



IPS, the global news agency, brings you independent news and views on capital punishment. In this newsletter you will find in-depth reports by IPS correspondents from around the world and columns by experts, in addition to special sections for news from international NGOs and a review of the global media for a glimpse of what is happening on the ground. Join us in helping strengthen awareness about the abolition of death penalty – and encourage your friends and colleagues to subscribe to this free monthly newsletter.

DEATH PENALTY: Central Asia Nearing Abolition

By Kuban Abdymen

BISHKEK - The vast region of Central Asia is moving closer to becoming death-penalty-free and hopes are high that legislation banning all executions will be adopted in all countries in the near future. But other human rights challenges remain.

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RIGHTS-IRAN: Anti-Stoning Women Activists Held Indefinitely

By Kimia Sanati

TEHRAN - The indefinite detentions of the prominent lawyer Shadi Sadr and Mahboubeh Abbasgholizadeh, a leading campaigner against the award of stoning sentences for adultery, are being seen here as part of increasing pressure on women's rights activists by the Islamic republic.

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By Gustavo Capdevila

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RIGHTS: One Fumbled Execution Sets U.S. Further Thinking

By Mark Weisenmiller

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By Abderrahim El Ouali

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By Dahr Jamail and Ali al-Fadhily

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[Number 1](#) | [Number 2](#) | [Number 3](#) | [Number 4](#) | [Number 5](#) | [Number 6](#) | [Number 7](#) | [Number 8](#) |
[Number 9](#) | [Number 10](#) | [Number 11](#) | [Number 12](#) | [Number 13](#)

DEATH PENALTY: Central Asia Nearing Abolition

By Kuban Abdymen

BISHKEK - The vast region of Central Asia is moving closer to becoming death-penalty-free and hopes are high that legislation banning all executions will be adopted in all countries in the near future. But other human rights challenges remain.

"There's a lot of expectation in the air. We've seen some very positive steps in the last couple of years," Maria Luisa Bascur, regional project director based in Brussels with the International Helsinki Federation of Human Rights, told IPS. "I think in a couple of years the region will be death penalty free. And we are pressing for that."

The resource-rich, strategically important region is comprised of five countries which gained independence after the 1991 break-up of the Soviet Union: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. Their combined population is around 61 million.

Kazakhstan, the size of Western Europe, has vast untapped oil reserves. Kyrgyzstan and Tajikistan are rich in minerals and potential hydroelectric energy. Uzbekistan has big natural gas reserves and is also the world's third largest exporter of cotton. Turkmenistan has large gas reserves.

"Only Uzbekistan is still executing people," Bascur said, adding that Turkmenistan had already abolished the death penalty in 1999. "We estimate from our sources that Uzbekistan is executing about 100 people a year. There are no reports from there because it's a state secret. The president (Islam Karimov) actually signed a decree in 2005 saying he would abolish the death penalty in 2008."

But a spokesperson from Amnesty International, campaigning for a death-penalty-free zone in the region, told IPS that "secrecy remains an issue in all the countries".

Turkmen author Sapargul Mamedova, writing in the March 2007 issue of the Internet magazine Oasis, said she had received reports that three prominent people have died in Turkmenistan prisons since the declared abolition of the death penalty there. They included journalist Ogulsapar Muradova who allegedly died after being tortured late last year.

The two others -- the former head of the Turkmen security service Mukhammed Nazarov, and chairman of the Turkmen parliament, Taghandurdy Khallyev -- had been accused of abuse of power. Bascur confirmed that extra-judicial killings had taken place in Turkmenistan.

Last December Kyrgyzstan took what was interpreted as a genuine lead in the region by abolishing the death penalty through a constitutional amendment that guarantees the "inherent right to life to everyone".

Lawmakers were then expected to agree to revisions in the country's criminal code to bring it in line with the constitutional changes -- a task to be completed within six months. But this has been delayed by building pressure from the opposition -- led by former prime minister Felix Kulov -- for President Bakiev to step down.

There have been reports that Kyrgyz judges have been handing down death sentences despite the constitutional changes. This was due to "ignorance", Justice Minister Marat Kayipov reportedly responded, adding that they clearly "had not read the constitution."

Yet more constitutional changes are expected in Kyrgyzstan shortly, sources here say. Bakiev has agreed to set up a joint working group to re-write the new constitution. Human rights activists and politicians expect this will also contain a ban on executions. This was confirmed to IPS by Nurbolot Kurmanov, head of the justice department in Bishkek, the Kyrgyz capital.

"Kyrgyzstan's abolition of the death penalty will have repercussions for the entire region," Bascur said. She predicted that Kazakhstan would quickly follow suit. "It might not happen right away. But the ground is fertile with civil society pushing for it. Kazakhstan is listening to its neighbours and the international community."

Next in line for abolishing the death penalty would be Tajikistan, Bascur speculated. "They've already converted all death sentences to a fixed-term sentence, so in a sense they have done the main work."

The big question for rights activists is whether Uzbekistan will honour its pledge to abolish the death penalty on Jan. 1, 2008. "Uzbekistan is the more extreme case," Bascur agreed. "The non-governmental organisations are suffering constant persecution there. If you do work, you risk not only fines but going to prison." No one was allowed to monitor the number of executions. Not even the relatives of the people executed were informed of the execution date or where they were buried, she said.

Experts here agree that Uzbekistan will be the last country in the region to abolish the death penalty. "There is little hope that Karimov will follow the way of Kyrgyzstan," Nur Omarov, professor of politics at the Kyrgyz-Russian University, one of the leading universities in the country, told IPS. Karimov's top concern was maintaining political stability and there would be no softening in his stance towards political dissent.

But there was every reason to be optimistic that change was in the air in Turkmenistan after the sudden death in December 2006 of its hard-line president Saparmurat Niyazov, said Omarov. "The Turkmen people are expecting changes," he said. Even before the election of Qurbanquli Berdymukhamedov as president in February, some high ranking politicians sentenced to long terms in prison had been released and one state prison closed down completely, Omarov said.

"Something will happen hopefully, especially in Turkmenistan," Bascur agreed.

Rights organisations are especially pressing for all countries in the region to introduce death penalty bans into their constitutions. "It's important to transform moratoriums into something more concrete," Bascur said, adding that the region had experienced considerable turmoil in the first years after the break-up of the Soviet Union.

"Moratoriums are very positive. But in countries where power rests mostly with the president, just a presidential whim could set them aside. What is needed is something more concrete: full abolition reflected in the constitution and the criminal code."

Activists also point out that as long as a moratorium is in place, judges will continue to hand down death sentences. This means the numbers on death row in the region will continue to grow. Those on death row live under constant fear that the moratorium could be lifted and an execution order carried out.

Bascur believes that with death penalty bans in place, more attention will be focused on reforming the judiciary systems in the region. "There isn't an independent judiciary in any of these countries," she said. "Most of the death sentences were pronounced in faulty trials. Maybe confessions were extracted by torture and the victims were not heard."

Reforming the penal systems is also a priority for activists. The end of death rows would mean that those convicted of serious crimes must now spend decades in prison. "They don't get proper food there," said Bascur. "Many die from tuberculosis and disease because there is no access to medical treatment."

She added: "We are striving for more humane conditions in prisons and the rehabilitation of those having served their sentences. Sometimes even NGOs think the battle is won once the death penalty has been abolished. It is an important step. But the battle ahead of us is even greater." (END/2007)

DEATH PENALTY-CHINA: Letters From Death Row

By Antoaneta Bezlova

BEIJING - Their numbers are taboo. Their stories condemned to oblivion. The world of China's death row prisoners is too forbidding, the execution grounds too sordid to yield a compelling book that would escape the scrutiny of the communist state censors.

But by virtue of its modesty, the recently-published 'Letters From The Death Row' succeeds where other more ambitious works would have perhaps failed. It tells the stories of 22 Chinese death row prisoners -- men and women. It relates them straight from their prison cells. The account is gripping because it exudes the rare honesty of condemned people in the last hours before their death.

The book does not aspire to become what Truman Capote's fictionalised account of sensational murder "In Cold Blood" became in the United States of the 1960s. Huan Jingting, the author, professes his intention was not to debate the value of the death penalty. Neither was his work intended as a commentary on social divisions.

