

Crime and Justice

Death Penalty and the Right to Life

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



March 2011

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CRIME AND JUSTICE

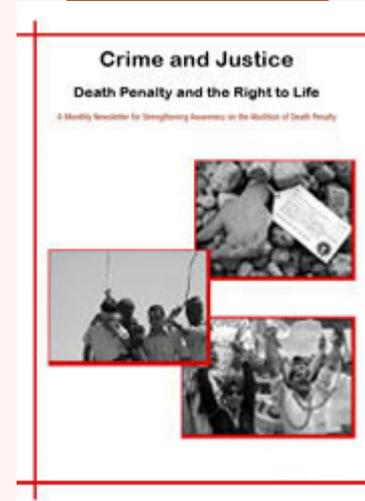
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IPS, the global news agency, brings you independent news and views on capital punishment. In this newsletter you will find in-depth reports by IPS correspondents from around the world and columns by experts, in addition to special sections for news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

By Dennis Engbarth

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Q&A: Mobilising Society Against the Death Penalty

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DEATH PENALTY: New Hope for Sentenced Malaysian

By Marwaan Macan-Markar

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WORLD PRESS REVIEW:

IRAN: 10 KURDISH POLITICAL PRISONERS EXECUTED - TRINIDAD & TOBAGO: OPPOSITION DEFEATS HANGING BILL - BELARUS: PRESIDENT LUKASHENKO DENIES CLEMENCY TO TWO DEATH ROW INMATES - CHINA EXEMPTS 13 CRIMES FROM DEATH PENALTY - CHINA MULLS DEATH PENALTY FOR ORGAN TRAFFICKERS - CHINA: XINJIANG DEATH SENTENCES APPROVED - YEMEN HANDS DOWN DEATH SENTENCES TO 11 BANDITS - INDIA: COURT UPHOLDS DEATH SENTENCE FOR MUMBAI ATTACK - EGYPTIAN CONVICTED OF KILLING COPTS TO HANG - LEBANON: MAN SENTENCED TO DEATH FOR SPYING FOR ISRAEL - JORDAN: MAN GETS REDUCED SENTENCE FOR 'HONOUR' KILLING - TENNESSEE (USA): JUDGE BONNYMAN UPHELD THE STATE'S INJECTION PROTOCOL - CANADA DEPORTS CHINESE BUSINESSMAN DESPITE CONCERNS ABOUT DEATH PENALTY - UNITED ARAB EMIRATES: MAN TO BE EXECUTED FOR MURDER - ZIMBABWE: RITUAL MURDERER TO HANG - GAMBIA: SEPTUAGENARIAN SENTENCED TO DEATH FOR MURDERING WIFE - YEMEN: SIX MEN SENTENCED TO DEATH FOR KILLING SOLDIER - MALAYSIA: IRANIAN TO HANG FOR DRUG TRAFFICKING - EMIRATES: DUBAI FIRING SQUAD EXECUTES MOSQUE SLAYER - ST LUCIA: MAN SENTENCED TO DEATH FOR KILLING POLICEMAN - USA: 13 STATES ASK JUSTICE DEPARTMENT AID IN OBTAINING SCARCE EXECUTION DRUG - UAE: DEATH FOR KILLING NON-MUSLIM COMMUTED BY BLOOD MONEY - SAUDI ARABIA: 90-YEAR-OLD KILLER SAVED FROM GALLOWS - IRAN EXECUTES 2 IN TORTURE DEATHS - IRAN EXTENDS ENFORCEMENT OF ISLAMIC PENAL CODE, INCLUDING STONING - TUNISIA: PRISON VISIT ENDS 20-YEAR BAN - IRAN EXECUTIONS THREE TIMES LAST YEAR'S RATE -U.N. -

News from International NGOs:

Rabat Declaration 12 February 2011: Penal Reform International and the Moroccan Coalition against the Death Penalty - PRI conducts three day Juvenile Justice training on conversion programmes and non custodial measures in Morocco - Zimbabwe treason charges an attack on freedom of expression - Trinidad and Tobago urged to stop drive towards executions - Outrage as Iran's execution figures explode - Nobel Laureate Shirin Ebadi and Rights Groups Demand Moratorium on Executions - Iran Human Rights: At Least 546 People Executed In Iran In 2010 - Tunisia: Prison Visit Ends 20-Year Ban - Tunisia: Towards Ratifying International Conventions -

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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February Highlights

Illinois abolishes the death penalty

10 March 2011

Amnesty International has welcomed the decision by Governor Pat Quinn of Illinois to sign into law a bill abolishing the death penalty. He also commuted the death sentences of the 15 men on death row in the state.

Illinois will become the 16th state in the USA to ban capital punishment when the law signed by Governor Quinn yesterday comes into effect on 1 July.

It will be the third state to enact abolitionist legislation in the past two years after New Jersey and New Mexico.

The bill was approved by the Illinois legislature in January.

"Abolition in Illinois is the latest sign that the USA is gradually turning away from a punishment whose costs and risks the country has begun to recognize as unacceptable" said Rob Freer of Amnesty International.

"In making this bill law Governor Quinn has set an example to other states that

still retain the death penalty. This is a cruel punishment – incompatible with human dignity – that should have no place in a modern criminal justice system."

Illinois has executed 12 people since judicial killing resumed in the USA in 1977. During the same period, 20 people have been released from the state's death row, the second highest number of such exonerations among the USA's death penalty states.

Illinois has not carried out an execution since 1999. In 2000 then-Governor George Ryan declared a moratorium on executions after concluding that the capital justice system was fundamentally flawed.

In 2003, he pardoned four death row inmates whom he concluded were innocent, and commuted the death sentences of 167 others.

Amnesty International said it agrees with Governor Quinn's assessment that Illinois is taking an important step forward in its history as it "joins the 15 other states and many nations of the world that have abolished the death penalty."

Two-thirds of countries no longer use

the death penalty, and death sentences in the USA have plunged in the last decade to their lowest levels since the country resumed judicial killing in 1977 – at least partially thought to be due to public and political awareness of the number of wrongful convictions that have been discovered in capital cases.

The 15 other abolitionist states in the USA are: Alaska, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Dakota, Rhode Island, Vermont, West Virginia, and Wisconsin. The District of Columbia is also abolitionist. The remaining 34 states have the death penalty, as does the federal government and the US military.

Executions of five men in Taiwan condemned

4 March 2011

Amnesty International has condemned today's execution of five men in Taiwan.

The five men – Wang Chih-huang, Wang Kuo-hua, Chuang Tien-chu, Guang Chung-yen and Chung Teh-shu - were all executed by shooting. They had been separately sentenced to death for crimes committed between 1988 and 2005.

"The Taiwanese authorities have repeatedly stated their intention to abolish the death penalty, but they have - yet again - acted contrary to their own commitments and against the global trend towards abolition of the death penalty," said Sam Zarifi Amnesty International's Asia-Pacific Director.

The executions come four weeks after President Ma Ying-jeou formally apologised for the execution of an innocent man in 1997.

"Only last month, President Ma had to apologize for the execution of an innocent man. Following that so closely with today's executions however, shows a blatant disregard for the fallibility and irreversibility of the death penalty," said Sam Zarifi.

The Taiwanese authorities resumed executions for the first time since 2005 last year, when four people were executed on 30 April 2010.

Taiwan provides no procedure that would allow people under sentence of death to seek pardon or commutation of the sentence - a right recognized by International Covenant on Civil and Political Rights, which Taiwan has legally committed to implement.

More than 70 people remain on death row in Taiwan. Family members are not informed about scheduled executions in advance. They learn about the executions afterwards when they are invited to collect the body from the mortuary.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to carry out the execution.

Trinidad and Tobago narrowly avoids resumption of executions

8 March 2011

A bill which aimed to facilitate executions in the Caribbean nation was defeated in Parliament on February 28.

Prime Minister Kamla Persad-Bissessar introduced the [Constitutional \(Amendment\) \(Capital Offences\) Bill, 2011](#) claiming that if enacted, it would reduce the number of violent crimes in the country. The defeated bill sought to place limits on the time an appellant has to finalise his or her appeal.

There were 29 votes in its favour and 11 against, falling two votes short of the three-fourths majority (31) required to pass it. The bill can be reintroduced into the House of Representatives in six months' time.

[A report](#) on a survey conducted by the Death Penalty Project and the Rights Advocacy Project of the University of the West Indies Faculty of Law showed that there is a high level of general support for the death penalty but only 35% of Trinidadians support the death penalty when there is a possibility of killing an innocent person.

Based on these findings the report concluded, inter alia, that “legal reforms that would weaken the protection of the innocent would be likely to lessen the support for the death penalty by a large percentage.”

The bill has attracted a lot of international attention, including from the World Coalition and its member [Amnesty International](#) who have petitioned the Government to remove the bill and the opposition to vote against it.

