, and the persecution of religious minorities, in particular the Baha'i.

Larijani said the death penalty would be reviewed only if the West participated in fighting the war against drug trafficking.

"We cannot win this war alone. If Europe is interested in the prevention of the trafficking of drugs, then it should participate in this war."

The other option was for Iran to ignore drug trafficking, Larijani said.

"We can close our eyes and drug traffickers can pass through Iran and go wherever they want to go and the number of executions in Iran will drop 74%. In fact, it will be very good for our reputation then."

Ebrahim said he was grateful that Larijani had detailed his council's and the Iranian government's efforts to address human right issues in the

Islamic Republic. (Sources: Sapa, 12/05/2011)

**INDIA: SUPREME COURT RECOMMENDS DEATH PENALTY FOR 'HONOUR KILLINGS'**

May 10, 2011: India's Supreme Court has recommended the death penalty for those convicted of committing 'honour killings,' a news report said.

'It is time to stamp out these barbaric, feudal practices which are a slur on our nation,' the court said, according to The Hindu daily, while upholding a sentence of life imprisonment for a man who killed his daughter in a such a crime. In India, capital punishment is handed down only in very rare cases and honour killings are treated like murders, punishable in most cases with a life sentence.

The court said that in its opinion 'honour killings' came within the category of the 'rarest of rare cases' that deserved the death penalty.

'This is necessary as a deterrent for such outrageous, uncivilized behaviour. All persons who are planning to perpetrate 'honour killings' should know that the gallows await them,' the court said.

There is no composite data on the number of such crimes in India but activists say scores of men and women are ostracized or killed every year for defying caste and kinship traditions,

particularly in northern states like Haryana and Uttar Pradesh. (Sources: DPA, 10/05/2011)

**AZERBAIJAN: MINISTER CONSIDERS IT IMPOSSIBLE TO RESTORE DEATH PENALTY**

May 10, 2011: Azerbaijani Deputy Justice Minister head Madat Guliyev said it is impossible to restore the death penalty in the country.

"The restoration of death penalty in Azerbaijan may be the subject of discussions. But the restoration of the death penalty is impossible, as Azerbaijan is among the most developed countries and integrates into Europe," Guliyev said.

Azerbaijan is not only among CIS (Commonwealth of Independent States) member states, but is one of the whole world's last places in terms of the number of crimes per 100,000 people, Guliyev said.

At a meeting of the parliamentary committee on legal policy and state building held in early May MP Ilyas Ismayilov said that country it is necessary to restore the death penalty in the country. (Sources: Trend.az, 10/05/2011)

**CHINA: FORMER MAYOR GETS TOUGH SENTENCE FOR GRAFT**

May 9, 2011: The former mayor of China's Shenzhen city was given a suspended death sentence for bribery, state media said.

A court in the central province of Henan sentenced Xu Zongheng to death with a two-year reprieve for taking bribes of more than 33 million yuan (\$5 million), Xinhua news agency said. His personal assets have also been seized.

Such rulings are typically commuted to life in prison.

Xu, 56, was removed as mayor in June 2009 during a sweeping crackdown on graft in Shenzhen, which lies just north of Hong Kong.

He took bribes from building material companies and officials between 2001 and 2009, when he served as a high-ranking official in Shenzhen and then mayor from 2005, the report said.

President Hu Jintao and other top leaders have repeatedly called endemic corruption in China a threat to the ruling Communist Party's legitimacy. (Sources: Afp, 09/05/2011)

#### **BIN LADEN: HANDS OFF CAIN- WE DO NOT SHARE OBAMA'S OPINION**

May 6, 2011: "Regarding Osama Bin Laden, we know too little to say if it was an 'extra-judicial execution' or an act of 'legitimate defence'," Hands Off Cain Secretary Sergio D'Elia said.

"We agree with the request made by

the United Nations High Commissioner for Human Rights, Navanethem Pillay, for 'a full and accurate explanation of the facts' D'Elia explained.

"In any case, Obama's expression that 'justice was done' cannot be accepted. In a State of Rights, the mode of 'achieving justice' is strictly governed by the law, which provides for a regular trial in a court of law, even in the biblical conception of an eye for an eye which is still strong in America". D'Elia concluded "Even less acceptable is Obama's suggestion that Osama's death could be a summary application of talion law, which is in vogue in the Arab regimes and practised by Islamic fundamentalists". (Sources: HOC, 06/05/2011)

#### **IRAN: 9 EXECUTED AMONG THEM ONE MINOR**

May 5, 2011: According to the reports from Iran nine people, among them one minor, were executed in the city of Ahvaz south of Iran.

