

8th WORLD CONGRESS AGAINST THE DEATH PENALTY



Access the digital version of the Proceedings at:

www.ecpm.org



THE "CAHIERS DE L'ABOLITION"

- #1 4th World Congress Against the Death Penalty - Geneva 2010 - Proceedings (2011)
- #2 On the death penalty in Iran (2014)
- #3 5th World Congress Against the Death Penalty - Madrid 2013 - Proceedings (2014)
- #4 6th World Congress Against the Death Penalty - Oslo 2016 - Proceedings (2017)
- #5 7th World Congress Against the Death Penalty - Brussels 2019 - Proceedings (2020)
- #6 8th World Congress Against the Death Penalty - Berlin 2022 - Proceedings (2023)

Director of publication: **Raphaël Chenuil-Hazan**

Coordinator and author: **Ariane Jacobberger**

Chief editors: **Raphaël Chenuil-Hazan, Ariane Jacobberger, Bertin Leblanc, Émilie Fournier**

Artistic directors: **Bertin Leblanc, Émilie Fournier**

Illustrations: **Élise Desmars**

Photos: **Christophe Meireis, Rajiv Raman**

Copyeditor: **Olivier Pradel**

Translation: **KA-Lex Traduction**

Layout: **Olivier Dechaud**

Printing: **Imprim Ad'Hoc**



ECPM
62 bis, avenue Parmentier
75011 Paris
+33 1 80 87 70 24
www.ecpm.org

© ECPM 2023

ISBN 978-2-491354-27-5

Legal deposit: November 2023

CAHIERS DE L'ABOLITION #6

8th WORLD CONGRESS AGAINST THE DEATH PENALTY

PROCEEDINGS

www.ecpm.org

Acknowledgements

ECPM (Together against the Death Penalty) would like to thank the sponsor states, financial and political partners, associative partners, witnesses, Core Group members, speakers, members of the Academic Committee, volunteers and participants at the 8th World Congress Against the Death Penalty.

Sponsor states: **European Union, France, Germany, Switzerland.**

Core Group member states: **Argentina, Australia, Belgium, Benin, European Union, France, Germany, Mexico, Monaco, Mongolia, Norway, Rwanda, Spain, Switzerland.**

Financial and political partners: **Agence française de développement, Belgium, Council of Europe, Fondation de France, Luxembourg, Monaco, Norway, Paris Bar, Spain.**

We would like to thank the **World Coalition and its members** for their support in developing the academic programme.

Associative partners: **Freie Universität, Humboldt Universität, Human Rights Film Festival Berlin, Babylon cinema, France 24, MCD, RFI, France Médias Monde, Le 1 hebdo, Fondation Hironnelle, City of Berlin, Visit Berlin, Pierre Boulez Saal, German Coalition to Abolish the Death Penalty, International Abolition Education Network (RIEA).**

Abolition Village partners: **ACAT, ADPAN, AJEM (Lebanon), Arabisch-Deutsches Center für Dialog e.V, Mauritanian Human Rights Association, Capital Punishment Justice Project, Moroccan Coalition Against the Death Penalty, Tunisian Coalition Against the Death Penalty, Free Mumia Collective, CONICOPEM Niger, National Human Rights Council (Morocco), Culture pour la paix et la justice (DRC), Droits et paix (Cameroon), Euro-Med Youth Federation e.V., FIACAT, Impact Iran, Iran Human Rights (IHR), Justice For Keith LaMar, KontraS, Lebanese Association for Civil Rights (LACR), Algerian League for the Defence of Human Rights, Moroccan Observatory of Prisons, REPECAP, REPRODEVH+, Network of Parliamentarians Against the Death Penalty in Morocco, Network of Lawyers Against the Death Penalty in Morocco, Network of Teachers Against the Death Penalty in Morocco, Sant'Egidio, Shams, Taiwan Alliance to End the Death Penalty, The Association of Human Rights in Kurdistan – Geneva (KMMK-G), The Death Penalty Project, Wasla e.V.**

Academic Committee members: **Sandrine Ageorges-Skinner, Amina Bouayach, Drewery Dyke, Liévin Ngondji, Celia Ouellette, Nicolas Perron, Aurélie Plaçais, Camikara Yuwono.**

Contents

Preface
Young hope for abolition of the death penalty by Camikara Yuwono 15

Introduction
The World Congress Against the Death Penalty: an exceptional political lever
by Aminata Niakate and Raphaël Chenuil-Hazan..... 19

The Berlin Congress in figures 22

World and Regional Congresses 24

Progress in abolition of the death penalty between
the 7th World Congress (Brussels) and the 8th World Congress (Berlin) 26

POLITICAL AND OFFICIAL MOBILISATION AROUND THE CONGRESS 29

Unprecedented political mobilisation!..... 30

 · Zambia announces abolition of death penalty at the Berlin Congress..... 32

Opening ceremony 35

“Every execution represents a failure for us, but every country
that makes a commitment is a success.” by Christiane Taubira..... 36

Closing ceremony 41

Awards ceremony 43

 · Robert Badinter Prize..... 43

 · Legal Representation Award..... 44

 · Research Award..... 46

 · The Innovation Award..... 46

 · Advocacy Award..... 49

“This award is international recognition of our contribution to the abolition
of the death penalty in Cameroon.” by Nestor Toko Monkam..... 50

Tributes 54

The academic programme of the 8th World Congress Against the Death Penalty 57

The Academic Committee of the 8th World Congress Against the Death Penalty 58

 · Members 58

 · Coordination 59

THE NEW ABOLITIONIST GENERATION: TRANSMISSION AND INNOVATION 61

- Abolition Now Tour: getting young abolitionists off the ground 62
- “Young people breathe new life into the abolitionist struggle.” by Margaux Richet 64
- Plenary Intergenerational exchange and transmission at the Congress 69
- “The mobilisation of young people was fantastic.” by Sylvia Morwabe 72

INSTRUMENTALISATION OF THE DEATH PENALTY FOR POLITICAL PURPOSES 77

- Plenary History, testimonies and perspectives
on the political use of capital punishment 79
- “In Iran, the death penalty is an instrument to spread fear.”
by Mahmood Amiry-Moghaddam 84
- Roundtable Lack of transparency as a corollary of the political use of the death penalty 89

CHALLENGES IN THE FIGHT AGAINST THE DEATH PENALTY 103

- Roundtable How to make abolition of the death penalty irreversible? 105
- Workshop Making abolition of the death penalty
a norm of customary international law 108
- Workshop A new approach: the example of abolition of the death penalty
in the member states of the OIC 110
- Roundtable Sexual violence and the death penalty:
reaffirming the universality of human rights 112
- Workshop Supporting civil society in the Middle East 116
- Workshop Intellectual and psychosocial disabilities 118
- Workshop Sexual minorities, gender-based discrimination and the death penalty 120
- Exhibitions in parallel to the Berlin Congress 124
 - “Final Moments on Death Row”, Marc Asnin and Scott Langley 124
 - “The Faces of Abolition”, Christophe Meireis and Marie Bardiaux-Vaïente 125

THE FACES OF THE FIGHT AGAINST THE DEATH PENALTY 127

- Former death row prisoners: key witnesses to the death penalty 129
- Death row prisoners and their lawyers: a unique partnership 134
- Workshop Identifying the death row phenomenon 136
- Exclusive text by Hank Skinner
for the 8th World Congress Against the Death Penalty (September 2022)) 138
- Hank is gone... by Sandrine Ageorges-Skinner 141

KEY PLAYERS IN THE FIGHT AGAINST THE DEATH PENALTY 145

- Roundtable Same fight, same risks: lawyers and journalists as actors for abolition 146
- Roundtable The role of judges in relation to the death penalty 150
- Workshop National human rights institutions, civil society and the fight for abolition 153
- Workshop How to engage businesses and non-conventional actors
in the fight against the death penalty 155
- Film screening:
The State of Texas vs. Melissa 156

SIDE MEETINGS 159

- Open and private meetings 160
- Open meetings 162
 - South Asia and Middle East (SAME) Network Against the Death Penalty:
Stocktaking and the way(s) forward 162
 - Politics, human rights and the death penalty in the United States 162
 - Providing prisoners on death row with pen pals 162
 - Abolition Now Tour transition workshop: What’s next? Building sustainable engagement 163
 - How states abolish the death penalty: Case studies 163
 - Sub-Saharan Africa in the vanguard of abolition: Recent developments and jurisprudence 163
 - Effective defence in death penalty cases in Asia 164
 - Challenging the State: the role of the international community
in protecting human rights defenders on the frontline 164
 - Mapping death row: foreign nationals sentenced to death across Asia and the Middle East 164
 - Roadmap to abolition: What role for bar associations? 165
 - The death penalty in Francophone countries 165

Private meetings.....	166
• The role of NHRIs in the process of abolition of the death penalty.....	166
• The role of parliamentarians in the process of abolition of the death penalty.....	166
• Steering Committee of the World Coalition Against the Death Penalty.....	167
• General Assembly of the Francophone African Coalition Against the Death Penalty.....	167
• Death Penalty in Iran: Advocacy strategies.....	167
• Moratorium resolution: Advocacy strategies.....	167
CONCLUSION.....	169
Afterword Abolition: a fight for dignity and freedom by Amina Bouayach.....	170
Address by Robert Badinter.....	173
ANNEXES.....	179
List of speakers.....	181
About ECPM.....	199
• Berlin World Congress team.....	199
• Permanent team.....	199
• Board of Directors.....	199
ECPM's history.....	200
Partners and financial support.....	202
• In partnership with the World Coalition Against the Death Penalty.....	202
• Congress Sponsors.....	202
• With the financial support of.....	202
• Supporting organisations.....	202
Resolution for a universal moratorium on the use of the death penalty.....	204
Map of the vote on the 2022 UN resolution for a universal moratorium on the use of the death penalty.....	206
Map summarising adherence to treaties prohibiting the death penalty.....	208





Acronyms

AACAT – *Action des chrétiens pour l'abolition de la torture* (Action by Christians for the Abolition of Torture)