Clause 5 - undermining UN Safeguards
The defeated bill aimed to amend the constitution to counter a 1993 ruling by the Privy Council – Trinidad and

Tobago's highest court of appeal on constitutional issues. The ruling held that an individual that has been on death row for more than five years cannot be executed. In these cases the death sentence is commuted to a prison term.

This Privy Council ruling and others like it have raised the level of protection for those facing the death penalty and essentially put an end to executions on the islands, with the last execution taking place in 1999.

Clause 5 of the bill however, aimed to circumvent this ruling by imposing constitutional time-limits on the appeals of those sentenced to death. An execution would be permitted to proceed even if "the appeal, communication or consultation has not been concluded."

This clause undermines Trinidad and Tobago's international commitments under the International Covenant on Civil and Political Rights (ICCPR) and the UN safeguards guaranteeing protection of the rights of those facing the death penalty (UN safeguards).

Most obviously, clause 5 undermines Safeguard 8 of the UN safeguards which states that "Capital punishment shall

not be carried out pending any appeal or other recourse procedure or other proceeding relating to pardon or commutation of the sentence."

Mandatory death penalty

The bill also sought to reinforce Trinidad and Tobago's mandatory death penalty for "murder 1" which includes the killing of a member of the security force, a prison officer, and a judicial or legal officer acting in the performance of his duties; the murder of a witness or a juror, murders committed by a bomb, and contract murders.

The mandatory death penalty constitutes a breach of the ICCPR and the UN safeguards, as it does not allow for mitigating factors which may render an offence below the "most serious crimes" threshold. A person could therefore be "arbitrarily deprived of his life".

Support for the mandatory death penalty in the country is very low.

According to the report by the Death Penalty Project and the Rights Advocacy Project, only 26% of the population supports the mandatory death penalty.

It also showed that among those that support the death penalty, a mere 1.3%

put general deterrence as their primary reason.

Gabon quietly joins the abolitionist camp

4 March, 2011

The West African nation outlawed the death penalty in February 2010 and then kept the secret for over a year.

Unexpected news came from West Africa at the end of February when Gabon announced the legal abolition of the death penalty in the country.

The action, apparently the culmination of a sustained effort of several years from World Coalition member organisations Community of Sant'Egidio and Hands Off Cain in cooperation with President Ali Bongo Ondimba and the Gabonese government, was accomplished via parliamentary vote on February 15, 2010.

The act made Gabon the 96th country in the world and the 16th country in Africa to legally abolish the death penalty. [Hands Off Cain made the official announcement of Gabon's abolition on February 14, 2011](#) (photo: Italian MP and Hands Off Cain campaigner Elisabetta Zamparutti with Gabonese

foreign affairs minister Paul Toungui).

The organisation made the announcement one year after the law was passed, after receiving a letter of confirmation from the Gabonese government.

“The death penalty is now replaced by life imprisonment”

The law itself, published among a handful of other acts of government, stipulates that “the death penalty is now replaced by life imprisonment... those convicted [of such crimes] for life imprisonment must spend a minimum of 30 years in prison before being eligible for release or parole”.

The same text also outlaws the use of forced labour as a punishment in the military code, to be replaced by imprisonment.

The circumstances surrounding the delayed announcement have excited much speculation. Having been the official presenting country of the [2007 United Nations resolution for a moratorium on the death penalty](#), Gabon had been listed as abolitionist in practice for some time.

The country had abstained from the use

of the death penalty for more than 20 years, making the announcement something less than a shock. But the motivation behind the year of secrecy remains and perhaps will remain a mystery.

Opportunity for further progress in Africa

Following the announcement, Hands Off Cain Secretary Sergio D'Elia noted that "the new Gabonese president Ali Bongo Ondimba has kept his word. The abolition in Gabon confirms how the African continent is making enormous progress regarding human rights."

The president of World Coalition member International Federation for Human Rights, Souhayr Belhassen, saw the announcement as an opportunity for even more progress in Africa : "We now call on Mali and Benin, who have both expressed intentions of abolishing the death penalty, to take the necessary steps quickly and join the growing camp of those who recognize the death penalty as being contrary to our values."

PROJECT ARTICLES

TAIWAN: Wrongful Execution Reopens Death Penalty Debate

By Dennis Engbarth

TAIPEI, Feb 5, 2011 (IPS) - Revelations that an Air Force private had apparently been wrongfully executed 15 years ago for the rape and murder of a five-year-old girl have reopened the debate over Taiwan's retention of the death penalty.

Taipei District and Taichung District prosecutors announced Jan. 28 that after a new investigation into the case, another former Air Force enlisted man had confessed to the crime.

The announcement prompted President Ma Ying-jeou to apologise to the mother of then 21-year-old Air Force private Chiang Kuo-ching, who was convicted for the crime and executed by gunshot in 1997. Ma also promised "to use the swiftest legal procedure" to clear Chiang's name and make reparations.

Chiang's father, Chiang Chih-an, had waged a decade-long campaign to clear his son who, human rights lawyers maintained, had been tortured into

making a false confession.

The father, however, did not live long enough to hear the prosecutors' finding. He died less than a month after the Control Yuan, Taiwan's watchdog agency, ordered the Ministry of National Defence (MND) to reinvestigate the case in 2010.

Lin Hsin-yi, executive director of the Taiwan Alliance to End the Death Penalty (TAEDP), told IPS the prosecutors' finding "will definitely have an impact" on the debate on the death penalty.

That debate appeared to have been closed after Ma's Chinese Nationalist Party (Kuomintang or KMT) government executed four death row inmates, all of them convicted of kidnap-murders, on April 30, 2010.

The executions ended a 52-month tacit moratorium imposed by the previous government under the Democratic Progressive Party.

The orders for the executions had been signed by new Justice Minister Tseng Yung-fu, a former prosecutor appointed by KMT Premier Wu Den-yi in late March.

Tseng replaced former justice minister Wang Ching-feng, who had resigned in the wake of a political furore caused by her declaration she would refuse to sign execution orders.

"Many people still support the death penalty because they do not believe that judges or prosecutors can make wrongful judgments, but the Chiang case proves otherwise," said TAEDP's Lin.

In their report, the Control Yuan commissioners found that then Air Force Political Warfare Headquarters Commander Chen Chao-min had violated the Military Trial Law by permitting Air Force counterintelligence agents without status as judicial officers to conduct the murder investigation.

These agents extracted a confession from Chiang after 37 hours of constant interrogation and torture.

The Control Yuan commissioners also said that during Chiang's military trial, Chen had failed to consider the fact that the defendant had recanted and declared that his confession had been extracted through torture.

Chen, who was appointed defence minister in Ma's first Cabinet in May

2008, was also found to have violated Chiang's human and judicial rights by rushing his conviction and execution.

The Control Yuan turned the report over to the Office of the Chief Public Prosecutor for investigation and demanded corrective action from the MND.

The Control Yuan also demanded a retrial or a special appeal trial by the Supreme Military Court, and demanded the return of the sizable rewards given to the officers who "broke" the case.

Following a review of forensic evidence, prosecutors announced that another Air Force enlisted man, Hsu Jung-chou, was now their prime suspect.

Hsu had served two prison terms on similar offences committed in 1996 and 2003, and had confessed to the murder during questioning by Taichung District prosecutors.

On Jan 29, the MND issued a statement that appeared to defend its failure to indict Hsu. The next day, however, the MND admitted "there had definitely been shortcomings" in the handling of the case and "solemnly" issued "the most sincere apology" to the Chiang family.

The MND later said it asked the Taipei District Prosecutors Office to provide the Ministry with new evidence on the case. The MND said it would apply for a retrial on Chiang's behalf and anticipated that proceedings could be completed within six months.

The defence ministry also asked the prosecutors to investigate the officers suspected of "using torture to illegally extract" a confession from Chiang.

Judicial Reform Foundation Executive Director Lin Feng-cheng told IPS the retrial would serve as the legal foundation for the pursuit of reparations. It would also serve as basis to hold former Air Force and defence ministry officials criminally liable for the miscarriage of justice.

Nevertheless, a poll released by the National Chung Cheng University Crime Research Centre revealed what the JRF's Lin called a "split personality" in Taiwan public opinion.

According to the poll, released one day before prosecutors announced their findings on the Chiang case, nearly 78 percent of respondents expressed doubt over the competence of both judges and prosecutors in handling

criminal cases.

But more than half, or 59 percent, indicated they totally opposed the abolition of the death penalty, while nearly 30 percent said they would only approve "with complementary measures," and only 2.2 percent said they advocated direct abolition.

The JRF's Lin observed that the mainstream media has treated the Chiang Kuo-ching case as an individual 'mistake' involving only the military court system.

