



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.

IPS Columnist Service

► DEATH PENALTY NOT A DETERRENT BUT A CAUSE OF VIOLENCE

By Fatima Aburto

Fortunately for humanity, the death penalty is being eradicated from the world. Executions have dropped by 25 percent between 2005-2006 and the countries that still have the sanction are growing fewer and fewer. In fact between 1977 and 2006 the number of abolitionist countries has increased from 16 to 89; if you include countries that have not imposed a death sentence for the last ten years, the number rises to 129 that are free of this blight. Ninety percent of the executions worldwide are carried out by six countries: China, Iran, Pakistan, Iraq, Sudan, and the United States.

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RIGHTS-ZAMBIA: Cyberspace Casts Light on the Lives of Death Row

By Newton Sibanda

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By Matthew Cardinale

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RIGHTS-IRAN: "Blood Was Everywhere, the Smell of Death"

By Omid Memarian

BERKELEY, United States - Criticism of Iran's judiciary is mounting following the brutal execution of a man who was convicted of adultery more than a decade ago and stoned to death on Jul. 5. Although the head of the judiciary branch, Ayatollah Mahmoud Shahrudi, issued a written order stopping the execution almost a month ago, the judge in the case insisted on stoning Jafar Kiani to death.

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Q&A: Voices for Abolition Grow Louder

Interview with Bill Pelke, Anti-Death Penalty Activist

BOSTON - In May 1985, Bill Pelke's beloved grandmother was brutally murdered in her Indiana home by four teenage girls. The court found Paula Cooper to be the leader and she was sentenced to die in the electric chair. Pelke was pleased with the verdict. But as the date of her execution drew near, Pelke realised that her death would not heal the pain he felt about losing his grandmother.

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DEATH PENALTY-KENYA: Call for Abolition As Thousands Await Execution

By Rosalia Omungo

NAIROBI - Politicians from leading parties and prominent human rights activists all seem to agree that the time has come for Kenya to abolish capital punishment. But as they continue to talk, courts continue to pass down death sentences, swelling the numbers on death row.

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RIGHTS-US: High Court Ruling Could Mean More Death Sentences

By Srabani Roy

NEW YORK - A recent U.S. Supreme Court decision upholding the disqualification of a juror who expressed doubts about the death penalty, combined with an increasing number of U.S. citizens who say their moral convictions make them ineligible to serve as jurors in capital trials, could mean future juries will be less representative of the country's diversity and more likely to hand down convictions, death penalty opponents say.

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RIGHTS-ZAMBIA: Cyberspace Casts Light on the Lives of Death Row Inmates

By Newton Sibanda

LUSAKA - "Can governments solve urgent social or political problems by executing a few or even hundreds of their prisoners?" asks Benjamin Mawaya, sweltering on death row in Zambia's Mukobeko high security prison in Kabwe, 150 kilometres from the capital of Lusaka.

Before anyone in the cyberspace community has time to click on a reply button, he posts an answer. "Nowhere it has been shown that the death penalty has any special power to reduce crime or political violence; everywhere experience shows that execution brutalizes those involved in the process. It is imposed and inflicted arbitrarily and it is used disproportionately against the poor."

Mawaya then swiftly concludes with a question for anyone who wants to go on debating with him: "If today's penal system does not sanction the burning of an arsonists home, the rape of a rapist or the torture of a torturer, it is not because they tolerate the crimes. Instead, it is because societies understand they must be built on a different set of values from those they condemn. Why not apply these principles to capital punishment ...?"

The internet platform allowing Mawaya to address an audience outside his stifling cell has been provided by the Canadian Coalition against the Death Penalty, a voluntary organisation. "We make webpages for death row prisoners anywhere in the world," says its director, Tracy Lamourie.

Zambia's death row inmates -- who presently number 304 -- are the first in Africa to use this opportunity to pour out grief, seek moral and financial assistance, and make friends beyond their prison walls. Just how they found out about the website, Lamourie does not know for certain. But one likely possibility is that the link was passed on during an internet Bible class run from churches in Britain.

"Now every week we are getting more requests. One prisoner will tell another saying 'These people have helped me get some friends and contacts in the outside world'," Lamourie says.

Mawaya, who is waiting for the appeal against his death sentence to be heard, gives away little about himself on his webpage. His first aim is to exchange opinions about the death penalty, executions, torture and Christianity.

Job Kasonda Kapita, a former police officer, tells every would-be pen pal right away why he was sentenced to death in 1994. "I shot and subsequently killed a violent suspicious suspect I wanted to arrest for disorderly conduct ... all occurred within the station yard five metres from my office."

Behind bars he has become a writer, publishing poetry on his webpage.

Certain inmates use their pages to seek "assistance" as well as "mutual fellowship". Evans Fundula, 33, is one. "Before conviction, I was blessedly married with two children aged 14 years and 11 years, both girls," he explains. His wife left him when she heard of his sentence and now his family needs help to look after the children.

He also tells of the "injustice" of not having the money to hire a lawyer for his defence. "You are the bridge to us vulnerable...in this darkest and uncompromising place."

One of the most powerful of entreaties comes from Lewis Kalumba, from the Democratic Republic of Congo. He is the father of three daughters and a son, he writes. His wife has also left him and is now married to another man and living in a "far-away" town.

He needs money for his family to visit him: "I am a poor suffering soul. Reproach has broken my heart. I am full of heaviness."

Bishop Enocent Silwamba, executive director of the support organisation Prison Fellowship of Zambia, praises the websites for reducing the isolation and suffering on death row. There are six times more inmates in this prison than it was built for. They are shut away from the rest of the prison community. One has been on death row for 30 years, according to prison authorities.

It is highly unlikely that any of the inmates will be executed -- at least as long as President Levy Mwanawasa is in office. He has pledged not to sign any death warrants, and has also indicated that he will soon commute all death sentences to life terms.

But until there is an amendment to the constitution, the courts will continue to condemn people to death -- and the webpages from death row to accumulate on the internet. (END/2007)

PAKISTAN: The Trivial Difference Between Life and Death

By Zofeen Ebrahim

KARACHI - As Superintendent Nusrat Hussain Mangan of Central Prison in the southern port city of Karachi spends sleepless nights trying to figure out how to raise money to save the life of one inmate, just one of 107 on his death row, there are moments of near despair.

"When it comes to the real brass tacks, the champions of human rights who oppose death penalty and writers who never tire of writing how barbaric capital punishment is and how it should be abolished, all but vanish into thin air. When it comes to walking the talk, they shy away. It's just lip-service they pay to the cause," he lets out angrily.

His desperation is understandable. The family of Mohammad Ishan, 34, condemned for murder, is trying vainly to meet the terms of a last-minute compromise which would halt the issuance of the 'black warrant' (the letter confirming a death sentence) and the final walk to the prison gallows.

The terms have been just too steep for Ihsan's older brother to meet. His father cannot help, surviving precariously on different jobs from day to day. It has been left to him, a garment factory worker, to collect the money. But he already has to care for seven sisters and three brothers. Of these, three sisters have recently been married off which has burdened him with new debts.

"The blood money - the Islamic 'diyat' where money is paid as compensation to the family of the victim - has been fixed at Rs 1,200,000 (about 20,000 dollars). The family has managed to collect Rs 700,000 (11,666 dollars) but the rest has still to be

arranged, somehow," Mangan explains. He is trying to help raise the remainder before the week is out, although Ihsan's family will request the court to grant more time.

But wherever the superintendent and his team turn to for money they meet with resistance, he says. The usual response is: 'Why do you want to save a murderer?' or 'When the court has sentenced him, who are you to interfere?'

Mangan looks at the situation from a very different perspective. "It's not a rotten part of the fruit that you just cut out and throw away, it's human life we are talking of. Even if he's a criminal, he's a human being first. So I tell them, he deserves another chance and we can help save his life by contributing that paltry amount collectively." Not many are convinced though and thus the delay.

