



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: A Life Defending Lives

By Julio Godoy

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UNITED STATES: Retrial Possible for Most Famous Black Inmate

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MOROCCO: Suicide Bombings Delay Death Penalty Abolition

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GUATEMALA: Inmates in Limbo

By Inés Benítez

GUATEMALA CITY - Twenty-one inmates have spent years on death row in Guatemala because of a legal vacuum that has brought a de facto halt to executions but has done away with the president's right to pardon prisoners or commute their sentences.

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IRAN: Execution Surge Bucks Worldwide Trend

By Kimia Sanati

TEHRAN - The near-doubling of the number of executions in Iran to 177 prisoners in 2006 has only steeled the resolve of human rights activists here to raise public awareness of the idea that capital punishment is not an effective deterrent to crime and should be abolished as inhuman.

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UNITED STATES: Three Newspapers Reverse 100-Year-Old Stand

By Eli Clifton

WASHINGTON - Three established U.S. newspapers, two of them among the 10 largest in the country, in three different states have in the past weeks abandoned their century-old support of the death penalty and become passionate advocates of a ban on state-sponsored killing.

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By Zofeen Ebrahim

KARACHI - "Many think I escaped the noose because of my nationality. That may be so, but if you ask me, I got a new lease of life because God meant me to live."

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CUBA: Soldiers Accused of Hijacking Could Face Death Penalty

By Patricia Grogg

HAVANA - Two Cuban soldiers who attempted to hijack an airplane to fly to the United States are both wounded and awaiting trial, Cuban President Fidel Castro announced Tuesday, while accusing the United States of fomenting illegal emigration.

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GERMANY: Struggle to Resolve Justice Issues

By Julio Godoy

BERLIN - Thirty years after the German's chief federal prosecutor Siegfried Buback was assassinated by left-wing terrorists, a debate has re-surfaced over what should be the appropriate punishment for a convicted killer -- and whether politically motivated crimes deserve exceptionally harsh punishment.

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UNITED STATES: Young Lawyers Halting Executions

By Adrienne Appel

BOSTON - Youthful idealism and perseverance are helping to win the day against the U.S. conservative establishment and its huge law enforcement resources in the life and death legal struggle to halt execution by lethal injection -- and with that the final end to the death penalty in the country.

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DEATH PENALTY: A Life Defending Lives by Julio Godoy

PARIS, May 31 (IPS) - In 2000, when French journalist and publisher Michel Taube founded 'Ensemble contre la peine de mort' (Together against the death penalty), his vision was that the group would become a world voice in the fight for the universal abolition of capital punishment.

Few at that time shared his conviction. France had abolished the death penalty back in 1981 and at that time capital punishment stirred only mild controversy. Protests over death sentences and executions were often sporadic and focused on far-away countries, such as China, Vietnam and the United States.

Within seven years the association has become a major global force in the campaign for death penalty abolition. It has organised three world congresses, the latest in Paris in February attended by some 600 experts. It counts among its members renowned international personalities, including the former French minister of justice Robert Badinter, under whose moral leadership France abolished capital punishment, and human rights activist Bianca Jagger.

Since 2002, the world has celebrated World Day Against the Death Penalty on Oct. 10. This is due to the initiative of the World Coalition Against the Death Penalty, which Taube also heads. This coalition focuses global attention on the death penalty issue, stimulating international debate and supporting campaigners against capital punishment.

Taube, born in 1967 in the Alsatian city of Colmar, is also a presence at conferences and discussions on capital punishment in Africa, Asia, and Latin America. In mid-May, he took part in a symposium in Morocco, organised by local human rights groups in association with Amnesty International, pressing King Mohammed VI to finally abolish capital punishment.

"The decision of the Moroccan government to abolish the death penalty would be a great step towards the consolidation of the democratic modernisation of the country," Taube said in Rabat.

On that occasion, Taube noted that 31 African nations have already abolished the death penalty -- well over half the countries on that continent. The battle now was to see capital punishment banned in the rest.

Taube has been working as a journalist since the early 1990s, and directed a publishing house in his native country between 1998 and 2002. But his main call has always been the defence of human rights: He is member of the UNESCO association of human rights and the International League against Racism and Anti-Semitism and author of several books about his campaigns, including "Open Letter to Americans for the Abolition of the Death Penalty".

"We want to promote the universal abolition of the death penalty through a global political view, blending a humane conception of penal justice and the defence of human rights," Taube said in an interview. "Our aim is to universalise the validity of human rights."

His critics often accuse him of over-emphasising the rights of the offenders while ignoring the suffering of the victims and their relatives. They say his arguments dismissing execution as a preventive measure are academic and do not match the real world.

Taube responds that among the most passionate opponents of the death penalty in Europe are relatives of the victims of the gravest crimes. He also cites statistics that show that the death penalty in the U.S. has not deterred crime.

But his opposition to the death penalty goes beyond these arguments. It is rooted in a philosophical stand on crime, punishment, and legal values in a democratic society.

"European history shows that, paradoxically, it was the confrontation with the worst political horrors and the most barbaric crimes that gave birth to the reasons for abolishing the death penalty," Taube says. "In Central and Eastern Europe, abolition became obvious and politically viable after the demise of the communist totalitarian regimes. Similarly, the death penalty disappeared from the legal horizon in Spain and Portugal after the end of the right-wing dictatorships of (Francisco) Franco and (Antonio de Oliveira) Salazar.

"Only a state which is able to control its own power, a democratic state, is able to renounce the death penalty," he says.

"When a state condemns a person to death it is saying: it is enough to punish a crime, the state does not need to bother with solving the reasons for the crime. A death sentence is a confession to a failure of justice. Justice becomes an instrument of vengeance, instead of a means to re-establish a peaceful social order."

Taube also underlines that such arguments against the death penalty appear to be gathering supporters worldwide over the last seven years. The number of countries which have abolished the death penalty is steadily rising and the cases of executions dramatically falling.

"When France abolished the death penalty in 1981, there were only other 36 countries around the globe which had done the same," Taube recalls. "Today, 25 years later, there are 97 countries which have officially banned the death penalty from their penal systems and there are more than 20 other countries which have ceased to apply it for more than 10 years."

As another illustration, Taube said that in the whole of Europe only Belarus applies the death penalty. In Latin America only Cuba and Guatemala have not yet abolished it. But capital punishment is applied massively in undemocratic regimes in Asia and Africa.

But Taube does not forget that some democracies, such as Japan and the United States, continue to apply the death penalty, impervious to arguments and moral appeals from Europe.

"In Japan, executions are shrouded in the deepest of silence. Public opinion there is also completely insensitive to the international debates on the issue," Taube says.

On the other hand, the public perception of the death penalty in the U.S. is changing for the better, he says.

"Now, there are better U.S. lawyers trained in the defence of people condemned to death and there are fewer executions than a couple of years ago," Taube says. "Even if the U.S. society continues to avoid discussing the possibility of a general abolition, a quiet evolution has been taking place in the courts and thus some lives have been saved."

But Taube admits that no such evolution has taken place in most of the Arab and Muslim world. That is why, he says, that the celebration of the World Day Against the Death Penalty this year, on Oct. 10, will focus on supporting the campaign to abolish capital punishment in these regions of the world. (END/2007)

HEALTH-CHINA: Dead Serious on Food and Drug Safety

by Antoaneta Bezlova

BEIJING, May 31 (IPS) - China has confirmed the seriousness of recent international scares about rampant fraud and counterfeiting in its booming economy in a most dramatic way -- by sentencing to death the country's former top drug regulator.

Zheng Xiaoyu, former director of the State Food and Drug Administration, was convicted of taking bribes and failing to curb a scandalous market in fake and dangerous medicines. A Beijing court awarded the death sentence Tuesday morning.

The extreme punishment comes after weeks of heightened fears about the quality and safety of Chinese agricultural and pharmaceutical goods. China, which earns more than 30 billion US dollars a year from food and drug exports to Asia, North America and Europe, has been recently bombarded with complaints from all over the globe alleging shoddy quality and dangerous substances.

Reports have described prunes tinted with chemical dyes not approved for human consumption, frozen shrimp preserved with substances like nitrofurans that can cause cancer, and mushrooms sprayed with illegal pesticides.

The string of scandals over Chinese contaminated exports were triggered by disclosures that thousands of pets in the United States and Canada had died after eating pet food tainted with the chemical melamine. The substance, which is used in fertilisers, had mysteriously found its way into wheat gluten exported from China for the U.S. pet food and animal feed markets.

Close on the heels of the highly publicised contamination of pet food came reports that China has also exported counterfeit drug ingredients. At least 100 deaths in Panama have been linked to a cough medicine tainted with a poisonous industrial solvent, diethylene glycol, that was traced to an unlicensed factory in eastern China.

As a response to growing alarm at home over safety standards of Chinese goods, the U.S. government has ordered the largest pet food recall in the U.S. history. It has also stopped all imports of Chinese toothpaste following reports that some products sold in the Dominican Republic and Panama contained diethylene glycol.

While international uproar over fake and substandard Chinese exports is unprecedented, domestic consumers in the country have faced endemic problems associated with food and drugs for years. Indeed many of China's food safety problems have only come to international attention because of China's increasing food exports.

Three years ago a ban on transparent "glass" noodles was issued after certain brands were found to be using a lead-based whitener. Dangerously-contaminated consignments of counterfeit milk powder,

discovered on the Chinese market, were blamed for the deaths of at least 12 infants in rural China.

Last year, a posting spread by millions of Internet users mocked the daily struggle of Chinese consumers as they negotiated a minefield of hazardous foods and goods, dining on "chemically contaminated rice and pesticide-infested vegetables" and drinking beer contaminated with formaldehyde. In 2006 food poisoning claimed 196 lives, according to official figures from the ministry of health.

"We used to love buying home-made honey from the peasants in villages outside of Beijing, but now we are scared even to try it," says Feng Xiaohua, an avid mountaineer who spends her weekends in the countryside. "We are probably wrong though, because it is the corrupt officials we have to fear and not the poor peasants."

Zheng Xiaoyu is the highest-ranking official to be implicated and punished in Beijing's struggle to address public concerns over rampant culture of counterfeiting in the country's economy.

During his tenure as China's chief drug and food official from 1997 to 2006, Zheng is said to have accepted bribes in cash and gifts worth some 850,000 dollars. In exchange for these favours he had approved six types of medicines that were found to be fake. In one instance, an antibiotic, approved by Zheng's agency, killed at least 11 patients last August before it was taken off the market.