ACHPR – African Commission on Human and Peoples' Rights

ACS – American Constitution Society

ADPAN – Anti-Death Penalty Asian Network

AJEM – *Association justice et miséricorde* – Lebanon

AJS – *Association des juristes sénégalaises* (Association of Senegalese Women Lawyers) – Senegal

ALRC – Asian Legal Resource Centre

BIRD – Bahrain Institute for Rights and Democracy

CAR – Central African Republic

CONICPEM – *Coalition nigérienne contre la peine de mort* (Nigerien Coalition Against the Death Penalty)

CPI – *Culture pour la paix et la justice* – DRC

CRPD – Convention on the Rights of Persons with Disabilities

CSO – Civil society organisation

DPIC – Death Penalty Information Center

DRC – Democratic Republic of Congo

ECPM – *Ensemble contre la peine de mort* (Together against the Death Penalty)

ESOHR – European Saudi Organisation for Human Rights

FIACAT – *Fédération internationale des ACAT* (International Federation of ACATs)

FIDH – International Federation for Human Rights

GSP+ – Generalised Scheme of Preferences Plus

HAQCRC – HAQ Centre for Child Rights – India

HRW – Human Rights Watch

IASSIDD – International Association for the Scientific Study of Intellectual and Developmental Disabilities

IBAHRI – International Bar Association's Human Rights Institute

ICCPR – International Covenant on Civil and Political Rights

ICDP – International Commission against the Death Penalty

IHR – Iran Human Rights

ILGA – International Lesbian and Gay Association

JPP – Justice Project Pakistan

KMMK-G – Kurdistan Human Rights Association – Geneva

LACR – Lebanese Association for Civil Rights

LDDHI – League for the Defence of Human Rights in Iran

LEGAM – Iranian movement for step-by-step abolition of the death penalty

LGBTIQ / LGBTIQ+ / LGBTQIA+ – Lesbian, gay, bisexual, transgender, queer, intersex and asexual+

LHRC – Legal and Human Rights Center – Tanzania

MCD – Monte Carlo Douliya

MENA – Middle East and North Africa

NAACP – National Association for the Advancement of Colored People – US

NGO – Non-governmental organisation

NHRI – National Human Rights Institution

OECD – Organisation for Economic Co-operation and Development

OIC – Organisation of Islamic Cooperation

OIF – International Organisation of La Francophonie

OP2 – Second Optional Protocol to the ICCPR

RACOPE – *Réseau des avocats camerounais contre la peine de mort* (Network of Cameroonian Lawyers Against the Death Penalty)

RBIJ – Responsible Business Initiative for Justice – US

REPECAP – *Réseau académique international pour l'abolition de la peine de mort* (International Academic Network Against the Death Penalty)

REPRODEHV – Réseau progrès et développement humanitaire – Niger

RFI – Radio France internationale

RIEA – *Réseau international d'éducation à l'abolition* (International Abolition Education Network)

RRC – Rights Realization Centre – UK

Salam DHR – Salam Democracy for Human Rights

SAME – South Asia and Middle East Network

UN – United Nations

UNGA – United Nations General Assembly

UNODC – United Nations Office on Drugs and Crime

WCADP – World Coalition Against the Death Penalty



Annalena Baerbock, German Federal Minister of Foreign Affairs, addressing the opening ceremony of the 8th World Congress Against the Death Penalty at the Pierre Boulez Saal in Berlin



Tubal, a young Cameroonian rapper, chanting “No to the death penalty” with the entire audience

Preface



Camikara Yuwono

Member of the Indonesian Abolition Now Tour delegation
Member of the Academic Committee of the 8th World Congress Against the Death Penalty

Young hope for abolition of the death penalty

Welcome to the Proceedings of the 8th World Congress Against the Death Penalty. Every three years, this global event provides an opportunity for people who have a common concern about the death penalty, from experts to passionate abolitionists, to share their knowledge and experience, to unite and to march towards the same goal: the abolition of the death penalty.

Young abolitionists are essential to the continuity of the movement and to the future of the fight against the death penalty. Values, ideas and mindsets change with each generation. Younger generations play a crucial role in the success of the movement, bringing unique perspectives on the world and a deep desire to see a fairer and more equal society. The abolitionist movement has developed and expanded in recent years, and we are proud to be part of it.

Before taking part in this Congress, I was just a young professional working in the field of human rights in Indonesia. I knew very little about the death penalty, but the more I learned, the more intrigued I became. South-East Asia is a global

Abolishing the death penalty is not straightforward but it is necessary

death penalty hotspot, with sentences and executions taking place every year. The death penalty is a complex issue that affects not only those sentenced to death, but also their families and communities. It is an irreversible punishment and the risk of executing an innocent person is ever present.

The idea that increasingly underpins the use of the death penalty is that it will deter criminals. However, research has shown that the death penalty has no significant effect on reducing the crime rate. On the contrary, it perpetuates a cycle of violence and dehumanisation. I believe in universalism. I believe that every person in this world has the right to life and to be free from torture. So, the question is why, in the 21st century, are we still depriving people of their rights by carrying out the death penalty?

The Abolition Now Tour project helped me to understand these issues by giving me the opportunity to meet seven other remarkable people from different backgrounds in my country, Indonesia. We were different in every way, but we shared a common conviction: the death penalty is not an option that should exist in our world. Through our research and exchanges, we came to understand that the shared perception of the death penalty in our country is related to the way in which the circumstances surrounding a death sentence or execution are often deliberately muddled, even glorified, by the mainstream media.

Starting from this premise, we were able to find the means to justify the objectives of abolition of the death penalty in a more rational and acceptable way in the minds of our fellow citizens. We brainstormed, devised strategies and launched a campaign that was our own and that could be relayed by young people all over the country. The two-day workshop in which we all took part taught me that we had to find approaches other than the usual arguments. We need to draw on different concepts that are applicable to our culture and norms.

Then the time came for us to take off for Berlin and present our idea at the World Congress, only to realise that our little abolitionist group was not the only one fighting. As a member of the Academic Committee that developed the Congress programme, I had the opportunity to familiarise myself with its main themes and ensured that young people were represented in all the debates and discussion groups. As a result, young abolitionists from all over the world, sharing the same concerns, the same hope and moving towards the same goal, were able to participate actively in the Congress. Given the youth, hope and motivation of each of us, a strong sense of unity emerged, and bonds were forged.

Although we live in a society where civic space is shrinking and destabilised, we will not stop. Young people are and always will be there to support the cause. Our little match will burn as brightly as a blazing torch if we unite. We are ready to continue the fight.

Abolishing the death penalty is not straightforward but it is necessary. It requires us to move beyond our comfort zones and work towards a future where every human life is valued and respected. We must continue to advocate for the abolition of the death penalty, both locally and globally. We must show our elected representatives, authorities, judges and society in general that the death penalty is not the solution and that there are other ways of promoting justice and accountability.

I hope that these Proceedings will give you an insight into my story, your story, our story and the story of all those who are still striving for a world where the death penalty will no longer exist. Let's unite and march towards a future where every human life is valued and respected. Together, we can make a difference.

Towards abolition of the death penalty, now!



Camikara Yuwono



▶ Aminata Niakate ECPM President and Raphaël Chenuil-Hazan, ECPM Executive Director, at the opening ceremony of the 8th World Congress Against the Death Penalty in Berlin ▶

Introduction



Aminata Niakate
ECPM President



Raphaël Chenuil-Hazan
ECPM Executive Director

The World Congress Against the Death Penalty: an exceptional political lever

The 8th World Congress Against the Death Penalty, held in Berlin in November 2022, brought together world leaders, diplomats and parliamentarians, activists, lawyers and judges, academics and members of civil society committed to the abolition of capital punishment. For over twenty years, ECPM has organised this key international meeting in the abolitionist calendar on a triennial basis. More than an activist gathering, the World Congress has over the years become a global campaign for universal abolition and an exceptional political lever.

For the first time in the history of the Congress, states took part to officially announce the abolition of the death penalty in their countries. For the first time, tangible progress was recorded thanks to the unprecedented mobilisation campaign led by ECPM, its partners, the Congress sponsors (Germany, the European Union, Switzerland and France) and all the other members of the diplomatic group supporting the World Congress. ECPM thus welcomed more than twenty-five ministers and secretaries of state, in addition to the many other countries, often reluctant to debate capital punishment, that approached the organisers to

take part in this year's event. We were also joined by US representatives, including governors, senators, members of Congress and parliamentarians from states including Ohio.

"We call on President Biden to honour his commitments by abolishing the death penalty at federal level and commuting all federal death sentences in the United States."

Raphaël Chenuil-Hazan,

ECPM Executive Director at the Opening Ceremony

The World Congress was an opportunity to take stock of how far we have come and to work together on strategies for the future, because it is by bringing together all the actors working in their own way for abolition that the struggle makes progress. Political representatives change laws, diplomats develop international standards, lawyers provide representation, judges decide cases, journalists report on social and legal debates, and human rights NGOs at international, regional and local level – ensure the link between all these actors.

We were also able to raise the fundamental questions of the political role played by the death penalty for governments and the key issue of transparency.

"Dictatorships and totalitarian states the world over are the most fervent defenders of capital punishment. It is carried out in the shadow of the scaffold in an atmosphere of shame and opprobrium. Long gone are the days when the executioner was proud to carry out executions in public, as a message to the crowd, to public opinion.

We call for complete and indispensable transparency on convictions, executions and conditions of detention."

Raphaël Chenuil-Hazan

ECPM Executive Director

Examining the role of new generations and young people in the fight against the death penalty, the Congress highlighted the importance of intergenerational dialogue and collaboration. Indeed, the exchange of experiences, knowledge and strategies between seasoned activists and young human rights defenders offers considerable potential for strengthening the global abolitionist movement. It allows us to learn from experience, adapt to changing societal dynamics and foster sustainable progress towards a death penalty-free world. The Congress recognised that the involvement of young people is essential to achieving sustainable change and advancing human rights. With their energy, passion and fresh perspectives, new generations have become key agents in transforming societies around the world. Young people's involvement in the fight against the

death penalty is part of a growing global movement for the protection of human dignity, the abolition of cruel and inhuman punishment, and the pursuit of justice and reconciliation.

