

## **ADPAN NEWSLETTER 4/11 July and August 2011**

### **INTRODUCTION**

This edition of the ADPAN Newsletter covers the months of July and August. It provides links to a selection of death penalty news stories mainly from across the Asia Pacific region. This newsletter includes stories on: **Benin, China, India, Indonesia, Malaysia, North Korea, Pakistan, Singapore, Sri Lanka, Taiwan and Vietnam.** It is divided into three sections:

- Good News
- Significant World News
- Regional News

The Anti-Death Penalty Asia Network (ADPAN) is an independent, impartial network of individuals, NGOs, lawyers and activists committed to working for an end to the death penalty in their own countries and across the Asia Pacific region. For further information contact [adpan@amnesty.org](mailto:adpan@amnesty.org) (<http://asiapacific.amnesty.org/apro/aproweb.nsf/pages/adpan>).

Please distribute the ADPAN Newsletter widely, place on websites, pass on to those who might be interested and use in any campaigning in support of work against the death penalty including activities such as Facebook, twitter and other online activity.

### **GOOD NEWS**

#### **INDONESIA/ SAUDI ARABIA**

##### **Darsem avoids death penalty in Saudi Arabia, returns home**

On 13 July, Darsem binti Dawud Tawar, an Indonesian maid who was sentenced to death in Saudi Arabia, was returned to her family by the Foreign Ministry in Jakarta after the victim's family forgave Darsem but required her to pay over \$500'000 in blood money (Diyat).

*13/07/2011, Jakarta Post*

<http://www.thejakartapost.com/news/2011/07/13/darsem-avoids-death-penalty-s-arabia-returns-home.html>  
*15/07/2011, CNN*

[http://articles.cnn.com/2011-07-15/world/indonesia.freed.maid\\_1\\_saudi-arabia-indonesian-government-beheading?\\_s=PM:WORLD](http://articles.cnn.com/2011-07-15/world/indonesia.freed.maid_1_saudi-arabia-indonesian-government-beheading?_s=PM:WORLD)

## SRI LANKA/ UNITED ARAB EMIRATES (UAE)

### Sri Lankan woman sentenced to death in UAE gets pardon

On 31 July, Mrs Abdul Careem Kanzul Maharifa was repatriated to Sri Lanka following the UAE government's decision to grant clemency after Maharifa received the death sentence.

16/08/2011, *Sunday Times*

<http://www.sundaytimes.lk/latest/9723-lanakn-woman-sentenced-to-death-in-uae-gets-pardon.html>

## SIGNIFICANT WORLD NEWS

### BENIN

### Benin closer to abolishing the death penalty

On 18 August, Benin took an important step towards abolishing the death penalty after the country's National Assembly voted in favour of ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights calling for the abolition of the death penalty.

19/08/2011, *Amnesty International*

<http://www.amnesty.org/en/news-and-updates/benin-closer-abolishing-death-penalty-2011-08-19>

## REGIONAL NEWS

### CHINA

### Public not ready for an end to the death penalty

On 20 July, Yu Zhigang, criminal law professor at China University of Political Science and Law, speaks to People's Daily Online (PO) on China's position towards the death penalty. The discussion takes place against the backdrop of the Henan Provincial People's Court's decision to hear the case of Li Changkui, whose death sentence following a conviction for rape and murder was commuted to a suspended death sentence with a two year reprieve.

20/07/2011, *Global Times*

<http://www.globaltimes.cn/NEWS/tabid/99/articleType/ArticleView/articleId/667111/Public-not-ready-for-end-to-death-penalty.aspx>

### Death sentence for farmer in Yunnan raises concerns over judicial independence

On 22 August, the Yunnan Provincial Higher People's Court sentenced Li Chiangkui to death after a public outcry at an earlier suspended death sentence with a two year reprieve. Some claim the retrial was launched only to assuage public anger over the earlier sentence and therefore damaged judicial independence. Li was first sentenced to death in July 2010 but at a second hearing, by the High People's Court of Yunnan, Li Changkui received a suspended death sentence.