"After the justice system has taken remedial action, I believe the questions of institutional change, namely whether the military court system should continue to exist and whether the death penalty should be retained, will resurface," the JRF's Lin stated. (END)

Q&A: Mobilising Society Against the Death Penalty

**Tito Drago interviews FEDERICO
MAYOR ZARAGOZA**

MADRID, Feb 4, 2011 (IPS) - Civil society is more coordinated and stronger at an international level today thanks to the Internet, and cyberspace can play an

important role in efforts to eradicate the death penalty, says Federico Mayor Zaragoza.

In this interview with IPS, the former director general of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and current president of the Foundation for a Culture of Peace and of the International Commission Against the Death Penalty discussed what can be done to abolish capital punishment at a global level.

Mayor Zaragoza is also chair of the IPS Board of Directors.

The International Commission Against the Death Penalty, originally the initiative of Spain's socialist Prime Minister José Luis Rodríguez Zapatero, was officially established on Oct. 7, and its first two-day global meeting ended Thursday in Madrid.

Q: Is capital punishment a human rights violation even if it is carried out as part of a judicial decision?

A: It is not simply a violation of human rights, but is the ultimate denial of human rights, because it violates the most important of the universal rights: the right to life.

Q: But what if there is a judicial ruling?

A: First of all, it's important to remember that on more than one occasion, after death row convicts have been executed, it turned out that they were innocent.

The death penalty is the cruellest, most degrading and inhumane punishment, which at times is applied unfairly and is generally used in a disproportionate, discriminatory and arbitrary manner. We must also keep in mind that even the most abject criminals can repent and be reformed.

Q: If the United Nations approved the Universal Declaration of Human Rights, which proclaims the right of every individual to protection from deprivation of life, in 1948, why hasn't it enforced a ban on the death penalty?

A: The U.N. can recommend, but it cannot enforce its resolutions.

Q: What explanation is there for the continued application of capital punishment in not only one of the industrialised nations, but the most industrialised nation, the United States?

A: There is no explanation, although we

should not overlook the positives steps that are being taken, like President (Barack) Obama's attempt to persuade the 36 states that maintain the death penalty to at least adopt a moratorium.

And in that country, the most important thing now is to take action in order to raise public awareness on the problem, to keep them from voting again in favour of keeping the death penalty on the books.

Q: And what about China?

A: With respect to that country...we should not look the other way, but should issue a loud international call for it to at least apply a moratorium and stop the killing.

It would be difficult to get China to change its laws immediately, but we should try to get it to suspend executions. Although all executions are worthy of condemnation, in this case we must stress that there are "assembly line executions": killings of dozens of people who are deprived of a fair trial and the right to a defence.

Q: Can killings of civilian populations by the armed forces be considered a kind of capital punishment, given that many bombings, for instance, are carried out

in compliance with orders given by democratically elected governments?

A: No, that isn't the death penalty; these are murders, state terrorism, and those responsible for them should be tried under both national and international laws.

Q: Until capital punishment is revoked in the countries that still apply it, can steps forward be taken?

A: One thing that should immediately happen is a stop to executions of persons under 18, pregnant women or people with mental disabilities.

In the U.S. state of Virginia, a mentally retarded woman was recently executed. It is inconceivable that this is still happening in a country that claims to defend human rights. Human rights are indivisible; it is not possible to try to uphold some while violating others.

Q: But are there international norms that make it possible to apply the death penalty?

A: It has been clear that this isn't possible since 1948, when the U.N. approved the Universal Declaration of Human Rights, which proclaims the right of every individual to protection from

deprivation of life and states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

It is clear that the death penalty not only violates the right to life but is also cruel, inhuman and degrading.

Furthermore, studies carried out by the U.N. in 1988, 1996 and 2002 state that no scientific study has shown that executions have a greater deterrent effect than life sentences.

Q: What immediate objective is sought by the International Commission that you chair?

A: To raise citizen awareness of the issue and get them involved in fighting the death penalty, and to get the 58 countries where it is still applied to abolish it by reforming their laws, with a view to its complete eradication.

Q: What responsibility do reporters and the media have with regard to this issue?

A: As with so many other issues, their responsibility is to broadly inform, in a veracious, accurate and objective manner. But we also have to understand that citizen participation in

communication, through cyberspace, is growing day by day. It is very likely that the traditional media will become irrelevant.

Q: And what future do you see for a news agency like IPS (Inter Press Service)?

A: We have to keep in mind that unlike other agencies, IPS does not have a party, a multinational corporation or a state behind it, but is a truly international agency, a non-governmental organisation recognised as such by the U.N., with correspondents of all nationalities, that puts an emphasis on providing veracious, accurate, objective, verifiable information focused on major issues that affect the present and future of society, not trivialities. (END)

DEATH PENALTY: New Hope for Sentenced Malaysian

By Marwaan Macan-Markar

BANGKOK, Feb 4, 2011 (IPS) - A young Malaysian's legal battle to escape the hangman's noose in Singapore is finding new hope. "He has a 50-50 chance of being spared," Madasamy Ravi, the lawyer appearing for 23-year-old Yong

Vui Kong, said in a telephone interview from the city-state.

The 41-year-old lawyer, who traded a lucrative career in corporate law in 2003 to become an outspoken human rights crusader, stepped in to take up Vui Kong's case shortly after the Malaysian was sentenced to death in December 2009 by a Singaporean court that found him guilty of trafficking 47.27 grams of heroin. Vui Kong was only 19 when arrested in mid-2007 under Singapore's draconian Misuse of Drugs Act.

The efforts to save Vui Kong won a reprieve mid-January when the Court of Appeal reserved judgment, in what anti-death penalty activists say is the young Malaysian's last hope. Ravi argued in the court that his client had been deprived of a fair clemency process.

The lengthy appeals process has emboldened Singapore's small group of anti-death penalty campaigners. "Vui Kong's case since the sentence has taken a surprisingly long time. It has been dragging on and this, for us, is change from the status quo," says Sinapan Samydorai, a director of regional affairs at the Think Centre, a local, independent human rights lobby. "This is an opportunity to push for change."

Samydorai faces a formidable challenge. During 1991-1999, Singapore recorded 13.57 executions per one million population. Saudi Arabia, with 4.64 executions per one million population, was a distant second, according to a UN Secretary-General's report assessing capital punishment.

But such numbers are far from conclusive, because the Singapore government has always been "secretive about the number of executions," says Lance Lattig, a South-east Asia researcher at Amnesty International.

"Singapore might or might not be in the first place (today) when it comes to executions per capita," Lattig said in an e-mail interview. "Either way, the government's secrecy about its record on executions suggests that this is one indicator Singapore isn't entirely proud of."

In November, 76-year-old Malaysia-based British author Alan Shadrake was sentenced to six weeks in jail for contempt of court and fined 15,400 dollars for the contents of his book: 'Once A Jolly Hangman: Singapore's Justice In The Dock'.

Shadrake was arrested in July last year

when he visited Singapore to launch his book. The book includes an interview with Darshan Singh, the chief executioner at the city-state's Changi Prison. Singh reportedly executed about 1,000 men and women from 1959 till he retired in 2006, the book notes.

In at least 11 passages of the book Shadrake questioned the impartiality of the judiciary in making rulings on death penalty cases.

Critics question the rationale of the country forging ahead with a mandatory death penalty for drug traffickers and murderers – while keeping the number of executions hidden.

"They justify executions to deter crime but they don't publish the details," says Danthong Breen, chairman of the Union of Civil Liberty, Thailand's oldest human rights organisation. "It is extraordinary. They treat the details of executions as a state secret."

But what is not a secret is the manner in which condemned prisoners meet their death: all hangings take place at dawn on Friday.

The law that sets out a mandatory death penalty for anyone trafficking more than 15 grams of heroin or over

30 grams of cocaine, and the manner of execution still enjoy wide public support, according to polls. (END)

WORLD PRESS REVIEW

February 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 February to the beginning of the month.

IRAN: 10 KURDISH POLITICAL PRISONERS EXECUTED

February 28, 2011: 10 Kurds were hanged in the central prison in Urmye, Iran, for being members of Kurdish political parties. Three were identified as Hamid Bhadori and Seida Ansari, from Bradost district, and Behzad Henare, from Mastekan district. Two of the ten were reportedly women. Residents of Urmye gathered outside the office of the municipality to demonstrate against the executions. Iranian Revolutionary Guard soldiers attacked the people and several of the demonstrators and guards have been injured.

TRINIDAD & TOBAGO: OPPOSITION DEFEATS HANGING BILL

February 27, 2011: In Trinidad and Tobago, the Constitution Amendment (Capital Offences) Bill, to speed up executions, was defeated in the Lower Hous, Trinidad Express reported. The Opposition People's National Movement (PNM) refused to give the necessary support that the Bill, requiring a three-fourths majority to become law. Twenty nine voted in favour and 11 voted against. There were no abstentions.