"This book was written as a tribute to human life," he says. "In my view, there is nothing more humbling than human life."

What draws parallels with Capote's work though, are Huan's sympathetic observations of the criminal mind. His pages are populated with petty criminals -- robbers and drug smugglers, whose struggles through life somehow inexplicably and cruelly end up in the execution chamber.

Such is the story of Wen Shou, the naive 19-year-old from Chongqing, central China, who is used by unscrupulous drug dealers as a go-

between in the trade chain while being slowly converted into an addict. When first given an expensive "foreign" cigarette offered with a patronising pat on the shoulder, Wen is not aware that this is the beginning of his downward spiral, which would lead him to the death row.

"He was inhaling the pungent smell, thinking: what a difference between this foreign stuff and the cheap Chinese cigarettes sold on the street stalls."

Or the country boy Liu Yuan, who by the age of 20 had been detained and re-educated in labour camps so many times for petty theft, that he fails to land any job in his home village. He leaves the countryside for the booming southern city of Shenzhen where millions of migrants work in manufacturing sweatshops.

His rough edginess of a country thug appeals to the suave boss of a Shenzhen modelling agency and instead of working on a conveyor, Liu becomes a "gangster role model". To keep the "cool" of his new image, though, Liu is eventually forced to become a real gangster.

Huan Jingting was not allowed to record the last words of high-ranking officials, sentenced to death for corruption, as those, he says, were imprisoned in a special jail. His book remains a study of death in the lives of the underprivileged. Even the murderers he profiles are all cast in a compassionate light -- the majority being inadvertent perpetrators of the crime.

"Mum, my dear Mum, I hope you will not grieve for long and you will quickly forget this ignorant son of yours," reads the farewell letter of Ai Qiang, a barely 20-year-old boy awaiting death for robbing and murdering a stranger in the street. "Because of ignorance I ruined my life. Because of ignorance I'm going to leave this world. I hope to be a better son in my afterlife. Farewell. Your un-filial son."

"I dare say this is the first book in China that portrays the human side of people we are accustomed to seeing as innately bad," Huan told IPS in an interview. "There are piles of crime reportage but the writers' angle has always been that criminals were born as such".

In China more than 60 types of crime -- including non-violent offences like corruption and tax evasion, are punishable by death. Human rights activists have complained that death sentences are handed out far too freely and lead to terrible miscarriages of justice.

Chinese authorities do not disclose the number of court-ordered executions. In 2005, Amnesty International recorded 1,770 executions in China, or more than 80 percent of all death sentences carried out worldwide. But Chinese legal experts believe the actual number of executions is as high as 10,000 a year.

While recent years have seen an intensifying public debate about the need to curtail the broad application of the death penalty, experts believe the public overwhelmingly supports capital punishment as the only way to ensure that major criminals get what they deserve.

A book project about such a sensitive topic as the death penalty was not something that Huan Jingting planned to embark on at his own free will. But sentenced for fraud in the late 1990s, he became a prisoner himself, serving a year and a half in jail in Chongqing.

Because he could read and write, Huan was asked to write the last wills of prisoners sentenced to death toward the end of his term.

He also took down the stories of the death row prisoners. "It was an experience that changed my life irrevocably," Huan recalls. "It made me more tolerant."

He learned to bring a packet of cigarettes with him when entering the cells of death row prisoners in the evening hours before their executions. There is a superstitious belief among death row inmates that if given cigarettes in their last hours, death is painless and rebirth in a good family assured.

Huan wrote down only the basic facts and spent more time listening to their stories. In true Capote fashion, his accounts successfully blend journalistic reportage of fact with the writing-style of fiction.

He changed the names of all the prisoners while meticulously recording the topography and real names of places. The first dozen stories were published in 2001 but the complete collection came out only in the autumn of last year.

While he disclaims any attempts at social criticism, Huan's volume stands as a powerful depiction of China's underclass whose members bear the brunt of the economic reforms. (END/2007)

AFGHANISTAN: 'Double Standards' Boost Taliban

Analysis by Sanjay Suri

LONDON - Military forces from Western powers are fighting the Taliban in Afghanistan, but it is the policies of these very governments that is boosting the Taliban, going by several indications over recent days.

Former Pakistani prime minister Nawaz Sharif spoke of these "double standards" at a meeting he held in London Wednesday evening with Benazir Bhutto, another former prime minister of Pakistan. The Pakistan Muslim League of Sharif and the Pakistan People's Party of Bhutto have come together in an Alliance for the Restoration of Democracy to challenge the military rule of Gen. Pervez Musharraf.

Western powers "praise the democracy in India on the one hand and support dictatorship in Pakistan on the other," he said following the meeting.

Sharif told IPS he plans to return to Pakistan and challenge Musharraf's rule. He did not specify a time frame; elections are due in Pakistan towards the end of this year or early next year.

Afghanistan comes into the question of democratic rights for these formerly elected leaders in view of what Benazir Bhutto called the "Talibanisation of Pakistan." To the extent that Pakistan is being Talibanised, it is also steering away from any democratic path, Bhutto said.

The recent instances of violence in Pakistan are the work of "pro Taliban and pro al-Qaeda elements," Bhutto said, which have government backing. "We oppose the Talibanisation of Pakistan. We

are looking for fair elections; democracies don't go to war with other democracies, and they bring in policies that undermine terrorism."

As the two leaders saw it, Western powers are complicit in encouraging the Taliban through their backing of Musharraf rather than support for democratic choice.

Sharif said he will not look to the United States to change any policies that could enable the exiled opposition leaders to return to face an election. His return, he said, "will not be a U.S. decision, it will be my decision, I am not going to ask anyone."

But in the face of heavy U.S. support to Musharraf's regime, Talibanisation could become a bigger issue for Pakistan as it is becoming for Afghanistan. Much of north-west Pakistan is in the hands of the Taliban, or Taliban-like groups.

Within Afghanistan, the Taliban have come bounding back faster than anyone anticipated -- and with unintended Western assistance.

"Support for the Taliban has increased dramatically," Norinne MacDonald who carried out a study for the Senlis Council, an independent group monitoring developments in Afghanistan told IPS. "The results of our survey were chilling; 26 percent of the 17,000 Afghans surveyed openly said they support the Taliban; a couple of years back such support was three percent."

Increased poverty is translating directly as increased support for the Taliban, she said. "People are unable to feed their families, and the lack of development aid from the United States has made people angry."

The Taliban now have an al-Qaeda element that is based in Pakistan, and also simply youngsters "who don't like what is happening." It is only if the United States and its allies "win the battle against poverty can they think of dealing with training for Taliban groups within Pakistan."

Through the lack of development and a counter-narcotics policy that has impoverished people the U.S. is only "strengthening its enemies." These policies are putting the military forces of the U.S. and its allies at a disadvantage, she said.

Support for the Taliban could actually be more than the survey suggests. "People are normally cautious in answering such questions, and there could be a lot more support for the Taliban," Gulalai Momand from the Senlis Council told IPS.

Momand, who is based in Kabul, said that faith in the Hamid Karzai government propped up by the United States is "fading gradually compared to the last year and the year before." An earlier report from the group showed that 90 percent of aid money for Afghanistan has gone into military operations rather than development aid.

In Afghanistan, in Pakistan, U.S. policies are emerging as the primary U.S. enemy. In both countries the United States has propped up artificial presidents. It has then encouraged, even dictated policies that support the individuals in the posts while weakening their legitimacy. And it has backed -- and funded -- policies that will and are arming only its enemies. (END/2007)

RIGHTS-NIGERIA: Grim, Overflowing Death Rows

by **Toye Olori**

LAGOS - Some 600 people are now crammed into Nigeria's disease-infested death rows and the number is certain to rise with a justice system that critics say has been resisting reform since the end of military rule in 1999.

The situation was highlighted dramatically this month when the U.N.'s special rapporteur on torture, Manfred Nowak, ended a week-long visit here on Mar. 10. He charged there were only a "few tangible results" from efforts to reform the justice system, and one death row inmate had been waiting there for more than 20 years.

Novak levelled grave charges against the Nigerian police for breaking the law with impunity and extracting confessions and information by force. Abuse of suspects was "systemic" and "routine", he said at a press conference ending his visit.

