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MEXICO: Attempt to Revive Death Penalty Doomed

By Diego Cevallos

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Q&A: 'Divinely Ordained Law Makes Abolition More Difficult'

Abderrahim El Ouali interviews MARYAM NAMAZIE of Equal Rights Now

CASABLANCA, Dec 2 - Political Islam is the main barrier to abolishing the death penalty in most countries where it is still practised, says Maryam Namazie.

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By Zofeen Ebrahim

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Abderrahim El Ouali interviews BRAHIM AHENSAL of the Moroccan Human Rights Association

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By Zoltán Dujisin

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By Stephen de Tarczynski

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MEXICO: Attempt to Revive Death Penalty Doomed

By Diego Cevallos

MEXICO CITY, Dec 12 (IPS) - A proposed constitutional amendment introduced in the Mexican Congress to reinstate the death penalty stands virtually no chance of approval. But it has generated a broad public debate that is expected to grow more heated.

Fed up with the wave of violence currently sweeping Mexico, where nearly 5,400 murders were committed this year alone, between 65 and 75 percent of the population, according to opinion polls, is in favour of reinstating capital punishment, which was not formally abolished in this country until 2005 but was last carried out in 1961.

The proposed constitutional amendment went to the committee on constitutional matters in the lower house of Congress Thursday, which will begin to discuss it early next year, sources at the legislature said Friday.

The initiative was presented by the governor of the northeastern border state of Coahuila, Humberto Moreira, of the Institutional Revolutionary Party (PRI).

The governor said the debate should not be about whether or not to apply the death penalty, but about "how we are going to kill them: by shooting them, cutting their throats or hanging them, or something more 'light' like lethal injection."

But the government of conservative President Felipe Calderón, his National Action Party (PAN) and the left-wing Democratic Revolution Party (PRD) have all made it clear that they are opposed to the proposed amendment.

The PRI, on the other hand, argues that the initiative merits debate because it represents the viewpoint of a majority of the population.

Moreira's proposal to adopt the death penalty for the most egregious crimes and hardened criminals, which is supported by the Coahuila state legislature, where the PRI holds sway, is "opportunistic and aimed at political gain, and is sure to be voted down," human rights analyst Fabián Sánchez told IPS.

Spokespersons for the Catholic Church and local human rights groups, and the representative of the local branch of the United Nations Office of the High Commissioner for Human Rights, Alberto Brunori, expressed similar views.

"Putting the debate on the table is definitely negative," said Brunori, who clarified, however, that "for the time being, there is no chance that capital punishment will be reestablished in Mexico."

Mexico's small Green Party, however, said it openly supports the death penalty for rapists and kidnappers who kill their victims.

The party, whose charter states that it "defends the right to life," has paid for dozens of billboards and signs calling for the reinstatement of the death penalty to be put up all over the country.

Sánchez, a former director of the Mexican Commission for the Defence of Human rights, said that both the PRI and the Green Party are seeking to capitalise politically on the public's mood.

Studies have clearly demonstrated that capital punishment does not

lead to a reduction in violence, said Sánchez, who argued that the state cannot lower itself to the level of killers.

An average of 15 people a day were killed from January to November in drug-related killings. And in the two years since Calderón took office, more than 8,100 people have been killed, many of them tortured, decapitated or burnt, in the war among drug traffickers.

Public frustration is rising, and people can frequently be heard commenting in cafés, on the bus, in parks or in social gatherings on the need to bring back the death penalty to fight the wave of violence.

Jesús Silva-Herzog, a columnist for the Reforma newspaper, called the governor of Coahuila, the PRI and the Green Party "penal populists."

Silva-Herzog said the term refers to politicians who "add their voices to the collective outrage and become its carriers, trying to convince us that outraged policies are the solution to our worries."

The leaders of the PRD, the PAN, the Catholic Church and human rights groups say Mexico cannot go back to the death penalty, which it has committed itself to eliminating by signing international treaties like the American Convention on Human Rights and the Facultative Protocol to the International Covenant on Civil and Political Rights.

"Instead of disqualifying a priori a proposal that I believe is aimed at responding to the gravity of the problem, it should be discussed and debated, and the final decision about what to do should be based on what society thinks, wants and demands," said Chihuahua Governor José Reyes, who belongs to the PRI.

Reyes and Moreira govern two of Mexico's most violent states.

In Reyes' view, the fact that Mexico has signed international conventions promising not to apply the death penalty and to promote its abolition around the world is not a hurdle to reviving capital punishment.

"Laws are transformed by the social reality, which is what should gradually mold legal norms, even the constitution and international treaties," he said.

The local branch of the London-based rights watchdog Amnesty International said in a statement that proposals and initiatives seeking a facile solution to the current situation in the country merely exacerbate the climate of social vengeance.

The organisation warned that there is a risk, not only of justifying the use of the death penalty, but of justifying other serious human rights violations like the use of mistreatment, torture, executions or arbitrary arrests.

The death penalty has proven useless and ineffective as a dissuasive factor against crime in a wide variety of countries, Amnesty adds.

What Mexico requires to fight crime is an effective justice system and a professional police force, say human rights groups.

Sánchez said the country would be committing a serious violation of international law if capital punishment were approved. But he added that "I believe it is very unlikely that this will happen."

An estimated 98 percent of crimes in Mexico go unclarified and unpunished due to corruption and ineffective law enforcement efforts by the police, investigators and judges, and because only a tiny proportion of victims dare or bother to report crimes.

Political scientist José Woldenberg, a former president of the Federal Electoral Institute of Mexico, urged the public not to ask the state to lower itself to the level of criminals.

"When you hear the news about the appalling crimes committed by kidnapping gangs, you 'naturally' feel an urge for vengeance. Those wretches -- you think -- don't deserve any kind of consideration. It's comprehensible, but not justifiable," he said.

The state "is there to keep the impulse for vengeance, for bloody revenge against the criminals, from becoming the route for wreaking justice," he said.

"The state is supposed to be above those passions; it has the obligation not to exacerbate them. The state must be completely detached from these social impulses because justice cannot be synonymous with revenge," argued Woldenberg. (END/2008)

DEATH PENALTY-SIERRA LEONE: Successful Appeal Strengthens Case For Abolition

By Mohamed Fofanah

FREETOWN, Dec 12 (IPS) - A court in Sierra Leone has overturned treason convictions for 11 men. It is the first successful appeal against a death penalty in that country, opening the possibility of an eventual end to capital punishment there.

"It was like a miracle, I could not believe it. We were all filled with emotions when the judge said that we were acquitted and discharged," said Hindolo Trye, one of those acquitted.

The charges -- laid against 10 members of the former armed opposition groups, the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF), and one civilian -- related to an armed attack on the armory at Wellington barracks, on the outskirts of Freetown in January 2003, in an apparent attempt to overthrow the government of President Kabbah.

"The acquittal of the eleven condemned prisoners is phenomenal," said Brima Sheriff, the director of Amnesty International in Sierra Leone. "This is the very first time in the history of this country that condemned prisoners had won their appeal and released especially for the conviction of treason."

Sadly, Osho Williams, the lawyer and All Peoples' Congress member of parliament who represented the eleven convicted prisoners during their 2004 trial and subsequent appeal, died just a few days after winning this victory.

This overturning of a previous decisions by the court has highlighted a key argument against the death penalty -- the fact that an error in judgment can never be corrected if the victims have lost their lives.

The Court of Appeal acquitted the ten for procedural lapses during their trial; the fact that the trial judge failed to analyse the evidence led by the prosecution and to relate same to the law; and the trial judge's failure to direct the jury adequately on the law relating to

accomplices, and the danger of convicting on the uncorroborated evidence of an accomplice.

In Sierra Leone murder, aggravated robbery and treason are capital crimes.

However there have been no judicial executions since October 1998, when 24 AFRC members convicted of treason were publicly executed after a trial before a military court.

One of the key recommendations of the Truth and Reconciliation Commission (TRC) which was established by the government in 2000 to create an impartial historical record of human rights abuses committed during the armed conflict and to provide a forum for victims and perpetrators to recount their experiences was enshrining the right to human dignity and abolishing the death penalty.

The TRC's report explicitly calls for the immediate repeal of laws authorising the death penalty, for a moratorium on all executions pending abolition, and for the government to commute all pending death sentences.

But the Constitutional Review Commission of Sierra Leone has recommended only that the death penalty be replaced by life imprisonment in all cases of treason or other crimes of political nature that do not directly result in the death of another person and be replaced by life imprisonment.

"This is not enough," said the Amnesty Director in Sierra Leone. "We are calling for full commitment by the government for a abolition of the death penalty and nothing less"

Meanwhile, on Nov. 20, Sierra Leone abstained from voting on a moratorium on the death penalty at the UN General Assembly. This abstention has been condemned by many rights activists in the country.

The country still has 13 prisoners -- ten male and three female -- on death row at the maximum-security Pademba Road Prison, according to prisons officials.

Mambu S. Feika , the director of Prison Watch -- an organization that monitors all prisonS in Sierra Leone -- told IPS that the acquittal of the ten death row prisoners has brought not only faith in the justice system of the country but hope for the other 13 prisoners awaiting executions.

"The previous government of Tejan Kabbah has observed a moratorium on the death penalty. The Ernest Bai Koroma government has started on a good footing on the death penalty we sense willingness by this government to get rid of the death penalty in our statutes and these signs are good for the remaining 13 on death row."

The Attorney General and Minister of Justice, Serry Kamal, told IPS that the president still reserves the decision to endorse the death penalty prescribed by the courts but that as the Minister of Justice, he will not recommend to the President to sign the execution order for any condemned Prisoner.