The death sentence was appropriate said the court, according to reports by the state agency Xinhua, given the "huge bribes involved and the great damage inflicted on the country and the public by Zheng's dereliction of duty."

Chinese commentators have appraised the harsh sentence as a warning to all corrupt officials. "The sentence reflects the concern of top Chinese officials about issues such as corruption and food safety," He Bing, a professor at China University of Political Science and Law, told Xinhua.

Yet beyond the execution of a highly publicised death sentence lies the uneasy task of tackling what many experts see as an unbridled abuse of power and widespread counterfeiting.

A published survey by the quality inspection administration revealed that a third of China's 450,000 food production companies were unlicensed. An overwhelming 60 percent of these companies did not have any quality control mechanism in place, while some 29 percent of them had no "quality labels" on their products, the survey found.

In addition to the domestic health problems they cause, food safety lapses have now shown to present a threat to a significant Chinese source of trade revenue. It is the risk of Chinese exports being rejected in more and more markets around the world that is now forcing authorities to improve standards to which Chinese food and drugs are being produced.

Faced with an avalanche of complaints, the country's main quality control agency announced this week its first recall system of unsafe food products. The system will be put in place gradually and will focus on "potentially dangerous and unapproved food products," an official from the General Administration of Quality Supervision, Inspection and Quarantine was quoted as saying by the 'China Daily'.

"All domestic and foreign food producers and distributors will be obliged to follow the system," Wu Jianping, director general of the administration's food production and supervision department, told the daily.

Experts argue though that it is not the lack of regulations that is to blame for the food safety accidents. What is at issue is their enforcement. After all, the country already has over 200 individual food safety laws, regulations and standards at national and regional level. None of these however, covers the entire process -- from food-making to serving the food in the restaurants and retailing it in the shops.

The country is only now drafting its first national law on food safety, which has been part of legislative deliberations since 2003. But even if the National People's Congress, China's parliament, approves the law by the end of this year as planned, there remains a question about which agency would be put in charge of its implementation. Currently, a dozen or so government watchdogs are responsible for supervising the industry. (END/2007)

NIGERIA: Rights Activists Await Break With Past by Toye Olori

LAGOS, May 30 (IPS) - The return of democracy to Nigeria in 1999 after years of military dictatorship has not brought an end to extra-judicial killings; rather, the number may have doubled in what is now often a daily occurrence, says the Civil Liberties Organisation -- a human rights group based in the financial hub of Lagos.

"While the period of military dictatorship made the wanton destruction of lives and property near state policy, the new democratic administration has quite shockingly witnessed the aggravation of this ugly phenomenon of unlawful killings of innocent civilians by security agents, especially the police," notes a report issued by the grouping in past months.

The study focuses on the six years from May 1999 to June 2005. But Damian Ugwu, its author and head of the organisation's law enforcement project, told IPS that the situation had not improved since. "We have seen an enormous increase in the number of extra-judicial killings in the past eight years," he said. These were being carried out by the police, army and state-sponsored vigilante groups.

Extra-judicial killings are executions not sanctioned by law. Under Nigeria's criminal code, an unlawful killing of a human being is a criminal offence punishable by death.

The Civil Liberties Organisation estimates that on average at least five people are killed every day in extra-judicial circumstances in Nigeria. Most of the killings are said to be at police stations: it's alleged that armed robbery suspects are summarily executed there in the course of investigations. Police claim the killings happen while they are trying to prevent suspects from escaping.

"That figure of five a day is a very conservative one," Ugwu said, adding that there were also unreported cases in local police stations and vigilante cells. And, it did not take into account what was now happening in the Niger Delta -- the troubled, oil-rich region where

police and the army are struggling against growing militancy.

The Civil Liberties Organisation report blames the deteriorating economic situation for the rise in extra-judicial killings. Despite the huge increase in oil revenues during the final years of former president Olusegun Obasanjo's term in office, more than 80 percent of Nigeria's 140 million people still live on less than a dollar a day, according to the United Nations Development Programme. This situation had led to growth in gun crime, robbery and kidnappings.

Obasanjo stepped down from office this week. During his eight years in power, some 500,000 workers lost their jobs, Ugwu said. Many were left destitute, struggling to maintain their families. "Children cannot go to school because they cannot pay the school fees. Many of them, youths under 20 years of age, have joined cults and gangs and taken to crime," he added.

The police were "overwhelmed" by the growth in lawlessness. "So what they do is try to eliminate the problem through extra-judicial killings," Ugwu said. "They think if you kill this person, he is not going to come back and disturb you again. They are resorting to extra-judicial killings to reduce the number of perceived criminals."

The police were also turning on the people because of resentment over their own economic situation, Ugwu noted. "A policeman who has not been paid for months is angry. They are being prevented now from taking bribes at check-points. But then they see government officials and politicians stealing millions, so they turn their anger on society."

IPS reports that governors of states where vigilante groups have been set up claim they are needed to deal with the high incidence of armed robbery. These groups have also been accused of the unlawful execution of alleged criminals.

The outgoing Nigerian government did step in to ban some of these groups, such as the Bakassi boys. It charged they were being used for political purposes.

Only rarely have the authorities acted on complaints of extra-judicial killings, Ugwu said. "In the past eight years, very few policemen have been brought to book by the government or by the police authorities." He knew of no case where a soldier had been accused in court of being involved in extra-judicial killings.

The authorities only ever took action after a public outcry. This happened after the killing of six young people by police in Apo in Abuja, Nigeria's capital, two years ago. According to an Aug. 22, 2006 statement from Amnesty International, "...the so-called 'Apo 6' -- five young Igbo male traders and a female student -- were arrested on suspicion of armed robbery and executed while in custody in Abuja. In this case, their dead bodies were paraded as armed robbers killed in a shoot-out with the police..."

Noted Ugwu: "That was a peculiar case because at the time Nigeria was looking for a seat in the U.N. Security Council. A U.N. special rapporteur on extra-judicial killings was also due to visit Nigeria. The government needed to do something, so it set up an enquiry. But since then, thousands have been killed and nothing has been done."

The activist acknowledged that the level of extra-judicial killings was also high during military rule. But, towns and villages were never

razed to the ground by soldiers and police in retaliation over killings while the military was in command of the country -- while this had happened to the town of Odi in Bayelsa State in the Niger Delta in November 1999. Two years later soldiers stormed the Zaki Biam and Vaase communities in Benue State, central Nigeria. Many hundreds of civilians died, activists have alleged.

IPS approached the Lagos police to comment on the allegations by the rights organisation and Ugwu. A spokesman denied knowledge of any summary executions in Lagos State over the past two years -- the period that he had been in his post. "There has not been any extra-judicial killing. That is my comment," Olubode Ojajuni, a police public relations officer, said.

The Civil Liberties Organisation said it was this unwillingness by the police to admit to the problem that had caused the group to embark on a "vigorous" public awareness campaign that was also targeting government officials and the international community. In addition, it had set up a network -- the National Alert on Torture and Extra-judicial Killings -- to monitor acts of torture and extra-judicial executions. The network had more than 3,000 members around the country.

"We are hoping that one day, somebody, somewhere, will come up and say 'These people should account for their sins'," said Ugwu. (END/2007)

DEATH PENALTY-US: Retrial Possible for Most Famous Black Inmate By Adrienne Appel

BOSTON, May 28 (IPS) - The talents and skills of leading U.S. lawyers, pathologists, scientists and independent criminal investigators are likely to be marshalled to save the life of Mumia Abu-Jamal if he is granted a new trial -- and also to highlight the role skin colour may play in U.S. death penalty convictions.

After nearly two decades of appeals, on May 17 a U.S. federal court of appeals took its first step towards possibly ordering a new trial for Abu-Jamal, one of the best-known among the country's 3,500 death row inmates. The decision of the panel of judges is expected to take several months in what has become one of the most controversial death penalty cases of all times.

Robert Bryan, the lawyer leading the battle for Abu-Jamal's life over the past four years, believes his client's case is very strong and that the appeal judges may order a new trial. Now for the first time since Abu-Jamal's conviction in 1982, the U.S. justice system is seriously considering whether racial discrimination and political bias interfered with Abu-Jamal's right to a fair trial.

"My goal is for him to go home to his family. That is the best of outcomes," Bryan told IPS.

Abu-Jamal, an outspoken political activist as a young man and still today from prison, was convicted by a nearly all-white jury in Philadelphia of the murder of policeman Daniel Faulkner. Faulkner was killed after he stopped a car driven by Abu-Jamal's brother in December 1981. Abu-Jamal was said to have run from his taxi to the scene and was arrested.

The facts of the crime are disputed. Eyewitness accounts are contradictory. Evidence is incomplete and has gone missing. Abu-Jamal was wounded in the chest by a bullet. Abu-Jamal has always maintained his innocence.

"The thread that runs through this case from the day Mumia was arrested until today is racism. At the original trial, the jury only heard one side of the coin. It was a comedy of errors. This case has never been properly investigated," Bryan said.

At the appeals hearing, Bryan and others argued that Abu-Jamal's original trial was unfair because blacks were intentionally excluded from the jury, a violation of the U.S. Constitution. The final jury consisted of 10 whites and two blacks. The population of Philadelphia at the time was 40 percent African American.

"What matters is that African American citizens were denied their right to participate in this important civic right and duty on the basis of race," Christina Swarns, a lawyer with the National Association for the Advancement of Coloured People Legal Defence Fund, told IPS. "The questions of fairness have been there since the time the jury was chosen. Had the Pennsylvania courts followed the law, this hearing would have been held many, many years ago -- and should have been."

There were other problems with the 1982 trial, Bryan said. The prosecutor misled the jury into believing that if they agreed to send Abu-Jamal to death row, the chance of him actually being executed was low. And the judge who presided over the trial, Albert Sabo, aimed a racial slur at the young journalist during a recess in the trial, Bryan said.

Sabo also had a conflict of interest and should never have presided over the trial, Jill Soffiyah Elijah, a member of the National Lawyer's Guild, told IPS. He was an active member of the Fraternal Order of Police, a powerful group that represents the interests of police and lobbies for the death penalty in cases where police officers have been murdered.

"They have lobbied heavily for Mr. Abu-Jamal's execution," said Elijah, also a professor at Harvard University. "Judge Sabo's involvement indicated a conflict of interest and compromised his ability to be objective."

According to reports elsewhere, Sabo, who died in 2002, was nicknamed "the hanging judge". In a 14 year period, he presided over trials in which 31 defendants were sentenced to death, more than any other U.S. judge. Twenty-nine of these came from ethnic minorities.