"Detainees are beaten up. They are suspended from the ceilings for prolonged periods and beaten in that position as a way for the police to extract confessions or other information." The police also shot at their legs.

He also said the justice system discriminated against the poor, who could not pay for lawyers. Femi Falana, a lawyer and human rights activist from the Campaign for Democracy suggested to IPS that the situation could be even worse than Novak described. The visit was an official one and he believed Novak was given a "guided tour".

Activists campaigning for death row inmates have long claimed that some may have been wrongly sentenced because of improper investigations by the police, while those who had the money could buy their way to freedom. Nowak's charges are likely to be taken up by activists in their efforts to remove the lingering threat to execution which hangs over what must now be one of the largest death row populations in the world.

The last known executions in Nigeria were in November 1995 when Ken Saro Wiwa and eight other Ogoni environmental activists were hanged during the era of General Sani Abacha who ruled from 1993 to 1998. But there could have been secret executions since the return to civilian rule.

A government-appointed committee on reform of the country's justice and prison system produced its first report in 2005. It recommended the release of all those who had been on death row for more than 10 years. It also called for the swift execution of all others who had exhausted their appeals, according to a copy of the report received by the Campaign for Democracy. This was suggested as a way of reducing overcrowding in the country's prisons.

The report is said to have criticised all levels of officials involved in Nigeria's capital punishment system. Appeals were sometimes long delayed. Officials failed to prepare execution orders for signatures. State governors ignored them when they arrived or failed to exercise their pardoning rights.

The government did not accept the committee's recommendations,

sending it back to do a more thorough job. Its reported recommendation that death row numbers should be reduced by executions has been strongly criticised by the Campaign for Democracy.

John Uziegbe, a legal officer with the Legal Resource Consortium in the commercial hub of Lagos, believes that the way the system now operates shows that Nigerian governors are collectively observing a moratorium on the death penalty. "Most state governors are not ready to sign death warrants, not because of lack of political will but more an unwillingness to kill," he told IPS.

"They do not want to associate themselves with taking lives."

He added that Nigerian politicians knew from experience that capital punishment was no deterrent to crime. "Even under the military when public executions of armed robbers were carried out in the locality of the criminal, crimes were being committed in the vicinity at the same time," he said.

Other activists and many lawyers agree that capital punishment is unrelated to crime levels. "We have a growing crime rate because our government has not been able to provide for its citizens. So many unemployed youths are pushed into crime to survive," Lawrence Quakar, a lawyer and member of the Human Rights Law Service, said.

"If the government had performed its duties by providing the people with basic necessities of life, we would not have cause to start arguing whether the death penalty should be expunged from the constitution," he added, saying that a return to state executions would make criminals even more violent. Unofficially, the unemployment rate is 60 percent.

Besides campaigning for a formal death penalty ban, rights activists have been pressing for an improvement in the conditions for Nigeria's estimated 40,000 prison population. Inmates are said to sleep on bare boards in overcrowded cells. Disease, especially tuberculosis, was rife with many dying because of inadequate medical treatment, Uziegbe said.

"Conditions in prisons are very terrible. From what I have seen there, the people awaiting trial suffer more than those already convicted. They are crammed into cells and not taken care of since there's no money for them," he said.

The U.N.'s Nowak also raised the issue of medical attention in prisons at his press conference in Lagos. He said the victims of police torture were left without medical treatment for the injuries inflicted.

Nowak's eventual report on Nigeria's justice and prison system may well increase the number of Nigerians in favour of a constitutional ban on the death penalty -- although a spate of gun crime and armed robberies, especially in Lagos, is also certain to keep the numbers in favour of capital punishment high. There are even some who would like to extend the number of capital offences.

"Capital punishment is the best antidote to the high level of corruption in Nigeria," said Bilikisu Amoda, a school teacher from Lagos. "If President Obasanjo's anti-corruption crusade is to work, those convicted of corruption should be executed as in China. Many Nigerians have died though the actions and inaction of corrupt officials."

But the enormous interest in Novak's statement and the outpouring of public sympathy over the hanging in Singapore of a 19-year-old Nigerian found guilty of drug smuggling last January, suggest the numbers opposing capital punishment are rising. Civil society groups not only condemned Singapore's government over the hanging, but also their own for being slow to react and failing to prevent the execution.

The press compared the case to that of the well-known Nigerian actress, Hassanat Taiwo, who was arrested in Lagos for trying to smuggle cocaine out of the country to England. She admitted the offence and was able to pay an eight thousand dollar fine and go free in January. (END/2007)

DEATH PENALTY-PAKISTAN: A Jail Superintendent's Aversion

By Zofeen Ebrahim

KARACHI - Superintendent Nusrat Hussain Mangan of the central jail in the southern port city of Karachi considers himself fortunate that he has never had to witness a man being hanged.

"In the two decades I've been in office, posted at various jails around the province of Sindh, luckily for me, I've never had the misfortune of throwing my handkerchief (a silent sign to the hangman to pull the lever) to signal the execution." He is also confident that he "will never have to bear witness to an execution" during his term in office, though Pakistan still carries out the death penalty. He is against this, terming it "judicial killing."

"You really don't get anything out of killing another person," he says. "There are other punishments that can serve a purpose. The prisoner gets a chance to reform and become a useful citizen. By giving a death sentence you just end another man's life. Has it really proved to be a deterrent for heinous crimes? As far I know, only the poor go to the gallows, the rich and the influential, actually get away by coercing, threatening or even compromising with the victims' family."

According to Mangan, in this time and age, "we have to come up with a more progressive way of dispensing justice". But his burly deputy (requesting anonymity) standing beside him has witnessed the execution of some 20 prisoners slapped with the sinister-sounding 'black warrant' (the letter confirming a death sentence). "It's very disturbing and you never get used to this," he says.

He favours hanging, he says, as this is the "least painful" form of execution.

"Other methods are far more painful -- like lethal injection or the electric chair. Death by hanging occurs within two or three minutes and does not mutilate any part or organ of the body. The only sign you can see is that the neck gets elongated by an inch or two and there is a small wound mark on the right-hand side of the neck where the knot of the noose rubs against the flesh."

>From the moment when the session court judge pronounces the death sentence to the time the black warrant is issued, usually a minimum of eight to ten years have passed in Pakistan. In that period, says Mangan, "the prisoner has already died a hundred times."

His deputy nods, in agreement. "They're barely alive. The only thing that keeps them alive, that too barely, is that flicker of hope that a compromise will be reached between families and they will be acquitted even while being taken to the gallows."

The last seven days after the black warrant is received by the prisoner signals the "procedural preparations" for the execution. The execution usually takes place on the last day of the 7-day period "in hope that a last-minute compromise may be reached with the victim's family," says Mangan. At times this is just about reaching an understanding about the 'diyat' or blood money, he says.

He was once able to help reverse a death sentence by arranging the money personally. "It was a paltry sum of Rs 80,000 (1,300 US dollars) but the prisoner's family couldn't buy his life even for that."

For the actual execution, the strength of the rope (made of jute and prepared in the prison factory) fits specifications necessary for varying weights of the prisoners set out in the jail manual. "We rehearse and check a day in advance by hanging a sandbag on to the gallows to ensure the hook, the rope and the lever that part the planks are all in working order," the deputy says.

On the night before the execution, he continues, there is "eerie silence" about the jail as everyone knows what is going to happen at sunrise. The condemned prisoner is given "a very light meal". He says his final goodbyes to those who share the cell (10ft by 7ft) with him in the 'phansi', (the gallows) ward. Most spend the time praying to God. In the central jail, at the moment, there are 127 prisoners on death row sharing 30 cells although they are supposed to be in solitary confinement. "In a way it's good as these are very depressed people and there is someone to talk to them and provide some form of solace," the deputy says.

Execution always takes place immediately after sunrise, after the morning prayers. "The prisoner washes up, prays if he wants to and then walks to the gallows. There has been a case when the prisoner became so nervous that he just couldn't walk and had to be taken on a stretcher," the deputy says. At the threshold before the gallows, the prisoner's face is covered with a black mask. "He is instructed that when the rope is around him, he should keep his eyes closed and his tongue inside his mouth."

