

ADPAN NEWSLETTER NO 5/2011 September and October 2011

INTRODUCTION

This edition of the ADPAN Newsletter covers the months of September and October and provides links to death penalty media stories from across the Asia Pacific region, specifically on the following countries: **Bangladesh, China, India, Japan, Malaysia, Mongolia, Pakistan, South Korea, Singapore, Sri Lanka, Taiwan, the United States and Vietnam.** It is divided into three sections:

- Good News
- World Day Against the Death Penalty
- Regional Developments
- World 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, see:

www.adpan.net;

Twitter: @ADPANetwork;

www.facebook.com/ADPANetwork

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

CHINA

China: Prisons allow death row inmates to meet relatives

On 22 September, it was reported that China made advances protecting the human rights of prisoners, allowing death row inmates to meet their relatives before being executed. Feng Cangjian, head of Human Rights in the Justice Ministry's Institute for Crime Prevention says that challenges remain in enforcing the changes, as training the country's 300,000 prison wardens will take time.

22/09/2011, Hands Off Cain

http://www.handsoffcain.info/archivio_news/201109.php?iddocumento=15311901&mover=0

JAPAN

Japanese Bar Associations Seek Debate on Abolition of Death Penalty

On 7 October, the Japan Federation of Bar Associations (JFBA) issued a statement on the risks around the use of the death penalty and urged the government to immediately start a public debate on abolition and suspend executions. The declaration said 'the death penalty is an inhumane punishment as it claims precious life, and it robs those convicted of the potential to rehabilitate'. Citing four post war capital cases in which death row inmates were acquitted in retrials, the JFBA also claimed the death penalty system 'always possesses a risk of miscarriage of justice'.

07/10/2011, Mainichi Daily News

<http://deathpenaltynews.blogspot.com/2011/10/japanese-bar-associations-seek-debate.html>

07/10/2011, Japanese Federation of Bar Association

http://www.nichibenren.or.jp/en/document/statements/year/2011/20111007_sengen.html

MONGOLIA

'Abolitionist of the year 2011' awarded to Mongolian President Elbegdorj

On 17 October, Mongolian president Elbegdorj received the Hands Off Cain award for the 'Abolitionist of the Year 2011' for his strong commitment to the application of a moratorium on capital punishment in his country.

17/10/2011, Hands Off Cain

<http://www.handsoffcain.info/news/index.php?iddocumento=15312549>

SOUTH KOREA

South Korea: Amnesty International welcomes 5000 days execution-free South Korea

On 8 September, Amnesty International welcomed the day's milestone of 5,000 days without executions and called on South Korea's parliament to seize the opportunity which this anniversary presents to take the final step towards abolish in law.

08/09/2011, Amnesty International

<http://www.amnesty.org/en/library/asset/ASA25/011/2011/en/436e36e1-6d27-455d-a5ff-e31b0282ed77/asa250112011en.html>

Murder Victims' Family Members urge South Korea to Abolish the Death Penalty

On 8 September, Members of Murder Victims' Families for Human Rights (MVFHR) supported the country's 5,000th day without an execution. Joining a growing movement now pressing for legislative abolition, ADPAN member MVFHR offers the critically important testimony of murder victims' family members who oppose the death penalty.

08/09/2011, International Network for Peace

<http://www.internationalnetworkforpeace.org/spip.php?article747>

WORLD DAY AGAINST THE DEATH PENALTY

MONGOLIA

10 October 2011 - World Day Against the Death Penalty

Amnesty International Mongolia, in association with the Open Society Forum, organised a film event around the theme 'Death Penalty and Death Row Inmates for Human Rights' showing, among other movies, "Dead Man Walking" by producer Tim Robbins. The Executive Director of Murder Victims Families for Human Rights (MVFHR) Renny Cushing, and the organisation's Asia Liaison, Toshi Kazama, held a Q&A session on issues on the 'Contribution of Murder Victims Families to the Human Rights' and the 'Legal Environment around the Death Sentence'.