According to the Persian section of Alarabiya (the news website of Alarabiya TV channel), Iran's Judiciary announced that nine people charged with murder of the security officers and committing acts against chastity, were executed.

Quoting the website Ahvaz news, Alarabiya reported that three of the

men were hanged in public in Ahvaz, while the other six were hanged inside the prison of Ahvaz. According to these reports one of those hanged in the prison was 16 years old.

According to Ahvaz news the nine men executed were identified as follows:

Three brothers identified as Ali Heydari (25), Jasem Heydari (23) and Naser Heydari (23) were hanged in public in the Hamidiyeh area west of Ahvaz.

Five out of six others who were hanged inside the Karoun prison of Ahvaz were identified as Amir Moavi, Ali Na'ami, Amir Badvi, Ahmad Naseri (22) and Hashem Hamidi (16 years).

All those executed had been arrested in connection to the unrests in April 2011 in Ahvaz, where several people had been killed in clashes between the security forces and the inhabitants of an Arab neighborhood in Ahvaz. (Sources: Iran Human Rights, 08/05/2011)

#### **SOMALIA: AL-SHABAB EXECUTES TWO MEN 'FOR SPYING'**

May 4, 2011: Al-Shabab militants in Somalia executed Mohamed Hassan Adam, 41, and Abdulahi Adam Abdi, 31, in Baidoa town for spying for the governments of Ethiopia, Kenya and Somalia, RBC Radio reports.

"The two men confessed their guilt so the court sentenced them to execution," Al-Shabab judge Sheikh

Omar said at Dr. Ayub stadium before the men were killed by firing squad in front of a large crowd.

Five Al-Shabab masked fighters fired and killed the men. (Sources: Raxanreeb.com, 04/05/2011)

#### **IRAQ: GOVERNMENT TO DISBAND TRIBUNAL SET UP FOR SADDAM HUSSEIN TRIAL**

May 4, 2011: A special court set up to prosecute former leader Saddam Hussein and his associates after the 2003 US invasion of Iraq will be disbanded, the Iraqi government said. A proposed law to disband the tribunal was sent to the parliament, according to a government statement.

The court spokesman, Raid Juhi, told The Associated Press that the decision was made because the court had finished its cases. The proposed law sets June 30 as a deadline to settle a few final minor cases, he added. (Sources: Los Angeles Times, Ap, 04/05/2011)

#### **TEXAS (USA): FIRST EXECUTION WITH NEW DRUG**

May 3, 2011: Cary Kerr, 46, white, was executed, becoming the state's 1st inmate put to death using a new 3-drug cocktail.

He was sentenced for the July 11, 2001 rape and murder of 34-year-old Pamela Horton.

Kerr's reaction to the chemicals was similar to most of the 466 inmates executed in Texas since 1982 under the previous drug combination.

He was pronounced dead at 6:19 p.m. CDT, 9 minutes after the drugs began flowing into his arms. The 3-drug chemical cocktail in his lethal injection used the sedative pentobarbital instead of sodium thiopental. Texas recently switched from sodium thiopental, a drug it used since 1982, because it is no longer available. Pentobarbital already had been used for recent executions in Oklahoma and Ohio and survived legal challenges there.

Kerr becomes the 3rd condemned inmate to be put to death in Texas this year and the 467th overall since the state resumed capital punishment on December 7, 1982.

Kerr becomes the 13th condemned inmate to be put to death this year in the USA and the 1247th overall since the nation resumed executions on January 17, 1977. (Sources: Associated Press & Rick Halperin, 03/05/2011)

#### **TAIWAN: DEATH PENALTY REMOVED FROM MILITARY LAW**

May 3, 2011: Taiwan moved a step closer toward the reduced use of the death penalty as the Legislative Yuan amended the country's law on military service violations.

The Legislature passed the third reading of the bill, which amends the Punishment Act for Violation to the Military Service System by removing capital punishment as an option in Articles 16 and 17.

According to the revised article 16, those who carry weapons by group and obstruct a military service causing the death or serious injury to a person will be subject to a maximum life sentence rather than the death penalty.

According to the revised article 17, those who carry weapons by group and fight publicly against a military service causing the death or serious injury to a person will be subject to a maximum life sentence rather than the death penalty.

The amendment was passed to protect human rights in line with the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both signed by Taiwan in 2009, the government said.

Human rights groups at home and abroad have repeatedly urged Taiwan's government to abolish the use of the death penalty, but authorities have said a consensus on the issue has yet to be reached in the country, with opposition to abolishing capital punishment still strong. (Sources: CAN, 03/05/2011)

## **CHINA: 13 CRIMES EXEMPTED FROM DEATH PENALTY**

May 1, 2011: Several important changes to China's laws came into effect today, addressing such things as which crimes deserve the death penalty and appropriate punishments for producers of tainted food.