The central jail was built in the 1890s and the gallows seem just as old. A small gate leads to a compound. In the middle, after one has climbed up a small flight of mahogany stairs, one finds three rusty-looking, but menacingly strong, hooks. These are for simultaneous hangings. At the time of execution, the compound is filled with twenty or more senior officers. Among others, these must include the superintendent or his deputy, a physician, and a magistrate who will verify the identity of the person to be executed.

After the throwing of the handkerchief and the pull of the lever, the body is left hanging for 30 minutes and then lowered to the ground. The physician examines it and certifies the death of the prisoner. The body is wrapped in a shroud and handed over to the family waiting outside.

"In our jail, there are quite a few people trained to pull the lever, which will tighten the noose around the man's neck and separate the planks he is standing on, making him hang in the air," says Mangan. "The concept of a hired hangman who comes to specially carry out this job is really not applied here in this jail."

At that point a senior warden, in his mid-40s, joins in. He explains that he has been trained for the job and so far has carried out the execution order for about eight people. "I don't think it's an easy job and not everyone has the nerve," he says. Asked if he finds it difficult, he replies laconically: "I just carry out the order and everything else is blanked out. Please don't mention my name, not many people know what I do." (END/2007)

DEATH PENALTY-US: Abolitionists See Victory in View

by **Adrienne Appel**

BOSTON - Campaigners against the death penalty in the U.S. believe the momentum for a country-wide ban on executions is now unstoppable and some are predicting all their death rows will be closed down within 15 years.

"It's a gathering storm that's been in the making for a number of years now," David Elliot of the National Coalition to Abolish the Death Penalty told IPS.

Of the 50 U.S. states, 38 have the death penalty, according to the Death Penalty Information Centre.

Two states -- Maryland and New Jersey -- were on the brink of abolishing the death penalty. Four others -- Connecticut, Illinois, New Mexico and North Carolina -- were also likely to follow swiftly with their state bans, Elliot said.

Others, including Arkansas, Missouri and South Dakota, have placed a moratorium on executing people because of a recent U.S. Supreme Court ruling. In California, a federal judge has halted executions and ordered an investigation of the death penalty system in that state.

Within 15 years the entire U.S. death penalty system could be completely gone, Elliot predicted.

In October 2006, there were 3,334 total people on death row, according to the Death Penalty Information Centre. Usually it is the governor of the state who decides when a prisoner will be executed, and it is not untypical for a prisoner to be on death row for 10 years or even longer. Since 1976, when the death penalty was reinstated, 1,064 people in the U.S. have been executed.

Campaigners pinpoint the beginning of the end of capital punishment in the United States to the refusal by Illinois Governor George Ryan to sign execution orders seven years ago.

His bold stand was followed by an official state moratorium that is still in place today.

"Could I send another man's son to death under the deeply flawed system of capital punishment we have in Illinois?" Ryan asked at the time.

Other state governors and officials have recently publicly voiced their concerns about the fairness of their death penalty systems, especially following reports of painful, inhumane executions and a system that has certainly sent innocent people to their death.

Maryland's governor Martin O'Malley is one of the governors who have been taking an active part in the current national abolition debate.

"Since 1978, we have executed five people and set one convicted man free when his innocence was discovered. Are any of us willing to sacrifice a member of our own family -- wrongly convicted, sentenced and executed -- in order to secure the execution of five rightly convicted murderers?" O'Malley argued in a recent article in The Washington Post.

In Montana, Assistant Attorney-General John Connor, one of the state's leading public prosecutors, announced to the legislature there that he no longer wants to be associated with the death penalty.

"It seems to me to be the ultimate incongruity to say we respect life so much that we're going to dedicate all our money, all our resources, our legal expertise and our entire system to try and take your life... Frankly, I just don't think I can do it anymore," Connor told state legislators, according to Associated Press news agency.

Across the country some 123 death row inmates have been declared innocent over the past 30 years, Maryland lawyer Paul B. DeWolfe said in an interview with IPS. Many of these have spoken out about their treatment and many people did not like what they heard.

"It's because of these cases that the pendulum has started to swing away from the death penalty," DeWolfe said.

One of those exonerated and today actively campaigning against the death penalty is Juan Melendez. He was freed from a Florida prison in 2002, after being on death row for almost 18 years.

He told IPS that he suffered most on death row when the guards took away for execution someone who had lived beside him in an adjoining cell and he had grown to love.

"They had the electric chair then and it used 2,010 volts. When the lights went on and off [in the prison] I knew they were burning the life out of him and I could not stop it," he said.

The prison was infested with cockroaches and rats and there was no air conditioning, he said.

Hundreds of citizen groups, religious organisations, lawyers and legislators have joined together with activists like Melendez to give the abolition movement the persistent momentum it has today.

The campaigning focuses on many issues.

Cost is one.

"Killing two old men every year for 50 million dollars? There are better ways to make the public safer," Mark Elliott, of Florida Alternatives to the Death Penalty, told IPS.

Racism is another. The U.S. death penalty system is seen as discriminating heavily against people of colour.

"It is particularly interesting that since 1769 there has never been a white person executed for killing a black person. That's the reality of the death penalty in Florida," Elliott said.

And intense scrutiny of lethal injection -- the method of execution used in 37 states -- has followed a U.S. Supreme Court ruling that provided the legal means to halt executions in many states.

"It was sold to us as a kinder more humane way to die. What we're learning is that there's no kind, humane, nice way to execute someone," said Elliot of the National Coalition to Abolish the Death Penalty.

Last year, the Supreme Court ruled that death row prisoners could argue before courts that lethal injection is a violation of the 8th Amendment of the U.S. constitution. This bars cruel and unusual punishment. Ten states swiftly halted all executions. The Supreme Court came to its decision while considering the Florida case of Clarence Hill, a man with the mental capacity of a 10-year-old who had been on death row for almost a quarter century.

Despite the historic court ruling, Hill's life was not spared. Three months later, the then governor, Jeb Bush ordered his execution warrant and Hill was killed by lethal injection. It was only a few months later that Florida executed another prisoner, Angel Nieves Diaz. His death took 34 minutes.

"It surely seemed to unleash a firestorm of activity," D. Todd Doss, a lawyer for both Hill and Diaz, told IPS.

Polls now show that a slim majority of U.S. citizens would prefer life without parole to executions, Judi Caruso, of the New Mexico Coalition to Repeal the Death Penalty, told IPS. A 2006 Gallup Poll showed for the first time in 20 years that citizens are turning away from the death penalty with 48 percent preferring life imprisonment without parole.

"They're re-evaluating the system that is broken and broken beyond repair," Caruso said. (END/2007)

RIGHTS-IRAN: Anti-Stoning Women Activists Held Indefinitely

by Kimia Sanati

TEHRAN - The indefinite detentions of the prominent lawyer Shadi Sadr and Mahboubeh Abbasgholizadeh, a leading campaigner against the award of stoning sentences for adultery, are being seen here as part of increasing pressure on women's rights activists by the Islamic republic.

Sadr and Abbasgholizadeh were among 33 people arrested on Mar. 4 for staging a peaceful protest rally in front of a 'revolutionary court' that was hearing the cases of five women arrested at a Jul. 12 demonstration demanding change in laws that discriminate against women.

While the others were released on bail over several days, Sadr and Abbasgholizadeh were charged with being a "threat to national security" on Mar. 11 and had their detentions extended. Sadr was present at the Mar. 4 rally not only as a women's rights activist but also as counsel for one of the women on trial.

Ironically, Sadr is also representing Abbasgholizadeh in another case dating back to November 2005 which is still in process. A prominent lawyer, Sadr is known for successfully overturning the convictions of several women sentenced to death.

"Women's rights advocates and activists have been facing increasing pressure since a year ago. The women's movement demanding changes in laws has gained enough momentum to frighten the religious and political establishment. Women's rights advocates and

activists are viewed as a threat to Islam in spite of the fact that many of the laws that they oppose are not fundamental Islamic tenets and can be modified with no harm done to religious tenets," a women's rights activist asking not to be named told IPS.

