

Crime and Justice

Death Penalty and the Right to Life

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



October 2011

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CRIME AND JUSTICE

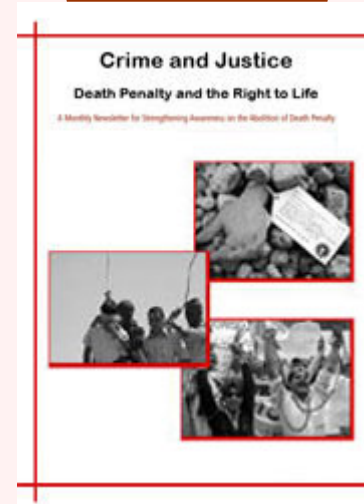
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By Dennis Engbarth

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DEATH PENALTY: On Popular Demand

By Sanjay Suri

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DEATH PENALTY: Not in the Name of the Quran

By Sanjay Suri

LONDON, Sep 21, 2011 (IPS) - Islamic regimes look for provisions and precedents to carry out the death sentence in the name of Islam. But, says Dr. Mohammad Al-Habash, director of the Islamic Studies Centre in Damascus, they are not looking enough at 13 provisions within the Quran to commute the death sentence to a lesser punishment.

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Foreign Drug Offenders More Likely to Face Death

By Matthew Cardinale

ATLANTA, Georgia, U.S., Sep 16, 2011 (IPS) - In many of the countries that permit execution for drug offences, the majority or even all of those on death row are foreigners, according to a new report by Harm Reduction International (HRI).

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Q&A: "Filling Another Coffin Will Not Bring Our Loved Ones Back"

Kanya D'Almeida interviews RENNY CUSHING, founder of Murder Victims' Families for Human Rights (MVFHR)

WASHINGTON, Sep 13, 2011 (IPS) - With the death penalty still a fixture in the criminal justice apparatus of many U.S. states, the voices of murder victims' families who oppose capital

punishment are bringing a deeply personal perspective to the debate.

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U.S.: Execution Date Set in Controversial Davis Case

By Matthew Cardinale

ATLANTA, Georgia, Sep 9, 2011 (IPS) - Troy Davis, the Georgia man whose death row case has drawn international attention, has again been scheduled for execution for Sep. 21, but advocates hope to convince the Georgia Board of Pardons and Paroles to grant last-minute clemency.

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Study Reveals Racially Biased Death Sentencing in U.S. Military

By Kanya D'Almeida

WASHINGTON, Sep 1, 2011 (IPS) - A forthcoming study obtained by IPS reveals new information on significant racial bias in military death sentencing, adding fuel to the growing momentum led by rights groups against the death penalty in the United States.

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WORLD PRESS REVIEW:

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News from International NGOs:

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

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COLUMN

MIDDLE EAST: FAREWELL TO DICTATORSHIPS AND THE DEATH PENALTY

By Emma Bonino*

ROME, Sep (IPS) The approval by the UN General Assembly in December 2007 of the Resolution for a Universal Moratorium against Capital Punishment was a fundamental step forward not only for the anti-death penalty campaign but also for the affirmation of the rule of law and of those natural rights historically won and often written into national law but not always respected.

After the vote the usual practitioners of realpolitik tried to diminish its import, saying it would serve no purpose. It is true that the UN cannot force any member country to abolish the death penalty, but the moral force and political message sent by the resolution are undeniable. For the first time ever, the United Nations established that capital punishment is a matter of individual rights and not simply an internal question for national judicial systems. It also sent the message that the elimination of capital punishment

would constitute a significant advance for the system of human rights.

Since the vote, it has had concrete effects in many countries, as documented in the latest report by Hands off Cain.

The legal abolition of the death penalty in recent years in many states of the US -which saw a drop in executions from 52 in 2009 to 46 in 2010-, the reduction that is apparently occurring in China, the reduction in the number of capital offenses in China and Vietnam, and the thousands of death sentences commuted in Pakistan, Kenya, Ethiopia, and Burma are not insignificant developments. While they cannot be seen as prelude to the immediate abolition of the death penalty, they are a clear indication that the world is moving in the direction urged by the United Nations.

Also significant is the abolition of the sanction in recent years in Africa and particularly countries like Rwanda and Burundi, symbols of a continent that has been battered more than any other in recent history by human tragedy: genocide, mutilation, mass rape, summary executions, and deportation.

The arrest warrant issued in 2009 by the International Criminal Court for Sudanese president Omar Al Bashir for the massacres in Darfur was a judiciary prelude to the political development that would soon occur in many Arab countries and others: the end of the myth of the invincibility of dictators who had ruled for decades.

In January after 23 years of dictatorial rule, Ben Ali left Tunisia and the interim national unity government announced the ratification of the most important international treaties, including the Rome Statute establishing the International Criminal Court and the abolition of the death penalty.

In Egypt, Hosni Mubarak risks falling victim to the death penalty that he himself, during his three decades of uninterrupted rule, extended to forty crimes. Ali Abdalla Saleh in Yemen and Bashar al- Assad in Syria are still resisting but at the price of a war they have chosen to launch against their own peoples.

Muammar Ghaddafi received an arrest warrant for crimes against humanity issued by the International Criminal Court. In Morocco after the huge anti-establishment protests in February, King Mohammed decided grant the release

of 92 political prisoners and commute the death sentences of five others and to transform the absolute monarchy into a constitutional monarchy. In Jordan, the death penalty has not been implemented since 2006, which suggests that the monarchy is headed towards abolition. In Lebanon a de facto moratorium has been in place since 2004. Djibouti constitutionally abolished its death penalty

Last December, these and other Arab countries, including Bahrain, the Arab Emirates, Mauritania, and Oman, which all abstained from the first vote, did not oppose the new resolution on abolition that was approved by the UN. Algeria not only voted for it but was one of the co-sponsors.

To uproot once and for all this aberrant and contradictory principle that life must be defended by inflicting death, the countries that supported the UN moratorium must insure that it is respected in all circumstances.

But it isn't all good news: the Hands Off Cain report shows that Iran, which has consistently finished among the world's top executioners, kicked off the new year with an orgy of executions. In North Korea public executions tripled in recent years. In Iraq, even under the

"democratic" government of Nouri al-Maliki, the pace of executions has continued uninterrupted.

In China as in Iran, and North Korea as in Iraq, it will be the "parallel democracy" by the Radical Party that will have to compensate for the lack of an official presence on the part of the so-called liberal, civil, abolitionist world. In fact it was Radical Party leader Marco Pannella who, after the announcement that former Iraqi foreign minister Tariq Aziz was condemned to death, staged a hunger strike to obtain "a moratorium against capital punishment for Tariq Aziz as well", partly to break the tragic continuity with the sanction's vogue under Saddam Hussein but also to preserve a key witness for the reconstruction of the historical record and the responsibility of the regime up until the war -a war that, it is now clear and amply documented, was set in motion by Bush and Blair precisely to prevent peace and the realisation of our plan of bringing about a free Iraq through the exile of Saddam Hussein and the installation of a fiduciary UN administration. (END/COPYRIGHT IPS)

*Emma Bonino, Vice president of the Italian Senate, is a leader of the Radical Party.

PROJECT ARTICLES

TAIWAN: Wrong Execution May Not End the Death Penalty

By Dennis Engbarth

TAIPEI, Sep 30, 2011 (IPS) - A Taiwan military tribunal has confirmed that the late Air Force private Chiang Kuo-ching had been wrongfully executed in August 1997 for the rape and murder of a five-year-old girl. But campaigners against the death penalty doubt that this will restore the moratorium on capital punishment the Taiwan government broke in April last year.

Nine inmates have been executed by shooting since President Ma Ying-jeou's right-wing Chinese Nationalist Party (Kuomintang or KMT) government ended the nearly five-year tacit moratorium on executions that began in 2005 under the previous centrist Democratic Progressive Party government (DPP).

Speaking to the legislative judicial committee Sep. 28, Justice Minister Tseng Yung-fu denied media reports that up to 10 of the 51 convicts whose

death sentences have been confirmed will be executed shortly after this year's National Day celebrations Oct. 10. He said "there is no timetable for the executions" and that "at present there is no concrete plan or list of convicts."

But the justice minister also said that the ministry "will not give advance notice publicly but will only officially make a public announcement after the sentences have been executed." This was despite objections by human rights groups that this policy blocks families from a last meeting.

After a three-month retrial, Ministry of National Defence northern district military court judge Liu Yu-wei announced on Sep. 13 that a panel of three military judges had found that Chiang Kuo-ching, who was 23 at the time of his execution was "not guilty" of the rape and murder of a five-year-old girl at an Air Force headquarters complex in Taipei city in September 1996.

The court stated that Chiang had been "locked in" as the prime suspect after failing to pass a lie detector test administered by Investigation Bureau agents, and acknowledged that Air Force counter-intelligence agents acting under the orders of then Air Force

Commander and later defence minister Chen Chao-min had "used improper methods to obtain a confession from the defendant and used the confession to bolster weak forensic and physical evidence."

A decade long campaign by his father, Chiang Chih-an and mother Wang Tsai-lien had led to a call by the Control Yuan, Taiwan's watchdog branch of government, to open the case in May 2010.

Compensation, which could amount to nearly NT100 million dollars (3.2 million U.S. dollars), is being considered by the government. But Wang told reporters that "if Chen Chao-min is let off and judged innocent, then any reparations would be meaningless."

Executive director of the Taiwan Alliance to End the Death Penalty Lin Hsin-yi told IPS that "this is the first case in the history of the Taiwan judicial system in which a person was sentenced to death and executed and later proven to have been innocent.

"We believe there are many other similar cases which should be overturned," said Lin, who added that Chiang was "relatively fortunate" because "at least his reputation has

been cleared and the persons responsible for this injustice have been identified."

The innocent verdict for Chiang Kuo-ching followed on the heels of two other reversals in June and August of life sentences in a murder case and a multiple rape case, in which the defendants were confirmed to have been wrongfully convicted based on "confessions" or eyewitness testimony despite inadequate or incorrect evidence.

Taiwan Human Rights Association secretary-general Tsai Chi-hsun told IPS that several of the 51 inmates awaiting execution were convicted based mainly on confessions, which the defendants maintain were the result of torture in interrogations, without convincing physical evidence.

The TAEDP's Lin says the Chiang Kuo-ching case should open the door to recognition that the judicial system has grave problems. She says the only route for convicts whose death sentences have been certified by the Supreme Court is that of special appeal.

"But in Taiwan this path is virtually closed shut," said Lin. The current justice minister and supreme public

prosecutor have not approved any applications for special appeals "as they seem to see the special appeals as only a delaying tactic."

As a result, Taiwan "also does not have a complete process for the petition for pardons or commutation of capital punishment as required by Article 14 of the International Covenant on Civil and Political Rights," said the TAEDP director.

TAEDP and other human rights groups have called for a moratorium and for changes in the criminal code to require a unanimous decision by a panel of three judges for death sentences, and to require the Supreme Court to hear oral arguments for death penalty cases instead of only reviewing written briefs, among other measures.

As part of a drive to bring Taiwan's legal code in line with the two international covenants by Dec. 10, Justice Ministry first counsellor Peng Kun-yeh told IPS that two bills now awaiting legislative passage would drop the current mandatory death sentence for kidnapping unless the victim was murdered, and for causing serious harm to other persons in the process of smuggling unless a death was caused.

"These changes are in line with the principle that death sentence should be reserved only for the most serious crimes," said Peng, who added he was optimistic that both sets of revisions would be approved by the legislature.

But TAEDP's Lin says Taiwan's current practices still fall short of the requirements listed in Article 14 of the International Covenant on Civil and Political Rights for fair and complete defence against criminal charges, including a complete appeal process including the right to apply for special appeals or pardons or commutations of capital punishment.

"We should close our eyes and imagine how you would feel if you were like Chiang Kuo-ching and faced imminent execution for a crime you know you did not commit, or if you were his parents," said opposition Democratic Progressive Party Legislator (Ms) Tien Chiu-chin.
(END)

RIGHTS-U.S.: Outrage Persists over Davis's Execution

By Matthew Cardinale

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intensified what was already significant pressure on both U.S. President Barack Obama and the U.S. Department of Justice (USDOJ), a federal agency under Obama's purview, to save Davis, but Obama declined to act.

On Sep. 21, the state of Georgia executed Davis, who was convicted of killing police officer Mark MacPhail in 1989. Yet following his conviction, seven of nine witnesses against him recanted their testimony, two witnesses implicated another person as the killer and two of the original jurors who found Davis guilty came forward to oppose the execution.

No forensic evidence presented at trial indicated that Davis was the shooter.

The National Association for the Advancement of Coloured People (NAACP) lobbied the USDOJ to open a civil rights investigation.

"We did have communication with the Justice Department to see if there was some avenue to get involved, but proper procedure had been adhered to throughout [Davis's appeals process]," Hilary Shelton, senior vice president for advocacy and policy, told IPS.