Finally, as in previous years, the Berlin Congress also gave the floor to a number of key witnesses on the death penalty, former death row prisoners, women and men who have experienced the horrors of the infernal machine and the capital punishment system.

You will find all this in the pages of these Proceedings, through the summaries of the debates between speakers, innovative themes and new abolitionist trends and perspectives. Great ideals are not passed on through bequests, but through constant effort, transmission and appropriation by new generations. It was in this spirit that the Berlin Congress brought together the growing abolitionist family to keep the flame of our struggle burning, stronger than ever.

The Congress highlighted the importance of intergenerational dialogue and collaboration

The Berlin Congress in figures

2 pledges to abolish the death penalty
Zambia and **Liberia**

7 witnesses (former death row prisoners)

22 organisations represented at the Abolition Village

At least 47 countries represented in official capacity
including 18 with steps still to be taken towards abolition

20 ministers, 2 secretaries of state,
and high-level representatives of intergovernmental organisations

1,200 participants

56 civil society organisations
mobilised throughout the event

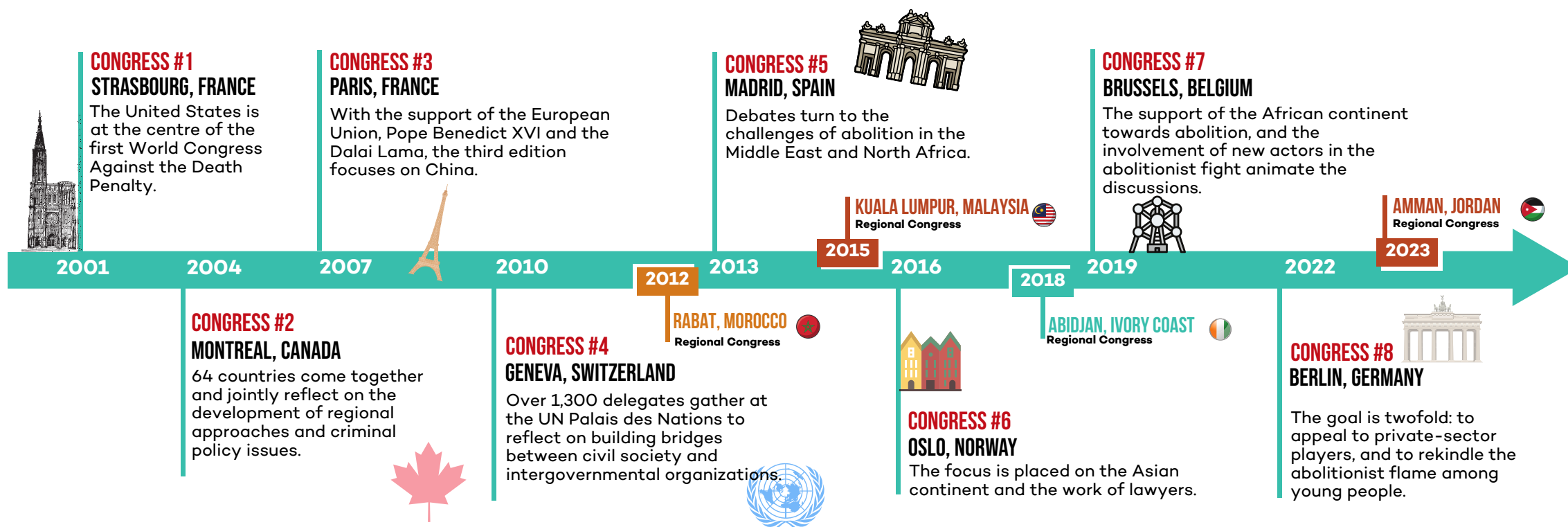
Panellists: 52% women

46 young people from the Abolition Now Tour

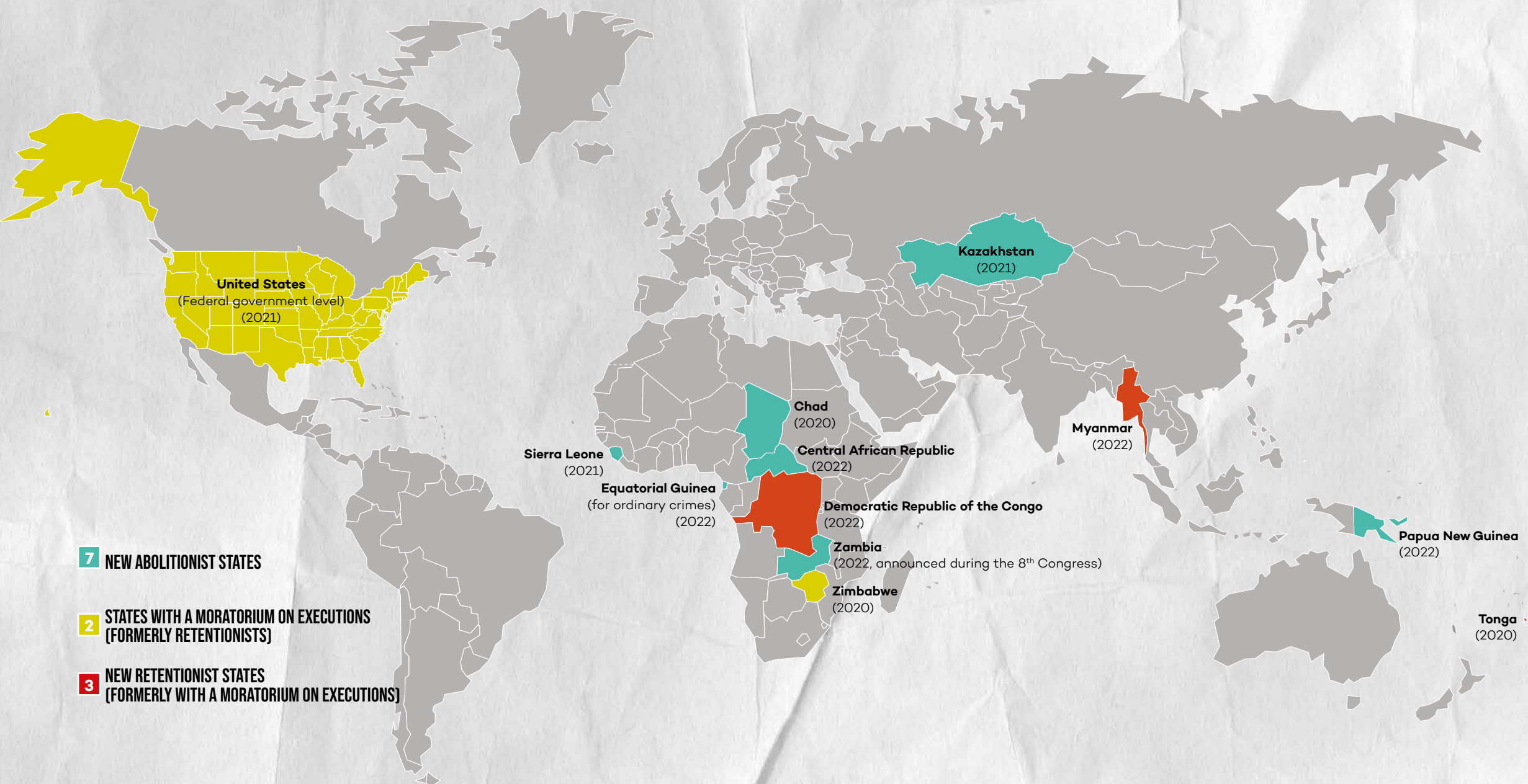
including 28 women 18 men

115 press articles around the world

World and Regional Congresses



Progress in abolition of the death penalty between the 7th World Congress (Brussels) and the 8th World Congress (Berlin)



7 NEW ABOLITIONIST STATES

**2 STATES WITH A MORATORIUM ON EXECUTIONS
(FORMERLY RETENTIONISTS)**

**3 NEW RETENTIONIST STATES
(FORMERLY WITH A MORATORIUM ON EXECUTIONS)**

POLITICAL AND OFFICIAL MOBILISATION AROUND THE CONGRESS

Meeting of all the ministerial
delegations present in Berlin
for the 8th World Congress
Against the Death Penalty



Unprecedented political mobilisation!

Since its first edition in 2001, one of the priorities of the World Congress Against the Death Penalty has been to bring together and unite political actors from all over the world to advance the cause of universal abolition of the death penalty. The 8th edition of the Congress was undoubtedly one of the most successful in that it gave rise to unprecedented political mobilisation.

“When young people in Iran are rising up, when war is raging in Ukraine, when injustice continues in Afghanistan, Belarus and elsewhere, when China is tightening the locks on the system to the point of total non-transparency, it is all the more urgent to come together.”

▶ Raphaël Chenuil-Hazan, ECPM Executive Director

Over several months, ECPM developed a political mobilisation strategy with the backing of the German Federal Foreign Office and the Core Group, the group of states¹ committed to supporting ECPM's efforts in organising Congresses, publicising them and mobilising their diplomatic networks to promote the greatest possible participation. ECPM organised several advocacy missions in the field, and addressed the European Parliament, ambassadors based in Berlin, German parliamentarians and parallel events at the United Nations General Assembly and Human Rights Council. As a result of this strategy, more than 47 countries were officially represented at the Congress, 16 of which still have steps to take towards abolition of the death penalty.

“Capital punishment goes against the very belief in reason and human dignity on which our societies are built, whether we come from Europe, Africa, Asia or Latin America.”

▶ Annalena Baerbock, German Minister of Foreign Affairs

1 Argentina, Australia, Belgium, Benin, European Union, France, Germany, Mexico, Monaco, Mongolia, Norway, Rwanda, Spain, Switzerland.

