

Crime and Justice

Death Penalty and the Right to Life

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



May 2011

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CRIME AND JUSTICE

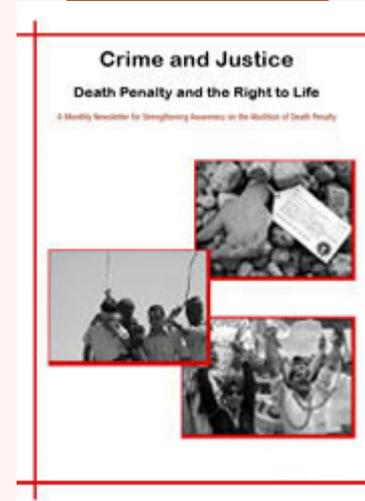
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IPS, the global news agency, brings you independent news and views on capital punishment. In this newsletter you will find in-depth reports by IPS correspondents from around the world and columns by experts, in addition to special sections for news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

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By Ziggy Mogopodi

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WORLD PRESS REVIEW:

SAUDI ARABIA: TWO SAUDI MURDER CONVICTS BEHEADED- BAHRAIN: FOUR PROTESTERS SENTENCED TO DEATH - SIERRA LEONE PARDONS 96 PRISONERS ON INDEPENDENCE ANNIVERSARY - UNITED ARAB EMIRATES: DEATH PENALTY FOR DESERT RAPE - SAUDI ARABIA: THREE DEATH SENTENCES STAYED - VIETNAM: NIGERIAN SENTENCED TO DEATH - IRAQ: DEATH PENALTY FOR THREE SADDAM-ERA SPIES - MALAYSIA: TWO COUSINS TO HANG FOR DRUG TRAFFICKING - UAE: KILLER CAUGHT BETWEEN PARDON AND DEATH - MALAYSIA: MAN SENTENCED TO DEATH FOR MARIJUANA TRAFFICKING - MALDIVES: PARLIAMENT ACCEPTS AMENDMENT TO CLEMENCY ACT TO UPHOLD DEATH SENTENCES - OKLAHOMA (USA): GOV. MARY FALLIN SIGNS LEGISLATION GIVING STATE MORE FLEXIBILITY IN LETHAL INJECTION DRUGS - TAJIK PARLIAMENT PASSES PRISON REFORM LAW - PACE URGES BELARUS TO ABOLISH DEATH PENALTY - CHINA: 26-YEAR-OLD FEMALE EXECUTED IN XIAMEN FOR DRUG TRAFFICKING - USA: DENMARK'S FOREIGN MINISTER SAYS SHE WILL URGE U.S. STATES NOT TO USE DANISH PENTOBARBITAL - CONNECTICUT (USA): DEATH PENALTY REPEAL BILL APPROVED BY JUDICIARY COMMITTEE - OHIO (USA): MAN EXECUTED FOR KILLING FELLOW INMATE - EGYPT: THREE MEN TO HANG FOR RAPE - SAUDI ARABIA: THREE PAKISTANIS SENT TO THE GALLOWES - MALAYSIA: FATHER AND SON TO HANG FOR MURDER - MALAYSIA: MAN GETS DEATH FOR TRAFFICKING SYABU - INDIA: FIRM TO STOP SELLING EXECUTION DRUG TO US PRISONS - VIETNAM: 2 SENTENCED TO DEATH FOR KILLING OFFICIAL - SIERRA LEONE AGAINST UNIVERSAL MORATORIUM ON DEATH PENALTY - GAMBIA ABOLISHES DEATH PENALTY FOR DRUG-RELATED OFFENCES - UAE: AMNESTY INTERNATIONAL'S SHARIA CRITICISM REJECTED BY JUDGE - MALAYSIA: NO REVIEW OF CAPITAL PUNISHMENT - INDIA: PRESIDENT PARDONS TWO DEATH CONVICTS - USA: TWO MORE STATES TURN OVER EXECUTIONS DRUG IN PROBE - SWAZILAND: SERIAL KILLER SENTENCED TO HANG - CHINA: ALLEGED CHINESE CRIMINAL RINGLEADER EXTRADITED FROM PHILIPPINES

News from International NGOs:

PRI SIGNS UP TO A NEW CAMPAIGN ON HIV AND INJECTING DRUG USE: A GLOBAL CALL TO ACTION - PRI WELCOMES TAJIKISTAN'S EASING OF CONDITIONS FOR LIFERS - PRI USES UN CRIME COMMISSION SESSION TO HIGHLIGHT SMR REVIEW, BANGKOK RULES AND OPCAT - BAHRAIN URGED TO HALT EXECUTION OF PROTESTERS - COUNTRY-BY-COUNTRY DEATH PENALTY DATA NOW AVAILABLE - PRESSURED INDIAN FIRM STOPS EXPORTING LETHAL DRUGS - WILL ARAB REVOLUTIONS BRING NEW HOPE FOR ABOLITION?

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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COLUMN

IMPROVED CHANCES FOR ABOLISHING DEATH PENALTY IN NORTH AFRICA

By Amor Boubakri *

SOUSSE, Apr (IPS) Unlike the Middle East, North Africa has recently given signs it is moving away from capital punishment. The exceptions, however, are Egypt and Libya, which still have the death penalty and voted against the three UN General Assembly resolutions on a capital punishment moratorium adopted in 2007, 2008 and 2010. In Libya, at least 18 persons were executed in 2010.

A de facto moratorium has been observed since 1991 in Tunisia and since 1993 in Algeria and Morocco. Algeria was a co-sponsor of the three UN Resolutions. Morocco and Tunisia were less enthusiastic but not negative about them. Indeed, Tunisia chose not to attend the vote in order to avoid abstaining and voting "no". The Tunisian government said it was simply not ready to adopt a more courageous attitude toward the moratorium. Morocco abstained.

The governments of Algeria, Morocco,

and Tunisia have always argued that their societies are not ready to accept the abolition of death penalty. It is true that the readiness of these societies for a total abolition remains questionable, but nothing has been done to change this situation. Neither the media nor the parliament has opened a public debate to enhance awareness of the issue and its problems among people. Indeed, the "not ready" argument has been always an excuse for passivity and inertia.

Moreover, the North African governments have not been tolerant enough of NGOs fighting against death penalty, which have had to struggle to get access to the public to plead their cause.

However, with the political situation in the region now radically different, prospects for the abolition of death penalty are likely to improve considerably. Indeed, the peaceful Tunisian revolution which put an end to Ben Ali's dictatorship on 14 January 2011 has become a model that has spread throughout the region. Political reforms, including the enhancement of human rights, have risen to the top of the agenda. This would be sure to help the abolitionist movement in the region because it will have more liberty to act and to campaign against death penalty.

Furthermore, the promises of the Tunisian revolution are likely to be trustworthy. Just days after taking power in mid-January 2011, the Tunisian government that was formed after the failure of Ben Ali's regime made numerous revolutionary decisions, all intended to consolidate human rights. On 19 February 2011 Tunisia became a member of the International Criminal Court and ratified the International Convention protecting persons against forced disappearance. In addition, the UN Human Rights Committee and the Committee against Torture will be able to accept individual claims against the Tunisian government after the first Optional Protocol to the 1966 International Covenant on Civil and Political Rights and the Optional Protocol to the Convention against Torture have been adopted.

It is true that the second Optional Protocol to the 1966 Covenant aiming at abolishing the death penalty has not been adopted yet, but there is no doubt now that human rights are at the top of the political and civil actors' agenda in Tunisia. Probably the interim government chose not to make this decision in order to give the next government, which will be selected in upcoming elections, the opportunity to launch a large debate on the issue.

In Egypt, the end of Mubarak's regime on 11 February 2011 has raised major hopes for more respect of human rights in general and specifically the right to life. Indeed, the uprising that has spread through the region since the success of the Tunisian revolution has highlighted the importance of democracy and human rights. The genuine commitment of the new political and social actors who have carried out this uprising will lead to more courageous decisions regarding capital punishment.

Still, a total abolition would not be easy to push through in all North African countries. In Algeria, Morocco and Tunisia, abolition of death penalty seems to be a mere question of time. The new regime in Egypt will at least restrain from the use of the death penalty and adopt a de facto moratorium like Algeria, Morocco and Tunisia.

While in Libya the situation remains unclear, observers agree that nothing will continue as before and that the future Libyan regime will certainly display more respect for human rights and so likely follow the regional trend of diminished tolerance for the death penalty. (END/COPYRIGHT IPS)

PROJECT ARTICLES

U.S.: Lethal Injection Treads Murky Ethical Waters

By Matthew Cardinale

ATLANTA, Georgia, Apr 29, 2011 (IPS) - The death penalty is in limbo in several states since the U.S. Drug Enforcement Agency confiscated several states'

supplies of sodium thiopental (ST), a key drug used in lethal injections, and as the supply of the drug to the U.S. grows even tighter.

First, the DEA confiscated Georgia's supply of ST on Mar. 15 after questions surfaced about the origin of the drugs. Then, on Apr. 1, Kentucky and Tennessee voluntarily gave up their supplies to the agency.

Georgia had purchased its supply of ST from a pharmaceutical company operating out of the back of a driving school in London.

Meanwhile, the supply of ST has gotten even tighter in the U.S. On Apr. 7, the Indian company Kayem announced it would no longer supply ST to states that

practice the death penalty.

