



Delivering on the Death Penalty

Highlights of the Semester January-June 2013

Development and Cooperation EuropeAid

Cover : In front of the Iranian Embassy, Rome, Italy © Reuters / Stefano Rellandini

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Foreword

The European Union (EU) has adopted a strong and principled position against the death penalty. The abolition of the practice is a key objective of the Union's human rights policy. The European Parliament's long-standing position against the death penalty in all cases and under all circumstances, as also recalled in its resolution of October 2010(¹) on the occasion of the World Day Against the Death Penalty, is well known.



We are also firmly convinced that the abolition of the death penalty contributes to the enhancement of human dignity and to the progressive development of societies. In this context internationally agreed minimum standards should never be seen as a way to justify the death penalty under any circumstances.

The use of the death penalty always constitutes a flagrant violation of human rights, notably of the right to life. Furthermore, capital punishment is not at all a deterrent to serious crime. In fact there is no evidence showing a correlation between use of the death penalty and a decrease in crimes punishable by the penalty itself. There is, however, evidence that

disproves this idea. We must also remind ourselves that any miscarriage of justice resulting from the application of capital punishment is irreversible and irreparable.

The use of the death penalty is also a clear violation of the prohibition of torture and cruel, inhuman and degrading treatment. As also stated by the United Nations Special Rapporteur on torture, countries that employ the practice should consider whether using the death penalty per se fails to respect the inherent dignity of the person, causes severe mental and physical pain or suffering, and amounts to torture.

Moreover, we must remain vigilant to prevent any instance of European complicity, such as the provision of medicines made in Europe and utilised in executions in third countries. In order to prevent any shipment of execution drugs slipping through the net and into third countries' prison systems, the European Union is working on amendments to the Regulation⁽²⁾ which controls exports of goods that can be used for capital punishment and other cruel and inhuman practices. The European Parliament is closely following these developments in EU legislation.

Finally I would express my admiration, appreciation and support for all human rights defenders committed to the fight against the death penalty around the world.

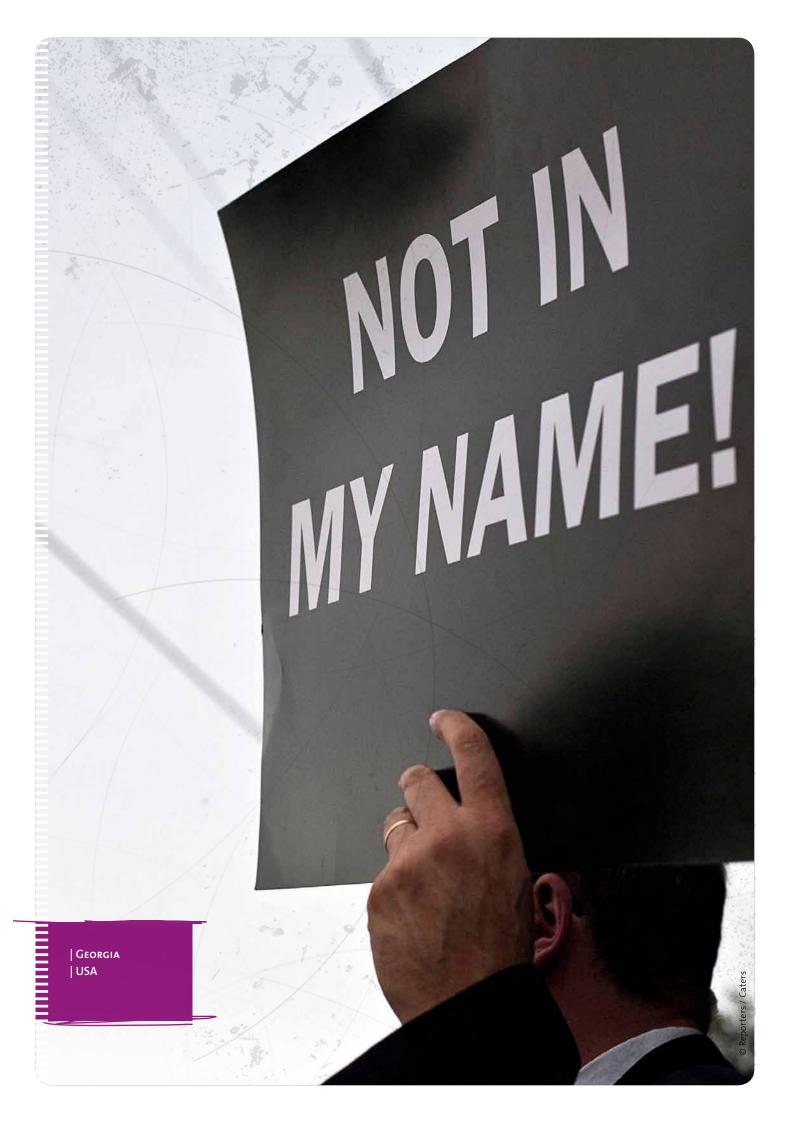
Supporting their actions remains a key challenge for the EU, and we should recall that the EU is indeed the major donor in this area. Since, 2007 the European Instrument for Democracy and Human Rights (EIDHR) has supported key actions that contribute, inter alia, to the abolition of the death penalty in Mongolia, Illinois (US) and Maryland (US) – such crucial support has made a tangible difference.