During the opening ceremony, the main political segment of the Congress, no fewer than thirteen ministers, two secretaries of state, a deputy secretary of state and dozens of ambassadors, as well as senior representatives of intergovernmental organisations, were present in the 599-seat Pierre Boulez Saal, which was filled to capacity. In addition, for the first time in the history of the Congress, more than 250 participants were able to follow the opening ceremony online via a live webcast of the event on the specially designed Congress application.

▶ “Nothing is more political than the death penalty. It is the ultimate expression of the tyrannical will to exercise the power of life and death over its own subjects. But that is precisely what makes it an opportunity. Because abolition is in the hands of politicians, and it stems from the courage of some. Today, beyond the rhetoric, we are all waiting for real progress.”

▶ Raphaël Chenuil-Hazan, ECPM Executive Director

Official speeches and roundtable discussions followed one another in this prestigious setting, a place chosen “deliberately”, in the words of the German Foreign Minister, “because this house and its music reflect what we are here to do today: celebrate life”. The ceremony was also marked by a number of important and encouraging announcements. Zambia (see box), Liberia and Sierra Leone announced that they had taken the necessary steps to enshrine the abolition of the death penalty in law. Malawi's Justice Minister also conveyed willingness to move towards abolition of the death penalty by highlighting recent commutations of sentences and announcing the intention to draft a bill on the abolition of the death penalty.

▶ “We are striving to make a difference, to bring hope to the continent, to be a beacon of light on issues surrounding the rule of law in general and the death penalty in particular.”

▶ Mulambo Haimbe, Minister of Justice of Zambia

The ceremony was interspersed with musical interludes by students from the Saïd-Barenboïm Akademie, as well as speeches by young members of the Abolition Now Tour programme, linking in with the main theme of the 8th World Congress: the new abolitionist generation. There was also a special focus on those currently on death row, with a moving speech by Debra Milke, a former death row prisoner, reminding us of the involvement of civil society in the fight against the death penalty. The ceremony ended with a video² of 66 artists from all over the world performing an original interpretation of “Here's to you” by Joan Baez, an abolitionist song and the unofficial anthem of this 8th World Congress, coordinated by Valentin Vander.

2 <https://www.ecpm.org/en/heres-to-you-an-anthem-to-federate-the-abolitionist-community/>

Political representatives also spoke at other times during the Congress, in particular during the academic programme sessions, and even at the abolition village, engaging in dialogue with abolitionist NGOs. The Luxembourg Minister of Foreign Affairs, for example, introduced the plenary session on “Instrumentalisation of the death penalty for political purposes”, and the Minister of Justice of Republic of Congo introduced the roundtable on “How to make abolition of the death penalty irreversible?”.

Zambia announces abolition of death penalty at the Berlin Congress

On 23 December 2022, just a few weeks after the Minister of Justice announced at the Opening Ceremony of the Berlin Congress that he had tabled bills in the National Assembly to amend the Penal Code and the Code of Criminal Procedure with a view to abolishing the death penalty, Zambia became the 25th country in Africa to abolish capital punishment.

“[We] promised to amend laws that inhibit democracy, human rights, good governance and basic freedoms. Promises delivered”, tweeted President Hakainde Hichilema, after also striking down a law prohibiting citizens from defaming their head of state.³ In February 2023, the President commuted the death sentences of 390 prisoners, including 11 women, to life imprisonment. According to the Minister of Home Affairs, there are no longer any prisoners on death row in Zambia.⁴



Mulambo Haimbe
Minister of Justice – Republic of Zambia

³ RFI, *Zambie : abolition de la peine de mort et le crime d'offense au chef de l'État* (Zambia: abolition of the death penalty and the offence of insulting the head of state), 25 December 2022.

⁴ Peinedemort.org, *Commutation de toutes les peines de mort en Zambie* (Commutation of all death sentences in Zambia), 8 February 2023.



The Barenboim-Said Akademie playing Mozart in the prestigious Pierre Boulez Saal at the opening ceremony of the 8th World Congress Against the Death Penalty in Berlin

Opening ceremony

Inaugural address

Annalena Baerbock, Federal Minister of Foreign Affairs – Germany

Introduction to the 8th World Congress Against the Death Penalty

Raphaël Chenuil-Hazan, Executive Director, ECPM – France

Aminata Niakate, President, ECPM – France

First roundtable: “Moving towards abolition of the death penalty”

Éric Dupond-Moretti, Minister of Justice, Keeper of the Seals – France

Mulambo Haimbe, Minister of Justice – Republic of Zambia

Mohamed Lamin Tarawalley, Attorney General and Minister of Justice – Sierra Leone

Dee-Maxwell Saah Kemayah, Minister of Foreign Affairs – Republic of Liberia

The “voice” of the death penalty

Debra Milke, Former death row prisoner – Germany and United States

Second roundtable: “Building alliances for abolition”

Hadja Lahbib, Minister for Foreign Affairs, European Affairs, Foreign Trade and Federal Cultural Institutions – Kingdom of Belgium

Titus Mvalo, Minister of Justice – Republic of Malawi

Muzaffar Ashuriyon, Minister of Justice – Republic of Tajikistan

Eamon Gilmore, European Union Special Representative for Human Rights

Remarks by the German Minister of Justice

Marco Buschmann, Federal Minister of Justice – Germany

Third roundtable: “Strengthening the abolitionist movement”

Amina Bouayach, President, National Human Rights Council – Morocco

Simon Geissbühler, Deputy Secretary of State, Department of Foreign Affairs – Swiss Confederation

Albert Fabrice Puela, Minister for Human Rights – Democratic Republic of Congo (DRC)

Marija Pejčinović Burić, Secretary General, Council of Europe

Modérateur

Tomi Oladipo, Journalist, geopolitical analyst and conference moderator – Germany

Watch the opening ceremony in full



“Every execution represents a failure for us, but every country that makes a commitment is a success.”



Christiane Taubira

Former French Minister of Justice, member of ECPM

During the World Congress in Berlin, Christiane Taubira, former French Minister of Justice, member of ECPM and ardent abolitionist, answered questions from journalist Élisabeth Allain for France 24 television.⁵

Élisabeth Allain: Thank you for giving us a few moments of your time to look back on this important event. We have just learned that a third protester, a “rioter” in the words of the Iranian regime, has been sentenced to death by the Iranian courts. I’d like to hear your reaction.

Christiane Taubira: Iran is one of the countries that persists in handing down death sentences. We are dealing with a regime, with theocratic authorities, and clearly, in this country with a great cultural and literary tradition, in this country with a thousand years of magnificent civilisation, the judicial institution often functions as the armed wing of a theocratic power that is obsessed with controlling and

⁵ France 24 is a French 24-hour international news channel broadcasting in French, English, Arabic and Spanish. Available in more than 180 countries, France 24 attracts 55 million viewers every week and its website is visited by an average of more than 18 million internet users every month.

intimidating the population, that never stops imprisoning and sentencing people to death [...] and which clearly cannot tolerate this magnificent protest around the slogan “Woman, life, freedom”, which has been affecting and resonating with all of us around the world since the death of Jina Mahsa Amini, at the hands of the morality police.

We know that, unfortunately, we have failings in terms of international solidarity and that [although our civil societies have attempted to mobilise solidarity], at the level of institutions, that is to say our Heads of State and multilateral institutions, we note our powerlessness, we are unable to neutralise the abuses of this theocratic power and, in a way, we bear our share of the blame. [...]

É. A.: What are the possible levers? You have just mentioned the difficulty for states to make themselves heard by regimes such as Iran. This morning, the French Head of State denounced Iran’s increasing aggressiveness, particularly towards France. He called for a return to calm, in what is an extremely delicate situation for him, given that seven French nationals are currently being held by the Iranian regime. That shows how difficult it is.

C. T.: Yes, it’s undeniably a difficult situation. But clearly, the difficulty increases when we are in a situation of maximum tension. We have a diplomatic network that covers practically the entire planet and is very active and very determined, with a sense of diplomacy, resolve and constancy. But there is no doubt that with some governments it is impossible and sometimes derisory to engage in dialogue. Nevertheless, dialogue is the major and essential weapon of diplomacy. Obviously, the presence of our compatriots makes the situation delicate and calls for a great deal of effort and attention on the part of our representatives.

But we cannot let up [our efforts] and we are concerned about the situation of the French men and women detained or threatened in Iran. We are concerned about the situation of Iranians who are protesting, who care about democracy, who care about what Iran represents in the international consciousness, also as a great literary, democratic and civilisational power. We care about all these things, and we need to deploy a wealth of diplomacy and pressure in order to change a number of intolerable and untenable practices. In terms of our efforts to end the death penalty, Iran is, of course, one of our main targets.

É. A.: There are 51 countries, right now, that still have the death penalty. We are talking about Iran [...] but there are other states. China, a champion in this area, inevitably comes to mind. There is also Sudan, which recently sentenced a 20-year-old woman to death. It had been ten years since Sudan last sentenced a woman to death by stoning in this way. This is still a key issue and France is continuing to play a leading role in this area. You are taking part in this meeting in Berlin today. A French association, ECPM, Together against the Death Penalty, is organising the meeting. What is France’s role? What is your role as a former Minister of Justice on an issue like this?

France must make use of its international prestige, of the international perception of its standing, of its commitment to human rights

C. T.: You're absolutely right. There is also Saudi Arabia. There are other countries that still apply the death penalty. We can see that some countries are moving backwards, despite having adopted moratoriums on use of the death penalty and signing protocols. But it is true that we are making progress. We are making progress and we take heart from this progress. Once again this year, three new countries have abolished the death penalty, or at least removed capital punishment from their penal codes.

Nevertheless, every day is a defeat for us. Every execution is a defeat for us. And it's true that France has always strongly supported this campaign, this struggle. And it's clear that ECPM – it's true that our governments are somewhat inconsistent – is a driving force behind this campaign for universal abolition. [...] And yes, this 8th World Congress in Berlin brings together delegations from every continent. We are making progress in Africa. It's difficult in Asia, but there are countries, heads of state and members of the International Commission against the Death Penalty who are very active. [...]