"Osho fought to save our lives it is a pity he had to loose his before he could see us live again, we hope that his party which is in power lives his dream to abolish the death penalty," Hindolo sighed.(END/2008)

DEATH PENALTY: Arab Cyber Project to have New Year Launch

By Abderrahim El Ouali

CASABLANCA, Dec 12 (IPS) - The Rights and People project -- an Arabic-language anti-death penalty venture -- will start work in early 2009 with the launch of an online magazine, the first of its kind run by human rights activists in the 24-country region.

"Our Internet magazine will carry on-the-spot reports from correspondents in Arab countries where the death penalty is still being practised, as well as in-depth articles and opinion pieces on human rights issues, particularly on the death penalty," Abdelhadi Dahrawi, a member of the project, told IPS.

Dahrawi, a Moroccan human rights activist for more than a decade, said the magazine would offer a platform for eminent Arab intellectuals "striving for real independence in thought and speech".

Use of the Internet is expanding rapidly in the region, although it had a relatively late start. An estimated 60 million people of the region's more than 300 million now has Internet access.

The online magazine's editorial staff would also produce a separate newsletter on human rights issues.

"This will be distributed to mobile telephones, bringing us into intimate contact with citizens," Dahrawi said.

The project will conduct research into human rights issues through the Rights and People Research Centre (RPRC), headed by Abdelaziz Bouidi. Bouidi is an academic specialising in the relationship between Islam and human rights.

"Islam has always been misused by Islamic states to justify inhumane policies. There's much work to be done to abolish all the despotic practices that have been carried out for more than 14 centuries in the name of the religion," Bouidi told IPS.

"Muslim intellectuals have to return to the original faith. We will be encouraging studies on the progressive, humanistic and innovative character of original Islam.

"We will be conducting detailed studies on human rights issues in all 24 Arab countries. These will be published on the project's website for everyone to read free of charge."

The aim of the project was to involve ordinary people in a debate on the studies produced by the research centre.

"Without this involvement, neither NGOs nor the media can safeguard human rights.

"We will be especially directing our work on death row prisoners, women and children."

He said many activists in Morocco and other countries had promised to join the project.

"We already have in place dozens of volunteers all over the Arab world. These are people who have always been engaged in the struggle for human rights and especially the right to life. They are journalists,

writers, bloggers and researchers."

The founder of the project, Mostafa Hannaoui, who outlined his vision in an interview earlier this month with IPS, said several "engaged" commercial companies were supporting the project.

"They have volunteered help to develop and maintain our website. They have chosen to remain anonymous.

"But our capital is -- and will always be -- human."

The project did plan to seek financial contributions from other independent sources, though not from governments.

"We will not accept official financing. Human rights issues should be kept far away from government pressure."

Dahrawi added that the project would attract partners in the region as soon as the magazine was online.

The project would be based in Morocco, according to Hannaoui.

"I think we can do our job in Morocco with less difficulty than in any other country in the Arab world," he told IPS earlier.

He also predicted that the Moroccan King, Mohammed VI, would abolish the death penalty. Up till now, only Djibouti has signed the Second Optional Protocol to the International Covenant on Civil and Political Rights. This commits members to abolish the death penalty.

In Dec 2007, Algeria was the only Arab country to support the U.N. General Assembly's resolution calling for a worldwide moratorium on executions. Seventy percent of Arab nations voted against the resolution.

Recently, a group of Algerian MPs tabled an abolition bill aimed at replacing capital punishment with life imprisonment. (END/2008)

Q&A: 'Conditions in Prisons Should be Close to Those Outside'

Zoltán Dujisin interviews PAVEL KANDRAC, Slovakia's Public Defender of Rights

BRATISLAVA, Dec 5 (IPS) - More experts should become engaged in helping long-term prisoners prepare for their eventual return to society, says Pavel Kandrak. Kandrak, Slovakia's parliamentary-elected ombudsman, says the ultimate goal is their re-socialisation.

Priority should also be given to prevention.

IPS: When former Czechoslovakia abolished the death penalty in 1990, were the condemned then given life sentences?

Pavel Kandrak: The last time capital punishment was carried out was in the 1980s. So when the death penalty was abolished, there was no one in prison whose sentence needed to be commuted to life imprisonment.

IPS: Can life sentences be reviewed?

PK: That possibility exists for any sentence in Slovakia.

IPS: Have you received complaints from any lifers?

PK: No, I haven't from people sentenced to life but I have from other prisoners. When complaints are substantiated, we ask the relevant bodies to take measures to address them. But sometimes the complaints are not substantiated. For instance, once a prisoner complained about the quality of the food and after an investigation we concluded he was wrong. I personally tried a prison meal, it was very tasty.

IPS: One of the bodies that used to monitor conditions of lifers here, the Helsinki Committee, has ceased operating. Is there enough advocacy for prisoners' rights?

PK: I know from my contacts with prisoners that there are NGOs interested in their conditions, and I and my colleagues regularly visit and control prisons to see the regulations on conditions are observed. Also, when we receive complaints we personally check the situation. We also have conferences on how to protect the basic human rights of prisoners, and each and every one of our reports has a chapter on prison conditions which then goes to the parliamentary committees and is discussed in a plenary session in which I participate.

IPS: The Council of Europe's Committee for the Prevention of Torture (CPT) claimed in its 2006 report that lifers suffer from severe isolation which is impairing their social skills and causing loss of self-esteem. How do you respond to this?

PK: Bodies such as the European Union and the Council of Europe make regular controls of our prisons. From my knowledge and experience of their material, they are not unsatisfied with the prisoners' conditions. In spite of the isolation, the Slovak law guarantees to protect their human dignity.

IPS: They also claim the prisoners are allowed to see visitors only once every six months and cannot have any physical contact with them ...

A: The frequency of visits and their realisation are regulated by the law.

IPS: Some say there is no reason to believe lifers are more dangerous than other prisoners, and that there should be an individual risk assessment for each one of the isolated prisoners to decide on the conditions in which they should be held.

PK: It is important to realise that these people were sentenced for very serious crimes. You may or may not agree with me, but I believe that anyone who commits a premeditated crime is a danger to the community.

IPS: Would you agree with changing the law to allow them more human contact?

PK: Any law can possibly be changed and as a society develops we should change them. I don't want to make prophesies about which laws should or might be changed but there is a very valid principle of humanism in our laws.

IPS: Critics have also complained about the health conditions of lifers. They are not always keen on seeing doctors because they are hand-cuffed during medical examinations. Moreover,

these examinations are carried out in the presence of guards, a violation of doctor-patient confidentiality rules. Some of them also suffer from untreated depressive illnesses.

PK: The Public Defender of Rights [ombudsman] has received some complaints in this regard but after investigation they were not found to be substantiated. I remember receiving a complaint from a prisoner who asked for a special medicine which would have similar effects as a drug. The doctors' investigation concluded he did not need this medicine and he was given a more appropriate alternative. Not only do prisoners have access to physicians and specialists, but there is also a hospital with very good conditions available to them where they can receive specific treatment.

IPS: But do you approve of the use of handcuffs in medical examinations?

PK: In general, handcuffs are not being used, except for some individuals or when prisoners are being transported elsewhere.

IPS: The CPT report also complains of the lack of work and education programmes. Are these available with a view to reintegrating lifers into society?

PK: The ultimate goal is not to punish them, but to re-socialise them. This is a priority in Slovak law. There are many different educational courses organised for them. In some cases, people leave prison with more qualifications, literacy and other skills than when they entered. Besides organised educational activities, they can also use the library for self-education. Depending on their sentence, they can watch television or engage in sports. Some bands also play concerts in prisons. They also have the possibility of attending religious services.

IPS: Can you confirm that there are plans to create a special pre-release section where more intensive preparation is given to long-term prisoners before they are freed?

PK: We've also had such a department in the past. In our country, we follow the philosophy that conditions in prison should not be too far removed from those in society. However, I have to admit that in some cases this does not have the expected effect on the behaviour of prisoners.

IPS: If you could change something regarding the rules for those sentenced to life what would it be?

PK: Each and every placement in prison constitutes an interference with personal freedom. A necessary interference. In such cases, I'd like to find ways to civilise them and make them aware of what they did, so that they themselves wish to change their personality. Our prisons have teachers to help them in this regard. It is my wish that other professionals would join these, helping in the "awakening" of the prisoners' better self. The effect may not be instantaneous. But I'm sure with time there will be an impact.

Priority must be given to prevention. Good and efficient prevention requires patience. But for every society this is the more beneficial and effective solution because it avoids the emergence of the problem. (END/2008)

Q&A: 'We Have to Develop Our Modern Sharia' Abderrahim El Ouali interviews MOSTAFA HANNAOUI, founder of the Rights and People project

CASABLANCA, Dec 4 (IPS) - A unique human rights project has been recently set up to empower more than 300 million people in the Arab world to campaign for their individual human rights, according to Mostafa Hannaoui.

Hannaoui, the founder of the Rights and People project, has the vision of providing Arabic-speaking people with the knowledge they need to engage in a region-wide debate on rights issues.

Central to his project will be open access to information about the use of the death penalty in the 24-country region and reporting the day-to-day struggle for the observance of the most fundamental of all rights, the right to life.

IPS: You recently announced the founding of a new abolitionist project called Rights and People. What are you aspiring to achieve?

Mostafa Hannaoui: The idea is simply to bring human rights issues into the daily life of all citizens in the Arab world. Up to now, no Arab media organisation has specialised and been sufficiently engaged in the battle for human rights, especially the right to life.

Our first task will be to address a lack of information in the Arabic language and the Arab world about the death penalty, and human rights issues generally. We will make available on the web many publications about the death penalty. For this, we will encourage on-the-spot reporting and well-researched studies by experts on the social and cultural structures related to human rights and especially the death penalty. Citizens should have the ability to defend their human rights. This ability can only be developed by providing them with information.