Barbara Lochbihler

Chair of the European Parliament Subcommittee on Human Rights

Resolution (EP) No P7_TA(2010)0351 of 07/10/2010 on the occasion of the World Day Against the Death Penalty, http://www.europarl.europa. eu/sides/getDoc.do?pubRef=-// EP//TEXT+TA+P7-TA-2010-0351+0+DOC+XML+V0//EN

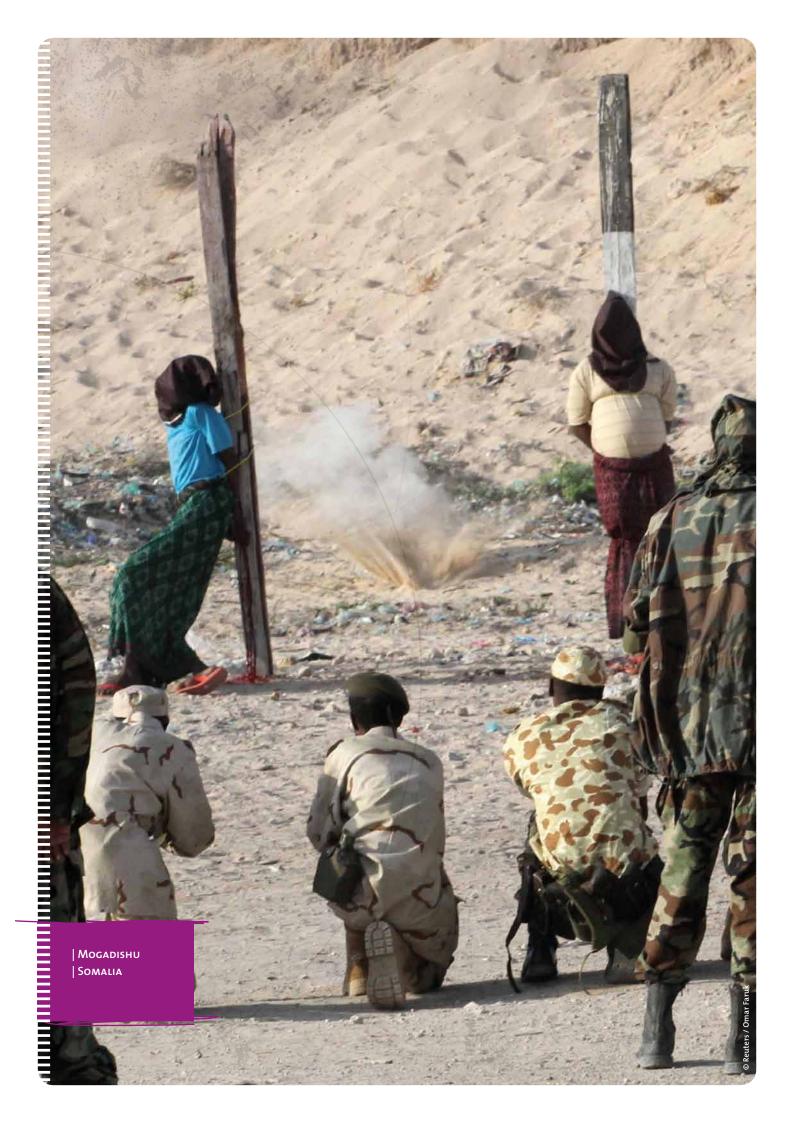
Regulation (EC) No 1236/2005 of 27/06/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment, http://eur-lex. europa.eu/LexUriServ/LexUriServ. do?uri=CELEX:32005R1236:EN:NOT



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Introduction

Of the 193 countries that are members of the United Nations, 43 countries currently apply the death penalty. In 2011 alone, these 43 countries were responsible for 4 952 executions⁽³⁾. Since many of these States are dictatorial or authoritarian countries that do not issue official data on capital executions, the number of executions may in fact be much higher.

Deliberately killing another human being is a deeply immoral, cruel and degrading act that constitutes a violation of human rights and human dignity. As laid down in the preamble of the Universal Declaration of Human Rights, human rights are inalienable and they may not be withdrawn even if a person has committed serious crimes. Signatory governments are legally bound to observe the provisions of this treaty and to ensure that they are fully reflected in the country's laws and practices.