"What frightens them most is that now more and more women are becoming aware of their rights. Men are also joining their voices with women and asking for change in laws that they consider as inhuman and derogatory to women and to themselves. As long as the movement was restricted to intellectual circles, they didn't mind that much but now that the ideas are getting out and hitting the public, they will try to put out the fire in any way they can before it spreads. I see the recent arrests as a means to terrorise activists and send them back to their closed circles again," she said.

At the Jul. 12 rally a total of 70 women and men, including a former reformist parliament member, Ali Akbar Mousavi Khoini, were assaulted and arrested by police and security forces even before they raised their placards. All were charged and released within days, but Khoini was held in jail on temporary detention for four months.

Under Iran's criminal procedure laws, the investigator is authorised to issue a remand and extend the temporary detention until the date of the trial. If the prosecutor agrees with the detention -- which is often the case -- it is almost impossible for prisoners to appeal.

The temporary detention order issued for Sadr and Abbasgholizadeh means their cases would be subject to further review and that more charges are likely to be brought against them as their interrogation proceeds. The two activists have already been charged on five counts including acting against national security, holding illegal assembly and confrontation with security forces.

"The rally was pre-planned and illegal but there will be lenience towards them," Alireza Jamshidi, judiciary spokesman, was quoted by Iranian Labour News Agency as saying at a press conference. "It is illegal that a group support (defendants) not (to) attend court hearings. This is not acceptable anywhere in the world. Charges against individuals must be reviewed in relevant authorised courts with defendants' attorneys attending," he said.

Women's rights advocates had issued a call to a peaceful protest in front of the courthouse three days ahead of the trial of the five women. The two detained activists have reportedly accepted the responsibility for the call to protest.

Article 27 of the Iranian Constitution allows the holding rallies and marches provided that they are not detrimental to the fundamental principles of Islam and the protestors do not carry arms.

Since her arrest Sadr made two short telephone calls to her husband. But Abbasgholizadeh has been kept incommunicado. Both women are reportedly kept in solitary confinement and neither has been given access to their attorneys according to press releases by women's rights advocates cited in Meydaan (Women's Field), a website dedicated to women's rights.

Both are being held in Tehran's notorious Evin prison where defendants charged with acting against national security are usually held and interrogated by the intelligence ministry.

The long silence of Abbasgholizadeh has greatly alarmed her family. "She contacted us when she was arrested and jailed two years ago

even though she was in solitary confinement for some twenty days," Abbasgholizadeh's daughter told 'Rooz', a foreign-based news portal.

"This long silence is very suspicious and disturbing," she said and added that memories of the tragic death of Zahra Kazemi, the Iranian-Canadian journalist who died in detention allegedly as a result of injuries inflicted by beatings, haunted her. (END/2007)

HUMAN RIGHTS: Brazil Proposes Additional Millennium Goals

By Gustavo Capdevila

GENEVA - Global abolition of the death penalty and other human rights aspirations could be achieved through mechanisms similar to the Millennium Development Goals adopted by the United Nations, according to a proposal by the government of Brazil.

Brazil's special secretary for Human Rights, Paulo Vannuchi, presented a proposal to the U.N. Human Rights Council calling for the definition of concrete human rights goals, with varying deadlines, to eradicate some of the restrictions on people's freedoms and safeguards.

The Brazilian official pointed out that countries have widely different legislation on human rights issues.

At a meeting convened in November by the Chinese Society for Human Rights Studies, Vannuchi discovered that modern China, founded in 1949 with the triumph of the revolution led by Mao Zedong, is founded on a theoretical base that envisages abolishing the death penalty in the future.

Thus China, which employs the death penalty, and Brazil, which does not, agree on its long term eradication although they differ in the possibility of its immediate abolition, Vannuchi said.

Therefore, the Human Rights Council, as the highest U.N. human rights body, should open a debate on capital punishment with a view to adopting a decision, in 10 or 20 years if necessary, to "establish a world without the death penalty," Vannuchi told IPS.

But he acknowledged that abolishing capital punishment "is not enough."

Brazil and some other countries that do not have the death penalty on their books "face the very complex problem of extrajudicial killings," or summary executions perpetrated by police forces or death squads, he said.

In addition to abolition of capital punishment, other goals could be included to make up a basket of human rights issues, he said.

The first such measure might be the struggle against racism. Beginning with the U.N., it could spread to legislation in every country, following the example of Brazil and other countries which have already defined racism as a crime.

People complaining, for example, "I was the target of aggression because I am black," could then demand redress from the law, which would pass sentence accordingly, the official said.

The basket of human rights would include discrimination on the grounds of religion, gender or sexual orientation. Discrimination on the

basis of sexual preference has been brought up at the U.N., but is still considered taboo, Vannuchi said.

"There are fundamentalists everywhere," in many Islamic countries and also in Christian ones, who look on sexual diversity as a sin, he said. The Brazilian government's position is very clear, because the Human Rights Secretariat has a "Brazil Free of Homophobia" programme, he said.

A support network has been set up in Brazil to uphold this principle, and gay pride marches involving up to a million people are regularly held to defend it, Vannuchi said.

He also proposed that the U.N. make a commitment that after a given lapse of time, the global body will no longer tolerate torture or forced disappearances.

In February, a convention against forced disappearance adopted by the U.N. General Assembly was signed in Paris, the expert said. The treaty, sponsored by France and Argentina, began to be mooted in 1981, when many Argentines were living in exile in France, he said.

The treaty's aim is not just to address pending issues in Brazil, Chile, Argentina and other countries where thousands of people fell victim to forced disappearance under military dictatorships in the 1970s and 1980s, but to create a framework to prevent such human rights violations in the future, he said.

Vannuchi proposed that the Human Rights Council, whose fourth session began this week, create a working group to prepare a plan with specific human rights targets, to be pursued in parallel to the Millennium Development Goals (MDGs).

The MDGs were adopted by the U.N. member countries in September 2000. The eight goals to be fulfilled by 2015 include drastically reducing poverty and hunger, achieving universal primary education, and promoting gender equality.

Setting specific human rights goals should promote a degree of international openness that would reinforce the effort to achieve the MDGs, in Vannuchi's view.

He said the MDGs were important because, for the first time in history, countries had committed themselves to concrete development goals, even if they are not all able to achieve them, because of domestic events, conflict situations or developments in the global economy itself.

The Brazilian proposal is for the new human rights goals to be launched next year, coinciding with the 60th anniversary of the Universal Declaration of Human Rights, adopted by the U.N. in 1948.

This initiative by the Brazilian delegation will attempt to rein in what they see as the Human Rights Council's tendency to indulge in rhetorical debates on issues more suited to the U.N. Security Council, and devote itself instead to concrete goals.

Vannuchi described the case of Brazil, where efforts to reach the MDGs have resulted in a confluence of purpose between different sectors committed to their achievement, including trade unions, non-governmental organisations, the business community and universities. (END/2007)

RIGHTS: One Fumbled Execution Sets U.S. Further Thinking

by Mark Weisenmiller

TAMPA, United States - Last December's botched execution by lethal injection in the U.S. state of Florida has raised to new levels the controversy surrounding capital punishment -- and focused public attention here squarely on this particular way of carrying out a death sentence.

Death row inmate Angel Nieves Diaz, 55, took 34 minutes to die on Dec. 13, 2006. A lethal mixture of chemicals injected into his left arm missed his vein. The chemicals spilled out onto his flesh. The bungled execution meant it took twice as long for Diaz to die than if no mistake had been made.

The debacle caused outgoing Florida Governor John Ellis "Jeb" Bush to announce a moratorium on all state executions while a specially-created commission investigated precisely what went wrong during the Diaz execution.

The 11-member commission, including three doctors, presented its report to Florida's new Governor Charlie Crist on Mar. 1. It said it was unable to determine whether Diaz experienced pain during his execution. But it called on Florida to investigate whether the three-chemical lethal cocktail now being used should be replaced with something else.

A day after the report's publication, Governor Crist announced that he was directing the secretary of the Florida Department of Corrections, James McDonough, to study lethal injection procedures in all 37 U.S. states where this was still being used for executions. He also ordered McDonough to decide which of the report's recommendations should be immediately implemented.

But neither the report nor governor's quick response are likely to halt the slowly building anti-death penalty movement in the United States. This has been growing since the Diaz execution. A three-state survey by IPS showed that worldwide media attention generated by the Diaz execution was also reflected domestically by an increase in public interest in anti-death penalty organisations.