"If he didn't speak English, that would

be one thing. If you could argue that he had poor representation, that's a broader concept to pursue," she said.

Shelton said that the NAACP had held several conversations with the Justice Department to find a way for the government to intervene in the case. After much research, they were convinced that "the only place to stay the execution was with the pardon and parole board, or a motion that could've been offered by the prosecuting attorney's office", she said.

Other organisations urged their members to contact the Obama administration directly.

The morning of Davis's scheduled execution, the Act Now to Stop War and End Racism (ANSWER) Coalition issued an urgent appeal.

In response, "people sent more than 13,000 letters in the first seven hours to the Obama administration demanding that it initiate a federal civil rights investigation into the Troy Davis case and seek a stay of his execution," ANSWER said in an email the morning after the execution.

"But President Obama and the [Attorney General Eric] Holder Justice

Department turned their backs and consciously let Mr. Davis be murdered," the coalition wrote. It also criticised Obama's political strategy before the next election cycle as one seeking "to endlessly placate rather than confront the political base of the Republican Party".

"He knows Troy Davis'(s) execution was a racist murder," ANSWER wrote. "But he and his advisors didn't want to spend one penny of political capital."

Obama defended his inaction, first through his spokesperson on Sep. 21, and then on Sep. 23 in a meeting with a small group of black journalists.

"Dating back to his time in the Illinois state senate, President Obama has worked to ensure accuracy and fairness in the criminal justice system – especially in capital punishment cases," White House Press Secretary Jay Carney said on Sep. 21, just hours before the state of Georgia executed Davis.

"It is not appropriate for the president of the United States to weigh in on specific cases like this one, which is a state prosecution," Carney added.

According to the Redding News Review (RNR), two black journalists who

attended the Sep. 23 meeting said Obama addressed the Davis issue. His administration had made phone calls to the state of Georgia to look into the situation over a three-day period, they said.

Still, the Obama administration has denied stating that they became involved in the matter in any way.

"The black community has been forsaken by this post-racial president and I feel... Troy Davis is innocent," Rob Redding, publisher of RNR and syndicated radio show host, told IPS.

Redding pointed to the case of Humberto Leal Garcia, Jr., an illegal immigrant for whom the Obama administration sought a stay of execution from the state of Texas, as an example of what he said was Obama's hypocrisy.

Redding believed that defending Obama's refusal to act on the Davis case on the grounds of interfering with states was hypocritical, as Obama made a request to the state of Texas - albeit to no avail - in the July 2011 Garcia case.

"With this case in Texas, what the president said and the Justice Department said, he [Garcia] wasn't

given access to interpreters, which is part of the law," Redding said.

The fact that it was international in scope also made the Garcia case different.

But Redding argued that Davis's case was an international issue as well. "The world was watching the White House, the first black president; they were waiting to see whether he would stand up."

"He could've said, 'We're watching what's going on in Georgia. We're concerned. I've offered the U.S. Department of Justice to the state of Georgia as a resource.' He could've shown that he gave a damn about the death penalty in his own country," Redding said.

"Obama had ample legal basis to intervene," Sarah Sloan, national staff coordinator for the ANSWER Coalition, told IPS. "It's not infrequently that the Justice Department opens inquiries into civil rights violations carried out in local cases, local police departments."

"If President Obama had instructed the Justice Department to open an investigation, it would have led to a delay of the execution," Sloan said.

"There was discussion around, 'Could he intervene?' He couldn't grant clemency. But this was a clear step he could've done."

Sloan pointed out that the case involved civil rights violations, including the fact that witnesses admitted police had pressured or coerced them into giving false testimony and other components such as "when there's a frame-up like that, when there is police abuse, prosecutorial abuse, against someone who is a poor, African American man".

But Shelton said the NAACP pursued all those angles with the UDSOJ.

"All those issues were considered as well. We wanted to stop this. All these angles and approaches were pursued. Those are great hypotheses that we pursued. Unfortunately we were not able to establish a standard necessary to be able to call for an investigation."
(END)

DEATH PENALTY: On Popular Demand

By Sanjay Suri

LONDON, Sep 27, 2011 (IPS) - The image endures of the death penalty in force

across the Arab world because it is considered somehow Islamic, and because most regimes are undeniably autocratic. But campaigners on the ground say the death penalty might just be in place because the people want it. Which would make it in essence a democratic institution.

"If you look closer, it's a tribal issue," says Tanya Awad Ghorra from the Academic University for Nonviolence and Human Rights in the Arab World (AUNOHR) based in Beirut. "Because our world is tribal. We still have tribes, the traditions, the revenge...it's in the mentality. So that's why they try to stick it to the Quran but if you look closely it's a way of reducing direct revenge between tribes."

The regimes in these countries are in that case only listening to the voices of their people. "Yes, we live in a region where revenge is a natural thing, extreme revenge is still in the culture, so even though there have been many campaigns in Arab countries, none have signed the (2007) U.N. moratorium because they have an issue with their population. Because in public opinion revenge is a legitimate thing to ask."

"Ask people," Ghorra told IPS in an interview at a conference called in

London by Penal Reform International (PRI) last week. "To them it's natural. Yes, it's a demand." To someone whose family member has been killed, "it's my right, it's my tribal right, it's my culture, it's my background, it's my history to get revenge. I don't get it, you want the government to get it for me, I'm fine with that. But I want my revenge."

The Beirut-based AUNOHR has been campaigning actively against the death penalty for years. But Ghorra says it's an uphill struggle. "You can campaign a lot, you can have the support of all the Europeans, of the world around you, but if you don't focus on creating public opinion, on educating people, I think we'll be stuck for long years."

Lebanon, which saw a National Campaign to Abolish the Death Penalty, has seen some success. After the wars with Israel the government "pulled out a long forgotten law that 'the killer is killed', and a long queue of people started going to the gallows," said Ghorra. "That's what pushed us to start our national campaign."

The campaign won two significant achievements: "The first, the abolition of that law in 2001. We are the only Arab country that managed to abolish a law (on this issue). In 2004 the prime

minister refused to sign the execution papers of one convict. He called it the refusal of conscience. Since then Lebanon has been following an oral moratorium.

But this, she warns, "is very fragile because it's oral, not written, the draft alternative laws have not been passed yet by parliament, and Lebanon has not signed the U.N. moratorium."

Campaigners are now looking out for changes that the Arab Spring might bring. Not everyone is confident, though, given the rising force of Islamist groups and parties in Egypt, Tunisia and Libya. Much will depend on the policies the Islamist parties adopt, whether these are radical or moderate.

Campaigners in Tunisia expect the Islamist groups there to be moderate. "Tunisia has adopted a position of stopping use of the death penalty since 1991," Dr Amor Boubakri, associate professor in public law at the University of Sousse in Tunisia, told IPS. "But several laws have been adopted which provide for the death penalty, the last dated 2005. Since the revolution, there is a big hope we can abolish the death penalty."

Campaigners are taking heart, he says, from decisions made by the interim government a few weeks after the revolution. "The most important is the adoption of the Rome Statute, so Tunisia has become a member of the International Criminal Court. And other human rights tools have been adopted."

As Tunisia heads for elections for a constituent assembly next month, campaigners are seeking to raise a national debate on capital punishment. "There is a possibility that the next assembly could adopt abolition of the death penalty," says Boubakri.

The rise in the power of Islamist parties is not necessarily a hurdle, he says. "These parties have a big chance to get the majority in the next assembly but Islamism in Tunisia is basically a moderate movement. We have some radical Islamist movements, but the most important one is a moderate one and is likely to adopt the Turkish way of Islam.

"As a consequence the attitude of the Islamist party to human rights issues is generally positive. We don't know their attitude towards the death penalty, but their stand on human rights issues is positive." (END)

U.S.: Global Protests and Arrests as Troy Davis Is Executed

By Matthew Cardinale

ATLANTA, Georgia, Sep 22, 2011 (IPS) - The U.S. state of Georgia executed Troy Davis at 11:08 p.m. on Wednesday, Sep. 21, despite serious doubts about his guilt that inspired mass protests in Georgia, across the United States, and indeed, around the world.

Davis had been sentenced to death for the killing of police officer Mark MacPhail in 1989. Following his conviction, seven of nine witnesses against him recanted their testimony, two witnesses implicated another person as the killer, and two of the original jurors who found Davis guilty came forward to oppose the execution. There was no forensic evidence presented at trial that Davis was the shooter.

"We have come a great distance in Georgia, but today we have demonstrated we still have a great distance to go before we build a society based on simple justice that values the dignity and the worth of every human being," Congressman John Lewis said in

a statement following the decision by Georgia's State Board of Pardons and Paroles (SBPP) to deny clemency.

"We are not there yet. I am deeply saddened and deeply disappointed by this decision, but in light of all I have seen through the years, it does not surprise me," Lewis said.

Davis's case gained international attention, attracting high-profile supporters like Pope Benedict XVI, former U.S. president Jimmy Carter, Archbishop Desmond Tutu, and former FBI director William Sessions.

Protests this week included several acts of civil disobedience.

On Tuesday, Rev. Marvin Morgan, 63, of Atlanta's First Congregational United Church of Christ was arrested in downtown Atlanta outside the SBPP offices after he chained himself to a flagpole. Georgia Capitol police had told Morgan the flagpole was public property, but he refused to move, noting that he had taken great care not to harm the flagpole.

Morgan had previously written the SBPP offering his life in the place of Davis's, and had been engaging in a hunger strike as of Tuesday.

Some 12 protesters, including students from Howard University, were arrested at the White House in Washington Wednesday, where they urged President Barack Obama to stop the execution.

Eleven sat down on the sidewalk and refused to move after being told that they did not have a permit to protest, and that only 25 protesters could stand on the sidewalk at a time but had to keep moving. A twelfth protester in the crowd of several hundred was also arrested.

Then, at the Jackson State Prison where Davis was executed, nine people were arrested in conjunction with a protest organised by Tim Franzen of the American Friends Service Committee Southeast Regional Office.

"Our plan was to walk into the prison to intervene," Franzen said. "Of course we knew we'd get arrested. We got about 20 feet."

One of those arrested in Jackson appears to have been tasered by police, according to a video posted on the Georgia Peace and Justice Coalition's website.

After the execution was announced around 11 pm, some young people, including those dressed in bandannas, took to the streets, Franzen said, marching from the Georgia Capitol to Woodruff Park in downtown Atlanta, where they were confronted by police.

Five young people wearing bandannas were arrested as part of late night protests, the Atlanta Police Department said in a statement to IPS. The activists had been told to remove their masks because of an ordinance against wearing masks in public.

Four of the five arrested in Atlanta after the execution were members of the Georgia Students for Public Higher Education, according to the organisation's blog.

During Davis's last two weeks, there was a massive campaign, relying widely on the Internet and social media, to urge the SBPP to grant clemency. About one million petition signatures were collected and delivered to the SBPP days before the execution.

The SBPP denied Davis's request for clemency on Tuesday.

"This morning, the State Board of Pardons and Paroles issued its decision

denying clemency for Troy Anthony Davis. The Board members have not taken their responsibility lightly and certainly understand the emotions attached to a death penalty case," the Board said in a statement.

"Since 2000, the Board has commuted three death penalty cases. In considering clemency in such cases, the Board weighs each case on its own merit," the Board said.

"The Board has considered the totality of the information presented in this case and thoroughly deliberated on it, after which the decision was to deny clemency," the Board said.

The National Association for the Advancement of Colored People (NAACP) said it obtained information that the Board's vote was split, two to three, with two in favour of granting clemency.

After the SBPP denied clemency, activists turned to a wide array of strategies: Some lobbied President Obama to intervene; some lobbied Dr. Carlo Musso, CEO of Rainbow Medical Associates, the organisation contracted by the Georgia Department of Corrections to oversee executions, to decline to participate; others lobbied

Chatham County District Attorney Larry Chisolm to intervene.

Some lobbied the SBPP to reconsider.

"The Board has denied the request to reconsider its decision of September 20, 2011, denying clemency to Davis," the Board said in a Sep. 21.

Davis offered to take a lie detector test, but the GBPP declined that offer.

The NAACP requested intervention by the U.S. Department of Justice, apparently to no avail.

Lawyers for Davis also filed a last-minute appeal that was rejected by each court up to the Supreme Court of the U.S. The Supreme Court issued a stay so it could review the appeal. So, Davis's execution, which was scheduled to take place at 7 pm, was postponed for a few more hours until the court denied the appeal.

"The application for stay of execution of sentence of death presented to Justice Thomas and by him referred to the Court is denied," the Court wrote.

"My heart is heavy. I am sad and angry. The state of Georgia has proven what we already know. Governments cannot be trusted with the awful power over

life and death," Laura Moyer, Death Penalty Abolition Campaign coordinator for Amnesty International USA, said in a statement.