"In view of the sensitivity involved with sale of our Thiopental Sodium to various Jails/Prisons in USA and as alleged to be used for the purpose of Lethal Injection, we voluntary declare that we as Indian Pharma Dealer who cherish the Ethos of Hinduism (A believer even in non-livings as the creation of God) refrain ourselves in selling this drug where the purpose is purely for Lethal Injection and its misuse," Kayem said in a statement.

On Apr. 14, Britain said it would block exports to the U.S. of three lethal injection drugs, including ST, and urged the European Union to do the same. Britain had previously blocked exports of ST to the U.S. for use in lethal injections in November 2010.

Hospira Inc., the only U.S. manufacturer of ST, announced it would no longer make the drug at its new plant in Italy. Hospira had intended to begin producing out of its plant in Italy. However, the death penalty is unconstitutional in Italy and the government had insisted the company take responsibility for the end use of its product.

Now, some states are switching to a new lethal injection drug, pentobarbital

(PB), which is also used in medical treatments as well as animal euthanasia.

Last week, Georgia - which had its supply of ST confiscated - said it is considering use of PB and that state officials have traveled to Ohio and Oklahoma to learn about their recent experiences using the drug.

The state of Oklahoma already began using PB as part of a three drug combination in December 2010. In March, Ohio executed a man, Johnnie Baston, a convicted murderer, with PB. Ohio officials said it worked just as well as ST.

On Mar. 16, Texas decided to start using PB.

Pentobarbital is made by Lundbeck, a Danish company, which does not condone the drug's use by U.S. states in carrying out the death penalty. However, Lundbeck has not gone as far as some other companies and is continuing to sell the drug to distributors.

"I don't really know who the distributors are," said Laura Moye, death penalty abolition campaign director for Amnesty International USA. "Lundbeck has made

it clear they don't want it sold for these purposes. I don't know how many times it changes hands until gets to the Department of Corrections. They essentially lose control of what happens to the drug."

"It presents a very difficult ethical dilemma. They're ultimately buying these drugs from a manufacturer who's very clear [that] the purpose of the drug is to heal people, not kill people," she said. "It just kind of underscores how ethically complicated it can be to carry out executions."

"The availability of these drugs in the U.S. has become so limited, and the European countries said they don't want these drugs used for executions. States have to figure out how to get these lethal injection drugs," Moye added.

"It's not clear what's going on in these states. Are they getting it from other states that had a pre-existing supply, or from other sources?"

An Apr. 13 article by the New York Times reviewed depositions in various lawsuits brought by death row inmates, revealing that states conspired to avoid inspections of shipments containing the drugs.

In one case, Wendy Kelley, an Arkansas Department of Corrections official, actually got in her car and drove to other states such as Tennessee and Texas to traffic the drug back to Arkansas to be used to execute a man.

"We would have hoped that Georgia would have had the foresight and decency to halt executions in light of the national and international concerns about the source and viability of lethal injection. Instead, the Georgia Department of Corrections went around the law to buy questionable drugs and then used them to extinguish two men," said Kathryn Hamoudah, chairperson of Georgians for Alternatives to the Death Penalty.

"Now, federal intervention has forced Georgia to give up its black market drugs," she said.
(END)

U.S.: Connecticut Likely to Abolish Ultimate Punishment

By Elizabeth Whitman

NEW YORK, Apr 26, 2011 (IPS) - This month, Connecticut became the latest in a growing line of U.S. states to move toward ending capital punishment.

With a vote of 27-17, the state's joint Judiciary Committee passed a bill repealing the death penalty. The bill should move to the state Senate in the next few weeks, according to state senators, and although they predict the vote will be a close one, they believe it is likely to pass.

From there it would go to the House and then Governor Dan Malloy, who has said that he would sign the bill.

Opponents of capital punishment hailed the vote as a step in the right direction towards abolishing a failed public policy. Ben Jones, executive director of the Connecticut Network to Abolish the Death Penalty, said his group was "very happy".

The bill is not retroactive, so the 10 people currently on death row in Connecticut would not be reprieved if the bill were passed. Only one man has been executed in Connecticut since 1973.

Recently, capital punishment has been the focal point of debate in the United States, particularly regarding the controversial case of Troy Davis, as well as a persistent shortage of lethal injection drugs that has led to several

states' attempting to obtain these using questionable means.

The death penalty was reinstated in 1977 in the United States after a 10-year moratorium. Since then, 16 states have abolished the death penalty, with Illinois being the most recent in March.

A heavy price to pay

Opponents of capital punishment draw on a wide range of reasons for why the policy needs to be abolished, but all agree that the system is deeply flawed.

Connecticut State Senator Eric Coleman, the Democratic chair of the Judiciary Committee, told IPS that he opposed the policy on both moral and practical grounds.

"I fear that... one day we may wrongfully prosecute someone for a capital crime, convict that person, and actually proceed in executing that person," he said. From a moral standpoint, "I just think that to kill a person in the name of the state or otherwise is the wrong thing to do," he added.

He also cited financial justifications for repealing the death penalty - money spent on the lengthy appeals process, for instance, could be better spent on

education or other social services.

Others believe that many problems, legal, social and otherwise, are deeply embedded in both the death penalty and the appeals process. "The death penalty falls on the poor, minorities, those with inadequate representation at trial," Richer Dieter, executive director of the Death Penalty Information Center, told IPS.

Race and socioeconomic means also play a major role. According to Jones, "The race of the defendant has a big impact on who gets the death penalty.

The stats show that if the victim is white, prosecutors are more likely to seek the death penalty."

"Among people on death row, 95 percent of them cannot afford their own attorney. It's usually the poor who end up getting sentenced to death," he added. "It's a broken system."

Coleman agreed that in Connecticut specifically, "There's a big disparity and inconsistency in the implementation of the death penalty."

The appeals process has its own problems. Dieter told IPS that it "looks at mistakes that happen in the legal trial," not new evidence of innocence.

During the process, said Dieter, courts "are only looking at the technical legal ways in which the trial was conducted, even though there may be very powerful new information." As a result, even if new evidence is uncovered, the appeals process may not necessarily use it to exonerate someone.

From a purely financial standpoint, the death penalty is much more costly than life imprisonment. According to Dieter, when all costs are taken into account, enforcing a death sentence costs about three million dollars - three times as much as life in prison.

Above all, however, "Mistakes can be made," said Dieter. "With the death penalty, you cannot undo those mistakes if you have an execution. Once you've carried out the execution, nothing can be done to change that."

Public ambivalence

A Gallup poll from October 2010 posed the question, "Are you in favour of the death penalty for a person convicted of murder?" Sixty-four percent of those surveyed were in favour, with 29 percent against and six percent with no opinion.

But both Dieter and Jones argue that

such polls do not accurately represent popular opinion.

Instead, said Jones, "Ask the question in a slightly different way and say, 'In cases of murder do you favour the death penalty or life imprisonment without release?' When that question is posed... support for the death penalty drops dramatically." He added, "As people learn more about the system, they're more willing to let go of it."

Dieter confirmed this perspective, adding that when people are given a choice between supporting the death penalty or life imprisonment without parole, they favour the latter.

One of the driving points of the debate over ending capital punishment in Connecticut is the chilling 2007 Cheshire home invasion that resulted in the gruesome murders of a mother and her two young daughters. One of the perpetrators, Steven Hayes, was convicted and placed on death row, and the other, Joshua Komisarjevsky, has not yet been tried.

State Senator John Kissel, a ranking Republican member of the Judiciary Committee, told IPS he supports the death penalty because he believes "it performs a valuable function in our

criminal justice system" by inducing defendants to cooperate with authorities.

"It does bring trials to a conclusion, in many respects, quickly," Kissel said.

"Many cases... are resolved because we do have a death penalty."

In other situations, "Some cases are so horrific and heinous that it's an appropriate punishment," he said, citing the events in Cheshire as one example.

"It's just considered by the vast majority in the public to be an appropriate penalty for these individuals."

(END)

DEATH PENALTY:

'It Cheapens Human Life'

Alma Balopi interviews DUMA BOKO, Motswana death penalty abolitionist

GABORONE, Apr 13, 2011 (IPS) - In a country where the death penalty enjoys vocal support from both the government and the public, lawyer and politician Duma Boko is not afraid to stand firmly against it. Boko will be in court on Apr. 15 to argue for the life of a client against daunting odds.

"I am against death penalty for many

reasons," Boko says, "one of them being the sheer irrevocability of the sentence of death. You can't revoke it."

Boko, who is also the leader the opposition Botswana National Front party, will be appealing the conviction and sentencing to death of Brandon Sampson. Sampson was convicted alongside South African citizen Michael Molefhe in 2007 for two murders. Their execution is scheduled for July.

Ahead of the court appearance, IPS spoke to the prominent human rights advocate about the case and the prospects for abolishing the death penalty in Botswana. Excerpts of the interview follow.

Q: What are Michael Molefhe and Brandon Sampson asking the court for in the hearing beginning Friday?

A: They are asking the court to quash and set aside their convictions. As you know each one of them has been convicted on two counts of murder and sentenced on each to death.

I represent Brandon Sampson. He is saying his conviction was unfounded and the court failed and committed grave errors in analysis and examination of the evidence that was presented to it.

On that basis, he is asking the court of appeal to quash and set aside that conviction and sentence as unsustainable and erroneous both in law and in fact.

Q: Doesn't executing those convicted of murder help the families of the deceased feel better about their loss?

A: I don't think it makes them feel better. No one has done that study here to establish that it does.

What I think it does is that it cheapens human life.

The society that celebrates death by the state is an immature society. If we think our people are that immature, we need either to educate them or to establish if indeed they are.