To be enacted, the Bill needed a special majority of 31 votes. The government had made two concessions in the hope of winning the Opposition's support. Earlier today, Minister of Legal Affairs, Prakash Ramadhar said if the PNM voted against the bill, the government will attempt to correct the faults, as outlined by the Opposition, and bring the bill later.

The bill can only resurface in the House after six months.

BELARUS: PRESIDENT LUKASHENKO DENIES CLEMENCY TO TWO DEATH ROW INMATES

February 25, 2011: Belarusian president Alyaksandr Lukashenko rejected clemency requests from death row inmates Aleh Hryshkawtsow, 29, and

Andrey Burdyka, 28, according to Belarusian human right defenders. They were sentenced to death by the Hrodna Regional Court on May 14, 2010, for an alleged triple murder in October 2009, according to BBC

Burdyka and Hryshkawtsow, who had previous convictions, were found to have robbed an apartment in Hrodna in October 2009, killing one man and two women and taking a child hostage. They reportedly set fire to the apartment and then forced a taxi driver to drive them to Minsk or Moscow, but were arrested the following morning when the taxi driver escaped. On 17 September, the Supreme Court of Belarus rejected appeals against the death sentences.

In their appeals, Burdyka and Hryshkawtsow argued that investigators had violated procedural regulations and the International Covenant on Civil and Political Rights, using illegal methods to obtain confessions. In addition, both Burdyka and Hryshkawtsow insisted that they had murdered only one person and blamed the other two murders on each other. The two men are currently held in the detention centre on Minsk's Valadarskaha Street.

CHINA EXEMPTS 13 CRIMES FROM DEATH PENALTY

February 25, 2011: China's newly revised Criminal Law has reduced the number of crimes punishable by death by 13 to 55. The Standing Committee of the National People's Congress (NPC) passed the amendment to the Criminal Law Friday at its bi-monthly session, Xinhua reported.

It was the first time the People's Republic of China has reduced the number of crimes subject to the death penalty since the Criminal Law took effect in 1979. The 13 crimes were economic-related non-violent offences, including smuggling cultural relics, gold, silver, and other precious metals and rare animals and their products out of the country; carrying out fraudulent activities with financial bills; carrying out fraudulent activities with letters of credit; the false issuance of exclusive value-added tax invoices to defraud export tax refunds or to offset taxes; the forging or selling of forged exclusive value-added tax invoices; the teaching of crime-committing methods; and robbing ancient cultural ruins. The draft amendment was first submitted to the NPC Standing Committee, China's top legislature, last August.

The amendment is considered another

move by China to limit the use of death penalty, following a decision in 2007 that all verdicts involving the capital punishment should be reviewed and approved by the Supreme People's Court (SPC). The amendment also stipulates that the death penalty will not be imposed on people aged 75 or older at the time of trial, except if they commit a murder with exceptional cruelty. Previously, only convicts younger than 18 when the crime was committed, and pregnant women at the time of the trial, were exempted from capital punishment.

The amendment, the eighth to the 1997 version of the Criminal Law, is meant to further implement the principle of tempering justice with mercy. According to the SPC, the court has overturned 10 percent of the death sentences nationwide since 2007.

Thirteen economic, nonviolent offenses will be removed from the list of 68 crimes punishable by the death penalty, said Lang Sheng, who heads the legal committee of the Standing Committee to the National People's Congress, China's legislature.

Lang told reporters at a briefing in Beijing that abolishing capital punishment for the elderly was done "to demonstrate the spirit of humanity." It

was not immediately clear how many people over the age of 75 are put to death annually in China. However, the other changes would not bring down the number of people executed because it targets crimes that have rarely, if ever, had capital punishment applied to them, said Joshua Rosenzweig, research manager for the U.S.-based human rights group Dui Hua Foundation.

Capital punishment can still be used to punish other economic crimes such as corruption. "The big obstacle, I think, is corruption. Because there still is a very strong sense that corrupt officials must die, among the Chinese population at large," Rosenzweig said. "The revulsion for that offense is so strong that there would be a potential political cost to eliminating the death penalty for corruption."

Legal authorities have sought to stamp out abuses of the death penalty, particularly by demanding that all death sentences be reviewed by the nation's supreme court. They have called also for the penalty to be imposed only in the most extreme cases, although the punishment has wide public support in China.

Lang noted that the changes reduced the number of crimes punishable by death by nearly one-fifth and said the

government would consider further revisions in the future. "Of course, there are still some crimes that we've kept the death penalty for," he said. "For these, we will have to continue to study further according to the requirements of our economic and social development, the needs of maintaining public order and also the people's will."

CHINA MULLS DEATH PENALTY FOR ORGAN TRAFFICKERS

February 24, 2011: People convicted of organ trafficking in China may receive the death penalty under a draft law amendment being reviewed by the National People's Congress Standing Committee, official media reported, according to DPA and AFP.

The amendment says criminals convicted of 'forced organ removal, forced organ donation or organ removal from juveniles' will face the same punishment as that for homicide, according to a report by the China Daily newspaper. Under Chinese law, a person found guilty of homicide faces either a death sentence or at least 10 years in prison.

Previously, criminals convicted of forced organ removal were sentenced for illegal business operation, since there

was no specific offence covering the act under criminal law, the report said.

If the draft law amendment is passed at the bimonthly meeting of the National People's Congress Standing Committee, which lasts until February 25, the law will come into force on May 1.

CHINA: XINJIANG DEATH SENTENCES APPROVED

February 23, 2011: China's highest court has approved the execution of four men convicted in a series of murders in the restive western region of Xinjiang described as acts of "terrorist violence", AP reported. The four were accused of killing nine people in three separate incidents between August and November last year, the Xinjiang-based wlmqwb.com website reported. In the most serious incident on Aug 19, six men detonated a homemade bomb near where a security patrol was forming up, killing eight people including three civilians and two attackers. Fifteen people were also injured.

In the second case, one of the accused killed two men with a homemade gun on Sept 29. In the third case, a man stabbed one person to death and injured two others in an altercation on Nov 2 after he refused to stop his

vehicle for a police inspection. Two of the accused were sentenced to death and two more were given suspended death sentences that are usually commuted to life in prison with good behaviour, the site said.

YEMEN HANDS DOWN DEATH SENTENCES TO 11 BANDITS

February 21, 2011: The Specialised Penal Court in Hadramout, Yemen, sentenced 11 Yemenis to death for forming an armed group to commit banditry, attack public and private money transport vehicles and launch attacks against oil, gas and trade companies. The 11 were also ordered to pay \$50,400 compensation to the al Hashidi Company and \$2500 for lawyers. Two cars and weapons were also confiscated, reported BBC.

INDIA: COURT UPHOLDS DEATH SENTENCE FOR MUMBAI ATTACK

February 21, 2011: An appeals court in India confirmed the conviction and death sentence for the only surviving gunman from the 2008 attacks on Mumbai, which killed 166 people. The High Court rejected an appeal by Ajmal Kasab, 22, a Pakistani who was convicted of charges including murder, waging war against India, conspiracy

and terrorism. He could still appeal to the Supreme Court, New York Times reported.

EGYPTIAN CONVICTED OF KILLING COPTS TO HANG

February 20, 2011: Egypt's State Security Emergency Court ratified the death sentence against Mohammed Ahmad Hussein for killing six Christians and a Muslim policemen outside a church in the southern town of Nagaa Hammadi in January 2010, the official MENA news agency reported. Before an Alexandria church bombing early this year killed 21 people, the Nagaa Hammadi attack had been the deadliest of its kind since 2000 when 20 Copts were killed in sectarian clashes. Copts make up about 10 percent of Egypt's 80-million population, Emirates247.com reported.

LEBANON: MAN SENTENCED TO DEATH FOR SPYING FOR ISRAEL

February 18, 2011: A Lebanese military court convicted a man of spying for Israel and sentenced him to death. Amin al-Baba was found guilty of giving Israeli intelligence agents information in return for money. He was also found guilty of entering an enemy state. Al-Baba had been spying for Israel from 1997 until

his 2009 arrest. The rulings can be appealed. More than 100 people in Lebanon have been arrested since 2009 on suspicion of collaborating with the Jewish state, AP reported.

JORDAN: MAN GETS REDUCED SENTENCE FOR 'HONOUR' KILLING

February 17, 2011: A Jordanian court commuted the death sentence of a 43-year-old man for killing his 16-year-old married niece in July, 2010, to save the family's "honour" after she was raped. The court initially condemned the convict to death but commuted the sentence to 15 years in jail "because the victim's family urged leniency," a court official told AFP.