"Today, Georgia didn't just kill Troy Davis, they killed the faith and confidence that many Georgians, Americans and Troy Davis supporters worldwide used to have in our criminal justice system," Moyer said.

Activism also took place internationally. Over 300 cities participated in an international day of protest last week. And on the final day of Davis's life, activists gathered at the U.S. Embassies in London and Berlin to hold protest vigils. (END)

DEATH PENALTY: Not in the Name of the Quran

By Sanjay Suri

LONDON, Sep 21, 2011 (IPS) - Islamic regimes look for provisions and precedents to carry out the death sentence in the name of Islam. But, says Dr. Mohammad Al-Habash, director of the Islamic Studies Centre in Damascus, they are not looking enough at 13 provisions within the Quran to

commute the death sentence to a lesser punishment.

Regimes have the death penalty in place for many more crimes than mentioned in the Quran, Habash told IPS at a conference on the death penalty held by the rights group Penal Reform International in London this week. "In Mauritian law there are 361 crimes that can invite the death penalty. In Yemen, there are 312 crimes that can be punished with death, and the same in Saudi Arabia. But in the Holy Quran there is only one crime."

There is a provision for the death penalty only for murder, says Habash, who is also a member of the Syrian parliament. But alongside this one provision, there are 13 tools for a judge to cancel the death sentence, he says. "For example, God did not mention Al-Qassas, which provides for the death sentence for murder, without mentioning Al-Afou, which means forgiveness. Sharia asks a judge to use these 13 tools to fight against the death penalty."

Under Al-Afou, the family of a victim can forgive. "All members of the family of the victim have the right to forgive. If even just one among 20 says they forgive, or says they are looking for Dia

(financial compensation from the killer's family), the judge must avoid the death penalty. Even if a small baby from the victim's family says so, the judge must avoid the sentence, and wait for the baby to grow to the age of 18 to confirm if he or she wants the death penalty or not."

A judge acting under Sharia law cannot in any case order execution without first considering the position of the victim's family in a civil claim, Habash says. The right to demand or to forgive goes first to the family, not to the judge in a case where capital punishment could be ordered.

Yet another tool is "Choubouhat" under which a judge must refuse the death penalty if any doubts arise about the culpability of the accused. For example, "if the killer was under the influence of alcohol, or if he did not understand what might be the punishment for such crime."

But Habash acknowledges that this is not as simple a matter as a reading or interpretation of the Quran. "You do need to look also at the history of Islamic heritage," he says. The death sentence comes more from that tradition than from the text of the Quran, he explains.

"Islamic legislation is itself a result of the practices of courts during history. In Islamic history, as with Christian history, European history, you can find a lot of use of the death penalty. It's in the tradition, not in the book."

The dispute goes beyond differences over an interpretation of the text and an interpretation of tradition. As Mustapha Bouhandi, professor of comparative religion in Casablanca in Morocco told IPS earlier, Arab countries retain the death penalty because they "do not want to lose their most important instrument of repression...the death penalty is for them an effective means to eliminate opposition leaders, or at least to intimidate and curb them."

Often these opponents are liquidated without trial, even without their families ever hearing of their execution or being able to arrange a funeral, Bouhandi said. "Where there are trials, justice in the Arab world does not enjoy a good reputation. It depends on the wishes of the ruling powers. Every death sentence, even in non-political cases, is politically influenced."

Maryam Namazie from the Council of Ex-Muslims of Britain and Equal Rights Now told IPS in an earlier interview that

use of the death penalty is closely related to the political situation in these countries.

"Islam is fundamentally no different from other religions in that death is prescribed for a large number of transgressions in all of them," she said.

"However, because it is linked to a political movement with state power in many instances, the medievalism of religious rule becomes the law of the land.

"So in Iran, for example, stoning is a legally sanctioned form of execution with the law even specifying the size of the stone to be used in killing someone. Clearly, when the law and in many instances the state is divinely ordained, abolishing the death penalty becomes all the more difficult."

But a change in laws in these countries may need a return to the question of what is in the Quran and what comes from tradition. Habash says it is a view shared by many Islamic scholars "that this kind of punishment belongs to the old testament (of Islam). Prophet Mohammad tried to use such punishment for some years. After that the Holy Quran said, No, and that such punishment has been cancelled."

Are many Islamic countries then looking at Islamic tradition rather than at the Quran itself to justify use of the death penalty? "There are divisions on this within Islam," Habash acknowledges. "Some scholars believe we have to follow the traditions of Prophet Mohammad, and that there is not enough proof that this kind of punishment has been cancelled."

Such differences have led to different punishments for adultery, for instance. Some places carry out death by stoning. Others go by the punishment prescribed by the Quran itself of handing out up to 100 lashes, Habash says.

The majority of Islamic countries reject punishment such as death by stoning for adultery, he says. "You can find such punishment handed out by the Taliban, and in Somalia. But even in Saudi Arabia I have not heard of such punishment for at least 30 years." (END)

Foreign Drug Offenders More Likely to Face Death

By Matthew Cardinale

ATLANTA, Georgia, U.S., Sep 16, 2011 (IPS) - In many of the countries that permit execution for drug offences, the

majority or even all of those on death row are foreigners, according to a new report by Harm Reduction International (HRI).

The report, "The Death Penalty for Drug Offences – Global Overview 2011: Shared Responsibility and Shared Consequences", is a follow-up to a recent survey on the death penalty for drug offences by HRI.

There are 32 nations or territories that execute people for violating drug laws, including China, Indonesia, Iran, Kuwait, Malaysia, Saudi Arabia, and Singapore,

Overall, there are hundreds, even thousands, of non-nationals who are facing or have faced the death penalty for drugs in recent years. HRI estimates the number is actually more than a thousand per year, including estimates of executions carried out by governments - especially China - which keep data regarding the death penalty a secret.

These foreigners include citizens of Australia, France, Israel, Liberia, Mexico, Mongolia, The Netherlands, Nepal, Nigeria, Peru, The Philippines, Sweden, Turkey, Britain, United States, and Zambia.

Brian Evans, a campaigner for Amnesty International USA's Death Penalty Abolition Campaign, said the phenomenon of foreign nationals being executed in these countries for drug trafficking is "sort of a combination of discrimination against foreign nationals, and we're talking about crimes that disproportionately affect foreign nationals."

"Any crimes involving trafficking and moving across borders is more likely to involve foreign nationals anyway," Evans said.

"My expertise is with Saudi Arabia, I do know their justice system is stacked to [favour] people with ties to the royal family and a lot of money. Foreign nationals don't have those ties," Evans said.

"From our perspective, like a lot of responses to global drug problems, it's totally out of proportion for the crime that was committed," Alan Clear, said executive director of the U.S.-based Harm Reduction Coalition, which is not affiliated with HRI.

"The death penalty clearly hasn't stopped drug trafficking or the desire of countries primarily to buy drugs. People take enormous risks because of the

profits involved. They get caught up in a massive drug operation. They're not the main dealers, they're basically carrying drugs from one place to another. You're not going to disrupt the drug market by killing them, they're totally minor players," Clear said.

"The demand is coming from the West. We need to do more about the demand, in our own country, our own drug problem," he said, adding that the U.S. should take a public health approach and pursue decriminalisation.

In Indonesia alone, about 100 people are on death row for drug offences, and about 80 percent of those are foreigners. Ironically, Indonesia persists in executing foreign nationals, even though Indonesia recently got into an international dispute with Saudi Arabia after the Saudi government beheaded an Indonesian citizen without notifying Indonesia.

"While it seems clear that foreigners play a significant role in smuggling drugs into Indonesia, the fact that four out of five prisoners awaiting execution on drugs trafficking charges are foreigners raises certain questions in terms of possible discrimination in relation to both criminal enforcement and sentencing in drug-related cases," the

U.N. Special Rapporteur on extrajudicial, summary or arbitrary executions, wrote in 2009, as cited in the HRI report.

In Kuwait, at least 14 people have been executed for drug offences since 1998, and most, if not all, of these are believed to have been foreigners, according to HRI.

In Saudi Arabia, 53 of 62 executions for drugs that occurred in 2007 and 2008 were of foreign nationals, HRI reported.

And in Singapore, at least two foreigners have been executed for drug-related offenses over the last decade.

"This report should encourage governments to reflect on their counter-narcotics assistance to states which continue to sentence people to death for drug offences," Rick Lines, executive director of HRI, said in a statement.

"No government in the world can say with absolute confidence that these laws won't potentially lead to a death sentence for one of its own citizens. What we would not impose at home, we should not expose people to abroad," Lines said.

"Drug policies must respect human rights, international standards and

proven public health measures to be effective," Lines added. "It is simply wrong for a government to try and kill its way out of a drug problem. These killings are arbitrary and morally repugnant."

HRI argues the executions violate Article 6(2) of the International Covenant on Civil and Political Rights, which states that the death penalty may only be applied to the "most serious crimes".

Human rights monitors from the United Nations have also expressed concerns about the number of foreigners who are on death row. (END)

Q&A: "Filling Another Coffin Will Not Bring Our Loved Ones Back"

Kanya D'Almeida interviews RENNY CUSHING, founder of Murder Victims' Families for Human Rights (MVFHR)

WASHINGTON, Sep 13, 2011 (IPS) - With the death penalty still a fixture in the criminal justice apparatus of many U.S. states, the voices of murder victims' families who oppose capital punishment are bringing a deeply personal perspective to the debate.

IPS spoke with Renny Cushing, founder and executive director of Murder Victims' Families for Human Rights (MVFHR), whose father's murder in 1988 set him on a tireless course of human rights advocacy.

A declared victim-abolitionist, Cushing has been a pioneer in the movement to link death penalty abolition groups with the victims' rights movement. He lives by the dictum that "filling another coffin will not bring our loved ones back – it will only give birth to yet another broken, grieving family."

Co-author of "Dignity Denied: The Experience of Murder Victims' Family Members Who Oppose the Death Penalty", and "I Don't Want Another Kid to Die", a collection of homicide victims' family members' testimonies against the juvenile death penalty, Cushing tours the U.S. and the world, demanding universal dignity and human rights for all.

Excerpts from the interview follow.

Q: What was the vision behind MVFHR?

A: MVFHR was founded on Dec. 10, 2004 – International Human Rights Day – by a group of families and survivors of homicide victims who had seen their

loved ones murdered by serial killers, attacked by terrorists, disappeared or fallen victim to state-sponsored executions.

We oppose the death penalty on human rights grounds and believe that it's a fundamental violation of the right to life, of Articles 3 and 5 of the Universal Declaration of Human Rights.

Though we are U.S.-based, we're committed to the concept of "abolition without borders", so we've always strived to have a presence outside the country, to make public that we are working in solidarity with other countries and peoples who are struggling to end the death penalty.

Q: What has some of this international solidarity looked like?

A: For example, representatives of MVFHR gathered in South Korea last week to commemorate the country's 5,000th day without an execution. Korea is also a 5,000-year-old country, nation and culture and it was a wonderful occasion on which to celebrate the fact that, though the death penalty has remained in place since South Korea's independence in 1948, a zero execution policy since 1997 has created a de facto abolitionist

nation.

Since we first traveled to South Korea in 2004 to meet with lawmakers who had then drafted a death penalty abolition bill, we have been mindful of the importance of international solidarity in this matter, of adding our voices to the growing international movement for abolition. Already MVFHR is a member of the Asia Death Penalty Abolition Network and the World Coalition Against the Death Penalty.

Once you become the survivor of a murder victim, you immediately assume an identity within society that can be leveraged to advocate for human rights.

We have an important stake in decision-making and policy on capital punishment, about what society does in the aftermaths of murder. And though there are significant cultural differences when working transnationally, there is also a universal element to grief and pain that should be mobilised in our struggle.

Q: What are some of these universalities?

A: Well, we have worked with victims, in South Korea particularly, who have expressed similar sentiments to those of us who fight the death penalty in the

U.S., that society places a burden on survivors to go out and seek revenge.

One survivor of her own daughter's death told me that she was often made to feel like a sinner, fighting against the death penalty even after her own child had been murdered.

Another man I met, whose mother, wife and son were all murdered by a serial killer, has had to change his address and phone number in order to avoid the social repercussions of attempting to work for abolition. There's a terrible stigma attached to this kind of activism in our society, and our work often leads to us being isolated or ostracised.

Often I find myself, or people in my position, being depicted as either psychos or saints. The reality is that we are people who have lived through unspeakable horror, whose lives have unfurled rapidly, and we've come to the conclusion that filling another coffin doesn't bring our loved ones back, it just gives birth to another broken, grieving family.

Q: What are your thoughts about a society that supports the death penalty?

A: One of the things that people have to realise is that if you give your government the power to kill its people,

it will use it. And as long as the government kills its own people, it sets the example that people and institutions have the right to take life.