IPS: Could you explain what you mean by "structures"?

MH: In many parts of the world, such as the Arabic-speaking world and Asia, governments invoke terms like "Sharia law" and "Asian values" to justify their violations of human rights, especially their use of the death penalty and other inhumane punishments like flogging and stoning. Religion and culture play an important role in this.

There needs to be an entire renewal of culture. Take Islam as an example. It is absolutely illogical to go on implementing scholars' judgements that were delivered centuries ago. These scholars were innovators in their times. But innovation did not come to a full stop after their judgements. Many of these scholars did not believe the earth was round. Today, we actually have more knowledge than they had then. So, we should innovate exactly as they did. As Muslims, we have to develop our modern Sharia fitting the necessities of our present-day life. This is, of course, the task of specialised researchers in universities and research centres, and not only official scholars. That is why our project will encourage studies on all the religious, cultural and social structures found in the Arab world justifying despotism and the violation of human rights.

IPS: What impact are you expecting from your project?

MH: We are expecting a great impact as our information will be professional and freely available. A daily debate on human rights issues and the abolition of the death penalty will develop between intellectuals and the wider public. Thanks to the digital era and the

ever-broadening spread of the Internet and use of mobile phones in the Arab world, we can effectively communicate our message to the great majority of people.

IPS: You say you are campaigning first of all on the right to life. Do you feel this right is so under threat in the Arab world?

MH: As long as the death penalty remains, the right to life is certainly under threat. We cannot speak about other human rights when the basic and sacred right to life is not safe. Therefore, we consider that the abolition of the death penalty will lead the Arab world to an era of respect for human rights. How can you ask for your right to participate in the making of policy when you risk losing your own life because of doing this?

So, the abolition struggle in the Arab world is not only a battle for the right to life but one for all other human rights. We absolutely believe that abolition will help the Arab world adopt democracy and modernity. It will build a culture of citizenship with full and inalienable individual rights instead of the dominating medieval culture where people are considered merely as "subjects" without these.

IPS: Your project is based in Morocco. Do you feel you will have enough freedom to work on human rights issues here?

MH: No matter how nihilist one may be, the situation of human rights in Morocco cannot be compared to other Arab countries where women do not have the right to vote in elections or even to hold a driving licence.

I do not say that Morocco is a paradise for human rights. There are still violations that occur from time to time. But they are widely condemned by NGOs and the great majority of the political parties.

After the recent events in the south where violations of human rights were reported, a parliamentary investigation committee was set up and human rights NGOs were allowed to carry out their investigations. Some of these later published their reports and held public activities around what happened. This would not have been possible in many other Arab countries where emergency and tribal laws prevent any activities by civil society. So, I think we can do our job in Morocco with less difficulty than in any other country in the Arab world.

IPS: Will you be campaigning especially for abolition in Morocco?

MH: As a part of the project, the abolition of the death penalty in Morocco is certainly among our goals. We believe that Morocco is actually closer to abolition than any time before. After the process of reconciliation led by King Mohammed VI, all political forces do work publicly and openly. This means that the death penalty is no longer needed by the state to face-down political opponents. King Mohammed VI has carried out many courageous and unprecedented measures for the Arab world, such as his initiatives towards women. Women in Morocco are not only MPs and ministers but also advisors to the King.

Personally, I believe that the King will take another courageous step by abolishing the death penalty. But the society needs to be sufficiently prepared for the post-abolitionist era. I remember that

Cheikh Tantaoui, Mufti of Egypt, was invited to express his abolitionist views in a religious ceremony at Ramadan presided over by the King. This was a good sign of the King's position on abolition. (END/2008)

Q&A: 'The Abolitionist Cause Should Be Separate from Politics'

Abderrahim El Ouali interviews AMMAR QURABI of the Syrian National Human Rights Organisation

CASABLANCA, Dec 2 (IPS) - The abolitionist movement in Syria faces more difficulties from religious institutions and scholars than from the state, says Ammar Qurabi.

Qurabi, president of the National Human Rights Organisation of Syria, says activists are making progress and have succeeded in winning reprieves for those sentenced to death.

They also have a step-by-step plan on how the country should move towards total abolition.

IPS: Do you face any difficulties campaigning for abolition in Syria?

AQ: Syria has been under an emergency law for 45 years now. This places a big restriction on civic freedoms. The security services have great powers. The judiciary is circumscribed. Activists are being imprisoned. It's only in the last few years that human rights organisations and political parties decided to work openly and speak about democracy. Our organisation is still denied official authorisation and we are not allowed to hold public activities.

Certainly, there's less pressure from the authorities regarding abolition than other political issues, such as putting an end to the continual state of emergency and authorising political parties and human rights organisations. The reason for this is that abolition is a human rights issue, not a political one. Abolition does not just concern political detainees but all members of the society. So, the Syrian state does not consider the abolitionist movement to be one of its enemies. There's a wide margin for action. This does not mean, however, that our task is easy; there are difficulties and obstacles that are preventing progress toward abolition.

IPS: What kind of activities are you engaged in?

AQ: In the past, our battle was to obtain a moratorium on executions for political opponents. For ten years now, civil society organisations have succeeded in gaining leniency for these. Their death sentences have been reduced to 12 years' imprisonment. But up to now we have not managed to get the death penalty struck out of decrees and laws. Syrian courts still pass down death sentences. So, the death penalty is still being used against political opponents, in theory, that is, though it hasn't been carried out for years now.

In the beginning, too, we signed all international and regional manifestos against the death penalty. We couldn't do more because of restrictions on the abolitionist movement. But as the movement has been gaining strength around the world, the Arab world has also been influenced. There have been discussions on TV channels and on the web. Abolition as an issue has entered a great majority of households here.

We published our first report on the death penalty in 2005 with specific recommendations for abolition. Our position was not welcomed by many social institutions. However, last year we proposed a progressive plan for abolition, aiming first at a ban on the execution of women and old people. On October 10 of this year, we commemorated the World Day against the Death Penalty by reminding the Syrian authorities that the death penalty is a violation of the basic and sacred right to life. We also called on the Syrian intellectual elite to hold conferences and lectures so as to develop an awareness for abolition in society.

IPS: Are you facing resistance from Muslim scholars?

AQ: Muslim scholars are at the front line of resistance to any change that might affect the death penalty. They are in fact more extremist than the authorities regarding abolition. But we have to mention at the same time that there are some Muslim scholars who believe in dialogue as a way to find a common background with abolitionists. We are especially optimistic now that Cheikh Ahmed Hassun has been officially named as Mufti of Syria. He is a reformist scholar and has shown great flexibility regarding another cause, women's rights.

IPS: Can, then, Islam accommodate global human rights?

AQ: I do absolutely believe there are no real hindrances in our civilisation standing in the way of abolition. What people say about the use of the death penalty in monotheistic religions is due to a misunderstanding of the holy texts and the possibilities for a more humanistic interpretation. A modern, humanist interpretation, as distinct from a traditional one, would result in a different view of legislation on human rights and the right to life.

Of course, developments should be progressive. We should not be deterred from working for abolition by the difficulties we meet with extremist groups who kill people and terrorise intellectuals on behalf of religion. Abolition is a historical necessity for mankind, like the abolition of slavery and criminalisation of torture.

Currently there are 124 abolitionist countries in the world. The Syrian authorities should follow this global trend and eliminate the sanction of death from all Syrian laws. The Second Optional Protocol to the International Covenant on Civil and Political Rights with the commitment not to use the death penalty and the Rome statute of the International Criminal Court should be ratified. All Syrian laws should be brought in line with international norms and founded on the principle of human rights. Penal policies should be aimed at reinstating prisoners back into society.

IPS: Is there more than one organisation in Syria campaigning for abolition?

AQ: Unfortunately, there are few human rights organisations campaigning effectively for abolition. We are currently working in cooperation with our allies to found a Syrian Alliance against the Death Penalty. This would gather together human rights organisations, political parties, intellectuals, artists and writers. We will also hold a campaign and present an abolition proposal to parliament.

IPS: Will you achieve your aims within the process of democratisation in Syria or separately from this?

AQ: There's no doubt that abolition is related to all other conditions

of democracy in the country. Of course, there are some countries which are not democratic and yet are abolitionist. But I believe that democracy will normally lead to abolition.

IPS: Isn't, then, campaigning for human rights, and especially abolition, necessarily a political matter?

AQ: It is difficult to separate the political and human rights battles in the Arab world. But it would be more profitable for the abolitionist cause in Syria to keep a wide separation between politics and the death penalty, especially since the death penalty is not actually used against political opponents. Our orientation should be humanistic. (END/2008)

Q&A: 'Divinely Ordained Law Makes Abolition More Difficult'

Abderrahim El Ouali interviews MARYAM NAMAZIE of Equal Rights Now

CASABLANCA, Dec 2 (IPS) - Political Islam is the main barrier to abolishing the death penalty in most countries where it is still practised, says Maryam Namazie.

Weaken this, and the struggle for abolition will be won as it has been in many countries.

Maryam Namazie, of the Council of Ex-Muslims of Britain and Equal Rights Now - Organisation against Women's Discrimination in Iran, adds that the majority in countries under Islamic rule already oppose political Islam and only need to be supported.

IPS: Your organisation campaigns for the separation of religion and state. In Muslim countries, is it religion, more than anything else that prevents the abolition of the death penalty?

Maryam Namazie: The death penalty exists in quite a large number of countries and is a form of social control still exercised by states, not all of them ruled by Islamic laws (I wouldn't call them Muslim countries any more than I would call Britain and France Christian ones). The U.S. and China are good examples of this.