While Abu-Jamal's lawyers used the appeals court hearing to push for a new trial, prosecutors urged the judges to re-affirm his death row conviction. Pennsylvania Governor Ed Rendell has stated publicly that if the judges did this, he would order Abu-Jamal's execution.

Rendell has a long-standing interest in Abu-Jamal's case. He was Philadelphia district chief prosecutor in 1982, and it was his office and his employees who prosecuted Abu-Jamal.

In the past the district prosecutor's office had been involved in a pattern of discrimination in many cases, Bryan said. This included presenting false evidence and getting witnesses to lie. He was optimistic that the federal appeal judges would acknowledge this

and allow Abu-Jamal a new trial.

"My goal is to win this case," Bryan said. "We have a lot of new evidence. If we can get a trial, it will be presented to the new jury. A lot of new pathology, DNA and ballistics will be done. I have faith that 12 men and women of the jury will let my client go home."

But Bryan would want to move the case out of Philadelphia. "There is so much corruption and unfairness in the Philadelphia court system, it's hard to imagine getting a fair trial," Bryan said.

Abu-Jamal, now 53, has won thousands of supporters around the world. "When they put him on death row, they thought they would shut him down," Bryan said. "Instead, Mumia has become an international symbol against the death penalty."

His supporters include Hollywood celebrities, politicians and university students. In St. Denis, France, a street is named after him.

At the appeals hearing, about 200 people packed the courtroom. Outside about 500 people demonstrated on Abu-Jamal's behalf. Supporters came from France, Germany and elsewhere. (END/2007)

MOROCCO: Suicide Bombings Delay Death Penalty Abolition by Abderrahim El Ouali

CASABLANCA, May 21 (IPS) - The Moroccan government has pulled back from presenting to parliament its long-expected bill on the abolition of the death penalty, apparently on the grounds that the recent suicide bombings here call for a delay and re-thinking on how to deal with Muslim extremism.

The abolition bill, drawn up by pro-abolitionist politicians and handed over to the government's general secretariat more than six months ago, was to have been introduced to parliament in April.

It was widely predicted that after a lively debate the majority of the deputies would vote it into law before the end of the current parliamentary session in June. King Mohammed VI was known to have expressed his support -- an essential requirement for a bill on such a sensitive issue ever to have been drawn up.

But on Mar. 11 a bomb went off in a Moroccan Internet cafe, killing a suicide bomber and wounding four other people. A month later three other suicide bombers died when they detonated explosives while being pursued by the police. A policeman was also killed in this security operation.

Since then there has been no official comment on death penalty abolition. All attempts by IPS to find out the fate of the abolition bill have been met with silence. Telephone enquiries directed at the government spokesman have been unanswered.

"There has been a retreat not only on the abolition of the death penalty but on all other public freedoms," Mohamed Abounasr of the Moroccan Association of Human Rights told IPS. The return to dark days of "repression and torture" was being justified by the argument that the country was "fighting terrorism," he said.

As an example of the clampdown on civil rights, Abounasr pointed to the police action against the May Day rally in the southern city of

Agadir. Two demonstrators were arrested. They were later put on trial for defaming King Mohammed VI. They were found guilty and sentenced to two years imprisonment.

But on May 4 hundreds of angry pro-capital punishment demonstrators gathered in Beni Mellal in central Morocco. They called for the death sentence for two men suspected of a particularly brutal killing of a 20-year-old woman.

"It is paradoxical. The government allows one demonstration for capital punishment while moving against another with arrests on Workers' Day," Abounasr said, adding that he was convinced that the public call for executions for killers was inspired by repressive elements in the leadership now in the ascendancy after the terrorist bombings. The same people were also behind the government's "hesitation" over the tabling of the death penalty abolition bill.

"Manipulating a section of the population to call for the death penalty is absolutely wrong," Abounasr said. "The people are not always aware that they are being convinced to take up positions which are actually in violation of their general human rights."

There is now growing concern among human rights activists that the government may be planning to execute convicted Muslim extremist terrorists on the death row. The executions could take place after the September legislative elections, some are suggesting. Such executions would break the 14-year-long moratorium that has been in place in Morocco. The last person to be executed was Mustapha Tabet, a police commissioner accused of raping many women and girls.

"Executing alleged terrorists would only serve as a propaganda boost for the crimes they have committed," Omar Kharrouj, a lawyer and human rights activist wrote in the magazine 'Attadamoun' (Solidarity), responding to this concern. "Those who believe that the death penalty would put an end to political violence are either naive or deluded," he added.

Other human rights activists are calling on the government to address what they see as the underlying social causes of Islamic extremism. "Terrorism cannot be fought by capital punishment," Abounasr said. "A policing approach alone is not sufficient. We also need a social approach to the problem."

All the suicide bombers were from the shantytowns and other poor areas. Most of them were illiterate.

The government needed "to improve the conditions of life of the people and to arm them with education and knowledge so that they can be immunised against extremism and terrorism," Abounasr said.

The debate over the death penalty is likely to feature in the political campaigning for the next elections in September. Campaigning will begin in August.

Up to now no political parties have published their electoral programmes. But death penalty abolition is likely to be in some election manifestos, some political observers say. The opposition party Le Front des Forces Démocratiques, one of the prime movers behind the drafting of the abolition bill which is apparently now stymied by the present government, is expected to continue to champion hard publicly for a ban on capital punishment. (END/2007)

DEATH PENALTY-GUATEMALA: Inmates in Limbo by Inés Benítez

GUATEMALA CITY, May 18 (IPS) - Twenty-one inmates have spent years on death row in Guatemala because of a legal vacuum that has brought a de facto halt to executions but has done away with the president's right to pardon prisoners or commute their sentences.

"I have never been a trouble-maker, nor a lover of violence," said Carlos García*, a former Guatemalan police officer who has spent 11 of his 41 years of life in high security prisons, sentenced to death on charges of planning a kidnapping.

In the Centro de Detención Preventiva in Guatemala City, the dark-skinned man with a thick moustache told IPS he is innocent, and complained about the discrimination suffered by death row inmates. "The only thing they haven't done is shackle us to the wall," he said.

No executions have been carried out in this impoverished Central American country since 2000, but the death sentence remains in place, applicable to crimes like kidnapping (even if the victim does not die), rape of children under 10, and some drug trafficking-related offences.

The death row inmates, 16 of whom were defended by court-appointed public defenders and five of whom have private attorneys, have spent between five and 11 years in prison, most of them in isolated wings of high security penitentiaries, and with no chance of exhausting the legal process available.

During the government of Alfonso Portillo (2000-2004), Congress overturned an 1892 law on presidential pardons, leaving Guatemala without any procedure for prisoners to be pardoned or amnestied or to have their sentences commuted.

The de facto moratorium has been in place since the law was repealed, David Augusto Dávila, in charge of the death penalty and extrajudicial executions programme of the non-governmental Institute for Comparative Studies in Penal Science of Guatemala, explained to IPS.

That means Guatemala is in contravention of international conventions that it has ratified, like the American Convention on Human Rights, the International Covenant on Civil and Political Rights, and the United Nations Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, adopted in 1984 by the U.N. Economic and Social Council (ECOSOC).

Guatemala is one of only three countries in the Americas, along with Cuba and the United States, where the death penalty is still applicable to common crimes.

A draft law to reinstate the presidential pardon power was introduced to Congress in August 2006 by the small Unionist Party.

But according to Dávila, the draft law would actually be favourable to executing the death row inmates, because it would give the president only 30 days to decide on cases, and would allow the execution to go ahead if the president does not take a stance.

García, one of 78 prisoners who escaped in 2001 from "Infierno" (Hell) -- as the Maximum Security Prison of Escuintla in the southeast of the

country has been dubbed -- and were recaptured, said he does not believe in the justice system. "The laws are ok, but not those who apply them," he told IPS.

His court-appointed lawyer alleges that the courts did not respect the constitutional principle of equality when his client's sentence was handed down, because in similar cases, the death penalty has been commuted to life in prison.

A father of five, whose partner left him, García said he does not think about death. "You don't really accept that that moment will come, because that would be like accepting that I won't help take care of my grandchildren, just like I have missed out on raising my children. It's sad and fills you with a sense of desperation."

"The uncertainty, the not knowing if or when they will be executed, creates anguish, desperation and anxiety among the inmates, and wears down their health," said Dávila, who also pointed to the stigma borne by death row inmates and the poor overall conditions, like overcrowding and lack of basic services in prisons, where riots are frequent.

For five years, García was hardly ever allowed out of his cell. "They would open a tiny little slot in the door to give us our food, and they let us out only for showers."

A month ago he was transferred to a wing that holds 1,500 inmates. He said he is grateful to have more contact with other prisoners.

His hope is not that his sentence will be commuted. "The justice I am hoping for is my freedom," he said.

"Waiting to be executed is torture," the national coordinator of the unit in the office of the public defender that challenges sentences, Nidia de Corsantes, told IPS.

She said that of the 67 death penalty cases assigned to the unit since 1994, the public defenders have gotten 51 of the sentences overturned because of procedural errors and other reasons, while 16 are still standing.

Two verdicts handed down by the Inter-American Court of Human Rights against Guatemala in 2005 warned that justice is not always properly administered in this country and called for the reinstatement of the presidential power to pardon death row inmates, Diego de León, in charge of political affairs in the Myrna Mack Foundation, a local human rights group, told IPS.

Thanks to the Inter-American Court rulings, Fermín Ramírez, who was sentenced to death for the rape and murder of a 10-year-old girl, and Ronald Raxcacó, who was given the death penalty for kidnapping charges, had their sentences commuted.

When two men were executed by firing squad in 1996, one of the executions -- which were televised -- was botched, requiring a coup de grace to complete the job. The howls of outrage from the international community prompted the government to switch methods.

The latest executions, one of which took place in 1998 and two in 2000, were carried out with lethal injection, and went ahead despite appeals for clemency lodged by the Inter-American Commission on Human Rights.

At least 1,591 people were executed in 25 countries in 2006, according to the London-based Amnesty International.

Sixty percent of those on death row in Guatemala have been sentenced for kidnapping (some of the cases involved the death of the victim), and 40 percent for homicide.

"It has been clearly demonstrated that capital punishment does not work as a dissuasive element," said de Corsantes.

The secretary of Guatemala's Catholic Bishops' Conference, Gonzalo de Villa, told IPS that the death penalty is "indefensible" and "a morally illicit formula that does not achieve the objectives it pursues."