In fact, governments should be setting the example that vengefulness will never be a symbol of democracy. I think South Africa is a great example in this regard. Its great leader Nelson Mandela once faced the death penalty and spent 27 years in prison. When he finally got out, he didn't keep looking over his shoulder seeking revenge. He understood that it was much more important for him to once and for all lift the burden of apartheid from his nation. When he finally became the president, it was of a new South Africa, one that had abolished the death penalty.

It is only by ending the death penalty that we will be able to safeguard, respect and uphold the rights of every individual. (END)

U.S.: Execution Date Set in Controversial Davis Case

By Matthew Cardinale

ATLANTA, Georgia, Sep 9, 2011 (IPS) - Troy Davis, the Georgia man whose death row case has drawn international

attention, has again been scheduled for execution for Sep. 21, but advocates hope to convince the Georgia Board of Pardons and Paroles to grant last-minute clemency.

Davis was convicted of shooting a police officer, Mark MacPhail, in Savannah in 1989, but since then, seven of nine witnesses have recanted their testimony against him, and two other witnesses have implicated another individual as the murderer.

This is the fourth time Davis has had an execution date, although at this point, supporters fear that he has probably exhausted his appeals - either he will be pardoned or he will be executed.

Most recently, the U.S. Supreme Court ordered an extraordinary hearing in the trial court as to whether Davis could prove his innocence claims. But the trial court ruled against Davis, setting him back on a path where a new execution date was only a matter of time.

"I knew it was coming. I'm not shocked," Martina Correia, Davis's sister and strongest advocate, told IPS. Correia, who has been battling cancer for 10 years, has been in the hospital for several days due to complications from a chemotherapy drug, but granted the

rare interview.

There will be a Global Day of Action for Troy Davis on Sep. 16 in Atlanta and other cities around the world, and Correia says she will be there whether someone has to push her in a wheelchair or drive her in on the back of a truck.

"We're sad, but we've been here before. In the past two years, the coalition has grown beyond what we could have ever imagined. We're gonna fight. We believe in Troy's innocence," Correia said.

Correia said she had just spoken with Davis, and that "he is in good spirits".

"He's more concerned about the family than he is about himself," she said.

"He's ready for this fight. We're holding on to our faith and we believe it's going to be a good outcome."

Meanwhile, advocacy groups like Amnesty International, Georgians for Alternatives to the Death Penalty, the International Action Center, and the National Association for the Advancement of Colored People are mobilising.

"We are focused right now on educating

people about the doubts that continue to persist, encouraging people to make concerns heard to the Board of Pardons and Paroles, who has the ability to weigh in and prevent the execution and really step in in a situation where the legal process has failed to alleviate some doubts that Troy Davis is guilty for a crime for which he could pay with his life," Laura Moye, death penalty abolition campaign director for Amnesty International USA, told IPS.

"The Board has very wide discretion at what they can look to to grant relief, they are not confined by the narrow parameters of the legal process, this narrow focus on process and procedure that has hampered Troy's ability to have his innocence claims taken seriously," Moye said.

"The Parole Board in 2009 said they would not execute when there's doubt. There's more than minimal doubt in Troy's case," Correia said. "There's so many unanswered questions."

Despite the fact that the Board previously ruled against Davis, there are at least two factors which may lead to a different ruling this time. First, three of the five Board members are new to the Board and have not heard Davis's case before. And second, there are two new

witnesses who have implicated another man as the culprit, who have not yet testified before the Board.

One witness, Benjamin Gordon, implicated his relative, Sylvester Coles, as the killer. Meanwhile, another woman says she witnessed Coles admitting to her that he shot MacPhail.

When the Supreme Court granted Davis a hearing in the trial court on his innocence claims, Justice Antonin Scalia dissented, calling the new hearing a "fool's errand". In retrospect, it appears to some extent, he was right.

"The problem with the legal system... is it has been so focused on procedure, it hasn't been asking a more fundamental question, which is, can we rely on the conviction?" Moye said.

"Troy Davis was given an enormous task of proving innocence at the evidentiary hearing in Savannah last summer. He was given a task that was almost impossible to achieve without physical evidence, and with witnesses that the judge didn't want to believe," Moye said.

Davis first faced execution in July 2007, but the Board granted a 90- day stay on Jul. 16 so it could review Davis's case

further. In the meantime, the Supreme Court of Georgia granted a review of Davis's case, which Davis later lost. The Board later also ruled against Davis.

Davis faced execution a second time in September 2008, but the Supreme Court granted a stay on Sep. 23, to allow time to consider an appeal on the question of whether to grant a new trial, which was later rejected.

Davis then faced execution again a third time in October 2008, but the 11th federal circuit court stayed the execution on Oct. 24 on grounds connected to Davis's innocence claims, which were legally different than his appeals or requests for a new trial.

"Psychologically, it must be a torturous process to have someone repeatedly come close to their death. Most murders aren't even like that," Moye said. (END)

Study Reveals Racially Biased Death Sentencing in U.S. Military

By Kanya D'Almeida

WASHINGTON, Sep 1, 2011 (IPS) - A forthcoming study obtained by IPS

reveals new information on significant racial bias in military death sentencing, adding fuel to the growing momentum led by rights groups against the death penalty in the United States.

While the meting out of capital punishment in civilian courts has been closely documented since the Supreme Court reinstated the controversial sanction in 1976, little was known about the extent of racial prejudice and discrimination in the military justice system until now.

The study, co-authored by the late David Baldus, an eminent scholar on the subject of capital punishment, and Catherine Grosso, an associate professor of law at Michigan State University's College of Law, found that 10 of the 16 men whom the military has sentenced to death since the early 1980s share a common trait: they're all minorities.

In fact, the research, conducted by a team of legal experts and statistics professors, proves that minorities in the military are twice as likely as their white counterparts to be sentenced to death by capital punishment – a statistic that is higher than existing levels of racism in the civilian courts.

This imbalance is by no means a new trend. For the last three decades the military has both exercised and acknowledged bias in its judicial system. However, the study concluded that the military's efforts to reform its justice system after 1986 "failed to purge the risk of racial prejudice from the administration of the death penalty".

Slated to be released later this year in the peer-reviewed Journal of Criminal Law and Criminology, the study's authors stressed, "There is substantial evidence that many actors in the American criminal justice system are... influenced by the race of defendants and their victims."

The professors found that "capital punishment-racial discrimination studies of state death penalty systems have documented three types of evidence of racial disparities in the treatment of similarly situated death-eligible offenders", the most common being punitive measures meted out to any defendant in cases involving white victims; the next common being cases involving black or minority defendants thought to have perpetrated a crime against a white victim; and lastly cases involving black and minority defendants thought to have committed a crime, regardless of the victim's ethnicity.

Having raked through data on the administration of the death penalty in the U.S. armed forces between 1984 and 2005, the study presents evidence that the 16 cases of death sentences support Supreme Court Justice Byron White's hypothesis that "in death eligible murder cases, the greatest risk of 'racial prejudice' exists in highly aggravated minority-accused/white-victim cases."

Of those 16 cases, the study also found that race appeared especially to be a factor in five cases that involved multiple victims with at least one victim who was white.

Those cases include three black men currently on death row - Ronald Gray, a black former Army private who was accused of raping and murdering four women; Dwight Loving, a black former Army private at Fort Hood, Texas, who was convicted of killing two taxi drivers; and Kenneth Parker, a black former Marine lance corporal who allegedly killed two white Marines "following rumors that a group of white males had planned a lynching".

"What this study shows us is the racial discrimination that we have seen in civil systems for decades is just as rampant –

even more so – in the military," Richard Dieter, executive director of the Death Penalty Information Center (DPIC), told IPS.

"While most previous studies have suggested that the race of the victim was the most salient factor affecting death penalty decisions, this latest study proves that the race of the defendant matters just as much, if not more," he said.

Though the study stresses that the racially lopsided numbers of people on death row are not the result of "intentional discrimination", Dieter said that the third level of racism – following legally sanctioned discrimination and deliberately harsh sentencing based on race – fell in a murky middle ground that was hard to define.

"All kinds of cultural differences and prejudices exist in individuals who are tasked with assigning a suspect as innocent or guilty," Dieter told IPS.

"These judgments creep in, perhaps not intentionally, but inevitably."

"Sadly, judgments are never made on pure formulas, but are always influenced by the biases, upbringing and cultural histories of judges and jurors," he added. "So it is to be expected that

an all-white jury would view and sentence a black defendant more harshly than an all-black jury would."

Dieter added that the civilian system too was nursing extreme racial disparities. Of the 58 people on federal death row, 23 are white while 35 – roughly 60 percent – are minorities.

And while 44 percent of those on state death rows are white, compared to 42 percent black and 12 percent Hispanic – statistics that many tout as evidence of the playing field being leveled out – Dieter cautioned, "We have to keep in mind that blacks only make up 12 percent of the U.S.'s total population, making these numbers very skewed no matter which way you look at them."

Given that neither state, federal, nor military judicial systems seem able to leave racial bias at the door of the courtroom, some have suggested that the study is simply more evidence that the death penalty should be abolished in all 50 states.

According to Amnesty International's 2010 report on death penalties, the U.S. has the fourth worst track record in the world for executions - with 42 people going to the chair last year alone – following China, Iran and North Korea.

As a New York Times editorial pointed out Thursday morning, "The last military execution was in 1961. This de facto moratorium has not made the country or the military less secure. The evidence of persistent racial bias is further evidence that it is time for the military system to abolish the death penalty."
(END)

WORLD PRESS REVIEW September 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 September to the beginning of the month.

NORTH KOREA REDUCES CRIME LIST FOR DEATH PENALTY

September 30, 2011: North Korea has liberalized its Criminal Code reducing the crime list for the capital punishment from 33 to 5, the UN Chief Ban Ki-moon reported in NY.

He welcomed the measure but expressed concern over the fact that the remaining 5 crimes are mainly political, namely plotting and high treason.

The official encouraged Pyongyang for further liberalization and urged to avoid capital punishment. (Sources: RIAN, 30/09/2011)

BAHRAIN: DEATH SENTENCE FOR PROTESTER

September 29, 2011: Bahrain's special security court sentenced a protester to death for killing a policeman and has given doctors and nurses who'd treated injured protesters during the country's uprising this year lengthy prison sentences, according to lawyer Mohsen al-Alawi. (Sources: Smh.com.au, 29/09/2011)

CALIFORNIA (USA): LESS VOTER SUPPORT FOR DEATH PENALTY

September 29, 2011: As they have for more than 5 decades, California voters overwhelmingly support the death penalty - but in a marked shift, more voters now prefer that convicted murderers be sentenced to life without parole instead of death, according to the latest Field Poll. A solid 68 % of voters favor keeping the death penalty. But for the 1st time since the poll began asking the question 11 years ago, more voters - 48 % - say they would prefer that someone convicted of 1st-degree murder serve life without the possibility of parole.

40 % prefer the death penalty. Field Poll director Mark DiCamillo noted that 11 years ago, 44 % of those polled said they preferred death as punishment for 1st-degree murder and only 37 % in favored life in prison. The survey was a random sample of 1,001 registered voters, with each question asked to a random subsample of either 481 or 520 voters, with a maximum margin of error of 4.6 percentage points. (Sources: San Francisco Chronicle, Los Angeles Times, 29/09/2011)

SAUDI ARABIA: PARDON SAVES KILLER FROM GALLOWS

September 29, 2011: A Sudanese man facing execution in Saudi Arabia after he was convicted of murdering a Saudi boy was saved from the gallows after he was pardoned by the victim's father, newspapers reported on Thursday. Isam Al Juhaini, who had been in prison for nearly five years for murdering the boy, Saif, is expected to walk free soon after the victim's father, Awad bin Saad Al Harithi, told court in the western town of Taif he had forgiven the killer. Newspapers said Al Harithi agreed to offer pardon after mediation by Saudi Arabia's second deputy premier and interior minister Prince Nayef bin Abdul Aziz and Emir of Makkah Prince Khaled Al Faisal bin Abdul Aziz. (Sources: Emirates247.com, 29/09/2011)

IRAN: ONE PRISONER HANGED IN QOM

September 28, 2011: One prisoner was hanged in the central prison of Qom (south of Tehran) early in the morning, reported the Iranain state media.

According to the state-run news agencies Fars and Mehr, the prisoner identified as "M.F." who was convicted of buying and keeping 1572 grams of crack, and participation in buying and keeping 2435 grams of crack. The prisoner was arrested in October 2009 and sentenced to death by the revolutionary court of Qom in May 2010.

The charges have not been confirmed by independent sources. (Sources: Iran Human Rights, 28/09/2011)

MALAYSIA: TRIO TO HANG FOR DRUGS

September 26, 2011: Kwok Weng Fatt, 62, Abdul Rahman Lee Abdullah, 54, and Nurul Jannah Seng Abdullah, 47, were sentenced to death by High Court Judge Zamani Abdul Rahim for death for trafficking over 500gm of heroin that were hidden in rubber capsules which they swallowed.