Because you may find that they are far from being that immature. It is the state that is immature in this regard and the legal system that forces judges and the state to be that immature.

Q: In light of the 2005 acquittal of Maauwe and Motsetlwa, whose original trial was set aside and the state delayed too long to re-try them, what are some system-wide problems with state-appointed lawyers in capital

cases?

A: A senior attorney of my standing can only take on these cases as the case is not paid at all - can only do it because he has got a passion to defend human rights.

Not all lawyers have that kind of passion and therefore not all of them would apply themselves with as much commitment and zeal as required fighting a case of this nature. We need to improve on that and secondly to make sure that they are given much facilities.

The state when it prosecutes has all the facilities. The constitution requires that in the marshalling of their defence, the accused persons be afforded the same facilities that the state has.

There is no equality of arms, if you will, when the attorney representing the accused person does not have the same resources as the state. That is basically violating the constitution and that violation must itself vitiate the imposition of death penalty on an individual. So it is a real challenge.

Q: It appears some of the most determined voices raised against capital punishment in Botswana have

become muted recently - what are the prospects for abolition in the future?

A: I don't know what the prospects are. Certainly it will take a committed government at this stage or a very committed judiciary.

I think the latter is what we hope to have. We will not have a committed reaction to this issue from this government. It is a very populist government; it is a government that believes in sentences of this nature. It is government with a person at the helm who I doubt reflects on the jurisdiction and philosophical implications of some of these penalties and their efficacy in terms of either deterring or achieving social objectives.

So we will look to the judiciary. Even then, the calibre that operates now it is competent to pronounce against death penalty.

Q: You said earlier that your party fights for human rights in the country. As a BNF government President would you impose a moratorium or seek to repeal the death penalty in Botswana?

A: Of course, when I am at the helm of that government, I will not sign anybody's death warrant whether the

law says so or not.

It is a position for which I don't apologise for because it is a principled position.
(END)

Botswana Steadfast Over Death Penalty

By Ziggy Mogopodi

GABORONE, Apr 9, 2011 (IPS) - On Apr. 15, Michael Molefhe and Brandon Sampson will appeal against their death sentences in the Court of Appeals in the Botswanan capital, Gaborone.

In 2007, the men were convicted of murdering two Zimbabweans, Sam Humbarube and Robert Ncube. The prosecution successfully argued that Molefhe, a South African, and Sampson believed Ncube had killed Molefhe's aunt in South Africa in the 1990s. The pair located Ncube in Mogoditshane village, just outside Gaborone, and killed him and a visiting friend, Humbarube.

Molefhe and Sampson, who are scheduled to be executed in July, were also sentenced to five years imprisonment for unlawful possession of a firearm and ammunition. The men are appealing their sentence on the

grounds that their judgment was impaired by drugs and alcohol when the killings were committed, and the punishment is too severe.

Ten years ago, Botswana attracted international attention when another South African, Mariette Bosch, was sentenced to death for the murder of her friend, Maria Wolmarans. Bosch killed Wolmarans in 1996 in Gaborone, and married Wolmarans's husband a few months later: convicted of premeditated murder, she was hung on Mar. 31, 2001, the fortieth person (and the fifth woman) to be executed since Botswana's independence in 1966.

The Bosch hanging was widely condemned, with several European countries even threatening sanctions against Botswana. Within the country, the Centre for Human Rights - more commonly known as Ditshwanelo - was at the forefront of criticising the sentencing and execution just two months after her appeal was rejected.

Since Bosch's hanging in 2001, Botswana has executed at least five more people, according to death penalty abolitionist group Hands off Cain. The group is critical of legal representation for the poor, asserting that the low rates paid by government

to defence lawyers mean only young and inexperienced lawyers take on the difficult job of defending capital cases.

Cautionary tale

In 2005, Gwara Motswetla and Tlhabologo Maauwe, members of the marginalised indigenous Basarwa (or San) ethnic group, narrowly escaped execution. They had been convicted of murdering a man whose ox they were accused of having stolen, and had seen their 1997 appeal rejected, their death sentences endorsed by then-President Festus Mogae, and a January 1999 execution date set.

Ditshwanelo was able to delay the execution, and supported a fresh legal challenge in 1999. This led a judge to set aside their original murder conviction after a new legal team presented evidence of incompetence and malpractice by their original defence lawyers.

The court heard that the two men had written a letter to the court before a failed appeal in 1997, asking that their lawyers be replaced, but the letter was never acted upon - or even presented to the Court of Appeal.

New lawyers Kgafela Kgafela and Brian

Splig also argued that the original defence team had no notes from consultations with their clients, nor from the trial itself, and failed to cross-examine witnesses on evidence in court. They had been denied private meetings with their lawyers, and may not have fully understood court proceedings which were not translated.

A mistrial was declared, and when a re-trial was finally opened in 2005, the judge ruled the state was responsible for an unreasonable delay of justice, depriving the accused of their right to fair trial in a reasonable time. Nine years after their arrest, Maauwe and Motswetla were acquitted and discharged.

But the voice of Ditshwanelo has not been heard on recent cases. In 2008, Mokwadi Fly was sentenced to death and subsequently hanged in March 2010. He had been convicted of murdering his five-year-old son with an axe in Francistown, after arguing with the child's mother.

The case again revealed strong popular support for the death penalty in Botswana. Conversations everywhere supported the ruling handed down by a three-judge panel - rejecting his defence that he had hit the child by mistake, and

finding that he had premeditated the murder of a child who was blameless in an argument between his parents. Fly lost his appeal and the president, under strong public pressure to show that such criminal acts will not be tolerated, did not grant clemency.

Steadfast popular support

Many Batswana believe the death sentence is a deterrent that keeps the incidence of murder in the country low. The police report an average of seven murders per week, most of which involve alcohol or domestic violence - or both. Botswana's murder rate is estimated to be 21.5 per 100,000 (figures from UNData, see sidebar), much lower than neighbouring South Africa (68), but higher than another, more comparable neighbour, Namibia (12.8).

Opposing the death sentence in Botswana is politically risky. Political parties have avoided taking a definite stance, but lawyer Duma Boko, who in 2010 became the leader of the main opposition party, the Botswana National Front, is a notable exception. He defended Brandon Sampson in his 2008 trial and has publicly spoken out against capital punishment for many years.

The upcoming court appearance may provide an opportunity for Boko and other opponents of the death penalty in Botswana to again make the case against capital punishment.
(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 April to the beginning of the month.

SAUDI ARABIA: TWO SAUDI MURDER CONVICTS BEHEADED

April 28, 2011: Two Saudi men were beheaded after being convicted over two separate cases of murder, the interior ministry said.

Ali bin Nasser al-Harhi was found guilty of shooting dead Abdullah bin Saed al-Harhi in a revenge murder, the ministry said in a statement carried by SPA state news agency.

He was executed in the southwestern province of Asir.

Khaled bin Mohammed al-Dosari was executed in Riyadh after being

convicted of shooting dead three men after a dispute with the father of one of the them, the ministry said in a separate statement. (Agence France Presse)

BAHRAIN: FOUR PROTESTERS SENTENCED TO DEATH

April 28, 2011: A Bahraini military court sentenced four men to death for killing two police officers during the pro-democracy protests that were crushed by the authorities last month.

The court sentenced Ali Abdullah Hassan al-Sankis, Qassim Hassan Matar, Saeed Abduljalil Saeed and Abdulaziz Abdulridha Ibrahim Hussain to death. Three other defendants tried with them, Issa Abdullah Kadhim Ali, Sadeq Ali Mahdi and Hussein Jaafar Abdulkarim, were sentenced to life in prison by the same court. All seven accused are reported to have denied the charges.
(Source: AI, 28/04/2011)

SIERRA LEONE PARDONS 96 PRISONERS ON INDEPENDENCE ANNIVERSARY

April 27, 2011: Sierra Leone feted its 50th anniversary of independence from Britain with a colourful parade and government pardon of 96 prisoners, five of whom were on death row.

In a nationwide broadcast President Ernest Koroma hailed the country's progress since the end of a devastating

decade-long civil war in 2002, one of the continent's bloodiest in which tens of thousands were killed and mutilated. "We fought a war but we have sustained the peace that is the envy of the world. We have had spells of unelected leadership but we are today the shining example of a country that is consolidating its democracy," he said. The speech was followed by a parade by the country's armed forces and some 4,000 school children at the national stadium in the capital Freetown. Presidents from Mali, Guinea, Equatorial Guinea, Liberia and Senegal were present as well as high-ranking delegations from the European Union, South Africa, Israel, Britain and China, foreign ministry officials said.

After Sierra Leone was recently named among countries that have officially expressed opposition to a proposed universal moratorium on the death penalty, Freetown pardoned five death row prisoners, including a woman. The state pardon now leaves eight males and one woman on death row, a prison officer told AFP. (Source: AFP, 27/04/2011)

UNITED ARAB EMIRATES: DEATH PENALTY FOR DESERT RAPE

April 27, 2011: In the United Arab Emirates, the Supreme Court confirmed

the death penalty of a man who offered a woman a ride in his truck near the Omani border on January 5, 2010, before raping her and abandoning her in the desert.

The decision was based on forensic tests and the man's confessions.

The ruling did not identify the offender or the victim.

The Fujairah Criminal Court of First Instance found him guilty of kidnap and rape, and sentenced him on May 9, 2010. The Appeals Court upheld the verdict. (Source: The National, 28/04/2011)

SAUDI ARABIA: THREE DEATH SENTENCES STAYED

April 22, 2011: The government of Saudi Arabia has stayed death sentence of three persons belonging to Peshawar (Pakistan).