Dávila argued that an increase in social spending is the only way to bring crime levels down in a country where 56 percent of the population of 12.7 million is living in poverty (or closer to 80 percent, according to unofficial figures).

Official statistics indicate that 5,000 people are murdered annually and dozens are kidnapped in Guatemala, where youth gangs known as "maras", organised crime and extrajudicial killings are extremely pressing problems.

Opinion polls show that a majority of Guatemalans support the death penalty and even the "social cleansing" of suspected gang members carried out by members of the security forces.

"There is a great deal of hypocrisy in the justice system" because "on one hand, people are sentenced to death, and on the other you have extrajudicial killings. But it isn't by executing people, either judicially or extrajudicially, that the problems will be solved," said Edgar Celada, an adviser to the Human Rights Ombudsman's Office.

The candidates in the campaign for the Sept. 9 general elections are promising "total security" and a tough approach towards crime.

"The people are tired of being victims and feeling vulnerable to appalling crimes," said Mario Polanco, director of the Mutual Support Group (GAM), a human rights organisation that forms part of a network of groups opposed to the death penalty.

GAM reported that 927 murders were committed in the first quarter of the year, and that 116 of the victims were women, 11 were girls and six were boys.

Given the spiral of violence, the organisations fighting for the abolition of the death penalty are "swimming against the current" and draw fire from people who accuse them of "defending criminals," said Polanco.

In 2002, then president Portillo submitted a draft law to abolish capital punishment, but it was almost immediately voted down in parliament.

Against that backdrop, it would seem unlikely that President Oscar Berger, who has publicly come out against the death penalty, or whoever is elected in the upcoming elections will take the political risk of attempting to do away with capital punishment or deciding the fate of the 21 death row inmates, say observers.

It's visiting time at the Centro de Detención Preventiva, and dozens of women, many of them with small children, are lined up outside, waiting to see their loved ones.

"I'm afraid I might die," García admits, finally. "I feel sorry for my

daughters. I only regret not having been with them all of these years."

* Not his real name. (END/2007)

DEATH PENALTY-IRAN: Execution Surge Bucks Worldwide Trend by Kimia Sanati

TEHRAN, May 16 (IPS) - The near-doubling of the number of executions in Iran to 177 prisoners in 2006 has only steeled the resolve of human rights activists here to raise public awareness of the idea that capital punishment is not an effective deterrent to crime and should be abolished as inhuman.

The Iran execution figures were published in the latest report on capital punishment worldwide by Amnesty International. China topped the list with 1,010 recorded executions in 2006 -- although human rights activists say the true figure could be up to eight times higher. Iran's execution numbers were unofficial, gathered from press reports and activists. There are no government statistics on executions.

The Amnesty report showed a significant drop in executions worldwide -- 26 percent less than in 2005. But the trend was the opposite in Iran. There are also no signs of the number being any less this year, activists say, noting that in just two weeks in May the press reported some 18 executions.

"The abolition of all the laws related to capital punishment in Iran now seems a very far-fetched dream," one human rights activist, requesting anonymity, told IPS. "Capital punishment is widely considered as a vital factor in preventing crime in our society."

One of their most important tasks now was to create awareness that more executions did not mean less crime. A campaign was also necessary to bring pressure on the authorities to reduce the number of executions, the activist said.

An array of capital offences are now in place in Iran. These include murder, drug-related offences, ideological and financial crimes and even sexual offences.

Execution is usually by hanging. Occasionally, in case of sex offenders, such as convicted child abusers and rapists, terrorists and drug traffickers, executions are carried out publicly. Sex offences may attract death by stoning.

A high proportion of the executions this year have been for drug trafficking. It is a capital crime to be in possession of more than 30 grams of heroin and five kilos of opium.

In February, Nasrollah Sanbezehi was convicted of terrorism after a hasty trial without access to a lawyer, according to activists here. On February 19, a day after his trial, he was publicly hanged in the city of Zahedan, south-eastern Iran. Shanbezehi was one of four alleged Baluchi separatists arrested after a car bomb exploded in front of a bus carrying Revolutionary Guards. Twelve guards were killed in the attack.

Before the trial, Shanbezehi confessed on television and pleaded for forgiveness. There have been other similar hastily-arranged trials

where defendants have been denied access to defence lawyers, according to rights activists.

Iran continues to execute minors, although this is a violation of international law, activists say. Four young men alleged to have committed crimes when under the age of 18, were among those executed last year, according to these sources. In 2004 a young girl was publicly executed for sex offences. It was later proved that she was 16 at the time of her execution. Nasrin Sotoudeh, a lawyer and child rights activists is currently defending a client, named Soghra, who was sentenced to death for an alleged killing when she was 13. The woman is now 30 years old and has been on death row for 17 years, Sotoudeh told IPS. The lawyer said she knew of 36 other cases of minors sentenced to death over the past three years. But there were "many more" in smaller towns. These have not been reported in the press nor do they appear in officials records, she said.

"I believe the situation has worsened over the past two or three years," Sotoudeh said. This was because children were being tried as adults in provincial rather than juvenile courts. Judges trying adultery cases are obliged to hand down death sentences by stoning -- although these are rarely carried out. Some "tens" of women and men sentenced to death in this way are now awaiting execution, according to human rights sources.

In May 2006 a man and a woman were stoned to death for adultery in Mashad, northeast Iran. Some months later, women's rights groups began campaigning against the stoning laws which are more frequently used against women than men. Volunteer lawyers took up the cases of several women and one man and saved them from execution, according to sources.

Iran's legal system is based on related Islamic laws. All legislation passed by parliament also needs the approval of the all-powerful, hard-line six-member clerical council appointed by the Iranian supreme leader Ayatollah Khamenei. This examines the compatibility of all laws with religious laws.

The council can veto parliamentary legislation. Any change of law is a religious matter and the decision ultimately rests in the hands of the religious authorities. Opposition to the Islamic laws can lead to heresy charges which may result in the death penalty.

Human rights activist Emadeddin Baghi is currently campaigning to convince law-makers and religious authorities to abolish capital punishment -- or at least reduce its use to the minimum.

A devoted Muslim and former student of a Qom religious seminary, Baghi finds justification for his belief in abolition and the "right to live" in the Koran and Islamic Shariah law.

In 1999 Neshat, a highly popular reformist newspaper published an article by Baghi arguing that Iran's religious laws calling for retribution for a killing did not apply to a large number of cases -- some 25 percent -- where death was cause unintentionally.

This view was judged heretical by the authorities. In a huge crackdown on reformist newspapers the publication was closed down. The editor, Mashallah Shamsolvaezin, was jailed for 19 months. Baghi was also put on trial for opposing the code of the Koran. He was sentenced to two years in prison for the article and other alleged offences. The ban was lifted five years later, although the newspaper never reappeared.

Undeterred, Baghi has now founded Iran's first anti-capital punishment organisation, the Association for the Right to Live. "We haven't yet applied for a licence for our association because we are sure our application will be rejected. We have also seen what pressure is being currently exerted on those non-governmental organisations which are legally licensed. The government is so distrustful of them," Baghi told IPS.

Baghi has now written a book on the death penalty and Islam. His central argument is that abolition would not be contrary to Islam.

Iranian authorities have blocked publication of the book. But Baghi is now planning to circumvent the ban by publishing it in Afghanistan. He hopes the book will play a role in reducing the religious taboo associated with any open debate on the abolition of the death penalty in the country. (END/2007)

DEATH PENALTY-US: Three Newspapers Reverse 100-Year-Old Stand by Eli Clifton

WASHINGTON, May 10 (IPS) - Three established U.S. newspapers, two of them among the 10 largest in the country, in three different states have in the past weeks abandoned their century-old support of the death penalty and become passionate advocates of a ban on state-sponsored killing.

The newspapers -- the Chicago Tribune in Illinois, the smaller Sentinel in Pennsylvania and the Dallas Morning News in Texas -- announced their change of heart in strongly-argued editorials following a series of investigative articles highlighting the flaws in the death penalty system in their states and country.

"I think in a word it's the issue of innocence that has brought about these editorials," Richard Dieter, executive director of the Death Penalty Information Centre, told IPS. "The weight of evidence in death penalty cases as seen and confirmed in DNA testing has made the death penalty too risky."

The Chicago Tribune said its "groundbreaking" reporting suggested that innocent people had been convicted and executed. Two cases in Texas were cited. Also over the last 30 years more than 130 people had been released from death row in the U.S. after evidence was presented that undermined the cases against them. In that time, Illinois had executed 12 people and freed 18 from death row.

"The evidence of mistakes, the evidence of arbitrary decisions, the sobering knowledge that governments can't provide certainty that the innocent will not be put to death -- all that prompts this call for an end to capital punishment. It is time to stop killing people in the people's name," the Chicago Tribune wrote, reversing its pro-capital punishment position held since 1869.

Pennsylvania's Sentinel newspaper, founded in 1861, also came out editorially against capital punishment after its reporters highlighted the "ineffectiveness" of the death penalty system in the state.

"The death penalty is useless," the newspaper wrote in its Apr. 3 editorial.

The state's lengthy appeals process created an almost indefinite stay of execution. This meant the numbers on Pennsylvania's death row were steadily increasing. There were now 221 on death row, the fourth largest number of any state in the country. This was a huge expense for the taxpayers, the newspaper wrote.

"We are left with a grueling process that in the end only guarantees more suffering for the victims' families and society at large as faith in the justice system erodes," the editorial said. The majority of public opinion in the U.S. now favoured prison without parole rather than capital punishment -- either out of "frustration with the system or revulsion at the punishment".

"The pendulum is swinging away from Pennsylvania's position on a law it cannot even execute," the editorial concluded.

The issue of race was also playing a major role in the fall in public support for the death penalty, particularly in Pennsylvania, Brian Evans of Amnesty USA told IPS. "There is a lot of doubt about the death penalty especially in Pennsylvania because of the disproportionate racial mix of those on death row," he said.

In Texas, the Dallas Morning News reversed its century-old support for the death penalty in an editorial on Apr. 15, citing mounting evidence that the state had wrongly convicted a number of people in capital trials and probably executed at least one innocent man.

Carlos De Luna was executed in 1989 for the murder of a petrol station attendant, although there was no forensic evidence linking him to the crime. Later, another man boasted to relatives that De Luna had been convicted for a murder he had committed.

