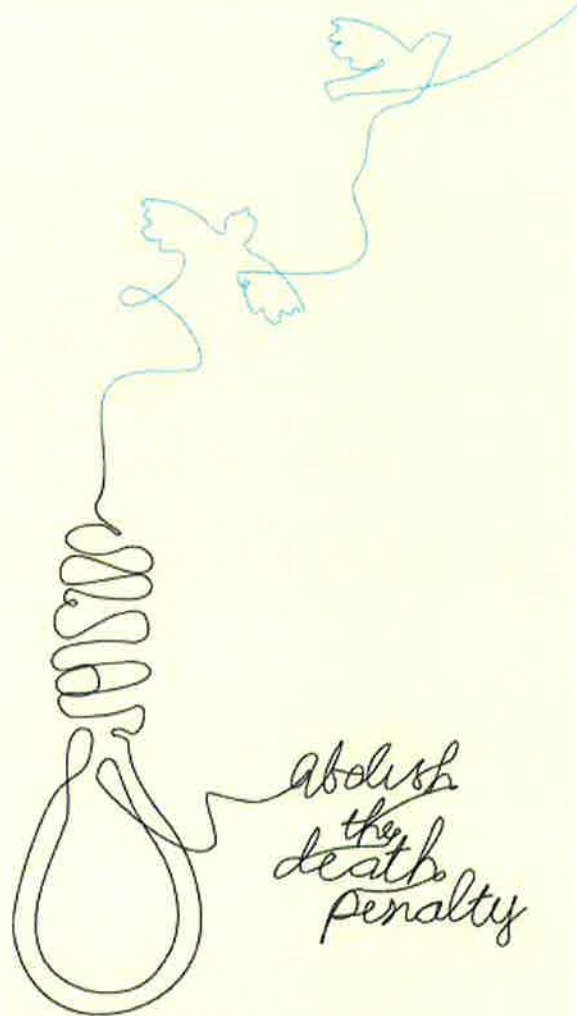


fidh

Justice!

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*I don't want it done in my name,
my country, or our world.*



**FIDH mobilises for the worldwide abolition of death penalty
2013 - 2016**



The Death Penalty is Murder!



WHY

do we kill people who are
killing people to show that
killing is WRONG

Iran: Open letter to UN human rights experts to intervene against ongoing juvenile executions

Tuesday 17 May 2016

Paris-Geneva, 17 May 2016

To:

- ***The UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Mr. Ahmed Shaheed***
- ***The Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Christof Heyns***
- ***The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Juan Mendez***
- ***Members of the UN Committee on the Rights of the Child***
- ***Members of the UN Human Rights Committee***

Dear Sirs/Madams,

I am writing to request your urgent intervention in the case of Alireza Tajiki, who was 15 years old at the time of his arrest in 2012 for alleged rape and murder. His execution was scheduled for Sunday 15 May 2016 in Adelabad prison in the city of Shiraz, but his lawyer and a number of other supporters managed to secure a temporary stay of execution. However, it is not clear for how long the execution has been postponed, notably because Iran's Islamic Penal Code empowers parents of the victims of murder to demand the execution of the alleged perpetrator.

The death sentence imposed on Mr. Tajiki is primarily based on a "confession" extracted from him under torture during his initial detention in solitary confinement, even though he retracted this "confession" during his trial, stating that he had been tortured and proclaiming his innocence. Throughout his detention and trial, Mr. Tajiki was denied due process, including being denied access to a lawyer during the investigation period.

After a trial that failed to meet international standards of fairness and transparency, he was sentenced to death in April 2014. A branch of the Supreme Court overturned this sentence and sent the case back to the issuing court for lack of evidence, and ordered further investigation. Nevertheless, the first-instance court re-imposed the death sentence based on the defendant's "confessions," without any reference to any other evidence or investigation into torture allegations. Despite this gross failure to investigate, the Supreme Court upheld the second death sentence.

Ms. Nasrin Sotoudeh, Alireza Tajiki's lawyer, who has applied for his retrial, stated on her Facebook page: "There are many ambiguous aspects in his file that create many doubts about the sentence. The worst aspect is that Alireza Tajiki was not older than 15 [at the time of the commission of the alleged offence]."

The Islamic Republic of Iran has been the biggest executioner of juvenile offenders worldwide for some years. The usual practice in Iran is to keep the alleged juvenile offenders in prison until they reach the age of 18 and then execute them. Nevertheless, several defendants have been executed even before reaching the age of 18.

International human rights organisations have documented the executions of at least 73 juveniles since 2005, including four in 2015, 13 in 2014, eight in 2013, four in 2012 and seven in 2011. On 19 October

2015, the UN Secretary General expressed his deep sadness regarding the execution of two juvenile offenders the week before in Iran. According to the Secretary General's report to the Human Rights Council in February 2015, at least 160 juvenile offenders were reportedly on death row as of December 2014. (A/HRC/28/26)

Recalling that Iran is a State party to the Convention on the Rights of the Child, I request you to:

- ask Iran to order a fair retrial of Alireza Tajiki without recourse to the death penalty, and to fully investigate the allegations that he was subjected to torture ;
- urge Iran to repeal all death sentences against juveniles and order retrials in all cases of death-row juveniles, in compliance with its obligations under international human rights law, including the Convention on the Rights of the Child; and
- call on UN member states, and in particular those States with economic and political ties with Iran, to use their influence to insist that Iran stop the practice of juvenile executions.

Sincerely,

Karim Lahidji

FIDH President

CC: UN High Commissioner for Human Rights Mr. Zeid Ra'ad Al Hussein

Japan executes an elderly man and a woman, despite international calls for abolition

Wednesday 30 March 2016

(Paris, Tokyo) FIDH and its member organisation in Japan, Center for Prisoners' Rights, strongly condemn the execution of two prisoners in Japan that took place last week. On Friday 25 March, Japan's Justice Minister Mitsuhide Iwaki authorised the execution of Mr. Yasutoshi Kamata and Ms. Junko Yoshida. These are the first executions to take place in Japan in 2016, adding to the 14 other executions since Prime Minister Shinzo Abe was re-elected in 2012.

Mr. Kamata's death sentence for murder charges was confirmed in 2005, and he was 75 years old when he was executed last week. In response to a questionnaire sent to him by a human rights group in 2015, he stated that he had "become senile and did not understand anything complicated." The execution of Mr. Kamata is particularly problematic considering the UN Human Rights Committee's recommended in 2008 that Japan adopt "a more humane approach with regard to the treatment of death row inmates and the execution of persons at an advanced age or with mental disabilities." [1] Since the UN handed down this recommendation, Japan has executed several elderly and mentally disabled individuals.

Ms. Yoshida, sentenced to death in 2010 for murder, had her request for a retrial rejected last year. It is suspected that the Ministry of Justice expedited her execution in so that she could not file another petition for retrial. Following Ms. Yoshida and Mr. Kamata's executions, there remain 124 people sentenced to death in Japan.

In 2020, Japan will host the United Nations (UN) Congress on Crime Prevention and Criminal Justice. Considering the growing global trend towards abolition and the multiple decisions by UN human rights bodies confirming that the use of the death penalty entails serious human rights violations, the government of Japan should abolish the death penalty before the 2020 Congress, in order to bring its laws and criminal justice system in line with international human rights standards.

Our organisations strongly condemn Japan's continued use of the death penalty, and call on the government of Japan to immediately suspend all executions with a view to ultimately abolishing the death penalty.

For further information in the death penalty in Japan, See FIDH "[The death penalty in Japan : Denial of the Right to Life and other human rights violation](#)" (2014), and "[The law of silence, going against the international trend](#)" (2008).

P.S.

FIDH
Center for Prisoners' Rights (CPR) - Japan

Footnotes

[1] See United Nations Human Rights Committee Concluding Observations for Japan, 2008:
www2.ohchr.org/english/bodies/hrc/docs/co/CCPR-C-JPN-CO.5.doc

Violent repression of Saudi dissidents threatens international peace and security

Tuesday 12 January 2016

(Paris) FIDH denounces the increasing repression of Saudi political dissidents and number of prisoners by the Ministry of the Interior, under the guidance of Prince Mohammed Bin Nayef and the alarming increase in the number of executions in this country since 2013.

On 2 January 2016, 47 men, some of whom were still minors [1] at the time of their arrest, were executed following a trial which did not respect the right to defence, and at which allegations of torture were made. They had been charged, inter alia, with being connected to terrorist acts committed in 2003 and 2004. This was the largest number of executions in Saudi Arabia since 1980. In 2015, 158 prisoners were executed, i.e. 68% more than the preceding year.

One of the main opponents to the regime, the Shia Sheikh Nimr Al-Nimr was among those executed on 2 January 2016. He was a minority rights defender of the Shiite and had led the rebellion that has been rampant in Qatif in Saudi's Eastern Province since 2011.

In addition to the inhumane punishment imposed on individuals accused of being members of the so-called Islamic State or Al-Qaida, the Saudi Ministry of the Interior, in the name of fighting terrorists, is carrying out a repression that is unprecedented against demonstrators, human rights defenders, political opponents and the Shiite minority.

Since the beginning of the "Arab Spring", dozens of intellectuals, journalists, academics, lawyers and activists who are calling for a reform of the criminal justice system and the establishment of a constitutional monarchy, as well as hundreds of Shiite demonstrators who are protesting about the discrimination they suffer, have been arrested by the Ministry of the Interior's security forces.

The opponents are charged with "Disobedience to the King", "incitement to sedition", "insulting the judicial or religious authorities", "attempts to overthrow the government", or "creation of a non-authorized organisation" and are then systematically sent before the Specialised Criminal Court, an "anti-terrorist" tribunal which the government set up in 2008 and that is reputed for sentencing dozens of human rights defenders.

This was the procedure used to execute Sheikh Al-Nimr on 2 January 2016, and several other Shiite activists from eastern Saudi Arabia who participated in the demonstrations. The prisoners said that they had been tortured but their allegations were not even briefly investigated.

Similar proceedings were used in September 2014 to sentence Raif Badawi (the blogger who created the website "Free Saudi Liberals", and who had received the 2015 Sakharov award) to 1,000 lashings and 10 years in prison; in February 2015, to sentence his lawyer Waleed Abu al-Khair to 15 years in prison; in March 2013, to order the closing of the Saudi Civil and Political Rights Association (ACPRA)

The Saudi Ministry of the Interior has also violently crushed women's rights campaigns, especially the "women drivers" movement, through arrests, arbitrary detentions, and travel bans. These measures were inflicted on the well-known activities such as Loujain al-Hathloul and Samar Badawi, sister of Raif Badawi

and wife of Walid Abu al-Khair.

The international community has remained remarkably timid in condemning these grave human rights violations committed by the Saudi authorities or in exercising any pressure.

The consequences of repressing the Saudi political dissidents and of exercising violence against the Shiite minority are especially dangerous, because of the growing involvement of the Saudi government in the armed and denominational conflicts that inflame the Middle East and the unconditional support which the western countries give to the Saudi regime as part of the war against terrorism, despite the atrocities committed by the Saudi military forces, e.g. in Yemen. Some of these acts can be considered as war crimes and other serious violations of international humanitarian law and human rights.

Supporting the Arab world's non-democratic regimes that make a mockery of international law will not contribute to the fight against terrorism. On the contrary, it maintains the conditions that further inflame the regional crisis where disregard for human rights gives rise to many forms of violence. To lay the basis for an effective, sustainable fight against terror, the Middle East will need to respect the rule of law, ensure equal access to public governance for all, support the civil society and establish inclusive, equal public spaces.

In light of Saudi Arabia's important strategic role in the region, respect for human, civil and political rights in the country represents a major regional and international challenge.

FIDH wishes to repeat its unconditional opposition to capital punishment, regardless of the crime or the circumstances and urges Saudi authorities to establish an immediate moratorium on all executions.

FIDH urges western countries to predicate the conclusion of new contracts on the strict respect of international law and of individual, civil and political freedoms, and to suspend existing contracts in cases where human rights are being violated by the Saudi government. FIDH calls upon all countries to immediately stop selling weapons and military equipment to Saudi Arabia and not resume sales until an independent, international enquiry has been carried out on methods used in Saudi military operations, in particular, air strikes in Yemen.

It is incumbent on the intergovernmental institutions, in particular the United Nations, to denounce these violations of international law that jeopardise international peace and security.

Footnotes

[1] Also note that according to Reprieve, two of them were 18 and 19 at the time of arrest, i.e. not minors.

NGOs condemn death sentences in Bahrain after record year

Friday 8 January 2016

Bahraini and international NGOs strongly condemn the repeated use of the death penalty by Bahraini authorities and call for the government to commute the death and life sentences.

On 31 December 2015, Bahrain's Fourth Criminal Court sentenced a man to death and 22 others to life imprisonment, bringing the total number of persons on death row in the country to ten. The government additionally revoked the nationalities of all the defendants, raising the number of denaturalizations in the country to over 200 in 2015 alone. On the same day, death row inmate Salman Isa's first appeal was rejected.

The criminal court sentenced 12 of the 23 defendants in absentia, including Hussein Abdullah Khalil Ebrahim, 27, who was sentenced to death. The court found him and defendant Ahmed Isa Abdulhussein Hussein guilty of forming a terrorist organization, recruiting agents, engaging in rioting and planting explosives to disturb the peace and targeting police officers, and killing a police officer in 2014 with the aim of the violent overthrow of the regime. However, only Hussein Ebrahim was sentenced to death.

Eleven of the defendants, including two juveniles aged 16 and 17, were arrested in December 2014 in connection with the death of a police officer killed in an explosion in Demistan village on 8 December 2014. Police subjected most of the arrested defendants to enforced disappearance for over ten days and denied them access to their lawyers during interrogation. The defendants have reported that government agents tortured them during their disappearances. The court found all 23 defendants guilty of terrorism and killing a police officer. Two defendants were additionally fined 200,000 Bahraini Dinars (USD \$530,000).

Mohsen Ebrahim Hasan al-Majed is one of defendants who was subjected to severe torture following his overnight arrest on 14 December 2014. Following his arrest, the government transferred al-Majed to the Criminal Investigation Directorate (CID) for interrogation. While there, officers physically beat al-Majed, focusing on his head and genitals, and subjected him to electrocution. Al-Majed told his family that officers beat him with a wooden plank with nails. Officers insulted his faith and subjected him to sexual assault. After three days of sustained torture, al-Majed confessed to the charges. Despite this, he continued to receive beatings. Police then transferred al-Majed to the Public Prosecution, who threatened physical violence if he recanted. Al-Majed was sentenced to life and fined BD 200,000.

Bahrain has seen a rise in the use of the death penalty and denaturalization in 2015. Bahraini courts passed seven new death sentences last year. On the same day Hussein Ebrahim received the death sentence, the First High Appeals Court rejected the case of Salman Isa Ali, who in April 2015 the Fourth Criminal Court sentenced to death in a bombing case.

In November 2015, the Court of Cassation, Bahrain's highest court of appeal, rejected the appeal of death row inmates Mohammad Ramadan and Husain Moosa. Ramadan and Moosa are the first people since 2010 to have exhausted all legal avenues of appeal, and stand at risk of imminent execution. Human rights activists on the ground fear that this risk has heightened following Saudi Arabia's execution of Sheikh Nimr al-Nimr and 46 others inflamed tensions last week.

Meanwhile, an independent Bahrain Institute for Rights and Democracy (BIRD) investigation found that the government had stripped the citizenship of 208 persons in 2015 after amendments in the law empowered courts to denaturalise defendants found guilty of terrorism charges. The majority of such individuals were subjected to unfair trials, tortured, and left stateless.

The documented unfair trials, use of torture and death sentences Bahrain has carried out may be in breach of the International Covenant on Civil and Political Rights (ICCPR), which Bahrain acceded to in 2006, in particular article 6, which protects the right to life; article 7, which protects the right to not be tortured; and article 14, which protects the right to a fair trial. Bahrain may also have breached article 15.1 of the Universal Declaration of Human Rights, which states that “everyone has the right to a nationality.”

We the undersigned organizations strongly condemn the use of the death penalty in Bahrain, especially in light of the unfair trials and use of torture which many death row inmates have been subjected to. In light of this, we call on the Government of Bahrain:

- To commute all death sentences.
- To establish a moratorium on the death penalty with a view to abolition.
- To investigate and prosecute all acts of torture, mistreatment, enforced disappearance.
- Establish procedures to ensure the fairness of all criminal trials and appeals.

P.S.

- Action des chrétiens pour l’abolition de la torture (ACAT)
- Americans for Democracy & Human Rights in Bahrain (ADHRB)
- Bahrain Centre for Human Rights (BCHR)
- Bahrain Institute for Rights and Democracy (BIRD)
- European Centre for Democracy and Human Rights (ECDHR)
- FIDH (International Federation for Human Rights)
- Redress
- Reprieve

Rights groups condemn death penalty sentence of Mohammed Ramadan and Husain Ali Moosa

Wednesday 16 December 2015

The undersigned organisations condemn the practice of capital punishment in Bahrain and urge the Government of Bahrain to commute any and all death sentences issued by its courts.

On 29th December 2014, a Bahraini criminal court sentenced Mohammed Ramadan and Husain Ali Moosa to death for their alleged involvement in a February 2014 bomb explosion. Both defendants state that authorities tortured them into confessing to the crime. According to Moosa, authorities hung him from a ceiling for three days, beat him and on several occasions threatened to harm his relatives. Ramadan was allegedly arrested without a warrant and violently beaten on sensitive parts of his body until he agreed to confess. Both have subsequently had their sentences upheld by the Court of Cassation on 16 November 2015 despite having recanted their confessions and reiterating that they confessed under torture. Their allegations have not provoked any investigation. Ramadan and Moosa are just two of nine individuals on death row in Bahrain and are the first to be sentenced to death since 2011.