China's newly revised Criminal Law has a shorter list of crimes that can be punished by death - 55 now instead of the previous 68.

The 13 crimes that are no longer punishable by death are mainly financial and non-violent and include tax fraud and "fraudulent activities involving financial bills".

Also wiped from the list of crimes punishable by death are the smuggling of cultural relics and dealing in endangered wildlife.

The newly implemented regulations are the eighth amendment to the Criminal Law and had been submitted to the Standing Committee of the National People's Congress for first review last August. After three rounds of discussions and approvals, the amendments took effect today.

According to the newly revised criminal law, the death penalty will not be imposed on people who are 75 or older at the time of their trials, unless they are convicted of crimes involving "exceptional cruelty".

In the past, the only exemptions made were for offenders who were younger than 18 when they committed their crimes and women who were pregnant at the time of their trial.

The changes aim to "temper justice with mercy" and "embody the humanity of the country", Li Guifang, vice-head of the criminal defense committee under the All China Lawyers Association, told China Daily on Sunday.

It marks the first time since the Criminal Law took effect in 1979 that the country has reduced the number of crimes subject to the death penalty, he said, which highlights "the respect for life and the protection for human rights" in the country.

The newly revised Criminal Law also makes possible more severe punishments, including the death penalty, for people who produce and sell tainted and unsafe food.

Those convicted of food safety crimes that cause death or severe injury will be incarcerated for at least 10 years and could face a life sentence or even be executed.

The food safety amendments to the Criminal Law also specify that members of food safety watchdogs will receive criminal punishments if they are found to have abused their power or failed to carry out their duties. (Sources: China Daily, 01/05/2011)

## News from International NGOs - May 2011

### **NEW DEATH PENALTY DATABASE LAUNCHED**

Sandra Babcock of Northwestern University and the World Coalition has just launched a death penalty database. This provides up-to-date information on the state of the death penalty across the world and is searchable by country, region, legal status and method of execution. To access the database: [www.deathpenaltyworldwide.org](http://www.deathpenaltyworldwide.org)

PRI provided assistance in the production of the database by providing information to Sandra and her researchers on PRI's priority countries. PRI is also collecting comprehensive information on life imprisonment as part of the current programme of work on the abolition of the death penalty; this focuses on supporting governments and other stakeholders in progressing towards the abolition of the death penalty and implementation of human rights standards in criminal justice systems, particularly concerning the treatment of death row, life and long-term prisoners. The programme of work is being carried out in five regions: the

Middle East and North Africa, Eastern Europe, South Caucasus, Central Asia and the Great Lakes region of East Africa.

The programme, funded under the European Union's Instrument for Democracy and Human Rights (EIDHR), commenced in February 2010 and will run for 2 years.

For further information on PRI's work please contact the project manager Jacqueline Macalesher [jmacalesher@penalreform.org](mailto:jmacalesher@penalreform.org)

### **PRI AT ALL PARTY PARLIAMENTARY GROUP ON DEATH PENALTY ABOLITION**

On 23 May 2011, PRI took part in a meeting of the All Party Parliamentary Group on the Abolition of the Death Penalty in the House of Lords. The meeting focused on the death penalty in the Islam world. The event was chaired by Baroness Vivien Stern.

Speakers included Amjad Hussein on the release of his brother, Mirza Tahir Hussain, who spent 18 years on death row in Pakistan; and Jacqueline Macalesher on Penal Reform International's work on the death penalty in the Middle East and North

Africa (MENA) region - identifying steps towards progressive abolition.

PRI produced a [briefing paper on the death penalty in the MENA region](#) .

PRI's current programme of work on the abolition of the death penalty and alternative sanctions that respect international human rights focuses on supporting governments and other stakeholders in progressing towards abolition and implementation of human rights standards in criminal justice systems, particularly concerning the treatment of death row, life and long-term prisoners. The programme of work is being carried out in five regions: Central Asia, East Africa, Eastern Europe, the Middle East and North Africa, and the South Caucasus.

The programme is supported by the European Union's Instrument for Democracy and Human Rights (EIDHR).

### **PRI JOINT SIDE EVENT AT AFRICAN COMMISSION "PROGRESSIVE ABOLITION OF THE DEATH PENALTY IN AFRICA"**

On 3 May 2011 PRI jointly hosted a side event at the 49th Ordinary Session of the African Commission on Human and Peoples' Rights in Banjul, The Gambia.

The side event, entitled "Progressive abolition of the death penalty in Africa", included the following speakers: Mrs Kayitesi: Chair of the Working Group on the death penalty of the ACHPR, discussing the 2011 report and other activities of the Working Group.

