

Botswana/Death Penalty

The Death Penalty in Botswana: Hasty and Secretive Hangings

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Description :

FIDH and DITSHWANELO - The Botswana Centre for Human Rights call upon the authorities to adopt without delay a moratorium on the death penalty as a first step towards abolition

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As part of international action aimed at the universal abolition of the death penalty and on the occasion of the current ACP-EU Joint Parliamentary Assembly in Wiesbaden (Germany), FIDH and its member organisation in Botswana, DITSHWANELO - The Botswana Centre for Human Rights, are releasing a joint report entitled: "The Death Penalty in Botswana: Hasty and Secretive Hangings".

Alerted by DITSHWANELO about the secrecy surrounding the executions of death row prisoners in Botswana, FIDH sent an international fact-finding mission to Gaborone in April 2006. The mission determined that the death penalty remains a sensitive and secretive issue in Botswana.

The authorities are reluctant to encourage public debate about the death penalty and its possible abolition. There is a total lack of transparency in the actual execution process of the death sentence. The hasty way in which most recent hangings have been carried out, further cast doubt upon the willingness of the Government of Botswana to seriously address this issue. The apparent strong public support for capital punishment should not be used by those in power, as a pretext to retain that inhuman sentence in domestic legislation.

"We urge the authorities of Botswana to make public statistics on the number of death sentences and executions: it is now time for the authorities to enable the population to debate the need to abolish capital punishment", said Ms Florence Bellivier, Secretary General of FIDH.

Not only do the authorities fail to give prisoners sufficient notice about the death warrant and the date and time of execution, but they also fail to inform the prisoners' family members accordingly, in order to allow them their last visit to the prisoner. Due to lack of access by human rights NGOs to prisons, it is impossible for them to ascertain whether or not the conditions of detention of death row inmates comply with international and regional human rights standards.

"The fact that the death warrant is served upon the condemned person "not less than 24 hours" before the execution and that s/he is not able to see her/his family before the execution, constitutes inhuman and degrading treatment. This procedure, together with the failure to inform the family of the condemned person, clearly fails to respect the human dignity of both the family and the prisoner", said Ms Alice Mogwe, Director of DITSHWANELO - The Botswana Centre for Human Rights.

Botswana retains the death sentence for four capital crimes, as listed in the Penal Code¹, contrary to international human rights practice. In addition, the right to a fair trial is not guaranteed because of the inadequacies of the pro deo system, which provides free legal assistance to persons charged with capital offences. FIDH and DITSHWANELO - The Botswana Centre for Human Rights urge the Botswana authorities to introduce a moratorium on the death penalty as a first step towards its abolition and to immediately remove mandatory death sentences.

"Human rights and human dignity are universally acknowledged as fundamental norms that form the basis of any politically organized society. The death penalty directly contradicts this premise and is based on a misconception of justice. So, within the framework of the current ACP-EU Joint Parliamentary Assembly held in Wiesbaden, FIDH and DITSHWANELO - The Botswana Centre for Human Rights, urge the assembly to appoint, without delay, a Special Rapporteur on the death penalty", said Florence Bellivier.