We are concerned with Bahrain's regression towards the practice of capital punishment. We are also concerned over reports that those individuals on death row have been denied basic rights to a fair trial, and have been reportedly subjected to severe torture during their detention and interrogation. Such practices have afflicted the Bahrain justice system since 2011, as documented by the Bahrain Independent Commission of Inquiry. It is appalling that these practices have continued on a systematic and wide-scale basis despite numerous promises of reform.

Earlier this year, five UN human rights experts, including the Special Rapporteur on Torture, expressed serious concerns that both Ramadan and Moosa had confessed under duress. The European Union found that Bahrain's use of the death penalty had expanded to politically-motivated cases in an urgency resolution over the summer, and called for Bahrain to immediately ratify and implement international treaties banning the use of capital punishment. We both welcome and join these calls.

As a State party to the ICCPR, Bahrain should ensure that death penalty can only be handed for most serious crimes and pursuant to a final judgment rendered by a competent court. The ICCPR also guarantees that fair trial standards should be applied including an absolute prohibition against torture.

We condemn the practice of capital punishment in Bahrain, and call on the government to immediately commute all death sentences. We also call on Bahrain to investigate all allegations of torture made by persons sentenced to death, and to dismiss any and all convictions made on the basis of confessions obtained under conditions of torture. Finally, we urge Bahrain to re-impose a moratorium on the death penalty with a view towards abolishing the practice.

P.S.

ACAT - Action des chrétiens pour l'abolition de la torture
Americans for Democracy and Human Rights in Bahrain (ADHRB)
Bahrain Center for Human Rights (BCHR)

Bahrain Human Rights Society (BHRS)
Bahrain Institute for Rights and Democracy (BIRD)
Center for Civil and Political Rights (CCPR)
Center for Constitutional Rights (NY, US)
Center for Prisoners' Rights (CPR)
European Bahraini Organisation for Human Rights (EBOHR)
European Centre for Democracy and Human Rights (ECDHR)
Hands Off Cain
International Federation for Human Rights (FIDH)
Le Centre d'Observation des Droits de l'Homme et d'Assistance Sociale (CODHAS)
No Peace Without Justice
Palestinian Centre for Human Rights
Reprieve
Sentinel HRD
World Coalition Against the Death Penalty (alliance of more than 150 NGOs, bar associations, local authorities and unions)

Death penalty for drug crimes in Asia: a widespread and illegal practice

Saturday 10 October 2015

Asia is the continent that executes the most people for drug-related crimes, a report released today by the FIDH and the World Coalition Against the Death Penalty reveals. The report also explains how imposing the death penalty has not proven to be effective in reducing drug crimes in Asia.

The [report](#), published for the 13th World Day against the Death Penalty, analyzes how the death penalty is applied for drug-related crimes in Asia, evaluates the most common arguments used by governments to justify their use of this inhumane and illegal measure, and exposes why these arguments are unjustified.

The application of the death penalty to drug-related crimes also constitutes a clear violation of international human rights standards. International treaties have limited the use of the death penalty to the "most serious crimes," but drug crimes do not meet that threshold and thus cannot be subjected to capital punishment.

"In addition to not reducing crime, the death penalty for drug-related offences is applied in a discriminatory manner against those in the most vulnerable situations"

Karim Lahidji, FIDH President

Indeed, the death penalty is often executed following unfair procedures and in violation of basic human rights. It is also a source of further discrimination, targeting in particular the poorest and most vulnerable, including foreigners and women.

On the occasion of the release of this [report](#), the FIDH and the World Coalition Against the Death Penalty, also published [an interactive map indicating some key facts and figures on the death penalty in Asia over the last 10 years](#).

FIDH, the World Coalition Against the Death Penalty, and their respective member organizations oppose the death penalty for all crimes and in all circumstances, and actively work towards its abolition worldwide.

To read the full report on the death penalty for drug crimes in Asia, click on "attached documents" below.

Saudi Arabia should immediately halt execution of juvenile Ali Mohammed al-Nimr

Thursday 24 September 2015

(Paris) Ali Mohammed al-Nimr has been sentenced to death by crucifixion for his participation in an illegal demonstration during the Arab Spring pro democracy uprising, despite the fact that at the time of the offence, he was a minor. He could be executed at any moment.

“Saudi Arabia has already reached a macabre record of executions, with far more people executed thus far in 2015 than in all of 2014. Ali’s execution would be the paradigm of horror of the country’s application of the capital sentence. If it carries out the sentence, Saudi Arabia would be in violation of all international standards and commit a terrible crime. »

Karim Lahidji, FIDH President

Ali al-Nimr, a high school student, had just turned 17 when he was arrested on 14 February 2012 during an anti-government protest in the Shiite province of Qatif. He was charged by the authorities with participating in illegal protests and other offences including « insulting the King and delivering religious sermons that ‘disrupt national unity », « explaining how to give first aid to protestors », and « using his blackberry to invite others to join him at the protest ».

Ali was held in pre trial detention for two years without access to his lawyer, severely tortured, and forced to sign a false confession. During his trial, he was not given access to the evidence against him, and was informed of the charges at a very late stage of the proceedings. His forced confession was the only evidence brought against him. Ali was sentenced to death by crucifixion on 27 May 2014 and even his final appeal was held in secret.

“International law prohibits using evidence obtained under torture. International law also prohibits to impose the death penalty on persons who were children at the time of the offence. This execution would thus be clearly incompatible with Saudi Arabia’s international obligations under the UN Convention on the Rights of the Child, that it ratified. »

Karim Lahidji, FIDH President

Ali’s case seems to be linked to the case against his uncle, Sheikh Nimr al-Nimr, a 53-year old critic of the Saudi regime, and a prominent religious leader in the Kingdom. Sheikh Nimr al-Nimr has also been sentenced to death in his case.

« These proceedings are a complete mockery of justice. This sentence amounts to cruel and inhumane treatment. If executed, Ali would be crucified for having exercised his right to freedom of expression. We urgently call on the international community to mobilise against this state crime that would shock the conscience of humanity. »

Karim Lahidji, FIDH President

FIDH, who is a member of the World Coalition against the death Penalty, strongly opposes the death penalty for all crimes and in all circumstances and works with its member organisations for its global abolition. The death penalty constitutes an inhumane treatment. FIDH has further documented that the death penalty is commonly pronounced after unfair trials, and its application is often discriminatory. FIDH recalls that the so called deterrent effect of the death penalty has never been proven.

Pakistan : Government defies EU and international law and executes presumed juvenile offender

Tuesday 4 August 2015

FIDH and its member organisation in Pakistan, The Human Rights Commission of Pakistan (HRCP), denounce the fact that in the early hours of 4 August 2015 the Pakistani authorities executed Shafqat Hussain, believed to be a juvenile offender, in defiance of international law, basic human rights, and appeals by civil society, EU and UN officials to stay his execution.

“The execution of Shafqat Hussain is the latest example of Pakistan’s complete disregard for rule of law and basic human rights,” stated Zohra Yusuf, Vice-President of FIDH and Chairperson of HRCP. ***“The resumption of executions, especially against juvenile offenders, is a stain on Pakistan’s reputation and must stop immediately.”***

Shafqat Hussain is believed to have been 14 years old in 2004 when he was arrested on murder charges and condemned to death by an “Anti-Terrorism” Court. Orders for his imminent execution were issued and halted several times in the past few years, amid allegations that Hussain’s trial and sentence were illegal due to his juvenility and having been forced to confess under torture. On 5 January 2015, Minister of Interior Chaudhry Nisar halted Hussain’s execution that was scheduled for the following week, citing information provided by civil society and his lawyers regarding his age, and announced that an investigation would be conducted into the matter. During the two months that followed, no investigation was conducted, and Hussain was again scheduled to be executed on 19 March. National and international outcry resulted in another stay of his execution just hours before it was due to take place, and the Ministry of Interior finally appointed an investigation team from the Federal Investigation Authority (FIA) to look into the case. On 20 April the FIA announced that the investigation, based almost exclusively on trial records, had concluded that Hussain had not been a juvenile at the time of his alleged crime. Pakistani civil society has condemned the results of the investigation and the FIA as an institution for lack of transparency and independence.

Pakistan lifted its seven-year moratorium on the death penalty in December 2014, and has since executed almost 200 people, including juvenile offenders. [1] This is despite the fact that Pakistan has signed and ratified both the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, which prohibit the death sentence for crimes committed by persons under eighteen years of age. Pakistan also benefits from preferential trade with the European Union (EU) under the GSP+ Scheme, which requires states to abide by their obligations under these conventions.

“The EU cannot stand by and tacitly condone these violations of human rights,” stated Karim Lahidji, FIDH President. ***“It must take concrete action to show that it will not accept the execution of juvenile offenders nor the denial of the right to a fair trial in Pakistan.”***

On 20 July 2015, in its official conclusions regarding Pakistan, the Council of the EU recalled that respect for the right to a fair trial and the prohibition of the death penalty for juvenile offenders are requirements of the GSP+ Scheme that provides Pakistan with preferential trade conditions with the EU. Since Pakistan is clearly not respecting these requirements, our organisations therefore call on the EU to start the procedure described in article 15 of the EU GSP regulation, which could lead to the withdrawal of

Pakistan's benefits under the GSP+ Scheme.

Our organisations also urge the government of Pakistan to immediately halt all executions, particularly those of juvenile offenders, and to reinstate the moratorium on the death penalty as a first step towards abolition.

Footnotes

[1] For more information see FIDH and HRCP's 11 June 2015 press release on another execution of a juvenile offender in Pakistan: <https://www.fidh.org/International-Federation-for-Human-Rights/asia/pakistan/pakistan-illegal-execution-of-a-juvenile-offender>

With A Defiant Smile - A Portrait of Nasrin Sotoudeh

Wednesday 8 July 2015

Nasrin Sotoudeh is a world famous human rights lawyer from Iran.

Nasrin Sotoudeh is among the most prominent human rights lawyers in Iran. She is the recipient of many very prestigious awards in the field of human rights, including the 2012 European Parliament's [Sakharov Prize](#) for Freedom of Thought, which she shared with the Iranian filmmaker Jafar Panahi, and the PEN/Barbara Goldsmith Freedom to Write Award. Known for her membership in the women's rights Campaign for Equality [1] and her work defending women's rights activists, minors on death row, journalists, Kurdish rights activists and other human rights lawyers, including the Nobel prize winner Shirin Ebadi, she is a national hero to many Iranians.

Prior to the 2009 elections, Sotoudeh was actively involved in the Iranian Women's Coalition formed to pursue women's rights in Iran. In the aftermath of the rigged election process and the ensuing massive protests, she defended the families of those killed by the security forces. Her home and office were raided, and in September 2010 she was arrested.

In January 2011, she was sentenced to 11 years in prison on charges of "propaganda against the system," and "acting against national security," and for her membership in the NGO The Defenders of Human Rights Centre. Following persistent calls for her release from the UN, governments, and NGOs around the world, including FIDH, her sentence was reduced to six years, to be spent in the notorious Evin prison. While in prison, she was handcuffed and brought before a tribunal that was to decide whether she would also be banned from practising law. The scene prompted incumbent FIDH President Karim Lahidji to voice his outrage, saying, "They handcuffed the hands that deserve to be kissed." In a recent interview with FIDH, Sotoudeh said that when her husband informed her of Lahidji's comment, it gave her strength.

Freed from Evin, Sotoudeh carries on her work

In 2013, after three years in prison, Sotoudeh was [unexpectedly released](#), without explanation from the authorities. During her incarceration, she spent time in solitary confinement and went on several hunger strikes in protest of the inhumane prison conditions and the 2012 travel ban imposed on her husband and young daughter. One of the hunger strikes lasted 49 days and resulted in her losing 95 pounds. Upon her release, despite her weakened physical state, Sotoudeh got right back to work fighting for the respect for human rights in Iran.

Since then she has reactivated the Professional Women Lawyers Association and the Children's Rights Committee, both of which she had helped found before her imprisonment. However, she has been spending much of her energy on a new campaign she helped launch to abolish the death penalty in Iran, called Step by Step to Stop the Death Penalty (LEGAM). The initiative focuses on amending Iranian legislation to gradually reduce and eventually abolish the use of the death penalty.

Sotoudeh's work fighting the death penalty is especially important as the use of the death penalty has been on the rise again over the past few years. The World Coalition Against the Death Penalty reported 721 executions in Iran in 2014, compared with 624 executions in 2013 and 580 in 2012. The number of

executions in 2015 is expected to be even higher. [2]

The death penalty is familiar ground for Sotoudeh. In 2007, when Sotoudeh was pregnant with her second child, she took on the case of a 15-year old boy named Sina, who had been condemned to death on murder charges. As all legal options had already been exhausted, Sotoudeh turned to the media, making numerous public appeals to prevent Sina's execution. Her efforts enabled Sina's family to raise enough money to save the boy from the death penalty. [3] However, Sotoudeh explains that most cases of minors on death row do not finish on such a positive note. She considers the cases in which she defended minors condemned to death to have been the most traumatic experiences of her career.

Until recently, her ability to push for legislative reforms remained greatly limited due to the Iran Bar Association's October 2014 decision to suspend her license to practice law for a period of three years. The decision was issued under pressure from the Judiciary. In protest, Sotoudeh staged daily sit-ins in front of the Bar Association's offices in Tehran. Her perseverance and that of her supporters finally paid off when, on 23 June 2015, Sotoudeh was informed that the Bar Association had revised the ban and reduced it to a period of nine months. Since nine months had already passed since the suspension was issued, Sotoudeh declared that she would be applying to renew her license. In an interview with *Iranwire* after the 2015 ruling, she reiterated her intention to defend Iranian dissidents deprived of their civil rights, saying: "Whatever decision these citizens take to protest the loss of their rights, I shall be with them as a lawyer and a civil rights activist. If they decide to pursue the matter on the judicial level, I shall be fully honoured to do it. If they decide to engage in civil protest, I shall accompany them."

A force for freedom of expression

When asked how she became a human rights defender, Sotoudeh says that as a lawyer, she was forced to make a choice: *"When a lawyer witnesses unfair trials, when a lawyer witnesses the execution of minors, either they must turn their back or they must face up to the problem they are witnessing. I think I entered the field of human rights on the day I decided not to avoid such issues."*

Sotoudeh seeks to change Iran from the inside, by arguing cases and convincing others that protecting human rights is necessary. As she said recently regarding the conflict with the Iran Bar Association: *"The channel for negotiations should never be closed. However, there are prerequisites for negotiations. If they are fulfilled, we should welcome such negotiations. If not, we should not insist only on negotiations. We should use civil action to persuade the other party to engage in negotiations."*

And so she continues to fearlessly express her opinion. In a brief appearance in Jafar Panahi's recent film *"Taxi,"* [4] Sotoudeh explains the trials and tribulations human rights defenders and dissidents face in Iran, all the time with a smile on her face, a defiant smile:

"[The security services] work in a way that lets us know they are watching us. Their tactics are obvious. First, they write you up a police record. Suddenly, you are accused of being an agent for the Mossad, the CIA, or MI5. Then they tack on something about your morals, your lifestyle. They make your life into a prison. You were released from prison, but the outside world is only a bigger prison. They make your friends into your greatest enemies. All you can do is leave the country, or pray to return to that hole. So there is only one thing to do: Not care."

Footnotes

[1] Campaign for Equality, otherwise known as the One Million Signatures Campaign, aimed to collect one million signatures in support of abolishing or amending discriminatory laws against women. Many of its activists faced prosecution and persecution, were imprisoned or forced into exile.

[2] Data retrieved on 18 June 2015 from <http://www.worldcoalition.org/worldwide-database.html>. These numbers reflect executions that have been confirmed by official State sources, semi-official State-sanctioned sources and a number of executions reported by reliable sources in Iran. The actual number

of executions is likely to be higher, given the government's underreporting of executions and the holding of secret executions.

[3] A particularity of the Iranian penal code allows for the death penalty to be waived if the victim's family agrees to forgo the retributory death sentence against the defendant in exchange for the defendant paying a sum to the family of the victim that is frequently agreed upon through haggling.

[4] The film was awarded the Golden Bear for best film at the Berlin international film festival 2015. FIDH supported the film's release in France.

Pakistan : illegal execution of a juvenile offender

jeudi 11 juin 2015

FIDH and HRCP strongly condemn the latest in a wave of executions taking place in Pakistan : the illegal hanging of Aftab Bahadur in Lahore on 10 June for a murder he allegedly committed in 1992, when he was only 15 years old.

“International law clearly prohibits the death penalty for juvenile offenders,” said Karim Lahidji, FIDH President. ***“The execution of Aftab Bahadur is therefore an egregious violation of international law. Pakistan must immediately stop all executions, particularly against juvenile offenders.”***

Aftab Bahadur is the 154th person to be executed in Pakistan since [the country lifted its seven-year moratorium on the death penalty in late 2014](#). This latest execution took place just one day before [the first Asian Regional Congress on the Death Penalty taking place in Kuala Lumpur](#), where representatives from FIDH and its member organizations in Asia will be gathering to discuss ways to address Asia’s troubling record regarding the death penalty.

“Considering the international trend towards the abolition of the death penalty is growing, with more than 70% of countries in the world having abolished capital punishment, Pakistan’s resumption of executions is an even more shameful stain on its human rights record,” stated Zohra Yusuf, FIDH Vice-President and HRCP Chairperson.

Pakistan has the highest number of individuals on death row in the world with over 8000 people condemned to death, many of them as a result of unfair trials. Aftab Bahadur’s case was also marred by accusations of torture : both key witnesses central to Bahadur’s conviction later retracted their testimonies claiming they had been extracted under torture.

