

**ADPAN NEWSLETTER NO. 3, 2013
May-June 2013**

This is the third edition this year of the ADPAN Newsletter, covering May and June 2013. It provides links to significant death penalty news stories from across the Asia Pacific region.

The Anti-Death Penalty Asia Network (ADPAN) is an independent, impartial network of individuals, NGOs, lawyers and activists from 28 countries that are committed to working for an end to the death penalty in their own countries and across the Asia Pacific region.

Please distribute the ADPAN Newsletter widely, place online and use in any campaigning work against the death penalty.

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ADPAN NEWS

INDIA

On 8 May, in a Newsflash published on the ADPAN blog, ADPAN publicized a petition by ADPAN member, Amnesty International India, urging the abolition of the death penalty in India. Two executions had taken place in three months.

08/05/2013 – ADPAN

<http://adpan.net/2013/05/08/amnesty-india-petition-death-penalty-is-not-justice/>

INDONESIA

On 16 May, in a Newsflash published on the ADPAN blog, ADPAN appealed to the Indonesian President to revoke the death sentences of three prisoners facing imminent execution.

16/05/2013 – ADPAN

<http://adpan.net/2013/05/16/indonesia-adpan-appeals-for-three-more-prisoners-facing-imminent-execution-and-for-an-end-to-executions-in-indonesia/>

JAPAN

On 19 June, in a Newsflash published on the ADPAN, ADPAN initiated twitter action to appeal to the Japanese government to stop executions. Since the Liberal Democratic Party was elected in December 2012, five people have been executed.

19/06/2013 - ADPAN

<http://adpan.net/2013/06/19/urgent-twitter-action-urge-the-japanese-government-not-to-carry-out-executions/>

PAPUA NEW GUINEA

On 29 May, In a Newsflash published on the ADPAN blog, ADPAN called on the government of Papua New Guinea to repeal new laws extending the death sentence for rape murder and robbery and not to resume executions.

29/05/2013 – ADPAN

<http://adpan.net/2013/05/29/papua-new-guinea/>

VIETNAM

On 26 June, in a Newsflash published on the ADPAN blog, ADPAN condemned the change of law coming into force on 27 June, which puts 117 prisoners under threat of imminent execution. There are over 530 death row prisoners in Vietnam. (See below)

26/06/2013 – ADPAN

<http://adpan.net/2013/06/25/viet-nam-over-100-executions-could-take-place-imminently/>

5TH WORLD CONGRESS AGAINST THE DEATH PENALTY

On 12 June, ADPAN organised a meeting of its members at the World Congress. ADPAN's coordinator and members from Australia, Bangladesh, China, India, Indonesia, Japan, Malaysia, Mongolia,

Malaysia, Pakistan, Singapore, South Korea, Taiwan, Thailand, the UK, France and the Netherlands attended the meeting.

On 14 June, Professor Roger Hood, Professor Emeritus of Criminology at the University of Oxford, opened the Asia Plenary Session introducing five speakers: Sosormaa Chuluunbaata, Policy Adviser to the President of Mongolia, Yug Chaudhry, lawyer, ADPAN member from India; Otto Nur Abdullah, former President of the National Commission of Human Rights, ADPAN member, Indonesia; Maiko Tagusari, lawyer, ADPAN member and Director of Center for Prisoners' Rights and Parvais Jabbar, Executive Director, Death Penalty Project and ADPAN member.

25/06/2013 – ADPAN

<http://adpan.net/2013/06/25/5th-world-congress-against-the-death-penalty-madrid-12-15-june-2013/>

GOOD NEWS

CHINA

Beijing touts drop in capital crimes in annual human rights reports

On 14 June, China's State Council Information Office released its 10th white paper on human rights, which reported the establishment of stricter controls over the use of the death penalty. Wang Canfa, professor of Law at China University of Political Science and Law, stated: "China has made progress in human rights protection in regard to the decreasing number of death sentences." (sic)

15/05/2013 – *South China Morning Post, Global Times*

<http://www.scmp.com/news/china/article/1237864/beijing-touts-drop-capital-crimes-annual-human-rights-reports>

<http://www.globaltimes.cn/content/781615.shtml>

INDIA

After DMK, PDP, CPM says no to death penalty

On 13 May, the Communist Party of India, describing executions as "inhuman" and "arbitrarily implemented", became the first national-level political party to seek abolition of the death penalty.