Mangan has been in prison service two decades and makes it clear that he adamantly opposes capital punishment, although Pakistan still routinely carries out executions by hanging. According to Amnesty International's 2007 report, "nearly a third of the world's 24,000 death row prisoners are in Pakistan".

"Nothing comes out of killing another person," Mangan says, adding, "There are other punishments that can serve the purpose."

His deputy, Raja Mumtaz Ahmed, has witnessed almost 20 executions. But never has he got used to them. "Life imprisonment is preferable. You get 25 years time, but actually end up spending 15 years inside due to various remissions. Then you are out. It's enough punishment," he says. Posted at various jails around the province of Sindh during his tenure, Mangan has not once witnessed an execution, nor does he intend to do so this time. "I am confident this time, though we have very little time, we will be able to save this fellow," he says.

He and his team did recently succeed in arranging the blood money for three other inmates, all of whom were sentenced to death for separate road accidents in which three people died. "Not one was a 'criminal' as is usually pointed out. They were poor so their families could not arrange for the money and their employers refused to bail them out. But the amount was manageable and we could find people to donate."

Mirza Tahir Hussain, a Briton who spent 18 years languishing in Pakistani jails, but whose sentence was commuted by a landmark decision of President General Musharraf last year, has also joined Mangan in his campaign to raise the diyat money. He has fired off emails around the world to charities, businesses, friends and family, appealing for donations. So far he has raised 1,495 dollars in addition to the 11,666 dollars collected by the family.

His sympathy is acute. "Most of the convicts finally sent to the gallows are from poor families, unable to pay diyat," he says. "The more affluent and influential use methods of coercion to force the victims' family into a compromise and get off the hook."

A senior prison office here, on condition of anonymity, confirms what Hussain says. "There are cases that get disposed off even before the crime is registered at the local police station. Huge sums are exchanged, in connivance with the police and lawyers," he says.

Mangan's anger directed at the human rights organizations reflects his sense of helplessness confronted by such a system. "I believe 90 percent of the executions can be commuted and don't even need to reach a stage where inmates are sent on death row," he says.

What this case shows is that Pakistan needs to establish well-funded institutions so that one would not always have to go out with the begging bowl. "What is needed is an independent body that can look into the legal rights of the prisoners. Most poor prisoners do not have access to good public legal representation.

"Even if there are advocates representing them, they are either too disinterested or so mediocre that their case is already spoiled by the time it reaches the higher courts. The well reputed lawyers are far too busy making money and, in any case, too expensive for these poor people to engage."

Mangan would also like to see a body to take over the onerous task of reaching diyat compromises which all could live with without prison officers having to be involved.

"Initiating a dialogue with the families, arranging for compromises and reconciliations is time-consuming, requiring patience, a certain amount of cool and tact. Most families, already under emotional and economical stress are not good at looking at circumstances rationally. But if there was a competent body handling all this, there would be less heartburn on both sides and our time would not be spent on doing this as it is now," he says.

Tahir Hussain agrees. In a Muslim country like Pakistan it is essential to establish, what he calls, a "reconciliation committee", both for the accused and the victim's family. "This would also be in keeping with the true spirit of Islam," he says, adding that after Ihsan's life is saved he would like to join with others and work towards establishing this. (END/2007)

DEATH PENALTY-SAUDI ARABIA: Legal Aid for Maid - After Close Shave With word By Feizal Samath

COLOMBO - The dramatic reprieve for a condemned Sri Lankan housemaid won by lawyers, beating a Jul. 16 deadline for filing an appeal in the Saudi Arabian courts, has focused the international spotlight on a closed justice system which condemns people to death without legal representation at their trials.

Rizana Nafeek, a 19-year-old migrant worker, was sentenced to death on Jun. 16 for allegedly intentionally killing a four-month-old infant who choked to death while she was giving it a midday bottle feed in May 2005. Nafeek had only one month to file an appeal or she would have been executed by sword and her body put on public display to deter future offenders.

Her beheading would have been one of more than 100 carried out so far this year in a country currently seeing a surge in state killings, according to Amnesty International (AI). Many of those executed are foreigners. Saudi Arabia has a population of 27 million, including 5.5 million foreign nationals. Last year it executed 39 people, 26 of them foreigners, according to AI.

Nafeek's last-minute reprieve was secured by the Hong Kong-based Asian Human Rights Commission (AHRC) which launched an international appeal campaign "under extraordinary circumstances". The Commission, with the approval of the Sri Lankan embassy in Riyadh, stepped in to pay the legal costs to a Saudi law firm to challenge the death sentence in court.

"We have filed the appeal by the due date," Sri Lankan deputy minister of foreign affairs Hussain Bhaila told IPS in Colombo, before flying out to Riyadh at the end of last week on a mercy mission. With him on the flight were Nafeek's parents and a local Muslim leader.

This assembled mission was a separate approach to save the maid who now had a stay on execution. They hoped to meet with the dead infant's parents and through various intermediaries secure a pardon. They also hoped to visit the maid in jail.

"It is not going to be easy meeting them (the parents)," Bhaila said, adding that they had already refused to see the Sri Lankan ambassador. Under Saudi law only the parents can grant a pardon, something they had declined to do when the death sentence was passed.

The drama over the international efforts to save Nafeek's life illustrates the near-impossibility of other condemned migrant workers to engage Saudi lawyers -- even if they are aware they have this right. Nafeek comes from a poor Sri Lankan family and had been working in Saudi Arabia at her employer's home just two weeks when the tragic incident occurred.

The legal costs of filing her appeal were first put at Saudi Riyal 250,000 (about 66,000 US dollars). The Sri Lankan embassy eventually negotiated a 28,000 dollar reduction.

Although the appeal can now go ahead, lawyers are still waiting for Saudi officials to send them essential documents, including a copy of the final judgement. Even a week before the appeal deadline, the Sri Lankan embassy issued an "urgent request" for this and other key documents needed by lawyers.

With the appeal being filed, Nafeek for the first time since her arrest has legal representation. At her trial she had no independent legal advice, according to the AHRC. This was also the case in the trials of four Sri Lankan migrants who were executed for armed robbery in February this year, according to AI.

The cases are similar in many respects and may be representative of others involving capital trials of foreign workers in Saudi Arabia.

Nafeek was put under duress to sign an incriminating statement that was used to condemn her for strangling the child to death. "At the police station she was very harshly handled and did not have the help of a translator or anyone else to whom she could explain what had happened. She was made to sign a confession and later charges of murder by strangulation were filed in court," according to the AHRC.

In the case of the four Sri Lankan men who were beheaded, they told judges at the trial that they had been beaten by the police during interrogation. One of the four, Ranjith de Silva, in a telephone interview with Human Rights Watch a week before his execution, said he understood that but for his incriminating confession he might not face the death penalty.

De Silva had also said that the judge at his trial did not inform him that he could appeal or provide any of the four a copy of the judgement, according to Human Rights Watch. One of the four is believed to have thought he had been sentenced to 15 years' imprisonment, according to AI.

The conduct of the Saudi judges is under scrutiny in the Nafeek case. According to the AHRC she is said to have informed the judge that she

was 17 at the time she arrived in Saudi Arabia in 2005 -- not 23. Her date of birth on her passport had been falsified by the employment agency. This would have meant that she was just 17 at the time of the infant's death and an underage girl.

But the judge failed to call for a medical examination to verify this, according to rights organisations. The Sri Lankan embassy in a statement on Jul. 8 has confirmed that there is a certified copy of Nafeek's birth certificate confirming that she was born on Feb. 4, 1988.

Saudi Arabia sets the minimum age for employment at 22 years, according to Suraj Dandeniya, President of the Association of Licensed Foreign Employment Agencies in Colombo.

The practice of falsifying documents is widespread. According to some estimates, between 10 and 25 percent of Sri Lankan Muslim women who go abroad to work are underage and succeed with bogus documents and passports. There are currently some 300,000 Sri Lankan migrant workers in Saudi Arabia, a third of whom are Muslim women.

"All officials involved in this illegal process are culpable ... not only the recruiting agent," said Dandeniya.