In July 2010, the man fired 30 machine-gun rounds at the girl, killing her instantly, two months after her marriage, in Deir Alla in the Jordan Valley. "He claimed the he wanted to cleanse his family's honour after the girl was raped. He told the investigators that he was proud of what he did," the official said. Murder is punishable by death in Jordan but in so-called "honour killings" courts can commute or reduce sentences, particularly if the victim's family asks for leniency.

TENNESSEE (USA): JUDGE BONNYMAN UPHELD THE STATE'S INJECTION PROTOCOL

February 16, 2011: Davidson County Chancellor Claudia Bonnyman upheld the Tennessee's revised execution plan to require the prison warden to confirm that the condemned inmate is rendered unconscious by the first drug injected in a 3-drug cocktail. Judge Bonnyman ruled that the state's plan appears to address concerns that the inmate could be conscious and in severe pain when the later drugs are injected.

UPI reported that last year the Tennessee Supreme Court halted the executions of 4 prisoners as Bonnyman on Nov. 19 had ruled that the state's lethal injection method was unconstitutional. Stephen Kissinger, a federal public defender representing death row inmate Stephen Michael West, had said that the state's new method was not effective at determining whether an inmate was awake. Following the today ruling, he said he would likely appeal to the Tennessee Supreme Court.

CANADA DEPORTS CHINESE BUSINESSMAN DESPITE CONCERNS ABOUT DEATH PENALTY

February 16, 2011: A multimillionaire Chinese refugee claimant accused of fraud in his homeland was deported to China despite fears he could be tortured or executed there, one of his lawyers, Daniel Kingwell, said. Canadian authorities escorted Han Lin Zeng, 65, to the airport and put him on an afternoon flight to China just hours after a federal court judge nixed an emergency stay of removal. In his decision, Judge Richard Boivin decided there was no reason to take the "extraordinary" step of ordering a stay of Zeng's deportation. He said Zeng's fears appeared to be overblown.

"The applicant's arguments are speculative, as there is no evidence that the death penalty or torture can reasonably be anticipated in this case," Boivin wrote. He stayed illegally for four years before filing a refugee claim in Toronto in 2004. However, the refugee board rejected his request for asylum in light of the criminal allegations against him. Kingwell said the risk of execution was real, and Canada had failed to guard against that risk. "Canada sought no assurance that he will not be executed despite the uncontradicted expert opinion that he will. We're very concerned," Kingwell said. For its part, Ottawa argued that while Zeng does face the risk of a substantial prison

sentence if convicted, the chance of ill-treatment or execution is remote.

UNITED ARAB EMIRATES: MAN TO BE EXECUTED FOR MURDER

February 15, 2011: The Federal Supreme Court in Abu Dhabi, the United Arab Emirates, sentenced a man identified as RMA to death for murdering his wife, in her twenties, in Dibba Fujairah in 2009.

The Criminal Court sentenced the man to death and ordered him to pay a fine of Dhs1,000. He appealed against the verdict and the Fujairah Appellate Court ordered a life sentence and a fine of Dhs 1,000.

The Public Prosecution and the victim's father appealed against the verdict, and the Federal Supreme Court issued the previous term, Gulf Today reported.

ZIMBABWE: RITUAL MURDERER TO HANG

February 15, 2011: Justice Tendai Uchena of High Court in Zimbabwe sentenced a Karoi man, Bigknows Wairos, to death for killing his son in a suspected ritual murder. Justice Uchena, who was sitting with two assessors, ruled he had found no extenuating circumstances to save Wairos from the hangman's noose

considering the manner in which he murdered his son Ronald, 9. Musekiwa Mbanje represented the state and Wairos was convicted of murder with actual intent. The incident occurred on June 12, 2007, News Day said.

GAMBIA: SEPTUAGENARIAN SENTENCED TO DEATH FOR MURDERING WIFE

February 14, 2011: Sheriff Abba Hydera, 71, from Bakallar Village in the Upper Niumi District of The Gambia's North Bank Region was sentenced to death by Justice Joseph Enwa Ikpala of the Special Criminal Court (SCC) in Banjul for murdering his wife, Basara Hydera, on September 6, 2010, AllAfrica.com said. He allegedly shot her. The convict was also alleged to have unlawfully attempted to cause the death of his son, Marabel Hydera by shooting him with a gun on the said date and place.

YEMEN: SIX MEN SENTENCED TO DEATH FOR KILLING SOLDIER

February 13, 2011: Security court in Yemen's southeast province of Hadramout sentenced six men to death for killing a soldier in the neighboring province of Shabwa and attacking a security checkpoint in March 2009, official news agency Saba reported. The

court sentenced another three youths to five years each in prison for the same charges as they were underage, Saba said. Saba did not say whether those accused were from al-Qaida or southern separatist group as the country have been long struggling to curb those armed groups in the south, as well as the Shiite rebels in the north.

MALAYSIA: IRANIAN TO HANG FOR DRUG TRAFFICKING

February 11, 2011: Iranian carpet seller Hossein Nsiri Zahed, 50, was sentenced to hang by Justice Ghazali Cha of the Malaysian High Court for trafficking 7.5kg of methamphetamine by the roadside near Pantai Hill Park, Pantai Dalam on March 9, 2010. Hossein had been jointly charged under Section 39B (1)(a) of the Dangerous Drugs Act 1952 with another Iranian, Omid Lashkari Mojtaba, 31, of trafficking the drugs. Omid, however, was acquitted after the court found the prosecution had failed to prove he had the intention to traffic the drugs and found him to be an innocent carrier, while Hossein was ordered to enter his defence last month. In his judgment, Justice Ghazali said Hossein's defence that he did not know the contents of a red bag he was carrying was a bare denial, reported The Star.

EMIRATES: DUBAI FIRING SQUAD EXECUTES MOSQUE SLAYER

February 10, 2011: A convicted killer was put to death by a firing squad in Dubai, the father of a boy murdered in a Dubai mosque said. It's the first execution in the United Arab Emirates in three years.

Mukhthiar Ahmed Khudabakhsh, the father of the 4-year-old victim, says the sentence was carried out at a shooting range in Dubai. The boy's parents were among five family members present for the execution of Rashid Rabee al-Rashidi, a 30-year-old boat captain convicted of raping and killing the boy Moosa in a mosque bathroom in November 2009. The UAE's last execution was in February 2008, reported AP.

ST LUCIA: MAN SENTENCED TO DEATH FOR KILLING POLICEMAN

February 9, 2011: In St Lucia, High Court Judge Kenneth Benjamin sentenced Michel 'Bage' Joseph to hang for the April 27, 2008 murder of a policeman. Constable Lester Garvin Remy was shot four times while he and other colleagues were executing a search warrant on a home in South Castries. Scores of people, most noticeably

members of the police force, gathered in the Criminal High Court for the sentencing hearing.

The incident sent shock waves throughout the St Lucia Police Force and the rest of the society as it was the first time a police officer was killed here in the line of duty. Defence attorney Al Elliot immediately announced plans to appeal the judgment, stating that there were some legal issues that were not addressed, reported Jamaica Observer.

USA: 13 STATES ASK JUSTICE DEPARTMENT AID IN OBTAINING SCARCE EXECUTION DRUG

February 8, 2011: 13 states ask Justice Department aid in obtaining scarce execution drug. The Justice Department says it's reviewing a request by 13 states looking for the government's help obtaining supplies of a scarce execution drug. States are scrambling to find enough sodium thiopental after its sole U.S. manufacturer ceased production and some overseas supplies dried up, AP said.

The states asked U.S. Attorney General Eric Holder Jan. 25 for help identifying sources for the drug or making federal supplies available to states. The states that signed the letter are: Alabama,

Colorado, Delaware, Florida, Idaho, Mississippi, Missouri, Nevada, Oregon, Tennessee, Utah, Washington and Wyoming. Arizona, Arkansas, California, Georgia and Tennessee have sought supplies in England, while Nebraska purchased a batch from India. Justice Department spokeswoman Alisa Finelli says the agency will review the letter.

UAE: DEATH FOR KILLING NON-MUSLIM COMMUTED BY BLOOD MONEY

February 8, 2011: A Sudanese man initially sentenced to 15 years in prison for murder instead of death because the victim was not Muslim today saw his sentence again reduced to three years after the victim's family accepted blood money, thenational.ae reported.

The killer, Babaker Abdullah Babaker, was sentenced by two lower courts to 15 years. Under the Maliki school of Islamic legal thought, officially adopted in UAE courts, a Muslim who murders a non-Muslim cannot face execution. But the Court of Cassation, in precedent-setting decision, on December 29, 2010, ordered the case retried under an alternative Islamic school of legal thought, Hanafi, which is the only Sunni school of jurisprudence that calls for the death penalty if a

Muslim kills a non-Muslim.