No one shall be condemned to the death penalty or executed

Charter of Fundamental Rights of the European Union, Article 2(2)

4

Moreover, capital executions are a misguided attempt to find a punishment fitting the gravity of the crime and a public form of retribution; they are applied in certain countries for crimes ranging from theft to adultery. However, there is no evidence to suggest that the death penalty is an effective deterrent to committing further crimes. The death penalty is irrevocable and the danger that it can be inflicted on the innocent is ever present.

3 Hands off Cain Report 2012, http://www.handsoffcain.info/ bancadati/index.php?tipotema =arg&idtema=17000651

The following goals are set out in the EU Action Plan on Human Rights and Democracy (http://www.consilium.europa. eu/uedocs/cms data/docs/ pressdata/EN/foraff/131181.pdf), point 16 'Abolition of the death penalty': (a) Actively contribute to lobbying on the UNGA 67 Resolution on the death penalty moratorium, in order to increase support among Stated while developing also further the content of the initiative. (b) Undertake targeted campaigns on the death penalty and intensify engagement with retentionist countries. (c) Ensure EU input to the world Congress against the Death Penalty 2013. The Second Optional Protocol to the International Covenant on Civic and Political Rights aiming at the abolition of the death penalty (1989) states that no one within the jurisdiction of a state party to the Protocol shall be executed (Article 1.1.) and that each state party shall take all necessary measures to abolish the death penalty within its jurisdiction (Article 1.2.). Signatory governments are legally bound to observe the provisions of this Protocol and to ensure that they are full reflected in the country's laws and practices.

The European Union is fully committed to continuing its efforts to promote the permanent abolition of capital punishment. This commitment is strongly reaffirmed in the EU Strategic Framework and Action Plan on Human Rights and Democracy (4).

The EU uses all diplomatic tools at its disposal in all relevant multilateral fora to encourage retentionist states to introduce a moratorium on the practice, with a view to its permanent abolition. Through extensive lobbying and outreach, the EU played a key role in the adoption of the United Nations Resolution 67/206 calling for a global moratorium, with an unprecedented 111 votes cast in favour in December 2012.

The EIDHR is an essential part of this EU commitment against the death penalty. Since 2007, the European Commission has supported abolitionist regional and international non–governmental organisations (NGOs) in countries where the death penalty has not yet been abolished.

ARTICLE 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The Universal Declaration of Human Rights was adopted by the UN General Assembly on 10 December 1948

ARTICLE 1.1.

No one within the jurisdiction of a State Party to the Protocol shall be executed.

ARTICLE 1.2.

Each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction.

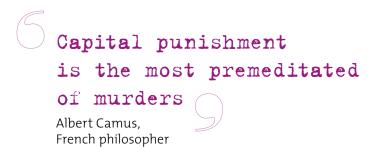
Second Optional Protocol to the International Covenant on Civic and Political Rights aiming at the abolition of the death penalty, 1989

EU GUIDELINES ON THE DEATH PENALTY

The objectives of the European Union are:

- to work towards universal abolition of the death penalty as a strongly held policy view agreed by all EU member states; if necessary with the immediate establishment of a moratorium on the use of the death penalty with a view to abolition; and
- where the death penalty still exists, to call for its use to be progressively restricted and to insist that it be carried out according to minimum standards.

First Legislative abolition of the death penalty – Gran Duchy of Tuscany, 1786



The added value of the EIDHR lies in a simple fact: the larger OECD donors and most new donors themselves retain the death penalty. Indeed, through the EIDHR, the European Union is the largest lead donor supporting the efforts of abolitionist civil society organisations around the retentionist world. Since 2007, the EIDHR has provided almost EUR 20 million to fight the death penalty and is the only actor to fund projects in every country which still retains the practice.

Since 2007 the EIDHR support for campaigns and campaigners against the death penalty has allowed them to make a real difference. One good example would be the support provided to key actors involved in securing important steps forward towards the abolition of the death penalty in Illinois (US) in 2011, and in Connecticut (US) or Mongolia in 2012. Recently, EIDHR support contributed to further progress on the issue such as the 6 March 2012 vote by the Maryland Senate to repeal the death penalty.

This report highlights actions funded by the EIDHR to promote the restrictive use of, the establishment of a moratorium on, and the permanent abolition of the death penalty. It provides various examples of on-going projects in the main categories of the fight against the death penalty (Part 1). Furthermore it describes how the EIDHR ensures a comprehensive geographical coverage of countries where the death penalty has not yet been abolished (Part 2).