However, the majority of countries where executions are taking place are ruled by sharia law and there is a direct association between Islam and executions. Iran, for example, has the highest number of juveniles on death row. Of course, Islam is fundamentally no different from other religions in that death is prescribed for a large number of transgressions in all of them; however, because it is linked to a political movement with state power in many instances, the medievalism of religious rule becomes the law of the land.

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

Let me add though, that in many of these countries there is a huge movement against the death penalty, which is hardly visible given the repressive nature of Islamic states, but news of such resistance sometimes manages to reach us. For example, the people's intervention in the stoning of Zoleykhah Kadkhoda in Iran in 1997

comes to mind, as does the attempt to stop a recent stoning in Somalia which resulted in the death of a child when the Islamic militia fired into the crowd.

IPS: Was this the reason you chose October 10 for your London conference, Political Islam, Sharia Law and Civil Society?

MN: Yes. We chose October 10, the World Day against the Death Penalty, because the death penalty is one of the main tools in the hands of states -- and Islamic states in particular -- to suppress the general population. Any transgressions and criticism quickly become linked to blasphemy or apostasy, given the religious nature of the governments. Many of us are labelled apostates and blasphemers for criticising and renouncing Islam, opposing the political Islamic movement and defending people's rights and lives and free expression.

IPS: Is the enforcement of sharia law the main problem in your eyes?

MN: I think political Islam is the main problem and sharia law is a means at the hands of this reactionary political movement. A Christianity that has been reined in, for example by enlightenment, is very different to one that burned witches at the stake and held inquisitions. If we defeat and weaken political Islam, Islam and Islamic laws become very different matters. Without state and political power, inhuman and medieval punishments will be relegated to the dustbins of history.

IPS: But some Muslim scholars say that sharia law is being misinterpreted when it is used to justify the death penalty. What is your response to this?

MN: I think that sharia law is so vile that some believers must distance themselves from it in order to sleep well at night and keep appearances up. In reality, though, this argument is manufactured to pacify criticism of sharia law and Islam and is generated for the consumption of the people of the west. I have never seen these scholars line up to condemn and campaign against a stoning or amputation. I haven't seen them line up to defend the likes of sweet 16-year-old Atefeh Rajabi hung from a city square in Iran for "acts incompatible with chastity". The job of these people is to convince us that this is not true Islam.

Scholars can interpret as they like or make excuses as they see fit. The only way, though, things can change and the death penalty can be abolished under sharia law is to get rid of it. People everywhere need and deserve to live under secular laws with universal rights. Sharia law doesn't belong in this century - full stop.

IPS: Just recently, there was news of a woman stoned to death in southern Somalia after being sentenced to death for adultery by an Islamic court. How can you stop this happening?

MN: One important way in which this can be done is to publicise these cases; after all, how can any decent person not be moved to action and opposition if they know about it? It's important to raise the alarm before it happens, though - and that is only possible if rights activists find out about it as many times execution dates are unreported. Then there is a real possibility of putting enough pressure to stop it.

A recent case in point is the release of Nazanin Fatehi from the Islamic regime of Iran's death row. Another way is to show solidarity with the people of those countries that are suffering under and resisting the political Islamic movement. I think, ultimately, the way to stop this is to oppose the political Islamic movement. Imagine when the Islamic Republic of Iran, as a pillar of the political Islamic movement, is overthrown by a people's movement that is strongly secular, left and humanist; this will have important repercussions across the world. Then you would quickly see the demise of this movement.

IPS: Do you think that as the number of organisations grows, perhaps also in Muslim countries, and also your membership, you can play an important role in bringing an end to the death penalty throughout the Muslim world?

MN: I think there is already a majority who opposes political Islam and the death penalty. This not-very-silent majority in many instances has to be further mobilised and strengthened. The more mobilised we are, the more pressure we can exert. There have been many examples of people saved as a result of public pressure. But for everyone saved, there are so many more killed under cover of darkness and in prisons, under torture, and buried in mass graves.

To address this, you have to end sharia law; it is a political battle, which in a sense is being primarily played out in Iran. In the end, stopping political Islamic strongholds will have a huge impact on the movement against the death penalty. As the late Marxist thinker, Mansoor Hekmat has said, getting rid of states that execute is like getting rid of hundreds of serial killers all at once. No small feat in and of itself.

He adds: "The demand to end capital punishment and prohibit murder stems from opposition to intentional, deliberate and planned murder of one by the other. That a state or ruling political force is responsible does not make the slightest difference to the fact that we are dealing with intentional murder. Capital punishment is the most deplorable and appalling form of intentional murder since a political authority, publicly, with prior notice, on behalf of society, with the utmost legitimacy and ruthlessness, decides to murder someone, and announces the date and time of the event." (END/2008)

RIGHTS-PAKISTAN:

Enlarged Capital Crimes List Belies Promises - Activists

By Zofeen Ebrahim

KARACHI, Dec 2 (IPS) - The decision to add "cyber terrorism" to Pakistan's long list of capital crimes has raised questions on whether the new government has the resolve to carry through its promise to commute the death sentences of 7,000 prisoners.

Last month, President Asif Ali Zardari issued a decree making internet crime punishable by execution or life imprisonment -- if "the death of any person" has resulted.

The new offence brings to 28 the number of crimes that carry the death sentence in Pakistan.

News of the new punishment, which took effect retrospectively on Sep. 29, was immediately denounced by human rights activists.

"We have criticised the government for enlarging the number of

offences for which death is awarded," I.A. Rehman, director of the independent Human Rights Commission of Pakistan (HRCP), told IPS.

HRCP later issued a statement showing that the decision appeared to run counter to the views of the prime minister, Yousaf Raza Gilani. He had on numerous occasions "promised to discourage the imposition of capital punishment".

The statement added: "The present legal system in Pakistan does not guarantee due process and therefore the imposition of the death penalty would only add to the miscarriage of justice suffered by thousands of people executed by the state."

Activists also noted that the announcement of the new capital offence conflicted with information given to members of parliament earlier by the interior minister, Rehman Malik, and reported by Daily Times. The law ministry was working on a proposal to abolish capital punishment, he had told them.

"We are surprised and shocked," Peter Jacob, the secretary of the National Commission for Justice and Peace (NCJP) of the Catholic Church told Asia News.

"Severe punishments cannot correct or mend our society."

Activists are now questioning whether the "cyber crime" decree may be an indication that the government is drawing back from its promise to commute the death sentences of about 7,000 inmates.

On July 21, as a tribute to the memory of the assassinated head of the Pakistan People's Party, Benazir Bhutto, Gilani told parliament of the planned amnesty, believed to be the largest of its kind in modern times.

The commutation announcement immediately drew fierce opposition from Jamiat-Ulema-Islam, a political-religious party.

The Supreme Court also made clear its disapproval by asking the attorney general and the ministries of interior and law to submit written statements explaining the government's position on death row prisoners.

But in October, the Dawn newspaper reported that the government was actually finalising plans to commute the death sentences into life terms.

Last month, the law minister, Farooq Naik also said that his ministry was reviewing the country's capital punishment laws.

"We will review each and every law," he told DawnNews, a TV channel.

The aim of the review was to ensure that "Islamic laws should not be affected".

Some activists fear that this might be a stalling strategy on the commutation promise.

"This plan to review the various laws is a new development. We will also review these laws as part of our 2009 to 20011 campaign against the death penalty," Rehman said.

"If the review is done only to replace the death penalty provision in a law with some other penalty, it can be done in a week." The cabinet could then give its approval and the parliament could vote on it "within a couple of months".

But what could happen was a review without any fixed end in sight. Critics during this would focus on preventing the elimination of the death penalty for murder and blasphemy.

"The process can be delayed for decades for want of competence as well as lack of will."

Similar sentiments were echoed by Brigadier Rao Abid Hameed, heading the Vulnerable People's Project of the HRCP.

"The ruling party feels no qualms about giving people false hopes or making irrational promises. This is the order of the day," he told IPS.

On the death penalty issue the new leadership, said Hameed, lacked commitment and courage "to take on the forces which oppose change and progress".

"It is ready to make the right noises but will not do anything serious in this regard."

Activists have also noted with concern that Pakistan appears determined to reject a resolution for a worldwide moratorium on executions when it is tabled in the U.N General Assembly later this month.

On Nov 20, Pakistan was among the 48 countries that voted against the resolution in the U.N.'s human rights committee.

Last year, Pakistan also voted against the resolution when it was passed for the first time by the General Assembly by a 104 to 54 majority. (END/2008)

Q&A: 'Religious Institutions and Islamists Oppose Abolition'

Abderrahim El Ouali interviews BRAHIM AHENSAL of the Moroccan Human Rights Association

CASABLANCA, Dec 1 (IPS) - King Mohamed VI of Morocco could easily abolish the death penalty by royal decree. But by keeping capital punishment on the statute books, the young King is yielding to official religious institutions and Islamists, says Brahim Ahensal.

Ahensal, a member of the Moroccan Human Rights Association, says abolition will depend on the degree of engagement from human rights NGOs and progressive political forces.

Ahensal speaks of the difficulties activists face in their daily battle against capital punishment.

IPS: Once again you marked the World Day against the Death Penalty by holding a sit-in. Is this the only way to express your opposition to the death penalty in Morocco?

Brahim Ahensal: Sit-ins do have a very positive impact as they allow us to communicate directly with the people. Of course, it's not the

only possible form of action against the death penalty.

There are other more effective ways which we haven't used yet, such as human rights caravans criss-crossing the country and showing movies. Images are more likely to influence people than words. But still, we do also think that conferences can play a role in raising awareness about the death penalty as a barbaric and inhumane punishment.

IPS: What kind of activities are you engaged in at the present?