10/10/2011, Info Mongolia

<http://www.infomongolia.com/ct/ci/2035>

SINGAPORE

Activists Commemorate the 9th World Day Against the Death Penalty

On 9 October, ADPAN members Singapore Anti-Death Penalty Campaign, We Believe in Second Chances and Think Centre organised an event gathering local activists and supporters at the Speakers' Corner to commemorate the 9th World Day Against the Death Penalty. They read out a joint statement calling on the Singapore government to rethink its position on the death penalty.

09/10/2011, The Online Citizen

<http://theonlinecitizen.com/2011/10/activists-commemorate-the-9th-world-day-against-the-death-penalty/>

TAIWAN

Groups call for abolishing death penalty

On 10 October, Amnesty International (AI) and ADPAN member, the Taiwan Alliance to End the Death Penalty (TAEDP), called on the government to abolish the death penalty in Taiwan. They also urged the government to release Taiwanese death row inmate Chou Ho-shun who has been forced into a confession by torture and sentenced to death.

10/10/2011, Taiwan News

http://www.taiwannews.com.tw/etn/news_content.php?id=1731673

WORLD NEWS

Dead wrong Catholics must no longer support capital punishment

The Catholic Church's position on capital punishment has evolved considerably over the centuries. A Vatican's expert on capital punishment and arms control said 'there is no room for supporting the death penalty in today's world'. Once perceived as necessary for the common good, the church's position has now shifted to one of belief in hope, conversion and mercy.

30/09/2011, Catholic News Service

<http://www.catholicnews.com/data/stories/cns/1103884.htm>

UNITED STATES

Georgia executes Troy Davis

On 21 September, Troy Davis was executed by lethal injection at the Jackson state prison in Georgia USA, despite serious doubts surrounding his conviction. The case against him rested primarily on witness testimony. Since his 1991 trial, seven of the nine key witnesses recanted or changed their testimony, some alleging police coercion.

21/09/2011, Amnesty International

<http://www.amnesty.org/en/library/asset/AMR51/082/2011/en/a1a872c5-8e4a-4b1e-80b2-d97bb80d7d56/amr510822011en.html>

REGIONAL DEVELOPMENTS IN ASIA PACIFIC

BANGLADESH

Six including three siblings to die, nine get life

On 12 September, three brothers, Kabir Rabbani Jewel, 36, Muazzem Hossain Rubel, 28, and Novel, 23 were sentenced to death for their alleged role in the murder of an Awami League leader.

12/09/2011, Daily Star

<http://www.thedailystar.net/newDesign/news-details.php?nid=202083>

Rights groups decry beheading of eight Bangladeshis

On 7 October, eight Bangladeshi migrant workers, convicted of taking part in an armed robbery at a warehouse and killing its security guard, were publicly beheaded in Riyadh. ADPAN member Odhikar expressed disappointment that the Bangladeshi government failed to protect its nationals from the execution.

13/10/2011, Source

<http://www.newagebd.com/newspaper1/national/36649.html>

CHINA

China's debate on the death penalty becomes increasingly open

Calls for death penalty reform in China are growing, but so has the ability of the general public to pressure courts into changing sentences perceived as too lenient. However, Xu Zhiyong, a legal scholar and human rights activist said 'the real problem isn't public opinion; it's that the courts just aren't independent enough...That's what's not as it should be'.

28/09/2011, Christian Science Monitor

<http://www.csmonitor.com/World/Asia-Pacific/2011/0928/China-s-debate-on-the-death-penalty-becomes-increasingly-open>

CHINA/ PAKISTAN

China must halt execution of Pakistan National, says Amnesty International

On 16 September, Amnesty International (AI) urged the Chinese government to halt the execution of Syed Zahid Hussain Shah, a 36-year-old businessman, for drug related offences. 'Executing someone for drug related offences violates internationally accepted standards for imposing the death penalty' said Sam Zarifi, AI's Asia-Pacific director.