The death penalty and torture constitute serious violations of human rights and human dignity. Encouraged by the growing momentum towards the abolition of the death penalty, the EU will continue its long-standing campaign against the death penalty. EU Strategic Framework on Human Rights and Democracy, Council Conclusion, 25/06/2012



|'go away' | Sana'a | Yemen

> On 3 December, 2012, **HIND AL-BARTI** was executed by a firing squad without any warning in the central prison in Sanaa, the Yemeni

capital. She was convicted of a murder committed when she was 15 years old. Hind had always maintained her innocence. This execution took place despite the fact that capital punishment for having committed crimes when under the age of 18 is expressly prohibited in Yemen's Penal Code. Indeed, since 1994, the execution of juvenile offenders has been banned and the Code stipulates a maximum of 10 years in prison for individuals under 18 who commit capital offenses. In addition, Yemen has ratified both the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, which specifically prohibit the capital punishment of anyone who was under 18 at the time of the offence.

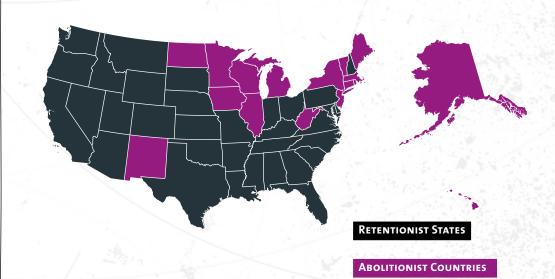
Notwithstanding, in the last five years Yemen has executed at least 15 young men and women who were under 18 years old at the time of their offence. Yemen is one of the four countries (together with Iran, Saudi Arabia and Sudan) that still execute people for crimes committed as children.



On 21 September 2011, **TROY ANTHONY DAVIS** was put to death by the state of Georgia (US), staining the country's contemporary human rights record. Davis was accused of murdering a

police officer on the basis of doubtful eyewitness testimony and no physical evidence. He had always maintained his innocence. Despite seven of nine witnesses withdrawing all or part of their testimonies against Davis, and despite global public outcry, the US Supreme Court denied a last-minute appeal to stay the execution. Although tragic, campaigners and NGOs such as Witness to Innocence, supported by the EU, believe that Davis' case could be seen as a turning point in the struggle to abolish the death penalty in the US. The renewed national debate led to millions re-examining their position on capital punishment and learning more about the prevalence of wrongful capital convictions. Indeed, when Illinois became the latest state to abolish the death penalty in March 2011, the Governor cited the frequency of wrongful capital convictions in the state and the possibility of executing innocent people as key reasons for his decision.

UNITED STATES DEATH PENALTY STATES



COUNTRY STATUS ON THE DEATH PENALTY (as of 30 June 2012)

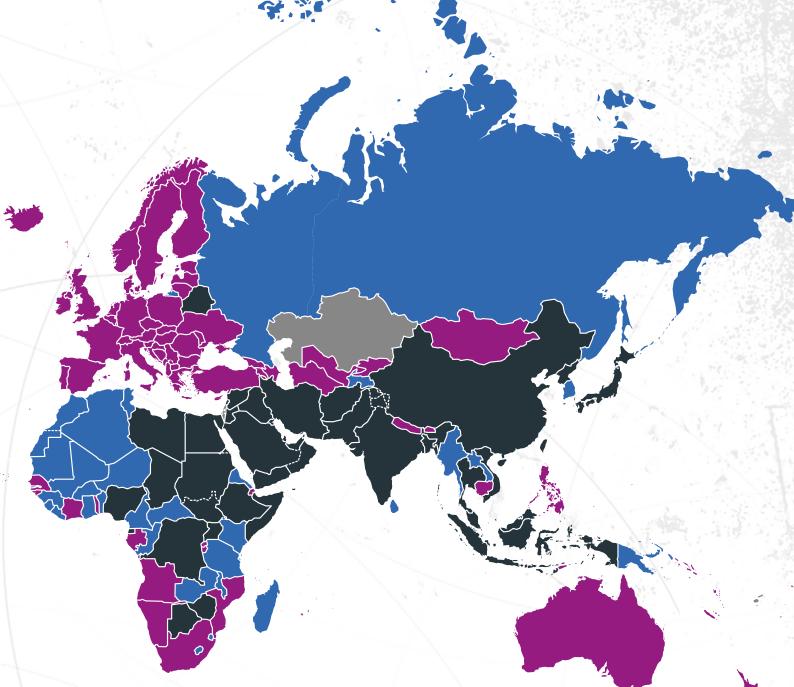
43 RETENTIONIST COUNTRIES: 43

Afghanistan, Bahrain, Bangladesh, Belarus, Botswana, Chad, China, Cuba, Democratic Republic of the Congo, Egypt, Equatorial Guinea, Ethiopia, India, Indonesia, Iran, Iraq, Japan, Jordan, Kuwait, Lebanon, Libya, Malaysia, Nigeria, North Korea, Oman, Pakistan, Palestinian National Authority, Qatar, Saint Kitts and Nevis, Saudi Arabia, Singapore, Somalia, South Sudan, Sudan, Syria, Taiwan, Thailand, Uganda, United Arab Emirates, United States of America, Vietnam, Yemen and Zimbabwe **ABOLITIONIST FOR ORDINARY CRIMES** (RETENTIONIST FOR VIOLENT CRIMES): **7**