The Court of Appeals then sentenced Babaker to death. But during the last month, the victim's family negotiated a blood money settlement, according to the defendant's lawyer, Ali al Abbadi. When a family accepts blood money, a court can jail a murderer to a minimum of three years and a maximum of seven years. Babaker, who has been in prison since 2008, will be released immediately because he has already served his term. The Court of Cassation decision is final.

He stabbed his Christian girlfriend 17 times after he suspected her of having an affair with a man from Ethiopia. The Abu Dhabi Criminal Court of First Instance found him guilty of premeditated murder, sentenced him to 15 years in prison and ordered him to pay Dh100,000 in blood money. The Abu Dhabi Court of Appeals upheld the sentence, and public prosecutors appealed the case to the Court of Cassation.

Prosecutors presented two main arguments. They said it was in the interest of the country to try Muslims and non-Muslims under Hanafi to ensure equality. They also said the victim was a resident and therefore

entitled to protection, security and sanctity for her "blood, honour and money".

Court of Cassation rulings are binding on local courts, so judges in the emirate will be required to treat the murder of a non-Muslim the same as that of a Muslim. Murder cases are tried under Sharia, which requires the death penalty if the victim's family demands it. Dr Ahmed al Kubaisi, the head of Sharia studies at UAE University, praised the cassation court's ruling, which he said considered the wider and long-term interests of the country under Sharia.

Dr al Kubaisi said Islamic law required judges to use their discretion when there was a conflict between justice and politics. "In Islamic jurisprudence, judges can announce that a person is sentenced to death in accordance with Sharia but should not be killed in consideration of politics," Dr al Kubaisi said. "In Islamic law the interests of the nation precede the interests of the individual. "Justice that safeguards the interests of the whole nation is preferable to that which safeguards the interests of the individual. The ruling is completely sound according to Islamic law." Hanafi scholars note that an Islamic text that prohibits the killing of a Muslim for taking a non-Muslim life was

meant to be applied only in times of war.

SAUDI ARABIA: 90-YEAR-OLD KILLER SAVED FROM GALLOWS

February 7, 2011: A 90-year-old Saudi Arabian woman from the southern province of Asir who was sentenced to death for killing the daughter of her husband's brother after a heated argument in 2003 was pardoned by the victim's relative, Emirates247.com said.

The pardon was announced at a meeting of tribes from the victim's town of Tareeb and other parts of Asir at the request of crown prince Sultan bin Abdul Aziz, Alwatan daily said. "The tribes accepted Prince Sultan's mediation and the victim's relatives agreed to pardon the killer... The prince personally interfered in this case and will pay diya from his own pocket." The paper did not say how the woman murdered her relative or whether she has been set free.

IRAN EXECUTES 2 IN TORTURE DEATHS

February 6, 2011: A pro-government web site says Iran has executed two prison officials convicted of the 2009 torture deaths of three anti-government protesters., AP reported. The report by

the Khabarnameh Daneshjooyan web site says the executions were reported by Abdolhossein Rouharamini, the father of one of the victims and a prominent conservative figure. The torture deaths had sparked an outcry even among influential government supporters. The case drew some of the fiercest criticism against the government over its treatment of protesters in the turmoil following 2009's disputed presidential election. The two prison officials were convicted in June. Calls to Rouharamini and officials were not returned.

IRAN EXTENDS ENFORCEMENT OF ISLAMIC PENAL CODE, INCLUDING STONING

February 6, 2011: Iranian President Mahmud Ahmadinejad extended for another year enforcement of the Islamic Penal Code that mandates punishments that include stoning, RFE/RL's Radio Farda reports. Ahmadinejad issued a notification to extend enforcement of the code until March 2012, the beginning of the Iranian new year, following ratification by the Iranian parliament in December 2010. Lashing, amputation of hands, and stoning to death are among the punishments permitted under the code.

The Islamic Penal Code was originally ratified by the parliament's Legal and Judicial Commission in 1982 and passed by the top legislative body, the Guardian Council, for an experimental period of five years. Since its revision in 1991, the law's experimental implementation has been repeatedly extended. According to Iran's constitution, the experimental implementation of a law is approved by parliamentary commissions and is never debated by all lawmakers. Such laws are not permanent.

TUNISIA: PRISON VISIT ENDS 20-YEAR BAN

February 2, 2011: Tunisia's interim government allowed Human Rights Watch to visit two prisons, ending a 20-year ban on access by human rights organisations. On February 2, the two-member Human Rights Watch delegation visited Bourj er-Roumi, a large prison complex near the city of Bizerte. The delegation visited Mornaguia Prison, Tunisia's biggest facility, on February 1.

"By granting us access, Tunisia's transitional government has taken a step toward transparency in its prison operations that we hope will continue and extend to local organizations," said

Eric Goldstein, deputy Middle East and North Africa director at Human Rights Watch. "The transitional government also needs to break with the inhumane treatment of prisoners practiced by the ousted government." Human Rights Watch said the transitional government should allow Tunisia's 140 death-row prisoners to receive family visits like other prisoners and ease overcrowding. One of the first promises made on behalf of the transitional government was an imminent amnesty for all political prisoners.

A Justice Ministry official told Human Rights Watch that Tunisia has about 140 prisoners facing the death penalty, half of them in Mornaguia Prison, 14 kilometers west of Tunis. The Justice Ministry said that at the time the transitional government took office, slightly more than 500 prisoners were being held for politically motivated offenses.

IRAN EXECUTIONS THREE TIMES LAST YEAR'S RATE –U.N.

February 2, 2011: Iran has witnessed a dramatic increase in executions so far in 2011, United Nations human rights chief Navi Pillay said today and her office said the rate was three times that of last year.

Expressing alarm at the rise, she said at least 66 people, including three known to be political dissidents, were executed in January. Pillay aides said they had recorded about 300 executions for the whole of last year.

"We have urged Iran, time and time again, to halt executions," said Pillay, the U.N. high commissioner for human rights, in a statement issued through the U.N. European headquarters in Geneva, where she is based. "I am very dismayed that instead of heeding our calls, the Iranian authorities appear to have stepped up the use of the death penalty."

Most executions were for drug offenses, she said, but at least three were for political activism. Two executions were held in public. Pillay said she was worried about the large number of political prisoners, drug offenders and even juvenile offenders who remain on death row in Iran. Her spokesman, Rupert Colville, said tracking of official Iranian reports and the country's media showed that last year the figure was running at about 18 to 25 a month. "So this year it is triple that rate," he told Reuters.

News from International NGOs - February 2011

Rabat Declaration 12 February 2011: Penal Reform International and the Moroccan Coalition against the Death Penalty

On 11 and 12 February 2011, Penal Reform International (PRI) and the Moroccan Coalition against the Death Penalty (CMCPM), held two events in Rabat, Morocco, on the abolition of the death penalty.

The first event, a youth training workshop entitled “Death penalty and the right to life” targeted fifteen young men and women of the Moroccan Coalition to participate in the workshop as future human rights leaders of Morocco.

The workshop aimed to raise the young activists’ awareness and enhance their role in defending the right to life and human dignity, and encourage them to join the world movement against the death penalty.

The workshop raised participant’s awareness of:

International standards calling for abolition and restrictions in the use of the death penalty;

The Moroccan legal system and laws which make provision of the death penalty;

Local and regional advocacy campaigns;

The work of the World Coalition Against the Death Penalty, and the 4th World Congress against the death penalty;

Ideas for establishing their own campaigns.

The second event, a conference entitled “Death penalty: between gradual and total abolition” brought together representatives from civil society organisations, human rights activists, national institutions, judges and academics.

Participants reviewed the latest developments towards abolition in the Maghreb and Arab regions. Debates focused upon:

The most recent steps taken in Morocco towards abolition;

Proposed amendments to the Penal Code to reduce the application of the death penalty;

Obstacles that are facing abolition;

Actions and interventions that should be taken by the Coalition to support steps taken toward abolition.

Participants welcomed the Tunisian and Egyptian victories against the anti human rights forces in the region. Participants expressed their optimism about the expected impacts of the Tunisian and Egyptian revolutions on the region, as well as globally, in terms of imposing respect for human rights and the establishment of democratic societies, where freedoms and rights are preserved. Participants recommended that democratic and human rights activists in Egypt and Tunisia give great attention to the right to life stipulated in the Universal Declaration of Human Rights and in the Second Optional Protocol to the International Covenant on Civil and Political Rights, and expressed hope that the abolition of the death penalty would be included in constitution reforms that are now under preparation in Egypt and Tunisia.

At the conclusion of the conference, participants declared that they would continue to struggle together with the various components of the democratic and human rights movement in the Maghreb and Arab regions, as well as worldwide, for the abolition of the

death penalty in law, and ratification of the relevant international human rights treaties by the countries in the region.

The participants also confirmed the following:

The urgent need to urge governments to ratify the Rome Statute of the International Criminal Court.