FIDH and HRCP, both members of the World Coalition Against the Death Penalty (WCADP), reiterate their firm opposition to the death penalty for all crimes and in all circumstances, as it is an inhumane treatment and a violation of the inalienable right to life. We call on the Pakistani authorities to immediately halt all executions and reinstate the moratorium on the death penalty for all crimes. In particular, we urgently call on the authorities to conduct thorough and transparent reviews of all cases of juvenile offenders on death row with a view to repeal their death sentences in accordance with international law.

Our organizations also welcome [the statement by the European Union](#) condemning this and other executions in Pakistan, and we call on the international community, including the United Nations, the European Union, and all those participating in the Asian Regional Congress on the Death Penalty, to use all appropriate means to ensure that Pakistan respects international law and reinstates the moratorium on the death penalty.

FIDH attends landmark regional congress on death penalty

Wednesday 10 June 2015

FIDH and several of its Asian member organizations will participate in the second Regional Congress on the Death Penalty on 11-12 June in Kuala Lumpur, Malaysia.

The first Regional Congress on the Death Penalty took place in Morocco in 2012 and focused on the Middle East and North Africa. This year's congress, jointly organized by Together against the Death Penalty (Ensemble contre la peine de mort - ECPM) and the World Coalition against the Death Penalty (WCADP), is the first time the event will be held in and focused on Asia.

"Each year, more people are executed in Asia than in the rest of the world combined. It is crucial that key actors from the region meet and work together to define concrete strategies and actions towards the abolition of the death penalty," said Florence Bellivier, FIDH Deputy Secretary General and WCADP President.

Three hundred participants from 30 countries will attend the two-day regional congress. Attendees include representatives from civil society, governments, and intergovernmental organizations working in the region. Five FIDH member organizations from Bangladesh, Indonesia, Iran, Malaysia, and Thailand will attend the event.

The regional congress will include thematic sessions on **drugs and the death penalty, unfair trials, mandatory death penalty sentences, and educational programs on abolishing the death penalty.** FIDH and its member organisations will also focus on country-specific situations to include the use of mass executions in Iran; the resumption of executions in Singapore, Indonesia, and Pakistan; the imposition of capital punishment for drug crimes, particularly in Iran, Indonesia, Malaysia, and Vietnam; and the situation of women on death row in Thailand.

The Regional Congress on the Death Penalty will be followed by the WCADP General Assembly on 13 June in Kuala Lumpur, where the organization will elect its new leaders for 2-year terms.

Representatives from FIDH and its member organizations will be available for interviews and comment on the congress, the WCADP General Assembly, and the topics discussed.

Background

Asia is the main retentionist region in the world and progress towards the abolition of the death penalty has been difficult. Three of the world's major economic powers - China, Japan, and India - still carry out executions. Several countries in the region do not publish any statistics regarding the use of the death penalty and a public opinion that supports capital punishment is still a major challenge towards abolition. The number of persons executed in many countries in Asia, including China, Vietnam, Indonesia, North Korea, and Iran, exceeds the number of persons involved in violent crimes because the death penalty is often imposed for drug-related and white-collar crimes. Recently, the region has faced serious setbacks. India resumed executions and extended the scope of capital punishment in 2013; the Maldives extended the scope of capital punishment to minors in 2014; and Pakistan lifted its seven-year moratorium on the

death penalty in 2014.

Read the latest news about the death penalty in the world [here](#)

[Key figures about the death penalty in the world](#)

Indonesia: Planned executions “a shameful stain” for President Widodo

Friday 24 April 2015

The planned execution of 10 inmates convicted of drug-related offenses is a shameful stain on President Joko Widodo’s policymaking, FIDH and its member organization KontraS said today.

The two organizations reiterate their appeal to President Widodo for a halt to all executions and the commutation of all death sentences.

“President Widodo’s green light for more executions despite massive international calls for clemency is a shameful stain on his policymaking,” said FIDH President Karim Lahidji. ***“He must immediately end this barbaric practice and ensure that Indonesia complies with its international human rights obligations.”***

Ten individuals are scheduled to be executed by firing squad within days in Nusakambangan prison in Central Java. They are: Rodrigo Gularte (Brazil), Serge Atlaoui (France), Okwudili Oyatanze (Nigeria), Raheem Agbaje Salami (Nigeria), Sylvester Obiekwe (Nigeria), Martin Anderson (Ghana), Mary Jane Veloso (Philippines), Andrew Chan (Australia), Myuran Sukumaran (Australia), and Zainal Abidin (Indonesia). On 23 April, the Attorney General Office instructed authorities to prepare for the executions, after many of the 10 drug convicts repeatedly failed to secure a judicial review of their cases.

“President Widodo’s tough stance on capital punishment for drug convicts is a disgraceful ploy to shore up his sinking approval ratings,” said KontraS Executive Director Haris Azhar. ***“It’s time for President Widodo to heed the international communities’ repeated calls for an end to executions.”***

Instead of implementing a moratorium on executions, President Widodo has repeatedly ruled out an amnesty for drug traffickers facing execution. In early December 2014, President Widodo refused to grant clemency to six inmates, including two women, who had been found guilty of drug trafficking. On 18 January 2015, the six were executed by firing squad in Nusakambangan prison.

Ironically, and in a move that exposes the Indonesian government to hypocritical double standards on capital punishment, President Widodo’s administration protested the execution of two Indonesian women in Saudi Arabia on 14 and 16 April 2015.

On 2 April 2015, it was reported that the UN Human Rights Committee (HRC) had downgraded Indonesia to ‘E’, on a scale of ‘A’ to ‘E’, for its failure to respond to the HRC’s call in August 2013 to stop executing prisoners for drug-related crimes. The HRC monitors implementation by states parties to the International Covenant on Civil and Political Rights (ICCPR). The ‘E’ rating indicates that Indonesia took measures that went against the HRC’s recommendations related to the death penalty. The HRC has repeatedly stressed that capital punishment for drug-related offenses is a clear violation of Article 6 of the ICCPR on the right to life.

FIDH and KontraS, both members of the World Coalition Against the Death Penalty (WCADP), reiterate their strong opposition to the death penalty for all crimes and in all circumstances. Our organizations

insist that there is no conclusive evidence of the deterrent value of the death penalty on drug-related offenses.

Pakistan: Unprecedented wave of executions underway, including of juvenile offenders

Wednesday 18 March 2015

FIDH and its member organisation in Pakistan, the Human Rights Commission of Pakistan (HRCP), express our very serious concern and condemnation of the wave of executions that have taken place in Pakistan since [the complete lifting of the moratorium on the death penalty last week](#).

“This sudden and shocking wave of executions puts a terrible stain on Pakistan’s human rights record,” said Karim Lahidji, President of FIDH. ***“The authorities must reinstate the moratorium on the death penalty immediately.”***

In the 8 days between March 10th and today, 15 executions have taken place. Of these, 12 have taken place in the past two days alone. This rate of executions is unprecedented, and shows no signs of stopping, as 40 more hangings are scheduled to take place in the coming seven days.

Five of these upcoming executions are scheduled for tomorrow, Thursday 19 March, including the execution of juvenile offender Shafqat Hussain. There is [publicly-available evidence that Mr. Hussain was a minor at the time of his supposed crime](#), including [his birth certificate](#). Mr. Hussain was previously scheduled to be executed on 14 January 2015, but the execution was stayed after an intervention by the Minister of the Interior calling for a full inquiry into Mr. Hussain’s age at the time of his arrest. However, no such inquiry has ever taken place.

“Mr. Hussain’s conviction violates international law, including Pakistan’s obligation under the Convention on the Rights of the Child (CRC) which prohibits state parties from imposing the capital punishment for offences supposedly committed by a person below eighteen years of age,” stated Zohra Yusuf, Vice-President of FIDH and Chairperson of HRCP. ***“We call on the government to immediately halt his execution and inquire into his case as promised.”***

FIDH and HRCP reiterate their firm opposition to the death penalty for all crimes and in all circumstances, as they consider it inhumane treatment and a violation of the inalienable right to life. We call on the Pakistani authorities to immediately halt all executions and reinstate the moratorium on the death penalty for all crimes. In particular, we urgently call on the authorities to halt the execution of Shafqat Hussain and to undertake an inquiry into his and all death penalty cases potentially involving juvenile offenders.

Background information : Between 16 December 2014 and 10 March 2015, 24 people were executed. This followed the partial lifting of the moratorium on the death penalty specifically for people convicted of terrorist activities. This decision was taken by the authorities after [the Taliban attacked a school in Peshawar killing more than 100 children](#).

Egypt: First execution in relation to political violence sets dangerous precedent

Egypt: First execution in relation to political violence sets dangerous precedent

Wednesday 11 March 2015

FIDH strongly condemns the execution of Mahmud Ramadan, and calls on the Egyptian authorities to establish an immediate moratorium on death sentences and executions.

"The execution of Ramadan sets a very worrying precedent in light of the mass death sentences issued against political opponents by Egyptian courts since summer 2013, in trials that are marred by irregularities and violations of due process", declared Karim Lahidji, FIDH President.

Mahmoud Ramadan was sentenced to death on charges of murder in relation to clashes that erupted in Alexandria on July 5th, 2013 in the aftermath of the removal of former president Mohamed Morsi from office. In very shocking videos circulated online widely, Morsi supporters, including Ramadan, were shown allegedly stabbing a child. According to official figures, at least 17 people died that day. Ramadan was arrested on July 7th, 2013 with 57 other people and was facing charges including the murder of four people, attempted murder of eight people, unauthorized protest, destroying public and private property, using violence and belonging to a banned group. Ramadan was sentenced to death and the 57 others to life imprisonment. The appeal was rejected in February 2015. On March 7th, the Ministry of Interior announced that he was executed.

FIDH firmly opposes the death penalty for all crimes and in all circumstances, as it considers it an inhumane treatment and in some cases a form of torture. Further, FIDH fears that the conviction was a result of an unfair trial.

FIDH recalls that mass death sentences have been handed down against primarily supporters of Mohamed Morsi in relation to political violence since July 2013. A criminal court in Minya sentenced over 1,000 defendants to death between March and April 2014; 221 of them had their death sentences confirmed. In December 2014, a criminal court referred the death sentences of 188 people to the Grand Mufti for its review. In response to the mass death sentences, a group of African and UN human rights experts issued several calls highlighting the "staggering violation of international human rights law by Egypt".

FIDH reiterates its call for the immediate cancellation of all death sentences, and the ordering of re-trials whilst making sure that fair trial guarantees will be respected in accordance with international standards. The Egyptian authorities should ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.

FIDH calls on the African Commission on Human and Peoples' Rights to denounce the execution and call upon the Egyptian authorities to refrain from carrying out any further executions.

Pakistan: death penalty moratorium completely lifted

Wednesday 11 March 2015

FIDH and its member organisation in Pakistan, Human Rights Commission of Pakistan (HRCP), express their utmost concern over the recent decision of the Government of Pakistan to lift the moratorium on executions for all death penalty convicts.

“Lifting the moratorium on the death penalty would be a terrible stain on Pakistan’s human rights record,” said Karim Lahidji, President of FIDH. ***“The death penalty is cruel, inhumane and degrading, may amount to torture, and should be abolished completely.”***

A communication was sent this week from Pakistan’s interior ministry to all provincial home secretaries, instructing the latter to carry out death penalties against death row prisoners who have exhausted all legal avenues for appeal or clemency. Following a Taliban attack against a school in Peshawar in December 2014, Pakistan announced that it would resume carrying out the death penalty for those convicted of terrorism charges, lifting its six-year moratorium on executions. 24 individuals have reportedly been executed in Pakistan since then. This recent announcement by the government would expand the resumption of executions to all death penalty crimes, putting hundreds of death row prisoners in Pakistan at imminent risk of execution.

“Our organisations are dismayed that the general public sentiment over impunity for terrorists is being used to revive executions,” said Zohra Yusuf, Vice-President of FIDH and Chairperson of HRCP. ***“We believe that the authorities are going after vengeance rather than justice, and we urge the government to consider the human cost of this decision.”***

Pakistan’s criminal justice system suffers from many flaws and irregularities, and is marked by arbitrary detentions, few standards for evidence needed to convict suspects, and little protection for lawyers and judges from threats and political pressure. In such a context, resuming executions would clearly be a violation of Pakistan’s international obligations to protect the right to life, and people’s right to a fair trial and to be treated with dignity.

FIDH and HRCP reiterate their firm opposition to the death penalty for all crimes and in all circumstances, as they consider it inhumane treatment and a violation of the inalienable right to life. FIDH and HRCP call on the Pakistani authorities to immediately repeal the decision to resume executions and reinstate the moratorium on executions for all crimes, with a view to abolish the death penalty altogether.

Indonesia : Stop executions, reinstate moratorium, and make progress towards abolishing capital punishment

mardi 3 mars 2015

Open letter addressed to H. E. Joko Widodo, President of the Republic of Indonesia

3 March 2015

Mr. President,

We, the undersigned organizations, condemn in the strongest possible terms your decision to deny clemency to 10 individuals who are scheduled to be executed by firing squad in the coming days in Nusakambangan prison in Central Java.

Your previous refusal to grant clemency to six convicted drug traffickers on 18 January 2015 was disappointing and a step in the wrong direction. Your decision to authorize more executions in the coming weeks and months has tarnished Indonesia's international image and risks damaging bilateral relations between Jakarta and capitals of abolitionist countries, which represent 70% of the international community. In addition, your administration's decision to intervene to save the lives of the about 230 Indonesians who have been sentenced to death abroad is completely inconsistent with your determination to authorize executions in Indonesia.

We are deeply concerned that your decision to authorize executions is based on the conclusions of an outdated and criticized study by the University of Indonesia and the National Narcotics Agency (BNN). The 2008 survey provides no clear evidence for the assertion that Indonesia is plagued by a drug epidemic that allegedly causes millions of its citizens to become drug addicts and thousands of them to die every year. In addition, there is no conclusive empirical evidence that the imposition of death sentences for drug-related offences has any deterrent effect on drug trafficking and drug consumption. According to official figures, at the end of January 2015, nearly two years after Indonesia ended a four-year moratorium on the death penalty, there were 130 inmates on death row, 58 of whom had been convicted for drug trafficking.

We are also troubled by your recent statements in support for a 'war on drugs' in Indonesia. Under the banner of 'war on drugs', governments in the region and beyond have committed serious human rights violations including extrajudicial killings, torture, and arbitrary detentions. Nevertheless, these policies and the 'war on drugs' have failed miserably to significantly curb drug production, trafficking, and consumption.

Executions are against Article 28(a) of the Indonesian Constitution, which guarantees everyone's right to life. They are also in breach of Indonesia's international legal obligations under Article 6 of the International Covenant on Civil and Political Rights (ICCPR), which recognizes every human being's inherent right to life.

We urge your administration to comply with Indonesia's international obligations and immediately begin the implementation of the recommendations that the UN Human Rights Committee (HRC) made in July

2013 with regard to the death penalty in the country. These include :

- Halting all planned executions.
- Reinstating an official moratorium on all executions.
- Commuting all death sentences.
- Ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR).
- Abolishing the death penalty.

We thank you for your attention to this matter.

Signed by :

1. Commission for the Disappeared and Victims of Violence, KontraS (Indonesia)
2. FIDH - International Federation for Human Rights
3. Abdorrahman Boroumand Foundation (Iran)
4. Altsean-Burma (Burma)
5. Anti-Death Penalty Asia Network, ADPAN
6. Armanshahr/OPEN ASIA (Afghanistan)
7. Association for the Right to Live, ARL (Iran)
8. Association for Human Rights in Kurdistan of Iran, KMMK-G (Switzerland)
9. Avocats sans Frontières (France)
10. Cambodian Human Rights and Development Association, ADHOC (Cambodia)
11. Centre d'Observation des Droits de l'Homme et d'Assistance Sociale, CODHAS (Democratic Republic of Congo)
12. Center for Prisoners' Rights (Japan)
13. Collectif MUMIA (France)
14. Death Penalty Focus (USA)
15. Droits et Paix Cameroon (Cameroon)
16. Embrey Human Rights Program (USA)
17. Hands off Cain (Italy)
18. Human Rights and Democracy Media Center, SHAMS (Palestine)
19. German Coalition to Abolish the Death Penalty, GCADP (Germany)
20. International Federation of Action by Christians for the Abolition of Torture, FIACAT
21. Italian Coalition to Abolish the Death Penalty (Italy)
22. Japan Innocence and Death Penalty Information Center (Japan)
23. Journey of Hope...from Violence to Healing (USA)
24. Lao Movement for Human Rights (Laos)
25. Lawyers For Human Rights International (India)
26. League for the Defence of Human Rights in Iran, LDDHI (Iran)
27. Legal Defence and Assistance Project, LEDAP (Nigeria)
28. Lifespark (Switzerland)
29. Lualua Center for Human Rights, LCHR (Lebanon)
30. Mouvance des Abolitionnistes du Congo Brazzaville (Republic of Congo)
31. National Death Row Assistance Network of CURE (USA)
32. Nigerian anti Death Penalty Group (Nigeria)
33. Paris Bar (France)
34. Philippine Alliance of Human Rights Advocates, PAHRA (Philippines)
35. Raidh (France)
36. Reprieve Australia (Australia)
37. Rescue Alternatives Liberia, RAL (Liberia)
38. Sant'Egidio (Italy)
39. Serbia Against Capital Punishment, SACP (Serbia)
40. Suara Rakyat Malaysia, SUARAM (Malaysia)
41. Taiwan Alliance to End the Death Penalty, TAEDP (Taiwan)

42. Union for Civil Liberty (Thailand)

43. Vietnam Committee on Human Rights (Vietnam)

African Commission should call on Sudan to release prominent activists facing stiff penalties in national security trial

Friday 20 February 2015

Africa's main human rights body should call on Sudan to ensure the prompt release of two well-known activists who face an unfair trial on 23 February 2015 on charges that carry harsh penalties including life imprisonment, the African Centre for Justice and Peace Studies (ACJPS), REDRESS, FIDH and the World Organization Against Torture (OMCT) said today.