In a second disturbing case cited by the newspaper for its change of mind over the death penalty, Ernest Ray Willis was convicted of the murder of two women in 1987. A federal judge later found prosecutors had administered anti-psychotic drugs to Willis during his trial to give him a "glazed over" appearance and show he was "cold-hearted". Prosecutors had also suppressed evidence and provided no physical proof or eyewitnesses. Questions were also raised about the competence of the court-appointed defence lawyers.

The sentence was overturned. Another death row inmate also confessed to the killings. Willis was released after 17 years on death row.

"This board has lost confidence that the state of Texas can guarantee that every inmate it executes is truly guilty of murder," the Dallas Morning News wrote.

"We do not believe that any legal system devised by inherently flawed human beings can determine with moral certainty the guilt of every defendant convicted of murder. That is why we believe the state of Texas should abandon the death penalty -- because we cannot reconcile the fact that it is both imperfect and irreversible."

The number of death sentences handed down in the U.S. has been steadily decreasing as public opinion in support of capital punishment has been falling. Some 315 death sentences were handed down in 1995, 128 in 2005 and 102 last year.

In the last five years, the U.S. Supreme Court has ruled that it is unconstitutional to execute juveniles and the mentally retarded. Thirteen of the 50 U.S. states and the District of Columbia currently do not have the death penalty. (END/2007)

DEATH PENALTY: Freed Briton Urges Pakistan to End Executions

by Zofeen Ebrahim

KARACHI, May 9 (IPS) - "Many think I escaped the noose because of my nationality. That may be so, but if you ask me, I got a new lease of life because God meant me to live."

It is the same unfaltering faith in God that helped Mirza Tahir Hussain live through 18 gruelling years behind bars in Pakistani prisons.

A native of Leeds, England, the 36-year old Briton spent half his life with the death sentence balanced, like the sword of Damocles, over his head for the murder of a taxi driver. This, he says, was committed in self-defence. Though found innocent in a criminal court, Hussain was sentenced to death by the religious Federal Shariat Court in 1988. Mounting international pressure brought on by his brother's tireless campaign finally led to his release last year.

"It took nearly two decades to get my brother off death row in Pakistan - an incredibly draining time during which our family endured emotional agony," said Mirza Amjad Hussain, who left no stone unturned to gain his brother's freedom.

Six months after his release, sitting in his home in Leeds, Hussain looks back on the time he spent in prison. Mired in what he describes as a judicial system corrupt to the core, he still marvels at how death evaded him.

"It's a strange convoluted mix of laws - a dangerous hotchpotch of civil and Islamic law, neither of which is enforced in true spirit or form. It is the most dangerous tool used at the convenience of the rich and the influential, not necessarily to provide justice. I should know, I was acquitted and then sentenced," he says in a long-distance interview conducted over the Internet.

According to Hussain, instead of acting as a deterrent, the Pakistani justice system has fanned crimes. "Murders, terrorism and sectarian killings have increased because it is very easy for actual criminals to buy their way out to freedom."

He also feels very strongly that violence cannot be resolved by state violence. "I believe that criminals should be prosecuted and held accountable, but do they have to be punished with death?" The death penalty is cruel and unnecessary.

In Pakistan, he says, each criminal case comes with its own price tag with money exchanging hands at all levels. "If you can pay through your nose, justice will be on your side."

Little wonder then that Pakistani prisons are filled with a vast population belonging to the very poorest in society, some of them falsely accused, he says.

"For criminals belonging to the affluent class and even those from the middle class, cases are not even registered. And if for some reason they have been, the victim's family is coerced and threatened till a compromise is reached."

Hussain adds: "In some cases, in connivance with the police, the case is made out to be weak. If that fails and the case somehow finds its way into the court room, huge sums are exchanged to minimise punishment or to turn a death penalty to a life term." There were healthy people declared mentally ill by the prison administration so they could "escape the gallows".

According to a newly-released report by Amnesty International, "nearly a third of the world's 24,000 death row prisoners are in Pakistan".

With inefficient government-appointed defence lawyers, "who are completely indifferent to their clients' plight" and appalling living conditions, living on death row in Pakistan "is like living in your grave", says Hussain.

Death row cells are no bigger than 3.6 metres by 2.7 metres with "between 10 - 12 prisoners crammed together like animals," he says, adding, "we had to take turns even to sleep".

Because of serious flaws in the judicial system and evidence of miscarriages of justice, Hussain is deeply concerned over the convictions handed down in Pakistan. "Like me, many of Pakistan's death row inmates are innocent or had unfair trials, but unlike me they are likely to meet a cruel death with no one there to save them. How many innocent lives need to be taken before capital punishment can be abolished?" he asks.

Amnesty International in its recent report 'The death penalty worldwide: developments in 2006', singled out Pakistan for its "unfair trials", together with Iraq and Sudan.

Some of Pakistan's 7,000 death row inmates facing imminent execution are juvenile prisoners -- despite a 2000 decree banning this, says Hussain. "I saw them on death row, even after the ban," says Hussain. "Their ages were conveniently increased by the authorities in connivance with the magistrate." He says he cannot forget the execution of a 16-year old boy from a village and who had worked as a labourer. "He was the sole breadwinner and had been falsely implicated. You cannot fathom the mental anguish we (other inmates) all went through at his death."

Amnesty International has confirmed that Pakistan executed one child offender last year. Pakistan had abolished the juvenile death penalty, "but there had been problems concerning the nationwide compliance with the law".

Amnesty International places Pakistan third on the list of 25 countries known to have in total executed at least 1,591 last year. China executed 1,010, Iran 177 and then came Pakistan with 82, Iraq 65, Sudan 65 and the U.S. 53. These six countries, alone account for 91 percent of all executions carried out worldwide in 2006.

On the eve of the release of the Amnesty International report with these figures, its director in Britain Kate Allen said: "We urgently need to see 'death penalty governments' issuing bans on all imminent executions, especially President Musharraf in Pakistan." (END/2007)

CUBA: Soldiers Accused of Hijacking Could Face Death Penalty by Patricia Grogg

HAVANA, May 8 (IPS) - Two Cuban soldiers who attempted to hijack an airplane to fly to the United States are both wounded and awaiting trial, Cuban President Fidel Castro announced Tuesday, while accusing the United States of fomenting illegal emigration.

"A great deal of serenity and sangfroid are needed to face these issues," said the convalescent Castro, 80, in an article published on the front page of Granma, the newspaper of Cuba's governing Communist Party. It is the fifth he has written in the last two months.

According to the initial reports, three armed conscripts doing their two years' military service, which is obligatory for young men in Cuba, escaped from a military base on Apr. 29, killing another conscript on guard duty, Yoendris Gutiérrez, and wounding an unnamed soldier in the process.

One of the three deserters was arrested and "revealed that their purpose was to leave the country illegally." The other two hijacked a public city bus, with several passengers on board, and sped to the domestic flights terminal of Havana's José Martí International Airport.

After boarding an airplane, "the murderers killed with four shots one of the hostages, Lieutenant Colonel Victor Ibo Acuña Velázquez of the Revolutionary Armed Forces (FAR), who despite being unarmed, heroically tried to prevent the terrorist action," a communiqué from the Cuban Interior Ministry said on May 3.

A few days earlier, the police had circulated photographs of the three deserters, identified as Yoan Torres Martínez, 21, Alain Forbus Lameru, 19, and Leandro Cerezo Sirut, also 19.

Dissident leaders told IPS that relatives of the fugitives said Forbus Lameru was the first to be imprisoned, which would imply that Cerezo Sirut and Torres Martínez were the presumptive suspects of the alleged events at the airport. The Interior Ministry communiqué did not mention any of their names.

Castro gave further details, hitherto unknown, about the case, which he links with the Apr. 19 release of Cuban anti-Castro terrorist Luis Posada Carriles from U.S. custody on bond.

The two soldiers involved in the hijacking attempt have not yet been tried because both were wounded during the incident, one of them by shots fired by the other inside the plane, Castro said.

The wording of the disclosure seems to imply that the deserters may face a different kind of trial from that of the Cubans who hijacked a ferry, kidnapping the passengers, in April 2003. Three of them received the death penalty.

Observers pointed out that Castro referred to the soldiers as "two young people" who committed crimes as a result of "aspiring to enjoy U.S. consumerism." In contrast, the earlier Interior Ministry report called them "criminals" and "murderers."

Now many people in foreign countries are waiting for the reaction from the courts and the Council of State, at a time when the Cuban people are "profoundly indignant about what has happened," Castro commented, perhaps foreseeing an international reaction similar to the one in 2003.

In his view, "the impunity and the material benefits that have rewarded all violent action against Cuba for nearly half a century stimulate such acts." Nothing like this had happened in months, he wrote.

The 80-year-old Castro has been convalescing since intestinal surgery in July 2006, showing signs of gradual recovery since early 2007.

In April 2003, 11 armed individuals seized a ferry with dozens of passengers on board, with the aim of defecting to the United States. The hijackers were given a summary trial and three of the defendants, identified as the "most active and brutal ringleaders," were sentenced to death. The sentence was carried out immediately.

The incident was part of a spate of hijackings by people attempting to defect to the United States. The Cuban government accused the U.S. of hatching a "sinister plan (to cause) provocation."

With respect to the April 2003 passenger ferry hijacking, Castro said the death penalty had to be applied "without a moment's hesitation" in order to strike at the root of a situation that was threatening national security.

The verdict drew adverse reactions even from staunch supporters of the Cuban revolution. In a lengthy interview that Castro gave to French journalist and editor Ignacio Ramonet in 2006, the Cuban leader said he believed Cuba was gradually moving towards a future in which the country would be in a position to abolish capital punishment.

The death penalty has not been applied in Cuba since April 2003. Under Cuban law, it cannot be imposed on people under 20 years of age, nor on women who were pregnant at the time of committing a crime or when they are sentenced.

Elizardo Sánchez of the Cuban Commission for Human Rights and National Reconciliation, a dissident group, told IPS that "technically" the soldiers could be sentenced to death.

He pointed to the two murders committed by the soldiers, according to the official communiqué, and the attempted hijacking of an airplane, to which the law against terrorism could apply. (END/2007)

RIGHTS: Germans Struggle to Resolve Justice Issues

by Julio Godoy

BERLIN, May 4 (IPS) - Thirty years after the German's chief federal prosecutor Siegfried Buback was assassinated by left-wing

terrorists, a debate has re-surfaced over what should be the appropriate punishment for a convicted killer -- and whether politically motivated crimes deserve exceptionally harsh punishment.

On April 7, 1977, Buback, his driver and bodyguard were shot as their car was ambushed by two members of the so-called Red Army Faction (RAF), the urban guerrilla group formed by former students of the 1968 protest movement that was responsible for 34 deaths and many injuries in the 1970s and 1980s.