The trio were all apprehended at Penang International Airport on January 29, 2005, while waiting to board a plane to Australia. (Sources: Thestar.com.my, 27/09/2011)

OHIO (USA): GOV. KASICH COMMUTES DEATH SENTENCE

September 26, 2011: Ohio's Republican Governor John Kasich today commuted the death sentence of Joseph Murphy, 46, white, to life without the possibility of parole, his 2nd such action in the past 3 months.

In commuting his sentence, Kasich called Murphy's murder of Ruth Predmore, 72, "heinous and disturbing," but the death penalty inappropriate given a brutal upbringing and relatively young age at the time of the crime. Murphy was 21 on February 1, 1987 when he stabbed Predmore during a home robbery. His execution had been scheduled for October 18 and the Ohio Parole Board had recommended that his sentence be commuted.

Murphy was diagnosed as borderline mentally retarded. The governor said in a statement: "After examining this case in detail with counsel I agree with Chief Justice Moyer, the National Association of Mental Illness and the Parole Board's unanimous 8-0 decision that considering Joseph Murphy's brutally abusive upbringing and the relatively young age at which he committed this terrible crime, the death penalty is not appropriate in this case.

"Thus, I have commuted his sentence to life in prison with no chance for parole. I pray for peace for all who have been

impacted by this crime." Predmore's niece was among the clemency advocates. (Sources: Reuters, USA Today, The Columbus Dispatch, Associated Press, 26/09/2011)

IRAN: ACID THROWER TO BE BLINDED

September 26, 2011: Iran's supreme court upheld a sentence of blinding in one eye for a waiter who hurled acid at a man five years ago in a plot hatched by the victim's brother-in-law, Shargh newspaper reported.

The 26-year-old waiter, identified by his first name, Mohammad, had confessed he was hired to throw acid at the victim, Vali, in return for around one million rials (less than \$100), the report said. Vali, who was injured and blinded in one eye, asked for 'qesas' -- an eye for an eye style of justice -- and that Mohammad be blinded in retribution. After much deliberation, the panel of judges presiding the case ordered the attacker to be blinded without acid in one eye and pay blood money for Vali's other injuries, the report said. (Sources: Afp, 26/09/2011)

PRESIDENT OBAMA TRIED TO SAVE TROY DAVIS FROM EXECUTION

September 23, 2011: President Obama candidly took a little time to explain how he tried to save Troy Davis and why he did not say anything about his

controversial execution, two sources told Redding News Review.

Obama's White House spent "three days" looking at how it could legally get involved in the case on a federal level, one source said. The Obama administration even called the state of Georgia about getting involved and were told "No".

"We looked at every possible avenue legally," the source reported Obama said. "There was not one there."

"It was a state case and I could not intervene because it wasn't federal," another source reported Obama said.

The two sources told Redding News Review that Obama talked about Davis, during a private lunch meeting of about 10 select black broadcasters. (Sources: Redding News Review, 26/09/2011)

IRAN: UN EXPERTS CONDEMN PUBLIC EXECUTION OF JUVENILE

September 23, 2011: According to a statement by the UN Office of the High Commissioner of Human Rights, four United Nations experts condemned the public execution of 17-year-old Alireza Molla Soltani in Iran.

The four UN experts are: Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Ahmed Shaheed; Special

Rapporteur on the independence of judges and lawyers, Gabriela Knaul; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan Méndez. (Sources: NL-Aid.org, 23/09/2011)

CHINA: TWO SENTENCED TO DEATH

September 23, 2011: The Intermediate People's Court of Xiangtan, in China's Hunan Province, sentenced Wang Yongzhong, the boss of a mafia-like gang, to death and fined him 2 million yuan. He was convicted of gambling, drug trafficking, assaults and holding people against their will.

The court also sentenced gang member Zhang Dijun to death with a two-year reprieve for a 2010 murder that Wang ordered. (Sources: Eastday.com, 25/09/2011)

USA: HANDS OFF CAIN- THE USA AND ROGUE NATIONS USE THE DEATH PENALTY

September 22, 2011: "It isn't great company to be in, countries that still use the death penalty- the Unites States and "rogue nations"," Sergio D'Elia said after the execution in Georgia of Troy Davis.

"A man who was most likely innocent, the latest in a long series of executions in which guilt was at least doubtful," D'Elia continued. "The USA should now

free itself from the anachronism of the death penalty. It is used by China, Iran and North Korea, which are the highest executioners in the world, and who the United States rightly denounces for their systematic violations of human rights."

"The great American democracy cannot allow a justice so merciless. It is not justice and very often it does not even save the innocent." "The use of the archaic biblical conception of an eye for an eye in the oldest and most stable democracy, when it doesn't even have proper safeguards, does not make a big difference from the summary use of talion law in vogue in fundamentalist Islamic regimes." (Sources: HOC, 22/09/2011)

ALABAMA (USA): DERRICK O'NEAL MASON EXECUTED

September 22, 2011: Derrick O'Neal Mason, 37, black, has been executed. He was sentenced to die in 1995 after being convicted of killing 25-year-old Angela Cagle during the attempted robbery of a convenience store on March 26, 1994.

Mason apologized to the victim's family in his final statement. Gov. Robert Bentley on Wednesday afternoon declined to commute Mason's sentence to life in prison without the chance of parole. Retired Madison County Circuit

Court Judge Loyd Little wanted the governor to commute the death sentence, saying he had been on the bench 6 months when he issued his ruling and has since realized "it really was not the right decision."

Mason is the 5th condemned inmate executed in Alabama this year, the 54th to be put to death since Alabama resumed capital punishment in 1983. Mason becomes the 36th condemned inmate to be put to death this year in the USA and the 1270th overall since the nation resumed executions on January 17, 1977. (Sources: Huntsville Times & Rick Halperin, 22/09/2011)

CHINA: PRISONS ALLOW DEATH ROW INMATES TO MEET RELATIVES

September 22, 2011: China has made strides in protecting the human rights of prison inmates in recent years, including scrapping a conduct policy that discriminated against homosexual inmates, according to a judicial official in charge of penal human rights studies. The Ministry of Justice has rewritten the national code of conduct for prison inmates, eliminating bans on homosexuality, dyed hair and other lifestyles and practices that were previously not allowed in prisons. The revision was made in order to show respect for the human rights of prison inmates, according to Feng Cangjian,

head of the Human Rights in Justice office of the ministry's Institute for Crime Prevention.

Feng said on the sidelines of the fourth Beijing Forum on Human Rights that a person's sexual orientation should not make them a target for discrimination, whether that person is in prison or not. However, he also said that this does not mean that acts of homosexuality are accepted in prisons.

"The inmates will be left alone if their homosexuality remains 'spiritual'," Feng said. "But because prison inmates are not free persons, they can not act as freely as the rest of us."

The official said it is an international practice not to discriminate against homosexual inmates, but to instead restrict their behavior.

"I raised the question when I visited prisons in the United States. Prison officials there told me homosexual partners are separated if they attempt to remain together," Feng said.

Feng said prisons in Beijing have also banned officials from ordering inmates to squat with both hands crossed behind their heads, a practice that is commonly used to demoralize inmates who are entering prison for the first time.

Feng said that the human rights of death row inmates have been respected as well, as prison authorities have begun

to allow death row inmates to meet their immediate relatives before being executed. The use of lethal injection as a method of execution is also being promoted, as it is considered to be more humane than traditional firing squad executions.

The use of lethal injection in China began in 1997 and has completely replaced execution by firing squad in the provinces of Shandong, Yunnan and Liaoning, according to official statistics. Although the policy revisions are promising, challenges still remain in enforcing the changes, as training the country's 300,000 prison wardens to keep them up to speed on the changes will take time, Feng said.

Verbal abuse directed toward suspects, convicts and inmates remains prevalent, Feng said.

"Prosecutors are still accustomed to describing suspects as 'inhumane' or 'acting like an animal.' Such degrading terms are even seen in court verdicts," Feng said.

Feng said the ministry will publish a textbook in October for the purpose of educating prison wardens about their inmates' human rights. (Sources: China.org.cn, 22/12/2011)

GEORGIA(USA) TROY DAVIS EXECUTED

September 21, 2011: Troy Davis has been executed in Georgia, despite a

plea for clemency from almost a million people worldwide.

Davis, 42, black, was declared dead at 11:08 p.m.. The lethal injection began about 15 minutes earlier, after the Supreme Court rejected an 11th-hour request for a stay.

His death was marked by last-minute drama when Georgia officials delayed the execution by an excruciating 3½ hours as they awaited a final ruling by the US Supreme Court. Davis had been about to be strapped to a gurney to be injected, as state witnesses assembled to view his execution, when the schedule was interrupted. But the court ultimately denied him a reprieve.

As many as 700 demonstrators gathered outside the prison in Jackson. They fell into despair once the decision was known. About 10 counterdemonstrators also were outside the prison, showing support for the death penalty.

Davis was convicted of the 1989 shooting of policeman Mark MacPhail. The extraordinary legal case has put America's death penalty in an uncomfortable spotlight. Hundreds of thousands of people worldwide pleaded for clemency in the wake of a series of court appeals and with seven of nine witnesses having recanted their original testimony, some claiming to have been coerced by police. No weapon, DNA evidence or surveillance footage was

found to link Davis to the crime. Petitioners had included Pope Benedict, Nobel peace laureates Jimmy Carter and Archbishop Desmond Tutu, a former FBI director and at least 40 members of the US Congress.

Davis's advocates had included Amnesty International and the National Association for the Advancement of Coloured People, as well as the Innocence Project, which has helped exonerate 17 death-row inmates through DNA testing.

President Barack Obama deflected calls for him to get involved.

A New York Times editorial called the execution "a grievous wrong". It said the failure of Georgia's Pardon and Parole Board to grant clemency was "appalling in the light of developments after Davis's conviction".

Earlier in the day, from Geneva, the United Nations Special Rapporteur on arbitrary executions, Christof Heyns; the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, and the Special Rapporteur on torture, Juan Méndez, had called on the Government of the United States to stop the execution of Davis.

Davis becomes the 4th condemned inmate to be put to death this year in Georgia and the 52nd overall since the state resumed executions in 1983. Davis

becomes the 35th condemned inmate to be put to death this year in the USA and the 1269th overall since executions resumed on January 17, 1977. (Fonti: Foxnews.com, Ap, 21/09/2011)

IRAN: TWO HANGED FOR DRUG TRAFFICKING, MURDER

September 22, 2011: Two men have been hanged in Iran in the last days, media reported. One prisoner was hanged on September 21 in Minab, in southern province of Hormozgan.

According to the state-run Iranian news agency Fars, the prisoner was identified as "A. G." and was convicted of smuggling 6300 grams of crack. The report didn't mention whether the execution took place in the prison or in public. On September 20 one man was hanged publically in Tehran, reported the Iranian state media.

According to the official Iranian news agency IRNA, the man who was identified as Sajjad Jalili, was convicted of murdering Dr. Gholamreza Sarabi, a heart specialist, in September 2010. According to the report, Sajjad Jalili told the reporters that he had no regrets for committing the murder.

He thought Sarabi had caused his mother's death.

The prisoner was hanged at 6 AM in the "Nabovat Square" of Tehran where the

murder took place. (Sources: Iran Human Rights, 21/09/2011)

SOMALIA: JUDGE KILLER EXECUTED BY FIRING SQUAD IN PUNTLAND

September 20, 2011: A man convicted of killing a judge was executed by firing squad in Puntland port city of Bossaso in northeastern Somalia, Radio Garowe reports.

Puntland Attorney-General Mohamud Aw'Osman told local news agencies Jama Abdulle Abdullahi, 37, was executed at 9:00 in the morning in Bossaso's eastern neighborhood of Biyo Kulule.

Abdullahi, who is the younger brother of former pirate chief now spending his second year in a Puntland prison Boyah, was convicted of killing Bossaso court judge Abdinasir Haji Aden in Bossaso on Sept. 14, 2011. (Sources: GaroweOnline.com, 20/09/2011)

VIETNAM TO USE LETHAL INJECTIONS FROM NOVEMBER

September 20, 2011: The government has decreed that executions will be carried out by lethal injection instead of firing squads from November 1.

The switch was included in the Law on Execution of Criminal Verdicts passed by the National Assembly last year.

It was expected to be made from July 1, the effective day of the law, but the

Ministry of Public Security sought a delay since facilities needed to be set up and executioners needed to be trained.

The injection will contain three substances -- sodium thiopental, an anesthetic; pancuronium bromide, a muscle relaxant; and potassium chloride to stop the heart.

Le Thi Thu Ba, chairwoman of the National Assembly's Justice Committee, said the new system is widely used in the world, more humane, will cause less pain to the convicted and their family, and relieve pressure on executors.

It also helps keep the body of the executed prisoners intact, she added.