The four human rights organisations submitted a complaint today to the African Commission on Human and Peoples' Rights (ACHPR), asking it to take up this case, during its meeting in Banjul, The Gambia, which began on 19 February 2015. The African Commission is charged with monitoring the implementation of the African Charter on Human and Peoples' Rights to which Sudan is party.

The complaint concerns distinguished human rights defender Dr. Amin Mekki Medani, former Chairperson of the Sudanese Human Rights Monitor (SHRM), and Mr Farouq Abu Eissa, a political activist who is the Chairperson of the National Consensus Forces, an umbrella of political opposition groups in Sudan.

Both were arrested on 6 December 2014 by the Sudanese National Intelligence and Security Services (NISS), after signing the "Sudan Call", which committed the co-signatories to work to end the conflicts raging in Sudan and establish a "State of Citizenship and Democracy" to pave the way for legal, institutional and economic reforms. They were not charged upon arrest and were held in incommunicado detention for 16 days. Since their arrest, they have received inadequate medical care for their diabetes and other ailments, and the organisations are extremely concerned about their well-being, as both men are of an advanced age - Dr Medani is 75 and Mr Eissa is 81.

The men have since been charged with several serious offenses against the State under the 1991 Criminal Act and the 2001 Anti-Terrorism Act and are facing trial before a court established under the anti-terrorism law that fails to meet fair trial guarantees.

The four human rights organisations consider that the detention and upcoming trial of Dr. Medani and Mr Abu Eissa are a reprisal for their legitimate activities and exercise of their rights to free expression, and claim that Sudan, by their unwarranted clamp down on them, has violated many of their rights, including to freedom of expression, freedom of association, personal liberty and protection from arbitrary arrest and detention, fair trial, health and to be free from torture and ill-treatment.

The organisations strongly urge Sudan to stop all acts of harassment and intimidation against civil society and human rights groups currently underway and to treat these two men and other people unfairly detained in accordance with the rule of law, in particular, the UN Declaration on Human Rights Defenders, and regional and international human rights instruments ratified by Sudan. The only crime that these men committed was to believe in a better Sudan, and to advocate for peaceful and democratic reforms for the benefit of all Sudanese.

We call on the diplomatic community in Sudan to monitor closely these proceedings, and encourage the African Union, the United Nations and international law groups to send monitors and encourage the Sudan Government to afford them unhindered access to proceedings

Iran: Illegal execution of juvenile offender

Friday 20 February 2015

FIDH (a founding member of the World Coalition Against the Death Penalty) and its Iranian member organisations, the League for the Defence of Human Rights in Iran (LDDHI) and the Defenders of Human Rights Center (DHRC) strongly condemn the illegal execution of juvenile offender Saman Naseem that reportedly took place yesterday morning in Iran.

"The continuing execution of prisoners of conscience and juvenile offenders by the Iranian authorities is illegal and reprehensible," stated Karim Lahidji, FIDH President. ***"Moreover, the regime's deliberate policy of denying information to families of death row prisoners, intended to intimidate the Iranian people, violates international law and basic human rights."***

Our organisations received information that Saman Naseem's relatives were contacted by the Iranian authorities yesterday afternoon and were told to collect his personal effects from prison on Saturday and to keep quiet. Naseem was reportedly executed yesterday morning in the presence of representatives from the Office of the Prosecutor and the Ministry of Intelligence.

Naseem was sentenced to death in 2013 after being convicted of vague charges including moharebeh ("waging war on God") and "corruption on Earth" for his alleged participation in armed activities in 2011 as a member of the Party of Free Life of Kurdistan (PJAK). He was only 17 years old at the time of his alleged crimes, making his death sentence and execution illegal under international law: the International Covenant on Civil and Political Rights and the UN Convention on the Rights of the Child, both of which Iran has ratified, prohibit the death penalty for juvenile offenders. Nevertheless, Iran ignored international law and calls from international human rights groups, the United Nations, and the European Union to halt Naseem's illegal execution.

5 other prisoners of conscience had also reportedly been sent to solitary confinement yesterday, in apparent preparation for their execution: Habibollah Afshari and Ali Afshari (two brothers accused of collaboration with Kumala, a Kurdish opposition group), Sirvan Nejavi and Ebrahim Shapouri (both convicted of collaboration with PJAK), and Yunes Aqayan (also spelled Younes Aghayan, a member of a religious minority group who was sentenced to death for moharebeh). The fate of these five individuals is yet unknown.

Our organisations are firmly opposed to the death penalty under all circumstances as it constitutes an inhuman treatment, and call on the Iranian authorities to introduce a moratorium on executions as the first step toward the abolition of death penalty. In particular, death sentences and executions against minors and for prisoners of conscience must cease immediately.

Iran: Imminent execution of juvenile offender must be stopped

Tuesday 17 February 2015

Paris, 17 February 2015 - FIDH and its Iranian member organisations, the League for the Defence of Human Rights in Iran (LDDHI) and the Defence of Human Rights Center (DHRC) demand the Iranian authorities halt the imminent execution of Saman Naseem, and immediately overturn his death sentence, which is illegal under international human rights law.

“The continued detention and ill-treatment of Saman Naseem is unacceptable and is a violation of international law,” stated Karim Lahidji, FIDH President. ***“Saman’s death sentence must be immediately repealed and he must be given a fair trial that meets international standards.”***

Saman Naseem was convicted of vague charges including moharebeh (“waging war on God”) and “corruption on Earth” for his alleged membership to the Kurdish armed opposition group *Party For Free Life of Kurdistan* (PJAK) and for participating in an armed confrontation with the Islamic Revolution Guard Corps in 2011. He was sentenced to death by a branch of the Islamic Revolution Court in 2012, but this sentence was overturned by the Supreme Court because Naseem was a minor at the time. He faced a retrial and was again given the death sentence by a criminal court in 2013, which was this time upheld by the Supreme Court.

Naseem’s trials and sentencing violate several international laws and standards regarding fair trials and the use of the death penalty. Naseem was denied access to his family and lawyers at the time of his arrest, and his original conviction was based on forced confessions obtained through torture. Moreover, Naseem was only 17 years old at the time of his alleged crimes. The UN Convention on the Rights of the Child, which Iran has ratified, prohibits the death penalty for juvenile offenders. Finally, international law stipulates that the death penalty must only be imposed for “the most serious crimes,” which do not include ambiguously-defined religious offenses.

Prison authorities have informed Naseem that his execution is scheduled for Thursday 19 February, and our organisations are seriously concerned that this execution might take place despite it constituting an egregious violation of international law. We call on the Iranian authorities to repeal all death sentences, particularly those imposed on juvenile offenders, and ensure fair trials for all defendants and access to lawyers of their choice.

Record vote in support of a universal moratorium on the death penalty

Friday 19 December 2014

FIDH welcomes the adoption of the UNGA resolution to establish a global moratorium on the death penalty, adopted on 18 December 2014, by an increased number of States.

"Today, a vast majority of States confirm their commitment to abolish the death penalty worldwide. This vote is an important milestone on the global path towards abolition of this cruel, degrading and inhuman treatment. FIDH calls on the opposing minority to join the movement of history towards the abolition of the capital punishment" said Karim Lahidji, FIDH President, member of the World Coalition against the Death Penalty

Adopted since 2007 every 2 years, the Moratorium resolution is voted by a regular larger number of States. This year, the resolution was adopted by a record number of 117 votes in favour (+ 6 compared to 2012) and the lowest of the votes against, 38 (- 3 compared to 2012), and 34 abstentions (like in 2012).

New votes in favour came from Equatorial Guinea, Eritrea, Fiji, Niger and Suriname. Other positive elements came from Bahrain, Myanmar and Uganda moving from opposition to abstention. On the contrary Papua New Guinea went from abstention to a vote against the resolution.

« Supported by countries from all regions in the world, this resolution clearly states that the death penalty is a human rights violation, that no religion, or other believes could support. This wide support should strengthen the worldwide abolitionist movement », added Karim Lahidji.

The resolution, not legally binding, carries political and moral weight, in support of all efforts by States, the international community and civil society towards the abolition of the death penalty

As a direct consequence of the activities organised around the world day against the death penalty on 10 October 2014 on death penalty and mental illness, the resolution calls for the first time States to oppose capital punishment of people with mental and intellectual disabilities.

The UNGA calls to respect international standards in relation to safeguards guaranteeing protection of those facing the death penalty; comply with their obligations to provide consular assistance when foreign nationals are charged with crimes carrying the death penalty; make available relevant information on the use of capital punishment; progressively restrict the use of the death penalty; respect restrictions on the imposition of capital punishment on any individual who was under eighteen years of age at the time of the alleged crime, pregnant women and people with mental or intellectual disabilities; reduce the number of offences for which the death penalty may be imposed; and establish a moratorium on executions with a view to abolishing the death penalty.

During the debate in the 3rd Committee, on 21 November, an amendment put forward by Saudi Arabia and supported by the United States, among others, to add a clause to the resolution recognizing the sovereign rights of individual countries, was rejected.

As of today 137 countries in the world have abolished the death penalty in law or practice.

FIDH and its 178 member organisations will continue to oppose the death penalty for all crimes and in all circumstances and work for its global abolition.

Iran: shameful execution of young woman after flawed investigation

Monday 27 October 2014

Paris, London, 27 October 2014 - FIDH and its Iranian member organizations, Defenders of Human Rights Center (DHRC) and League for the Defence of Human Rights in Iran (LDDHI) strongly condemn the execution of Ms. Reyhaneh Jabbari early in the morning on Saturday 25 October in Iran.

" The execution of Reyhaneh Jabbari is yet another example of Iran's flawed judicial system and the Iranian regime's disregard for the right to life ," stated Karim Lahidji, FIDH President.

Jabbari was arrested in 2007 for the murder of Morteza Abdolali Sarbandi, a former officer for Iran's Ministry of Intelligence. Jabbari maintained that she had stabbed Sarbandi in self-defence, after he had allegedly attacked and tried to rape her. After an investigation and a trial that was marred with irregularities, Jabbari was sentenced to death in 2009. Her sentence was strongly criticized both in Iran and internationally by several human rights groups, government representatives from around the world, and UN officials.

Despite recent calls from civil society and the international community, including the President of the European Parliament, urging the Iranian authorities to reverse Jabbari's death sentence and allow her a fair retrial, she was hanged in Rajaishahr prison this past weekend.

Reports of Jabbari's burial on 26 October indicate that State security agents were present in large numbers, who prevented the family from engaging in customary prayer rituals beside the corpse.

Our organizations are opposed to the death penalty under all circumstances as it constitutes an inhuman treatment, and call on the Iranian authorities to introduce a moratorium on executions as the first step toward the abolition of death penalty. The Iranian authorities must also ensure fair trials for all defendants and their access to lawyers of their choice.

Vietnam: Progress urged towards abolishing the death penalty

Friday 10 October 2014

Paris, 10 October 2014: Vietnam must put an end to executions and undertake incremental and time-bound reforms towards abolishing the death penalty, FIDH and its member organization Vietnam Committee on Human Rights (VCHR) said today to mark the 12th World Day Against the Death Penalty.

“Despite Vietnam’s rhetoric of adopting a ‘humane policy’ vis-à-vis the death penalty, executions have not stopped and Hanoi has shown a cynical lack of commitment to making progress toward the abolition of capital punishment,” said FIDH President Karim Lahidji.

On 5 February 2014, during its second Universal Periodic Review (UPR), Vietnam refused to commit to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights and establishing a moratorium on executions. In addition, Vietnam accepted only six of the 29 recommendations made by other states on death penalty-related issues. Four of the six accepted recommendations urged Vietnam to reduce the number of capital crimes. Vietnam’s Criminal Code lists 22 offenses that are punishable by death.

“Vietnam must swiftly implement the UPR recommendations and adopt the necessary legislative amendments to reduce the number of crimes that are punishable by death, including economic and drug-related crimes,” said VCHR President Vo Van Ai. ***“Vietnam must also re-consider the imposition of the death penalty for the seven vaguely-defined ‘national security’ crimes, which could be used to punish dissidents for the peaceful exercise of their rights to freedom of expression, assembly, and association.”***

FIDH and VCHR urge Vietnam to establish an official moratorium on capital punishment, to sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at abolishing the death penalty, and to vote in favor of a resolution calling for a worldwide moratorium on executions at the 69th session of the UN General Assembly (UNGA) in December.

At least 148 people were sentenced to death in 2013. As of November 2013, a total of 678 prisoners were awaiting execution. Vietnam usually treats statistics about executions as state secrets. However, some are periodically reported in state media. The last time executions were reported was on 23 July 2014, when state media said three people were put to death by lethal injection a day earlier. One of the three was Nguyen Duc Nghia, 30, who had been sentenced to death in July 2010 on charges of murdering his ex-girlfriend.

FIDH is a member of the World Coalition Against the Death Penalty. FIDH opposes the death penalty for all crimes and in all circumstances and works with its member organizations for its global abolition. FIDH considers that death penalty constitutes an inhuman treatment. FIDH has documented that death penalty is commonly pronounced after unfair trials, and its application is often discriminatory.

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THE DEATH PENALTY IN JAPAN: Denial of the Right to Life and other human rights violations

Friday 10 October 2014

Since 26 December 2012, Justice Minister Sadakazu Tanigaki has ordered the executions of eight inmates, and more executions are expected to take place in the near future, a clear violation of the basic human right to life, and a disturbing trend that runs counter to the global movement towards the abolition of the death penalty. Equally concerning is that many death sentences in Japan are implemented with disregard to international law, including denying the right of prisoners to seek appeal in death penalty cases. Death sentences are often imposed by lay judges, a system which violates international standards for a fair trial.

Japan has also failed to prevent the execution of persons with mental illness or disability. Such executions are in clear violation of the UN safeguards guaranteeing protection of the rights of those facing the death penalty. Inmates on death row are very often subjected to degrading and inhuman treatment also prohibited under international law, including prolonged solitary confinement.

On the occasion of 10 October 2014, World Day Against the Death Penalty, we publish this excerpt of a report submitted for the July 2014 session of the UN Human Rights Committee by FIDH, The Center for Prisoners' Rights, The Advocates for Human Rights, and The World Coalition Against the Death Penalty.

Greater protection against capital punishment for people with mental disorders

Thursday 9 October 2014

Although forbidden in international law, the death penalty is still applied against persons with mental health problems in a number of countries denounced FIDH today, on the occasion of the 12th World Day Against the Death Penalty.

Mental health problems resulting from sickness or handicaps may justify the reduction or exclusion of responsibility but many countries like Japan and the United States do not take account of this situation. Consulting expert psychiatrists, who sometimes lack adequate training, is highly insufficient and leaves the accused without proper defence. In some cases the die is cast before the trial even gets underway.

“An alleged culprit who suffers from mental disorders cannot be judged in the same way as other people. They should be protected even more against the death sentence,” said Florence Bellivier, FIDH Deputy Secretary General and member of the World Coalition Against the Death Penalty. ***“It is very important to advocate for the adoption of better measures to protect the detained and convicted persons against being sent to death row,”*** she added.

Interview with Florence Bellivier World coalition against death penalty

Beyond those suffering from mental illness, the application of the death penalty has also severe implication on the mental health of prisoners, of their families, and even sometimes of their lawyers.

Conditions of detentions on death row, the lengthy wait before being executed, and the uncertainty, may be deemed inhuman and degrading treatment, even torture. Convicts on death row are not given the proper medical care or psychological treatment. In some cases the results are horrendous ; the suicide rate on death row in some states in the United States is alarming.

In Japan, the prisoners are not informed of the date of their execution, nor are their families and lawyers. In Belarus the authorities refuse to return the remains to their families or to tell them where they are. This lack of transparency has devastating psychological effects on the convicted persons and their loved ones.

FIDH urge States to immediately apply international standards in force, prohibiting sentencing to death and executing any person with an intellectual handicap or with a documented mental disorders.

FIDH reaffirms its strong opposition to capital punishment for any and all crimes and under all circumstance and is actively working with its member organisations to have it abolished the world over. FIDH has, furthermore, demonstrated that the death penalty is generally issued after an unfair trial and that the application of the death penalty is often discriminatory and even decided on a random basis.

[Interviews : Death penalty systems disregard mental health](#)

Thailand: Action, not words, needed to abolish the death penalty

Thursday 9 October 2014

Paris, Bangkok, 9 October 2014: Thailand must go beyond words and take rapid and tangible steps to abolish the death penalty, FIDH and its member organization Union for Civil Liberty (UCL) said one day before the 12th World Day Against the Death Penalty (10 October 2014).

On 22 July 2014, in a letter to the UN General Assembly's President which contained Thailand's candidature for a seat at the UN Human Rights Council for the 2015-2017 term, Thailand pledged to "study the possibility" of abolishing capital punishment. [1] Thailand's third National Human Rights Plan also mentioned the possibility of abolishing the death penalty. [2]

"Thailand must quickly turn its tepid commitment to consider the abolition of the death penalty into concrete action. This includes the ratification of relevant international instruments and the adoption of necessary domestic laws that will finally make state-sanctioned killing an aberration of the past," said FIDH President Karim Lahidji.

Recent political and social developments in the country have created conditions that risk undermining efforts to abolish capital punishment. The National Human Rights Plan was expected to be submitted to the Cabinet earlier this year. However, its status remains unclear following the 22 May military coup.

In addition, instead of proposing the reduction of the number of offenses that are punishable by death, decision-makers, politicians, and activists have recently supported the introduction of new capital crimes.