David Soysa, director of the Migrant Workers' Centre, a long-standing Colombo-based institution which supports migrant workers, believes Nafeek's case illustrates just how unprepared and untrained many migrant workers are for their duties in Middle East households. The Sri Lanka Foreign Employment Bureau, the main foreign employment promoting arm of the government, provides only 12 days of training.

"There is a serious problem about lack of proper training of migrant workers. The maid didn't know how to burp a child when choking occurs during feeding, which is common. A trained maid would have handled this easily," he said.

He also believed that this was a case of child trafficking. "The offenders should be punished," he said.

Saudi Arabia is a signatory of the Convention on the Rights of the Child. This bans any member nation from executing anyone for a crime committed while under the age of 18 years.

It is not known when Nafeek's case will come before the appeal courts. (END/2007)

DEATH PENALTY-US: Inmate Gets Rare Last-Minute Reprieve

By Matthew Cardinale*

SAVANNAH, Georgia, Jul 16 (IPS) - Troy Anthony Davis, a death row inmate in the U.S. state of Georgia whose guilt has been challenged by new evidence, won a 90-day stay of his sentence Monday, just hours before his scheduled execution.

"I'm exhausted but elated," Martina Correia, Davis's sister, told IPS. "They [the Parole Board] were asking a lot of questions and were engaging. They were so respectful for the family. We had this perception, we've always been treated so badly because of what he's accused of."

"There was so much doubt in this case. They saw that today. Troy was calling my mother. She was sitting wrapped in a blanket. The lawyer called and said there was a 90-day stay. Troy said he was so thankful and he got on his knees to thank God," Correia said.

In the days preceding the scheduled execution, a wide array of advocates converged to save a man whose guilt seems uncertain, even unlikely, now that seven of nine witnesses have recanted in his case, and new witnesses have implicated another man.

The International Action Centre of Atlanta and others staged a recent protest. Family members held a candlelight vigil. The Atlanta Journal-Constitution newspaper's editorial board criticised the pending execution. Even a former director of the Federal Bureau of Investigation under right-wing President Ronald Reagan, William Sessions, wrote a column in support of Davis.

Davis was convicted of murdering a Savannah, Georgia, police officer in 1989. No physical evidence or murder weapon was ever presented at his trial.

"He's relieved he's not going to be killed, but he had made his peace with God. They moved him to 'Death Watch' today. He said we fought a good fight, let's remember the McPhail [victim's] family and pray for peace and understanding," Correia said.

"We were just asking for them to be fair and objective. If any other court would've stepped up and examined any of this, we wouldn't have gotten this far. And they're actually doing what the court system should've done long ago," she added.

A press release issued by the state late Monday said the Georgia Board of Pardons and Paroles "will not allow an execution to proceed in this State unless and until its members are convinced there is no doubt as to the guilt of the accused..."

"Whereas, those representing... Davis have asserted they can and will present live witnesses and other evidence to the members of the Board to support their contention that there remains some doubt as to his guilt... It is hereby ordered the execution... is suspended until midnight of October 14, 2007, or until this Board issues an order..."

The meeting of Davis's lawyers and supporters with the Board lasted from 9 a.m. until 3:15 p.m., about six hours. After this, the Board met with state prosecutors.

"My impression is there so much material to go through today they didn't feel prepared. It does give them time to continue examining the facts," Laura Moyer, deputy director of Amnesty International USA Southern Regional Office, told IPS.

"They still have a responsibility and a duty to consider clemency. One thing that could happen, there is an appeal to the Georgia Supreme Court, that could kick in before they make any kind of decision," she said.

"We feel it means that hope is still alive that justice can still be done. But it doesn't mean that we have a victory. It just means there is more time," Moyer said.

It also means additional time to increase public awareness about the case and issues at stake.

"You're going to see continued interest, because some people are late coming to this story," Moyer said. "The legal team was not able to produce all the witnesses in person. Four witnesses came. But they do have the affidavits [for all witnesses]."

Georgia Congressman John Lewis was among those who spoke in support of Davis at the hearing Monday. Rep. Hank Johnson, also of Georgia, offered to speak in support of Davis, spokesperson Deb Speights told IPS.

Attorneys for Davis have filed a motion for a new trial in state court, since the U.S. Supreme Court recently refused to hear Davis' case and he has exhausted his federal appeals. After a state judge declined to overturn the original ruling, his attorneys appealed to the Georgia Supreme Court. That case is still pending.

"Georgia law allows you to go back and say the world has changed so dramatically. It's like a safety valve, [but] it tends not to work very often. In most cases, you don't have dramatic new evidence," said Philip Horton, a pro bono attorney with the Arnold and Porter law firm.

Davis is still hoping for clemency from either the court or the Board, his sister said.

Experts say that the case, which has finally captured mass media attention in these final days, reflects a much more systemic problem in the United States, where procedural technicalities have become more important to many judges than innocence or guilt itself.

"The federal courts are generally pretty hostile to these so-called post-conviction proceedings. They've set up a whole bunch of traps for the unwary. If you fail to do x, you waive your rights. Most of these things wouldn't occur to ordinary people. It's real easy to waive your rights," Horton said.

Davis did not have good public legal representation in his original trial due to lack of funding from the state of Georgia. Moreover, several witnesses recanted their testimony after the fact.

"The first response of the courts is to say, be that as it may, it's too late for it now because you failed to raise it in time, or you failed to do something else," Horton said, describing what is called a procedural default.

"The courts don't decide it on the merits. They decide the claim can no longer be raised," he said. "When the prosecutors are asked about this in the press, they say they presented this evidence already to court after court after court. This is the way the game is played. The public doesn't have a clue."

Several of the witnesses who recanted said they were pressured by police into implicating Davis, and that they were threatened with possibly being charged themselves if they didn't cooperate.

"They said 'we've got Troy and maybe we'll come after you as an accomplice'," Horton said of the recantations.

"Most of these witnesses were African American who were young and easily intimidated. Or one who had issues with the law, easily manipulated -- she said at the time, 'I'm pregnant, I have four kids. I can't go back to jail'," Moyer said.

The restrictive laws that prevent courts from considering new evidence are contained in the 1996 Antiterrorism and Effective Death Penalty Act. The Act has dramatically undermined habeus corpus in the U.S.

Two U.S. congressmen, Hank Johnson of Georgia and Artur Davis of Alabama, told The Hill newspaper in Washington, DC that the 1996 AEDPA should be revisited, but they know of no current efforts to do so.

Thirty-four percent of all inmates executed since 1976 have been African American, while 79 percent of all victims in death penalty cases were white, according to statistics from the Death Penalty Information Centre.

*Matthew Cardinale is the editor of Atlanta Progressive News, <http://www.atlantaprogressivenews.com>. (END/2007)

RIGHTS-IRAN: "Blood Was Everywhere, the Smell of Death"

By Omid Memarian*

BERKELEY, United States - Criticism of Iran's judiciary is mounting following the brutal execution of a man who was convicted of adultery more than a decade ago and stoned to death on Jul. 5. Although the head of the judiciary branch, Ayatollah Mahmoud Shahroudi, issued a written order stopping the execution almost a month ago, the judge in the case insisted on stoning Jafar Kiani to death.

Stoning is the prescribed punishment for adultery under Islamic law in Iran. However, in recent years, some judiciary officials have been reluctant to enforce it due to intense domestic and international objections to its barbaric nature. In Sharia (Islamic law), a man is usually buried up to his waist, while a woman is buried up to her neck. Those carrying out the verdict throw stones at the condemned person until they die.

Almost a month ago, "Stop Stoning Forever", a social campaign formed by outspoken women activists, warned the public that Kiani and Mokarrameh Ebrahimi, a 43-year-old mother of three, would be stoned to death in Takistan, a city in Ghazvin province. They launched an internet campaign and contacted judiciary officials to stop the execution.

They were successful in reaching the segment of the judiciary branch that opposed the use of stoning in such cases, convincing Ayatollah Mahmoud Shahroudi to order a halt to the execution.