(Sources: VietNamNet.vn, 20/09/2011)

SAUDI ARABIA EXECUTES MAN CONVICTED OF 'SORCERY'

September 19, 2011: Sudanese national Abdul Hamid bin Hussain bin Moustafa al-Fakki was beheaded in Madina, Saudi Arabia, for "sorcery".

"Abdul Hamid's execution is appalling as is Saudi Arabia's continuing use of this most cruel and extreme penalty," said Malcolm Smart, Amnesty International's Director for the Middle East and North Africa.

"That he should have been executed without having committed anything that would appear to constitute a crime is yet another deeply upsetting example of why the Saudi Arabian government

should immediately cease executions and take steps to abolish the death penalty."

The crime of "sorcery" is not defined in Saudi Arabian law but it has been used to punish people for the legitimate exercise of their human rights, including their right to freedom of expression. Abdul Hamid bin Hussain bin Moustafa al-Fakki was arrested in 2005 after he was entrapped by a man working for the Mutawa'een (religious police) who asked him to produce a spell that would lead to the man's father leaving his second wife.

It was alleged that Abdul Hamid said he would do this in exchange for 6,000 Saudi Arabian riyals (approximately US\$1,600).

Reportedly beaten after his arrest, Abdul Hamid is believed to have been coerced to confess to carrying out acts of sorcery.

He was sentenced to death by the General Court in Madina in March 2007. Few details are available about his trial but he is reported to have been tried behind closed doors and without legal representation.

Amnesty International campaigned on Abdul Hamid's behalf following his arrest and had urged Saudi Arabia's King 'Abdullah to prevent his execution. (Sources: Amnesty.org, 20/09/2011)

SRI LANKA: 357 PRISONERS ON DEATH ROW

September 19, 2011: There are currently 357 prisoners on death row in Sri Lanka, with some having served over 15 years while waiting for their sentences to be carried out, Commissioner General of Prisons P. W. Kodippili said. (Sources: Daily Mirror, 20/09/2011)

IRAN: 22 PRISONERS HANGED

September 18, 2011: According to the Iranian government daily "Iran", 22 prisoners were hanged in the prisons of Evin (Tehran) and Rajaei Shahr (Karaj, west of Tehran) for drug-related crimes. According to official Iranian sources at least 50 people are executed since the beginning of September.

The human rights group "Iranian activists for human rights and democracy" (IAHD) has reported about transfer of 37 prisoners from the Ghezel hesar prison of Karaj to Evin and Rajaei Shahr prisons for execution. According to IAHD, two of those executed were minor offenders and identified as Vahid Moslemi and Mohammad Norouzi (both Afghan citizens and 17 years old when arrested).

According to this report several of those executed are Afghan citizens. The executions that were confirmed by the official Iranian sources seem to

include the same prisoners that were reported by IAHD. However, the number of the executions reported by the official sources is lower than IAHD reported.

According to the government newspaper Iran, the 22 prisoners are identified as:

Muhammad Kh. for selling 59 kilograms of opium, Muhammad N. for transfer of 480 grams of heroin into the prison (Minor?), Avaz P. for organizing a drug smuggling gang and keeping 683 kilograms of opium, Agha H. for membership in a drug trafficking gang and keeping drugs, Jan B. for transfer of 425 grams of heroin into the prison, Ali J. for transfer of 385 grams of crack inside the prison, Saadi S. for keeping 908 grams of crack and 7,5 grams of opium and 15 grams of burnt opium, Ismail M. for distribution of 150 kilograms of opium, selling 50 kg "drugs" and keeping 20 kg of opium, Hassan T. for transfer of 265 grams of heroin into the prison, Mehdi P. for keeping 67 kg crack and 36 kg opium, Muhammad A. participation in trafficking of 702 grams of concentrated heroin and transferring 50 grams of heroin inside the prison, Abbas A. for keeping 2 kg and 200 grams of heroin, Omid Kh. for selling 4 kg heroin, Vahid M. (minor?) for transfer of 307 grams of crack into the prison, Saeed M. for

participation in the carrying one kilogram of concentrated heroin, Ali P. for transfer of 410 grams of concentrated heroin inside the prison, Sharam Sh. for transfer of 670 grams of concentrated heroin into the prison, Abdulmajid M. for transfer of 391 grams of concentrated heroin into the prison, Karim Gh. for selling 49 kg and 500 grams of opium, Majid F. for transfer of 346 grams of concentrated heroin into the prison, Ali N. for transfer of 420 grams of concentrated heroin into the prison, and Hatem M. for transfer of 290 grams of concentrated heroin into the prison. (Sources: Iran Human Rights, 19/09/2011)

SAUDI ARABIA: PRISONER DIES DAY BEFORE EXECUTION

September 18, 2011: A convicted killer in a Saudi jail was found dead a day before he was to be executed. An inmate in another prison died just a day before he was to be freed.

Guards found the killer dead at the central prison in the eastern port of Dammam just a day before he was to be beheaded. In another prison in the southern town of Bisha, an inmate was found dead a day before he was to be released.

"Forensic examination of the prisoner who was to be executed showed no criminal act was behind his death," said

Captain Nassir Abdullah Al Harbi, a spokesman for the Saudi prisons directorate.

“He just felt some pain in the chest and was taken to hospital where he was reported dead,” he told the Saudi Sharq newspaper. (Sources: Emirates247.com, 18/09/2011)

EGYPT: ASHTON, EU WORKS FOR THE ABOLITION OF DEATH PENALTY

September 15, 2011: The European Union will work for the abolition of capital punishment in Egypt, EU High Representative Catherine Ashton said in reply to a question from Irish Social Democratic European parliamentarian Nessa Childers. Childers asked the EU's position on the possibility of ex president Hosni Mubarak being sentenced to death.

Ashton explained that “the abolition of the death penalty is raised in all relevant bilateral contacts with the Government in Cairo, especially in the context of the EU-Egypt political conversations”.

“Initiatives are taking place at the local level on various occasions and an informal group on human rights has been created to monitor all death penalty cases”, Ashton clarified. She pointed out that the European External Action Service “is committed to working towards the elimination of the death penalty in Egypt” and the issue

“will be confronted systematically with the Egyptian authorities.” (Sources: ANSA, 15/09/2011)

INDIA: EXISTENCE OF DEATH PENALTY WARRANTS IMPOSITION IN SOME CASES – SC

September 14, 2011: The Indian Supreme Court ruled that the court's failure to impose capital punishment for heinous crimes falling in the rarest of rare category would amount to "repeal of death penalty by the judiciary". This ruling was handed down by Justices Katju and Prasad while upholding the death penalty of Ajitsingh Harnamsingh Gujral for killing his wife and three children after a fight by setting them on fire in Andheri on April 9, 2003. (Sources: Times of India, 14/09/2011)

HARM REDUCTION INTERNATIONAL: 'THE DEATH PENALTY FOR DRUG OFFENCES' 2011 REPORT

September 14, 2011: Harm Reduction International has released a new report: The Death Penalty for Drug Offences: Global Overview 2011. One of the key findings of the report is: “There are likely to be more than a thousand people executed every year for a drug offence and in many environments the majority or even totality are non-nationals of the executing state.

The countries that do the most executing particularly like to execute people who come from other countries (don't assume that being an American will protect you).

Harm Reduction International points out the state of international law regarding execution, particularly for drug offenses:

The lawful application of capital punishment is significantly restricted under international law. Article 6(2) of the International Covenant on Civil and Political Rights states that the penalty of death may only be applied to the 'most serious crimes'. Over the past twenty-five years UN human rights bodies have interpreted Article 6(2) in a manner that limits the number and type of offences for which execution is allowable under international human rights law. While many retentionist governments argue that drug offences fall under the umbrella of 'most serious crimes', this is not the perspective of the UN Human Rights Committee or the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, both of which have stated that drug offences do not constitute 'most serious crimes' and that executions for such offences are therefore in violation of international human rights law. This is supported by international State practice given the small minority of countries retaining

capital punishment for drugs. In recent years there has also been increasing support for the belief that capital punishment in any form violates the prohibition of cruel, inhuman or degrading punishment, as enshrined in numerous UN and regional human rights treaties, and customary international law.

I'd like to see the UNODC focus more on this area. When UNODC head Yury Fedetov recently visited Iran and praised them effusively for their drug seizures, saying:

"Iran is our important partner in the war on drugs," he said, adding, it is a "good and reliable" partner for the international community as well. "We will make efforts to increase international support for Iran," he added.

Where was the admonishment for their execution of drug offenders in violation of UN law? According to reports (including from Iran government sources) as detailed in the HRI document, Iran executed at least 590 last year for drug offenses and has executed over 10,000 for drug offenses since 1979." (Sources: Harm Reduction International, 14/09/2011)

JAPAN: JUSTICE MINISTER HIRAOKA CALLS FOR NATIONAL DEBATE ON DEATH PENALTY

September 13, 2011: Justice Minister Hideo Hiraoka stressed the need for a national debate on whether Japan should maintain the death penalty. "I would like to consider establishing an institution to take on national deliberations and proposals" related to capital punishment, Hiraoka told reporters.

The establishment of a study panel in the Diet or in the Justice Ministry, open to public participation, is among possible options, he said. (Sources: Mainichi Japan, 14/09/2011)

CHINA: 4 UIGHUR MEN SENTENCED TO DEATH OVER ATTACKS

September 13, 2011: Four ethnic minority men were sentenced to death for the latest spate of violent attacks in China's Central Asian borderlands. The sentences are the first tied to the July violence that left dozens dead in the far western region of Xinjiang. The four were sentenced to death by courts in Hotan and Kashgar, the cities where the attacks occurred, the China Daily newspaper said.

China says the incidents were organized terror attacks, but an overseas Uighur rights group says they were anti-government riots carried out by angry citizens.

The Chinese-language Xinjiang Legal Daily said in a report on the

Tianshan.net news portal that the six men sentenced Tuesday had been charged with leading and organizing a terror group, manufacturing illegal explosives, intentional homicide, arson and "other crimes." (Sources: Associated Press, 15/09/2011)

UNITED ARAB EMIRATES: INDIANS ON SHARJAH DEATH ROW TO WALK FREE

September 12, 2011: Seventeen Indians who are on death row in Sharjah, the United Arab Emirates, for murdering a Pakistani man in a 2010 bootlegging case will walk free after more than Rs 4 crore was paid as blood money to the victim's family. Judge Abdullah al-Shamsi of the Sharjah Appeal Court accepted the appeal after the victim Misri Nazir Khan's blood relatives dropped their request for capital punishment.

On March 28, 2010 the Sharjah Court of First Instance had pronounced the death sentence on the 17 Indian nationals, who were accused of killing the Pakistani national in January 2009. (Sources: Zeenews.India.com, 12/09/2011)

BANGLADESH: 6 TO DIE FOR KILLING AL LEADER

September 11, 2011: In Bangladesh, Dhaka's Speedy Trial Tribunal -4 judge Motahar Hossain sentenced six to death

for killing Awami League leader Shahidul Islam Khan in Kishoreganj. The six are Mohammad Babul, 'Mamun', Abdur Rahim Khan, Mohammad Moazzem Hossain Rubel, Mohammad Kabir Rabbani Jewel and 'Nobel'. The last three, who are brothers, were sentenced in absentia. The court also fined them Tk 50,000 each. Khan was stabbed to death at Kishoreganj's Sadullahchar on April 7, 2006. (Sources: NewsToday.com.bd, 12/09/2011)

IRAQI BILL TO FORCE PRESIDENT TO SIGN DEATH SENTENCES

September 9, 2011: A leading member of Iraqi Prime Minister Nuri al-Maliki's political party, Hussein al-Assadi, said a draft law is being prepared that would make it obligatory for president Jalal Talabani to sign death sentences within 15 days. Al-Assadi said that if the draft law is adopted it would be retroactive and allow Justice Ministry officials to carry out the previously issued death sentences without seeking the president's approval. The number of death sentences awaiting Talabani's approval is more than 500. (Sources: RFERL.org, 09/09/2011)

INDIA: COURT AWARDS DEATH TO FIVE MEMBERS OF FAMILY

September 8, 2011: Five members of a family have been awarded death

sentence by an Indian court in a case of honour killing in which the bride's brother-in-law was murdered by her brothers and close relatives.

The 'Shia' girl had married the brother of the victim, who belonged to 'Sunni' sect, against the wishes of her family. Terming the case as the "rarest of rare", additional sessions judge Bimla Kumari awarded death penalty to Mohammed Saleem, Shaheen Abbas, Sajid Wasim, Shaheen Zargam Ali and Shabbir Kasim, for murdering Tariq, the brother of Sadiq with whom the girl had married. "Since honour killing comes in the category of rarest of rare cases as held by the Supreme Court, I have no option but to award the death sentence to all accused in respect of the offence under section 302 (murder) read with section 34 (common intention) of the IPC," the judge said. The court held all the accused guilty of murdering Tariq in July 2008 in Ballimaran locality as a sequel to the enmity which had developed after the couple had married. (Sources: Timesofindia.com, 08/09/2011)

BANGLADESH: MAN HANGED FOR KILLING WOMAN, SON

September 6, 2011: ABM Nazmul Sakib, alias Ashik, 32, a private tutor, was executed in Jessore Central Jail in Bangladesh for robbing and killing a woman and her son.