I repeat, every execution is a failure for us, but every country that makes a commitment is also a success. We are fighting with lucidity; we are fighting by building on our strengths. France must make use of its international prestige, of the international perception of its standing, of its commitment to human rights, of its commitment to high values, of the very meaning of the death penalty, which is anti-civilisation. And France must continue to fulfil this duty, which is what ECPM does by regularly holding these triennial congresses.

É. A.: [...] Is this the struggle that you are now pursuing as a left-wing woman politician?

C. T.: It's a long-standing allegiance. I stood alongside ECPM when it was set up in 2000. It's an association, an NGO, that I've worked with over the years, obviously with periods of absence, years when I was busy elsewhere. But it's an enduring allegiance. I was a preteen when I read Victor Hugo, Olympe de Gouges, Albert Camus, and of course speeches like those by Gambetta, Clemenceau, Jean Jaurès, Aristide Briand, those writers and French leaders. I was involved in the international campaign in support of Angela Davis, for example, and then twenty years later, for Mumia Abu-Jamal.

So, I was very strongly aware of the issue, but culture also played a part. A film like *Two Men in Town* (*Deux hommes dans la ville*) helped me to understand, when I was a student supporting the international campaign to save Angela Davis from the death penalty in the United States, that the death penalty was still in the French Penal Code and that executions were still carried out in France. And since then, of course, there have been many films that have raised my awareness.

I'm thinking of Sidney Lumet's *Twelve Angry Men* and Iranian films such as Ali Abbasi's *Holy Spider* and Saeed Roustaei's *Just 6.5*. There's also a documentary about a cause I was involved in, *The State of Texas vs. Melissa*, by Sabrina Van Tassel.

So, I have this awareness [...]. I took part in international campaigns before I realised that I was concerned in the country of my nationality. And obviously, it's this battle being waged on a global scale that I am concerned about. I took it on as far as was possible as Minister of Justice. Today, I am putting all my enthusiasm, all my energy and all my strength, all my knowledge and all my ability into contributing to visibility, raising awareness and achieving universal abolition of the death penalty. And we are counting heavily on the new generations, who are very concerned about this issue.

Watch the full interview from 16 November 2022 on the France 24 website:



Closing ceremony
of the 8th World Congress
Against the Death Penalty
at the Rotes Rathaus,
Berlin City Hall

Closing ceremony

Speakers

Luise Amtsberg, Federal Government Commissioner for Human Rights Policy and Humanitarian Aid – Germany

Raphaël Chenuil-Hazan, Executive Director, ECPM – France

Marie Doucet, Board Member, ECPM – France

Laurent Duarte, Board Member, ECPM – France

Dr Lena Kreck, Senator for Justice, Diversity and Anti-Discrimination in Berlin – Germany

Hsinyi Lin, Executive Director, Taiwan Alliance to End the Death Penalty – Taiwan

Georges Nakseu Nguetang, Representative of the International Organisation of La Francophonie to the United Nations in Geneva – Switzerland

Pete Ouko, Former death row prisoner and abolition advocate – United States

Christiane Taubira, Former Minister of Justice – France

Nicolas Perron, Director of Programmes, ECPM – France

Videos

Robert Badinter, Honorary President, ECPM, former Minister of Justice – France

Volter Türk, United Nations High Commissioner for Human Rights

Music

Keith LaMar, Death row prisoner in Ohio – United States

Albert Marquès, Musician – Spain

Moderators

Matthew Goldberg, President of the World Coalition Against the Death Penalty – United Kingdom

Ariane Grésillon, Deputy Executive Director, ECPM – France

The closing ceremony, held in the Rotes Rathaus, Berlin's historic city hall, was an opportunity to honour those whose commitment, work and dedication advance the abolitionist cause every day. Speeches, tributes and an awards ceremony took place in a spirit of emotion and solidarity, accompanied by the piano melodies of Albert Marquès and the words of Keith LaMar, who joined the closing ceremony by telephone, live from death row in the United States, in an exceptional moment of communion with the Congress participants. The presence of many former death row prisoners in the room, such as Hsieh Chih-Hung, who was attending the World Congress for the first time after an appeal was launched for his release at the 7th Congress in Brussels and who was recently acquitted, made this ceremony an unprecedented moment of unity and hope for the abolitionist community.

Watch the closing ceremony in full:





Mahmoud Amiry-Moghaddam, Director of Iran Human Rights, receiving the Robert Badinter Prize on behalf of the Iranian lawyer Nasrin Sotoudeh, a highly committed campaigner for abolition in her country, presented by Christiane Taubira, former French Minister of Justice

Awards ceremony

For the first time in the history of the Congress, an awards ceremony was organised to celebrate civil society actors involved in the fight against the death penalty. ECPM, the World Coalition Against the Death Penalty (WCADP) and their partners presented the awards with great emotion to the winners in categories corresponding to the different spheres of the abolitionist struggle: legal representation, research, innovation and advocacy. The winner of the Robert Badinter Prize was chosen by Congress participants via the application created for the event. The ceremony ended with a demonstration in front of the Town Hall to sing our goal: abolition of the death penalty worldwide.

“The backbone [of the abolitionist struggle] is made up of these ordinary people, these people in the shadows who work every day.”

Sandrine Daega, lawyer and member of RACOPEM

Robert Badinter Prize

Nasrin Sotoudeh

Iranian lawyer Nasrin Sotoudeh is a long-standing campaigner for human rights in Iran and has represented her clients in numerous capital cases, successfully preventing several executions, including of minors. Nasrin has been active alongside a number of leading Iranian human rights defenders in LEGAM (Campaign for step-by-step abolition of the death penalty). In March 2019, Nasrin was sentenced to 38 years' imprisonment and 148 lashes on seven charges, including “taking part in and speaking at an illegal gathering” in connection with her LEGAM activities. Since she is unable to leave Iran, still under threat from the regime, it was the director of Iran Human Rights (IHR), Mahmood Amiry-Moghaddam, who received her award on her behalf. In a letter to participants at the World Congress⁶, she asked abolitionists to be “eyes and ears of Iranians during these difficult days”.

⁶ <https://www.ecpm.org/en/iranian-lawyer-nasrin-sotoudeh-awarded-the-robert-badinter-prize/>

Legal Representation Award

Network of Cameroonian Lawyers Against the Death Penalty – RACOPEM)

Founded in 2015 by lawyer Nestor Toko, RACOPEM brings together Cameroonian lawyers who plead against capital punishment in difficult and controversial cases, in particular representing defendants charged under the anti-terrorism law passed in 2014 in response to the Boko Haram attacks. In a country where state repression is rife, these activities can be dangerous and the lawyers in the network are often subject to strong direct pressure from the security forces attempting to hinder their investigations. As a result of their work, the issue of the death penalty has gone from being a taboo subject to one of public debate, and political and judicial stakeholders are now taking part in the network's activities. Their commitment and perseverance have produced unexpected results: the number of death sentences fell from 330 in 2018 to 120 in 2020. Over the course of their eight-year existence, RACOPEM's lawyers have managed to save several people from death row, including minors.

Justice Project Pakistan (JPP)

JPP, a Pakistani NGO set up in 2009, provides legal representation to the most vulnerable death row prisoners, pursuing a clear strategy: to legally represent those facing the death penalty and to obtain precedent-setting decisions that will lead to far-reaching reforms within the Pakistani criminal justice system. This approach has proved particularly effective. For example, in 2020, the sentence of Muhammad Iqbal, a minor at the time of the offence, was commuted to life imprisonment in a landmark decision. Since then, judicial practice regarding the application of the death penalty to minors has evolved considerably. In 2021, JPP succeeded in obtaining a similar ruling in a case involving two death row prisoners with intellectual disabilities. This judgement now serves as a reference in Pakistan, as well as internationally. JPP is also involved in representing Pakistani prisoners abroad and has managed to obtain the repatriation of hundreds of detainees. As a result of JPP's work, no executions have been carried out in Pakistan since 2019, despite the fact that it has been one of the most active retentionist countries in recent years.



The team from the Network of Cameroonian Lawyers Against the Death Penalty (RACOPEM) receiving the Legal Representation Award



Zainab Mahboob receiving the Justice Award on behalf of Justice Project Pakistan, presented by Pete Ouko, former death row prisoner in Kenya

Research Award

Project 39A

Project 39A is a criminal justice programme attached to Delhi Law University. Through its research on the criminal justice system, Project 39A stimulates debate and reflection on issues such as torture, prisoners' mental health and the death penalty. Its members seek to provide empirical evidence to pave the way for changes in Indian legislation. Every year, Project 39A publishes a report providing an overview of the death row population in India. Other publications by the organisation, such as *Deathworthy: A Mental Health Perspective of the Death Penalty*, have directly influenced Supreme Court decisions, particularly in the area of mental health and mitigating circumstances in capital cases. Despite a lack of support from the government or public opinion, Project 39A manages to act as a driving force for reform of the justice system.

The Innovation Award

Justice for Keith Lamar

Keith LaMar was sentenced to death in 1993 following a riot in the prison where he was incarcerated, which resulted in several deaths. Identified by other prisoners as the instigator of the rebellion, despite numerous contradictory accounts, he received the death sentence and has been on death row ever since. During his years in prison, Keith has become an avid reader, writing regularly, and in 2014 published *Condemned: The Whole Story*. For the past ten years, the charity Justice for Keith Lamar⁷ has been working to help him tell his story.

Catalan pianist Albert Marquès heard about Keith for the first time in 2020. Over the following months, the two men struck up a friendship around their shared passion for jazz and organised a support concert featuring songs chosen by Keith, who also spoke between performances via pre-recorded videos. In the wake of the concert's success, Keith and Albert took the experience further, recording their first joint album, *Freedom First*, in 2022. Accompanying Keith's lyrics with jazz rhythms, Albert offers him a platform to express emotions and reflections matured by thirty years on death row, as well as the writing skills he developed during that time. Albert and Keith's work is a testament to the capacity of creativity and hope to endure, despite imprisonment, and offers an example of the symbiosis between a musical work and a political message, in which the subversive and artistic aspects complement each other to perfection.