13/05/2013 – *Hindustan Times, DNA India*

<http://www.hindustantimes.com/India-news/newdelhi/After-DMK-PDP-CPM-says-no-to-death-penalty/Article1-1059668.aspx>

<http://www.dnaindia.com/india/1834172/report-cpim-demands-abolition-of-death-penalty>

JAPAN

Death Penalty from lay judge trial overturned

On 20 June, the Tokyo High Court commuted the sentence of a 62-year-old man. This is the first time a high court has overturned a death sentence issued in a lay judge trial.

20/06/2013 – *Japan Times*

<http://www.japantimes.co.jp/news/2013/06/20/national/death-penalty-from-lay-judge-trial-overturned/>

MALDIVES

Bill proposing death by hanging rejected

On 24 June, a bill proposed by MP Riyaz Rasheed seeking to introduce the death penalty by hanging was rejected by 26 to 18 votes. Many MPs alleged that if the bill were passed with the current judicial system, innocent people could be executed.

24/06/2013 – Haveeru
<http://www.haveeru.com.mv/news/49698>

PHILIPPINES

PH affirms stance vs death penalty

On 12 June, at the 5th World Congress Against Death Penalty, Justice Secretary of the Philippines reaffirmed the country's stance against the death penalty: "every person is equal before the law, and that each life holds intrinsic value, which no person – no State – can or should take."

16/06/2013 – Rappler
<http://www.rappler.com/nation/31421-ph-affirms-commitment-against-death-penalty>

SINGAPORE

2 death row cases sent back for review

On 30 April, the cases of two prisoners on death row, Bijukumar Remadevi Nair Gopinathan and Jabing Kho, were sent back to the High Court for re-sentencing. This is the first time a murder case has returned to court for review under the new law, introduced at the end of 2012. This new law allows the courts to use discretion in applying certain mandatory death penalty laws. 34 prisoners have the right to have their cases reviewed under the revised law.

01/05/2013 – New Straits Times, Indian Express
<http://www.straitstimes.com/breaking-news/singapore/story/two-death-row-cases-sent-back-review-20130501>
<http://www.indianexpress.com/news/singapore-court-to-reconsider-indian-death-row-convicts-case/1110094/>

THAILAND

Unshackling inmates 'not enough'

Thailand's decision to remove leg shackles from prisoners at Bang Kwang Central Prison was welcomed by international organisations as a major step towards fairer treatment of prisoners. ADPAN member and Chair of Amnesty International Thailand, Somchai Homlaid; the Office of the High Commissioner for Human Rights; and the UN, have consistently lobbied against the practice. Since 23 January, 563 prisoners – most of them on death row – have been unshackled.

16/05/2013 – Bangkok Post
<http://www.bangkokpost.com/learning/learning-from-news/350310/shackles-removed-from-bang-kwang-inmates>
<http://www.bangkokpost.com/breakingnews/350348/removing-shackles-from-death-row-prisoners-just-first-step-say-international-rights-groups>

UN

Ban urges countries to abolish death penalty, increase transparency surrounding procedure

On 28 June, at a UN panel discussion on how to move away from the death penalty, UN Secretary-General Ban Ki-moon urged Member States to move towards the abolition of the death penalty and to increase transparency to allow debate on the death penalty. Since 2007, the General Assembly has adopted four resolutions calling on States to establish a moratorium on the use of the death penalty with the aim of abolition.

28/06/2013 – Media for Freedom, The Hindu Business Line, The Economic Times
<http://mediaforfreedom.com/readarticle.php?AID=17761>
<http://www.thehindubusinessline.com/news/international/un-to-discuss-abolition-of-death-penalty-by-june-end-ban-kimoon/article4813497.ece>
http://articles.economicstimes.indiatimes.com/2013-05-01/news/38958148_1_death-penalty-verma-committee-women

5TH WORLD CONGRESS AGAINST THE DEATH PENALTY

Final declaration for the 5th World Congress Against the Death Penalty

The 5th World Congress Against the Death Penalty held in Madrid from June 12 to 15, organized by the Association Together Against the Death Penalty (ECPM), announced that links between civil society and governmental organizations have gained strength. However, India, Japan and Indonesia have resumed executions after moratoriums.