As per details, three persons Abdul Rehman, Basheer Hussain Afridi and Muhammad Yusuf belonging to Peshawar killed a Pakistani national Yaqoob Laghari on 21 April, 2010. The provincial Assembly in recent session had demanded of Saudi government not to award death to the three Pakistanis.

The Saudi government has stayed the death sentence till the time of acquisition of reconciliation documents.

(Source: Onlinenews.com.pk,
22/04/2011)

VIETNAM: NIGERIAN SENTENCED TO DEATH

April 21, 2011: A court in Ho Chi Minh City, Vietnam, sentenced Nigerian man Nnaji David Ete, 33, to death for trafficking 11 kilos of heroin into the country and then on to China over several years. His Vietnamese wife was jailed for life on the same charge, while three other Nigerian men involved in the cross-border drugs ring were sentenced to up to 20 years in prison.

(Source: Agence France Presse,
23/04/2011)

IRAQ: DEATH PENALTY FOR THREE SADDAM-ERA SPIES

April 21, 2011: Iraq's High Criminal Court sentenced to death three Saddam Hussein-era spies convicted of assassinating the father of a sitting Iraqi lawmaker in Beirut in April 1994.

"The court sentences to death Hadi Hassuni, Abdul Hassan al-Majid and Farukh Hijazi, who were agents of the intelligence services," tribunal spokesman Mohammed Abdul Saheb told AFP.

Two other men, military intelligence chief Saber Duri and Saddam's secretary

Abdul Hamid Mahmoud, were sentenced to life imprisonment at the conclusion of the trial, which began in October 2009.

Sabawi Ibrahim Hassan, the executed dictator's half-brother, and Saddam's deputy prime minister Tareq Aziz were acquitted in the trial.

The convictions came over the murder of Sheikh Taleb al-Suhail al-Tamimi, head of the Banu Tamim tribe, who fled Iraq for the Lebanese capital with his family after a Baath Party coup in 1968. He later attempted his own coup against Saddam, who rose to power in 1979, but was gunned down outside his Beirut home on April 14, 1994.

Lebanon severed its ties with Iraq in the aftermath of the killing, but arrested five Iraqi diplomats and one Lebanese accomplice over the assassination.

All but one were released without charge, with one diplomat having died in prison in Lebanon.

The other four diplomats later returned to Iraq only to flee after the 2003 US-led invasion that ousted Saddam.

Tamimi's daughter, Safia al-Suhail, has been an Iraqi lawmaker since 2005. She was elected to the Council of Representatives in March 2010 polls as part of Prime Minister Nuri al-Maliki's slate, but is now an independent lawmaker. (Source: Afp, 21/04/2011)

MALAYSIA: TWO COUSINS TO HANG FOR DRUG TRAFFICKING

April 20, 2011: Two cousins have been sentenced to death by the High Court in Malaysia for trafficking in 938.30gm of cannabis two years ago.

Kharul Nizan Osman, 29, and Mohd Azizi Hashim, 28, from Kepala Batas were found guilty of trafficking the drug by the roadside in Kg Sungai Buloh, Sungai Petani on Jan 27, 2009.

Judicial Commissioner Datuk Zakiah Kassim held that the defence had failed to raise a reasonable doubt on the prosecution's case.

She added that Mohd Azizi, a former Seberang Prai Municipal Council worker, had admitted in his defence that the car in which he and Kharul Nizan were in during their arrest belonged to him and that he was in sole possession of the car keys.

Deputy Public Prosecutor Norshuhada Mohd Yatim prosecuted while the two accused were represented by A. Saha Deva. (Source: The Star, 20/04/2011)

UAE: KILLER CAUGHT BETWEEN PARDON AND DEATH

April 20, 2011: Press reports said an Arab man who murdered his wife in Abu Dhabi, United Arab Emirates, was facing both pardon and death sentence after

one relative decided to forgive him and another insisted on his execution.

The unnamed defendant stabbed his wife seven times in 2010 following a heated argument at their house in Musaffah just outside Abu Dhabi city. He had told court that the argument was triggered by her suspicious behavior and that she tried first to kill him by pulling a knife.

As his wife's first relative, his own son, is still a baby, not exceeding three months at the time of the murder, the court named his grandfather, the defendant's father, as the baby's client.

"The grandfather told court he pardoned his son but the victim's daughter from a previous husband refused to pardon him and insisted on his execution," the semi official Alittihad newspaper reported. (Source: www.emirates247.com, 20/04/2011)

MALAYSIA: MAN SENTENCED TO DEATH FOR MARIJUANA TRAFFICKING

April 19, 2011: Malaysian High Court Justice Siti Mariah Ahmad sentenced Mohd Fais Diram, 28, from Kampung Rantau Panjang, to death for trafficking 929gm of marijuana under the Shapadu Expressway flyover in Klang on December 24, 2007.

Fais allegedly handed over the drugs, kept in one of the pillars of the flyover,

to an undercover policeman. (Source: The Star, 19/04/2011)

MALDIVES: PARLIAMENT ACCEPTS AMENDMENT TO CLEMENCY ACT TO UPHOLD DEATH SENTENCES

April 18, 2011: The parliament accepted an amendment proposed to the Clemency Act, requiring in Maldives a death penalty issued by the Supreme Court to be executed.

After debating on accepting the bill for three days, 42 out of the 62 members present in the sitting voted in favour of accepting the bill while only 14 members voted against the proposal.

The bill was sent to the parliamentary Social Committee for further analysis. The amendment proposed by Fares-Maathoda MP, Ibrahim Muththalib, to Article 21 of the Clemency Act stipulates that despite the Act stating otherwise, a death penalty issued by the Supreme Court – or if the Supreme Court upholds a death penalty issued by a lower court or the Higher Court – should be executed.

If the amendment is passed the president will no longer be able to grant clemency to those sentenced to death. (Sources: HNS, Minivan News, 19/04/2011)

OKLAHOMA (USA): GOV. MARY FALLIN SIGNS LEGISLATION GIVING STATE MORE FLEXIBILITY IN LETHAL INJECTION DRUGS

April 18, 2011: Gov. Mary Fallin has signed into law legislation that will give prison officials more flexibility when choosing which lethal drugs to use to administer the death penalty in Oklahoma.

The bill received final passage in the Senate last week and was signed today by Fallin.

The measure clarifies that the death penalty is to be carried out by administering a lethal quantity of a "drug or drugs" instead of specifying which drugs are to be used.

Oklahoma has used the anesthetic sodium thiopental as the first in a three-drug formula since it adopted lethal injection as its method of execution in 1990. But after a nationwide shortage of the drug last year, Oklahoma substituted pentobarbital, a barbiturate similar to one used to euthanize animals. (Source: The Associated Press, 18/04/2011)

TAJIK PARLIAMENT PASSES PRISON REFORM LAW

April 14, 2011: Tajikstan's lower chamber of parliament voted to improve prison conditions for convicts

serving life sentences, RFE/RL's Tajik Service reported.

Tajik Justice Minister Bakhtiyor Khudoyorov said prisoners jailed for life will now be entitled to a minimum of two meetings per year with relatives and given a third meeting in the case of "good behavior." He added that the conditions for prisoners serving life sentences should be better than they are for other prisoners.

Under the new legislation, those serving life sentences will be allowed the unrestricted purchase of goods from the prison store.

Prisoners serving life sentences whose conduct is "good" will be kept no more than two in a cell.

Local and international NGOs and human rights defenders have criticized the conditions in Tajik prisons. They say almost all of the country's prisons were built 50-60 years ago and need to be modernized.

They also claim some prisoners are subjected to torture and harassment in jail.

Muhammadali Vatanov, who heads a committee in the lower house of parliament, said that after the revision of the criminal code with the new legislation, the Tajik human rights ombudsman now has the right to visit prisons and check on conditions.

Tajikistan announced a moratorium in

2004 on implementing the death penalty. Since then, the maximum penalty given to criminals has been life imprisonment. (Source: Radio Free Europe/Radio Liberty, 14/04/2011)

PACE URGES BELARUS TO ABOLISH DEATH PENALTY

April 14, 2011: the Parliamentary Assembly of the Council of Europe (PACE) called on Belarus, Japan and the United States to abolish the death penalty.

"The European experience has shown conclusively that the death penalty is not needed to check violent crime, and that political leaders who led the way towards abolition did not suffer any backlash from public opinion," the Assembly says in a resolution adopted at its spring session in Strasbourg.

The Assembly urges the United States of America and Japan, as observer states, and Belarus, which aspires to membership of the Council of Europe, to join the growing consensus among democratic countries that protect human rights and human dignity by abolishing the death penalty.

The Assembly "strongly condemns continued executions since 2008, which have caused much damage to the credibility of Belarus' bid to move closer to the family of democratic European

states which protect human rights and human dignity.

"Competent authorities should declare a moratorium on executions without further delay and take the necessary steps to abolish the death penalty in law, the resolution says. (Source: BelaPAN, 15/04/2011)

CHINA: 26-YEAR-OLD FEMALE EXECUTED IN XIAMEN FOR DRUG TRAFFICKING

April 13, 2011: Mao Ran, 26, was executed in Xiamen, China, for ordering others to conduct large-scale drug trafficking at Xiamen Gaoqi International Airport.