BA: We are in direct contact with citizens on a daily basis, explaining the importance of implementing global human rights and incorporating these into Moroccan laws.

Our task is to show the tragedies and atrocities that result from the death penalty, especially when the justice system is not independent and the rule of law is absent.

IPS: Are you facing any difficulties in these daily activities against the death penalty?

BA: Yes. The first difficulty is keeping up our engagement on a daily basis. Then we are hindered by a lack of money. The Moroccan media is of little help; the press, radio and TV talk about the death penalty only once a year, that's when the World Day is commemorated on October 10.

IPS: What kind of cultural and social resistance are you experiencing?

BA: Ancient traditions and illiteracy are the main factors. Official educational and media policies reinforce this rather than a culture of rational, critical questioning.

IPS: Is there enough freedom for you to express your views?

BA: Freedom of speech in Morocco is stifled. Expressing views contrary to the official ones is met with repression. Many human rights activists have faced detention and trials because of their independent views on human rights issues. Of course, any just cause requires sacrifices for progress to be made.

IPS: In the end, will it depend on the King whether Morocco abolishes the death penalty?

BA: According to the constitution, the monarchy in Morocco has a monopoly of all power, legislative, executive and judicial. This means that the King could easily issue a decree to abolish the death penalty, especially as all sentences are passed in his name.

I would like to say here that during the reign of King Hassan II [from 1961 to 1999] many opponents were sentenced to death and executed for political reasons though their cases were 'customised' so they could be brought to court under some penal provision.

The abolition of the death penalty in Morocco will depend on the degree of engagement from the human rights movement, as well as the democratic and progressive political forces. This is the only

way to put pressure on the Moroccan state to ratify the Second Optional Protocol of the International Covenant on Civil and Political Rights, promising not to carry out executions. This was also a recommendation of our Equity and Reconciliation Commission [2004 -2006].

IPS: What other punishments should replace the death penalty in Morocco?

BA: Let's agree first of all that the death penalty cannot protect society from crime that has economic, social, psychological and political causes. As long as these causes are present, the death penalty is powerless. We should focus on dealing with the causes of crime. We should provide education on human rights. We should make our prisons effective institutions for reform, training and social reintegration.

IPS: Do you think that the death penalty advocates in the Arab and Muslim world are misusing religion to retain the death penalty?

BA: Official religious institutions and Islamist groups are in the forefront of resistance to death penalty abolition. Though they differ formally, they come together in their opposition to human rights and resistance to abolition. Their extreme interpretation of religion justifies the retention of this barbaric punishment. (END/2008)

Q&A: 'Review of All Life Sentences after a Set Time'

Kuban Abdymen interviews GULNARA KALIAKBAROVA of Penal Reform International

BISHKEK, Kyrgyzstan, Dec 1 (IPS) - The guns of state firing squads are today silent in Central Asia.

Gulnara Kaliakbarova, a doctor and lawyer, is monitoring this and other reforms in the penal and justice systems in the region for Penal Reform International.

She specifies what has been achieved over the past decade and suggests a list of priorities with the ultimate goal of adopting "the best sentencing policies" for long-term prisoners.

IPS: Is Central Asia close to becoming "death penalty-free"?

Gulnara Kaliakbarova: No, not yet. But there have been gradual, positive changes on this issue in the region. Three Central Asian countries have fully abolished the death penalty -- Turkmenistan in 1999, Kyrgyzstan in 2007 and Uzbekistan in 2008. In 2007, Kazakhstan abolished the death penalty only for ordinary crimes, retaining it for terrorism acts and grave crimes committed at war time. In Tajikistan, a moratorium on both the imposition and execution of death sentences is in place since 2004.

In December 2007, all Central Asian countries voted for the U.N. General Assembly resolution on a moratorium on the use of the death penalty. This shows the necessary political will is there to make Central Asia "death penalty-free".

IPS: Central Asia was notorious for the secrecy surrounding the death penalty. Has this changed?

GK: The secrecy remains to a certain extent. There is a lack of official statistics in the region despite countries' commitments as members of the Organisation for Security and Co-operation in Europe (OSCE). There is also no information available on the burial places of those executed because national legislation does not oblige the authorities to provide relatives with such information.

IPS: What would you say is the most pressing problem in the region in relation to the abolition of the death penalty?

GK: Undoubtedly, deciding what the adequate alternatives to the death penalty should be. Life imprisonment has become the main substitute for the death penalty in most countries, including those in Central Asia. In most of these countries, all the death sentences have been commuted to life imprisonment.

IPS: What does "life imprisonment" generally mean?

GK: Nobody really understands what it means. The term is ambiguous and it is interpreted differently in different countries. In some countries, it means the prisoners will serve their term in prison until they die; while in others, for example in Kazakhstan and Uzbekistan, it means a minimum 25 years of imprisonment before the prisoner can appeal for pardon or parole.

IPS: Is life imprisonment the appropriate alternative to the death penalty?

GK: Life imprisonment does not provide for the reformation or social reintegration of the offenders. It is extremely punitive. Prisoners are locked away in solitary confinement where any sort of exercise or recreational activity and contact with the outside world is limited. Lifers are often discriminated against and treated less favourably by prison staff. In some cases, there is no scope for review of their sentences or parole; lifers lose hope in life, and their sanity.

There are countries that do not have this sentence. For example, Slovenia, Brazil and Colombia have fixed-term imprisonment for the most serious crimes.

IPS: What are you advising countries which still do have this sentence?

GK: Generally, there is a need to strengthen and reform the criminal justice system in each country as the existing systems have too many loopholes. While using life imprisonment as the ultimate punishment, it is important to consider the minimum and maximum prison terms, sentencing policy, risk assessment, parole and conditions of detention and security measures. Other issues needing attention are prison management, training of qualified personnel to adequately deal with prisoners, and the financial implications of having a large population of lifers. Moreover, there should be attempts to comply with international standards and recommendations on the treatment of long-term prisoners.

Central Asia can do better by studying the best practices on sentencing policies, model prison management or parole board, and social reintegration programmes. Prison staff exchange programmes with European countries would also be useful.

IPS: Kyrgyzstan's Ombudsman recently called for prisoners to be allowed paid work in jail, a proposal that has been accepted by the ministry of justice. Should prisoners serving life sentences in Central Asia also be allowed to work?

GK: Current national legislation does not allow prisoners serving life sentences to work. They can leave their cells for daily work only. Certain safety conditions must be introduced before inmates can be issued with, say, work tools. Therefore, allowing "lifers" to participate in employment programmes would require amending legislation in all countries of the region.

IPS: Over the short term, what are your most pressing recommendations?

GK: Kazakhstan and Tajikistan should totally abolish the death penalty. All countries in the Central Asian region should ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights. There is an immediate need for further demilitarisation of the prison systems. Barracks should be replaced with cells which meet all international standards and provide more safety for both prisoners and the prison staff.

There should be a legal possibility of an early release on parole for people whose death sentences have been commuted to life imprisonment. Revision of life sentences after a certain period of time should be made compulsory by law. As we know, long term imprisonment under strict conditions may be damaging for the mental and physical health of prisoners. Programmes for the psychological rehabilitation of offenders and employment opportunities should be developed.

Finally, I would suggest setting a goal of a maximum prison term of between five and seven years. (END/2008)

RIGHTS-HUNGARY: Activists Seek to Reverse Draconian Law By Zoltán Dujisin

BUDAPEST, Dec 1 (IPS) - A Hungarian rights organisation is seeking to return the country to the days when all life prisoners had a right to a review of their sentences, giving hope to eight who have been sentenced to imprisonment until they die.

In 2001, Hungary passed a special law for the gravest of crimes. This removed for these the right of conditional release after 30 years in jail. Judges were allowed to send these convicted killers to prison for the rest of their natural lives.

The prime minister at the time was Viktor Orban, a conservative populist who advocated tougher sentencing policies. In 2002, as outgoing prime minister, he called on Europe to consider the reintroduction of the death penalty following a meeting with relatives of the eight victims who died in a violent bank robbery.

"This law is against both our constitution and the European

Convention on Human Rights," Balazs Toth, project coordinator of the Hungarian Helsinki Committee, a rights organisation campaigning for the law on whole of life sentences to be repealed, told IPS.

"There is no reasonable argument for claiming that after 30 or 40 years, these people cannot return to society. A judge would need to be sure at the time of sentencing that no matter how much time passes, he would not review his decision, something that goes against the fundamental rights of human dignity."

The organisation had taken up the matter with the Hungarian Ministry of Justice with a view to getting the law repealed so as to bring the country "in line with European standards."

So far, eight among Hungary's 72 life prisoners have been sentenced under this 2001 law.

Five of the eight are held in a unit built in 2005 in the century-old high-security prison in Szeged, 170 km south of the capital Budapest.

"Rules and conditions for them there are so severe that they amount to inhuman treatment. This is a violation of their human rights if you consider these conditions will apply until the day they die," Toth said.

Cell windows were specially barred allowing in insufficient light.

"The prisoners are in almost complete isolation and cannot meet with other inmates. If they receive a visitor they are not allowed to touch them. If they leave their cells, even for a shower or a phone call, they are handcuffed.

"They are isolated because the officers fear they'll attack other prisoners. But what motivation do these people have to behave well when they don't stand a second chance and have nothing to lose as no more severe sanction can be imposed on them?"

In 2007, the Szeged prison was criticised by the European Council's Committee for the Prevention of Torture for the unjustified isolation in which these prisoners were held.

While theoretically allowed to leave their cells for an hour twice a week for sports, there was often a gap between theory and practice, and group activities were also completely off limits, Toth said.

"If they do physical exercise it is by themselves and in a space you could hardly call 'outdoors'."