23/08/2011, *Global Times*

<http://www.globaltimes.cn/NEWS/tabid/99/articleType/ArticleView/articleId/672120/Death-penalty-may-appeal-but-law-has-higher-call.aspx>

24/08/2011, *China Daily*

[http://www2.chinadaily.com.cn/cndy/2011-08/24/content\\_13176740.htm](http://www2.chinadaily.com.cn/cndy/2011-08/24/content_13176740.htm)

## INDIA

### European Parliament resolution of 7 July 2011 on India, in particular the death sentence on Davinder Pal Singh

On 7 July, the European Parliament adopted a resolution appealing to the government of India not to execute Davinder Pal Singh Bhullar and Mehendra Nath Das, and to implement legislation introducing a permanent moratorium on executions with the goal of abolishing the death penalty.

07/07/2011, *Sikhsiyasat*

<http://www.sikhsiyasat.net/2011/07/11/european-parliament-resolution-of-7-july-2011-on-india-in-particular-the-death-sentence-on-davinder-pal-singh/>

### Supreme Court to examine delay in Bhullar plea decision

On 23 August, the Supreme Court agreed to examine the reasons behind the eight years taken to reject Devender Pal Singh Bhullar's mercy plea. Senior advocate K T S Tuli informed a bench of justices that the Delhi government had given its views favouring rejecting the mercy petition as far back as 2003 but the centre sat on it for eight years forcing the man, awaiting death, to develop psychotic disorder.

23/08/2011, *The Times of India*

[http://articles.timesofindia.indiatimes.com/2011-08-24/india/29921953\\_1\\_mercy-plea-mercy-petition-maninderjit-singh-bitta](http://articles.timesofindia.indiatimes.com/2011-08-24/india/29921953_1_mercy-plea-mercy-petition-maninderjit-singh-bitta)

### The Madras High Court stayed for eight weeks the execution of the alleged killers of Rajiv Gandhi

On 30 August, the Madras high Court granted Murugan, Santhan and Perivalan an interim stay of eight weeks, in order to hear petitions challenging the constitutionality of their 11 years on death row. The petitions argued that this amounted to 'an unwarranted, illegal and unconstitutional delay'.

06/09/2011, *Amnesty International*

<http://www.amnesty.org/en/library/asset/ASA20/045/2011/en/c4a2512d-de2a-40e1-886a-78c9176c7bd8/asa200452011en.html>

30/08/2011, *Daily Bhaskar*

<http://daily.bhaskar.com/article/NAT-TOP-no-hanging-on-sept-9-madras-hc-stays-rajiv-killers-death-sentence-2390480.html?PRV=>

### Over 20 death row convicts await final word on their mercy pleas

President Pratibha Patil's decision to reject the mercy petitions of those convicted of the assassination of former PM Rajiv Gandhi has added fuel to the debate over delay in deciding clemency pleas. As of today there are 22 people on death row waiting for a final word from the president. President Patil has reportedly considered 13 mercy petitions, rejected three pleas and commuted the death sentence in ten others since November 2001.

31/08/2011, *Economic Times*

[http://articles.economictimes.indiatimes.com/2011-08-31/news/29949274\\_1\\_mercy-petitions-death-row-convicts-mercy-pleas](http://articles.economictimes.indiatimes.com/2011-08-31/news/29949274_1_mercy-petitions-death-row-convicts-mercy-pleas)

31/08/2011, *Daily Pioneer*

<http://www.dailypioneer.com/home/online-channel/360-todays-newspaper/2725-death-row-convicts-sense-hope-as-courts-intervene.html>

## INDONESIA

### Indonesia to seek pardon for migrant workers on death row

On 6 July, Manpower Minister, Muhaumin Iskandar said Indonesia would seek clemency for its Indonesian migrant workers facing the death penalty abroad.

07/07/2011, *English Kompas*

<http://english.kompas.com/read/2011/07/07/09083259/Indonesia.to.Seek.Pardon.for.Migrant.Workers.on.Death.Row>

### Bali Nine campaign could backfire: Kontras

On 19 July The Commission for Missing Persons and Victims of Violence (Kontras) criticised a public campaign in Australia which aims to put pressure on President Susilo Bambang Yudhoyono to pardon the two remaining Bali 9 members on death row. They argued that a low key approach through diplomatic channels had a much greater chance of success.