⁷ <https://www.keithlamar.org>



Project 39A, a criminal justice programme attached to Delhi Law University, receiving the Research Award



Albert Marquès and Kazemde George from the Justice for Keith LaMar collective, winner of the Innovation Award, performing at the closing ceremony



The Association of Christians for the abolition of torture in Central African Republic (ACAT-RCA) celebrating receiving the Advocacy Award

Advocacy Award

Action des chrétiens pour l'abolition de la torture de République centrafricaine (Association of Christians for the abolition of torture in Central African Republic – ACAT-RCA)

ACAT-RCA, created in 1991 and recognised in 1992, is one of the 28 affiliated members of the ACAT network, united under the aegis of FIACAT (International Federation of ACATs). Its main objectives are the abolition of the death penalty, the prevention of torture and degrading treatment and the respect of human rights of detainees. In collaboration with ECPM and FIACAT, the organisation carried out intense advocacy work that culminated, on 27 May 2022, in the adoption by the National Assembly of a law abolishing the death penalty. By working to unite a wide range of actors in opposition to the death penalty, such as opinion leaders from the Church, academics and members of parliament, ACAT-RCA has demonstrated the importance of collaboration in the struggle for abolition and made it possible to turn abolition into a political demand at the level of the Central African Republic, which has finally been heard by the public authorities. The organisation played an essential role in this historic achievement, making CAR the 110th abolitionist country and the 24th in Africa.

“This award
is international recognition
of our contribution to the
abolition of the death penalty
in Cameroon.”



Nestor Toko Monkam

Lawyer, RACOPEM, winner of the Legal Representation Award

Nestor Toko Monkam is a lawyer at the Cameroon Bar and President of RACOPEM, which won the Legal Representation Award at the closing ceremony of the Congress. He is also the founder of *Droits et paix*, which works to create a society that respects human rights and is fairer and more peaceful, through advocacy, public awareness-raising, legal action and assistance to victims.

► **Could you tell us about the thinking and events that led to the creation of the Network of Cameroonian Lawyers Against the Death Penalty?**

Nestor Toko Monkam: RACOPEM was set up in 2015 in a context marked by a lack of involvement of Cameroonian lawyers in opposing the death penalty. Paradoxically, at the time, Cameroon had one of the highest death sentence rates in Francophone Africa. Our dream at the time was to train a generation of lawyers specialised in representing those facing the death penalty and capable of advocating for abolition in the public arena. With this in mind, and despite the

reluctance of our professional association, a former President of the Bar agreed to join us.

As a first step, we raised awareness about the abolitionist cause among a number of interested lawyers and organised visits to several of the country's prisons as part of a study into the conditions of detention of those facing the death penalty. After these visits, we realised that death row prisoners faced many challenges in prison and that their sentences were often not based on irrefutable evidence. That was why we decided to provide legal assistance to those on death row who had exercised their right to appeal.

In our struggle against the death penalty, we considered it useful and strategic to strengthen the capacities of judicial actors (lawyers, judges and the prison administration) in relation to international standards on the death penalty. With the support of ECPM, specific capacity-building courses for lawyers were organised. These efforts yielded some unexpected results: the number of death sentences fell considerably, from 330 in 2018 to 120 in 2020, according to official government figures.

► **How important is the World Congress for your work as a lawyer and for RACOPEM?**

N. T. M.: The World Congress Against the Death Penalty is a rare opportunity to bring together abolitionists, including the legal professionals who, at local, regional and international level, work daily to eliminate the death penalty from judicial and legislative arsenals. This major triennial gathering has given us the opportunity to meet legal practitioners from every continent and share with them the challenges we encounter every day in representing those facing the death penalty, as well as strategies to overcome them.

Building on the relationships developed at the World Congress, we work with a number of organisations and bar associations that provide legal assistance to people on death row. For example, we have benefited from the legal expertise of the Debevoise law firm in New York and the Cornell Center on the Death Penalty Worldwide in the United States in several cases involving death row prisoners in Cameroon. Thanks to their strategic advice, we have been successful in all the death penalty cases in which we have provided representation.

During this major meeting of abolitionists, we also developed collaborations that are essential for the submission of individual cases of our clients on death row to the treaty bodies.

► **What are the consequences of the award you received at the World Congress for RACOPEM's work?**

N. T. M.: We welcomed this award as international recognition of our contribution to the abolition of the death penalty in our country, which is still under a de

This major triennial gathering has given us the opportunity to meet legal practitioners from every continent and share with them the challenges we encounter every day

facto moratorium. Our commitment to the fight against the death penalty is therefore boundless, despite the challenges we have faced in the past. Encouraged by this recognition, several lawyers have joined RACOPEM and now contribute with us to the fight against the death penalty in Cameroon.

The award has also given us the legitimacy to tackle the issue of abolishing the death penalty in our country. Although our political authorities are not very committed to

the issue, we are delighted that, under our impetus, the Cameroon Human Rights Commission, the National Assembly and the Cameroon Bar Association have included the abolition of the death penalty in their work programmes.

Lawyer Nestor Toko Monkam following the acquittal of Fati, mother of two children, sentenced to death by a military court in the north of Cameroon, on the border with Nigeria



Nestor Toko Monkam, Cameroonian lawyer, winner of the Legal Representation Award

Tributes

This ceremony, which celebrated the dedication and successes of the abolitionist community, was also an opportunity to remember and pay tribute to those people, friends and colleagues, involved in the fight against the death penalty, who have passed away since the first World Congress in 2001:

Mohamed Ahdaf, Morocco
Nancy Anderson, Jamaica
Martine Anstett, France
Kamran Arif, Pakistan
Justice Ruth Bader Ginsburg, United States
Simin Behbehani, Iran
Abderrahim Berrada, Morocco
Cheikh Saad Bouh Kamara, Mauritania
Clarence Brandley, United States
John Brosnan, Australia
Wiley Bridgeman, United States
Tamara Chikunova, Uzbekistan – Italy
Nils Christie, Norway
Martina Davis-Correia, United States
Jacques Derrida, France
Justice Edmond, Sierra Leone
AbdelKader Guerroudj, Algeria
Jerry Givens, United States
Gloria Goodwin-Killian, United States
Père Hadi Al Aya, Lebanon
Aundre Herron, United States
Christoph Heyns, South Africa
Étienne Jaudel, France
Lawyer Johnson, United States
Dave Keaton, United States
Freddie Lee Pitts, United States
Philippe Le Maire, France
Paul Lombard, France

Patrick Lwanga Zizinga, Uganda
Sabeen Mahmood, Pakistan
Mohammad Maleki, Iran
Martin alias Marty McClain, United States
Sakae Menda, Japan
M. H. Mubbashar, Pakistan
Alice Nungu, Malawi
Kumamoto Norimichi, Japan
John Nyoka, Tanzania
Ahmed Othmani, Tunisia
Phil Opas, Australia
Jean-Louis Pelletier, France
Carroll Pickett, United States
Brian Roberts, United States
Karl Rodenberg, Germany
Nigel Rodley, United Kingdom
Tommy Anthony Sando Sr, Liberia
Marie-Françoise Santarelli, France
Natman Schaye, United States
Peter Schmer, United States
Henry Schwarzschild, United States
Justice Shakil Ur Rehman, Pakistan
Damon Thibodeaux, United States
John Thompson, United States
Delbert Tibbs, United States
Greg Wilhoit, United States
Harold Wilson, United States

A special tribute, in recognition of their role in the World Coalition Against the Death Penalty and the World Congress, was paid to:



Bill Pelke, from “Journey of Hope... From Violence to Healing”, an organisation composed of families of murder victims and families of death row prisoners in the United States, who believed that through love and compassion, each and every one of us could make this world a better place.



Roger Hood who, as well as being an internationally renowned researcher at the Oxford Centre for Criminology, was also a trusted mentor and friend to many abolitionist organisations.



Renny Cushing who brought his profound humanity, brilliant mind, big heart and playful nature to make the voices of families of murder victims opposed to the death penalty heard within the abolitionist movement. As a member of the New Hampshire House of Representatives in the United States, he ensured that the abolition of the death penalty became a reality in his state in 2021.



Edgardo Román Espada, former president of the Puerto Rico Bar Association and the Puerto Rican Coalition Against the Death Penalty, who played a key role when federal death sentences were handed down in Puerto Rico, despite its abolitionist status, and who was a friendly and cheerful figure in the movement.

The academic programme of the 8th World Congress Against the Death Penalty

	TUESDAY 15 th NOVEMBER <small>LIVESTREAMING</small>	WEDNESDAY 16 th NOVEMBER <small>LIVESTREAMING</small>	THURSDAY 17 th NOVEMBER	FRIDAY 18 th NOVEMBER
MORNING	PIERRE BOULEZ SAAL 10:00 → 13:00 Official opening ceremony	HALLE 10:00 → 12:00 The new abolitionist generation: transmission and innovation	HALLE / 9:30 → 11:00 How to make the abolition of the death penalty irreversible?	ROTES RATHAUS 10:00 → 12:00 Closing ceremony: awards to civil society actors
			STUDIO B / 9:30 → 11:00 National human rights institutions, civil society and the fight for abolition	STUDIO C / 9:30 → 11:00 A new approach: the example of abolition of the death penalty in the member countries of the Organisation of Islamic Cooperation
			HALLE / 11:30 → 13:00 The role of judges in relation to the death penalty	STUDIO B / 11:30 → 13:00 Making the prohibition of the death penalty a norm of international customary law
			STUDIO C / 11:30 → 13:00 Supporting civil society in the Middle East in preparation for the next Regional Congress against the death penalty	OUTDOORS ALEXANDERPLATZ / RATHAUS 12:00 → 13:00 FINAL HAPPENING
AFTERNOON	HALLE / 15:30 → 17:30 Instrumentalisation of the death penalty for political purposes	HALLE / 14:30 → 16:00 Sexual violence and the death penalty: reaffirming the universality of human rights	STUDIO B / 14:30 → 16:00 Identifying the death row phenomenon	STUDIO C / 14:30 → 16:00 How to engage businesses and other non-conventional actors in the fight against the death penalty?
	HALLE / 18:00 → 19:30 Same fight, same risks: lawyers and journalists as actors for abolition	HALLE / 16:30 → 18:00 The death penalty and lack of transparency: global impact on human rights	STUDIO B / 16:30 → 18:00 Intellectual & psychosocial disabilities	STUDIO C / 16:30 → 18:00 Sexual minorities, gender-based discrimination and the death penalty
EVENING	HOUSE OF WEEKEND 20:00 → 23:00 Networking event	BABYLON CINEMA 19:30 → 22:00 Film screening & debate <i>The State of texas vs. Melissa</i> , by Sabrina Van Tassel (Film Eng&Fr/ Debate: Eng)	RADIALSYSTEM-V (HALLE / STUDIO B / STUDIO C / ATELIER A / KUBE) 13:00 → 18:30 Open & private meetings of international civil society organizations	HALLE 18:30 → 20:00 Key witnesses event: "Death row prisoners and their lawyers: a unique partnership"