The urgent need to respect the United Nation resolutions calling for the Moratorium on the use of the death penalty.

The need to abolish the death penalty in law, and amend the constitution so that the penalty cannot be reintroduced.

The need to call on the European Union to increase political pressure on the Moroccan authorities in order to influence them to abolish the death penalty from its legislation.

The need to focus on safeguards that protect the victims of crime.

The need to ensure that the criminal justice system and its policies, and the treatment of prisoners are based on international human rights standards and norms, including the right to a fair trial and the presumption of innocence.

PRI conducts three day Juvenile Justice training on conversion

programmes and non custodial measures in Morocco

A 3-day training course on juvenile justice opened on 7 February 2011 in Marrakech, Morocco, dealing with conversion programmes and non-custodial measures. The training course was organized by Penal Reform International in collaboration with the Directorate of Criminal Affairs and Pardons, a sub-agency of the Ministry of Justice in the Kingdom of Morocco.

Judge Amina Afrokhy, from the Directorate of Penal Affairs and Pardons addressed the opening session, tackling the importance of juvenile justice and the existing partnership between the Moroccan Ministry of Justice and Penal Reform International as an organization. Mrs Afrokhy stressed the importance of holding meetings between government agencies and civil society and the opportunities that can be offered to exchange experiences and skills among workers in the field of criminal justice and penal reform.

Mrs Taghreed Jaber, Regional Director of Penal Reform International, spoke about the Regional Programme of Juvenile Justice which is implemented by PRI in the Middle East and North

Africa and funded by the Swedish Agency for International Development. She also highlighted the importance of relevant criminal reforms and the existing partnership between Penal Reform International and the Moroccan Ministry of Justice and considered convening further training to give the parties another chance to exchange expertise and experience in the Middle East and North Africa. Mrs Jaber additionally emphasized the importance of the Moroccan experience in the field of juvenile justice.

Twenty five participants attended the workshop from various provinces of Morocco, including members of the judiciary, police and gendarmerie, as well as some representatives from civil society organizations. The session reviewed concepts and features of juvenile justice in international and Moroccan law, non-custodial measures, and the causes of juvenile delinquency, in addition to the needed reform environment of the criminal and juvenile justice systems. The course covered training concepts on how to provide help for children in conflict with the law, as well as the codes of ethics for social workers, and the impact of both topics on female juveniles.

The course aimed to give participants the skills, knowledge, and attitudes necessary to contribute positively to the development of their future in the field of juvenile justice in particular, and penal reform in general.

This course is one of several activities of the juvenile justice project being carried out by Penal Reform International with funding from the Swedish Agency for Development in five Arab countries: Jordan, Algeria, Yemen, Egypt and Morocco. The Swedish Agency for Development aims mainly at defining the criteria for restorative justice in the field of juveniles and the promotion of its application and integration within the criminal justice systems to serve the child's best interests.

For further information please contact PRI MENA Regional Director Taghreed Jaber at tjaber@penalreform.org

Zimbabwe treason charges an attack on freedom of expression

25 February 2011

Amnesty International today expressed shock that at least 45 Zimbabwean activists have been charged with treason and could face the death

penalty following their arrest at a lecture on the protests in North Africa.

Mr Munyaradzi Gwisai, a former opposition parliamentarian, and 44 social justice, trade union and human rights activists were arrested by police on Saturday as they were attending a lecture entitled Revolt in Egypt and Tunisia. What lessons can be learnt by Zimbabwe and Africa.

“This is a clear over-reaction by the state to an event in which the participants were exercising their legitimate right to freedom of expression which the government of Zimbabwe must guarantee under national and international law,” said Michelle Kagari, Amnesty International’s deputy director for Africa.

Amnesty International is also alarmed by reports that at least seven of the activists, including Munyaradzi Gwisai, were beaten by security agents while in custody and called on the government to investigate the allegations.

“The safety of detainees remains a serious concern as the Law and Order Section at Harare Central Police station has become notorious for the torture and ill-treatment of activists in their custody,” said Michelle Kagari.

“These persistent abuses demonstrate the need for urgent reform of Zimbabwe’s security sector to bring to an end a culture of impunity for human rights violations and partisan enforcement of the law.”

Defence lawyers told Amnesty International they had been denied the opportunity to consult their clients and they were only informed of the charges facing the activists minutes before they were brought before the court.

The proceedings were adjourned following protests from the lawyers and are expected to resume Monday.

Amnesty International is also concerned about reports that prison officers at the Magistrates court in Harare prevented the defence lawyers from taking instructions from their clients before they were transferred to Harare Remand Prison and Chikurubi Maximum Security Prison.

“This restriction of the right of the activists to access their lawyer is unnecessary and throws serious doubts on the likelihood the detainees will receive a fair trial,” said Michelle Kagari.

“The police continue to selectively apply

the law in favour of President Robert Mugabe’s ZANU-PF party.”

Last month ZANU-PF supporters carried out attacks against opposition supporters in Harare’s suburb of Mbare, but to date, the police have not arrested anyone.

Trinidad and Tobago urged to stop drive towards executions

16 February 2011

Amnesty International has urged members of Trinidad and Tobago’s parliament to vote against a constitutional amendment Bill which would allow executions to be resumed in the country.

Under the proposed Bill, scheduled to be debated on 18 February, courts across the country would be able to circumvent judicial rulings that enhanced human rights protection and resulted in a halt to executions in 1999.

Authorities in the Caribbean nation claim carrying out executions is a way to tackle rising numbers of murders and deter others from committing violent crime.

“Trinidad and Tobago has a real problem with murder and violent crimes, but experience has shown that facilitating executions is not the solution,” said Chiara Liguori, researcher on Trinidad and Tobago at Amnesty International.

"Hurrying executions or ignoring appeals already in progress violates defendants' rights by denying them due process guaranteed under international law.

“The proposed Bill would allow people to be executed even if they were appealing against their sentence, which is their right.”

“We urge Parliament not to accept the proposed Bill and instead tackle the root causes of violent crime and reform the police and justice systems.”

“What may seem a technical change in the Constitution is in fact a matter of life and death for many people.”

More than 40 people are currently on death row in Trinidad and Tobago.

In 1984, the United Nations’ Economic and Social Council said an execution should not be carried out if there’s any appeal or recourse procedure pending

on the case.

The new Bill would circumvent this principle and allow for expedited executions.

Currently, under a ruling by the Judicial Committee of the Privy Council, acting as the highest court in the country, any execution carried out five years after the original sentence constitutes inhuman or degrading punishment or other treatment, which is illegal under the country’s Constitution.

The lengthy appeals process for death penalty cases means that, in practice, no executions are able to be carried out within the five year period and most sentences have been commuted to prison terms.

But Amnesty International says the proposed Bill will ignore that ruling and make the constitution inconsistent with human rights.

“We are extremely concerned that the New Bill would allow for someone to be executed within a short period after a sentence is passed, not allowing for proper appeals and that others could be kept on death row for years on end,” said Chiara Liguori.

The prime minister, Kamla Persad-Bissessar, has been reported as referring to the death penalty as a "weapon in [our] arsenal" to fight the murder rate.

She is quoted on her Facebook website as saying: "The Government that I have the honour to lead will ensure that this law is implemented and convicted murderers must suffer and pay the ultimate price by having the sentence of death carried out."

The country is one of 93 countries in the world which retains the death penalty for ordinary crimes.

Even though death sentences have continued to be handed out in Trinidad and Tobago, no executions have been carried out since 1999.

Outrage as Iran's execution figures explode

12 February 2011

Iran hanged 121 people in six weeks between 20 December 2010 and 31 January 2011, many of them after unfair trials and for crimes that did not result in a person's death. Among those executed are political and human rights

activists.

The International Campaign for Human Rights in Iran counted 121 executions for the six-week period, excluding the secret executions that routinely take place in prisons around Iran. The total number of recorded executions in 2009 was 388 (statistics for 2010 have not yet been released by Amnesty International).

Mahmood Amiry-Moghaddam from World Coalition member organization Iran Human Rights has stated that the "reason for the increase in the number of the executions is probably due to [the] Iranian authorities' need to spread fear among the people more than ever".

He was referring to the risk of anti-regime protests as the economic situation deteriorates after recent economic reforms "have led to a sharp increase in prices" and at a time where there is "increasing unemployment".

Iran's use of executions as a political silencer has historical precedent. According to [Amnesty International's 2009 report](#), between the presidential election on 12 June 2009 and the inauguration of Mahmoud Ahmadinejad for a second term as President on 5

August, there were 112 recorded executions.

Nobel Laureate Shirin Ebadi and Rights Groups Demand Moratorium on Executions

16 February 2011

Other nations and the UN should speak out against a wave of executions in Iran, the Nobel Peace Laureate Shirin Ebadi and six human rights organizations said today. Shirin Ebadi and the human rights groups called on the Iranian Judiciary and Parliament to institute an immediate moratorium on all executions.