19/07/2011, *The Sydney Morning Herald*

<http://news.smh.com.au/breaking-news-world/bali-nine-campaign-could-backfire-kontras-20110719-1hmv1.ht>

### Kontras says no to death penalty in corruption bill

On 19 July The Commission for Missing Persons and Victims of Violence (Kontras) called on the Law and Human Rights Minister to eliminate the death penalty provision in the anti corruption bill.

20/07/2011, *Jakarta Post*

<http://www.thejakartapost.com/news/2011/07/20/kontras-says-no-death-penalty-corruption-bill.html>

## THAILAND/ MALAYSIA

### Two Thai men sentenced to hang for drug trafficking

On 1 July, two Thai nationals, Iproheng Yeetuwa and Mueseh Mahsae, were sentenced to death by a Malaysian court for drug offences.

01/07/2011, *Hands off Cain*

[http://www.handsoffcain.info/archivio\\_news/index.php?iddocumento=15308336&mover=0](http://www.handsoffcain.info/archivio_news/index.php?iddocumento=15308336&mover=0)

01/07/2011, *Thailand News*

<http://www.thailandnews.co/2011/07/two-thai-men-sentenced-to-hang-for-drug-trafficking-in-malaysia/>

### Eleven Indonesians sentenced to death in Malaysia

Eleven Indonesians, reportedly migrant workers, have been sentenced to death in Malaysia for drug offences or murder. Migrant CARE executive director, Anis Hidayah, said there were around 213 migrant workers in Malaysia who are on death row or are facing charges that carry the death penalty.

03/07/2011, *Jakarta Post*

<http://www.thejakartapost.com/news/2011/07/03/11-indonesians-sentenced-death-malaysia.html>

04/07/2011, *News Rickey*

<http://news.rickey.org/11-indonesians-to-be-executed-in-malaysia/5069>

### 178 Indonesians face Death Penalty in Malaysia

178 Indonesian nationals are facing the death penalty in Malaysia, with the trials of 167 underway. Pressure to protect Indonesian migrant workers has increased

following the recent execution by beheading of Indonesian national Ruyati binti Satubi in Saudi Arabia. In response, President Susilo Bambang Yudhoyono formed the Indonesian Migrant Workers Task Force to handle cases of Indonesian migrant workers facing death sentences abroad.

05/07/2011, *Tempo Interactive*

<http://www.tempointeractive.com/hg/nasional/2011/07/05/brk.20110705-344930.uk.html>

## **MALAYSIA**

### **Philippines urges Malaysia to commute death sentences of four Pinoys**

On 13 July, the Department of Foreign Affairs (DFA) said that the Philippine government asked Malaysian authorities to commute the death sentences of four Filipinos in Sabah.

13/07/2011, *GMA News*

<http://www.gmanews.tv/story/226122/pinoy-abroad/phl-urges-malaysia-to-commute-death-sentences-of-4-pinoys>

### **MP appeals for fair trial for Yong Vui Kong**

On 28 July, it was reported that Datuk Chua Soon Bui, Malaysian Member of Parliament, submitted a memorandum of appeal on behalf of Yong Vui Kong to Dato' Husein Hanif, the new Ambassador and Permanent Mission of Malaysia to the United Nations (U.N) in New York.

28/07/2011, *Borneo Post*

<http://www.theborneopost.com/2011/07/28/mp-appeals-for-fair-trial-for-vui-keong/>

## **NORTH KOREA**

### **Think tank unveils North Korean court ruling public execution**

On 18 August, a South Korean state-run think tank unveiled a North Korea ruling sentencing a man to be publicly executed. The Korean Institute for National Reunification (KINU) estimates that at least 60 public executions were carried out in North Korea last year.

18/08/2011, *Korea Herald*

<http://www.koreaherald.com/national/Detail.jsp?newsMLId=20110818000922>

## **PAKISTAN**

### **Supreme Court moved against death penalty**

On 25 July, a constitutional petition was filed by the Watan Party in the Supreme Court's Lahore Registry. It called for the abolition of the death penalty to prevent wrongful convictions due to an unfair criminal justice system and corruption. The petitioner has also contended that the death penalty is an unconstitutional and a cruel punishment.