Mao asked two women, Huang and Wu, to bring drug raw materials to China via the airport. On July 26th, 2009, Wu was seized carrying 2358.3 gs of heroin. The following day, Huang was seized carrying 993.6 gs of heroin. (Source: Whatsonxiamen.com, 14/04/2011)

USA: DENMARK'S FOREIGN MINISTER SAYS SHE WILL URGE U.S. STATES NOT TO USE DANISH PENTOBARBITAL

April 12, 2011: Denmark's foreign minister says she will urge U.S. states such as Texas and Ohio to stop using a drug in lethal injections that is produced by a Danish company.

Lene Espersen says she cannot take direct action against the company since the drug, pentobarbital, is not exported from Denmark but produced by a plant in the U.S. state of Kansas that is owned by Denmark's Lundbeck A/S.

Since late last year, Pentobarbital has been used in the U.S. for lethal injections. Denmark, as is the case with the rest of Europe, is against the death penalty.

Espersen has been asked by a left-wing opposition group if Denmark could find a way of stopping some U.S. states from using the drug in its executions.

"I have no possibility to take direct action at American states' use of the product for executions, but I will also contact these states through the Danish Embassy in Washington with a call to cease using pentobarbital," Espersen said in a letter posted on Parliament's Web site April 12.

In Denmark, lawmakers can put written questions to government members who must reply in writing. "I find it deeply regrettable that a legal medical product is used for executions," she added in her reply to the small, left-wing opposition Red-Green Alliance.

Espersen could not be reached for comment Thursday. Pentobarbital has been used to execute prisoners in Ohio, Oklahoma and Texas. Fellow U.S. states Mississippi and Arizona are also

considering switching to the drug for lethal injections.

Lundbeck has written letters to U.S. prison authorities asking them not to use pentobarbital for lethal injections, but so far to no avail.

The pharmaceutical company, whose best-sellers include drugs for the treatment of psychiatric and neurological disorders, is under pressure from human rights groups to take stronger action, such as rewriting distribution contracts with clauses prohibiting sales of pentobarbital to U.S. prisons. Lundbeck has rejected that idea, saying it would be impossible for distributors to track how every vial is used. (Source: Associated Press, 12/04/2011)

CONNECTICUT (USA): DEATH PENALTY REPEAL BILL APPROVED BY JUDICIARY COMMITTEE

April 12, 2011: The legislature's Judiciary Committee approved 26-17 a bill that would abolish in Connecticut the death penalty, replacing it with a sentence of life in prison without the possibility of release.

This marks the second time in three years that lawmakers have considered repealing the death penalty. In 2009, both chambers passed a similar bill but it was vetoed by Gov. M. Jodi Rell. Her

successor, Gov. Dannel P. Malloy, is an opponent of the death penalty and has said he will sign a repeal bill should one reach his desk.

Supporters of the repeal listed a number of reasons why Connecticut should join Illinois, New Jersey and New Mexico in abolishing the death penalty. They cited the enormous amount of time it takes to execute a prisoner in this state, the painful toll that endless appeals take on the families of murder victims, instances of racial bias in implementing the death penalty and the fact that a mistake can lead to the execution of an innocent person.

But Sen. Edward Meyer, D-Guilford, said lawmakers ultimately should view the issue as a matter of conscience. He invoked former U.S. Supreme Court Justice Harry Blackmun, who announced he would "no longer tinker with the machinery of death." "This, after all is said and done, is ... a matter of conscience of each individual legislator," said Meyer, who voted to support the repeal. Rep. Al Adinolfi, R-Cheshire, disagreed. He said lawmakers shouldn't rely on their own conscience, but rather the will of their constituents.

The proposal now heads to the state House of Representatives, where it is also expected to pass. The vote in the state Senate is expected to be close. Since the U.S. Supreme Court reinstated

the death penalty in 1976, only one person has been executed in Connecticut: Michael Ross, who voluntarily suspended all appeals in his case. (Source: Connecticut Mirror, The Hartford Courant, 12/04/2011)

OHIO (USA): MAN EXECUTED FOR KILLING FELLOW INMATE

April 12, 2011: Ohio executed a man for beating a fellow inmate to death over changing a television channel, prison officials said.

Clarence Carter, 49, was the second inmate to be killed in Ohio using the surgical sedative pentobarbital alone rather than the usual concoction of lethal drugs due to a shortage in the United States. The sedative is usually used to euthanize animals.

The time of death was announced as 10:25 am (1425 GMT) at the Southern Ohio Correctional Facility in Lucasville. "His was the second execution in Ohio using five grams of pentobarbital as a stand-alone drug," noted Ohio prisons spokesman Carlo LoParo.

Carter had been sentenced to death in 1989 after beating Johnny Allen Jr., 33, who died two weeks after the December 1988 confrontation over one of them changing the TV channel. At the time of the beating, Carter was awaiting sentencing over the murder of

a drug dealer.

Ohio and Oklahoma are the first US states to use large doses of pentobarbital to put death row inmates to death.

Carter's death marked the 12th execution in the United States so far this year. (Source: Afp, 12/04/2011)

EGYPT: THREE MEN TO HANG FOR RAPE

April 11, 2011: An Egyptian military court in the Suez Canal city of Ismailiya sentenced Mohammed Gamal Attiya, Mohammed Misbah Abdel Haq and Ibrahim Mohammed al-Shennawi to hang, the state-owned press said.

The three kidnapped a women, 24, at gun point from a car on a motorway to the northern city of Damietta and raped her on March 20, 2011.

The men were caught by the army, which has taken charge of policing since a popular uprising toppled president Hosni Mubarak in February. (Source: Agence France Presse, 11/04/2011)

SAUDI ARABIA: THREE PAKISTANIS SENT TO THE GALLOWS

April 10, 2011: Three Pakistani citizens, imprisoned in Saudi Arabia for the past 13 years on murder and adultery charges, have been sentenced to death

by a Sharia court, according to their family members.

Relatives of one of the accused have asked the Government of Pakistan to take up the issue with the Saudi government, saying they have been wrongly implicated in the cases and have spent 13 years behind bars, besides paying blood money (diyat) worth Rs4 million in one case in 2004.

The three Pakistanis were identified as Rahmul Wahab, a resident of Charsadda, Bashir Hassan Afridi of Kohat and Mohammad Abdur Rehman, a resident of Karachi.

Fazl Karim, a cousin of Wahab, told The Express Tribune that the three men were arrested on suspicion of murdering another Pakistani, identified as Mohammad Yaqoob and a resident of Dera Ghazi Khan, in 1999 in Makkah.

While they were in prison, the bodies of two babies were recovered from the same area where Yaqoob's body was found and so the authorities charged them for impregnating two Indonesian girls and later for forceful abortions that killed the two babies, he said.

His nephew Mansoor Wahab said that on July 17, 2004, a nine-member jirga agreed that the families of the accused would jointly pay the blood money (diyat) of Rs4 million to Yaqoob's family. The money was accordingly paid and a court sentenced the three men to 15, 12

and 10 years imprisonment, respectively.

Another court later revised the sentence and the imprisonment term was increased to 18, 13 and 12 years, while a third court further increased these counts to 20, 14 and 11 years.

However, on March 29, another court awarded death sentence to the Pakistanis. According to the family members, it takes at least three months between the death sentence and the execution and at present, they have been asked to appeal against the verdict.

Wahab's wife, Shaheen, urged the Saudi king and the Pakistani authorities to release her husband. "My daughters need their father, and my husband has already spent 13 years in prison," she said. (Source: Tribune.com.pk, 10/04/2011)

MALAYSIA: FATHER AND SON TO HANG FOR MURDER

April 10, 2011: The High Court in Kedah State, Malaysia, sentenced father and son to death by hanging for murdering a man in Kulim eight years ago.

Judge Datuk Zamani A. Rahim passed the sentence after finding that the prosecution had established a case beyond reasonable doubt against them. Hashim Ariffin, 56, and Hishamuddin

Hashim, 31, were jointly charged with murdering Mohd Rafi Che Ani on Feb 7 2003 in front of a Kulim District Council stall in Jalan Kulim-Kelang.

Zamani said after examining testimony produced by the defence and prosecution, the court found that two defence witnesses had contradicted each other.

The prosecution was led by Deputy Public Prosecutor Norsyuhada Mohd Yatim while car reposseors Hashim and Hishamuddin were represented by counsel RSN Rayer. (Source: Bernama, 10/04/2011)

MALAYSIA: MAN GETS DEATH FOR TRAFFICKING SYABU

April 7, 2011: A man was sentenced to death by the High Court in Sabah State, Malaysia, for trafficking in 141.61 grammes of Syabu last year.

Justice Datuk Abdul Rahman Sebli meted out the sentence after finding Edmund John, 38, guilty of trafficking in the drug at a house at Lorong Pokok Resam in Taman BDC on March 22, 2010.

He was convicted under Section 39B (1) (a) of the Dangerous Drugs Act 1952 which carries the mandatory death sentence upon conviction.

In his reserved judgment, Abdul Rahman held that the prosecution had

proved its case beyond reasonable doubt.

“As required under Section 182A (1) of the Criminal Procedure Code, I have considered all the evidence adduced and I am satisfied that the prosecution had proved its case beyond reasonable doubt.

Therefore the accused is convicted of the charge,” Abdul Rahman said.