15/06/2013 – *Together Against the Death Penalty (ECPM)*

<http://congres.abolition.fr/world-congress-in-madrid/news/article/final-declaration-for-the-5th>

REGIONAL DEVELOPMENTS IN THE ASIA PACIFIC

BANGLADESH

Bangladesh Jamaat leader sentenced to death

Mohammed Kamaruzzaman, assistant secretary-general of the Jamaat-e-Islami party, was sentenced to death for war crimes during the 1971 war for independence. The defence was critical of the decision, particularly given that he was 19 at the time of his offence.

20/05/13 – *The Guardian, The Indian Express*

<http://www.guardian.co.uk/world/2013/may/09/bangladesh-sentence-third-jamaat-leader-death>

<http://www.indianexpress.com/news/jamaat-leader-sentenced-to-death-over-war-crimes/1113940/>

Death penalty if children used in violence

The punishment for using children under the age of 18 in murder, intimidation and terrorist activities was changed from imprisonment and a fine to the death penalty. Children charged with criminal activities will receive bail regardless of their crimes.

13/06/13 – *Dhaka Tribune*

<http://www.dhakatribune.com/law-amp-rights/2013/jun/13/death-sentence-suggested-stop-using-children-violence>

Bangladesh Orders War Crime Trial of Top UK Muslims

Bangladesh's International Crimes Tribunal ordered a British-based Muslim leader, Chowhury Mueen-Uddin, and a US citizen, Ashrafuzzaman Khan, be tried in absentia for war crimes committed during the 1971 independence war. The tribunal has already charged 12 people, and three have been sentenced to death by hanging.

26/06/13 – *The Express Tribune, The Gulf Times*

<http://tribune.com.pk/story/567645/bangladesh-orders-war-crime-trial-of-top-uk-muslim/>

<http://www.gulf-times.com/bangladesh/245/details/357358/war-court-orders-trial-of-top-uk-muslim>

CHINA

Environmental pollution crimes to be severely punished

On 18 June, China's Supreme Court and Procuratorate jointly issued a new judicial explanation to impose harsher punishments on polluters; including the death penalty for the most serious cases.

19/06/2013 – *Xinhua News, RT*

http://news.xinhuanet.com/english/china/2013-06/19/c_132468976.htm

<http://rt.com/news/china-execution-environmental-offenders-967/>

INDIA

Double murder: SC commutes death on grounds of delay

On 1 May, the Indian Supreme Court commuted the death sentence of MN Das, charged with murder, to life imprisonment. Having spent 14 years in jail, commutation was sought on the grounds that the President had taken 11 years to consider his mercy plea. An appeal on the same grounds by Devinder Pal Singh Bhullar was rejected in April. The court drew a distinction between the two pleas, concluding that sentences following terrorist acts could not be commuted on grounds of delay. Suhas Chakma, of the New Delhi-based Asian Centre for Human Rights, remarked, "The SC's judgement is a step in the right direction for eventual abolition of death penalty in India."

01/05/2013 – *Frontpage24x7, Hindustan Times*

<http://frontpage24x7.com/1946/double-murder-sc-commutes-death-on-grounds-of-delay/>

<http://www.hindustantimes.com/India-news/NewDelhi/SC-firm-on-Bhullar-but-relents-in-case-of-Assam-convict/Article1-1053098.aspx>

Delhi govt refers decision on Bhullar to Home Ministry

The Delhi government decided to refer the decision on the execution of Devinder Pal Singh Bhullar to the Union Home Ministry, following a medical board deeming him mentally unfit. Bhullar filed a mercy petition on 14 January 2003, which was rejected on 15 May 2011. In April, the Supreme Court dismissed Bhullar's plea for commutation on grounds of delay in deciding his mercy plea.

19/06/2013 – *Zee News, Punjabi Newslines*

http://zeenews.india.com/news/nation/delhi-govt-refers-decision-on-bhullar-to-home-ministry_856115.html

<http://www.punjabnewslines.com/news/bhullars-execution-deferred-again-on-health-grounds/81235>

Women in Kolkata demand death penalty for rapists

On 19 June, women in Kolkata demonstrated to demand the death penalty for rapists, following the rape and murder of a 20-year-old woman in Barasat on 7 June 7. West Bengal Chief Minister Mamata Banerjee said on June 17 that the administration would push for death sentences for those responsible.