Brazil, Chile, El Salvador, Fiji, Israel, Kazakhstan and Peru



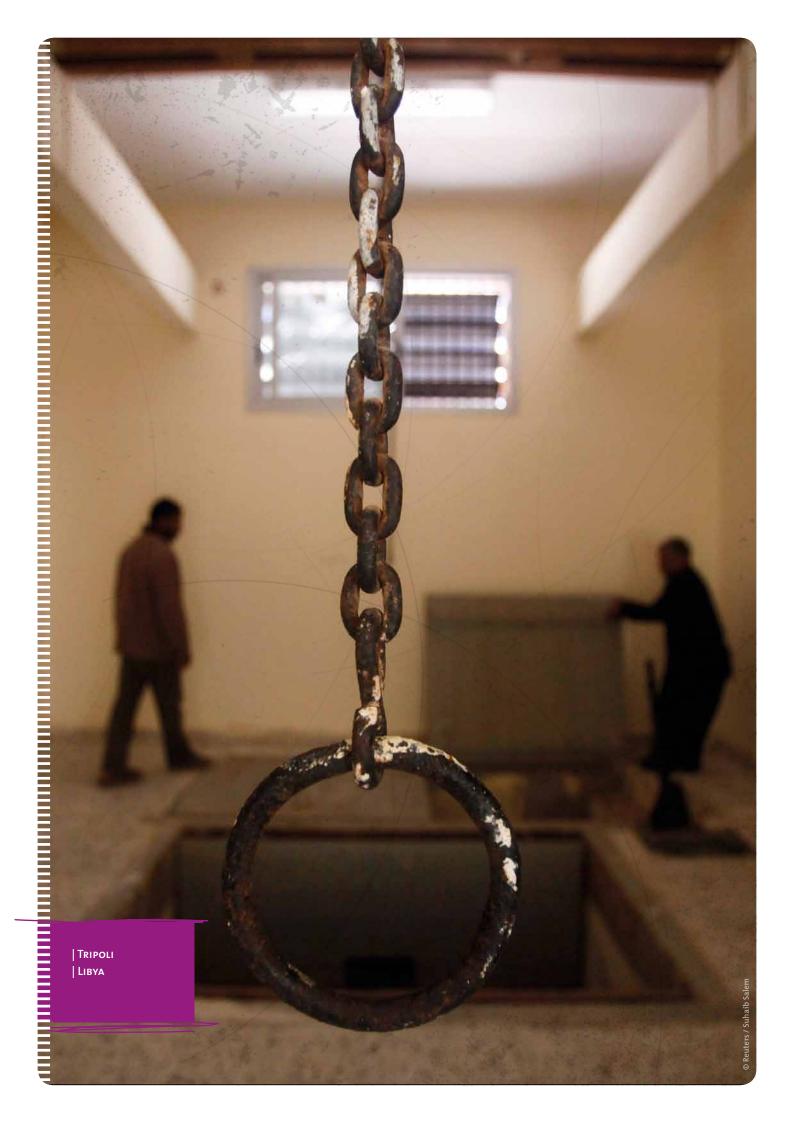
Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bermuda, Bhutan, Bolivia, Bosnia-Herzegovina, Bulgaria, Burundi, Cambodia, Canada, Cape Verde, Czech Republic, Colombia, Cook Islands, Costa Rica, Croatia, Cyprus, Denmark, Djibouti, Dominican Republic, East Timor Ecuador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Ivory Coast, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Former Yugoslav Republic of Macedonia, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nepal, Nicaragua, Norway, Netherlands, New Zealand, Palau,



Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, San Marino, São Tomé and Principe, Senegal , Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, South Africa, Sweden, Switzerland, Togo, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Vatican City, Venezuela

49 DE FACTO ABOLITIONIST COUNTRIES: 49

Algeria, Antigua and Barbuda, Bahamas, Barbados, Belize, Benin, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Comoros, Congo, Dominica, Eritrea, Gambia, Ghana, Grenada, Guinea, Guatemala, Guyana, Jamaica, Kenya, Laois, Lesotho, Liberia, Madagascar, Malawi, Mali, Maldives, Mauritania, Morocco, Myanmar, Nauru, Niger, Papua New Guinea, Russia, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, South Korea, Sri Lanka, Suriname, Swaziland, Tajikistan, Tanzania, Tonga, Trinidad and Tobago, Tunisia, Zambia



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Working on multiple axes of progress against the Death Penalty

The EIDHR supports a comprehensive set of actions that covers a pragmatic and wide range of activities. They complement each other, often interact to create synergies of impact, and all target concrete results against the death penalty. They entail in particular:

- reforming criminal codes;
- enhancing public and political support;
- imposing universal international standards;
- preventing trade in execution related materials; and
- fighting tolerated extrajudicial killings and summary executions.