On 19 September, it was reported that Thailand's military junta, the National Council for Peace and Order (NCPO), proposed a bill that prescribed the death penalty for those found guilty of causing the closure of an airport or damaging airport facilities or aircraft at an airport. The proposed legislation has already passed its first reading in the junta-backed National Legislative Assembly (NLA).

On 14 July, it was reported that former Home Affairs Deputy Minister and Phum Jai Thai Party MP Boonchong Wongtrasirat proposed the amendment of existing laws in order to make the buying and selling of votes and offence that is punishable by death.

Following the rape and murder of a 13-year-old girl on a Bangkok-train on 6 July, activists and key public figures launched a campaign that called for the death penalty for convicted rapists.

"Emotional responses to political developments or horrendous crimes are major setbacks on the path to the abolition of the death penalty in Thailand," said UCL Senior Advisor Danthong Breen. ***"Decision-makers must reject capital punishment as a solution. Vengeance achieves nothing, fails as a deterrent, and exacerbates the culture of violence."***

FIDH and UCL urge Thailand to announce an official moratorium on capital punishment, to sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty, and to vote in favor of a resolution calling for a worldwide moratorium on executions at the 69th session of the UN General Assembly (UNGA) in December.

As of 31 August, there were 623 prisoners (572 men and 51 women) under death sentence in Thailand. Forty percent of the men and 82% percent of the women were sentenced to death for drug-related offenses.

Thailand has not executed anyone since 24 August 2009, when two men, Budit Jaroenwanit, 45, and Jirawat Poompreuk, 52, were put to death by lethal injection with just one-hour notice at Bang Khwang Prison, located just north of Bangkok. The two had been convicted of drug trafficking on 29 March 2001.

FIDH is a member of the World Coalition Against the Death Penalty.

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Footnotes

[1] UNGA, 69th session, Letter dated 22 July 2014 from the Permanent Representative of Thailand to the United Nations addressed to the President of the General Assembly, UN Doc. A/69/175

[2] Opening Statement by Pol. Col. Naras Savestanan, Director General, Department of Rights and Liberties Protection, Ministry of Justice, Head of Thai Delegation 52nd session of the Committee Against Torture, 30 April 2014

Botswana/South Africa: Edwin Samotse faces possible execution in secrecy

Thursday 2 October 2014

On August 13, 2014, Mr. Edwin Samotse, a Botswana national, was unlawfully deported from South Africa to Botswana, where he runs the risk of being sentenced to death and executed. While South Africa's conduct has been declared unlawful, FIDH - a member of the World Coalition Against the Death Penalty - LHR and DITSHWANELO call upon the authorities of Botswana to guarantee his right to a fair trial and to refrain from imposing the death penalty against him.

" Despite our enquiry to the authorities of Botswana, about whether or not they gave an assurance to the South African Government that Samotse will not face the death penalty, we still have not received a response. In a context where secrecy has surrounded the way the death penalty is carried out in Botswana, we are concerned for the safety and well-being of Mr. Samotse " declared Alice Mogwe, DITSHWANELO Director and FIDH Deputy Secretary General.

On August 13, 2014, South African Immigration officials deported Mr. Edwin Samotse to Botswana, where he is charged with murder. If convicted by the Botswana High Court, Mr. Samotse could be sentenced to death and executed. His deportation was carried out while, on two occasions (Mohammed, 2001 and Tsebe, 2012), South Africa's Constitutional Court has confirmed the right of a person charged with capital offences not to be extradited to a country where he/she could face the death penalty and subsequent execution, without an assurance against such being imposed or executed. On September 23, 2014, the High Court sitting at Pretoria confirmed those decisions by declaring Samotse's deportation unlawful and unconstitutional.

For Jacob Van Garderen, National Director of LHR, which joined the Samotse case before the High Court, ***" the decision of the High Court is consistent with the internationally recognised practice not to extradite someone to a country where he or she could face the death penalty and be executed. Our courts have already set similar precedents and we expect this decision will constitute the basis for a well defined procedure of non-removal that would be strictly observed by the relevant South African authorities "***.

In its decision, the High Court noted the undertaking given by the Minister of International Affairs and Cooperation to continue seeking written assurances from the authorities of Botswana that the death penalty will not be imposed against Edwin Samotse and, if imposed, that it will not be executed. The Court further called upon South African Minister of Home Affairs to enact "Standing Operation Procedures" stating that it is unlawful to deport or surrender a foreign national facing the risk of being subjected to the death penalty if deported or surrendered without the requisite assurance being obtained. The Court has required the Minister to report back on progress made in this regard as well as the outcome of the Department's investigation into the unlawful deportation. Our organisations welcome this decision and call upon South African authorities to ensure that a comprehensive "Standing Operation Procedure" is put in place without further delay, that it is widely disseminated to all the relevant services and properly implemented.

As the World Day Against Death Penalty approaches (October 10, 2014), our organisations, which oppose the death penalty for all crimes and under all circumstances, reiterate their call upon the authorities of Botswana to envisage the adoption of a moratorium on the death penalty as a first step towards abolition.

Background information

Mr Edwin Samotse was arrested in Botswana in March 2010 on a charge of murder. He fled to South Africa on 14 March 2011. He was incarcerated in the Polokwane Police Station for the purposes of extradition proceedings. After escaping from custody he was re-arrested and sentenced to six years' imprisonment for escaping on 22 March 2012.

On 3 July 2014, the Minister of Justice and Correctional Services issued an order under paragraph 11(b) of the Extradition Act stating that the applicant should not be surrendered to stand trial on a murder charge in Botswana. This order was given based on two earlier Constitutional Court cases, Mohammed (2001) and Tsebe (2012), in South Africa's highest court which held that in the absence of an assurance, the South African government may not lawfully extradite, deport or otherwise remove individuals to countries that still impose the death penalty without the requisite assurances.

The decision of the Minister of Justice and Correctional Services was communicated to officials at the Department of Home Affairs on 6 August 2014. However, on 13 August 2014 officials from the Department of Home Affairs secured the release of Mr Samotse from the Polokwane Police Station and proceeded with his deportation, handing him over to Botswana authorities.

On September 23, 2014, the South African High Court declared the deportation of Samotse unlawful and unconstitutional and that *"the conduct of the immigration officials [...] infringed [Edwin Samotse's] rights to human dignity, to life and not to be subjected to cruel, inhuman or degrading treatment" [...] because they deported/surrendered him to officials of Botswana in the absence of the requisite undertaking by that country's government not to seek the imposition of the death penalty in the event [the person concerned] being found guilty of murder; or if imposed, that the death penalty would not be carried out"*.

The South African Department of Home Affairs has since issued a press statement condemning the actions as unlawful and unconstitutional. The Department has launched an investigation into the circumstances surrounding Mr Samotse's removal from custody and deportation to Botswana and will report back to the High Court on the outcome of that investigation. So far three of the officials involved in the matter have been suspended.

Chad: The draft Penal Code abolishes capital punishment but severely condemns homosexuality

Tuesday 23 September 2014

The new draft Penal code adopted by the Council of Ministers on 4, September 2014, provides for the abolition of the capital punishment in Chad in conformity with the repeated requests made by the civil society for several years, and constitutes an important step forward in the respect of the right to life, right to fair trial and the interdiction of torture and, cruel, inhumane and degrading treatment. Chad had adopted a moratorium on executions since 1991, before nine executions took place on 8 and 9 November 2003. Since then, the Chadian authorities have not executed any convicts.

« The abolition of the death penalty in Chad is a major step for the country and for Africa, however it is totally unacceptable that the same draft Penal Code heavily criminalizes homosexuality » declared Sheila Mwenga Nabachua, FIDH Vice President.

The draft Penal code adopted on 4, September 2014 by the government also provides for the strengthening of sentences against people charged for homosexuality. The offence becomes a crime punishable by 15 to 20 years of prison and a fine of 50 000 to 500 000 FCFA according to the new article 361 bis of the Chadian draft Penal code.

« Criminalizing homosexuality is discriminatory and demagogic, when Chad really needs social justice, democracy and development. Stigmatizing a group will not help build a tolerant and fair society » declared Honorary LTDH President Dobian Assingar.

« The head of state and the National Assembly must ensure equality of all citizens before the law whatever their religion, their origin, their opinion or sexual orientation. The National Assembly must hence modify article 361 bis of the draft Penal code, and the President must not enact a draft Penal code with such a provision. The abolition of the death penalty is great news which must not be tarnished by the criminalization of homosexuality » added Drissa Traoré, FIDH Vice President.

P.S.

Join Press Release
FIDH - International Federation for Human Rights
LTDH- Chadian League for Human Rights

Iran: Imminent risk of execution of juvenile offenders in Iran

Tuesday 22 July 2014

Open Letter to the European Union High Representative of the Union for Foreign Affairs and Security Policy

Paris, 22 July 2014

Dear Ms Ashton,

FIDH wishes to bring to your attention the cases of Mr. Rasoul Holoumi, aged 22, and Ms. Razieh Ebrahimi, aged 21, both sentenced to death in 2010 for crimes committed when they were minors. These two young people are at risk of imminent execution, in contradiction with international law and human rights principles.

In October 2010, Rasoul Holoumi was sentenced to death by the 17th Chamber of the Criminal Court of the province of Khuzestan for having mortally wounded a young boy during a fight in 2009. Rasoul Holoumi was 17 years old at the time of the event. His execution, originally scheduled for 7 May 2014, was suspended after the family of the victim agreed to renounce their demand for retribution by execution if the family of Rasoul Holoumi paid them diya (blood money). Holoumi's family has not been able to raise the money demanded (which is more than double the minimum amount of diya recommended by the judicial system), thus he again faces imminent execution.

Similarly, Ms. Razieh Ebrahimi, forcibly married at the age of 14 and a mother by age 15, was sentenced to death in 2010 by the 17th Chamber of the Criminal Court in Ahvaz for the murder of her husband the same year, when she was 17 years old. The execution of Razieh Ebrahimi was scheduled to take place several months ago, but was suspended by the judge supervising the execution when he learned that she was a minor at the time of the crime. Her lawyer then filed a request for retrial, but Branch 35 of the Supreme Court declined to investigate the case on the grounds that another branch had previously examined it. Her lawyer has written to head of the Judiciary asking him to order a retrial, but until the request is granted Ebrahimi again faces imminent execution.

The death sentences of Rasoul Holoumi and Razieh Ebrahimi have already been submitted to the penal enforcement bureau, which means that they can be executed at any moment at the request of victims' families. **According to statements made by the authorities, it seems likely that the two death sentences will be carried out after the end of Ramadan on 28 July.**

The cases of Rasoul Holoumi and Razieh Ebrahimi are not unique within Iran. A high degree of secrecy on the part of the government makes it difficult to know the exact number and details of all death row inmates, but various human rights organizations assert that there are over one hundred people awaiting execution for crimes committed when they were minors. Last year FIDH and its member organization LDDHI published a report entitled Death Penalty in Iran: A State Terror Policy, which noted that **from 2008 to 2013, at least 27 juveniles had been executed in Iran. Thus far in 2014, at least eight such executions have already been reported.** The numbers are likely even greater due to secret executions, which remain commonplace. In addition to the execution of minors, FIDH is concerned about

the equally unlawful yet recurring practice of detaining juvenile offenders until they reach the age of 18 and then executing them, as would be the case with both Holoumi and Ebrahimi.

These death sentences constitute serious violations of human rights and international law as they are contrary to Article 6 (4) of the International Covenant on Civil and Political Rights and Article 37 of the Convention on the Rights of the Child, both which prohibit the death sentence for crimes committed by a minor. The Islamic Republic of Iran ratified both of these instruments in 1975 and 1994 respectively.

Given the EU Guidelines on the Death Penalty which state that “[c]apital punishment may not be imposed on: Persons below 18 years of age at the time of the commission of their crime,” we look to you to use any and all means available to ensure that these violations of human rights against children cease immediately.

FIDH therefore calls on you to:

- demand that the Iranian authorities halt the executions of Rasoul Holoumi and Razieh Ebrahimi, as well as any other inmates facing imminent execution for crimes committed as minors;
- urge the Iranian authorities to retry all death row inmates sentenced for crimes committed as minors, with a view to revoke any death sentences imposed against juvenile offenders; and
- call on the Iranian authorities to respect their international commitments under Article 6 (4) of the International Covenant on Civil and Political Rights and Article 37 of the Convention on the Rights of the Child.

We are sensitive to the fact that you are leading an important negotiation with the Iranian authorities on their respect of their international commitment with regards to nuclear disarmament. Nevertheless, on the eve of the last round of nuclear talks between Iran and six world powers, echoing concerns about the execution of juvenile offenders, the UN High Commissioner for Human Rights urged for these negotiations to “fully cover the human rights situation. We do need a commitment on the part of Iran that they will protect the human rights of their citizens.” We echo this call by the High Commissioner and urge you to uphold your stated commitments to human rights, including the protection of children from unlawful execution, by intervening in these urgent cases, and calling for a moratorium of the death penalty in Iran.

We welcome your previous extensive work on the issue of the death penalty as a personal priority and hope that you continue to reflect this priority in your interactions with Iran.

Best regards,

Karim Lahidji
President of FIDH

Continental Conference on the death penalty in Africa: A decisive step towards an abolitionist continent

Monday 7 July 2014

From July 2 to 4, 2014, the African Commission on Human and Peoples' Rights (ACHPR), in cooperation with the Benin authorities, organised, in Cotonou, Benin, the first Continental Conference on the death penalty.

This Conference, which gathered representatives from African Union (AU) Member States, parliamentarians, national human rights institutions, civil society organisations, has permitted to debate on the issue of the death penalty in Africa as well as on the need for the adoption of a regional legal instrument on its abolition. Today, 78 Human Rights Organizations launch a "[Manifesto for a Protocol to the African Charter on the abolition of the death penalty](#)" supporting the adoption, by AU Member States, of a regional legal instrument expressly stating the abolition of the death penalty.

For Karim Lahidji, FIDH President "***The ongoing debates on the death penalty in Africa constitute an undeniable opportunity for African countries to strengthen the global and growing movement in favour of the abolition of the death penalty. Concrete actions and commitments must be made in favour of the adoption of an African Protocol explicitly abolishing the death penalty***".

For Paul Angaman, Chairperson of ACAT Côte d'Ivoire and member of FIACAT, "***the adoption of an African Protocol on the abolition of the death penalty will allow AU Member States to develop a sense of ownership of the abolitionist movement and to strengthen the continental dimension of the abolition of the death penalty***".

The regional trend against the death penalty is a reality: 17 [1] AU Member States have enacted laws to abolish the death penalty, including 4 States in the past 5 years, and 19 [2] other Member States are de facto abolitionist. Despite this encouraging trend towards abolition, resistance remains: in 2013, death sentences were passed in at least 19 African countries and executions were carried out in at least 5 [3] of them. "***The abolition of the death penalty will soon become a matter of the past. It is important to continue debating openly with African States which still retain the death sentence and to explore together with them, strategies to achieve abolition***", said Alice Mogwe, FIDH Deputy Secretary General, Director of DITSHWANELO - The Botswana Centre for Human Rights and Member of the ACHPR Working Group on the Death Penalty.

Among the strategies envisaged by the ACHPR Working Group on the Death Penalty to achieve a continental abolition is the adoption of a regional legal instrument on the abolition. In 2011, following a study on the situation of the death penalty in Africa, carried out with the support of FIDH, FIACAT and the WCADP, the Working Group had indeed recommended African States to adopt a Protocol to the African Charter on Human and Peoples' Rights on the abolition of the death penalty.

According to Florence Bellivier, President of the World Coalition against the Death Penalty, "***the adoption of an African regional instrument aiming at the abolition of the death penalty would***

help to clarify the legal means to achieve abolition. It would also be an encouraging instrument which would strengthen the advocacy for the universal abolition."

FIDH, FIACAT and the World Coalition against the Death Penalty were represented at this Continental Conference along with representatives of their member and partner organisations from Senegal, Burkina Faso, Botswana, Tanzania, Zimbabwe, Uganda, Nigeria, Mali, Côte d'Ivoire, Benin, Congo, Tunisia, Nigeria, Benin, Mali, Côte d'Ivoire. Our organisations will continue calling for a Protocol to the African Charter on Human and People's Rights, explicitly abolishing the death penalty in Africa, to be proposed to the African Union for its adoption.

Footnotes

[1] South Africa, Angola, Benin, Burundi, Cape-Verde, Ivory Coast, Djibouti, Gabon, Guinea Bissau, Mauritius, Mozambique, Namibia, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Togo.

[2] Algeria, Botswana, Burkina Faso, Egypt, Gambia, Ghana, Kenya, Lesotho, Liberia, Mali, Mauritania, Niger, Nigeria, Democratic Republic of Congo, Sierra Leone, Sudan, South Sudan, Tanzania, Zambia, Zimbabwe, See Amnesty international, Death Sentences and Executions, 2013, index ACT/50/001/2014

[3] Botswana, Nigeria, Somalia, Sudan, South Sudan.

Egypt: Implementation of death sentences is a critical precedent

Egypt: Implementation of death sentences is a critical precedent

Wednesday 25 June 2014

FIDH strongly condemns the alarmingly increase in the application of the death penalty by the Egyptian authorities. On June 16, three men and one woman were executed in Assiut public prison, after their conviction for murder and robbery. On June 19, four men were executed, one in Cairo's Appeal Prison, one in Wadi-al Natrun prison and two in Borg Al Arab prison in Alexandria following their conviction of murder. FIDH recalls that there has not been any recorded executions since October 2011. [1]

"The implementation of death sentences is a dangerous step regarding the right to life, after Egypt had applied a de facto moratorium since end of 2011. It is also a worrying precedent in light of the current context where Egyptian courts are upholding mass death sentences against political opponents in trials that are marred by irregularities and violations of due process" declared Karim Lahidji, FIDH President, a member of the world coalition against death penalty.