Since the Iranian government controls all major media such as television, radio and newspapers, the internet is the only communication tool that activists can employ to bypass censorship, filtering and suppression of freedom of speech.

Then, on Jul. 10, Dr. Alireza Jamshidi, the spokesman for the judiciary branch, confirmed that in fact, Jafar Kiani had been executed by stoning five days earlier, although his partner, Mokarrameh Ebrahimi, has still not been executed.

Jamshidi expressed surprise at the decision by a local judge to proceed: "There has been a stoning sentence carried out by a judge in Takistan branch recently, but the sentences were not supposed to be executed in such a manner according to the judiciary branch, and the ban order issued by the head of the judiciary is to ensure appropriate

caution by the judges in issuing and executing such sentences."

"But in this case, since the sentence had been confirmed [by the Supreme Court] it was carried out, although the woman's sentence has been stopped," he said.

"The extent to which the ban order can deprive a judge from independence is a long discussion, but a judge can act independently -- although with the order of the head of judiciary, it is necessary to exercise more caution in issuing and executing these sentences," he added.

Several sources say that the office of Judge Ashabi, who enforced the sentence, is closed and he has not been seen since the execution. The head of the judiciary in Ghazvin Province has also said that the sentence was implemented without his knowledge and the judge enforced the sentence on his accord. There is clear evidence of internal struggles over this issue among radical Islamists and moderates in the judiciary branch.

Asieh Amini, a journalist and women's rights activist who went to Aghche-Kands, a small village near Takistan where the stoning took place, told IPS that none of the local people she spoke to were aware that such an incident had occurred.

"From what I have found, Ayatollah Shahroudi just halted the stoning but he did not cancel it. Therefore, the judge was able to legally carry out the sentence under the current laws in Iran," she said.

"The judge, with help from a few policemen, took the prisoner from detention to a very small village, along with some of his colleagues from the judiciary office in Ghazvin province. Although none of the people in that small village were agreeable to the stoning, the judge and his accomplices stoned him to death," Amini said, based on her observations from her trip to the area.

She was able to locate a copy of the judge's report that was written to his superior official. The judge started the execution by throwing the first stone.

"I went there; blood was everywhere, the smell of death. Killing a man by throwing out stones [is] a cold-blooded action. It seems it is a political game and a power struggle among radicals, traditionalists and moderates. I believe Ayatollah Shahroudi is not a fan of execution by stoning but as it is an Islamic law, he cannot oppose the fundamentalists in the judiciary and remains silent against enforcement of such a brutal sentence," she added.

Many other countries and human rights groups have strongly condemned this barbaric punishment. Just a few days ago, Human Rights Watch sent a letter to Ayatollah Shahroudi urging him to eliminate the penalty from Iran's constitution.

"We wrote to Ayatollah Shahroudi for several reasons: First, this cold-blooded killing was carried out by provincial judiciary officials who come under his supervision, at least nominally. Second, he had recently ordered the stay of execution in this case -- which the provincial authorities disregarded. Third, he had previously issued the moratorium on executions by stoning," Joe Stork, deputy director of the Middle East and North Africa division at Human Rights Watch, told IPS. "It would be a logical step, following on the moratorium, to remove from the books any regulations

recommending or permitting execution by stoning for any offence," he added. "The next step, which we did not spell out in our letter, would be to ban execution by stoning, and affirmatively make it a criminal offence."

Shadi Sadr, a prominent lawyer and leading member of the "Stop Stoning Forever" campaign, says there is clearly a conflict in the differing stances within the judiciary regarding the elimination of stoning laws in the constitution.

"By empowering the radicalism in the state's discourse, some factions of the judiciary branch which support stoning as a part of Islamic laws, and resist its elimination, have become more powerful than the other factions which favour eradicating it from the constitution," Sadr told IPS from Tehran.

"Ayatollah Shahroudi and his supporters in the judiciary do not have legal and political authority to oppose the radical Islamist faction," she added.

Despite international pressure to stop the stoning of Jafar Kiani's partner, Mokarrameh Ebrahimi, Sadr is sceptical that even the nation's top judiciary official can block such sentences anymore, although officials say her case is currently being reviewed.

"Previously, the stoning laws existed, but Ayatollah Shahroudi's political power allowed him to stay an execution order. Unfortunately, now, since the radicals have gained more power in the government, his political will and authority has been greatly undermined."

*Omid Memarian is an Iranian journalist and civil society activist. He has won several awards, including Human Rights Watch's highest honour in 2005, the Human Rights Defender Award. (END/2007)

Q&A: Voices for Abolition Grow Louder Interview with Bill Pelke, Anti-Death Penalty Activist

BOSTON - In May 1985, Bill Pelke's beloved grandmother was brutally murdered in her Indiana home by four teenage girls. The court found Paula Cooper to be the leader and she was sentenced to die in the electric chair. Pelke was pleased with the verdict. But as the date of her execution drew near, Pelke realised that her death would not heal the pain he felt about losing his grandmother.

In a complete transformation, Pelke decided to lobby against Paula Cooper's death. Pelke worked tirelessly. His campaign reached Europe, and soon more than two million Italians signed a petition against Paula's death. Pope John Paul II called for mercy on her behalf. Finally, in 1999 Paula was taken off death row and given 60 years in prison.

Pelke did not stop there. A retired steelworker, he has devoted himself full-time to ending the death penalty in the U.S.

Today, he chairs the National Coalition to Abolish the Death Penalty, a leading abolitionist group in the U.S. He is also the founder of Journey of Hope, an association for families of murder victims, families of those who have been executed and families of those on death row.

Each year, about 60 Journey of Hope members travel to one state and for two weeks they speak to churches, schools, lawmakers and others about what they have learned: that the death penalty causes more pain and suffering and does nothing to heal the pain of loss.

Adrienne Appel, an IPS correspondent who has reported extensively on the death penalty debate in the U.S., asks Pelke about his campaigning and why U.S. citizens are changing their minds about the death penalty.

IPS: In October, Journey of Hope will travel to Texas for two weeks. Why focus on Texas?

BP: No state needs a Journey of Hope more than Texas. Texas is the state that has executed more people than any other state. [About half of people executed in the U.S. each year are killed in Texas, according to the Death Penalty Information Centre.]

We will travel there and tell our stories, and get out to people and touch people's hearts. When you touch people's hearts you can get them to rethink their position on the death penalty.

What we do is we travel with two storytellers to an event. One is a family member of a murder victim and one is someone with a death penalty connection, either a person who was exonerated, or a family member of someone on death row, or a family member of someone who was executed.

We'll talk about the healing that comes with feeling compassion after a loved one has been killed. We'll talk about how the death penalty creates more murder victim family members.

IPS: What exactly turned you away from Paula Cooper's execution?

BP: Paula cooper was 15 and was the youngest female on death row in the U.S. My grandmother would have been appalled that this girl was put on death row. She would have had compassion for this girl's family. Even though my Christian faith taught forgiveness, I had no compassion. Every time I thought of my grandmother I thought of her dead on the dining room floor.

I begged God to please give me compassion for this girl and her family. My prayer was answered and that brought a tremendous feeling of relief, and I no longer thought of my grandmother as she died but of the beautiful life she had lived.

Seeing someone else die is not going to heal you from the pain of having someone close to you murdered.

IPS: What is happening in the U.S. today with the move toward abolition?

BP: There is a real good possibility that New Jersey will be the first state to abolish the death penalty and this may happen within a year. Other states have come close in recent votes, including Nebraska, New Mexico, Maryland and Montana. There is real movement in those states.

IPS: What is causing the public to turn away from the death penalty?

BP: One thing that impacts people and juries is the possibility of life in prison and life without parole. The person is put away for the rest of their life and society can still be safe from violent people. There also have been highly publicised exonerations. The public is aware that we make mistakes and that if a person is in prison and you've made a mistake that person can be released.

And we spend a lot of money on the death penalty. It costs three to four times more than life in prison.

In New York, the last state to bring in the death penalty, they spent 150 million dollars in putting the death penalty in place. And there have been no executions in New York.