19/06/2013 – *News Rack India, India TV News*

<http://www.newstrackindia.com/newsdetails/2013/06/19/357-Women-in-Kolkata-demand-death-penalty-for-rapists-.html>

<http://www.indiatvnews.com/news/india/mamata-assures-death-penalty-for-barasat-rapists-23862.html>

Home Ministry: Centre had informed Delhi government on Afzal Guru's execution

On 19 June, the Centre informed the Madras High Court that details of condemned prisoners are conveyed to state governments in advance of execution. The Independent Commission for Human Rights (ICHR) persuaded political groups and members of the European Parliament to introduce a motion for an Urgency Resolution on the secret hanging of Guru.

19/06/2013 – *The Indian Express, Kashmir Watch*

<http://www.indianexpress.com/news/home-ministry-center-had-informed-delhi-government-on-afzal-gurus-execution/1131149/>

<http://kashmirwatch.com/news.php/2013/05/21/guru-s-execution-in-the-european-parliament.html>

INDONESIA

One daughter's solitary struggle for her father on death row

Last month, Chief Prosecutor of Makale, Jaka Suparna, stated that Ruben and Markus Pata Sambo would be executed as their appeals had been exhausted. In 2006, Ruben and his son, Markus, were sentenced to death for rape and murder by Makale District Court in Indonesia. They remained in prison, despite four other men pleading guilty to the crime in December 2006, stating that Ruben and Markus were not involved. Ruben's daughter, Yulianni Anni (24), accused the police and judicial system of

breaching her father and brother's legal rights. Indonesia has executed four people this year and plans to execute up to 12.

24/06/2013 – *The Jakarta Post, The Jakarta Globe*

<http://www.thejakartapost.com/news/2013/06/24/one-daughter-s-solitary-struggle-her-father-death-row.html>

<http://www.thejakartaglobe.com/opinion/innocents-await-firing-squad-death-penalty-slammed-2/>

MALDIVES

2 18 year olds sentenced to death for Bobby's murder

On 2 May, two of three minors charged with murder were sentenced to death by a Juvenile Court in Maldives. They were minors at the time of the crime, but are now adults. This is the first time a Juvenile court has issued a death sentence.

02/05/2013 – *Haveeru, Amnesty*

<http://www.haveeru.com.mv/news/48773>

<http://www.amnesty.org/en/news/maldives-must-commute-death-sentences-two-juvenile-offenders-convicted-murder-2013-05-03>

PAPUA NEW GUINEA

Papua New Guinea PM plans to implement death penalty

Papua New Guinea's Prime Minister has announced that despite no executions since 1954, Papua New Guinea will begin executions for robbery, rape and sorcery-related killings. A UN spokesperson called the move "a major setback". "While recognizing the challenge presented by the recent alarming rise in violent crime in Papua New Guinea, including rape, torture and murder, the use of capital punishment has never been proved to be a more effective deterrent than other forms of punishment," he added. The repeal of the 1971 Sorcery Act was also announced, thus witchcraft is no longer an acceptable excuse for murder.

01/05/2013 – *BBC, Spyghana*

<http://www.bbc.co.uk/news/world-asia-22366075>

<http://www.spyghana.com/papua-new-guinea-death-penalty-move-is-a-setback-un/>

TAIWAN

1st woman given death penalty in 23 years for murder in Taiwan

On 13 June, Lin Yu-ju became the first woman in 23 years, and the second prisoner this year, to be sentenced to death in Taiwan. A total of four female offenders have been sentenced to death in Taiwan since 1981.

13/06/2013 – *CNA*

<http://focustaiwan.tw/news/afav/201306130038.aspx>

VIETNAM

Lethal injection "is still being prepared"

On 27 June, following the introduction of a new regulation, lethal injection drugs can be produced domestically in Vietnam. As many as 117 executions could now take place by lethal injection. Vietnam's former decree on lethal injection stipulated that specific drugs produced by the EU had to be used. The EU then later banned the export of drugs used in lethal injections because it regards the death penalty as a violation of human rights.

27/06/2013 – *Vietnam Net, Than Nien News*

<http://english.vietnamnet.vn/fms/society/77752/lethal-injection--is-still-being-prepared-.html>

<http://www.thanhniennews.com/index/pages/20130618-vietnam-death-row-inmates-to-get-home-made-lethal-injections.aspx>

<http://deathpenaltynews.blogspot.co.uk/2013/05/vietnam-changes-law-to-allow.html>