On June 21, a criminal court in al-Minya upheld the death sentences of 183 supporters of the Muslim Brotherhood (MB), including the Supreme Guide of the MB Mohamed Badie. The court had recommended death sentences to 683 individuals on April 28 and referred the case to the Grand Mufti for his opinion. The court acquitted 496 individuals and sentenced 4 to life imprisonment. The charges against the defendants, most of them were tried in absentia, included the killing of a police officer, in connection with the violence following the removal of Mohamed Morsi in August 2013.

Other mass death sentences have been recorded recently. Between March and June 2014, Egyptian courts have recommended death sentences for at least 566 individuals accused of supporting the Muslim Brotherhood and participating in acts of violence in the aftermath of the August 2013 events. Among these cases, the Alexandria, and al-Minya courts have upheld death sentences against 38 individuals in May and April, respectively.

FIDH condemns the violation of the right to life through the application of the death penalty and calls for the immediate cancellation of these death sentences, and re-trials whilst making sure that fair trial guarantees will be respected in accordance with international standards. FIDH calls on the African Commission on Human and People's Rights to pronounce itself on the illegality of the procedures of the mass death sentences according to international and African human rights instruments.

FIDH reiterates its firm opposition to the death penalty for all crimes and in all circumstances, as it considers it an inhumane treatment and in some cases a form of torture. FIDH recalls that there is now a general trend towards abolition of the death penalty among states, and accordingly calls on Egypt to follow the same path.

" The Egyptian authorities must abolish the death penalty for all crimes, impose an immediate moratorium on death sentence and execution, and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights", declared Florence Belivier, FIDH Deputy secretary general.

Footnotes

[1] Amnesty International,
<http://www.amnesty.org/en/for-media/press-releases/egypt-sentences-further-183-people-death-new-purge-political-opposition-201>

Execution of a Political Prisoner Constitutes a Violation of Iranian and International Law

Tuesday 3 June 2014

Paris, 3 June 2014 - The execution of Gholamreza Khosravi Savadjani in Rajaishahr prison on Sunday 1 June 2014 was strongly condemned by FIDH and its member organisation, the League for the Defence of Human Rights in Iran (LDDHI).

“Gholamreza Khosravi Savadjani was executed on a charge for which the substantiating evidence was never produced. He was regrettably executed for his political views” said Karim Lahidji, FIDH President . ***“We condemn the unfairness of his trial, which was held in complete disregard for Iranian criminal law, and Iran’s obligations under the International Covenant on Civil and Political Rights”*** .

Mr Khosravi Savadjani was arrested in Rafsanjan, Kerman province, in 2008 and was tried on charges related to his financial donations and providing of information to the People’s Mujahedin Organisation of Iran (PMOI) - a proscribed group based in Iraq - and was sentenced to six years imprisonment. He had previously served five years in prison 1981-1986 on charges related to his support for the PMOI.

While serving his new 6-year prison sentence, a new charge of *moharebeh* (waging war against God) was brought against Khosravi Savadjani. That charge can carry the death penalty. He was retried under this charge in November 2009 by Branch 26 of the Islamic Revolution Court, which ruled that it was not competent to try him, because he had already been tried and sentenced based on the same charge in 2008. However, the Supreme Court overturned the ruling and sent the case back to the same branch. The court issued the first death sentence on him, but it was overturned by the Supreme Court. He was sentenced to death again in 2010, a decision which was upheld by the Supreme Court in April 2012.

Gholamreza Khosravi Savadjani had been transferred from Section 350 of Evin prison in Tehran to the Quarantine Section of Rajaishahr prison near Karaj on 28 May and then to a solitary cell. It is to be noted that he was sent to solitary confinement in mid- April for nearly two weeks, after the Evin prison guards and other security agents attacked Section 350 in Evin prison and beat up many prisoners.

Both Iranian and international law provide that prisoners may not be retried based on the same evidence. FIDH recalls that even the domestic flawed revised Islamic Penal Code that was adopted in May 2013, has slightly modified the provisions concerning the charge of *moharebeh* and defined it to include only people who have taken up arms. ***“he Iranian judicial authorities have never claimed that Mr Khosravi Savadjani used weapons. It may only be concluded that Mr Khosravi Savadjani faced an extremely unfair trial influenced by the intelligence and security services,”*** added Karim Lahidji.

FIDH notes that more than 300 officially acknowledged and secret executions have taken place in Iran since the beginning of 2014. FIDH reiterates its firm opposition to the death penalty for all crimes and in all circumstances, as it considers it an inhumane treatment and a violation of the inalienable right to life.

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Death Penalty: The Maldives turns its back on history and children's rights

Wednesday 21 May 2014

FIDH expresses its utmost concern over the recent decision of the government of the Maldives to overturn a six-decade-old moratorium on the death penalty.

Especially alarming is the possibility that children as young as 7 years old can receive death sentences, representing an egregious affront to fundamental human rights and the international legal obligations of the Maldives.

"The decision to reinstate the death penalty in the Maldives, in particular against minors, is an outrage and gravely at odds with the growing international momentum towards abolition. The Maldives must rejoin the over two-thirds of the world's countries that have abolished the death penalty in law or practice," said Karim Lahidji, President of FIDH [1].

The new regulation adopted by the government on 27 April, as well as similar provisions in the recently ratified Penal Code, institutes the penalty of lethal injection and strips the president of the authority to commute death sentences to life in prison under the Clemency Act. As noted by the Office of the High Commissioner of Human Rights, the fact that these crimes are considered Hadd offenses (which include theft, fornication, adultery, consumption of alcohol, and apostasy) for which the age of criminal responsibility is only 7 years old, means that children as young as 7 can be sentenced to be executed upon their turning 18. The Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, which the Maldives has acceded to and ratified respectively, both impose an absolute ban on the death sentence against persons who were below the age of 18 at the time of the offense.

The Maldives Minister of Home Affairs Umar Naseer justified the decision to reinstate death penalty due a "lively criminal environment" and overcrowded prisons, explaining that the Maldives is "a 100% Islamic country and there are certain values that we all believe in."

"No religious argument can justify the application of the death penalty. It is a cruel and inhumane treatment that may amount to torture, and this new regulation is a flagrant violation of the rights of children," stated Florence Bellivier, Deputy Secretary General of FIDH.

FIDH raised concerns about the risk of the death penalty being reinstated in the Maldives in a report released in 2012. FIDH found that an increase in murders had sparked a national debate on implementing the death penalty and that certain politicians such as the then Home Minister (now Vice President) Mohamed Jameel were pushing for the death penalty in order to curb recent crimes.

FIDH reiterates its firm opposition to the death penalty for all crimes and in all circumstances, as it considers it inhumane treatment and a violation of the inalienable right to life. Furthermore, FIDH has documented that the death penalty is commonly pronounced after unfair trials, and its application is often discriminatory. FIDH insists that the so called preventive effect of the death penalty has never been proved. FIDH calls on the Maldivian authorities to immediately repeal the recent provisions and to respect its existing international legal obligations by disallowing death sentences and executions in cases involving juvenile offenders. FIDH further calls on the government of the Maldives to ratify the Second

Optional Protocol to the International Covenant on Civil and Political Rights and to formally abolish the practice of the death penalty altogether.

Footnotes

[1] FIDH is a member of the World Coalition Against the Death Penalty

Sudan / Death penalty pronounced in apostasy case

Tuesday 20 May 2014

FIDH and its member organisation, the African Center for Justice and Peace Studies (ACJPS), condemn the sentencing of Meriam Yahya Ibrahim to death for apostasy and to a hundred lashings for adultery and urge Sudanese authorities to revoke this decision. The verdict constitutes a serious violation of the 2005 Interim National Constitution and of regional and international conventions to which Sudan is party.

According to information gathered, Meriam Yahya Ibrahim, a 27-year-old woman in her ninth month of pregnancy, was convicted on Sunday 11 May 2014 of apostasy (ridda) and adultery (zina) under the 1991 Sudanese Penal Code. Ms. Ibrahim was convicted after the Al-Haj Yousef Criminal Court declared her church marriage invalid on account of her Muslim faith and upbringing, based on the court testimonies of a number of her family members. She is detained together with her 20 months old son. She was given three days to recant her faith or face death. She was then sentenced on 15 May, 2014, after she confirmed her Christian faith and declared she had never committed apostasy.

“Ms. Ibrahim’s only ‘crime’ is her religious conviction. She has been sentenced to death solely on the basis of her religious beliefs, contrary to equality and non-discrimination guarantees in Sudan’s own Constitution and regional and international commitments made by the Government of Sudan. The sentences of lashings - a form of state sanctioned torture - and the death penalty must be revoked and Ms. Ibrahim released immediately”, said Katherine Perks, ACJPS Programme Director.

Ms. Ibrahim was initially arrested and released on bail on suspicion of adultery in September 2013 after her brother lodged a criminal complaint against her, alleging that she was a Muslim and as such was cohabiting illegally with a Christian man. It was later established that the couple had married in a church in 2012 and had a child together.

The penalty for adultery under Article 146 of the Sudanese Penal Code is a hundred lashes where the offender is not married. She was also convicted of apostasy and sentenced to death on account of converting to Christianity. Article 126 of the 1991 Sudanese Penal Code provides for the death penalty for any person found guilty of apostasy, a crime that is committed by any Muslim who advocates for the renunciation of the creed of Islam or publicly renounces his or her faith. The same article provides for the death penalty to be withdrawn if the defendant “repents” and “recants apostasy” before execution.

An adultery case was also opened against her husband but dropped on account of his undisputed Christian faith and confirmation by the Court that he had married Ms. Ibrahim in a church.

“Ms. Ibrahim is a prisoner of conscience. This case highlights the urgent need for legal reform to protect fundamental human rights and freedoms in Sudan” said Karim Lahidji, FIDH President. ***“It is the responsibility of the Sudanese authorities to respect and protect the rights of women, minorities and disadvantaged groups, not to impose harsh penalties on them based on their identity or belief. The laws applied in this case that allow for state-sanctioned torture and the death penalty - and restrict fundamental rights to equality and non-discrimination - must be***

over-hauled. It is absurd that a court of law may impose these unlawful penalties", he added.

The situation of Ms. Ibrahim is all the more alarming as it is not the first apostasy case in 2014. On 8 May 2014, Al Gadarif Criminal Court dropped charges against another woman accused of apostasy after she recanted her Christian faith and converted to Islam to avoid the death penalty. A criminal complaint had been lodged against her by a police officer at the National Identity office in Al Gadarif town after she applied for a national identity card. On application, she was asked to declare her own faith and that of her father. The criminal complaint was filed when she declared that she was a Christian, married with eight children to a Christian man, and that her father was a Muslim.

"The sentence against Meriam Yahya Ibrahim illustrates the particularly inhuman nature of the death penalty", said Florence Bellivier, FIDH Deputy Secretary General, member of the World Coalition against the Death Penalty. "In 2014, sentencing a pregnant woman to death for apostasy is a major regression contrary to all standards of international law", she added.

FIDH and the ACJPS call for the immediate and unconditional release of Ms. Ibrahim and her son. Our organisations urge the Sudanese authorities to revoke the sentences against Ms. Ibrahim, revise all legislation that has the purpose or effect of discriminating against religious and ethnic minorities, women and other individuals on account of their identity, and issue an immediate moratorium on all executions, with a view to abolishing the death penalty and all forms of corporal punishment, in accordance with Sudan's national, regional and international commitments. FIDH and the ACJPS call upon the international community, in particular the the African Union and the United Nations, to make all efforts to ensure that Ms. Ibrahim is immediately released and her sentence is revoked.

FIDH and ACJPS oppose the death penalty in all cases without exception.

Burma: Open Letter to President Thein Sein on the abolition of the death penalty

Friday 9 May 2014

Paris, Bangkok, 9 May 2014

Mr. President,

FIDH and its member organization, the Alternative ASEAN Network on Burma (ALTSEAN-Burma), urge you to take bold steps to abolish the death penalty in Burma.

Burma has not carried out an execution since 1988. As a result, it is among the world's de facto abolitionist countries. However, during the Universal Periodic Review (UPR) on 27 January 2011, the predecessor military government rejected recommendations made by numerous States to abolish capital punishment.

Despite the fact that courts continued to impose death sentences during your term in office, you took several important and welcome steps towards ensuring that executions would not resume. In May 2011, January 2012, and January 2014, you issued three presidential amnesties that commuted death sentences to life imprisonment. Now you can promote additional measures aimed at making Burma the third country in ASEAN to abolish the death penalty. As the Chair of ASEAN for 2014, your country has an unprecedented opportunity to lead the bloc by example and make progress towards transforming ASEAN into a death penalty-free region.

FIDH and ALTSEAN-Burma respectfully urge you to use your executive powers to instruct your administration to:

- Introduce legislation that amends Article 53 of the Criminal Code, removing the clause that prescribes the death penalty for various criminal offenses.
- Introduce legislation that ratifies the International Covenant on Civil and Political Rights (ICCPR) and its second Optional Protocol, which aims at abolishing the death penalty.
- Vote in favor of the UN General Assembly (UNGA) resolution that calls for a moratorium on the use of the death penalty. The resolution will be introduced at the UNGA's 69th regular session, which will convene in September 2014.

These historic measures would remain a key legacy of your presidency and mark a clear break from the country's past. We express our sincere hopes that you will act on these recommendations, leading to the abolition of the death penalty before Burma hands over the ASEAN Chair to Malaysia in 2015.

We thank you for your attention to this matter.

Yours sincerely,

Karim Lahidji
FIDH President

Debbie Stothard
ALTSEAN-Burma Coordinator

9 political prisoners in Belarus are in critical situation and freedom for 32 activists is restricted

Thursday 24 April 2014

Evidence gathered by FIDH and its member organisation in Belarus, Human Rights Centre Viasna, clearly contradicts the statement made at a press conference [1] on February 14, 2013 by the Belarusian Deputy Prosecutor, General Alyaksey Stuk, that the detention conditions of the 9 detainees currently identified by our organisations as political prisoners in Belarusian prisons and penal colonies are not different from the conditions of other prisoners. The 9 detainees suffer regular punishments that sharply exacerbate the already difficult conditions of their detention by restricting their means of support and quality of food and medical assistance. Often deprived of meetings with relatives, and subject to limits on correspondence, and constant pressure to make them write petitions for pardon, the physical ordeal of these individuals is intensified by psychological ordeals, qualifying detention conditions as inhuman and degrading treatment, prohibited by the articles 7 and 10 of the International Covenant on Civil and Political Rights and article 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Read the note on political prisoners in Belarus

Footnotes

[1] The conditions of "political prisoners", "the same as all other prisoners" - PGO], Interfax.by, 14 February 2013, available at <http://www.interfax.by/news/belarus/125295>.

Egypt: 529 death sentences against Morsy supporters in conclusion of an unfair trial

Egypt: 529 death sentences against Morsy supporters in conclusion of an unfair trial

Tuesday 25 March 2014

FIDH expresses its utmost concern after an Egyptian court sentenced to death 529 defendants, concluding a procedure that has flagrantly violated the most fundamental guarantees of a fair trial.

"Sentencing hundreds of defendants(to death) in a single trial is unprecedented. The Egyptian judiciary woefully distinguishes itself in completely disregarding fair trial guarantees while there is an urgent need to establish the rule of law" said Karim Lahidji, President of FIDH.

On 24 March, the Criminal Court of Minya (South Egypt) sentenced to death 529 defendants (387 in absentia). Convictions ranged from charges of murdering a police officer, storming and burning the Matay police station in Minya, attempting to kill two police officers, to stealing weapons and releasing inmates, in the aftermath of the dispersal of the Raba'a and Nahda sit-ins in August 2013. 16 other defendants were finally acquitted.

The court in Minya, issued its ruling after only two sessions in which the defendants' lawyers complained that they had no chance to present their case. According to a defense lawyer, the trial was characterized by the violation of the rights of the defense and the right to a fair trial. On 22 March the lawyers requested the removal of the judge, but the request was not referred for examination. During the second hearing on 24 March, the judge refused to let the lawyers into the courtroom and the detained defendants did not attend the hearing either. After only 45 minutes, the judge pronounced the death sentences.

FIDH endorses the position of its member and partner organizations in Egypt, including the Cairo Institute for Human Rights Studies and the Egyptian Initiative for Personal Rights, which considered these sentences as " a dangerous, unprecedented shift in the Egyptian judiciary's treatment of such cases and represents a grave violation of both the right to a fair trial and the right to life.". The organizations are also "especially concerned by this expansive use of the death penalty in light of the increasingly repressive measures taken against political dissidents of various affiliations".

Another trial of 700 defendants is planned to take place on 25 March 25 in application of the same proceedings on "terrorism" cases. After 30 June 2013, "terrorism circuits" have been assigned to try all crimes of terrorism in order to speed the proceedings in such cases.

While the authorities have claimed that these circuits were created only for crimes of terrorism, they have also been used to prosecute ordinary crimes, and to restrict freedom of expression and political opposition. On 23 March 2014, the Cairo Criminal Court (terrorism circuit) heard the case of Alaa Abdel Fattah, Ahmed Abdel Rahman and other activists charged with organizing and participating in a protest held against military trials for civilians on 26 November 2013.

FIDH reiterates its firm opposition to the death penalty for all crimes and in all circumstances, as it considers it an inhumane treatment. FIDH calls on the Egyptian authorities to abolish the death penalty

for all crimes, impose an immediate moratorium on death sentence and execution, and to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.

High level panel on death penalty

Tuesday 4 March 2014

Mr. President,

FIDH welcomes the organization of this High Level Panel Discussion, as well as the findings of the last report of the Secretary-General on the question of the death penalty (A/HRC/24/18), which feature the continuation of the global trend towards abolition. Today, more than three fourths of states in the world have abolished the death penalty in law or in practice. Others, such as Singapore, have recently restricted its scope or abolished mandatory death penalty for certain crimes under certain circumstances.