Reforming Criminal Codes

An EIDHR project implemented by Penal Reform International supports government officials and parliamentarians, prison workers, local civil society, and regional and international technical experts in their progressive fight for the abolition of the death penalty and the implementation of humane alternative sanctions.

This project provides technical capacity and practical support to parliamentarians undertaking legal and policy reforms to restrict the number of capital offences to only the most serious crimes. The project:

- aims at guaranteeing the right to seek pardon or commutation of the capital sentence and providing humane alternatives;
- advocates for reducing the application of ultimate and maximum sentences such as lifelong imprisonment;
- trains prison officials to apply international minimum standards and helps to decrease the use of solitary confinement or other discriminatory practices for death row inmates;
- enhances the right to a fair trial of death row inmates and persons at risk; and
- strengthens civil society capacity to raise awareness and exchange information on the death penalty and alternative sanctions.

As a consequence, various advocacy activities were developed that support international lobbying on the issue but also that support local journalists covering important death penalty-related topics, and the publication and dissemination of key research papers.

With EIDHR support, Penal Reform International currently works in four regions of the world and in 10 countries, including Jordan, Morocco, Tunisia, Kenya, Tanzania, Uganda, Kazakhstan, Tajikistan, Belarus and Russia.

Enhancing public and political support

An EU project implemented by Witness to Innocence (WTI) enhances civic education and educates citizens across the United States of America (US) about the reality and frequency of wrongful capital convictions. It offers both citizens and political leaders an opportunity

to shift public opinion and change public policy against the death penalty. WTI is the only national organisation in the US that is composed of and led by ex-death row prisoners who have been exonerated and released back into the community, and the project intends to expose US public

opinion to the personal stories of these messengers. The project helps to generate high-level media visibility of speaking events and engagements conducted by WTI messengers with business associations, civic organisations, colleges, community centres, religious congregations and universities across the United States. In addition the project provides comprehensive assistance both to state anti-death penalty organisations engaged in promising campaigns to restrict or repeal the death penalty and to those working to reform the death penalty system by preventing or reducing wrongful capital convictions.

This project is implemented in 27 states which use the death penalty for the widest range of crimes including California, Colorado, Connecticut, Maryland, Montana, Florida, Georgia and Texas, as well as in Washington D.C.

Imposing universal international standards

The World Coalition Against the Death Penalty implements an EIDHR project that strengthens the international dimension of the fight against the death penalty. The project brings abolitionist organisations together and enhances their role in the abolition of the death penalty through international conferences, awareness-raising campaigns and special events. These include the World Day Against the Death Penalty which takes place each year on October 10, the campaign to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, and the campaign to implement the UN General Assembly Resolution 62/149 calling for a moratorium on the use of the death penalty. In addition, this project raises awareness on the current use of the death penalty, both at institutional level and for the public, through various advocacy activities, such as an updated database on the death penalty in the world⁽⁵⁾, a documentation centre with over one thousand resources available in 15 different languages, and professional networks particularly for parliamentarians and criminal defence lawyers.

The World Coalition is fully engaged in lobbying activities in Africa, Latin America, Asia, the Middle East and North Africa (MENA) Region and in Europe.

Preventing trade of execution-related materials

In the past, many substances used to execute by lethal injection were sourced from European companies. Indeed previously it was legal for any EU manufacturer, distributor or wholesaler to supply these drugs for executions.

In 2005 the EU, exercising its trade policy powers, adopted a Regulation, based on the European Commission's proposal, prohibiting trade in goods which have no practical use other than for the purpose of capital punishment or for torture and ill-treatment as well as the supply of technical assistance related to such goods (⁶). The Regulation also makes provision for export controls on certain goods which could be used for such purposes.



| Georgia | USA

5 The database can be found on the Death Penalty Worldwide website: www.deathpenaltyworldwide.org 6

Regulation (EC) No 1236/2005 of 27/06/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment, http://eur-lex.europa.eu/ LexUriServ/LexUriServ. do?uri=CELEX:32005R1236:EN:NOT Responding to developments as regards capital punishment, the list of controlled goods was amended in December 2011. As a result, export controls are now applied to short and intermediate acting barbiturate anaesthetic agents, which could be used for the execution of human beings by means of lethal injection.