At least 86 people have been executed since the start of 2011, according to information received by the six organizations. The groups are Amnesty International, Human Rights Watch, Reporters without Borders, the International Campaign for Human Rights in Iran, the International Federation for Human Rights, and its affiliate, the Iranian League for the Defence of Human Rights. At least eight of those executed in January were political prisoners, convicted of "enmity against God" (moharebeh) for participating in demonstrations, or for

their alleged links to opposition groups.

"The Iranian authorities have shown that they are no longer content to repress those contesting the re-election of Mahmoud Ahmadinejad by arresting and convicting them - they have shown they will now resort to execution," Shirin Ebadi said.

"They are using the familiar tactic of carrying out political executions at the same time as mass executions of prisoners convicted of criminal offences. These executions may increase if the world is silent," she added.

The increase in executions follows the entry into force in late December 2010 of an amended anti-narcotics law, drafted by the Expediency Council and approved by Supreme Leader Ayatollah Ali Khamenei. Officials have also vowed to step up enforcement measures against drug trafficking. Sixty-seven of those executed in January had been convicted of drug trafficking. The true number of executions may be even higher, the groups said, as there are credible reports that some executions that are not officially announced are taking place in prisons.

Another prisoner executed in January was Zahra Bahrami, who had dual Dutch

-Iranian nationality. The prosecutor's office charged her with drug possession and trafficking after she had been arrested for participating in a post-election demonstration. Zahra Bahrami had no right to an appeal, as her death sentence was confirmed by the Prosecutor General's office. Despite the intervention of the Dutch authorities and calls by the European Union not to execute her, authorities executed her without warning. They did not allow her to meet with her lawyer or provide the legally required 48 hour notice prior to her execution.

"The authorities have for years arrested and tried their opponents on politically motivated criminal charges such as possession of alcohol or drugs and illegal possession of arms," Shirin Ebadi said. "They have imprisoned lawyers and journalists, some of them my colleagues, on such trumped-up charges. Given the sharp rise in executions, the lack of transparency in the Iranian judicial system and recent changes in the narcotics law, there is a great danger that authorities will use ordinary criminal charges to sentence opponents to death."

The recent executions also raise fears for the lives of two men, Saeed Malekpour and Vahid Asghari, believed

to have been sentenced to death by Revolutionary Courts following separate unfair trials in which they were accused of "spreading corruption on earth."

On January 30, the Tehran Prosecutor, Abbas Ja'fari Dowlatabadi, announced that the death sentences of two unnamed "administrators of obscene websites" had been sent to the Supreme Court for review. Human rights activists in Iran believe that he was referring to Saeed Malekpour and Vahid Asghari.

Saeed Malekpour, a 35-year-old web designer and permanent resident of Canada, was sentenced to death at the end of November 2010 for creating "pornographic" internet sites and "insulting the sanctity of Islam". Prior to his arrest during a family visit to Iran in 2008, he had created a programme enabling the user to upload photos. That programme had then been used to post pornographic images, which he said had happened without his knowledge. He is alleged to have been tortured while being held for more than a year in solitary confinement in Evin Prison.

Vahid Asghari, a 24-year-old information technology student enrolled at a university in India, has also been

detained since 2008 and reportedly tortured. He is believed to have been tried in late 2010, but the verdict has never been officially announced.

There is also concern surrounding the case of Yousef Nadarkhani. Authorities arrested Yousef Nadarkhani, a pastor in a 400-member church in northern Iran, in October 2009. He was sentenced to death in September 2010 for “apostasy from Islam”, despite the fact that no such crime currently exists under Iran’s penal code. His sentence is currently under appeal before the Supreme Court.

On January 26 authorities announced that Sayed Ali Gharabat had been executed for “spreading corruption” and “apostasy” in Karoun Prison, Ahvaz, after he, according to authorities, falsely claimed to have communicated with the Twelfth Imam. Twelver Shi’a Muslims believe that the Twelfth Imam is currently in hiding and will return to earth to bring about justice.

Freedom of religion and belief is guaranteed by the International Covenant on Civil and Political Rights (ICCPR), of which Iran is a state party. The covenant includes the right to change one’s religion.

Iran executes more people than any country other than China. The hundreds, if not thousands, of prisoners currently on death row may include more than 140 who were under the age of 18 at the time they allegedly committed their offence. International law prohibits the execution of persons for offences that they committed while under 18.

To put an end to this killing spree, other nations should demand that Iran immediately end these executions and respect its obligations under international law, Shirin Ebadi and the six human rights organizations said.

Iran has made consistent efforts to obstruct scrutiny of the situation in the country by international human rights mechanisms over the past five years. In light of that record, Shirin Ebadi and the organizations called on other nations to take advantage of the forthcoming session of the Human Rights Council to appoint a special envoy of the UN Secretary-General with a mandate to investigate and report on human rights conditions in Iran.

Background

Since 1979, Iran has executed thousands of men, women and even children for a variety of alleged offences.

Article 6 (2) of the ICCPR states: “In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.”

Iran has never signed the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty, and has voted against successive resolutions by the UN General Assembly calling for a moratorium on the use of the death penalty, most recently in December.

Human rights organizations, including the six who have joined this statement, have documented numerous human rights abuses during detention and trials. These violations include psychological and physical pressure, amounting to torture, to force prisoners to “confess” to alleged crimes, the use of extended solitary confinement, and lack of access to lawyers.

In addition, the Revolutionary Courts hold most of their trials behind closed doors, despite a requirement under Article 168 of the Iranian Constitution that trials for “political” and “press” offences should be open.

In many cases, such as Zahra Bahrami’s, lawyers of those sentenced to death are informed of their clients’ executions only after they have taken place, despite the legal requirement for 48 hours’ notice.

Iran Human Rights: At Least 546 People Executed In Iran In 2010

February 10, 2011: Iran Human Rights (IHR) presented its annual report on the death penalty in 2010 in a press conference in Oslo. According to the report at least 546 people have been executed in 2010 in Iran. IHR has also received additional reports of more than 200 executions that haven’t been included in the report due to ongoing investigations. The spokesperson of the organization Mahmood Amiry-Moghaddam, who presented the report today, said: “The number of annual executions in 2010 is probably the highest since the mass executions of

political prisoners in the summer of 1988".

Commenting this report, the spokesperson said: "The dramatic increase in the number of executions during the past year, and especially numerous reports of unlawful mass-executions in Khorasan province, demands urgent action by the world community".

He added: "The execution numbers are increasing even more in 2011 and have passed far beyond the alarming level". Amiry-Moghaddam ended:" Several political and non-political prisoners are at imminent danger of execution and we ask the UN to send its Special Rapporteurs to Iran immediately".

Tunisia: Prison Visit Ends 20-Year Ban

February 2, 2011: Tunisia's interim government allowed Human Rights Watch to visited two prisons, ending a 20-year ban on access by human rights organisations. On February 2, the two-member Human Rights Watch delegation visited Bourj er-Roumi, a large prison complex near the city of Bizerte. The delegation visited Mornaguia Prison, Tunisia's biggest

facility, on February 1.

"By granting us access, Tunisia's transitional government has taken a step toward transparency in its prison operations that we hope will continue and extend to local organizations," said Eric Goldstein, deputy Middle East and North Africa director at Human Rights Watch. "The transitional government also needs to break with the inhumane treatment of prisoners practiced by the ousted government."

Human Rights Watch said the transitional government should allow Tunisia's 140 death-row prisoners to receive family visits like other prisoners and ease overcrowding. One of the first promises made on behalf of the transitional government was an imminent amnesty for all political prisoners. A Justice Ministry official told Human Rights Watch that Tunisia has about 140 prisoners facing the death penalty, half of them in Mornaguia Prison, 14 kilometers west of Tunis. The Justice Ministry said that at the time the transitional government took office, slightly more than 500 prisoners were being held for politically motivated offenses.

Tunisia: Towards Ratifying International Conventions

February 1, 2011: The Tunisian government announced the ratification of the most important international conventions, the FIDH made public. The Council of Ministers of the transitional Tunisian government announced that the country will ratify the Rome Statute that established the International Criminal Court, the international convention against forced disappearances, the two additional optional protocols to the International Covenant on Civil and Political Rights, including the Second Optional Protocol regarding the abolition of the death penalty.

Furthermore, the government announced it is studying the possibility of removing Tunisia's reservations to the Convention on the elimination of all forms of discrimination against women (CEDAW Convention). With these long awaited decisions, Tunisia moves closer to the most advanced universal norms concerning human rights. "It is the first time that this has happened in the region, and this must be emphasised," Khadija Chérif, FIDH secretary general said.



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