“I order the accused to be brought to a lawful place where he shall be hanged by the neck until his death,” he said, adding that all the exhibits be returned to the prosecution to be kept, pending disposal of Edmund’s appeal. (Sources: Borneo Post, 08/05/2011)

INDIA: FIRM TO STOP SELLING EXECUTION DRUG TO US PRISONS

April 7, 2011: An Indian drug company that supplied a key execution drug to U.S. prisons has decided to halt future sales following objections from death-penalty opponents.

Kayem Pharmaceutical Pvt. Ltd. supplied Nebraska prison officials with a large supply of thiopental sodium, an anesthetic typically used to render a condemned inmate unconscious before other lethal drugs, including a paralytic agent, are administered.

Lethal injection is the sole or primary execution method in the 34 states that carry out the death penalty.

The company also supplied the drug to South Dakota, Navneet Verma, the managing director of the Mumbai-based company, told The Wall Street Journal. "We appreciate the global concerns about the death penalty and particularly the concerns of the human-rights community," Mr. Verma said. "I decided voluntarily not to sell a single vial of thiopental for use in lethal injections." The decision could make it even more difficult for U.S. prisons to find the drug, which has been in short supply for about a year, delaying executions and forcing some states to alter their executions procedures.

Prison officials in South Dakota and Nebraska were not immediately available for comment.

Hospira Inc., the only U.S. manufacturer of thiopental, decided earlier this year to stop making the drug due to concerns from death-penalty opponents.

Some states, including Texas, have switched from using thiopental to pentobarbital, a sedative often used to euthanize animals. (Source: wsj.com, 07/04/2011)

VIETNAM: 2 SENTENCED TO DEATH FOR KILLING OFFICIAL

April 6, 2011: A court in Ho Chi Minh City sentenced two men to death for murdering a senior Vietnamese

Communist Party official.

The state-run Nhan Dan newspaper reported that Nguyen Trong Nhan, 31, and Luong Hoai Sang, 21, were convicted of fatally stabbing Dang Thu Hong, a deputy head of the party.

The pair also seriously wounded local official Bui Ngo Thi My and her daughter in the September attack.

The men had gone to My's house to beg her to not to take disciplinary action against one of their wives, who worked for her.

Hong was visiting the family when she was caught up in the attack. (Source: AP, 07/04/2011)

SIERRA LEONE AGAINST UNIVERSAL MORATORIUM ON DEATH PENALTY

April 5, 2011: Amnesty International was "gravely concerned that Sierra Leone's name was included in a letter arguing against the abolition of the death penalty," said Brima Sheriff, director of Amnesty's Sierra Leone chapter, referring to a letter sent to the UN General Assembly.

Attorney-General and Justice Minister Franklyn Kargbo said that "the abolition of the death penalty is on the government's legislative agenda. It will be given serious and positive consideration in due course."

Sierra Leone's 1991 constitution allows

the use of the death penalty for aggravated robbery, murder, treason and mutiny.

Prison records showed no executions have been carried out since 1998 when 24 military officers were killed by firing squad for a 1997 coup attempt. (Source: Agence France Presse, 05/04/2011)

GAMBIA ABOLISHES DEATH PENALTY FOR DRUG-RELATED OFFENCES

April 4, 2011: the Gambian lawmakers approved new amendments, presented before the National Assembly members by Attorney General and minister of Justice, Edward Gomez, abolishing the death penalty for drug-related offences and replacing it with life imprisonment. The legislators had in October 2010 approved a law that imposes the death penalty on people convicted of being in possession of cocaine or heroine amounting to or more than 250 grams. Presenting three bills for amendment - the Drugs Control (Amendment) Act 2011, Trafficking in Person (Amendment) Act 2011 and Criminal Code (Amendment) Act 2011 - Justice minister Edward Gomez acknowledged that the amendment of the Drug Control Act in 2010 overlooked Section 18 (2) of The Gambia Constitution of 1997 which stipulates that no court in the country "shall be competent to

impose a sentence of death for any offence unless the sentence is prescribed by law and the offence involves violence, or the administration of any toxic substance, resulting in the death of another person."

Voicing his support for the amendment, majority leader Fabakary Tombong Jatta described it as being responsive to the dictates of The Gambia constitution, commending the minister for the hard work that had gone into the amendment.

Also minority leader Momodou LK Sanneh supported the amendments on the point that it was brought to toe the line of the constitution, but asked for a little leniency in the sentences prescribed. (Source: Today.gm, 07/04/2011)

UAE: AMNESTY INTERNATIONAL'S SHARIA CRITICISM REJECTED BY JUDGE

April 4, 2011: A judge of the Federal Supreme Court rejected an Amnesty International report condemning capital punishment in the region, saying that law in the United Arab Emirates and Sharia law are explicit on how and why the death penalty is used.

Twenty-eight people were sentenced to death in the Emirates in 2010, including some individuals under the age of 18, the report said. But the judge said that

under Article 1 of the penal code, certain offences including murder, sex outside of wedlock, drugs, theft and alcohol must be tried under Sharia. (Source: The National, 04/04/2011)

MALAYSIA: NO REVIEW OF CAPITAL PUNISHMENT

April 4, 2011: There are no plans to review the law on capital punishment, Malaysian Home Minister Datuk Seri Hishammuddin Hussein said. According to Hussein, 441 persons were hanged since 1960. As of on Feb 22 this year, another 696 are waiting for execution of their death sentences in Malaysian prisons. "Capital punishment is only for crimes that directly put our country's security and sovereignty at risk," he said. Of the 441 persons hanged, 228 were involved in drug trafficking and 78 were convicted for murder. Another 130 were for illegal processions of arms, while four more were convicted for waging war against the King. The remaining one was involved in kidnapping. Among those awaiting the gallows, 479 convicts were involved in drug trafficking, 204 in murders and 13 in illegal processions of arms. Some of them are in the process of appealing to overturn their convictions

and sentences, while several others are seeking pardons from the Pardon Board of respective states.

Among them, 676 are males while 20 are females, while some 90 percent are between 21 and 50 years old. (Sources: New Straits Times, 05/04/2011; freemalaysiatoday.com, 03/04/2011)

INDIA: PRESIDENT PARDONS TWO DEATH CONVICTS

April 3, 2011: Indian President Pratibha Patil pardoned two murder convicts from Maharashtra and Madhya Pradesh and commuted their death sentence to life imprisonment.

S B Pingale was awarded death sentence in August 1997 by the Pune Sessions Court for killing two persons related to his estranged wife and being involved in two attempts to murder. Jai Kumar, who hails from Madhya Pradesh, was awarded death sentence by a trial court for killing his brother's wife and daughter. (Source: PTI, 03/04/2011)

USA: TWO MORE STATES TURN OVER EXECUTIONS DRUG IN PROBE

April 1, 2011: Tennessee and Kentucky turned over their supplies of Sodium thiopental to the U.S. Drug Enforcement Administration, which is probing how the drug was imported, officials said

today.

U.S. authorities seized Georgia's supplies of sodium thiopental in March 15 due to concerns about how the drug was imported, and Georgia's executions are on hold.

Dorinda Carter, spokeswoman for Tennessee's Department of Correction, said Friday that the state turned over its supply of the drug at the request of the DEA last week. "There was no allegation that Tennessee has done anything improper," said Carter. "The DEA had some concerns about the import procedures of the domestic vendor that we used."

Carter said the state does not have an execution scheduled until September, but this "will impact our ability to carry out executions."

Separately, an official with knowledge of the action, said that Kentucky also had turned over its supply of the drug. The investigation of the drug imports started after a letter sent earlier this year to U.S. Attorney General Eric Holder on behalf of Georgia death row inmate Andrew Grant DeYoung. In the February 24 letter, De Young attorney John Bentivoglio wrote that Georgia corrections officials ordered the drug from a pharmaceutical distributor in London, England.

The state received 50 vials of sodium thiopental in July, Bentivoglio said,

citing public records. But Bentivoglio said the state was not registered to import the controlled substance and failed to notify DEA about the shipment. (Source: Reuters, 01/04/2011)

SWAZILAND: SERIAL KILLER SENTENCED TO HANG

April 1, 2011: Convicted Swazi serial killer David Simelane was sentenced to death by hanging, after being convicted last week for the death of 28 people, mostly women and children.

Judge Jacobus Annandale had been expected only to hear mitigation from the defence, but instead he swiftly handed down the death sentence nine days after convicting Simelane.

Simelane will appeal both the conviction and the sentence, his court-appointed attorney Mduduzi "Tsotsi" Mabila said, but added that Simelane had been prepared for the worst.

"He said he was ready for anything," Mabila told AFP.

Women's rights groups celebrated the verdict outside court. Mbali Dlamini of the Women's Coalition said the swift sentence had come as a surprise in a case that had dragged over a decade.

"He is not a person that should be let out into society ever, so it is right that he be hung," she told AFP.

Simelane's killing spree is believed to

have begun in the late 1990s and lasted until 2001 when families began reporting missing relatives.

Police arrested Simelane in 2001 on a tip-off, and he then led them to the shallow graves of his victims in sites dotted around the country.

A total of 45 bodies, including several pregnant women, were discovered -- most in the woods in Malkerns, outside Swaziland's main city Manzini. He was charged with 34 murders, and convicted of 28.

Police claimed Simelane lured the women with the promise of work. When their bodies were discovered, they were too badly decomposed to determine if they had been raped.

No executions have been carried out in Swaziland since 1983. (Source: Afp: 02/04/2011)

organizing a prostitution ring, illegal imprisonment, and bribery, was extradited to Chongqing.

Wang's gang was caught in June 2009. Eleven of the gang members, including Wang's sister Wang Ziqi, received death penalties or jail terms ranging from 2.5 to 19 years.