A gang of three robbers, led by Ashik, killed the housewife and her son after committing robbery at their house in Sonadanga sub-district in Khulna on September 17, 2000, after they recognised Ashik as their tutor at the house.

The Khulna District and Sessions Judge Court sentenced Sakib to death by hanging in 2002. The High Court and the Supreme Court upheld the verdict. (Sources: Gulf Times, 07/09/2011)

SAUDI ARABIA TRIPLES BLOOD MONEY

September 6, 2011: Saudi Arabia has decided to triple diya, the money paid by a killer to the victim's relatives under Islamic law, but kept the sum for female victims at half that for male victims, Asharq Al-Awsat newspaper reported. The Kingdom's supreme judicial authority said it raised diya to SR300,000 (\$80,000) from SR100,000 (\$26,666) in accidental death and SR400,000 (\$106,666) in premeditated murder, the newspaper said. "The increase in diya is in line with a recent royal decision and it will be soon enforced by all courts in the country... diya for female victims will remain at half that for male victims," said Hamad al Razeen, a judge at the general court in Jeddah. Blood money values have been static for the last 29 years. The Supreme Council of Scholars had called

for reviewing diya in light of the increasing prices of camels, which were used as blood money in the old Islamic age. According to Sharia rules, the heirs of a murdered person should be compensated with 100 camels.

(Sources: Arab News, 07/09/2011; digitaljournal.com, 08/09/2011; emirates247.com, 11/09/2011)

BAHAMAS: DEATH SENTENCES TOSSED

September 5, 2011: The Court of Appeal in the Bahamas ordered a retrial and quashed the 2010 death sentences of Edwin Bauld Jr and Wilfred McPhee for the murder of Police Corporal Eddison Bain, because of the comments made to the jury by the trial judge.

Police found Bain's body in a ditch near Casuarina Bridge in Grand Bahama on October 22, 2007. His ATM card and vehicle were stolen, as well as \$4,500 from his bank account. (Sources: Nassau Guardian, 06/09/2011)

THAILAND: MALAYSIAN TRIO TO HANG FOR DRUG TRAFFICKING

September 4, 2011: Three Malaysians found in possession of 45kg of drugs were sent to the gallows in Songkhla, Thailand.

Initial investigations revealed that the drugs, produced in the southern Thai province, were to be smuggled into Malaysia for distribution.

Thai police chief General Wichean Potephosree said the three suspects, aged 19, 25 and 28, were detained at a hotel room. All three suspects are from Kedah.

"We found three bags containing methamphetamine, better known as 'ice', in the Sadao district", Wichean said.

"The trio claimed that an unidentified man had paid them to take the bags across the border and that they didn't know what was inside the bags." (Sources: AsiaOne.com, 04/01/2011)

CHINESE EXECUTED FOR ATTACKING FEMALE STUDENTS

September 3, 2011: A man who repeatedly stabbed female students over four years, leaving one dead and 23 injured, has been executed in China. The execution took place in Chenzhou in central China's Hunan Province, reported Shanghai Daily.

The vicious attacks had taken place between 2006 and 2009.

Lei Haosheng slashed the students' breasts and hips with syringes he had collected from trash bins so as to take revenge on his girlfriend who had reported a theft he had committed. Lei was caught May 10, 2009.

The court convicted him of intentional injury May 13, 2010 and he was sentenced to death.

His hatred of women began after he was convicted of theft and jailed for eight months in 1993. (Sources: Inewsone.com, 03/01/2011)

UGANDA: SOLDIER TO HANG FOR MURDER

September 2, 2011: A UPDF soldier was sentenced to death for murder in Uganda by the court martial.

Private Boniface Muhindo, was sentenced by the court which sat at the 5th Division headquarters at Acholi Pii, Pader district.

Muhindo, who has been attached to the 5th Division garrison, was found guilty of murdering Pte. Mathias Lugumba on February 8, 2010 at Acholi Pii.

Court heard that Muhindo borrowed sh20,000 from the deceased and when he was asked to pay back, he refused and hatched a plan to eliminate Lugumba.

Prosecution told court that on February 8, 2010 when the victim went out, Muhindo ambushed him and shot him in the chest three times.

Muhindo's lawyer, Lt. Augustine Tumwebaze, had prayed for a lenient sentence, saying Muhindo was a first-time offender.

However, state prosecutor Capt. Juuko Musa asked for a tough sentence since some soldiers had made it a habit to kill fellow soldiers over petty issues. (Sources: New Vision, 02/01/2011)

JAPAN: NEW JUSTICE MINISTER WON'T OK EXECUTIONS IN NEAR FUTURE

September 2, 2011: Newly appointed Japan's Justice Minister Hideo Hiraoka, speaking at his first news conference said that he had no plans to approve any executions of death-row inmates in the foreseeable future.

No condemned convicts have been executed in Japan for more than a year. Currently, Japanese prisons have 120 inmates on death row — the highest figure in recent history. Since the last execution was carried out 13 months ago, 16 new death sentences have been handed down by courts. Of these, eight cases involved rulings in which citizen jurors took part.

Hiraoka said there was a growing movement worldwide to abolish the death penalty and said he wants to study both sides the issue more deeply. "The death penalty is always a last resort and I must be extremely cautious about making a decision to approve an execution. For the time being, I can't see any executions going ahead." (Sources: JapanToday, 04/09/2011)

News from International NGOs - September 2011

PRI STATEMENT ON WORLD DAY AGAINST THE DEATH PENALTY

(10 October 2011) Penal Reform International (PRI) uses the opportunity of the ninth World Day Against the Death Penalty to publish the "London Declaration", adopted at the conference "Progressing toward abolition of the death penalty and alternative sanctions that respect international human rights standards" on 19 and 20 September. "While it is gratifying that the world is moving closer to universal abolition, executions continue to take place and the death penalty is retained in almost all regions of the world," states Alison Hannah, Executive Director of PRI. "The death penalty has no place in civilised society and the World Day Against the Death Penalty is a golden opportunity for those states that still retain the death penalty to commit to establishing a moratorium on executions and to taking legal steps towards full abolition in law," stresses Alison Hannah.

On 19 and 20 September, PRI had convened 100 experts from 31 countries

in London to discuss global trends towards abolition of the death penalty at a conference, held at the European Commission's Representation to the United Kingdom.

The conference was concluded with the adoption of the London Declaration, echoing the determination of the participants to move towards the abolition of the death penalty and the implementation of alternative sanctions that respect international human rights.

Also marking the international Day Against the Death Penalty, PRI's Central Asia office will be hosting a students' debate on the abolition of the death penalty followed by the screening of the film "No to the Death Penalty!" at the Kazakhstan Humanitarian & Juridical University in Astana. A press release for the event can be downloaded here.

Furthermore, PRI participated in a podcast on the abolition of the death penalty available through the Foreign & Commonwealth Office. Chaired by the FCO's Head of Human Rights Louise de Sousa, this podcast focuses on the theme of minimum standards on the use of the death penalty, as well as opportunities for future action on the death penalty. Participants include Professor Roger Hood from the University of Oxford, Baroness Vivien Stern, Chair of the All Party Parliamentary Group for Abolition of the

Death Penalty, and Jacqueline Macalesher from Penal Reform International. You can listen to the podcast on the FCO website or via iTunes.

For more information on events to mark the World Day Against the Death Penalty please click here <http://www.worldcoalition.org/Calendar-of-events.html>

PRI SUBMISSION TO THE CRC DAY OF GENERAL DISCUSSION ON THE CHILDREN OF IMPRISONED PARENTS

PRI submits position paper to the Committee on the Rights of the Child's Day of General Discussion (30 September 2011) on the situation of children of imprisoned parents.

The paper entitled "Protecting Children in Prison with a Parent – Implement and Develop the Bangkok Rules" calls on policy makers and practitioners around the world to urgently address the issue of babies and young children born, living and/or growing up inside prisons. The 'Bangkok Rules'), adopted by the UN General Assembly in December 2010, have introduced a set of instructions for policymakers and practitioners dealing with this issue in the context of women prisoners. These act as a basic international framework within which to assess, amongst other issues, whether

the penitentiary system is equipped to comply with dependent children's needs when imprisoned with their parent.

View other Civil Society Submissions http://www2.ohchr.org/english/bodies/crc/discussion2011_submissions.htm and the Programme > http://www2.ohchr.org/english/bodies/crc/docs/2011CRC_DGD_DraftPoW.pdf
PRI Submission for CRC DGD on Children of Incarcerated Parents

<http://www.penalreform.org/files/Penal%20Reform%20International%20Submission%20for%20CRCDGD%20FINAL.pdf>

Press Release Day of General Discussion_NGO Group for the CRC.pdf http://www.penalreform.org/files/Press%20Release%20Day%20of%20General%20Discussion_NGO%20Group%20for%20the%20CRC.pdf

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PRI SUBMITS COMMENT ON THE RIGHT TO REDRESS FOR VICTIMS OF TORTURE

PRI attends OSCE HDIM meeting to discuss the role of civil society in prevention of torture and ill treatment
PRESS RELEASE

How to step up torture prevention in alliance with NGOs

Ahead of the OSCE Human Dimension Implementation Meeting in Warsaw from 26 September to 7 October 2011, Penal Reform International (PRI) stresses the important role of civil society in the prevention of torture and ill-treatment.

"By their very nature prisons are isolated places. The regular presence of monitors, coming in from outside with independent eyes and ears, has proven crucial to prevent torture and ill-treatment", stresses Alison Hannah,

Executive Director of Penal Reform International.

Over decades, the burden of monitoring places of detention has rested entirely on NGOs.

“The adoption of the Optional Protocol to the Convention Against Torture (OPCAT) was a crucial step forward. It means that states have to take up responsibility of their own when it comes to monitoring places of detention”, says Alison Hannah.

The UN Convention obliges states to establish an independent monitoring body (so-called National Preventive Mechanism - NPM), entitled, amongst others, to show up at any place of detention any time and speak to any person detained in private.

“However, proper implementation is as important as signing the treaty and we have seen flawed implementation in various regards.”

For example, PRI is concerned that on occasion the creation of an NPM has resulted in the exclusion of non-governmental organisations from places of detention altogether. This has been the case in Georgia, where the implementation of the UN Convention has been used as an argument to keep NGOs shut out from access to prisons. “The co-existence of NGOs alongside the body created to implement the UN convention does not jeopardize, but

rather boosts the efficiency of torture prevention”, notes Tsira Chanturia, PRI’s Regional Director for the South Caucasus.

“No matter how well a national preventive mechanism is resourced, it cannot be everywhere at all times.” PRI highlights independence as another key benchmark for the credibility and efficiency of a monitoring mechanism - institutionally, personally and financially.

“A proper and transparent procedure to appoint the members of the monitoring body is crucial. It is compelling as for to the true independence of this body,” flags Saule Mektepbayeva, Regional Director for Central Asia who is closely monitoring the current discussions in Kazakhstan and Kyrgyzstan.

“If governments are serious about prevention of torture and of impunity, they need to ensure that monitors are selected based on their expertise and independence. States cannot handpick those who are supposed to scrutinize them.”

“A range of countries, unfortunately, have still not brought themselves to ratify OPCAT and others have been going back and forth discussing how the National Preventive Mechanism should look like,” adds Vika Sergeyeva, Head of PRI’s Moscow Office.

“It is disappointing, for example, that an initiative in Ukraine to set up a preventive mechanism in Ukraine seems to somehow have dozed off entirely. Since ratification dates back 5 years now, it is high time to revive these efforts without delay.”

Resource persons

Alison Hannah, Executive Director, Tel. +44-75.00.03.94.72

PRI’s Regional Directors are also available for interviews. Please contact PRI’s office for contact information at +44-20-72.47.65.15:

- Saule Mektepbayeva for Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan)
- Vika Sergeyeva for Eastern Europe (Belarus, Russia, Ukraine)
- Tsira Chanturia for the South Caucasus (Armenia, Azerbaijan, Georgia)

Background

In 2003, the international community adopted the Optional Protocol to the Convention Against Torture (OPCAT). This convention seeks to fill the gap of a preventive mechanism which would, by way of regular unannounced visits to places of detention, detect structural deficiencies resulting in torture and ill-treatment and overcome impunity for such human rights violations.

To this end, OPCAT for the first time introduced an innovative two-tier approach of a national and an international system of regular visits to

all places where people are deprived of their liberty.

The convention establishes an international visiting body, the Sub-Committee for the Prevention of Torture (SPT) and obliges states parties to establish a so-called National Prevention Mechanism (NPM) entitled to undertake regular and unannounced visits of all places where people are deprived of their liberty.