That money could have been better spent.

If we end the death penalty, that money can be put into preventive crime programmes, like basketball after school, to keep young people occupied and busy.

IPS: The religious community in the U.S. is very politically powerful. How much has it been involved lately in the effort to end the death penalty?

BP: Very. Unitarians, Methodists and the Catholic church have taken a real strong stance and are working hard toward abolition. Quakers also. They are more vocal today and are protesting. In December 1998, Pope John Paul II called for abolition, and said the death penalty was cruel and unnecessary. His call for action has finally reached a majority of Catholic churches. Bishops have also been making statements against the death penalty.

IPS: Does international pressure against state killings make a difference or is it viewed as meddling in U.S. affairs?

BP: In Europe it's considered a human rights abuse and human rights have no borders. They offer support for what the National Coalition to Abolish the Death Penalty is trying to do. We feel they have a total right to express their support and we really appreciate it.

I feel the U.S. portrays itself as a great human rights leader in the world and yet we have this terrible human rights abuse within our borders.

IPS: Many people on death row are there for killing a police officer. Why is this considered such a serious crime in the U.S.?

BP: It's a terrible thing and they are there for our safety, so people should be outraged when a police officer is killed. But we should be outraged when anyone is killed. All victims are of equal value. (END/2007)

DEATH PENALTY-KENYA: Call for Abolition As Thousands Await Execution

By Rosalia Omungo

NAIROBI - Politicians from leading parties and prominent human rights activists all seem to agree that the time has come for Kenya to abolish capital punishment. But as they continue to talk, courts continue to pass down death sentences, swelling the numbers on death row.

On Jun. 21, Justice and Constitutional Affairs Assistant Minister Danson Mungatana told journalists here that the government was committed to abolishing the death penalty. "I am aware there is an advanced plan to that effect," he said in answer to a question specifically directed at the administration's position on the death penalty.

But he gave no target date for abolition, only adding: "All this is at a preparatory stage. At the correct time it will finally have to be resolved

in parliament."

The last known official executions in Kenya were in 1987 during Daniel Arap Moi's time in office. Among those hanged then were Hezekiah Ochuka and Pancras Oteyo Okumu, accused of masterminding the Aug. 1, 1982 attempted coup.

Since then thousands have been sentenced to death and are awaiting execution. IPS was unable to obtain figures from the prisons department for the exact number on death row at the time of publishing this article. But in the five years from 2001 to 2005, 3,741 were sentenced to be hanged, an average of 748 a year, according to the department's statistics.

In the same period less than 200 death sentences were commuted to life sentences on appeal.

In 2003 President Mwai Kibaki also commuted the death sentences of 223 inmates. One of those passed over then for a presidential amnesty because his case file had been lost was Samson Ochanda Owuor, one of the oldest and longest-serving death row inmates, according to press reports. He had been convicted of robbery with violence in 1988. Besides murder and treason, robbery and attempted robbery with violence are capital offences in Kenya.

Environment Minister Kivutha Kibwana told IPS that he was one of those in the government calling for the abolition of the death penalty. "I believe even if someone has killed another, you do not correct the situation by killing another person. That leaves two dead people," he said.

Prominent opposition politicians have also expressed their support for abolition in statements to the press. This suggests that a government bill to abolish capital punishment would receive cross-party support.

"The death penalty is not a deterrent and should be abolished," Anyang' Nyong'o from the Orange Democratic Movement -- which includes members of the former ruling party, the Kenya African National Union (KANU), and the Liberal Democratic Party -- said recently. "Convicts should be given a chance to work and get to learn skills. This way, they would get out of jail useful."

Currently death penalty inmates are not allowed to work. This means that they have no savings or work experience to prepare them for life outside prison in the event of release.

William Ruto, a member of parliament for KANU -- now the official opposition party -- was even more outspoken, calling the death penalty a "vengeful" sentence that served no helpful purpose. "We need a rehabilitative approach," he added.

The Kenya National Commission on Human Rights, an independent public body set up in 2003 to advise the government on protecting and promoting human rights, has also added its influential voice to the debate, recommending that parliament urgently take action to abolish capital punishment.

"Even though it is in our legal books and laws, it is not the right thing for us to be doing," Maina Kiai, chairman of the commission, said at the launch of a position paper on capital punishment in April.

The death penalty should be removed from the constitution and laws amended to bring them in line with this change.

The commission also called for an immediate moratorium on death sentences to prevent further additions to the number on death row. Those already facing capital punishment should have their sentences commuted to life imprisonment by presidential decree.

Haroun Ndubi, executive director of Haki Focus, a human rights organisation, questioned whether the death penalty was helping to reduce violent crime, which is on the rise in Kenya -- and suggested it may even be contributing to an increase in murders.

There were "a lot of young people" involved in carjackings who killed their victims to eliminate anyone who could give evidence against them in capital trials for robbery with violence, he told IPS. "They kill ... for fear of conviction if the witness were to live to testify," Ndubi said, noting that the abolition of the death penalty would reduce the number of such murders.

He also raised doubts about the guilt of some of those currently on death row. There had been claims of false accusations, and convictions without adequate evidence, he said.

Ndubi added that it was "inhuman and degrading" to convict people and then leave them on death row for years on end, living in constant fear of execution.

This issue was also raised by Mungatana when he spoke to the press. He said the major issue to be decided was the fate of those already sentenced to death, suggesting that commuting these sentences could be the first step towards abolition of the death penalty in Kenya. (END/2007)

RIGHTS-US: High Court Ruling Could Mean More Death Sentences

By Srabani Roy

NEW YORK - A recent U.S. Supreme Court decision upholding the disqualification of a juror who expressed doubts about the death penalty, combined with an increasing number of U.S. citizens who say their moral convictions make them ineligible to serve as jurors in capital trials, could mean future juries will be less representative of the country's diversity and more likely to hand down convictions, death penalty opponents say.

In June, the U.S. Supreme Court upheld the death sentence imposed by a trial court in Washington State in the case of Cal Brown, convicted of raping and killing a woman in a Seattle motel in 1991. The Court ruled the trial judge was correct in disqualifying a man from serving as juror because he had expressed doubts about the death penalty. The Court's 5-4 decision overturned an earlier one by a federal court of appeals.

In May, Juan A. Luna Jr., who was found guilty of killing seven people in a fast food restaurant in Illinois in 1993, was spared the ultimate punishment because one juror voted against sentencing him to death. In Illinois, as in most of the 38 states which have the death penalty, a death sentence must be unanimous.

"We are observing a decline in the use of the death penalty in the last six to ten years," said Richard Dieter, executive director of the Death Penalty Information Centre, a group opposing the death penalty. "Much of this is due to a change in public opinion about the death penalty."

Disqualified and dissenting jurors reflect this trend. Jurors are less willing to impose the death penalty, a fact illustrated by justice department statistics showing a steady decline in death sentences. In the 1990s, about 300 people were sentenced to death every year. In 2005, the number had dropped to 128. Last year, the number of death sentences reached the lowest level in 30 years, according to the Death Penalty Information Centre.

A recent poll commissioned by the Centre, sampling 1,000 adults across the country, revealed that almost 40 percent of U.S. citizens felt that they would be disqualified from serving on capital juries. The numbers increase significantly for certain groups: 68 percent of African-Americans would exclude themselves, 48 percent of women, and 47 percent of Catholics. The margin of error for the survey was plus or minus 3 percent.

Dieter and other experts attributed the increasing lack of support for the death penalty to various factors, including reports of DNA exonerations, belief that the death penalty is not a deterrent for future crimes, and moral objections to taking a person's life.

Among citizens in general, 87 percent said they believed that an innocent person had been executed in recent years, according to the Death Penalty Information Centre poll. Concern about the possibility of executing the innocent was also found to be a significant reason for drawing back from imposing a death sentence. "Among jurors, innocence continuously came up," Dieter told IPS.

The availability since the 1990s of a life sentence without the possibility of parole is another major factor in the drop in the number of death sentences. But citizens are almost evenly split between their support for the death penalty and life without parole as a punishment for premeditated murder, according to a Gallup poll last year.