Wang Wanning allegedly fled to Austria and the Philippines and was caught on March 30 in a restaurant in Manila's Chinatown district by police from China and the Philippines, said a spokesman for the Chongqing municipal public security bureau.

Close cooperation between Interpol and police authorities of China, Austria and the Philippines made the arrest successful, the spokesman said. (Source: Xinhua, 02/04/2011)

CHINA: ALLEGED CHINESE CRIMINAL RINGLEADER EXTRADITED FROM PHILIPPINES

April 1, 2011: An alleged criminal ringleader in southwest China's Chongqing Municipality was extradited from the Philippines where she had been hiding.

Wang Wanning, who is suspected of organizing and leading a criminal gang, forcing women into prostitution,

News from International NGOs - April 2011

PRI SIGNS UP TO A NEW CAMPAIGN ON HIV AND INJECTING DRUG USE: A GLOBAL CALL TO ACTION

PRI joins IHRA and other civil society in a new campaign HIV and Injecting Drug Use: A Global Call to Action which calls on UN member States to adopt a new Declaration at UN General Assembly

High Level Meeting on AIDS/ HIV from 8 -10th June 2011.

HIV and Injecting Drug Use: A Global Call to Action was the official declaration at International Harm Reduction (IHRA's) 22nd International Conference April 3rd - 7th in Beirut, Lebanon. The goal of the declaration is to provide a clear platform for mobilising a broad constituency in support HIV-related harm reduction, injecting drug use, and drug policy reform at the United Nations High Level Meeting in June. Ten years since the UN General Assembly Special Session on HIV/AIDS, world leaders and civil society will come together to review progress and chart the future course of the global AIDS response at the 2011 UN General Assembly High Level Meeting on AIDS.

The declaration calls for:

(1) Acknowledgement that people who use drugs, as a key population group affected by HIV and AIDS, have not reached universal access to HIV prevention, treatment, care and support;

(2) Renewed commitment and action toward the goal of universal access to comprehensive HIV prevention, treatment, care and support for people who inject drugs through the

financing, implementation and scale-up of evidence-based harm reduction interventions; and

(3) Commitment to removing legal and policy barriers to achieving the aims above, particularly a reorientation of punitive drug policies toward evidence- and human rights-based approaches

The High Level meeting is one of the key international fora in 2011 through which to advance progress on harm reduction and related drug policy reform that will reaffirm current commitments to guide and sustain the global AIDS response.

The International Harm Reduction Association (IHRA) works to reduce drug-related harms by promoting evidence-based public health policy and practices and human rights-based approaches to drug policy through an integrated programme of research, analysis, advocacy and collaboration with civil society partners globally.

For the text of the Declaration visit:

http://www.penalreform.org/files/IHRA_Declaration_Claudia_Final_Web%5B1%5D.pdf

PRI WELCOMES TAJIKISTAN'S EASING OF CONDITIONS FOR LIFERS

PRI welcomes the news that on 13 April 2011 Tajikistan's parliament adopted amendments to the Penal Enforcement Code that promise improvements in the conditions of prisoners serving a life sentence.

When, in 2004, Tajikistan initiated a moratorium on executions, it adopted whole life imprisonment as an alternative to the death penalty. This sentence can be applied in cases of murder, rape in aggravating circumstances, terrorism and genocide (all of which attract the death penalty under the current Criminal Code). The conditions in which life sentences are served, and the complete lack of parole for life offenders, has caused serious concern to domestic civil society, PRI, and indeed the Ministry of Justice and the Human Rights Ombudsman. The country's inability to guarantee adequate conditions for, and treatment of, those convicted of the worst crimes has been a stumbling block in achieving full abolition of the death penalty.

In May 2010 PRI carried out training in health and human rights for medical and security staff in the Tajik capital Dushanbe, in the context of a United Nations sponsored programme to

combat HIV/AIDS and Tuberculosis, and took the opportunity to discuss its concerns about the treatment of life sentenced prisoners with the Human Rights Ombudsman. In December of the same year PRI, in cooperation with the Office of the Ombudsman, the Organisation for Security and Cooperation in Europe (OSCE) and local civil society organisations, held a seminar in Dushanbe on international standards and norms for the treatment of prisoners serving life and long sentences, and good practice.

The new amendments to the Penal Enforcement Code of Tajikistan reportedly aim at improving the living conditions and health of life sentenced prisoners, relaxing restrictions on access to supplementary food purchased from the prison shop, and increasing eligibility for short and long visits from relatives and friends. This would mark a real step forward in ensuring that, following abolition of the death penalty, the country can guarantee a prison regime that recognises the needs of people facing life in prison. However, as the speaker of parliament noted, further intensive work is still needed to bring Tajikistan's prison law and penal practice in line with international standards. PRI would hope that this

would include the introduction of some possibility of early release.

On 26 April 2011 Tajik representatives will participate in a PRI-organised Central Asia regional seminar in Astana, Kazakhstan. PRI Board Member and Professor of Comparative Penal Law Dirk Van Zyl Smit will lead discussions around further changes required to bring Kazakh, Kyrgyz and Tajik policy, legislation and practice in line with international standards and norms surrounding abolition of the death penalty and its replacement with alternative sanctions. A national conference in Tajikistan in May 2011, organised in cooperation with the Human Rights Ombudsman, will provide further opportunity for practical follow-up.

PRI's programme of work in support of abolition of the death penalty and its replacement with a humane alternative is financially supported by the European Instrument for Human Rights and Democracy (EIDHR).

PRI USES UN CRIME COMMISSION SESSION TO HIGHLIGHT SMR REVIEW, BANGKOK RULES AND OPCAT

The 20th Session of the UN Commission on Crime Prevention and Criminal

Justice was held between 11 and 15 April 2011 in Vienna. A PRI delegation participated consisting of Executive Director Alison Hannah, Policy Director Mary Murphy and Regional Director for Central Asia Saule Mektepbayeva. PRI's interests in attending the Session were:

To ensure that the criminal justice constituency are aware of the practical relevance for them of the Optional Protocol to the UN Convention against Torture (OPCAT), and to encourage engagement and interest in effective implementation beyond Ministries of Justice

To ensure that the criminal justice constituency are better aware of the recently adopted [Bangkok Rules](#) concerning women in the criminal justice system, and to encourage multi-agency planning for implementation. In that regard, PRI with the Quaker UN Office distributed a briefing in 5 UN languages and spoke at a Thai government-sponsored event chaired by UNODC.

To remind participants that the mandated review of the Standard Minimum Rules (SMR) for the treatment of prisoners is now under way. In a statement circulated to all states at the Session, PRI encouraged

States to “use the process of reviewing the SMR for the Treatment of Prisoners (the Standard Minimum Rules) as an opportunity to recall the universal human rights that apply to every individual, including those held in places of deprivation of liberty..” The statement notes that deprivation of liberty, should be used as a last sanction after other measures which can be implemented in the community have been exhausted and that “sentenced prisoners are in prison as punishment not for punishment”. Under international law torture and other cruel, inhuman or degrading treatment or punishment are absolutely prohibited in all places and at all times and a basic principle for safeguarding the human rights of people deprived of their liberty is openness. The statement also notes the particular rights of prisoners awaiting sentencing, disabled people and children.

To raise some key issues that have emerged from discussions between PRI and eminent UK figures and organizations on this issue and identify states that can be champions of good practice-based changes in the Rules. PRI supported a session by Dr Kimmett Edgar of the Friends World Council and Prison Reform Trust on prisoner councils as one example of good practice in

consulting prisoners and encouraging normalization.

To highlight two other ongoing processes in which PRI has recently been involved by the UN Office on Drugs and Crime: developing Basic Principles and Guidelines on increasing access to legal aid in criminal justice systems and developing a model juvenile justice law. PRI spoke with fellow members of the Interagency Juvenile Justice Panel at a side meeting concerning children and pre-trial justice.

PRI also organized a very successful session on OPCAT, chaired by Vera Tkachenko, Manager of the UNODC and EU project on penal reform in Kyrgyzstan. At this session, the Deputy Chief Inspector of Prisons for England and Wales, Nigel Newcomen, spoke about how the England and Wales’ National Preventive Mechanism (NPM) ensures and demonstrates independence and impartiality. PRI’s Saule Mektepbayeva and Elvira Azimova of the Kazakh Ministry of Justice shared the experience of Kazakhstan in moving from confrontation to cooperation in the civil society/state debate on how to implement OPCAT. Roland Schmidt of the Ludwig Boltzmann Institute of Human Rights Vienna made observations and recommendations on

the implementation of OPCAT in Kazakhstan, based on his recent visits there with former UN Special Rapporteur on Torture Manfred Nowak. Frances Crook, Director of the Howard League, emphasized the importance of gathering the views of prisoners, former prisoners and their families, and that the role of the NPM is a public one in every sense. Reports of the NPM must be public and the aim must be to ensure that what is done in the public's name serves the interests of all its citizens and not the machinery of the state.

<http://www.penalreform.org/files/PRI%20statement%20to%20Crime%20Commission.doc>

BAHRAIN URGED TO HALT EXECUTION OF PROTESTERS

28 April 2011

Authorities in Bahrain must not allow the execution of four protesters sentenced to death by a military court over the killing of two police officers in anti-government demonstrations last month, Amnesty International said today.

“The Bahraini authorities have a responsibility to bring to justice those who commit violent crimes. But when doing so, they must uphold the right to

fair trial and they must not use the death penalty under any circumstances,” said Malcolm Smart, Amnesty International’s Director for the Middle East and North Africa.