"Executions have been too long exempted from public view," said Mark Elliott of Floridians for Alternatives to the Death Penalty. He confirmed his organisation had been receiving more calls and e-mails than usual since the Diaz execution.

In Virginia, a typically conservative Republican state, there had been a "gradual increase" in public inquiries to the organisation Virginians for Alternatives to the Death Penalty. The organisation's head, Jack Dryden-Travers, said the Diaz execution was "slowly turning people off the death penalty here in Virginia."

On the west coast in California, a state traditionally liberal and Democratic, interest in the death penalty issue was also on the increase after the Diaz execution. Lance Lindsey, executive director of Death Penalty Focus of California, said his organisation was getting many inquiries because of the Diaz execution. "It has created more interest in the death penalty among Californians. General support for the death penalty continues to wane."

He added that his state was currently looking into "lethal injection procedures and also the medical training of executioners".

The issue of the competence and training of state executioners surfaced dramatically during the Florida commission's questioning of Diaz's executioner. Out of sight and speaking into a telephone in a muffled voice, the executioner told the commission that he had "no medical training and no qualifications".

Carol Wehrer, president of Anesthesia Awareness, was also present in the room on the same day the executioner gave evidence. "I heard him -- I believe that it was a man -- testify that he didn't know who mixed the chemicals, or if the person who mixed the chemicals had any medical training," she told IPS.

In 1998, Wehrer was operated on for the removal of an eye. She told the commission that for the operation she was given an anaesthetic which contained a derivative of one of the three chemicals used in the deadly cocktail given to Diaz. The anaesthetic did not take full effect and she could literally feel her eye being removed, she told the commission.

Richard Dieter, executive director of the Death Penalty Information Centre, confirmed to IPS that it was not uncommon in other states for lethal injections to be administered by prison officers, not doctors. "Doctors don't want to participate because it goes against their Hippocratic Oath," he said, adding that there were now "11 states that have holds on lethal injections."

The American Medical Association has a clear and unambiguous ruling "strictly prohibiting" doctors from participating in state executions. Last July, the association widely circulated its guidelines specifically covering lethal injections. No medical practitioner was allowed to prescribe drugs for an execution, administer drugs or participate in an execution in any way.

Doctors were also barred from pronouncing an executed person dead. Doctors were under oath to protect lives and any form of participation in executions "erodes public confidence in the medical profession," said William G. Plested III, president of the association.

The Florida commission has called for more training for its state executioners and clearer instructions on execution procedures. A number of other recommendations have been suggested. One considered especially significant was from State Senator Victor Crist, known as a vociferous supporter of the death penalty who played a major role in the framing of Florida's law on lethal injections. He told reporters that he was considering asking the lawmakers to now allow audio recordings of all future executions. (END/2007)

MOROCCO: Huge Amnesty Signals Historic Day

by Abderrahim El Ouali

CASABLANCA - A royal birth followed immediately by an amnesty for more than a dozen death row prisoners among others is being interpreted here as a signal that Morocco is on the verge of making history in the Arab world by being the first to abolish the death penalty.

On Feb. 28, the wife of King Mohammed VI, Princess Lalla Salma, gave birth to the ruling couple's first daughter, Princess Lalla

Khadija. Immediately afterwards Morocco's minister of justice, Mohamed Bouzouba, appeared on nation-wide television announcing the biggest ever royal pardon for almost 9,000 prisoners, including 14 people sentenced to death. Reading from an 'official communiqué', the minister repeated several times that this amnesty included people on the death row. This was taken as a clear sign here that the king supported abolition of the death penalty. The royal message to the Moroccan people was underlined by the minister's unusual appearance on television in traditional Moroccan attire. It was also a signal that the day of the formal abolition of the death penalty in Morocco is fast approaching. The final decision to abolish the death penalty will be taken by the Moroccan parliament. But the king, who appoints his prime minister and other key ministers, would have to give his support for such a crucial change to the state's existing constitutional and legal system.

At the Third World Congress against the Death Penalty in Paris last February, the head of the Morocco's state-appointed Consultative Committee on Human Rights, Ben Zekri, confirmed there was a general consensus among members of parliament to end capital punishment. The Moroccan press has speculated that a parliamentary vote will be taken on the issue in the current parliamentary session which ends in June. A bill to abolish the death penalty had already been drawn up and put before the government. The king had also set up a special legal commission which was working on the task of removing capital punishment from the country's legal code.

Since 1993 Morocco has operated a moratorium on the death penalty -- one of some 20 African countries which have not carried out executions for more than 10 years. Since its independence from the French in 1956, more than 500 people are believed to have been executed, either after court sentencing or extra-judicially. Before the latest amnesty, human rights campaigners said there were 131 people on death row.

Opponents of the death penalty world-wide, hope that Morocco's removal of the death penalty from its statute books will set an example to North African and Middle Eastern states. None of the 22 states in the region have yet abolished the death penalty. Saudi Arabia and Iran execute more than a hundred every year.

Morocco's steady progress along the road to abolition of the death penalty was given a major boost with the final report of the Equity and Reconciliation Committee in 2005. This recommended the abolition of the death penalty as a measure for strengthening the judicial and political reforms carried out since king Mohammed VI's accession to the throne in 1999.

The committee, headed by Driss Benzekri, a close advisor to the king, investigated grave violations of human rights committed between the granting of independence and 1999. It organised public hearings which were broadcast on national television, something unheard of in the Arab world.

Moroccan television has also played a major role in the public debate on the death penalty. Last October the national coalition against the death penalty organised a debate on capital punishment at the headquarters of the lawyer's club in the Moroccan capital, Rabat. This was televised nationally.

Later a documentary on the death penalty was also broadcast on television. Nothing like this had ever been produced and shown in

an Arab country, one delegate to the recent Paris World Congress against the Death Penalty said.

The documentary appears to have convinced some people to switch from supporting the death penalty to becoming abolitionists.

"After watching the programme, I changed my mind," Keltoume Arrouf, a lawyer's assistant, told IPS. The recent videos showing the execution of former Iraqi president Saddam Hussein made her even more staunchly anti-death penalty.

"Saddam Hussein was executed on the day of Eid Al-Adha. That was such a terrible scene that I still see it in my dreams," she said.

Not all Morocco's predominantly Muslim population have been won over by the arguments of the abolitionists. Many still find justification for capital punishment in the Koran and sacred texts. Some members of Morocco's legal profession would also not like any change in the law.

"The abolitionists have the wrong approach to the right to life," Mohamed Chemssy, a lawyer, told IPS. "This right cannot be used to defend someone who has deprived another of precisely this right. Those who support abolition cannot only consider the criminal. They must also consider the families of the victims."

He added: "The death penalty cannot be tied to democracy, dictatorship, Islam or to any other religion. It is tied to justice. We do not need to abolish the death penalty. We need to guarantee fair trials for all and an independent judiciary that would give fair sentences no matter what the punishment," he said.

But Ahmed Kouza, a doctor and Amnesty International activist, takes an opposite view.

"Abolition would improve the image of this country and help reinforce respect for human rights where the right to life comes first of all," he told IPS. "Death penalty sentences and executions have never stopped crime anywhere."

Judicial mistakes could never be ruled out. The emphasis should be on reforming criminals and returning them to society. "As Muslims, we believe that only God gives life and death," he added.

Even as the debate goes on with a clear indication that abolition of the death penalty in Morocco is only months away, judges here continue to adjudicate death sentences. In February a court in Rabat sentenced a Moroccan, Karim Zimach, to death for the killing of an Italian diplomat and his Belgian wife.

Such sentences should not be interpreted as Morocco having any second thoughts about the issue, Chemssy said. "It's absolutely certain the death penalty will be abolished because the state needs this politically," he stated. (END/2007)

IRAQ: Outrage over Imminent Execution of Iraqi Women

by Dahr Jamail and Ali al-Fadhily

BAGHDAD - Three young women accused of joining the Iraqi insurgency movement and engaging in "terrorism" have been

sentenced to death, provoking protest from rights organisations fearing that this could be the start of more executions of women in post-Saddam Hussein's Iraq.