OPCAT entered into force following the required twentieth ratification of the convention, on 22 June 2006. Eighty-one states have since acceded, signed or ratified the convention.

The prevention of torture and ill-treatment will be discussed at the OSCE Human Dimension Implementation Meeting in Warsaw on 28 September in the afternoon in Working session 5.

Penal Reform International (PRI) is an international non-governmental organisation working on penal and criminal justice reform worldwide. PRI has regional programmes in the Middle East and North Africa, Central and Eastern Europe, Central Asia and the South Caucasus. To receive our monthly newsletter, please sign up at <http://www.penalreform.org/keep-informed>.

**DEATH PENALTY LOSES POPULARITY
WORLDWIDE**

On 19 and 20 September, Penal Reform International ('PRI') brought 120 people from retentionist countries to London to discuss global trends towards abolition of the death penalty.

PRI Chair, David Daubney, described this conference as "an opportunity to inspire decision- and policy-makers in death penalty countries to identify new ways of harmonising their criminal justice systems with evolving standards and values that indicate that the death penalty has no place in civilised society." While two-thirds of the world's states have already abolished the death penalty in law or in practice, those who continue to retain it are taking positive steps to reduce or restrict its application in law or in practice, reflecting its declining use.

"The death penalty violates the fundamental right to life," said Daubney, "and amounts to torture, cruel and inhuman punishment. It is time for the world to eradicate this harsh and irrevocable form of punishment that has very little or any effect on changing criminal behaviour, and to develop a more evolved criminal justice system that aims to tackle the root causes of crime and violence."

The Arab region is one of the most notorious executors in the world. In 2010, at least 378 executions were

known to have been carried out in the region.

"The Arab Spring has created a golden opportunity for safeguarding civil liberties, and attention is turning towards criminal justice reforms including abolition of the death penalty," stressed Taghreed Jaber, PRI Middle East Director. "This conference will be a fundamental building-block on the path towards abolition in Arab states and at the global level."

Syrian MP and leading Islamic Scholar, Dr Mohamad Al Habach, attended the conference to address the misconceptions surrounding Sharia Law and the death penalty. "Almost all Arab states justify the use of the death penalty as an explicit link to Islam. But in practice, the crimes punishable by death go far beyond what has been provided for in Sharia law."

The trend towards abolition is truly significant. The death penalty has been around for thousands of years however a new dynamic has been at work during the last 50 years. The abolitionist movement had been embraced across the globe by many different political systems, peoples and cultures:

- There are fewer executions than ever before: in 2010, only 23 states actually carried out an execution.
- States are taking legal steps to reduce the number of death penalty applicable

crimes: China removed 13 of 68 death penalty crimes from its Criminal Law in December 2010.

- Support for a moratorium is growing: in December 2010, 104 states voted in favour of a resolution at the United Nations General Assembly calling for a moratorium on the death penalty.
- 82 states have ratified international and regional instruments calling for abolition of the death penalty.
- Even the United States, to which many retentionist countries point to in support of their position, presents a varied picture on the death penalty. 16 of their 50 states are abolitionists in law (Illinois being the 16th state on 9 March 2011). Of the 34 states that retain capital punishment, only 12 carried out executions in 2010.

Participants included representatives from the Arab world, Africa, the United States, Eastern Europe, Central Asia and the South Caucasus, the United Nations, the European Union, the African Commission on Human and Peoples' Rights, the Arab League, Amnesty International, Murder Victims' Families for Human Rights and Reprieve.

Contact:

Miss Jacqueline Macalesher, Death Penalty Project Manager
Penal Reform International
jmacalesher@penalreform.org / 020 7247 6515 / 07786 030 146

Speakers who would be available for pre-record or live broadcast interviews:

- Bryan Stevenson, Equal Justice Initiative, Alabama, USA
- Taghreed Jaber, Middle East Regional Director, Penal Reform International
- David Daubney, Chair Penal Reform International
- Alison Hannah, Executive Director Penal Reform International
- Dupe Atoki, Commissioner for Human Rights, African Commission, Nigeria
- Renny Cushing, Murder Victims' Families for Human Rights, USA
- Roger Hood, Oxford University
- Olawale Fapohunda, West African Human Rights Forum, Nigeria
- Andrew Coyle, International Centre for Prison Studies
- David Sellwood, Reprieve, UK

Notes:

International conference "Progressing toward abolition of the death penalty and alternative sanctions that respect international human rights standards" will be held on 19 and 20 September, 2011 at the European Commission Representation in the UK, 32 Smith Square, London SW1P 3EU.

A copy of the agenda can be

downloaded here: <http://www.penalreform.org/pri-multi-regional-conference>

PRI have been working on abolition of the death penalty for the last 20 years.

PRI's current programme of work aims to positively challenge society's attitudes in relation to the effect and efficacy of the death penalty and to support governments and other stakeholders in progressing towards abolition through legal and policy reforms. It aims to challenge the unacceptable forms of life imprisonment and life without the option of parole (LWOP) as an alternative sanction to the death penalty, and to increase human rights safeguards and promote better transparency and accountability in criminal justice systems.

This programme of work is being carried out in 19 countries across 5 regions: Central Asia (Kazakhstan, Kyrgyzstan and Tajikistan); East Africa (Kenya and Uganda); Eastern Europe (Belarus, Russia and Ukraine); Middle East and North Africa (Algeria, Bahrain, Egypt, Jordan, Lebanon, Morocco, Tunisia and Yemen); and South Caucasus (Armenia, Azerbaijan and Georgia).

**PRI HOSTED ROUND TABLE ON
IMPROVEMENT OF MECHANISMS TO
INVESTIGATE CASES OF TORTURE IN
THE REPUBLIC OF KAZAKHSTAN.**

PRESS RELEASE

Penal Reform International (PRI) Central Asia and the Coalition of Kazakhstan

NGOs against torture are pleased to announce that on 14 September 2011 in Astana a round table will be held on «Improvement of mechanisms to investigate cases of torture in the Republic of Kazakhstan». The event is kindly supported by the European Union.

The Main goal of event is to assess the current situation and progress on the reforms made by the State in order to prevent torture, particularly in strengthening mechanisms to investigate cases of torture. Participants will discuss investigative jurisdiction of torture, the distribution of functional responsibilities between the prosecution and law enforcement agencies, public participation in the investigation of torture, and ensuring transparency of procedural safeguards.

Read the full Press Release here <http://www.penalreform.org/files/PR%20Astana%20Roundtable%20Strengthening%20of%20Institutions%20and%20Capacity%20Building%20to%20Prevent%20Torture%20in%209%20countires%20of%20the%20CIS.doc>

**SHARING BEST PRACTICES ON
RATIFYING THE UN TREATY TO ABOLISH
THE DEATH PENALTY**

Article by Aurélie Plaçais published on September 25th, 2011

Belgium and the United Nations' human rights office have held a panel discussion to promote efforts in favour of the strongest international instrument against capital punishment.

"To mark the twentieth anniversary of the entry into force of the Second Optional Protocol to the International Covenant on Civil and Political Rights in July 2011, States should multiply their efforts to secure increased ratification of this international human rights instrument" stated the [report of the UN Secretary General on the death penalty](#) that was presented during the 18th session of the Human Rights Council in Geneva.

To answer this call, Belgium organized a panel discussion on "Sharing best practices on ratifying the Protocol" with the support of the Office of the High Commissioner for Human Rights and the World Coalition against the Death Penalty on 19 September.

In her opening statement, Mona Rishmawi, Chief Rule of Law of the Office of the High Commissioner for Human Rights said: "About 140 of the 192 States Members of the United Nations are believed to have abolished the death penalty or introduced a moratorium either legally, or in practice. However, only 73 States have ratified the Second Optional Protocol to the International Covenant on Civil and

Political Rights."

"The Protocol is making progress"

[Marc Bossuyt](#), President of the Belgian Constitutional Court, and former special rapporteur responsible for drafting the Second Optional Protocol recalled that the vote for the adoption of the Protocol by the United Nations General Assembly in 1989 was "difficult" and that only 59 countries had voted in favor. 20 year later, progress has been made as 73 states have ratified and more states are considering ratifying it.

Mongolia is among them and Chuluunbaatar Sosormaa, Human Rights Policy Advisor to the President of Mongolia explained that a bill has been presented to the Parliament in June this year but the discussion was postponed. "[International support](#) is very important, especially from the UN, the EU and the worldwide movement. Recent abolitions in Russia and ratifications in Central Asia are also very good examples for Mongolia."

Noura Borsali, a member of the Tunisian High Instance for the Revolution said that since the revolution, the question of the ratification of the Protocol has been discussed and she was confident that it will be further discussed either by the transitional government or after the adoption of the new constitution. She also recognized that civil society, and especially the Tunisian Coalition

against the Death Penalty, has been first in raising the issue.

Christoffel Heyns, Special rapporteur on extrajudicial, summary or arbitrary executions insisted that the Protocol was important as it was the only UN legal framework that clearly banned the use of the death penalty.

IRAN EXECUTES TEENAGER ACCUSED OF KILLING “IRAN’S STRONGEST MAN”

21 September 2011

A 17-year old convicted of killing an athlete known as “Iran’s strongest man” was publicly hanged in the city of Karaj, near Tehran on Wednesday.

Alireza Molla-Soltani was sentenced to death last month for stabbing Ruhollah Dadashi, a popular athlete during a driving dispute on 17 July. The 17-year old said he panicked and stabbed Ruhollah Dadashi in self-defence after the athlete attacked him in the dark, according to local media reports.

“The execution of a 17-year old is deeply shocking, particularly when carried out in public, which brutalises all those involved, including those who witness it,” said Hassiba Hadj Sahraoui, Amnesty International’s Deputy Director for the Middle East and North Africa.

“Executing juvenile offenders – whatever their age at the time of execution - is strictly forbidden under

international treaties that Iran has signed up to. It is high time for the Iranian authorities to take their international obligations seriously and immediately stop executing teenagers,” she added.

Alireza Molla-Soltani was hanged at around 4.55 am in Karaj’s Golshahr Square, where the incident happened. An official commenting afterwards said that Alireza Molla-Soltani was over 18 according to the Islamic calendar which has a shorter year and that there was no reason for the execution not to be carried out.

Amnesty International has previously urged the Iranian authorities to halt the execution and to review Alireza Molla-Soltani’s case.

The boy was arrested a day after Ruhollah Dadashi reportedly punched Alireza Molla-Soltani in the mouth and slammed him against the car while the two were arguing.

Shortly after Alireza Molla-Soltani was arrested, a state prosecutor called for “a speedy resolution” of the case. A court in Karaj convicted the boy of “intentional murder” and on 20 August sentenced him to “retribution” by hanging in public. Iran’s Supreme Court upheld the death sentence on 11 September.

“While we acknowledge the seriousness of the crime for which Alireza Molla-

Soltani was convicted, hanging a minor for acting in what appears to be self-defence is wrong and legally dubious," said Hassiba Hadj Sahraoui.

According to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, international treaties to which Iran is a state party, sentencing someone under the age of 18 at the time of their offence to death is unlawful.

Iran is one of the very few countries still to execute juvenile offenders. Two were executed in the southern port of Bandar Abbas in April this year. Amnesty International also received reports that a third, 16-year-old Hashem Hamidi, was executed near Hamidiya, Khuzestan province in April. The authorities did not announce his execution.

Amnesty International has recorded over 400 executions this year, over 30 of which took place in public. At least 96 executions have been reported since the start of the month. Not all these executions have been acknowledged by the authorities.

Iran contends that hanging for murder is not an execution but a form of personal "retribution" by the victim's blood relatives, for which the state is not responsible.

This contention is not accepted under international law, as any death at the

hands of state officials following a court conviction is a form of state execution.

RELEASE OF US HIKERS IN IRAN A "LONG OVERDUE" STEP

Shane Bauer and Josh Fattal had been detained for over two years
21 September 2011

The release of the two US hikers imprisoned for more than two years in Iran is a long overdue development, Amnesty International said today.

"It is a welcome – if long overdue – step that the Iranian authorities have finally seen sense and released Shane Bauer and Josh Fattal," said Hassiba Hadj Sahraoui, Amnesty International Deputy Director for Middle East and North Africa. "They must now be allowed to leave Iran promptly to be reunited with their families."

"All available evidence strongly suggests that the Iranian authorities have known all along that these men were not spies and should have been released. They should now release all prisoners of conscience held simply for peacefully expressing their views."

The pair, who were arrested while hiking in the Iraq-Iran border area in July 2009, were detained in a Tehran prison for more than two years before a court recently sentenced them to eight years in prison for "illegal entry" and

"espionage".

The release came on the same day a 17-year-old convicted of killing an athlete was publicly hanged in the city of Karaj, near Tehran. Amnesty International had called on the authorities to halt the execution, which is a gross breach of international law.



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

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



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