Furthermore, the Regulation is being reviewed to assess whether additional measures might be necessary to ensure that EU economic operators refrain from trade which either promotes or otherwise facilitates capital punishment in foreign countries

ARTICLE 3 | EXPORT PROHIBITION

1. Any export of goods which have no practical use other than for the purpose of capital punishment or for the purpose of torture and other cruel, inhuman or degrading treatment or punishment, listed in Annex II, shall be prohibited, irrespective of the origin of such equipment.

Council Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment, OJEC L 200/1 of 30/07/2005



Fighting tolerated extrajudicial killings and summary executions

In recent years, a few states have been involved in accusations and legal cases related to the use of targeted killings, or tolerance for summary executions. It is sometimes argued that such actions constitute a legitimate and necessary response both to terrorist threats and to asymmetric warfare in the context of internal unrest, wide-spread organised violence or internal/international conflicts.

Tehran | |ran|

Strengthening of the Guarantees for the Exercise of the Rights to Freedom of Thought, Expression and Peaceful Assembly of Civil Society Organisations, Human Rights Defenders and the Media in Colombia.

In Colombia for instance extrajudicial killings represent a serious human rights violation in recent years and, according to the United Nations Office of the High Commissioner for Human Rights (UNOHCR), new cases were documented in 2011 and 2012, whilst many reported cases still remain unpunished. Since 2010, the EIDHR has supported the project 'Fortalecimiento de las garantías para el ejercicio de los derechos de libertad de pensamiento, expresión y agrupación pacífica de las organizaciones de la sociedad civil, de los defensores de derechos humanos y de los medios de comunicación en Colombia(⁷)' implemented by Diakonia Sweden. In strong partnership with national human rights organisations and networks, the project helps to refer cases of extrajudicial, summary or arbitrary executions to the Inter-American Court of Human Rights to hear and rule on the specific cases. In addition, the project disseminates information censored by the major national mass media on specific cases of extrajudicial killings, as well as other violations of human rights.

While extrajudicial killings and summary executions are not per se part of the fight against death penalty, their tolerance by public authorities has the same consequences for individuals and leads to violations of human rights, thus sustaining the perception that the death penalty is acceptable.





Ensuring a comprehensive geographical coverage

Fighting the death penalty in Asia

After six recent executions in Taiwan on 21 December 2012, the EU's High Representative for Foreign Affairs and Security Policy made a strong statement deploring the executions and calling on Taiwan to reinstate a moratorium. An important new EIDHR project – 'Reinstating Taiwan's Moratorium and Moving Toward Abolition' – is tackling the issue by providing critical support on work towards four overall objectives:

- restricting the application of the death penalty, including for non-violent crimes;
- facilitating a fair and humane judicial system;
- halting current executions; and
- advancing an environment conducive to eventual abolition.

This EU project lobbies legislators, the Ministry of Justice and the Judicial Yuan Constitutional Court to make vital amendments to the Code of Criminal Procedure and the Criminal Code. The project:

- supports local organisations in their work to reduce the number of crimes punishable by death;
- strives to bring Taiwan in line with the International Covenant on Civil and Political Rights (ICCPR) which states that the death penalty may be used only for the most serious crimes;
- advocates for the requirement of judges to come to a unanimous decision in death penalty cases as this would directly impact on the 80 defendants in on-going capital cases;
- supports local organisations to provide legal aid for all those on death row;
- creates a national network of specially trained lawyers to handle capital cases, seek humane prison conditions, and take on capital cases pro bono; and
- assists international human rights groups to lobby Taiwan's government over executions and adherence to the ICCPR, capitalising on political parties' desire to promote their human rights reputations.

Moreover, the project will conduct surveys to understand public opinion and develop educational tools to raise public awareness of the flaws of the death penalty and of alternatives. This will be achieved in particular through a well-attended annual film festival and public lectures.

Fighting the death penalty in the Americas

A new EIDHR project – 'Breaking Barriers: Engaging New Voices to Abolish the Death Penalty in the United States' – is being implemented by Equal Justice USA. It challenges the misconception that the death penalty abolition is a 'liberal' cause by reaching out to a broad array of people who are not often part of anti-death penalty campaigns, including those who support abolition based on conservative values/beliefs such as the sanctity of all life, wariness of the power of government, and frustration with the death penalty's wasteful inefficiencies.