26/07/2011, *The News*

<http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=59542&Cat=5>

### **Safraz case: Death Penalty sought for all accused**

On 12 August, the Anti-Terrorism Court (ATC) handed down one death sentence and six life sentences. All six defendants maintain that terrorism was not involved and the case should be heard by an ordinary court.

12/08/2011, Dawn Blog

<http://www.dawn.com/2011/08/16/the-judicial-death-of-reason.html>

28/08/2011, Khaleej Times

[http://www.khaleejtimes.ae/displayarticle.asp?xfile=data/international/2011/August/international\\_August1344.xml&section=international&col=](http://www.khaleejtimes.ae/displayarticle.asp?xfile=data/international/2011/August/international_August1344.xml&section=international&col=)

## **SINGAPORE/ MALAYSIA**

### **Singaporean sentenced to death for drug trafficking**

On 26 July, Ng Yan Seng, a 58 year old man from Singapore, was sentenced to death by the Malaysia High Court after being convicted of drug trafficking which carries a mandatory death penalty.

27/07/2011, New Strait Times

<http://www.nst.com.my/nst/articles/Singaporeansentencedtodeathfordrugtrafficking/Article/>

## **SRI LANKA**

### **HC hands down death sentence to all four accused**

On 24 August, four policemen accused of murder were yesterday sentenced to death by the Colombo High Court.

25/08/2011, The Island

[http://www.island.lk/index.php?page\\_cat=article-details&page=article-details&code\\_title=33229](http://www.island.lk/index.php?page_cat=article-details&page=article-details&code_title=33229)

## **TAIWAN**

### **Taiwan confirms death sentence for 23 year old case**

On 28 July, ADPAN issued a statement that Chiou Ho-Shun was sentenced to death in the final ruling of a 23 year old murder case. An official investigation in 1994 resulted in the conviction of two public prosecutors and ten police officers for extracting confessions through torture. In 2003, police also admitted they had covered up the fact that a man executed for other offences had confessed to the murder.

28/07/2011, ADPAN

<http://www.amnesty.org/en/library/asset/ASA38/002/2011/en/b2b662ba-a318-4a83-ac7e-df29ae846d95/asa380022011en.html>

28/07/2011, Amnesty International

<http://www.amnesty.org/en/news-and-updates/taiwan-confirms-death-sentence-23-year-old-case-2011-07-28>

### **EETO calls for abolition of death penalty in Taiwan**

On 31 August, the European Economic and Trade Office (EETO) in Taipei repeated its call for Taiwan to abolish the death penalty. Frederic Laplanche, chief of EETO, said Taiwan's efforts on the matter so far had fallen short of expectations after the European Union (EU) issued two statements earlier this year and in 2010 condemning Taiwan's executions of death row prisoners.

31/08/2011, Focus Taiwan

[http://focustaiwan.tw/ShowNews/WebNews\\_Detail.aspx?Type=aECO&ID=201108310039](http://focustaiwan.tw/ShowNews/WebNews_Detail.aspx?Type=aECO&ID=201108310039)

## VIETNAM

### **Death sentence upheld in party official murder case**

On 4 July, The Ho Chi Minh City People's Court confirmed the death sentences handed down by a lower court to two young men convicted of murdering a Party official of Phu Nhuan District and injuring two others.

*05/07/2011, Vietnam News*

<http://vietnamnews.vnanet.vn/Politics-Laws/Law-Justice/212999/Death-sentence-upheld-in-Party-official-murder-case.html>

### **Ex-cop gets death penalty for triple murder in southern Vietnam**

On 5 August, Tran Nguyen Xuan Phuong was sentenced to death by a court in the southern province of Binh Duong for murdering three people between 2008 and 2009.

*05/08/2011, Than Nien News*

<http://www.thanhniennews.com/2010/Pages/20110805113351.aspx>

*06/08/2011, Tuoitrenews*

<http://tuoitrenews.vn/cmlink/tuoitrenews/society/former-cop-killing-3-women-gets-death-sentence-1.39623>