- CEREMONIES
 - PLENARIES
 - ROUNDTABLES
 - WORKSHOPS
 - SOCIAL/ CULTURAL EVENTS
 - MEETINGS CSOs
- Simultaneous interpretation
ENGLISH & FRENCH

The Academic Committee of the 8th World Congress Against the Death Penalty

Composed of experts in human rights and the abolition of the death penalty, the role of the Academic Committee was to define the strategic priorities and the main themes of the academic programme, which were then implemented in each debate session (plenary sessions, roundtables and workshops) by the member organisations of the World Coalition Against the Death Penalty, other human rights organisations and concerned stakeholders. The Academic Committee finalised the academic programme and approved the list of speakers for the debates.

Members



Sandrine Ageorges-Skinner
ECPM member and wife of Hank Skinner, sentenced to death in Texas, United States
France



Drewery Dyke
Salam DHR International Partnerships Contact Point
Researcher at the Foreign Policy Center
United Kingdom and Canada



Amina Bouayach
President of the National Human Rights Council
Morocco



Liévin Ngondji
Co-founder and President of *Culture pour la paix et la justice*
DRC



Nicolas Perron
Director of Programmes, ECPM
France



Celia Ouellette
Co-CEO of the Responsible Business Initiative for Justice
United States



Aurélie Plaçais
Executive Director of the World Coalition Against the Death Penalty
France



Camikara Yuwono
Communications and Media Officer, Forum Asia
Indonesia

Coordination



Raphaël Chenuil-Hazan
Executive Director, ECPM
France



Ariane Jacobberger
Head of the Academic Programme, ECPM
France

THE NEW ABOLITIONIST GENERATION: TRANSMISSION AND INNOVATION

Lebanese Abolition Now Tour
delegation



Abolition Now Tour: getting young abolitionists off the ground

In preparation for the World Congress in Berlin, ECPM launched an innovative and collaborative international project aimed at younger generations, the *#AbolitionNowTour*⁸ campaign: an initiative involving the consultation of young citizens from six non-abolitionist countries who want to contribute to the abolition of the death penalty in their country.

This project, in collaboration with ECPM's local partners, was launched in Morocco in October 2021, then adapted for the Democratic Republic of Congo, Kenya, Indonesia, Lebanon and the United States (Texas).



The project was carried out in three stages:

- 1 Participation of a group of eight young people in a two-day collaborative workshop in their country to collectively decide on a strategic action aimed at advancing the cause of abolition in their country. The young people are encouraged to decide on a second action to be carried out after the Congress.
- 2 Implementation of one of these actions by the group (the priority action), within six months of the workshop.
- 3 Inviting the members of the six delegations⁹ to the Congress in November 2022 to present their work to the entire abolitionist community, to reaffirm their commitment to work for the abolition of the death penalty, to provide the impetus needed to consolidate their mobilisation and to define the next stages of their initiative.

The project as a whole was a unique opportunity to give a voice to these young people and place them at the forefront of the discussion on the struggle for abolition. ECPM's objective was not only to develop and consolidate the project's local presence in the six target countries, but also to ensure the sustainability of the involvement of these young people in their respective national contexts. This was made possible by the essential collaboration and support of the organisation's local partners. Given that the involvement of young people is crucial to shaping the future of the abolitionist movement, the project also aimed to inspire similar initiatives in other countries.

More information and videos on the Abolition Now Tour project and the actions of the delegations are available here.



⁸ <https://www.ecpm.org/en/abolitionnowtour-the-youth-stands-against-the-death-penalty/>

⁹ Unfortunately, the members of the DRC Abolition Now Tour delegation were unable to obtain visas to attend the Congress.

"Young people breathe new life into the abolitionist struggle."



Margaux Richet

Trainer for the Abolition Now Tour

Margaux Richet is an intercultural facilitator and trainer in non-formal education. She is passionate about languages, the way history and our personal history influence our view of the world and our perception of others, alternative learning methods and group dynamics in different contexts. She helped create the Abolition Now Tour project, facilitated workshops in the six target countries and accompanied young delegation members before, during and after the Berlin Congress.

► What was your thinking behind the Abolition Now Tour project?

Margaux Richet: I have always based my work on the following concepts:

Mutual transmission between generations: The workshops were intended to encourage an enriching dialogue between young people and those long involved in organisations fighting against the death penalty. The aim was to understand how far we have come in this area and to support each other.

Sustainability of the project: The aim of the workshops was to pass on methods that each member of each delegation could appropriate and re-use for their own projects or actions. Each participant was seen as a "multiplier" capable of amplifying the effects of these workshops. Great care was therefore taken to transmit "indirect" awareness-raising methods, based on creative techniques that also draw on local traditions, such as shadow theatre in Indonesia. These techniques have in common that they are visual, simple, require no specific or expensive

equipment and are accessible to everyone, child or adult, literate or not. These "indirect" methods of talking about sensitive subjects such as the death penalty were also chosen to "protect" these young people, so as not to expose them directly.

International dimension of the project: Attention was paid to creating bridges between the workshops and to connecting the members of each delegation so that they developed an "international awareness" of their joint participation in this project. This also helped them not to feel isolated in their actions, to move forward collectively in different countries and to draw inspiration from each other.

► How did you feel at the Congress when you were reunited with the delegations in Berlin?

M. R.: I was delighted to see most of the delegations present, but also very saddened and frustrated by the absence of some participants, in particular the DRC delegation, which was unable to obtain visas to take part in the Congress. It's a difficult exercise to motivate a group of people who don't know each other in two days to form a team and work together on a subject as complex and sensitive as the abolition of the death penalty, and even more so in a country where conflicts have been raging for many years. Participation in the Congress was one of the "promises" of the project and therefore a powerful driving force to encourage these groups to carry out advocacy work for abolition. Not being allowed to come to Berlin had a profound effect on young people in DRC. I worked during and after the Congress to restore their motivation and value their commitment, with the support of ECPM's local partner.

That said, I was obviously very happy for the people attending the Congress. I was delighted to see them taking an active part in the programme at so many different levels, working with the Congress team to put the programme together, moderating the youth plenary session, enlivening certain moments with music or dance, or talking to the public about the results and progress of their actions.

► How important do you think this type of project is for other human rights movements?

M. R.: The sustainability of a human rights struggle depends on intergenerational transmission.

In many societies, the way older generations perceive youth or young adults is often marked by rather negative stereotypes regarding their concrete contribution to serious social or political issues. These stereotypes can take different forms but, generally speaking, the result is that the potential of these young people is underestimated. Many young people suffer from discrimination linked to their age or to a layering of different forms of discrimination, known as multiple or intersectional discrimination (age, gender, disability or other social or cultural criteria).

At the same time, the Congress also had a powerful effect on these young people, motivating them to continue working beyond the project to bring about abolition of the death penalty

This “negative” perception reduces them to a rather passive role or, at best, to carrying out decisions taken by elders at all levels of society: their skills are not taken seriously, their energies or ideas are not valued, their voices are not listened to, they are not included or consulted when important decisions are taken, they are not trusted.

This type of project allows us to challenge these stereotypes, to question them and to open our eyes to the extraordinary resources that these young people possess. When these resources are valued, they never cease to amaze! Any organisation working for human dignity and respect for human rights can draw inspiration from this type

of project, where it is young people who determine the course of exchanges, who express their wishes, needs and reservations. Their own life experience is valued and they are encouraged to have confidence in their knowledge and understanding of a subject and their environment in order to put forward their ideas and advance a cause. It’s in a setting where the collective intelligence of the group is promoted that ingenious and creative ideas can emerge.

“Peer to peer” effects should also be considered. Youth attracts youth! Young people bring their “analogue and virtual” networks with them. They can reach many more people at the same time. And, in the digital age, they have mastered the skills needed to navigate virtually, express themselves and transmit messages in multiple ways. They are formidable allies for NGOs..

► **What results do you think the Abolition Now Tour has had for the abolitionist community?**

M. R.: Locally, during the workshops, many people involved in the project’s various partner organisations and members of the abolitionist community (lawyers, former death row prisoners, etc.) said that they had renewed hope and were impressed by the creativity, intelligence, commitment and contagious energy of these young people. They breathed new life into the advocacy work of the organisations that hosted them. As one of the project coordinators told me: “They showed me that we can approach this issue in a more creative way”. It’s inspiring!

Internationally, at the Berlin Congress, the presence of delegations from Indonesia, the United States, Kenya, Lebanon and Morocco made the event very dynamic, in particular by influencing or illustrating the subjects dealt with in the various sessions, by contributing creatively at different levels, by sharing their experiences of the project, and by approaching the other participants.