Their exercise yard was 16 sq metres with a roof consisting of bars.

There were no programmes for their reintegration into society. Opportunities for work in prison were "very limited", such as making matches for which they received a third of the average salary for the job. They were also permitted to borrow library books for self-education.

Toth also criticised the restrictions on religious practice.

"They are not allowed to take part in collective religious services."

In an agreement with the National Prison Administration, the Helsinki Committee is permitted to monitor conditions of the prisoners by receiving uncensored letters, "something rare, even for Europe".

The organisation is also able to meet the prisoners without guards being present. It has the right to call in medical doctors to investigate any reports of physical abuse.

The organisation's criticisms of the prisoners' treatment were "not always welcomed" by the authorities.

"We are repeating ourselves without seeing real change. They say we are right, but blame it on the lack of money," Toth said.

Many Hungarians would probably be unsympathetic to any improvement in conditions for lifers. In a 2007 survey, 60 percent said they would like tougher criminal sanctions. Sixty-three percent of those polled wanted the reinstatement of the death penalty which was abolished after the collapse of state socialism in eastern Europe. (END/2008)

RIGHTS-AUSTRALIA: Aboriginal's Death in Custody Case - No Justice?

By Stephen de Tarczyński

MELBOURNE, Dec 1 (IPS) - Although supporters have expressed satisfaction with the six year jail term handed down recently to Lex Wotton for his role in the 2004 Palm Island riot -- sparked by the death in police custody of aboriginal man Cameron Doomadgee -- they say that justice has yet to be served.

"They were relieved...[and] satisfied with what he got," says Raymond Sibley, brother of Lex Wotton's wife and deputy mayor of Palm Island Aboriginal Shire Council, describing the reaction of Wotton's family to the six year sentence given to him on Nov.7 in the Townsville Supreme Court.

Wotton, 40, was found guilty in October of inciting the riot in the isolated community of Palm Island during which the island's police station, officer's barracks, courthouse and a police car were destroyed.

The riot, which lasted about three hours, occurred on Nov.26, 2004. It began after the coroner's report into the death of Doomadgee, known by his tribal name of Mulrunji, was announced at a public meeting, revealing the extent of his injuries -- including a ruptured spleen and liver, as well as broken ribs -- to the community.

Despite facing a possible life sentence for his leading role in the riot, Wotton could be released as early as July 2010, when he will become eligible for parole.

But while supporters have expressed relief at the relative leniency of the jail time given to Wotton, they argue that justice has not been done.

Sibley told IPS that the 4,000-strong, mostly indigenous, community of Palm Island -- which he says is in desperate need of housing, jobs and access to better education for young people -- is "still not going to rest until justice will be done for Mulrunji."

According to the island's deputy Mayor, justice requires that a Royal Commission -- a major public inquiry -- into his death be conducted. Protestors also called for a Royal Commission while demonstrating in the state capital, Brisbane, prior to Wotton's sentencing.

While a precedent was set some years ago following public concern at the high number of indigenous people dying while being held by police -- the 1987-1991 Royal Commission into Aboriginal Deaths in Custody found that the deaths of indigenous inmates were roughly proportionate to their over-representation in Australia's prison population -- it appears unlikely that such a commission will again be enacted in relation to Mulrunji, despite lingering questions concerning police culpability.

Mulrunji was arrested for creating a public nuisance on the morning of Nov.19 after becoming involved in a verbal spat with police officers who were, at the time, arresting another Palm Island man.

After being taken into police custody, Mulrunji had a physical altercation with Senior Sergeant Chris Hurley, the arresting officer, at the police lock-up. Mulrunji died on the jailhouse floor, aged 36, a short time later.

His death set off a series of events, which included the riot and Wotton's subsequent trial and sentencing.

A lengthy report by the police Ethical Standards Command, responding to criticism of the role of police in Mulrunji's death, was sent to the Crime and Misconduct Commission (CMC) in late November. The CMC will provide police with a response, after which further action may be considered.

Previously, a coronial inquiry was conducted in 2006 and found that Mulrunji had sustained horrific injuries. His liver and portal vein were ruptured, leading to the intra-abdominal bleeding which caused his death.

Despite acting state coroner, Christine Clements, concluding that Hurley's actions caused Mulrunji's injuries, the Queensland Director of Public Prosecutions (DPP), Leanne Clare, did not press charges.

It was not until a review of the DPP's decision was carried out in January 2007 that it was recommended that Hurley be charged. The officer pleaded not guilty to charges of manslaughter and assault and was acquitted.

But with the full ramifications of the circumstances surrounding Mulrunji's death still to be played out, the affair is being viewed as a symbol of the reality of relations between black and white Australia.

"There is a massive gulf between what is really going on and what Australians would like the rest of the world to believe," says Chris Graham, managing editor of the National Indigenous Times (NIT) newspaper, which aims to bridge the divide between Australia's indigenous and non-indigenous communities.

While the ongoing Mulrunji affair has so far resulted in the death of one aboriginal man and the imprisonment of another, police involved have either been compensated or given awards.

"I think it's a great metaphor for how Australia treats Aboriginal people," says Graham.

Hurley was controversially paid some AUD 100,000 (64,800 US dollars) compensation for items destroyed when the police barracks were torched, while 22 police officers involved in quelling the riot received bravery awards from the Queensland Police Service. The awards were presented in the same week that Wotton was sentenced.

Graham told IPS that it is "a great indication of the gulf between Queensland police and reality because it's not just aboriginal people who are outraged by what has gone on. There are a lot of non-aboriginal people who are stunned that this sort of thing could happen in 2008."

He says that Wotton's sentence does not represent "anything approaching justice."

"People have got to remember that a man died in this tragedy. A man was killed by a police officer in a police cell," says Graham.

The NIT editor argues that Palm Islanders were justified in attacking police buildings, which he says has led to greater media coverage of Mulrunji's death and issues surrounding it, leading to greater efforts "to improve the lives of Palm Islanders in the four years since the uprising than happened in the decades before it."

"Not only were they justified but they showed enormous restraint by not injuring, in any serious way, police," says Graham, pointing out that police injuries "were limited to a bruise and an abrasion."

"If that's not restraint by aboriginal people who were incensed by the killing of one of their own, then I don't know what you would call restraint," he says. (END/2008)

News from International NGOs – December 2008

UN RESOLUTION ON MORATORIUM ON THE USE OF THE DEATH PENALTY: CALL ON NIGERIA TO ABSTAIN

Amnesty International, Human Rights Watch, the Nigerian Bar Association and Nigerian NGOs called on Nigeria on Dec 12 to abstain during the vote on a second resolution on a moratorium on the use of the death penalty which will be introduced at the United Nations General Assembly (UNGA) 63rd Plenary Session, in the week starting 15 December.

The Third Committee of the UNGA adopted a draft resolution entitled "Moratorium on the use of the death penalty", A/c.3/63/L.19/Rev.1, on 20 November with a strong cross-regional support. An overwhelming majority of 105 states voted in favour, 48 against and 31 abstained. Eighty nine countries co-sponsored the resolution, two more than in 2007. We regret that Nigeria voted against.

The below signed organisations strongly encourage Nigeria to abstain when the resolution is voted on in the plenary session of the UN General Assembly this December. Nigeria previously abstained when the former UN Commission on Human Rights voted on a similar resolution in April 2005, (resolution 2005/59), calling upon all states that still maintain the death penalty "to abolish the death penalty completely and, in the meantime, to establish a moratorium on executions."

As a member of the UN Human Rights Council, Nigeria is required to uphold the highest standards in the promotion and protection of human rights. The organisations hope that Nigerian Ambassador Uhomoibhi's term as the President of the Human Rights Council will also provide the opportunity and impetus for Nigeria to lead by example by taking concrete steps to promote human rights both internationally and within Nigeria.

DOUBLE MISFORTUNE: DEEPENING HUMAN RIGHTS CRISIS IN CHAD

This report, published Dec 18 by Amnesty International available at <http://www.amnesty.org/en/library/asset/AFR20/007/2008/en/7060dfb4-bd46-11dd-857f-c5541b902dd7/afr200072008en.pdf> focuses on violations of human rights and humanitarian law that took place in N'Djaména. Armed opposition groups were in the city during the two days of intense fighting on 2 and 3 February 2008. The report highlights serious concerns about possible violations of international humanitarian law by both government and armed opposition forces at that time. As the human rights situation in Chad worsens, the implications for the people of Chad and for the region are extremely concerning.

<http://www.amnesty.org/en/library/asset/AFR20/007/2008/en/7060dfb4-bd46-11dd-857f-c5541b902dd7/afr200072008en.pdf>

MAURITANIA: TORTURE AT THE HEART OF THE STATE

A new report published Dec 3 by Amnesty International begins with this quote from a man held in custody for 26 days and finally released without charge: "I was arrested at my home around five o' clock in the morning of 1 May 2008 by a group of approximately ten police

officers and soldiers in uniform. Two of them were in sportswear. They smashed the windows and pointed their guns in the direction of my bedroom. They blindfolded me, handcuffed my hands behind my back and took me to a place I did not know. They shut me in the toilets and left me there for two days, handcuffed and blindfolded. On the third day, at around four o' clock in the morning, they began to question me when I was tired because of not being able to sleep. They tied my hands and feet behind my back and suspended me in the air for ten to fifteen minutes. When they thought I was going to lose consciousness, they put me down and then put me up again. They asked me if I belonged to the Salafist Group. The torture sessions, punctuated by questioning, lasted one week. They took place between three and nine o' clock in the morning. They hit me all over my body. I was forced to bend double because they tied my hands and feet to a chain. I finally confessed to everything they accused me of."