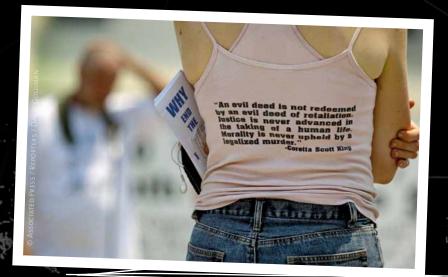
| Oregon | USA

The project mobilises these new voices to advocate for abolition and intervenes to stop executions. It provides training and capacity building to community-based abolition organisations and helps them work more effectively with new voices at the local level. It also helps to increase national momentum towards abolition and to enhance the availability of public information about the death penalty, particularly for new audiences who approach the issue from a negative perspective. In addition surveys of public opinion before and after project activities are employed to create benchmarks and monitor progress on awareness of death penalty issues as well as to to increase media coverage.

Fighting the death penalty in Africa

This EU project targets key African countries that benefit from ongoing cultural, political and legal transformations in favour of the permanent abolition of the death penalty. Implemented by the Community of Sant'Egidio, this project supports the transition from a de facto moratorium to the full abolition of the death penalty in Benin, Burkina Faso, Republic of the Congo Brazzaville, Lesotho, Liberia, Malawi, Mali, Niger, the Central African Republic and Zambia. This project empowers justice ministers, ambassadors from both of the target countries and from EU Member States to the United Nations and representatives of national legislative assemblies/local civil society/local abolitionist movements to use clear and compelling strategies and arguments against the death penalty, drawn from a basic respect of human rights.

Thanks to the EU support, this project developed the international exchange of good practices, political strategies, and legislative instruments among governments targeting their inputs at three key dedicated international conferences of justice ministers in Rome (Italy), and key events at the UN, the EU and the African Union (AU). It developed, in parallel, the capacity building of civil society organisations to conduct dialogue with key decision-makers in their countries. It also trained prison visitors and created a global network for local abolitionist movements, enabling coordinated lobbying. As a result, the international campaign 'Cities for Life/Cities Against the Death Penalty' was launched, in partnership with municipalities in at least 800 cities in Africa, Asia, America and Europe. The date of the campaign – 30 November – was a symbolic to recall the first anniversary of the abolition of the death penalty in the legislation of the Grand Duchy of Tuscany in 1786.



| Washington |USA



'Thou shalt not kill' | Hamburg | Germany

2 | Ensuring a comprehensive geographical coverage 19

Fighting the death penalty in the MENA region

Countries in the Middle East and North Africa (MENA) region frequently execute individuals in violation of minimum standards, as well as imposing the death penalty for numerous offences. A key EIDHR project implemented by Reprieve is designed to promote and enforce the EU Guidelines on the Death Penalty in particular in the MENA region. Whilst the overall objective – the abolition of the death penalty – is similar to other EIDHR endeavours, this project approaches the issue primarily through providing legal assistance to European nationals facing the death penalty. Reprieve's experience shows that effective legal representation significantly reduces the number of death sentences and executions. By improving the quality of legal assistance received and insisting on the application of minimum standards, the project increases the awareness of death penalty issues within the region's judicial and political systems. It also has a knock-on effect in non-European national cases.

Individual casework provides an ideal opportunity to develop strategic litigation. It enables the appropriate lobbying of national governments, including challenging the number of offences for which the death penalty is imposed. Using high-impact individual cases is an effective means of highlighting the injustices of the death penalty and how it is applied, of pushing forward the debate on abolition and of increasing pressure to conform to EU minimum standards. This project has resulted in expanded legal options being made available to those sentenced to death. The work of the project helps to reduce the number of capital offences, ensures that the vulnerable (mentally ill or disabled/children/pregnant women) are not sentenced to death, improves appeal rights and conditions of detention, and enhances the right to a fair trial.

Fighting the death penalty in Eastern Europe and Central Asia

Article 9.1 of the Regulation(⁸) establishing the EIDHR allows the European Union to provide small, direct grants to human rights defenders at risk and in need of urgent support. In November 2012 it was requested that these emergency funds be used to support two men and one woman on death row in Pakistan, where the crime of blasphemy is punishable by death. All three cases involved persons accused of blasphemy via the medium of text message with the accused in each case already having served time in prison – a total of seven years in one case.

A local organisation providing free legal aid to victims of violence and religious intolerance was assisted by the EIDHR to intervene and assist in all three of these cases at the stage of their review by Pakistan's High Court. The organisation's efforts have resulted in the acquittal of numerous persons in the past, saving lives and providing unique support. The EU will continue supporting local organisations to provide legal support, protection and rehabilitation to those sentenced to the death penalty in Eastern Europe, Central Asia and beyond.



| Sana'a | Yemen

Regulation (EC) N° 1889/2006 of the European Parliament and of the Council of 20 December 2006.



Contact

Website www.eidhr.eu

E-mail address

europeaid-eidhr@ec.europa.eu

Postal address

European Commission DG for Development and Cooperation – EuropeAid – Unit B1 B-1049 Brussels