The "single biggest" reason for imposing the death penalty was to prevent the convicted person from killing again, Eric M. Freedman, a law professor at Hofstra University and an expert on the death penalty said, adding: "The effect of life without parole is permanent incapacitation."

But Robert Blecker, a professor at New York Law School and a supporter of the death penalty for the "worst of the worst" offenders, disagrees.

"Even in life without parole, a person can kill again," Blecker told IPS. "He can kill fellow prisoners, officers, or medical personnel. Life without parole doesn't mean isolation. And life without parole sentences can be commuted by the executive."

Blecker also disagrees with poll findings. He argues that if people were asked about specific, concrete examples of the worst crimes, instead of only about the appropriate punishment for "murder", polls would show a much greater support for the death penalty.

He believes the Supreme Court was right in its recent ruling, acknowledging that it could have long-term consequences on decisions in capital punishment cases.

In capital cases jury selection occurs under a process known as "death qualification". Potential jurors are asked about their views and willingness to impose the death penalty. If their unequivocal

opposition or endorsement of the death penalty is considered likely to impair their ability to follow the law, judges can exclude them from serving as jurors.

"Under pre-existing Supreme Court law, people who were opposed to the death penalty could be excluded. But if a juror simply expressed doubts, the juror had to be allowed to serve on the jury because they represented the majority of the country," said Freedman. "With the recent Supreme Court decision, we're more likely to get people on juries who are inclined to convict in the first place."

Brooke Butler, a legal psychologist at the University of South Florida who studies capital punishment juries, would agree. She has found that "death qualified" jurors tend to be "male, Caucasian, moderately well-educated, politically conservative, Catholic or Protestant, and middle-class." They also tended to have a high regard for authoritarian beliefs, were more prejudiced, pro-conviction and pro-death.

Country-wide "abolitionists far outweigh pro-death penalty people," Butler told IPS. The Supreme Court ruling was "going to systematically exclude a vast number of people," she said.

Opponents of the death penalty also expressed concern that the resulting un-demographic make-up of future juries not reflecting the diversity of views of the American public, would result in more death sentences and convictions of innocent people.

But they also say that the Supreme Court decision could have a "boomerang" effect over the long-run.

"The impact of this Supreme Court decision is self-defeating," said Freedman. "If prosecutors were to press this case, they would convict more innocent people. And then if that were revealed, it would invalidate the death penalty." (END/2007)

DEATH PENALTY NOT A DETERRENT BUT A CAUSE OF VIOLENCE

By Fatima Aburto *

IPS COLUMNIST SERVICE, JULY 2007

//NOT FOR PUBLICATION IN AUSTRALIA, CANADA, NEW ZEALAND, CZECH REPUBLIC, IRELAND, POLAND, THE UNITED STATES, AND THE UNITED KINGDOM//

MADRID, Jul (IPS) Fortunately for humanity, the death penalty is being eradicated from the world. Executions have dropped by 25 percent between 2005-2006 and the countries that still have the sanction are growing fewer and fewer. In fact between 1977 and 2006 the number of abolitionist countries has increased from 16 to 89; if you include countries that have not imposed a death sentence for the last ten years, the number rises to 129 that are free of this blight. Ninety percent of the executions worldwide are carried out by six countries: China, Iran, Pakistan, Iraq, Sudan, and the United States.

Important progress has been made recently. On April 26, 2007, the European Parliament adopted a resolution calling for a world moratorium on the death penalty, and on March 14 the EU High Representative for Foreign Affairs undertook the preparation of a resolution calling for a world moratorium on the death penalty for presentation at the UN General Assembly this September.

In response, the Spanish Chamber of Deputies unanimously approved a motion calling for the introduction of a universal death penalty moratorium at the next session of the UN General Assembly.

While a moratorium is not the same as abolition, it does offer the opportunity to demonstrate what is already clear: that the death penalty is not a deterrent but in fact a cause of violence and vengeance. The moratorium also frees its supporters from the feeling of complicity, however indirect, in causing the death of a human being through execution.

Why expend so much energy to abolish the death penalty?

To begin with, it is important to remember that the right to life is considered a fundamental human right and is not subject to claims of state sovereignty. This invocation of state sovereignty was the reason that previous attempts at passing a moratorium in the UN Assembly failed. It is, however, a flimsy argument, since human rights are universal, inalienable, and all stem from the most basic right to life. This is why international tribunals never impose the death penalty.

Moreover, the death penalty is a violation of human dignity because there is no humane way to impose it. Indeed it violates the dignity not only of the condemned but also of those who carry out the execution (some of whom are in fact healthcare workers, and even doctors), the witnesses, and the society that supports this useless, irrevocable, and demeaning act. It even violates the dignity of the victim's family, which is made to believe it will find some satisfaction in vengeance, which is not the case. To the contrary, vengeance never eases pain but often intensifies it.

The death penalty also involves a form of torture and inhuman treatment that the condemned experiences waiting for his or her sentence to be carried out.

Tragically, although the number of conflicts and wars between countries is dropping, largely as a result of UN mediation, violence within countries sparked by inequality or ethnic or religious motivations is on the rise. Any measure that can reduce violence is thus welcome. It is therefore the duty of politicians to explain to their citizens that the death penalty leads only to more violence and social degradation and to persist until they reject this barbaric punishment.

On the other hand, deterrence works only when there is certainty that the guilty will be brought to justice and made to serve the full sentence imposed by the law. The nature of a punishment plays no part in deterrence; what is important is the understanding that no crime will go unpunished.

This lesson is all the more relevant today in the context of international terrorism, which is apparently intended to work through intimidation and fear. Unfortunately it can also be easily manipulated by those in power to convince the people that a barbaric punishment like the death penalty might increase security. Apart from the fact that this argument is flat wrong, tapping people's fears in order to awaken their instincts for vengeance and cruelty is absolutely despicable.

The fight against terrorism will only succeed when it is rooted in a complete respect for human rights and fundamental liberties, in addition to solidarity with its victims.

The abolition the death penalty will always be a basic obligation for any politician who defends human rights, life, human dignity, desires an end to torture, and wants to bring about a state in which no human being is guilty of killing another, at least legally. (END/COPYRIGHT IPS)

(* Fatima Aburto, Socialist spokesperson for the Commission on Foreign Affairs of the Spanish Chamber of Deputies.

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News from International NGOs

UPDATED DATABASE PROVIDES UNIQUE LOOK AT HISTORY OF DEATH PENALTY IN THE U.S.

An updated version of the "Espy File," a database of executions in the United States and the earlier colonies from 1608 to 2002, is now available on DPIC's Web site <http://www.deathpenaltyinfo.org>. This resource provides detailed information about each of the 15,269 executions recorded during this period and offers a unique glimpse into the history of the death penalty in the U.S. For example, about 15% of those executed received the death penalty for crimes other than murder, including 277 who were executed for slave revolt and 20 people who were given the death penalty for aiding a runaway slave. In addition, the database includes the names of individuals who were executed for crimes such as piracy (130), horse stealing (51), treason (43), desertion (40), witchcraft (35 - mostly women), counterfeiting (29), adultery (2), and concealing birth (4).

The Espy File also provides an interesting look into the methods of execution that have been used in the U.S. Since the first execution in 1608 by shooting, the country has used nearly a dozen different execution methods. Among those methods are the more commonly known methods of hanging (9,324), electrocution (4,484), lethal injection (620), gas (593), and firing squad (142). Others executed during the past 400 years have been killed by bludgeoning (2), broken on a wheel (12), burned (66), and pressed with stones (1). The "Espy File" was compiled by M. Watt Espy and John Ortiz Smylka. It was made available through the Inter-University Consortium for Political and Social Research. The database contains the name, age and race of each person executed, as well as details such as the date of the execution and what method of execution was used. DPIC has adapted this information for easier use and has sorted the list in separate files by state, by year, and by name of defendant. This information, including a downloadable Excel spreadsheet of the Espy File, is available on DPIC's Web site. It may also be found (in its original form requiring a statistical analysis program) on the National Archive of Criminal Justice Data's Web site.