The execution of the three -- Wassan Talib, Zaineb Fadhil and Liqa Omar Muhammad -- and a fourth, Samar Sa'ad 'Abdullah, found guilty of murdering five members of her family, are scheduled to begin Mar. 3, according a member of the BRussells Tribunal.

All four are being held in the Khadamiya female prison in northern Baghdad.

One of the three alleged "terrorists", Muhammad, 25, gave birth to a daughter after her arrest and is still nursing the child in prison. A second, Talib, 31, is also in prison with her three-year-old child, according to Amnesty International.

Talib and Fadhil, 25, were sentenced to death by the Central Criminal Court of Iraq (CCCI) on 31 August 2006 for the 2005 murder of several members of Iraqi security forces in the Baghdad district of Hay al-Furat. Both women denied any involvement. Fadhil reportedly claimed that she was abroad at the time of the alleged killings, according to Amnesty International.

Muhammad was sentenced to death on 6 February 2006 by the CCCI, for kidnapping an official from the 'Green Zone' in 2005, according to sources in the Iraqi Lawyers' Union. Her husband is said to have been detained and accused of the same crime.

It is not known whether the three alleged "terrorists" will lodge appeals. But while this is possible, it is unlikely they will be successful without their own legal representation, according to sources.

An appeal by Abdullah was earlier rejected and she faces imminent execution, according to Amnesty International.

Many lawyers here are interpreting the death sentences on the three alleged "terrorists" as an attempt by the Iraqi regime to intimidate insurgents. Two of those sentenced to death -- Fadhil and Mohammad -- were accused of joining their husbands and two members of their families in their alleged crimes, according to the Iraqi Lawyers' Union.

Some Iraqis here have openly expressed surprise and disbelief that these women could have been involved in any insurgency.

It was a question of honour for Iraqi men that their women did not participate in any form of violence, they told IPS.

Independent lawyers have expressed strong criticism of the trials, saying they were "unfair" and violated international conventions.

The accused were denied the right of legal defence, Walid Hayali, a lawyer, said. He was barred from representing the three in court, he added.

"No lawyer was given the opportunity to do his job," a close friend of Talib confirmed to IPS.

But the right to independent legal representation was guaranteed under international law, lawyers here said.

The passing of a death sentence on the mother of a newly born child was also in violation of a specific UN safeguard, they added.

Iraqis questioned here said they believed the executions, if allowed to take place, would raise the level of violence across Iraq.

"This won't go unpunished," Fadhil Aziz, 40, from the Amiriya district in Baghdad told IPS.

"The U.S. and their Iraqi collaborators must pay for the crimes they are committing against our honour," he warned.

The impending executions are likely to increase the exodus of Iraqis out of the country.

"I am taking my family anywhere in the world rather than staying here and facing this," Abi Muhannad, an Iraqi teacher from the Kadhamiya district in Baghdad told IPS.

The UN estimates that some two million Iraqis have already fled the country. Approximately 50,000 are leaving every month, threatening to overwhelm other Middle Eastern countries, particularly Syria, Jordan and Lebanon.

Approximately one million are today living in Syria and up to 750,000 in Jordan, according to the UN High Commission of Refugees.

Roughly 40 percent of Iraq's middle class is believed to have fled the country since the U.S. invasion in 2003, according to the UN.

After the overthrow of Saddam Hussein's regime, the American occupation authorities suspended the death penalty. But in August 2004, the new interim Iraqi government reinstated it for crimes including murder, kidnapping and threats to national security. In October 2005 a tough new anti-terrorism law was introduced, setting capital punishment for "proving, planning, financing and enabling" terrorism.

Last year Iraqi courts sentenced 235 people to death and over 6,000 to life imprisonment, according to the London daily al-Sharq al-Awsat.

There are over 2,000 women classified as "security detainees", according to Mohamed Khorshid, quoted by the newspaper.

It is not known for certain how many have been executed since August 2004, but it is believed the figure is between 50 and 100. During 2006 at least 65 men and women were executed by the Iraqi government, including former Iraqi president Saddam Hussein.

(Ali al-Fadhily is our Baghdad correspondent. Dahr Jamail is our specialist writer who has spent eight months reporting from inside Iraq and has been covering the Middle East for several years.) (END/2007)

News from International NGOs

IRAQ: WE'D LIKE TO ABOLISH THE DEATH PENALTY

The government of Iraq, which was heavily criticised internationally for the way it executed Saddam Hussein, wants to abolish the death penalty, its human rights minister said on March 14. The first step would be to limit capital punishment, which was re-introduced over two years ago to combat spiraling criminal violence, to the most extreme cases such as genocide and crimes against humanity, Wijdan Michael told the United Nations Human Rights Council. This Reuters report was carried by Amnesty International's Death Penalty Information Blogs.

"We are working at the present moment in order to pave the way to eliminate capital punishment in Iraq, after restricting it to the largest possible extent," Michael said, speaking through an interpreter. Images of the country's former dictator being taunted as he awaited execution in December, and the accidental decapitation of his half-brother and aide Barzan Ibrahim al-Tikriti during a January hanging, caused an outcry.

U.N. High Commissioner for Human Rights Louise Arbour appealed unsuccessfully to Iraq to stop the executions of Saddam and his aides on the grounds that their trials for crimes against humanity did not meet minimum international standards. Under international law the death penalty can only be used as an exceptional measure, and there must always be a right of appeal against the sentence, something that was denied to Saddam, she said.

INDONESIA: AG CRITICISED OVER DEATH PENALTY

Legal experts have criticized Attorney General Abdul Rahman Saleh over his rigid stance regarding the implementation of capital punishment in Indonesia. "Despite progress in the country's legal system, such as the on going judicial review on the death penalty for drug dealers in the 1997 Narcotics Law, the Attorney General has not yet been able to escape from his legalistic and normative views on capital punishment," the Operational Director of the Indonesian Human Rights Monitor Imparsial, Rusdi Marpaung, told The Jakarta Post. This report was carried by Amnesty International's Death Penalty Information Blogs.

"Regarding drug trafficking, for example, the government cannot solely rely on deterrence principles to handle such a crime. "There are other problems that need attention, such as monitoring the abuse of addictive substances and the involvement of government officials in drug trafficking," he said. Rusdi was commenting on a statement by the Attorney General that the government would continue implementing the death penalty in criminal cases, including for drug abuse and trafficking. "Capital punishment in our legal system has been adopted from the old Dutch legal system during the colonial period. Holland itself abolished the implementation of the death penalty over 50 years ago," he said. According to Rusdi, the United Nations has reported that there is no evidence to suggest that the death penalty is an effective deterrence towards crime.

DRC: MEMBER OF OPPOSITION THREATENED WITH THE DEATH PENALTY

A London-based lawyer, a mother of four, is facing execution by firing squad in the Democratic Republic of the Congo. Marie-Thérèse Nlandu, 54, has been in prison in Kinshasa since November after returning to her home country to become the first woman to contest presidential elections there, according to Amnesty International.

After being eliminated in the first round last July, she switched her support to the then vice-pres-ident, Jean-Pierre Bemba, who was standing against President Joseph Kabila. She then represented him in a Supreme Court challenge to Kabila's victory. But as the appeal began Nlandu was arrested and charged with illegal possession of firearms and inciting an insurrection. She was put before a military tribunal and has been refused medical assistance despite her deteriorating health. "These charges carry the death penalty and the intention is to find her guilty," said her husband, Professor Noel Mbala. "Kabila wants to kill her, because of her human rights work, assisting people who had been illegally arrested, because she was the first woman to run for president, and because of the appeal. He wants to kill her to show everyone he's powerful and in charge."

The family have lived in London since 1998 when they fled Congo after opposing the government of Laurent Kabila, the late father of the current president. Mbala and their two teenage sons now have British nationality but his wife refused to give up her Congolese citizenship. He has now turned their small council flat in Lambeth, south London, into a campaign headquarters, sending out e-mails to ministers (Margaret Beckett, the foreign secretary, did not reply), human rights agencies and church groups. The mantelpiece is lined with photographs of Nlandu, their children and football trophies won by their two sons, aged 13 and 16.