This account, gathered by an Amnesty International research mission to Mauritania in July 2008, is one of many examples of how the security forces have systematically used torture against individuals detained for offences under ordinary law and military personnel accused of recent attempted coups. The victims also include individuals suspected of links with Islamic groups accused of acts of terrorism, especially the Group salafiste pour la prédication et le combat (GSPC), Salafist Group for Preaching and Combat, an armed group mainly active in Algeria, which became the Organization Al-Qaida pour le Maghreb islamique (AQMI), Al-Qa'ida in the Islamic Maghreb, in 2007.

<http://www.amnesty.org/en/library/asset/AFR38/009/2008/en/da7e84ca-bfa0-11dd-9f1c-69adff6d2171/afr380092008en.pdf>

BURUNDI: ASSEMBLY ABOLISHES DEATH PENALTY, CRIMINALIZES TORTURE

The Burundian National Assembly adopted important human rights advances in a penal code voted in on November 22, 2008, including abolishing the death penalty and making torture, genocide, war crimes, and crimes against humanity punishable under Burundian law, Human Rights Watch said Dec 3. But three changes to the code are detrimental to human rights. These changes would make consensual homosexual conduct a criminal offense, decriminalize arbitrary detention by state agents, and limit the responsibility of the state to address spousal violence. To become law, the code must be approved by the Senate and signed by the president.

"We applaud the National Assembly for its positive steps," said Alison Des Forges, senior advisor to the Africa Division at Human Rights Watch. "But we look to the Senate to retain the strong advances in the new penal code while amending the negative provisions concerning homosexual activity, spousal violence, and abuse of power by state agents."

The code defines torture and makes it a crime, carrying out Burundi's obligations as a party to the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment. Similarly, the code defines and criminalizes genocide, war crimes, and crimes against humanity, integrating these crimes as defined by international conventions into domestic law. All three crimes are punishable by life sentences.

USA: INVESTIGATION, PROSECUTION, REMEDY: ACCOUNTABILITY FOR HUMAN RIGHTS VIOLATIONS IN THE 'WAR ON TERROR'

A document published by Amnesty International on Dec 4 outlines the importance of immediately initiating effective independent criminal investigations, including into crimes under international law such as torture and enforced disappearance committed by individuals acting for or on behalf of the USA; removing potential obstacles in existing US law to successful investigation and prosecution of all such cases; and ultimately bringing perpetrators to justice. Any prosecutions must be conducted in independent and impartial courts applying international fair trial standards, without recourse to the death penalty.

<http://www.amnesty.org/en/library/asset/AMR51/151/2008/en/5cd1cd9c-c218-11dd-96cb-158126a8c809/amr511512008en.pdf>

AFGHANISTAN: STOP MOVE TOWARD WIDE USE OF EXECUTIONS

The Afghan government must immediately repeal the death sentences against 111 people who are on death row, Amnesty International said Nov 12, following reports of the execution of nine people since the week before, which may signal further executions ahead.

"The sudden rush in executions is of serious concern, given that Afghanistan's fledgling justice system is largely incapable of providing fair and sound trials," said Sam Zarifi, Amnesty International's Asia-Pacific director. "The authorities should impose an immediate moratorium on all executions in Afghanistan, with a view to abolishing the use of this horrific punishment."

Death sentences for at least 111 people have been recently approved by President Hamid Karzai, who signs the final execution orders. This move is widely seen as an effort by President Karzai to bolster his popularity among the Afghan people who increasingly complain of rising criminality and the government's failure to impose the rule of law.

"There is no evidence that the death penalty has a deterrent effect on crime anywhere in the world, and particularly not in Afghanistan," Sam Zarifi said. "If President Karzai is serious about sending a message about ending criminality and extending the rule of law, he should begin by dealing with the higher levels of government people facing credible allegations of serious human rights abuses and engaging in criminal enterprises, as well as Afghanistan's massive narcotics business."

These latest executions are the first since October 2007, when the government executed 15 people.

PALESTINIAN AUTHORITY: DEATH SENTENCES SURGE IN WEST BANK, GAZA

Palestinian officials should announce an immediate moratorium on the death penalty and eliminate its use in Palestinian law, Human Rights Watch said Dec 15 in letters to Palestinian officials. In 2008, Palestinian civil and military courts have sentenced 11 people to death, including a defendant who was a child at the time of the alleged offense. The last time a Palestinian court sentenced someone to death or Palestinian authorities carried out an execution was in 2005. Under Palestinian law, the president of the Palestinian Authority (PA), Mahmoud Abbas, must ratify all death sentences prior to implementation.

"It's deeply disturbing that Palestinian courts have resumed issuing death sentences at a time when the rest of world is moving toward abolishing capital punishment," said Joe Stork, deputy director of Human Rights Watch's Middle East division. "President Abbas should make clear that he will commute all of these sentences when they arrive on his desk."

Seven of the 11 death sentences this year were issued by military courts, in breach of a commitment made by Abbas in June 2005 to refer all death penalty cases to civilian courts. Palestinian military and state security courts do not meet international fair trial standards. In two of the cases, before military courts in Jenin and Hebron, the trials lasted just one day..

WORLD PRESS REVIEW – December 2008

DEATH PENALTY: UN APPROVES NEW PRO MORATORIUM RESOLUTION

The United Nations General Assembly approved the resolution for the moratorium on the death penalty for the second consecutive year, with 106 in favour, 46 against and 34 abstentions. With respect to last year, votes in favour increased by two, votes against dropped by eight, and abstentions increased from 29 to 34, ANSA reported Dec 18.

"The new UN vote against the death penalty confirms the evolution taking place around the world. It also shows that the moratorium is the main vehicle to end this abhorrent anachronism whereby a state becomes Cain to defend Abel," Sergio D'Elia, Secretary of the Radical association Hands Off Cain, said. He was speaking after the approval of the pro moratorium resolution, and noted that it was approved for the second consecutive year and with an even higher margin than the year before.

"Now, we need to ensure that this success is not quickly weakened or wasted. This means we must double our efforts in order to give concrete application to the United Nations' request," D'Elia said. "It is therefore necessary that the UN Secretary General is equipped with a Special Envoy. This envoy would not only have the task of monitoring the situation in retentionist countries, ensuring above all that they abolish 'state secrecy' regarding the death penalty, which is the main cause of most executions around the world. The envoy would also continue to persuade those countries still retaining the death penalty to support, not immediate abolition, but a stable moratorium by the United Nations," D'Elia explained.

EXECUTIONS AND DEATH SENTENCES IN UNITED STATES DROPPED IN 2008, REPORT FINDS

New death sentences in the United States were at or near a three-decade low this year and the number of people executed will be the lowest since 1994, according to a new report, AP said Dec. 10. The nonprofit Death Penalty Information Center reports 37 executions in 2008, with no more expected for the remainder of the year. That's down 12 percent from 42 in 2007 and a 30 percent drop from 2006.

The center estimates the total number of death sentences this year at 111. That is on par with the 115 death sentences imposed in 2007 that represented a 30-year low. It is more than a 60 percent drop from 1998, reflecting a steady decline over the last decade. The report from DPIC, which opposes the death penalty, also indicates that executions in the U.S. have essentially become a regional phenomenon. All but four of the 37 executions this year occurred in the South and Texas, with Ohio and Oklahoma providing the exceptions. Half of the executions occurred in Texas, where 18 inmates were put to death.

Virginia executed four prisoners. Georgia and South Carolina executed three each; Florida, Oklahoma, Mississippi and Ohio each executed two and Kentucky executed one. All of the executions in 2008 occurred after April 16, when a U.S. Supreme Court decision on the use of lethal injections ended what had been a de facto moratorium in place for almost seven months. Richard Dieter, the DPIC's executive director, had feared the numbers would spike in 2008 as states rushed to implement executions that had been on hold.

The fact that there wasn't a spike, he said, demonstrates the inherent problems with the death penalty, including the struggle to ensure a fair appeal process on issues like DNA evidence and inadequate lawyering. Dieter also said that recent death-row exonerations prompted by DNA evidence have planted seeds of doubt in the public's mind about carrying out an irrevocable punishment.

On a state level, changes in the law have also made a difference. In Texas, for instance, a 2005 law gives juries the option of imposing a life sentence without parole. Before then, any sentence short of execution carried the possibility of parole after 40 years in prison, said Kristen Houle, executive director of the Texas Coalition to Abolish the Death Penalty. As a result, Texas has imposed only 10 death sentences in 2008, according to Houle's organization, the fewest since the U.S. Supreme Court reinstated capital punishment in 1976.

NEW HAMPSHIRE ISSUES FIRST DEATH SENTENCE IN 49 YEARS

A jury handed down New Hampshire's first death sentence in 49 years to a man who fatally shot a police officer in October 2006, AFP reported Dec 18. Michael Addison, 28, was unanimously sentenced to death by 12 jurors for shooting Michael Briggs in the head to avoid arrest in Manchester, New Hampshire. The judge must impose the sentence and cannot change it.

Attorney General Kelly Ayotte called for the death penalty, telling the jury that life imprisonment, a sentence sought by Addison's lawyers, would have been insufficient. The jury announced its verdict after about 13 hours of deliberation over four days. Jurors also signed a statement saying that "consideration of the race, color, religious beliefs, natural origin or sex of the defendant or victim" was not involved in the decision.

New Hampshire is predominantly white and Addison is African-American. The jurors said Addison's criminal record was an aggravating factor and that his difficult childhood did not lessen his guilt. The defense has said it would appeal. The state's last execution dates back to 1939. In 1959, two men were sentenced to death, but their sentences were commuted in 1972 to life in prison.