16/09/2011, Amnesty International

<http://www.amnestyusa.org/news/press-releases/china-must-halt-execution-of-pakistan-national-says-amnesty-international> Web address

China executes Pakistani man on drugs charges

On 21 September, China executed Syed Zahid Hussain Shah despite appeals for clemency. According Mr Hussain's relatives, he was framed for a crime he did not commit. Amnesty International (AI) claims that no one sentenced to death receives a fair trial in China, where thousands of executions for drug trafficking take place every year.

21/09/2011, BBC

<http://www.bbc.co.uk/news/world-south-asia-15006181>

INDIA

'Death penalty is nothing but brutal murder by state'

On 2 September, K.T. Thomas, former Supreme Court judge, published his account of the injustices of the death penalty. His stance is founded on the belief that 'every offender can be reformed' and therefore the death penalty is but a 'short cut' aimed at 'liquidating the criminal'.

02/09/2011, Asian Age

<http://www.asianage.com/ideas/death-penalty-nothing-brutal-murder-state-814>

Member of Parliament demands abolition

On September 6, Member of Parliament, Tiruchi Siva, said the government should take steps towards the abolition of the death penalty. He protested that the 'draconian and inhuman practice of death penalty plagues [India's] society and is preserved as a punishment' damaging India's reputation as a nation founded on ethical values.

07/09/2011, *The Hindu*

<http://www.thehindu.com/news/states/tamil-nadu/article2432613.ece>

India court stays Mumbai gunman's death penalty

On 10 October India's Supreme Court stayed the death sentence of Mohammed Ajmal Kasab, convicted for his role in the 2008 Mumbai terrorist attack.

10/10/2011, *Wall Street Journal*

<http://online.wsj.com/article/SB10001424052970203633104576622791025590126.html>

JAPAN

Japan: Justice minister Hiraoka calls for national debate on death penalty

On 13 September Justice Minister Hideo Hiraoka told reporters he 'would like to consider establishing an institution to take on national deliberations and proposals' related to the death penalty. The establishment of a study panel in the Diet or in the Justice Ministry, open to public participation, is among possible options.

13/09/2011, *Hands Off Cain*

<http://www.handsoffcain.info/news/index.php?id=documento=15311250>

Japan: Minister must not cave in to pressure on death penalty

On 28 October, Justice Minister Hideo Hiraoka said he would look at each death row case individually, after a prominent politician reportedly encouraged him to exercise his power to authorise executions, despite saying last month he would not approve any executions. Amnesty International (AI) and ADPAN have urged the Justice Minister to stand by his original commitment which was to suspend executions until Japan's application of the death penalty can be more carefully considered.

28/10/2011, *Amnesty International*

<http://www.amnesty.org/en/news/japan-minister-urged-not-backtrack-execution-warrants-2011-10-28>

JAPAN/ MALAYSIA

Japanese nurse sentenced to death by hanging in Malaysia for drug trafficking

On 25 October, a Malaysian court sentenced Takeuchi, a Japanese nurse, to death by hanging for drug trafficking.

25/10/2011, *Washington Post*

http://www.washingtonpost.com/world/asia-pacific/japanese-nurse-sentenced-to-death-by-hanging-in-malaysia-for-drug-trafficking/2011/10/25/gIQA6RDREM_story.html

MALAYSIA

Three sentenced to hang over Australian drug ring

On 27 September, a Malaysian court sentenced three people, Wok Weng Fatt, 62, Abdul Rahman Lee Abdullah, 54, and Nurul Jannah Seng Abdullah, 47, to death for attempting to traffic heroin to Australia. Their lawyer, Mr Rayer, said he believed more people were being sentenced to death since Tun Zaki bin Tun Azmi was appointed as Malaysia's chief justice in October 2008 and that 'many of them have certainly not been given a proper hearing at all'.