ITALY WORKING TOWARDS PRESENTING RESOLUTION TO UN GENERAL ASSEMBLY

March 29, 2007: Pasquale Ferrara, Italian Ministry of Foreign Affairs Spokesman, clarified statements made March 29 at the weekly press meeting. "Italy is working intensely to define the instruments and the methods needed to successfully present the moratorium on the death penalty to the current UN General Assembly," Hands Off Cain reported. "Italy is still strongly committed to increasing the consensus on this initiative, one which the Government feels is strategically important."

"Promoting a more direct and open involvement by the European Union under Italy's initiative continues with determination," Mr Ferrara continued. Therefore, "it was requested that this be formally included in the agenda at the next Council of General Affairs" in Luxembourg on April 23rd. The Italian Ministry of Foreign Affairs ensures that "broad spectrum actions are being taken, both through the diplomatic network and through the dedicated actions of special representatives, to obtain the highest possible number of signatory countries." "At the UN, all efforts are naturally being made to get more member States to subscribe to the declaration of association that was presented to the UN General Assembly last December".

Mr. Ferrara's statement comes after MEP Marco Pannella's request to the Italian Government to make up for the delay and the errors that were made in fulfilling their commitment to present the resolution for the moratorium on executions to the current UN General Assembly. Mr. Pannella, radical Euro-parliamentarian of the ALDE group and president of Hands Off Cain said "This is the ultimate objective that motivates the Italian Radical Party and Hands Off Cain. It is also the basis of the non-violent initiative I've been carrying out for 8 days with my hunger

WORLD PRESS REVIEW – March 2007

STUDY FINDS THAT DEATH PENALTY APPEALS MOVE QUICKLY IN GEORGIA

Georgia is one of the fastest states in the country at processing death penalty appeals, according to a recent study funded by the research arm of the U.S. Department of Justice, write Daily Report on March 6. The study of cases decided between Jan. 1, 1992, and Dec. 31, 2002, labeled Virginia the most efficient of the 14 states it examined, with a median direct appeal processing time of 295 days from sentencing to ruling by the state's court of last resort. By that measure, Georgia was fifth, averaging 798 days from sentencing to decision by the state Supreme Court.

But measuring from the point of the filing of a notice of appeal -- when the appeals court gets the case -- Georgia was the fastest at 297 days. Virginia does not require a notice of appeal in capital cases, so it was excluded from that ranking. Georgia law imposes a two-term rule on the state's Supreme Court, meaning the court must decide direct appeals within two of the court's three yearly terms. But the study said that Georgia lawyers took longer than those of any other state studied to file notices of appeal.

CHINA TO DECREASE NUMBER OF EXECUTIONS BUT KEEP DEATH PENALTY

China plans to gradually lessen the number of executions it carries out while still keeping the death penalty, said the Jurist March 12, quoting a statement released by China's Supreme People's Court, Ministry of Justice, Ministry of Public Security, and China's lead prosecutor. The statement indicated that China cannot entirely abolish the death penalty, but noted that if the possibility exists that a convicted individual did not commit the crime, then that person should not be executed. The legal groups also condemned confessions through torture and said police must instead gather evidence according to the law.

China, which executes more prisoners than any other country in the world, revised its death penalty laws last year, mandating the

Supreme People's Court to review any death sentences handed down. The country has been under pressure to take a closer look at its policies after China's deputy chief prosecutor revealed that almost every wrongful conviction in recent years has been the result of torture and intensive interrogation techniques.

PAKISTAN. TWO CONVICTED TERRORISTS HANGED IN MULTAN JAIL

Two convicted terrorists, Abdul Jabbar and Shahsawar, were hanged in Multan's New Central Jail, Pakistan, in the presence of a local magistrate, a medical officer and jail staff, Pakistan Press International Information Services reported March 29. Jail superintendent Malik Mubashir Hassan said "We have executed two activists of a banned sectarian outfit, who were involved in the murder of a constable. Their bodies have been handed over to their relatives." The Anti Terrorism Court in Bahawalpur headed by Mukhtar Ali Siyal issued the death sentences on July 25, 1997. The High Court and Supreme Court of Pakistan rejected their appeals, and their mercy petitions were rejected by the President.

BANGLADESH. SIX TOP ISLAMIC MILITANTS EXECUTED

March 30, 2007: Six Islamic militant leaders accused of carrying out a deadly bomb attack in November 2005 in Bangladesh were hanged two weeks ahead of schedule, France 24 reported March 30. The six included Shaikh Abdur Rahman, the leader of the outlawed Jamayetul Mujahideen Bangladesh (JMB), and his deputy Siddiquil Islam Bangla Bhai. "They were hanged in four different jails and their dead bodies were handed over to their families," inspector general of prisons Brigadier Zakir Hassan told AFP. "We maintained total secrecy about the hangings because of security reasons." A seventh man was also sentenced to death in absentia and is on the run.

TWO IN THREE BRITONS 'SUPPORT DEATH PENALTY RETURN'

Nearly two thirds of Britons support the reintroduction of capital punishment, a survey carried out to promote a tourist attraction said March 19, according to 24dash.com. The poll for the London Dungeon said 65 percent of people questioned backed the death penalty. Of those who supported the move, nearly eight out of 10 said murderers should face a capital sentence. Meanwhile, 62 percent backed the death penalty for sex criminals and 58 percent for terrorists.

A representative sample of 1,100 people was questioned ahead of the launch of London Dungeon's new ride Extremis: Drop Ride to Doom, which is based on the public hangings which took place outside London's Newgate jail. The method of execution which achieved the most backing from interviewees was lethal injection (68 percent), followed by hanging (25 percent), firing squad (5 percent) and electric chair (2 percent). London Dungeon manager Colin Thomas said: "The subject of capital punishment never fails to inspire strong views and it has been fascinating to see how our visitors feel about the matter." In the survey, 88 percent said executions should be carried out as humanely as possible. But the remaining 12 percent insisted it should be conducted to "create suffering in proportion to the crime committed".

DEATH PENALTY MAY BE ABOLISHED IN MOROCCO

There are signs in Morocco that it may be the first Arab country to abolish the death penalty. The recent amnesty for more than a dozen death-row prisoners -- following a royal birth -- is being interpreted as a sign in this direction, said the Legalbrief Africa March 19, citing the Mail & Guardian Online which had carried an Inter Press Service report. Reading from an 'official communiqué', the Minister repeated several times that this amnesty included people on the death row. This was taken as a clear sign here that the king supported abolition of the death penalty. The final decision to abolish the death penalty will be taken by the Moroccan Parliament. But the king, who appoints his Prime Minister and other key ministers, would have to give his support for such a crucial change. At the Third World Congress against the Death Penalty in Paris last February, the head of Morocco's state-appointed consultative committee on human rights, Ben Zekri, confirmed there was consensus among MPs to end capital punishment. The

Moroccan press has speculated that a parliamentary vote will be taken on the issue in the current session, which ends in June. A Bill to abolish the death penalty has already been drawn up and put before the government.

WHEN WILL THE REFERENDUM ON THE DEATH PENALTY BE HELD?

The FOROYAA Newspaper of Gambia said in an editorial March 26: Section 18 of the Constitution deals with the right to life. However, the courts are empowered to impose capital punishment or the death penalty after conviction of a criminal offence for which the penalty is death. Section 18 subsection (3) states that "The National Assembly shall within ten years from the date of the coming into force of this constitution review the desirability or otherwise of the total abolition of the death penalty in the Gambia."

The editorial continued: The fact of the matter is that the National Assembly cannot set aside an entrenched provision. This can only be done through a referendum. Section 43 (1) (a) accords the Independent Electoral Commission the responsibility for the conduct and supervision of the registration of voters for all public elections and the conduct and supervision of all public elections and referenda.

The editorial went on to say: The Attorney General and the National Assembly need to come up with a bill which should ultimately give the Gambian people an opportunity to decide whether the death penalty should be abolished or not. Furthermore, Foroyaa is calling on the Attorney General to give advice to the President to activate the Committee on the exercise of the prerogative of mercy by the President. There are many prisoners who need to be pardoned to reduce the state expenditure and the congestions in our prisons. The government needs an active social programme dealing with all areas of National life. The constitution needs to be constantly monitored and the institutions and tasks it calls for should be put into effect. This is what is meant by the rule of law.

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