“In this case, the accused were tried before a special military court, although they are civilians. It also appears that the trial was conducted behind closed doors. As well, those sentenced have no right of appeal except to another special military court, raising great fears about the fairness of the entire process.”

The court sentenced Ali Abdullah Hassan al-Sankis, Qassim Hassan Matar, Saeed Abduljalil Saeed and Adbulaziz Abdulridha Ibrahim Hussain to death on 28 April.

Three other defendants tried with them, Issa Abdullah Kadhim Ali, Sadeq Ali Mahdi and Hussein Jaafar Abdulkarim, were sentenced to life in prison by the same court. All seven accused are reported to have denied the charges.

The death sentences can be appealed in Bahrain’s military court. However, should the appeal fail, the final verdict cannot be appealed in Bahrain’s ordinary courts. The four men could therefore face imminent execution.

The seven men were accused of the premeditated murder of two policemen by running them over with a vehicle on 16 March. On 15 March, Bahrain's King had declared a state of emergency – termed the State of National Safety (SNS) – after Saudi Arabia sent in a thousand troops to help the government quell anti-government protests.

The seven accused are believed to have been held incommunicado following their arrests and the families are said to have been denied access to them, Amnesty International has learnt.

Government officials reportedly said that a total of four policemen have been killed during protests in March.

King Hamad bin 'Issa Al Khalifa imposed the state of emergency for three months but it may be renewed with the approval of the National Council or parliament. It provided for the establishment of a special military court to try those accused of offences under the emergency and a special military appeal court.

Since the SNS was imposed, more than 500 people have been arrested with many of them detained incommunicado and at undisclosed locations. At least

four have died in detention in suspicious circumstances since the end of March.

Local media reports say 312 detainees were released today. The government's Information Affairs Authority has told the media that more than 400 other cases have been referred to the military courts.

Many of the detainees were taken from their homes, often at night, by groups of police and security forces who wore masks, failed to produce arrest warrants and sometimes assaulted those they wished to detain and members of their families.

"Bahrain is in the grip of a deepening human rights crisis and the severity of the sentences imposed today, following a military trial behind closed doors, will do nothing to reverse that," said Malcolm Smart.

"King Hamad bin Issa Al Khalifa must urgently make it clear that he will not allow these death sentences to be carried out," he added.

In 2010, two Bangladeshi national were sentenced to death in Bahrain. Jassim Abdulmanan was executed in June and Russell Mezan was sentenced to death in March. His death sentence was

upheld in October. Only foreign nationals have been sentenced to death and executed in Bahrain in recent years.

Executions carried out in Bahrain are normally by firing squad.

Read More

[Bahrain: International pressure needed now to halt spiralling human rights crisis](#)
(REPORT, 21 APRIL 2011)

COUNTRY-BY-COUNTRY DEATH PENALTY DATA NOW AVAILABLE

Published by Aurélie Plaçais on April 19, 2011

A new statistic and legal database offers a unique view of the use of capital punishment in more than 90 states. The Center for International Human Rights at Northwestern University School of Law (Chicago, USA) and the World Coalition Against the Death Penalty have launched an international database on the practice and laws of retentionist states.

This new and unique resource will enhance the general understanding of the application of the death penalty and prospects for abolition.

Data from 90 states and 2 territories have been compiled by an international

team of researchers. The database includes statistics, information on penal laws, criminal procedure, death row conditions and political developments.

It is now available on line at

www.deathpenaltyworldwide.org

The data is publicly accessible and searchable, and will provide an invaluable resource for policymakers, lawyers, courts, activists, scholars and the media searching for information on the use of the death penalty.

“We found that in the vast majority of retentionist states, there is a lively and serious debate about the merits of abolition. Many governments that were previously committed to continuing a practice of state-sponsored executions have encouraged legislative committees or other bodies to consider the merits of abolishing the death penalty – or, at a minimum, to narrowing the scope of its application,” said Sandra Babcock, Clinical Professor at Northwestern University Law School.

The database was launched on 14 April 2011 at the Council of Europe (photo above) and will be presented at the African Commission on Human and People’s Rights in the Gambia, at the UN Human Rights Council in Geneva, and at

the World Coalition's annual general meeting in Morocco.

PRESSURED INDIAN FIRM STOPS EXPORTING LETHAL DRUGS

Published by Richard Fielding on April 8, 2011

The decision of Kayem Pharmaceuticals to stop supplying the US with execution drugs may well have been influenced by a campaign organized by World Coalition member Reprieve.

After nearly a year of looking all over the world for thiopental sodium, a drug currently used to carry out executions in the USA, it seemed the Departments of Justice of several American states had found their source : Kayem Pharmaceuticals in Mumbai.

Orders were successfully delivered to Nebraska and South Dakota by the Indian company before London-based World Coalition member organisation Reprieve got wind of the story and jumped into action.

A letter from Reprieve director Clive Stafford Smith apparently alerted Kayem's business manager to what the drug was being used for in the United States.

The drug also has uses for anaesthesia, and Smith's letter to Kayem offered that the company "had perhaps believed the drugs were going to be used only to help treat prisoners, not to kill them".

Following the announcement of a large press conference on the subject, also organized by Reprieve, and an audit by the Indian government, Kayem announced that they would no longer be selling the drug to the USA.

"In view of the sensitivity involved..."

A statement on Kayem's website on April 8 read : "In view of the sensitivity involved... we voluntarily declare that we as an Indian Pharma Dealer who cherishes the Ethos of Hinduism (A belief in even in non-living things as the creation of God) refrain ourselves from selling this drug where the purpose is purely for Lethal Injection."

In response to the announcement, Reprieve called Kayem's decision "excellent", and urged all pharmaceutical companies worldwide to do the same and refuse to sell execution drugs to the United States.

US states seeking out other possibilities

As state governments in the US

scramble to find alternatives, the spotlight has already fallen upon a Danish company, Lundbeck, who is the only current supplier of a related drug also used for executions.

According to Reprive investigator Mia Foa, “Lundbeck has now effectively elected to become the primary supplier of drugs for US executions”.

Aware of the use of its drugs in the US, Lundbeck will face increasing pressure in the coming months from Reprive and other groups to halt its sales.

These groups will thus put pressure on the US to rethink its death penalty system as a whole.

WILL ARAB REVOLUTIONS BRING NEW HOPE FOR ABOLITION?

Published by Richard Fielding on April 4, 2011

The winds of change have brought fresh air to the abolitionist cause in countries throughout the Middle East and North Africa, with new faces in power reigniting a stalled debate.

Many Arab nations have abstained from using the death penalty for years or even decades. Yet the possibility of official abolition in most of those

countries seemed far-fetched, if not fanciful.

Although it also strongly discourages the death penalty and encourages other means of resolution, the Koran does sanction the practice in certain cases. This has been the backbone of retentionist argument throughout the Arab world.

Hope and frustration for Arab abolitionists

There were some hopes a few years ago that abolition might gain traction in the Arab world.

The governments of Jordan and Syria made noises about considering abolition, or at least limiting the use of the death penalty. Morocco, [Algeria](#) and Lebanon all went as far as debating abolition bills in their parliaments.

But all three of the bills ultimately failed due to religious opposition and fears of encouraging terrorism. “The fight against terrorism renders it necessary to maintain the death penalty,” commented an Algerian official in 2009.

Countries that were abolitionist in practice have also slid back into their former habits, according to the Arab Observatory on the Death Penalty.

Mauritania executed several Al Qaeda operatives in 2010, and fears of Israeli spying have stoked the public's enthusiasm for executions in Lebanon.

"Lebanon has legitimate security concerns but resuming executions is wrong and will not make the country safer," commented Nadim Houry, Beirut director at Human Rights Watch.

Further, the Arab Charter on Human Rights, ratified by Arab nations in 2008, still permitted child executions in certain situations. This led the UN High Commissioner for Human Rights Louise Arbour to issue a statement that the UN "does not endorse these inconsistencies".

As of January 2011, the only fully abolitionist Arab territories were Djibouti and the Western Sahara, which is not officially independent.

Political waves bring new faces on the scene

But with the revolutions in Tunisia and Egypt, and important social movements in several other Arab states, the debate about the death penalty may well get a fresh look from a new set of faces.

Following the departure of President

Ben Ali, rumours began to surface in February of this year that Tunisia would sign all the current conventions on human rights, including the Protocol on the abolition of the death penalty. No official steps have so far been taken, but it may indicate that the new government is ready for a serious change in course on the question.

Egypt, one of the Arab world's most frequent users of the death penalty, has just overwhelmingly passed a referendum limiting presidential powers, and will soon have its first meaningful elections in 30 years.

Several possible presidential candidates, among them Mohammed Al Baradei and Amr Moussa, have strong records defending human rights.

However, the Egyptian government's recent retreat from UN General Assembly resolution 65/206 calling for a moratorium on the use of the death penalty indicates there is still a long way to go.

The long-term effects of these social movements are hard to predict, but at the very least, they may well open up the way for dialogue and debate over human rights issues such as the death penalty.

Governments in Algeria, Yemen, Syria

and elsewhere are facing huge pressure to lift their decade-long states of emergency, which have stifled freedom of speech for generations of Arabs. An opening up of the political space could at the least give abolitionist groups the chance to present their ideas and see them debated openly and without fear of reprisal.

Download the World Coalition's report:
[Fighting against the Death Penalty in the Arab World](#)



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

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



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