The Buback assassination is considered in Germany as the climax of the so-called 'years of lead', in the late 1970s, when the RAF escalated its urban guerrilla war against the country's political and economic institutions.

At the time, the hysteria that accompanied the wave of killings led many German politicians, police and the right-wing media to call for the re-introduction of the death penalty which had been abolished in the 1949 constitution adopted after the end of World War II. The cry was often "to hunt the terrorists down to their graves".

Memories of the heated debate over the appropriate punishment for terrorists have now re-surfaced after Christian Klar, the only RAF member still in prison, requested clemency. Klar was found guilty of participating in the Buback killing along with three other RAF members -- Brigitte Mohnhaupt, Knut Folters and Guenter Sonnenberg.

Separate trials were held for these. Klar was also convicted of other terrorist offences.

Klar is today the only member of the RAF still held in prison. In February, Mohnhaupt was released on parole.

At his trial 25 years ago, Klar received a maximum life sentence. In Germany this means at least 20 years in prison. Depending on the prisoner's behaviour, this sentence can be prolonged to 27 years, after which a release is mandatory.

In a request to German President Horst Koehler, Klar asked for a two-year reduction of his prison term that could continue until 2009. Koehler has yet to make a decision.

But in an effort to keep Klar behind bars to the very end of the maximum 27-year term, right-wing politicians and media, relatives of the RAF victims and even church authorities have joined together to criticise Klar's request for clemency as "shameless".

In an open letter of protest addressed to Koehler, Sigrun Schmid, widow of a police officer killed by the RAF in 1971, recently wrote: "I cannot believe that you are seriously considering releasing Klar from prison. Up to now, he has never shown any repentance for his crimes, and you, Mr President, are thinking of pardoning a merciless man?"

Commenting critically also on Klar's request, Ernst Freiherr von Castell, legal counsellor at the Catholic diocese of Augsburg, in the south of the country, said in a radio interview that "clemency presupposes repentance and truthfulness" from the criminal's side.

"I believe that having served out a sentence is not enough, the criminal must be ready to start a new life again," von Castell said.

Even stronger views have come from Guenther Beckstein, minister of the interior of the federal state of Bavaria, a well-known conservative politician and member of the Christian Social Union party. A criminal like Klar "belongs behind bars", he has said, adding: "It is my view of justice that a criminal who does not confess is undeserving of clemency."

Beckstein is also against any relaxation in Klar's prison regime and temporary visits outside the prison gates to prepare him for his eventual release.

The swirling controversy over Klar and his punishment has been complicated by sensational revelations suggesting that he may not have been as involved in Buback's assassination as the prosecution argued at his trial. According to secret confessions by ex-RAF members, Klar was not "immediately present" when Buback was shot.

German police have now admitted that they have known of these confessions for years. But they were kept secret to protect their informants from other former RAF members.

Ex-RAF police informants have also reportedly said that Folters, one of the four found guilty of participating in Buback's assassination, was not even in Germany at the time. He was said to have been staying in Amsterdam. Folters was also sentenced to life imprisonment for other terrorist offences.

The information and the failure of the authorities to act on it, together with the current debate over whether to release Klar or not, throw into question once again the official German assertions that the RAF terrorists were treated like any other criminals. A special, high-security prison wing was built to hold some of them and they were kept in isolation.

In November 1974 Holger Meins died during one of the hunger strikes organised by RAF members to protest against their conditions in prison.

In 1976 Ulrike Meinhof was found dead hanged in her cell, apparently after committing suicide.

On October 13, 1977 German special forces stormed a hijacked Lufthansa passenger plane which had landed in Mogadishu, shooting the four Arab hijackers who were demanding the release of 11 RAF terrorists held in the Stammheim prison. Three hijackers died on the spot. All the passengers were released without serious injury.

The next day in Stammheim, Andreas Baader was found dead in his cell with a gunshot wound. Gudrun Ensslin was found hanged in her cell. Jan-Carl Raspe died in hospital the following day from a gunshot wound. A fourth RAF member, Irmgard Moeller survived with four stab wounds in her chest.

The official version is the three committed suicide. But Moeller has claimed these were extra-judicial killings in answer to the hijacker's demands for their release. (END/2007)

DEATH PENALTY: Young U.S. Lawyers Halting Executions by Adrienne Appel

BOSTON, May 2 (IPS) - Youthful idealism and perseverance are helping to win the day against the U.S. conservative establishment and its huge law enforcement resources in the life and death legal struggle to halt execution by lethal injection -- and with that the final end to the death penalty in the country.

"Young, low-paid attorneys are involved. They are very dedicated," Deborah Denno, professor of law at Fordham University and an expert on death penalty issues, told IPS. They were a "big force" for change.

The lawyers -- some fresh out of university -- were helping to successfully convince one court after another that death by lethal injection might not actually be as painless as everyone supposed. That possibility raised the question whether a sentence to death by lethal injection was legal.

Lethal injections were first used for state killings in Texas in 1982. They were then quickly adopted by most other U.S. states as a more humane execution method than the electric chair or gas chamber. Thirty-eight of the 50 U.S. states still maintain the death penalty. All but one of these can legally use lethal injections.

Nine hundred and one people have so far been executed in this way in the U.S, according to the Washington-based Death Penalty Information Centre. There were 53 executions in the U.S. last year, 52 of which were conducted by lethal injection. So far this year there have been 15 executions in the U.S. -- all by lethal injection.

Recent legal challenges to lethal injections have succeeded in halting executions in 12 states. Evidence has often been presented to show that death by lethal injection could be in violation of article eight of the U.S. constitution. This bans "cruel and unusual" punishment.

Many of these legal challenges have been initiated by the young lawyers who specialise in taking on court-appointed legal work. In the U.S. these lawyers are known as "public defenders". Nearly all the people on capital charges or waiting on death row need a court-appointed lawyer because they are too poor to pay their legal fees. Public defenders are generally the lowest-paid practicing lawyers in the country, Denno said.

Not all of these lawyers are good, some critics say. Some lack experience or motivation. But many are distinguished by their readiness to "go the extra mile", said Kelly Culshaw, a lawyer in an Ohio law firm specialising in taking on clients allocated to her by the courts.

"It's a huge responsibility," David Barron, a public defender in the state of Kentucky, told IPS. "I wanted to be a death penalty lawyer after leaving law school. I did have the opportunity to do other things. It's worthwhile to help others and do things for people who need it the most."

In Kentucky, lawyers like Barron have established a nationwide reputation for challenging execution by lethal injection. In 2004 they succeeded in bringing a halt to all executions in their state as judges considered their arguments. This halt stands today.

"That group really did an excellent job," Denno said. Their experience was passed on to other lawyers representing inmates facing death by lethal injection in other states. The internet made possible a sharing of information on a national scale that could not have been possible a decade ago, Denno said.

Last year, the controversy over lethal injections reached the U.S. Supreme Court. The court ruled that challenges to constitutionality of lethal injections could be made -- essentially encouraging activists like Barron to intensify their campaigning work.

In the state of Alabama, official legal aid ends with a sentence to death row. But a group of engaged lawyers have formed a non-profit organisation called the Legal Justice Initiative to help with legal fees for inmates.

"I've been fortunate to recruit talented lawyers who could be making five times what they make here," Bryan Stevenson, professor of law at New York University and executive director of the organisation told IPS. He described his team as "mission driven".

"They are burdened by the inequality, unfairness, discrimination and inaccuracy they see in the criminal justice system," Stevenson said.

He added: "We try to represent as many people as possible." But in a state with 200 people on death row awaiting execution, the small staff was overwhelmed by the volume of work.

But they had still found time to go to the Supreme Court over the death penalty. They want the court to rule on whether Alabama is violating the constitution by denying death row inmates access to court-appointed lawyers to save them from execution.

"(In Alabama) we say we can't afford to represent them. If you can't afford to make it fair, you can't have the death penalty," Stevenson said.

The court is expected to issue its ruling in the next weeks. As it deliberates, yet more disturbing evidence is emerging on the effectiveness of the U.S. lethal injection system.

Medical researchers reviewing 41 lethal injection executions in California and North Carolina have concluded that inmates may have been sufficiently conscious to feel they were choking to death or being strangled. They might have also had a burning sensation as their hearts were brought to a standstill by the cocktail of drugs.

In three out of eight executions the researchers reviewed at the San Quentin prison, a second dosage of the cardiac arresting drug potassium chloride was required to complete the execution.

"The conventional view of lethal injection as an invariably peaceful and painless death is questionable," the researchers say.

The research is published in the current issue of the medical journal 'Public Library of Science Medicine'.

In an accompanying editorial, the magazine writes: "It is time for the U.S. to join the majority of countries worldwide in recognising that there is no humane way of forcibly killing someone."

"The new data in PLoS Medicine will further strengthen the constitutional case for the abandonment of execution in the U.S. As a moral society, the U.S. should take a leading role in the abandonment of executions worldwide."

There are 3,350 people on death row in the U.S, according to the Death Penalty Information Centre. Since 1976 when the death penalty was reinstated in the U.S, 1,072 people have been executed. So far, 123 people sentenced to death have later been exonerated. (END/2007)

News from International NGOs

CHINA: THE OLYMPICS COUNTDOWN – REPRESSION OF ACTIVISTS OVERSHADOWS DEATH PENALTY AND MEDIA REFORMS

Sweden: "[...] More than 80% of the total number of executions in the world today take place in China where a shockingly high number of crimes can lead to the death penalty. This is certainly not in the Olympic spirit."

China: "[...] We find particularly unacceptable the reference in his statement to death penalty statistics and the linkage between the death penalty and the Olympic spirit. According to the Olympic Charter, the Olympic Games are a major athletic meet of the whole world. No country should take this opportunity to politicize the Olympic Games. Mr President, China is a country with a rule of law. The death penalty only applies to the most heinous crimes in China and this is entirely compatible with the provisions of the International Covenant on Civil and Political Rights (ICCPR). This year starting from 1 January, the right of approval of death sentences will return to the Supreme People's Court (SPC). By doing this, we are seeking to limit the application of the death penalty in China. I'm confident that with the development and progress in my country, the application of the death penalty will be further reduced and it will finally be abolished."