SAUDI ARABIA: SWORD USED TO BEHEAD KILLERS

Two men were beheaded by the sword in Saudi Arabia after being convicted of murder. Saudi Abdullah Ruili was found guilty of the shooting death of an unnamed compatriot and decapitated in the northern border city of Araar, said an interior ministry statement carried by SPA official news agency, AFP reported Dec 17. Mohammed al-Saadi, whose nationality was not given, was convicted of the shooting death of Saudi Ali al-Qahtani and executed in the southwestern city of Bisha, the ministry said. The beheadings bring to 96 the total number of executions this year in the ultra-conservative Gulf kingdom.

HAMAS-RUN COURT GIVES DEATH PENALTY TO GAZAN FOR COOPERATING WITH ISRAEL

A Palestinian military court sentenced a Gaza Strip resident to hang for alleged security cooperation with Israel, Chinaview.cn reported Dec. 16. The military court, run by Hamas, "ruled to hang Mohammed Ali Saidam, 34, after he was found guilty of committing treason, spying, plotting and cooperating with the Zionist enemy," said Ahmed Attalla, head of Hamas' military judicial system. Attalla said the convicted resident of southern Gaza Strip town of Rafah was arrested in February 2007 and admitted that he received training at Israeli military camps and joined the occupation forces in several raids in Gaza Strip since 2004.

IRANIAN AUTHORITIES HANGED ONE MAN FOR FEW MINUTES, AND THEN SENT HIM TO A HOSPITAL FOR RESUSCITATION

December 7, 2008: One man was hanged for few minutes, and then sent to a hospital early today, reported the official Iranian news agency IRNA on Dec. 7. The man was convicted of murder and was sentenced to death. The hanging took place in the city of Kazeroun (southern part of Iran), and according to the report, after being hanged for few minutes, the man was pardoned by the family of the offended and brought to hospital. The IRNA report had the title "the sweet end of an execution".

QATAR: APPEALS COURT COMMUTES DEATH SENTENCE IN MAID MURDER CASE

The Gulf Times reported Dec. 7: A Doha Appeals Court commuted the death sentence given to a 31 year old Egyptian woman, accused of murdering her Filipina maid, to three years imprisonment. The woman's husband, who was sentenced to three years in jail, was acquitted by the second-degree court for lack of evidence. The appeals court said the case in question was "beating that led to death", ruling out the charges of premeditated murder.

Legal sources said the family of the victim chose to accept a compensation of QR150,000 and they had dropped the claim for execution of the convict. On June 22, 2007, the maid's body was discovered in the bathroom of her employer's house in Doha's Hilal area. According to sources, the Egyptian housewife began to physically assault her maid after her five-year-old son complained that he had been mistreated. According to the child's testimony, given to police officers investigating the crime, his mother used to regularly assault the maid, sometimes tying her to a chair to prevent her escape. The maid, who came to Qatar 14 months before her death, was also denied food and her weight at the time of her tragic end was a pitiful 39kg.

ALGERIAN MPS WANT TO ABOLISH THE DEATH PENALTY

A group of Algerian parliamentarians filed a bill Dec. 6 aimed at abolishing capital punishment, a move supported by the World Coalition. Algerian MP Ali Brahimi filed a bill aimed at abolishing the death penalty. The text was sponsored by 20 other lawmakers and states: "The death penalty is abolished. No one shall be executed." The bill seeks to replace capital punishment with life imprisonment in Algerian law.

Once vetted by the Committee of Algeria's National Popular Assembly, the text will be in the hands of the government, which sets the parliamentary agenda. "It will all depend on us and on whatever international pressure may be applied", said Ali Brahimi. The sponsors of the bill will organise a conference on the death penalty on December 15. Another event will take place in January thanks to Algeria's National Commission for the Promotion of Human Rights and to World Coalition member organisation Penal Reform International. Apart from Brahimi's RDC party, representatives from two other political movements, including the ruling FLN, told Le Soir d'Algérie newspaper that they favoured abolition. However the April 2009 presidential election may shift attention away from the abolition bill.

IRAQ'S 'CHEMICAL ALI' GETS SECOND DEATH SENTENCE

The Guardian reported Dec. 2: Ali Hassan al-Majid, known as "Chemical Ali", received a second death sentence for the mass killing of Shia Muslims during an uprising in southern Iraq after the 1991 Gulf war.

Majid had already been condemned to death by hanging for his role in the killing of tens of thousands of Kurds, but has not yet been executed. He served as Iraq's intelligence chief and defence minister. He was one of three former officials sentenced to death in June 2007 after being convicted of genocide, war crimes and crimes against humanity for their part in the 1988 Anfal (Spoils) campaign, which killed 180,000 Kurdish civilians and guerrillas.

UZBEKISTAN JOINS INTERNATIONAL PROTOCOL ABOLISHING DEATH PENALTY

Uzbek President Islam Karimov signed the law "The accession by the Republic of Uzbekistan to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty", the presidential press office told Interfax, according to a report carried by the agency on Dec. 12. The bill was passed by Uzbekistan's Legislative House on October 30, 2008, and was approved by the Senate on December 5, 2008. On August 1, 2005, the president signed a decree abolishing the death penalty in Uzbekistan, followed by the passing of the changes and amendments to several Uzbek laws due to the abolition of the death penalty, the press office said. According to these documents, the death penalty has been excluded from the Uzbekistan criminal penalties since the beginning of 2008.

INDIA: DEATH FOR NINE IN MURDER CASE

Fast Track Court-II and Additional Sessions Judge Javed Pasha sentenced nine people to death and six co-accused to life imprisonment in a murder case. Fifteen others were fined Rs. 45,000 each, the Hindu reported Dec. 16. All the accused, convicted of murdering four members of a family in August 2005, are housed in Hindalga Central Jail. Sundaresh Basavanneppa Udakeri, 20, Siddappa Chandranaik Revannavar, 26, Siddalingappa, alias Mudakapa Chandraniak Revannavar, 24, Kalmesh Shankreppa Udakeri, 21, Rajashekhar Chanabasappa Udakeri, 38, Bhagwant Nagappa Udakeri, 30, Chandranaik Mallanaik Revannavar, 51, Erappa Basavanneppa Udakeri, 18, and Shankreppa Chanabasappa Udakeri, 53, were all sentenced to death.

According to Superintendent Sonia Narang, who was the then Additional Superintendent of Police in Bailhongal, the accused murdered Siddalingappa Fakeerappa Wadder, Mallappa Siddalingappa Wadder, Nagappa Siddalingappa Wadder and Ratnavva Suresh Wadder on August 30, 2005. The accused and the victims were neighbours in the village at Murkibhavi in Bailhongal taluk. The motive for the crime is said to be long-drawn animosity between the families.

KENYA: NINE WARDERS SENTENCED TO DEATH

Nine prison warders were sentenced to death for the murder of six inmates at the King'ong'o Maximum Prison in Nyeri, Kenya, eight years ago. Delivering his judgment, Mr Justice Nicholas Ombijja accused prison authorities of a massive cover-up of brutality as evidence was either destroyed or hidden, the Daily Nation reported Dec. 18.

The warders are Jacob Muthee, Joseph Rukwaro, Caesar Mwangi, Samuel Ngugi, James Karanja and John Kariuki. Others are Joshua Onyango, James Cise Boit and Noor Mohammed. Justice Ombijja said evidence showed that the warders used clubs, sticks, axes and pieces of wood to kill the prisoners. Government pathologist at the time, Dr Kirasi Olumbe and Dr Moses Njue concluded that the inmates died of multiple fractures on the skulls and limbs. "Evidence by a team of doctors cannot be faulted. There were multiple, extensive injuries on all the inmates." "I find that the accused persons had an intention to cause death or that they had knowledge that their act would cause death. This amounts to malice aforethought," he said.

TANZANIA: UKONGA DEATH ROW INMATES ON DAY 6 OF HUNGER STRIKE

It is almost one week since a number of death row inmates at Ukonga Prison in Dar es Salaam, Tanzania, began a hunger strike to press for a last-ditch review of their sentences by the Court of Appeal., This Day reported Dec. 11. A total of ten prisoners participated, although one of them gave up along the way: Salehe Ramadhani Juma, Iddi Muhidini, Bartholomeo Kanuti, Mwita Sigori, Ngenya, Saidi Omari Kipiano, Ramadhani Makuka and Bakari Hussein. The ninth inmate, Reiza Massinga, is said to have already lodged an appeal with the Court of Appeal, but it has not been heard so far. Unlike the other death row inmates, Massinga was to serve a normal sentence.

When contacted for comment on latest developments on December 8, the Principal Commissioner of Prisons, Augustino Nanyaro, would neither deny nor confirm whether the inmates have upheld the strike, but added: "Efforts are still being made to convince the prisoners to eat." A source within the Ukonga Prison management set-up indicated that the striking inmates were irritated by the slow pace at which authorities have been conveying judgment and appeal documents that are necessary for lodging appeals.

TOGOLESE CABINET RESOLVES TO ABOLISH DEATH SENTENCE

A BBC report said on Dec. 11: Oulegoh Keyewa, the Togolese Minister for Communication and Culture, read a statement announcing that the cabinet decided to abolish the death penalty. "The third bill submitted by the keeper of the Seals and Minister of Justice... is on the abolition of the death sentence in Togo. In fact, the choice made by the country to set up a healthy justice system that limits judicial mistakes, corrects, educates and guarantees inherent rights to the human person is no longer compatible with the penal law which still maintains the death sentence and thus recognises for the jurisdictions an absolute the consequences of which are irremediable."

"The abolition of the death sentence which is considered as a humiliating, degrading and cruel sentence by the community of nations that respect the rights of the human person to which we belong, imposed itself on the collective conscience of Togolese for a moratorium of 30 years, while it continues to be among the penal law," he said.

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