As of 2013, the Parliament of the Plurinational State of Bolivia authorized the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR). In the United States of America, the State of Maryland recently abolished capital punishment and, as of last month, the State of Washington imposed a moratorium. We also welcome the positive developments towards the abolition of the death penalty in Africa, and in particular encourage the adoption of the forthcoming covenant to the African Charter.

However, many challenges remain. Prison conditions for prisoners on death row often amount to cruel, inhuman or degrading treatment or even torture, including in California and Louisiana, where FIDH and its member organization, the Center for Constitutional Rights (CCR), recently conducted a mission. Stark racial disparities in charging, sentencing, and imposing death sentences persist.

In the Islamic Republic of Iran, the change of administration and taking of office by a new president on 3 August 2013 has not brought any change as far as the death penalty is concerned. Iran continues to apply the death penalty for crimes that do not meet the threshold of “most serious”, including for drug-related and sexual offenses, and to execute persons who were under the age of 18 at the time of committing the crime.

In the Democratic People’s Republic of Korea (DPRK), the death penalty remains an essential part of the totalitarian system in place. Accused persons are completely denied fair trial guarantees. As a result, the border between executions resulting from the death penalty and extrajudicial executions is close to nonexistent.

Mr. President,

As reported by the Secretary-General, the lack of data on the number of executions or individuals on death row is a serious impediment to meaningful debate at all levels. We therefore call on states to publish all information with regard to their use of the death penalty.

Despite global progress and international recognition that there is no conclusive evidence of the deterrent value of the death penalty (UNGA resolution 67/176 of 20 December 2012), steps back are possible, as demonstrated in Nigeria where a de facto moratorium was put to an end, or in Tunisia where it has not prevented lawmakers from inscribing capital punishment in the new Constitution. Several parliamentary democracies, such as Japan, Taiwan and India, continue to impose the death penalty.

FIDH considers that the death penalty is inherently a violation of the right to life. In practice, its imposition contravenes non-discrimination standards, equality before the courts and tribunals, the rights of the defense, and the prohibition of cruel, inhuman or degrading treatment or punishment.

We call for the establishment of an immediate moratorium on executions with a view to total, definitive and universal abolition; the ratification by all states of the Second Optional Protocol to the ICCPR; and the adoption of regional instruments prohibiting the death penalty under all circumstances.

Thank you for your attention.

Iran: nearly 100 persons executed since the beginning of 2014

Friday 21 February 2014

Today, in Geneva, spokesperson for the UN High Commissioner for Human Rights said during a press briefing that *"in just over seven weeks, at least 80 people have been executed. Some reliable sources indicate the figure could be as high as 95."*

Karim Lahidji, FIDH President, declared that *"the number of executions in Iran has indeed spiked since the taking of office by the new president. Although it may be argued that the Executive is not responsible for judicial actions, it is imperative that the new Government take action to substantiate its claims of intending to uphold citizenship rights and human rights. The first step to do this would be to impose a moratorium on all executions and to work to reform the pertinent laws."*

[Statement of High Commissioner for Human Rights \(OHCHR\)](#)

Summit of the African Union: The urgency to Ensure Protection, Security and Justice to African Populations

Tuesday 21 January 2014

As the populations of the Central African Republic and South Sudan witness the commission of abhorrent atrocities, as those in Mali and Libya experience persistent insecurity and as those in Egypt face increasing restrictions upon their fundamental freedoms, FIDH release a position paper that calls upon the African Union, on the opening of its 22nd Summit in Addis Ababa, to work to ensure protection, security and justice for African populations.

*"The African Union must take stock of the challenges posed by the perpetration of serious and massive human rights violations on the continent. The AU must provide a strong and coherent response to combat the rising number of conflicts that degenerate into ethnic or religious war, against the proliferation of terrorism, and against state collapse" declared **Karim Lahidji, FIDH President**. "Such a response must include the deployment of robust peacekeeping forces, the documentation of violations, the identification and bringing to justice of those responsible, as well as supporting democratic political processes and taking concrete measures to strengthen the rule of law" he added.*

In the **Central African Republic (CAR)**, civilians continue to suffer serious abuses throughout the country against a backdrop of political instrumentalisation leading to religious clashes. In the face of this spiraling crisis FIDH calls for the urgent deployment of a UN peacekeeping operation, which presents the only viable means of deploying the human, logistical and budgetary resources required to adequately support the African Union mission in the CAR and guarantee the safety of the civilian population throughout the territory. According to **Mathias Morouba, President of the Central African Observatory for Human Rights (OCDH)**, who is currently conducting an advocacy mission to the African Union together with FIDH, *"the worst is at work in the CAR and we fear that the situation will continue to deteriorate if the international community does not intervene accordingly. The chaos we face requires a peacekeeping operation able to ensure our protection and to get our country back on the track of political stability and security"*.

In **South Sudan**, violent clashes that erupted last December between two sides of the political power, within one month took on an ethnic character, led to the killing of thousands of people and forced nearly 400,000 others into internal displacement. FIDH had already alerted the international community to the danger of inter-ethnic violence in South Sudan and had called for the strengthening of the legal and democratic institutional human rights framework in the country. Today FIDH reiterates this call. To prevent further deadly clashes and to strengthen the rule of law in South Sudan, FIDH calls upon the AU to ensure the deployment, without further delay, of an Independent Commission of Inquiry mandated to

shed light on the circumstances of the violence, to identify those responsible so that they can be brought before competent courts and to identify political and democratic solutions aimed at promoting sustainable peace in the country.

Despite the restoration of constitutional order in **Mali**, the security situation, particularly in the north of the country, continues to raise concern. Persistent terrorist attacks and banditry, against a backdrop of stalled peace talks between the Malian authorities and armed groups, requires an urgent strengthening of AU action in this country. The AU must ensure that the parties comply with their previous commitments to secure the return of sustainable peace and security in this region.

In **Libya**, the security situation has deteriorated considerably in recent months with violence being particularly marked in Benghazi and Tripoli. The government is unable to regain control of armed militias and a genuine process of transitional justice, providing for mediation and disarmament phases, is yet to be implemented. The AU should help accelerate the establishment of a national consultation process on issues related to security and governance and ensure that independent mechanisms are able to document human rights violations and establish responsibilities.

The AU has also a role to play in ensuring respect for human rights and fundamental freedoms, particularly in states experiencing political instability. In **Egypt**, FIDH is concerned by the fact that the implementation of most of the rights and freedoms guaranteed by the Constitution, which has just been approved by referendum, are subject to the adoption of implementing law, whilst Egypt recently adopted restrictive laws. Similarly, serious concerns remain about respect for the freedoms of opinion, expression and association, in a context where several human rights defenders are still arbitrarily detained by the authorities. FIDH calls upon the AU to ensure that effective and independent mechanisms mandated to secure the implementation of constitutional provisions concerning fundamental rights and freedoms are put in place, that restrictive laws are repealed and that human rights defenders are released.

Amina Bouayach, FIDH Secretary General, who is also present in Addis Ababa states: *"In all these situations of conflict and crisis, lack of a strong legal and institutional framework for the protection of human rights, rampant impunity, the exclusion of certain communities and the breaking of political dialogue have all been ingredients for the worst situations. The African Union must act out its responsibility to stop the violence and insecurity and to fight against the instability installed in many parts of our continent."*

As the African Union Peace and Security Council meets on 29 January 2014, enabling Heads of State and Government to discuss the prevailing situations in the CAR, South Sudan and Egypt, FIDH calls upon the PSC to make firm commitments to these three countries and to consider the recommendations of our organisation. FIDH also submits to the Heads of State and Government the following recommendations : [positon paper](#).

Iran: UN General Assembly deplors persistent human rights violations

Wednesday 20 November 2013

Yesterday, the third committee of the United Nations General Assembly (UNGA) adopted a [resolution expressing its deep concern about “ongoing and recurring” violations of human rights in Iran](#), notably the alarming high frequency of executions. UN member states call on the Iranian government to abolish execution of minors, abolish torture, eliminate all forms of discrimination and other human rights violations against women and deepen its engagement with UN human rights mechanisms, amongst other things.

The adoption of this resolution comes as the Iranian Government has been supposedly displaying signs of change following the election of President Hassan Rouhani in June 2013 and his taking of office on 3 August 2013. FIDH, and its member organisations the League for the Defence of Human Rights in Iran (LDDHI), and the Defenders of Human Rights Centre (DHRC), believe the change of government has had no impact on the human rights situation so far.

«Isolated ‘good will’ gestures, including the release of Ms. Nasrin Sotoudeh last September, do not affect the overall continued repression and human rights violations, not to mention the ongoing imprisonment of other human rights defenders, journalists or trade unionists», said Karim Lahidji, FIDH President.

«Pledges to improve human rights conditions do not result in an improvement of the human rights situation in practice. The escalation in the number of executions is the worst example of the Iranian regime’s ongoing violation of human rights», added Shirin Ebadi, DHRC president.

FIDH, DHRC and LDDHI, particularly welcome the fact that the new resolution includes many [concerns and recommendations submitted to UN member states by our organisations in early October](#), in which we outlined gross violations of human rights that continue to take place in Iran.

Ahmed Shaheed, UN special rapporteur on the situation of human rights in the Islamic Republic of Iran, noted that [Iranian authorities had executed 724 people in 18 months, between January 2012 and June 2013](#), including dozens after Rouhani was elected in June.

The resolution was approved by 83 countries. 36 voted against and 62 abstained.

152 sentenced to death for the 2009 Bangladesh Rifles mutiny

Thursday 7 November 2013

On 5 November, a Bangladeshi civil court sentenced 152 people to death during the re-trial of 847 soldiers involved in the 2009 Bangladesh Rifles [1] mutiny. Besides the death sentences, 161 people were sentenced to life in prison, 256 people received prison terms between three and ten years and 277 people were acquitted.

The Bangladesh Rifles mutiny, which broke out on the border guards' Dhaka compound on 25-26 February 2009 and lasted 33 hours, was triggered by longstanding grievances among lower ranks, including demands over salaries and better facilities. It led to the killing of 74 people including 57 top- and mid-ranking army officers and several civilians. A number of women relatives of the officers suffered sexual assaults. After the mutiny, corpses were found buried in mass graves and bodies were not returned to families.

As of today, military courts have condemned more than 6,000 soldiers for their involvement in the mutiny. However, finding the maximum prison sentence of seven years under Bangladeshi military code too light, the army insisted that some of the soldiers should be re-tried by a civil court, which has the power to give death sentence.

About 50 suspects died in custody. No independent review of the mutiny, the conditions of detention of suspected mutineers and the trial process was considered by the authorities.

"The mass trials before both the military and civil courts were far from meeting international fair trial standards. The imposition of the death penalty by the civil court is even more condemnable as it constitutes a violation of the right to life as well as a cruel and degrading punishment", said Karim Lahidji, FIDH President.

"The government of Bangladesh should join the international trend towards the abolition of the death penalty and immediately commute the death sentences into lesser sentences", said Florence Bellivier, FIDH representative on the death penalty.

FIDH is opposed to the death penalty in all circumstances since it is an irreversible, cruel, and degrading punishment, that may amount to torture

The trial took place in a very tense political context in Bangladesh. The governing Awami League and the main opposition party, the Bangladesh National Party (BNP), carefully watch the army ahead of Bangladesh's next general elections, due by 24 January 2014. In the past, the army has already attempted to overthrow the government 21 times, twice successfully.

Footnotes

[1] The paramilitary force, comprising of about 48,000 troops, was renamed Border Guard Bangladesh after the 2009 mutiny.

Iran : Execution of 16 Baluchi prisoners highlights the ongoing State terror policy

Monday 28 October 2013

Sixteen Iranian Baluchi prisoners were speedily executed on 26 October in retaliation for an armed attack by Baluchi insurgents on the previous day in Saravan city, south-east Iran.

“The retaliatory execution of 16 Baluchi prisoners on Saturday, in revenge for the deplorable killing of 14 border guards, is in total breach of international law. The latest executions are even more shocking as these Baluchi prisoners were not even connected to the insurgents’ attack”, said Karim Lahidji, FIDH President. ***“This further vindicates our assertion that the situation of human rights has not changed in Iran since the taking of office of Hassan Rouhani”,*** he added.

Mohammad Marzieh, the prosecutor of the provincial capital Zahedan, confirmed that the executions were in direct retaliation for an attack that led to the killing of 14 border guards. A day after the executions, Fars News Agency reported that only 8 of the 16 victims had actually been members of a rebel group known as ‘Jondollah’ (Army of God) while the other eight had been drug smugglers.

Several of the prisoners had been in detention since early 2010, where they had allegedly been tortured. Some of them, if not all, had been reportedly deprived of due process and sentenced to death in unfair trials without access to a lawyer. Executions were carried out 10-12 hours after the attack. Hence, the authorities did not even comply with the existing regulations, which require the officials concerned as well as the victim’s lawyer to be notified of the time of the planned execution at least 48 hours in advance.

Furthermore, two Kurdish political prisoners, Habibollah Golparipour and Reza Esmaeili (aka Elham Mamadi), who had been convicted of moharebeh (fighting God), were executed in West Azerbaijan province on 25 and 26 October, respectively. The implementation of the death penalty has clearly increased in recent months and has already, by the end of October, exceeded the minimum figures of executions recorded in 2012. At the present rate, the yearly number of executions in Iran is bound to exceed far beyond 600 by the end of December.

Background information on targeted death sentences

Ethnic communities in Iran, including the Azeris, Arabs, Baluchis, Kurds and Turkmen experience discrimination in the enjoyment of their political, civil, economic and cultural rights. Political and cultural activists of ethnic communities often face arbitrary arrest and prosecution and are subjected to torture, and grossly unfair trials before the unconstitutional Islamic Revolution Courts.

In some cases, they are accused of collaboration with opposition groups operating from abroad, charged with moharebeh and sentenced to death. In particular, the Arabs in the southern Khuzestan province, the Baluchis in the south-east, and the Kurds in western Iran have been disproportionately targeted for executions.

The authorities have used the retaliatory mass executions against the Baluchi prisoners before as, for example, in December 2010, when 11 Baluchi prisoners were executed after an explosion in a mosque in

the port city of Chabahar. As of 28 October, at least 20 Kurdish activists are known to be on death row. Beside the execution of at least 8 Arab activists in 2011 and at least 4 in 2012, death sentences of 9 others have reportedly been upheld in 2013 so far.

For more information, see: **Death penalty in Iran: A State terror policy:**
<http://www.fidh.org/en/asia/iran/death-penalty-in-iran-a-state-terror-policy-14075>

Mylène Farmer signs petition against the death penalty in Belarus

Thursday 24 October 2013

On October 24, three days before her arrival in Minsk, where Mylène Farmer is expected to present to the public her new show "Timeless", she signed a [petition of the campaign "Human Rights Defenders against the Death Penalty in Belarus."](#)

The well-known French singer did not remain indifferent to a letter from the International Federation for Human Rights (FIDH) and the Human Rights Center "Viasna", in which human rights activists told her about the [problem of the death penalty in Belarus](#) - the last country in Europe, where people are still deprived of life on behalf of the state.

"There can be no higher goal, more holy, more worthy than this one: abolish the death penalty," Mylène Farmer quoted these lines when signing the petition. They belong to the French writer Victor Hugo, who in the preface to the novel "The Last Day of a Condemned Man" (1829) expresses his feelings that the death penalty should be abolished, wondering why one person has the right to take the life of another and claiming that his role is "the role of patron for all possible defendants, either guilty or innocent, before all the courts and the tribunals, before all the jurors, before all the arbiters of justice."

The petition calls on the Belarusian authorities to abolish the death penalty in the country: "Today, when all the countries of Europe and the former Soviet Union have abolished the death penalty, it is time for Belarus to join the civilized space of humanism, a space free from murder by the state."

Activists of the campaign "Human Rights Defenders against the Death Penalty in Belarus", launched in 2009, suggest signing the petition to the world-famous individuals - to emphasize the importance of the problem and to attract the attention of people all over the world to the death penalty as a problem that knows no national boundaries. In 2010, the petition was signed by [the famous British musician Sting](#), who also recorded a video message entitled "Time to Change", and in 2012 the campaign was [supported by the Swedish singer Loreen](#), the winner of "Eurovision-2012".

California and Louisiana Death Row Conditions Result in Torture, Report Finds

Monday 21 October 2013

Prisoners on California and Louisiana's death row are being held in conditions that amount to cruel, inhuman or degrading treatment or torture under international law, according to a new report by the Center for Constitutional Rights (CCR) and FIDH.

Representatives from CCR and FIDH traveled to both states this spring to document living conditions on death row and interview prisoners, people who have been exonerated, advocates and legal counsel in capital cases. In both states, they found condemned prisoners were often being held in solitary confinement for decades, a practice that leads to severe psychological and physical harm. CCR and FIDH also noted stark racial and geographic disparities in death penalty charging and sentencing rates in both states, as well as a significant overrepresentation of minorities on death row. In California, the ratio of African Americans on death row is nearly six times their percentage in the population at large, and in Louisiana, the percentage of African Americans is double their representation in the population.