Statements made by the Swedish and Chinese representatives to the UN Human Rights Council, (HRC) 12 March 2007 (6)

The statement by the Swedish representative above is a recent illustration of connections which are increasingly being made in international fora between China's hosting of the Olympics in 2008 and ongoing human rights concerns. Amnesty International hopes that such connections will help to strengthen domestic efforts towards reform in line with the expectations of human rights activists within China and human rights promises made by Chinese officials when Beijing was awarded the Olympics in 2001.

Amnesty International is disappointed, however, that in his response, La Yifan, the Chinese representative to the HRC, referred to 'politicization', instead of recognizing the legitimate connections between Olympic principles of 'human dignity' and concerns about the death penalty as a violation of the right to life and the ultimate cruel, inhuman and degrading punishment. In contrast, public comments from leading Chinese officials suggest that the recent death penalty reforms have been driven in large part by concerns for respect for 'preservation of human dignity' – an important principle in the Olympic Charter. For example, in March 2007, Xiao Yang, President of the SPC reportedly stated: "*A case involving a human life is a matter of vital importance...We can never be more careful in this regard.*" (7) In the same month, Ni Shouming, an SPC spokesperson stated: "*Abolishing capital punishment has been a global trend, and we will eventually work towards that direction.*" (8)

Amnesty International welcomes this and other recent statements made by Chinese officials which underscore the value of human life. The organization also welcomes reforms, including the restoration of SPC review, which are intended to reduce the number of those who are sentenced to death and executed and strengthen safeguards against unfair trials. However, Amnesty International is concerned that these reforms will only have a limited impact unless they are broadened and accompanied by other essential measures as detailed below. There is also a risk that they could have the adverse effect of shoring up the death penalty system, notwithstanding the confidence expressed by China's UN HRC representative that the death penalty will finally be abolished.

EXECUTIONS FALL AS PRESSURE GROWS FOR UNIVERSAL MORATORIUM

A death penalty free world is possible if key governments are willing to show political leadership, said Irene Khan, Amnesty International's Secretary General. "Amnesty International is calling for a universal moratorium on executions. Only six countries -- Iran, Iraq, Sudan, Pakistan, the USA and China -- were responsible for 90 percent of all executions carried out in 2006. These hard core executioners are isolated and out of tune with global trends," said Ms Khan.

In 1977 only 16 countries had abolished the death penalty for all crimes. Ten years on, the number of abolitionist countries continues to rise which is creating a momentum to end capital punishment. In 2006, the Philippines was the latest to join the 99 countries that have abolished the death penalty for ordinary crimes. Many more, including South Korea, stand on the brink of abolition. In Africa only six countries carried out executions in 2006. Belarus is the only country that continues to use the death penalty in Europe. The USA is the only country in the Americas to have carried out any executions since 2003.

According to Amnesty International figures, the number of executions worldwide fell from 2,148 in 2005 to 1,591 in 2006. Iraq joined the list of the world's top executioners in 2006. The use of capital punishment has increased rapidly following its reinstatement in Iraq in mid-2004. Since then, more than 270 people have been sentenced to death and at least 100 people have reportedly been executed. There were no executions reported in 2004 and at least three men were executed in 2005. In 2006, global attention on the televised hanging of Saddam Hussein in December belied the reality that the execution rate in Iraq had dramatically escalated over the year with more than 65 hangings, of which at least two of those put to death were women.

Iran's execution rate nearly doubled compared to 2005, with at least 177 people killed. In 2006, Pakistan joined the list of top executioners with at least 82 executions. Sudan executed at least 65 people, with the true number believed to be higher, and 53 people were executed in 12 states across the USA. Iran and Pakistan were the only countries that executed child offenders during 2006 – in violation of international law -- four and one respectively.

UNJUST AND UNFAIR: THE DEATH PENALTY IN IRAQ

Amnesty International reports: The use of the death penalty has increased rapidly in Iraq since it was reinstated in mid-2004. Since then more than 270 people have been sentenced to death and at least 100 people have reportedly been executed. There were no executions reported in 2004 and at least three men were executed in 2005, but since then there has been a rapid rise in executions with at least 65 people, including at least two women, reportedly executed by hanging in 2006.(1) Iraq now figures among the countries with the highest numbers of executions reported in 2006. Higher totals were recorded only in China, Iran and Pakistan.(2)

The death sentences against Saddam Hussain and three of his co-accused by the Supreme Iraqi Criminal Tribunal (SICT) and their subsequent executions at the end of 2006 and in early 2007 provoked wide international condemnation and a controversial debate within the Arab world. UN human rights experts and international human rights organizations, including Amnesty International, concluded that the executions were carried out after a trial which failed to meet international fair trial standards, and an appeal process which was fundamentally flawed.(3)

However, Amnesty International is concerned that, in addition to these high profile cases, the death penalty has been increasingly imposed following unfair trials before other Iraqi criminal courts, including the Central Criminal Court of Iraq (CCCI). Since the reinstatement of the death penalty in mid-2004 more than 250 people have been sentenced to death by the CCCI.

WORLD PRESS REVIEW – March 2007

D'ALEMA SAYS TEXT FOR UN RESOLUTION IS READY

ANSA reported on May 30: "I would like to reassure Mr Pannella and the public that we are working: we have prepared the text for the resolution and sent it to the German EU presidency. We are contacting all countries we think may become co-sponsors of this initiative." This is what the Italian Minister of Foreign Affairs Massimo D'Alema, interviewed by Radio Radicale, said about the initiative for the universal moratorium on capital executions and the announced start of a thirst strike by Marco Pannella and the other radical activists, who have all been on an indefinite hunger strike for a month and a half.

"We are working because once the text is ready, and it is, and once we've found co-sponsors we'll be ready to go to the Council of General Affairs in June and say "we are ready, let's start", D'Alema added. According to D'Alema the fundamental objective is "to succeed. Whether we get there one week in advance or one week later is of little importance. The main problem is to obtain the large majoritarian consensus which would, for the first time (having failed in the first three attempts), represent a mile stone in the fight for human rights and against the death penalty. We are working on this goal. I would like to reassure Mr Pannella: with his action he's pushing us to act faster. We are working, we are not still", concluded D'Alema.

ITALY AND GERMANY IN CHARGE OF WRITING RESOLUTION

ANSA reported on May 14: At the end of the Meeting of EU Ministers of Foreign Affairs, the Italian Vice Premier Massimo D'Alema announced that the EU ministers have unanimously given Italy and the German presidency the task to prepare the text for the resolution on the moratorium for the death penalty, which is to be presented at the current UN General Assembly.

This represents a "success for Europe, where Italy played the most important role", D'Alema said.

The task given by the EU includes finding participants for a "cosponsorship" and making contact with the presidency of the UN Assembly so that the resolution can be presented at the current General Assembly.

"We're glad to say that the decision made by the EU member countries will turn the Italian initiative from a "solitary" project to one where Italy is sided by the German presidency." D'Alema said.

D'Alema also showed "gratitude" to Germany and the other EU countries that supported the Italian initiative and added that now it is time to work on the facts. "The decision has been made; now we have to prepare the resolution text, find "cosponsorships" and make contact with the presidency."

As for the timing of the initiative, D'Alema reminded of his will to have this matter included in the current UN General Assembly's agenda. "Hopefully all regulatory conditions will come about and the presidency will allow this matter to be included in the current agenda." D'Alema also said that the campaign to put and end to the death penalty has been a "growing" one, to which an important contribution was made by the "almost unanimous" vote of the European Parliament.

D'Alema also explained that the objective of the "cosponsorship" is not simply to expand the consensus but to have more countries promoting the cause, along with Italy and Germany.

In answering to journalists' questions, D'Alema said that amongst the countries that could become "cosponsors" are Brazil, South Africa and New Zealand.

EU UNDER PRESSURE TO PUSH CHINA, OTHER ASIAN NATIONS TO ABOLISH DEATH PENALTY

AP reported from Hamburg May 28: A human rights group urged the European Union on Monday, the start of talks between EU and Asian foreign ministers, to push China and other Asian nations to abolish the death penalty. In a letter sent to German Foreign Minister Frank-Walter Steinmeier, Amnesty International said he should «make a special effort» to press Asian foreign ministers at the meeting in Hamburg to do away with capital punishment. «Asia continues to be the leading continent performing executions,» the London-based group said. «Hanging, shooting or administering lethal injections are examples of the execution methods used.»

Human rights, along with climate change, building closer trade and energy ties and international issues such as Iran and North Korea's nuclear programs, are among the major topics on the agenda for the two-day meeting of about 40 ministers. A separate EU-China meeting was being held before a working dinner between EU and Asian foreign ministers. Amnesty said Singapore has one of the highest rates of executions in the world. It also condemned «secret» executions by China, adding it believed Beijing put to death «at least» 1,010 people last year. The group said Indonesia, Japan, Vietnam and Malaysia also were still using the death penalty.

Dick Oosting, head of Amnesty's EU office in Brussels, said that many Asian nations were using anti-terror and counter-narcotics programs to justify the use of the death penalty. Steinmeier was also expected to push China, India and others to cut carbon dioxide emissions. «We want to produce less carbon dioxide, because it's bad for the climate, and make greater use of renewable energies,» Steinmeier said in an interview with Hamburger Abendblatt daily before Monday's talks. At a meeting last year in Helsinki, Finland, European and Asian leaders promised to set new carbon reduction goals that go beyond those set for 2012 under the U.N.'s Kyoto Protocol. However, they have set no firm targets, facing resistance from China and India.

MALAWI HIGH COURT SCRAPS AUTOMATIC DEATH PENALTY

The High Court of Malawi has declared the death sentences on all prisoners on death row unconstitutional in a landmark judgment that spells the end of the automatic death penalty, the Laqwywer.com reported May 14. In a unanimous judgment on 27 April, the High Court ruled that the automatic nature of the death penalty in Malawi for murder and other offences violated the right to life and amounted to inhuman punishment as it did not provide the individuals concerned with an opportunity to mitigate their death sentences.

As a result several dozen prisoners currently on death row, including the applicant in the High Court case Francis Kafantayeni, will be resentenced with the death penalty as a possible, but not a certain, option.

The High Court victory results from a team effort between Malawian and UK lawyers. The Malawian lawyers included Redson Kapindu from the Malawi Human Rights Commission and independent lawyers Ralph Kasambara, John-Gift Mwakhwawa and Noel Chalamanda.

They were assisted by a team of UK lawyers comprising Saul Lehrfreund and Parvais Jabbar, executive directors of the Death Penalty Project, which is run in association with London firm Simons Muirhead & Burton, and Keir Starmer QC and Joseph Middleton of London's Doughty Street Chambers. Lehrfreund said: "The cases of at least 30 prisoners on death row will now have to be reviewed. The implications for future murder trials will be the introduction of a completely new set of procedures restricting the imposition of the death penalty in the first instance."