U.S. RESOLUTION AN IMPORTANT STEP TOWARDS JUSTICE FOR 'COMFORT WOMEN'

Amnesty International commended on July 30 the U.S. House of Representatives for passing resolution 121, calling on the Government of Japan to finally accept responsibility for its Imperial Armed Forces' coercion of women into sexual slavery in World War II. "The US House of Representatives resolution sends an unambiguous signal to the Japanese government that justice is long overdue to the victims forced into prostitution by the Japanese military during World War II," said Dr. Purna Sen, Asia-Pacific Programme Director, Amnesty International.

"This resolution also sends a powerful message to the survivors, who have combated a lifetime of hardship and stigma, and who still bear the terrible scars from the sexual slavery -- that their plight is not forgotten, and their demands for justice and redress remains relevant to a world where violence against women is still rampant."

"Amnesty International calls on the Japanese government to take immediate steps to provide legal redress, a full apology and full reparations to survivors of sexual slavery including restitution, compensation, rehabilitation and guarantees of non-repetition," said Dr. Purna Sen.

AMNESTY WELCOMES ABOLITION OF THE DEATH PENALTY IN RWANDA

Amnesty International welcomed on July 27 the promulgation of legislation by Rwanda to abolish the death penalty. Rwanda is the first country in the Great Lakes region to abolish the death penalty and strongly confirmed the worldwide trend to end capital punishment by becoming the 100th country to abolish the death penalty in law, with another 30 countries abolitionist in practice. Fourteen countries in Africa, including Rwanda, are abolitionist for all crimes and a further 18 are abolitionist in practice.

Amnesty International hopes that such moves reflect the beginning of an overall regional pattern in Central Africa to abolish the death penalty. Encouragingly, a revised version of the Penal Code in Burundi, currently pending promulgation, has excluded the death penalty as punishment for all crimes. In light of the recent promulgation of the abolition of the death penalty for all crimes in Rwanda, Amnesty International calls upon the Rwanda government to co-sponsor the resolution on a global moratorium on executions that will be introduced at the United Nations General Assembly this October, and to encourage other countries in the region to support such resolution.

The last death sentences were imposed in 2003. The last executions of people sentenced to death took place in 1998 when 22 people found guilty of genocide-related crimes were executed. Rwanda currently holds approximately 600 prisoners on death row. Despite their sentences being commuted with the enactment of the legislation, there are continuing concerns regarding the cruel, inhumane and degrading prison conditions in which these prisoners remain detained.

AMNESTY CALLS ON ETHIOPIA TO REJECT DEATH SENTENCES

Reacting July 9 court proceedings in Ethiopia in which the prosecutor demanded death sentences for 38 defendants in a 14-month-long political trial, Amnesty International expressed outrage and called on the court to reject the prosecutor's demand. The court told the defendants to submit pleas of mitigation in the next three days. Sentences are expected to be announced on July 16.

The defendants include two women, journalists, a prominent human rights defender and leaders of the opposition Coalition for Unity and Democracy (CUD) party. All have been in prison since November 2005. During the prosecution case they had refused to defend themselves because they believed they would not receive a fair trial. They were convicted of "outrages against the Constitution" and "impairing the defensive power of the state," with five of them also convicted of "leading, preparing or inciting armed opposition." They had earlier been acquitted of "treason" and "attempted genocide," but the prosecutor has appealed against this earlier court decision. "The prosecutor's demand for the death sentence against prisoners of conscience is outrageous," said Lynn Fredriksson, advocacy director for Africa for Amnesty International USA. On the basis of the information available to Amnesty International, most of these detainees -- if not all -- are prisoners of conscience who have not used or advocated violence; they have been imprisoned for their opinions. Amnesty International has been calling for their immediate and unconditional release. There have been several unconfirmed reports that the Ethiopian government is considering releasing the 38 on certain conditions -- as well as some other CUD members still on trial -- in the coming days.

EUROPEAN COURT FINDS RUSSIAN FEDERATION GUILTY

On 5 July 2007, the European Court on Human Rights (ECtHR) found the Russian Federation responsible for the disappearance and death of Chechen politician Ruslan Alikhadziev and the lack of effective investigation into his case. One week after his disappearance in May 2000 a high-ranking Russian military officer had confirmed at a press conference that Alikhadziev had been captured by the security forces during a special operation.

The International Helsinki Federation for Human Rights (IHF) strongly hopes that the government of the Russian Federation will implement the ruling effectively and fully. In particular, the IHF expects the Russian government not only to pay out the individual compensation to the complainant, as established by the court, but also to conduct a meaningful investigation into the disappearance and death of Alikhadziev. The Russian government must also ensure that other complaints on disappearances in Chechnya are effectively investigated and the perpetrators held accountable for their actions.

"How difficult can it be to find out who detained Alikhadziev, when the first deputy to the Chief of Staff of the Russian Armed Forces publicly announced his capture?", asked Aaron Rhodes, IHF Executive Director. Ruslan Alikhadziev (born 1961) was a widely respected chairman of the Chechen Parliament from 1997 to 1999 (before the start of the second war). After the second war broke out, Alikhadziev neither took part in the armed struggle nor went into hiding, but tried to organize peace talks between Aslan Maskhadov, elected President of Chechnya in 1997, and Russian government representatives.

NORTH KOREA. SLOGAN TREE SMUGGLER PUBLICLY EXECUTED

North Korea has publicly executed a trade official for smuggling timber to China that included protected "slogan trees", Hands Off Cain reported on July 23. Senior local timber trader Oh Mun-Hyok was shot dead and four accomplices sentenced to life imprisonment, South Korea's Yonhap news agency said, quoting unnamed diplomatic sources. Local government and trade officials were forced to watch Oh's public execution at Yonsa in the northern province of North Hamkyong. Founding leader Kim Il-Sung reputedly carved anti-Japanese messages on the cherished "slogan trees" in the 1920s and 30s. More than 1,000 such slogan-inscribed trees still exist across the country, however critics in the South say it is a sheer fabrication.

WORLD PRESS REVIEW – March 2007

PAKISTAN: MURDER CONVICT HANGED

Shabbir Ahmad, who was involved in a murder case in the jurisdiction of Waris Khan Police Station in Pakistan was hanged in Rawalpindi Central Jail Adiala and the dead body was handed over to his heirs, the Pakistan Press International reported on July 31. The death sentence of the remaining two convicts involved in the same murder case was delayed for 15 days on directives issued by President House for further inquiry, the officials said. As per the rules and regulations, the hanged convict was allowed to see his friends and family on the last day.

2 SENTENCED TO DEATH IN CHITTAGONG

A divisional special court in Chittagong, Bangladesh, sentenced two people to death and three others to life term imprisonment in a murder case from 2005, the United News of Bangladesh reported on July 31. Judge of the Divisional Speedy Trial Tribunal Shafiqul Karim issued the death penalty to Rahima Akhter and Shamim Ahmed. All except Ahmed were present in the dock when the verdict was pronounced. According to the prosecution, Ahmed with the help of the other convicts abducted Masud Alam, a ward boy of Gomoti Private Hospital in Comilla Sadar upazial, on the night of March 30 in 2005 as Shamim had an extramarital affair with Masud's wife, Rahima. His body was found in front of a mosque at Kalinagar Rafi village 26 days later.

IRAN CONFIRMS 2 KURDISH REPORTERS SENTENCED TO DEATH

Iran's judiciary for the first time confirmed that two Iranian Kurdish journalists have been sentenced to death for being "enemies of God", the Middle East Times reported on July 31. Rights groups had reported that Adnan Hosseinpour and Abdolvahed "Hiwa" Boutimar were sentenced to death July 16 by a revolutionary court in Marivan, in Iran's northeastern Kordestan province. "Botimar and Hassanpour have been sentenced to hanging on the charge of being mohareb," judiciary spokesman Ali Reza Jamshidi told reporters, using a Koranic legal term that is usually translated as "enemy of God." He added that he was unable to confirm whether the sentence had been validated by the supreme court. According to Reporters Without Borders (RSF), the two journalists wrote for the magazine Aso (Horizons), before it was banned in August 2005. Hassanpour published several articles on local politics and gave interviews to foreign media including Voice of America while Botimar was also a member of the environmental NGO Sabzchia, RSF said.