"The death penalty constitutes an inherent violation of the most fundamental of all human rights: the right to live," said Vincent Warren, Executive Director of the Center for Constitutional Rights, who led the mission in Louisiana. ***"Not only are death row prisoners being denied this fundamental right in a process known to be rife with errors and discrimination, but in California and Louisiana, they are also being held, sometimes for decades on end, in conditions that clearly violate the United Nations Convention Against Torture, to which the United States is a party."***



In Louisiana's Angola prison, the report describes how death row inmates remain in their cells for 23 hours each day without proper ventilation, even when the heat index inside the prison exceeds 110 degrees. Death row prisoners are not allowed to participate in recreational or rehabilitative programming. On the country's most populous death row at San Quentin State Prison in California, the average length of time prisoners spend waiting for attorneys to be assigned and for courts to adjudicate their post-conviction claims is 17 and a half years. More death row inmates have committed suicide than have been executed by the state, and more than half of the 741 death row prisoners are currently without representation. And in both states, prisoners are often denied adequate medical and mental health care.

"Louisiana and California should urgently revise their policy and abolish the death penalty." said Florence Bellivier, FIDH Representative on Death Penalty and President of the World Coalition Against the Death Penalty, who led the mission in California ***"In 2012, 21 countries carried out executions, including the United States. By abolishing capital punishment, the US would join a growing national and worldwide movement. It's about the enhancement of human dignity and the progressive development of human rights."***

October 10th is the World Day Against the Death Penalty. The report was presented yesterday at the American University's Washington College of Law in Washington, DC.

Download the [report "Discrimination, Torture and Execution : A Human Rights Analysis of the Death Penalty in California and Louisiana"](#).

11th World Day against the Death Penalty : Stop Crime, Not Lives

Thursday 10 October 2013

On the occasion of the 11th World Day against the Death Penalty, FIDH and its member organisations, throughout the world, mobilise for a universal abolition.

On this occasion, FIDH, published an op-ed co-signed by Robert Badinter (Former French Justice Minister), Florence Bellivier (President of the World Coalition Against Death Penalty), et Karim Lahidji, (FIDH President) :

“Long live death!” is how Franco’s militias sometimes celebrated their victories during the 1930s Spanish civil war. Yes, there have always been - and remain - those States that champion death over life, barbarism over reason. And what better symbol of this outmoded ideology than the death penalty?

As you read this, 58 States around the globe - both developed and developing, democracies and dictatorships - continue to legally condemn their citizens to death. In 2012, twenty one of these states acted out this power to kill. Just as the highest contempt that is held for a murderer is based on their taking from their victim that which is most precious, these States violate the most fundamental and cherished right held by their subjects: the right to life. [...] »

See the rest of the [op-ed published for the 11th World Day against the Death Penalty](#).

USA : FIDH publishes today, together with its member organisation in the US, CCR, a report entitled [« Discrimination, Torture, and Execution: A Human Rights Analysis of the Death Penalty in California and Louisiana »](#).

Through an International law analysis, [the report documents the pervasive racial discrimination in the death penalty legal process](#), the inhuman conditions on death row and concludes that these two states’ use of the death penalty violates fundamental human rights.

TUNISIA : Yesterday, the Tunisian Coalition against the Death Penalty, together with FIDH and Amnesty International Tunisia, [addressed an open letter to the tunisian political parties](#) (in French), and particularly to those of the Troïka. The organisations invite the political parties to take position on the abolition of the death penalty and to commit themselves in favor of the ratification of the Second Optional Protocol of the International Pact on Civil and Political Rights aiming for the abolition of the death penalty.

A moratorium on the executions is in force since 1991 in Tunisia, however people are still being sentenced to death in conformity with the tunisian Criminal Code. Since the beginning of the political transition in Tunisia, FIDH and its partners have called, repeatedly, on the political leaders to mobilize themselves on this topic.

IRAN : The change of administration in the Islamic Republic of Iran (IRI) and taking of office by a new president on 3 August 2013 has not brought any change as far as the death penalty is concerned. Between the 14 June presidential election and 1 October, more than 200 people have reportedly been executed, including three people who were probably younger than 18 at the time of the alleged crimes. Against this backdrop, FIDH and its member organisation, LDDHI, have decided to publish [a report which analyses the new penal laws in force in Iran](#) that are consistently invoked to violate the right to life and to execute child offenders. Coinciding with 10 October 2013, World Day against the Death Penalty, this report aims to serve as an update on the current state of application of the death penalty in the IRI.

AFRICA : On the african continent, only 10 of the 54 States ratified the Second Optional Protocol of the International Pact on Civil and Political Rights, aiming for the abolition of the death penalty. [African abolitionists speak on this issue.](#)

This year, the World Day Against the Death Penalty focuses on the Caribbean. In this region of 25 States, 15 States still have not abolished the death penalty, even though no execution has been carried out since 2008.

See the [compilation of FIDH and leagues press releases on the Death Penalty from 2010 to 2013](#).

See also the [special dossier of the FIDH website on the 5th World Congress against the Death Penalty](#).

Just and modern societies cannot be founded on killing: abolish the death penalty!

Thursday 10 October 2013

Op-ed published in Dawn on the occasion of the World Day against the Death Penalty.

By Florence Bellivier, President of the World Coalition Against Death Penalty, Karim Lahidji, FIDH President and Robert Badinter, Former French Justice Minister.

“Long live death!” is how Franco’s militias sometimes celebrated their victories during the 1930s Spanish civil war. Yes, there have always been – and remain – those States that champion death over life, barbarism over reason. And what better symbol of this outmoded ideology than the death penalty?

As you read this, 58 States around the globe – both developed and developing, democracies and dictatorships – continue to legally condemn their citizens to death. In 2012, twenty one of these states acted out this power to kill. Just as the highest contempt that is held for a murderer is based on their taking from their victim that which is most precious, these States violate the most fundamental and cherished right held by their subjects: the right to life.

That some individuals do not respect this right is unacceptable: States must condemn murderers and prevent criminality. But in doing so, they must not reproduce the killing, must not submit to bloodlust – as the killer did. Indeed, just and modern societies cannot be founded on death ideology: the dispensation of justice as an eye for an eye, and a tooth for a tooth.

This point is crucial. It lies at the core of abolitionist arguments, which are philosophical as well as legal. Our societies must look up and distance themselves from the bitter cruelty of vengeance. An eye for an eye, as the old saying goes, makes the whole world go blind – and this, at a time when justice demands sight. What message does a State send its people when its judges sanction by killing, when prisons become places to die, when those who can don’t grant clemency? What more violence, what clearer sign of weakness is there, than an authority compelled to kill its own subjects?

Indeed, the act of execution is always violent and inhumane. Hanged in Japan and Iran, death-sentence prisoners in the United States and China are lethally injected. Far from being a mere clinical act, this latter modus operandi can often lead to a cruel and painful death. In fact, the United Nations Special Rapporteur on Torture has included executions in his mandate.

And alongside these compelling points, lies the fact that death sentencing is overwhelmingly unfair and ineffective. No justice system on the globe is spared the possibility of judicial error or iniquitous trials, and not all death-sentence prisoners can afford a proper defense. Moreover, there is no evidence to support that the death penalty reduces the number of murders or violent acts perpetrated in a given society.

But let us take it for granted that a murderer acknowledges his or her crime; let us assume that official investigations prove their guilt beyond all possible doubt: is death really their “just deserts”? We would suggest that the answer can only be no. Our societies already have, and must show, a creative capacity to develop penal sanctions beyond execution.

In 1981, when France abolished the death penalty, over 150 countries maintained such sentencing and carried it out. Today, only 21 such states remain. In the past five years, Uzbekistan, Argentina, Burundi, Togo, Gabon and Latvia have rid themselves of capital punishment. Civil society mobilization is bearing fruit. Abolition will soon be universal.

Open letter to the Pakistani authorities on death penalty

Friday 27 September 2013

Honorable Prime Minister Mr Muhammad Nawaz Sharif
Honorable President Mr Mamnoon Hussain
Honorable Interior Minister Mr Chaudhry Nisar Ali Khan
Honorable Secretary for Law, Justice and Human Rights Mr Muhammad Raza Khan

Paris, Lahore, September 27, 2013

Re: Application of the death penalty in Pakistan

Dear Excellencies,

The Human Rights Commission of Pakistan (HRCP) and the International Federation for Human Rights (FIDH) want to share with you their concerns and future recommendations about the application of the death penalty in Pakistan. Both organizations have jointly, and for several years, advocated for the abolition of this inherently cruel, inhuman and degrading punishment that violates the right to life. [1]

First of all, we would like to stress that, together with the rest of the human rights community, we have recognized and appreciated the efforts made by the Government of Pakistan through the moratorium on executions established in September 2008. Soon after, Pakistan ratified the International Covenant on Civil and Political Rights (ICCPR) [2] and, at the occasion of the UN Universal Period Review of Pakistan in October 2012, supported recommendations by other States to maintain the moratorium. However, the execution of Muhammed Hussain on 14 November 2012, as well as the fact that 450 convicts out of the more than 8,000 death row inmates in Pakistan awaited execution by August 2013, highlight the many challenges still to be fulfilled. Among the 58 countries in the world that retain the death penalty, Pakistan is one of the only 21 countries reportedly carrying out executions in 2012; with an average of more than 300 yearly sentences, it ranks among the countries in the world which issue the most death sentences regardless the current global trend on death penalty that is undoubtedly towards universal abolition.

HRCP and FIDH strongly believe that Pakistan should abolish the death penalty. First, we believe that the scope of application of the death penalty remains particularly broad under the Pakistan Penal Code and other laws. While it comprised of only 2 charges carrying the death penalty at the time of Partition, there are today 27 such charges. These go far beyond the threshold of 'most serious crimes' stipulated by Article 6 of the ICCPR: capital punishment in Pakistan is prescribed for offenses including blasphemy, sexual intercourse outside of marriage, kidnapping or abduction, gang rape, assault on the modesty of women and the stripping of a woman, smuggling of drugs, arms trading and sabotage of the railway system. In addition, HRCP and FIDH believe that in the specific context of the 'fight against terrorism', the death penalty is not a solution. The Anti-Terrorism Act (ATA), adopted in 1997 with the aim to "provide for the prevention of terrorism, sectarian violence and for speedy trial of heinous offenses and for matters connected therewith and incidental thereto", explicitly overrides several legal provisions and curtails the guarantees of fair trial, especially in death penalty cases. Those who commit acts of so-called terrorism should be prosecuted before competent, independent and impartial courts that meet international due process standards, and should not be sentenced to death.

Besides, the high incidence of crime in the Pakistan despite it being among countries with one of the highest rates of conviction to capital punishment in the world demonstrates that capital punishment has no special deterrent effect. Studies in several other countries have also shown that death penalty does not work as a deterrent to crime, and the rising number of convictions under death penalty offences in countries that retain capital punishment further proves that point.

In addition, the current state of the administration of justice in Pakistan compels the Government of Pakistan to maintain the moratorium, as a first step towards abolition. As you well know, capital punishment in Pakistan has been historically adversely affected by the lack of independence of the judiciary and the weakness of the police. Torture is routinely used to extract information or confessions from suspects, illegal detentions are common and there remains a strong tradition to rely much more on oral evidence than on material evidence, which lead to false judgments. Lastly, it is very difficult to have independent witnesses testify, for fear of retaliation. Coercion or corruption can stem from the police, powerful local families, culprit's relatives, or even from the victim's party. The generally hierarchical and unfair social structure of Pakistan inevitably skews police investigations and judicial proceedings in favor of the wealthy and influential, especially at the local level. Pakistani laws have even institutionalized - especially through the Qisas and Diyat Ordinance of 1990 - discrimination against poorer defendants. In cases of murder, the criminal can be forgiven and the death penalty removed if the family of the victim comes to an agreement with the criminal. This practice puts a price on human life and serves to ensure that murderers with money will walk free. The poor, being unable to pay, will receive no amnesty and likely be sentenced to death. Additionally, many litigants are not given an adequate defense as lawyers appointed ex officio are often paid too little and are too young and inexperienced to deal with procedures not respecting the minimum fair trial guarantees.

Furthermore, HRCP and FIDH believe that a thorough reform of the prison system needs to accompany the moratorium in place since 2008. While death sentences should be commuted to enforceable penalties of life imprisonment, the condition of detention of current death row inmates - notably the long periods of detention and the solitary confinement they face - should be swiftly improved as it amounts in many cases to cruel, inhuman and degrading treatment. The pressure of the death penalty stay has affected the mental health of many, who have over years been given dates for their hanging, only for them to be successively canceled. A number of these prisoners have reportedly committed suicide. Although the number of death row inmates increased from less than 5,500 in 2005 to more than 8,000 today, prison capacity has not been increased to hold them.

Taken into consideration that the death penalty contradicts the premise that human rights and human dignity are universally acknowledged fundamental norms, and that its application will not lead to an improvement of the situation of law and order in Pakistan, HRCP and FIDH recommend to the Government of Pakistan to:

On the death penalty:

- Maintain the moratorium on executions, and seriously consider moving towards the abolition of the death penalty; in addition, become party to the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty.
- Approve the proposal made by the Federal Cabinet on July 2, 2008, to commute death sentences to enforceable penalties of life imprisonment, and follow on the previous Government's plan to table a bill in Parliament to commute death sentences to life imprisonment, as reiterated in a petition pending before the Supreme Court of Pakistan.
- In the interim and as a first step towards abolition, restrict the number of offenses carrying the death sentence to the most serious crimes only, as reflected in the ICCPR and in conformity with paragraph 2 of the UN Safeguards Guaranteeing the Protection of the Rights of Those Facing the Death Penalty.
- Guarantee transparency of data collection regarding death penalty in the country, and make public statistics on the number of death sentences pronounced and executed every year, differentiated by gender, age, charges etc, in order to allow for an informed public debate on the issue.
- When all judicial appeals are exhausted, ensure that mercy petitions addressed by defendants to the

President of Pakistan are accepted.

- Develop programs aiming at raising public awareness regarding the relation between human rights and the death penalty.

On the administration of justice:

- Repeal the Qisas and Diyat Ordinance of 1990.
- Set up efficient mechanisms to combat corruption within the police and the judiciary; and establish effective and independent complaint mechanisms.
- Strengthen police investigations, in particular through material and forensic information collection; ensure proper training in those fields; and, more generally, increase budgetary allocations for the police, justice and prison systems.
- Establish a program for the protection of victims and witnesses taking part in criminal procedures.
- Guarantee accessibility of members of civil society to prisons and ensure contacts with death-sentenced prisoners.

We would be happy to discuss these issues with you at your convenience, and remain at your disposal for any question or clarification.

Yours sincerely,

Zohra Yusuf, HRCP Chairperson

Karim Lahidji, FIDH President

Footnotes

[1] For more information, see: Slow march to the gallows: death penalty in Pakistan, HRCP-FIDH, 2007. Available at: <http://fidh.org/IMG/pdf/Pakistan464angconjointpdm.pdf>

[2] Article 6 of ICCPR requires that states restrict capital punishment to only the 'most serious crimes' while General Comment n. 6 of the Human Rights Committee stipulates that "the right to life enunciated in article 6 of the Covenant [...] is the supreme right from which no derogation is permitted even in time of public emergency which threatens the life of the nation."

Japan executes 73-year old inmate

Thursday 12 September 2013

Press release of our Japanese member league, [The Center for prisoners rights \(CPR\)](#)

Today, Japan's Justice Minister Sadakazu Tanigaki ordered the execution of Tokuhisa Kumagai, age 73, at Tokyo Detention Center.

This is the third execution under the government led by Liberal Democratic Party which came back to the power last December, and today's execution has brought this year's total number of executions to six, all of which were authorized by Minister Tanigaki.

Kumagai was sentenced to life imprisonment at the first instance court. However, the prosecutor appealed to the High Court seeking the death penalty, and subsequently the original sentence was replaced by the death penalty, which was confirmed by the Supreme Court. It must be said that today's execution goes against the UN Human Rights Committee's recommendations that 'the death penalty should be strictly limited to the most serious crimes' and 'consideration should be given by the State party to adopting a more humane approach with regard to the execution of persons at an advanced age'. [1]

As a universal trend toward abolition is overwhelming, Japan, which retains the death penalty and continues to carry out executions regularly, is now a peculiar country and becoming more and more isolated from the international community. In March 2013, at the 22nd session of the UN Human Rights Council, the government of Japan rejected all of the recommendations calling for abolition of the death penalty or introduction of moratorium on executions, stating that whether to retain or abolish the death penalty is an issue which should be decided by each country and Japan does not intend to have a national discussion on it. Moreover, in May 2013, the UN Committee against Torture reviewed the second periodic report submitted by the government of Japan and the Committee urged the government 'to ensure that the death row inmates are afforded all the legal safeguards and protections' provided by the ICCPR as well as to consider 'the possibility of abolishing the death penalty'. [2] However, the government, especially the Ministry of Justice, has totally ignored such recommendations.


Today's execution was carried out right after the IOC selected Tokyo as the host city of 2020 Summer Olympic Games. The Charter of Olympics says, in its fundamental principles of Olympism, that 'the goal of Olympism is to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity'. The government of Japan should recognize that to retain the system of capital punishment with continuous execution of death sentence is incompatible with a peaceful society concerned with the preservation of human dignity.

Center for Prisoners' Rights strongly condemns today's execution and will continue its struggle to achieve a moratorium on executions and ultimate abolition of the death penalty.

Footnotes

[1] CCPR/C/JPN/CO/5, 30 October 2008

[2] (CAT/C.JPN/CO/2, 28 June 2013).



FIDH
represents 178
human rights organisations
on 5 continents

fidh

ABOUT FIDH

FIDH takes action for the protection of victims of human rights violations, for the prevention of violations and to bring perpetrators to justice.

A broad mandate

FIDH works for the respect of all the rights set out in the Universal Declaration of Human Rights: civil and political rights, as well as economic, social and cultural rights.

A universal movement

FIDH was established in 1922, and today unites 178 member organisations in more than 100 countries around the world. FIDH coordinates and supports their activities and provides them with a voice at the international level.

An independent organisation

Like its member organisations, FIDH is not linked to any party or religion and is independent of all governments.