27/09/2011, ABC Net

<http://www.abc.net.au/news/2011-09-27/three-sentenced-to-death-over-australia-trafficking/2945560>

Abolish death penalty, Lawyers for Liberty urges government to heed global call

On 13 October, ADPAN member Lawyers for Liberty called on the Malaysian government to immediately abolish the death penalty and reiterated that because of the absence of a fair and just legal system in Malaysia, there is an even higher risk killing innocent people.

13/10/2011, Malaysia Chronicle

<http://www.mail-archive.com/deathpenalty@lists.washlaw.edu/msg09444.html>

Public opinion will be considered before abolishing death penalty: Nazri

On 13 October, at a public event to promote the abolition of the death penalty in Malaysia, Datuk Seri Mohamed Nazri Abdul Aziz, a Minister in the Prime Minister's Department in charge of parliamentary affairs, said that the death penalty review was a timely effort, and was in line with ongoing efforts by the government to introduce new laws which complied with the principles of human rights.

13/10/2011, Malaysia Chronicle

<http://www.mysinchew.com/node/65104>

PAKISTAN

HRCP calls for abolishing death penalty

On 10 October, in commemoration of this year's World Day against the Death Penalty, ADPAN member the Human Rights Commission of Pakistan (HRCP) issued a statement calling on the government to implement its 2008 commitment to abolish the death penalty. The HRCP reiterated its 'belief that this punishment allows for a very high probability of miscarriage of justice on account of deficiencies in the law, administration of justice, police investigation, chronic corruption and cultural prejudices also affecting women and religious minorities in the country'.

09/10/2011, Dawn

<http://www.dawn.com/2011/10/10/hrcp-calls-for-abolishing-death-penalty.html>

TAIWAN

President calls for end to coerced confessions

On 13 September, President Ma Ying-Jeou called on Taiwanese society to strengthen human rights protections by continuing to enhance the quality of investigations and legal trials and eliminating all forms of coerced confessions.

13/09/2011, Focus Taiwan

http://focustaiwan.tw/ShowNews/WebNews_Detail.aspx?ID=201109130025&Type=aIPL

Executions can't be justified if legal system isn't trustworthy

Chiang Kuo-ching's mother, Wang Tsai-lien, is demanding that those who were responsible for Chiang's wrongful execution are brought to justice. The problem is that it may no longer be possible to prosecute those responsible after so many years. The crucial question to ask is how many more have been wrongly executed by the military and civilian authorities, provoking thought on Taiwan's justice system and the perennial dispute over the death penalty.

16/09/2011, China Post

<http://www.chinapost.com.tw/editorial/taiwan-issues/2011/09/16/316846/Executions-cant.htm>

Wrong Execution May Not End the Death Penalty

On 30 September, a Taiwan military tribunal has confirmed that the late Air Force private Chiang Kuo-ching had been wrongfully executed in August 1997 for the rape and murder of a five year-old-girl.

30/09/2011, IPS News

<http://www.ipsnews.net/news.asp?idnews=105300>

No change in death penalty policing

On 27 October, Tseng Yung-fu, Minister of Justice, reaffirmed that there has been no change in the government's policy of minimising rather than abolishing the death penalty because public opinion is still in favour of it. However, Tsen has been working to gradually limit the use of the penalty through measures such as scrapping regulations that list it as the only option for certain types of crime. The Judicial Yuan is also planning revisions to the law that, if passed, will require the Supreme Court to conduct an open debate on any death penalty case. Finally, in its human rights report that is scheduled to be published early next year, the ministry is set to outline steps to reduce the use of the death penalty.

27/10/2011, Taiwan News

http://www.taiwannews.com.tw/etn/news_content.php?id=1743285

VIETNAM

Hired gangster gets death penalty for murder, businessman gets life

On 8 September, the Ho Chi Minh City People's Court sentenced to death Vu Van Luan, 46, of Hai Phong, for allegedly killing a company executive for money on the orders of the victim's superior.

09/09/2011, Viet Nam News

<http://vietnamnews.vnagency.com.vn/Social-Issues/215247/Hired-gangster-gets-death-penalty-for-murder-businessman-gets-life-.html>