The four UK-based lawyers are part of a larger team that has been involved in successfully challenging mandatory death penalties in nine Caribbean countries since 2000 and in Uganda in a 2005 case that saved 417 prisoners from execution. Jabbar said: "The jurisprudence in Uganda and other regions has now been accepted in Malawi and this reflects the notion that law should move progressively towards the greater protection of human rights."

AUSTRALIAN FACING DEATH PENALTY IN SUDAN

A Brisbane man is facing a possible death penalty in Sudan after being found guilty of murdering a Ukrainian engineer. George Forbes, 45, who has been working for a private Kenyan company in southern Sudan, was arrested in March and charged with murder and several other offences, stuff.co.nz reported May 22. A Department of Foreign Affairs (DFAT) spokesman said Forbes had been found guilty of murder overnight in a court in the southern city of Rumbek, but has not yet been sentenced. "We expect Mr Forbes will be discussing his options, including a possible appeal with his lawyers," the spokesman told the Australian Newsagency AAP.

"The ambassador in Cairo, who is accredited to Sudan, is being sent back to Rumbek to take whatever steps are necessary to ensure Mr Forbes' legal rights, health and welfare are protected." The Australian was arrested with a number of other workers from Trax International Construction after Mykola Serebrenikov, who worked for another company, was found hanged in a bathroom at Trax's compound in Rumbek. An autopsy listed suicide as the cause of death.

Seven men, including Forbes, were reportedly arrested but four have since been released.

Forbes' co-accused, two Kenyan men, have also been found guilty of murder, which in Sudan can be punished by death. They are all now being held in Rumbek prison. Foreign workers in the area have claimed Mr Forbes and two colleagues got into trouble in Rumbek because of their "kindness", saying they are being victimised for being foreigners. There was no indication on when Mr Forbes would be sentenced, but the judge is now consulting with the victim's family to see if they want the death penalty imposed.

PAKISTAN CHRISTIAN CONVERTS COULD FACE DEATH PENALTY FOR LEAVING ISLAM

A key human rights group in Pakistan has expressed "grave concern" over government plans to introduce an anti-apostasy law under which those leaving Islam, including Christian converts, could face the death penalty or life imprisonment. In a statement monitored by [BosNewsLife](http://BosNewsLife.com) on Monday, May 14, the Human Rights Commission of Pakistan (HRCP) said, "It is imperative that the authorities carefully consider any decision in this regard given the tendency to abuse laws in the country."

The HRCP noted that already the controversial "blasphemy law" is "widely used to settle petty, personal disputes" which it claimed inflicted suffering "on many innocent persons through its misuse." The human rights group urged the government to realize that a "great many other issues of national significance currently face the country, and perhaps deserve greater attention than apostasy" which it stressed "could open up a new and dangerous controversy."

Under the proposed law a man who leaves Islam for another religion can reportedly be sentenced, to death while a woman can face life in prison "until repentance occurs." It stipulates that the 'offender' must be granted up to 30 days to recant the conversion and return to Islam, according to observers familiar with the law. Even in cases where the person returns to Islam judges can impose two-year sentences as punishment for the original 'crime'. Under the law proposal, the accused can convert and reconvert up to three times before the death sentence becomes automatically imposed.

In addition properties of the accused are apparently awarded only to Muslim relatives while they also lose custody to any minor in their care and guardianship, including their biological children. "There is as such a danger the new law could ignite further sectarian friction and acrimony," HRCP said. "It is also a fact that there is apparent lack of unanimity among Islamic scholars on the application of centuries-old concepts in the modern age," the group stressed adding that authorities also "to carefully consider global opinion" and "Pakistan's obligations to uphold human rights..." It comes amid growing international and local concern about reports of violence and threats against Pakistan's Christian minority.

CHINA SEEKS EXTRADITION PACTS IN SPITE OF DEATH PENALTY

New York Times reported May 28 from Beijing: China has called on Western countries to put aside fears about its death penalty and sign extradition treaties, state media reported today, as the

Communist Party seeks the return of suspected corrupt officials and criminals who have fled overseas. Some governments have been reluctant to sign extradition treaties with China because of concerns about its widespread use of the death penalty and doubts about the fairness and independence of its courts, according to Chinese officials and foreign diplomats.

In March, France became only the third developed country after Spain and Portugal to sign an extradition treaty with China. In its agreements with these three countries, Beijing has guaranteed that suspects returned to China for trial will not face the death penalty. The official Xinhua press agency reported this month that Japan was ready to negotiate an extradition treaty, but there has been no confirmation of this by the Japanese government. The official English-language China Daily newspaper reported today that 29 countries had now signed extradition treaties with China.

"We are trying hard to negotiate with developed countries to conclude bilateral extradition treaties," the paper quoted Duan Jielong, director of the Foreign Ministry's treaty and law department, as saying. Senior Chinese officials routinely warn that rampant official corruption is one of the biggest threats to Communist Party rule and the authorities have mounted a series of sweeping crackdowns on graft in recent years. But many suspects, including government officials and managers of state-owned businesses, have fled to developed countries including the United States, Canada and Australia to escape arrest.

The China Daily reported that about 800 suspects wanted for economic crimes were at large overseas, according to officials from the country's Public Security Bureau. In earlier reports, state media said that up to 4,000 officials have pocketed a total of \$50 billion and escaped overseas in recent years. The most celebrated Chinese fugitive is the suspected smuggling boss, Lai Changxing, who has been living under a form of house arrest in Canada for seven years while he fights in the Canadian courts to avoid being returned to China.

BALI NINE LAWYER HOPEFUL DEATH PENALTY WILL BE ABOLISHED

A Melbourne lawyer for convicted Bali nine drug traffickers, Andrew Chan and Myuran Sukumaran, has flown to Indonesia to try to have their death penalties overturned., ABC Online reported May 1. The pair and seven other Australians were caught smuggling more than eight kilograms of heroin out of Indonesia in 2005.

Six members of the group face the death penalty and three have lodged applications with Indonesia's Constitutional Court, arguing the death penalty is unlawful. An appeal against the sentence will be heard tomorrow in Indonesia's Constitutional Court. Lawyer Joel Backwell and a number of international law experts will assist an Indonesian legal team, which will argue that the death penalty is unconstitutional.

He says there is no certainty the sentence will be overturned. "From this point forward it is the best opportunity there has been to overturn the death penalty in Indonesia," he said. "But it's a new court and there is no precedent for a case of this kind so it's very difficult to make any predictions at this stage."

Mr Backwell says he is hopeful Indonesia will continue the recent trend of other countries, which have abolished the death penalty. "It's an independent decision by a panel of nine different judges so commenting on the case itself is very difficult," he said. "What I can say is that the international trend has been towards the abolition of the death penalty. "This has occurred recently in the Phillipines and I saw that the same has just occurred in Malawi, in Africa."

CALLS TO ABOLISH THE DEATH PENALTY EMERGE NATIONWIDE SCHWARZENEGGER, HOWEVER, PLANS TO RESTART CAPITAL PUNISHMENT SOON

A federal judge may have halted the state's executions for the time being, but that hasn't changed Gov. Arnold Schwarzenegger's stance on the death penalty, writes Stephanie Hoops May 7 in 'Venture County Star'. "The governor supports the death penalty period," said his spokesman, Bill Maile.

Schwarzenegger continues to dig in his heels as fissures in support for capital punishment erupt nationwide. Next week, Schwarzenegger will submit a corrective action plan to the judge, a move toward getting California's capital punishment system running again. Meanwhile, growing calls to abolish the death penalty are emerging in other states.

In Florida, for example, Gov. Jeb Bush imposed a moratorium on Dec. 15, the same day U.S. District Court Judge Jeremy Fogel suspended California's system. Florida botched an execution, prompting Bush to set up a commission to consider the humanity and constitutionality of lethal injections. Three months ago, Maryland Gov. Martin O'Malley called for the death penalty's repeal, after the state's courts had already suspended executions.

SUPREME COURT DISMISSES DEATH PENALTY CASE

United Press International (UPI) reported May 21: The U.S. Supreme Court Monday dismissed a case challenging a federal court's authority to overturn a death sentence over a prosecutor's inflammatory remarks. The case involved William Weaver, who was convicted in Missouri of first-degree murder and sentenced to death in the 1988 killing of a witness in a drug trial. A federal appeals court overturned his death sentence because of inflammatory remarks the prosecutor made during closing arguments. The Supreme Court dismissed the case 6-3, with the majority saying the circumstances in the case had changed.

The court also ruled Monday in an antitrust case involving Bell Atlantic that claims of "parallel business conduct" are not sufficient to prove an antitrust conspiracy. Another Supreme Court ruling Monday said the parents of a disabled child have the right independent of their child to enforce federal laws regarding the public education of children with disabilities. The court also found it didn't have jurisdiction to rule in a case regarding whether members of Congress are immune from employees' lawsuits over workplace rights. The decision involved former U.S. Sen. Mark Dayton, D-Minn., and a former employee who sued him under the Family and Medical Leave Act, the Americans with Disabilities Act and the Fair Labor Standards Act.

DEATH PENALTY BANNED IN THIRD TRIAL

AP reported from Lake Charles, La on May 28: A man facing a trial for killing a 6-year-old boy in the southwestern Louisiana community of Iowa will not face the death penalty if convicted. The Louisiana Supreme Court ruled recently that Ricky Joseph Langley cannot be tried for capital murder, since he had been previously convicted of second-degree murder, which carries a mandatory sentence of life in prison without parole. The victim's mother, Lorelei Guillory, has said she doesn't want Langley sentenced to death.

Langley was renting a residence from a family when Guillory knocked on his door on Feb. 7, 1992, looking for the family's children. The boy was killed after he accepted Langley's invitation to wait inside, prosecutors said. During a pretrial hearing in 2002, Lorelei Guillory pleaded asked to let Langley plead guilty to killing her son and serve life in prison. The death penalty is legalized murder, and not something her son would want, she said, calling him a "very forgiving child."

The high court's 6-1 ruling last week overturned a state appeal court decision that Langley, who was charged with first-degree murder but convicted of second-degree murder at his second trial in 2003, could be prosecuted a third time on the capital charge. The decision reinstated state District Judge Wilford Carter's ruling that jurors who heard the second trial had effectively acquitted him of capital murder. Prosecutors said they could seek the death penalty again because that verdict had been nullified.

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