Mrs Asunta Cavaller: International Commission against the Death Penalty, discussing the international trend towards abolition and activities of the International Commission.

Mr Moussa Almoustapha: NIGER-SYNAFEN and representative of the World Coalition Against the Death Penalty, discussing the situation of the death penalty in West Africa and Niger and the work of the World Coalition.

[The side](#) event was organised in conjunction with the International Federation of Action by Christians for the Abolition of Torture (FIACAT), Foundation for Human Rights Initiative (FHRI), Penal Reform International (PRI) and the World Coalition Against the Death Penalty (WCADP).

In addition to the side event, PRI, FIACAT and FHRI drafted and delivered a joint oral statement at the 49th Ordinary Session on abolition of the death penalty in the African region. A copy of the oral statement is available

for download here: <http://www.penalreform.org/files/ACHPR%20statement%2049th%20session.doc>.

### **INDIAN EXECUTIONS WOULD BE BLOW TO HUMAN RIGHTS**

27 May 2011 - The Indian President's decision to approve the country's first executions since 2004 would be a blow to human rights, Amnesty International said today.

President Pratibha Patil has accepted the Home Ministry's recommendations to reject the mercy petitions of death row prisoners Devender Pal Singh Bhullar (aka Davinder Pal Singh Bhullar) and Mahendra Nath Das, according to Indian media reports.

"Reports that India will execute two men after an encouraging seven-year hiatus are hugely disappointing, and would be a step backwards for human rights in the country," said Sam Zarifi, Amnesty International's Asia-Pacific Director.

"For India to revive capital punishment now would also be bucking the global trend towards abolition of the death penalty, with numbers of executions continuing to decline."

Bhullar was sentenced to death in 2001 for plotting terror attacks that killed nine people in Delhi in 1993. Das has been on death row since 1997 for committing a murder in Guwahati, Assam in 1996.

Although India voted against the resolution for a moratorium on the use of the death penalty, adopted by the United Nations General Assembly in 2007, 2008 and 2010, President Patil had commuted the death sentences of 20 prisoners since November 2009.

The last execution in India was that of Dhananjoy Chatterjee in Kolkata in August 2004.

### **BAHRAIN MUST COMMUTE PROTESTERS' DEATH SENTENCES**

23 May 2011 - The Bahraini authorities must overturn death sentences imposed on two activists for the alleged killing of two police officers during anti-government demonstrations earlier this year, Amnesty International said today.

Bahrain's National Safety Appeals Court confirmed the death sentences against 'Ali 'Abdullah Hassan al-Sankis and 'Abdelaziz 'Abdelridha Ibrahim Hussain on Sunday. The court commuted the death sentences of two other men

accused with them to life imprisonment.

“The confirmation of the death sentences imposed on these two men is nothing short of alarming. While the Bahraini government has a responsibility to protect the public and bring to justice those responsible for committing violent crimes, the government must not let these executions go ahead.

“The death penalty is the ultimate form of cruel and inhuman treatment and ought not to be used under any circumstances”

“We are urging King Hamad bin ‘Issa Al Khalifa not to sign the execution order for these two protesters, and to commute their sentences without delay”, said Malcolm Smart, Amnesty International’s Director for the Middle East and North Africa.

“To execute these two men would represent an irrevocable step and it would plunge Bahrain into an even deeper human rights crisis than it is experiencing now.”

The two men were convicted, with three others, of the premeditated murder of two policemen by running them over with a vehicle on 16 March.

That day, the security forces launched a fierce new crackdown on anti-government protests following the King’s declaration of a state of emergency, termed the State of National Safety – on 15 March, after bringing in Saudi Arabian troops to help quell the protests.

Although they are civilians, the five accused were tried in closed session before the National Safety Court, a special military court.

The two men could be executed within days if their sentences are upheld by Bahrain’s Court of Cassation, which considers only procedural technicalities, and ratified by the King.

Executions in Bahrain are normally by firing squad.

In a separate development, a leading human rights activist said tear gas canisters had been thrown into his home endangering his family.

Nabeel Rajab, director of the banned Bahrain Centre for Human Rights, said tear gas bombs thrown into his house in the early hours of Saturday morning brought his brother, wife and daughter close to suffocation before they could

be helped to safety.

Saturday's was the second attack on Nabeel al Rajab's home in a matter of weeks. In April, tear gas was thrown into his own and his mother's home, apparently by members of the security forces or people acting on their behalf. No-one has been arrested for that attack.

The authorities have banned Nabeel Rajab from travelling outside the country on account of his role in exposing and campaigning against human rights violations in Bahrain.

Amnesty International is urging the Bahraini government to independently investigate this latest attack on Nabeel Rajab and to lift all restrictions on him.



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

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



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