FORMER ALABAMA PROSECUTOR QUESTIONS VALUE OF CAPITAL PUNISHMENT

The Birmingham News reported on July 30: Billy Hill spent seven years as a district attorney in Shelby, Coosa, and Clay counties in Alabama, and has reconsidered his stance on capital punishment. Mr. Hill says that he would welcome a moratorium on executions in Alabama while a study commission examines the state's death penalty to evaluate whether it is "a wise and humane use of our resources." Wrongful convictions, the arbitrary nature of capital punishment, poor representation, and the long-term suffering of victims' family members are among Hill's main concerns about current death penalty laws. He believes that life without parole is a better alternative for violent offenders. Hill now works as a Shelby County public defender.

In his criticisms of Alabama's death penalty, Hill notes that two

innocent men have already been freed from the state's death row and that many others continue to await their execution without the benefit of "top-flight representation." With regard to the arbitrary nature of the states' capital punishment statute, Hill observes, "Do you realize that if two people are arguing on a street corner and one of them pulls a gun and kills the other one, that is simple murder? But, take the same scenario and put one of them in a car, and it becomes a capital case. . . . [I]n 30 years of observing violent offenders, I find 3 factors present in almost all of them: some kind of childhood abuse, either physical or sexual; some type of chemical dependence, either alcohol or drugs; and neurological damage." Hill also believes that the death penalty fails to serve the needs of victims' family members because execution dates are often set and then canceled several times during repeated appeals. "It just never goes away for the victim's family," said Hill.

JORDAN KING COMMUTES DEATH SENTENCES OF SEVEN MILITANTS

The International Herald Tribune reported on July 29: Jordan's King Abdullah II commuted the death sentences of seven Islamic militants to 15 years hard labour for instigating violent unrest, the official Petra news agency said. The militants were part of a group of 108 defendants charged with inciting a wave of violence in November 2002. Six people, including two police officers, were killed in clashes as army and police in the southern city of Maan pursued militant leader Mohammed Ahmed al-Chalabi, also known as Abu Sayyaf. Jordan's militant court sentenced al-Chalabi and eight others to death in March 2006. Al-Chalabi, already serving a 15-year sentence for plotting terror attacks against US targets in Jordan, was among those whose death sentences was commuted. Abdullah's special pardon came after intervention by activists and lawmakers from Maan to seek lesser sentences for the convicts.

GOVT. ORDERED TO PAY EX-DEATH ROW INMATE AND OTHERS 102 MILLION DOLLARS

A federal judge ordered the U.S. government to pay a record \$102 million for the Federal Bureau of Investigation's role in the wrongful murder convictions of four men in 1968, including one man who was sentenced to death, Washington Post reported on July 27. U.S. District Judge Nancy Gertner said the FBI's conduct was "shocking" and characterized the government's explanation for the events leading to the wrongful convictions of Louis Greco, Henry Tameleo, Peter Limone and Joseph Salvati as "absurd." She wrote, "Now is the time to say and say without equivocation: this 'cost' -- to the liberty of four men, to our system of justice -- is not remotely acceptable. This case is about intentional misconduct, subornation of perjury, conspiracy, the framing of innocent men. . . . The FBI's conduct was intentional, it was outrageous, it caused plaintiffs immeasurable and unbearable pain and the FBI must be held accountable."

Judge Gertner found that the FBI knew that Joseph "The Animal" Barboza - their star witness in the federal case against Greco, Tameleo, Limone and Salvati - was lying when he identified the four men as responsible for a 1965 gangland murder. Despite knowledge that the informant was lying, federal agents vouched for his credibility because he was a "top echelon" informant in their war against La Cosa Nostra. In the years that followed, the FBI covered up the informant's lie as the wrongly convicted men struggled to prove their innocence. As that fight continued, Greco and Tameleo

died in prison. Salvati and Limone (who was originally on death row in Massachusetts), each served nearly 30 years behind bars before being freed when their convictions were overturned in the late 1990s.

FLORIDA JUDGE ORDERS HALT TO EXECUTIONS OVER LETHAL INJECTION PROBLEMS

Judge Carven Angel of Florida's Circuit Court has ordered a halt to executions because of concerns that the state's new lethal injection protocols do not adequately address problems exposed in the state's last execution, Palm Beach Post reported on July 23, The new protocols were created after Florida's botched execution of Angel Diaz in December 2006. The execution took more than 30 minutes after two tries, and then-governor Jeb Bush ordered a review of the process. Judge Angel's oral order to stop executions came on Sunday, July 22, after he abruptly shut down a week-long hearing in which defense attorneys for Ian Lightbourne and dozens of other clients on death row were challenging the new protocols. The Florida Supreme Court appointed Angel to hear Lightbourne's case, which began in June. His order could halt all executions through the end of the year. Gov. Charlie Crist had previously signed a death warrant for Mark Schwab for November 15.

NEW STUDY EXAMINES CAUSES OF WRONGFUL CONVICTIONS

A new comprehensive study of 200 innocence cases, all involving people who were exonerated by DNA evidence, found that erroneous identification by eyewitnesses, faulty forensic evidence, inaccurate informant testimony, and false confessions were the key problems that led to these serious mistakes. The research - which included 14 death penalty cases - also found that courts performed miserably in identifying cases of innocence, and that those exonerated were more likely to be members of minority groups, the New York Times reported on July 23.

The study, "Judging Innocence," was conducted by University of Virginia law professor Brandon L. Garrett and its findings will be published in The Columbia Law Review this January. In "Judging Innocence," Garrett identifies erroneous identification by eyewitnesses as the leading cause of wrongful convictions, occurring in 79% of the 200 cases he examined. In 25% of these cases, this testimony was the only direct evidence linking the defendant to the crime. Garrett found that faulty forensic evidence was present in

55% of the cases, including many cases in which prosecution experts exaggerated, made honest mistakes, or committed out-right fraud. Inaccurate informant testimony occurred in 18% of the cases, including three cases in which the informants were later identified as the person who actually committed the crime. False confessions were identified in 16% of the cases. Two-thirds of those cases involved defendants who were juveniles, mildly retarded, or both.

NEWS SERIES HIGHLIGHTS PROBLEM OF LOST AND DESTROYED EVIDENCE, WRONGFUL CONVICTIONS

In continuing a series that the Death Penalty Information Center (DPIC) had highlighted earlier, the Denver Post (July 22-25) has featured more than a dozen news articles and a series of online videos, providing an in-depth look at the handling of crucial biological evidence gathered during criminal investigations. "Trashing the Truth: The Hidden Story of Lost Evidence" examined the nationwide problems with evidence storage, the destruction of evidence, and the relationship between missing evidence and wrongful convictions. It also addressed how this issue impacts victims and victims' family members who are waiting for answers in unsolved crimes.

The series noted: The Denver Post has found 141 prisoners nationwide who profess their innocence but in whose cases physical evidence has been lost, mishandled or destroyed. . . . Their cases raise questions about a justice system that fails to regulate DNA evidence and leaves to the whims of clerks and law-enforcement officials the fates of inmates trying to prove their innocence. Their stories also call into question whether the U.S. criminal justice system has strayed from one of its basic principles: that it's far worse to convict an innocent person than to let a guilty person go free. It's one thing to be wrongly convicted and doing another man's time. But it's quite another to have your freedom hinge on tiny traces from a stranger's body, only to learn those samples have been lost or destroyed.

Editor's Note : The copyright for items included in the world press review lies with the respective media mentioned as sources. This review is purported to provide a glimpse of the coverage of death penalty related issues in the global media. This review is in no case intended for commercial purposes. -



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