At the same time, the Congress also had a powerful effect on these young people, motivating them to continue working beyond the project to bring about abolition of the death penalty. Most of the delegations are keen to continue their teamwork. Here are a few examples of the concrete results that have come out of the project and the Congress:

- The Indonesian delegation wants to help increase the presence of the Asian abolitionist community at future congresses and continues to be actively involved in Indonesia.
- In DRC, in March 2023, the young people produced a video in which they introduce themselves, express their motivation to take action for abolition and call on other young people in DRC to join them.
- In the United States, the group organised an awareness-raising event in a bookshop. It plans to hold a conference to discuss how to create an event called “People’s Tribunal against Texas”. All the abolitionist organisations in Texas will be invited, as well as a range of speakers.

The Moroccan leg of the Abolition Now Tour





▶ Liévin Ngondji, President of *Culture pour la paix et la justice*, DRC, and Sylvia Morwabe, lawyer and Programme Director at Crime Si Poa, Kenya



▶ Camikara Yuwono, Indonesian Abolition Now Tour delegation

Plenary

Intergenerational exchange and transmission at the Congress

Opening address

Dr Günter Sautter, Director General for International Order, the United Nations and Arms Control at the Federal Foreign Office – Germany

Speakers

Alexious Kamangila, Lawyer and Fellow, Reprieve UK – Malawi

trey legall, Member of the US Abolition Now Tour delegation – United States

Nina Joy Makena, Member of the Kenyan Abolition Now Tour delegation – Kenya

Liévin Ngondji, Co-founder and President, *Culture pour la paix et la justice* – DRC

Angelia Pranthaman, Founder and President, *Sebaran Kasih* (Spread Love), sister of Pannir Selvam Pranthaman, currently on death row – Malaysia

Ogarit Younan, Founder of the Academic University for Non-Violence & Human Rights – Lebanon

Moderators

Sylvia Morwabe, Lawyer and Director of programmes, Crime Si Poa – Kenya

Camikara Yuwono, Member of the Indonesian Abolition Now Tour delegation – Indonesia

With universal abolition in sight, the Congress was an opportunity for the abolitionist movement to reflect on its foundations and to envision its future. The aim of this plenary session was to bring together representatives from different generations of the abolitionist movement and to invite them to share the reasons behind their commitment, their strategies for awareness-raising and advocacy, as well as new ways of sustaining the movement and promoting the abolition of the death penalty.

▶ “Passing the torch is perhaps a natural imperative. We inherited a struggle, but law dictates that the young should improve on what the old have done. It’s as the saying goes, ‘If youth knew, if age could’.”

▶ Liévin Ngondji, lawyer

From the very first minutes, in the packed Radial System room, a mixture of determination and hope filled the atmosphere as trey legall, a member of the US Abolition Now Tour delegation, sang the first notes of the song “I have a voice”,

written and composed by the US delegation a few months earlier. This launched the plenary session, which was structured around a series of inter-generational dialogues designed to enable participants and speakers to benefit from each other's experiences.

Liévin Ngondji and Nina Joy Makena, the first pair of speakers, discussed the circumstances and personal experiences which, thirty years apart, led to the development of their abolitionist consciousness. Their conversation, while highlighting the continuing relevance of the 'classic' tools of mobilisation – such as communication in the traditional media, training in schools and universities, and the role of lawyers and parliamentarians – also highlighted the emergence and importance of innovative tools such as social networks, podcasts, art, dance and music to raise awareness of the abolitionist cause as widely as possible, among young and old, in cities and rural areas, on every continent.

Alexious Kamangila and Trey Legall then reflected on the evolution of abolitionist arguments and the movement's perspectives. Alexious stressed that the involvement and participation of the general public in the debate on the death penalty is essential to dispel the misconceptions that are often widespread on the issue and to help people understand the discriminatory and ineffective nature of capital punishment. He also considered that identifying key allies, such as government representatives, religious and traditional leaders and civil society organisations, is crucial to creating momentum for abolition.

“The death penalty is supported not out of conviction, but because of a lack of information and involvement. Fighting for abolition can be a lonely path in that, because of this lack of information, even the people you are fighting for can attack you.”

Alexious Kamangila, lawyer

Trey Legall emphasised the importance of embedding the abolitionist movement in a global struggle for social justice. Drawing on the example of his own country, the United States, he expressed the view that the death penalty has an undeniable racist foundation, dating back to slavery, lynching and the higher incarceration rates of marginalised populations. Trey noted the existence of a hierarchy of victims according to their gender and ethnicity. He underlined the value of building relationships with the rest of the community in order to have productive conversations about these societal issues and, inspired by his experience during the Abolition Now Tour, called for the creation of an international network of solidarity against the death penalty to continue to learn from each other.

The final intergenerational pairing of the session focused on the resources needed and the means of sustaining the abolitionist movement over the long term. Ogarit Younan, a pioneer in the fight against the death penalty in Lebanon

for over twenty-six years, stressed the importance of recognising that people of different generations need to work together in the fight against violence. She went on to describe her work in Lebanon as part of a non-violent movement campaigning for the abolition of the death penalty and gave the example of her visits to families who have lost loved ones as a result of violent crime and those who have called for the death penalty for the perpetrators of such crimes. Ogarit stressed the importance of raising awareness and changing attitudes in society to create a culture of non-violence, and spoke of the challenges she has faced in supporting the movement.

Angelia Pranthaman then spoke about her reasons for setting up Sebaran Kasih, an NGO campaigning for abolition of the death penalty in Malaysia, inspired by the experience of her brother, who is currently on death row in Singapore. The organisation produces and distributes songs and poems written by Angelia's brother and campaigns for the abolition of the death penalty through storytelling campaigns, the involvement of local artists and celebrities, fundraising events and social networks. Angelia believes that music and art can be the most influential methods of changing public and government perception of the issue of capital punishment and death row prisoners.

The session ended in a festive atmosphere with a performance by the Kenyan Abolition Now Tour delegation of a dance routine devised by its members in the run-up to the Congress and taken up by the entire audience.

Recommendations:

- Build strong relationships and networks of cooperation with other human rights movements, adopting an inclusive and intersectional approach, in order to strengthen the universal dimension of the fight against the death penalty and make it part of the global struggle for social justice;
- Research and use innovative arguments and means, such as social networks and “activism”, to fight against the death penalty;
- Commit to supporting and building the capacity of young abolitionists to enable them to carry out their own actions and raise awareness among their peers.

Watch the plenary session in full here.



“The mobilisation of young people was fantastic.”



Sylvia Morwabe

Lawyer at the High Court of Kenya and Programme Director at Crime Si Poa

Sylvia Morwabe is a lawyer at the High Court of Kenya and Programme Director at Crime Si Poa. She provides strategic legal support to the Youth Safety Awareness Initiative, which works to promote social justice and a crime-free society through education, advocacy and social initiatives aimed at children and young people. Sylvia contributed to the preparation and moderation of the plenary session on the new abolitionist generation at the Berlin Congress. She also accompanied the #AbolitionNowTour Kenyan team.

► **Could you tell us more about your role within Crime Si Poa and the organisation's mandate, particularly in relation to young people in Kenya?**

Sylvia Morwabe: Crime Si Poa is a non-governmental organisation that seeks to inform, reform and transform the lives of young people by mobilising them to appropriate security, justice and socio-economic issues in their communities. Crime Si Poa focuses on access to justice, information and opportunities for young people.

Our approach is based on the pillars of education, advocacy and social enterprise and is grounded in the belief that raising awareness and sharing knowledge as preventive measures can have an immediate impact on impressionable and vulnerable children and young people. Our focus is therefore on discouraging at-risk and vulnerable young people from engaging in criminal activity and tackling threats to peace through behavioural and attitudinal change, while promoting the benefits of a crime-free society.

As Programme Director and Legal Officer at Crime Si Poa, I oversee the implementation of the organisation's programmes and provide strategic legal support. I also lead a legal empowerment team of volunteer lawyers, law students and paralegals who teach communities about the law, their rights and obligations, thereby strengthening the rule of law.

► **Why do you think it is important for young people to get involved in campaigning for the abolition of the death penalty and to interact with more experienced abolitionists?**

S. M.: I believe that generally, in life, young people always have something to learn from the older, more experienced generation, and vice versa.

As far as the death penalty is concerned, until we achieve universal abolition, the abolitionist movement will keep growing. A younger generation of abolitionists will continue to emerge and join the movement, bringing great energy, enthusiasm and new ideas on how to propel the movement forward. However, without proper advice, guidance and structures, young people run the risk of becoming discouraged too soon and giving up or continuing to encounter the same challenges and pitfalls as their predecessors, which they could have avoided by learning from their mistakes and struggles and developing new strategies.

Interaction with more experienced abolitionists allows younger abolitionists to learn from those who have gone before them and to better understand the rationale behind the movement, the successes achieved so far, and to exchange notes and ideas on how best to take the movement forward. This interaction therefore allows for the growth, continuity and sustainability of the abolitionist movement, as the two generations work together on a more holistic approach drawn from their different experiences to fight for universal abolition.

► **What did you learn and feel during the preparation and moderation of the World Congress plenary session?**

S. M.: It was both exciting and a great honour to be invited to moderate the plenary session on the new generation of abolitionists.

In preparing for the session, it was interesting to learn and see how far the abolitionist movement has come over the years. As a young abolitionist, it was exciting to see the number of abolitionist states increase, reaching 110 fully abolitionist countries by the time of the Congress. The 111th abolitionist country – Zambia – pledged at the Congress to abolish the death penalty by the end of the year, and kept its promise on 23 December 2022.

I also particularly enjoyed the chance to interact with and learn from a host of established and new abolitionists, both during the preparatory phase and at the World Congress itself, and to share our vision for universal abolition.

▶ The mobilisation of young people was fantastic. I think ECPM's Abolition Now Tour project worked really well in that respect

As moderator of the session, I enjoyed the stimulating conversations with the various speakers and learning about their unique experiences in the abolition journey. From those who have been involved in the movement for over thirty years to those who joined just over a year ago, it was motivating to learn the reasons behind their commitment and to discuss their awareness-raising and advocacy strategies, as well as new ways of supporting the movement and promoting the abolition of capital punishment, including within other human rights movements.

▶ **What was your impression of the involvement of young people in the World Congress? Did it give you any ideas on how to involve more young people in your work?**

S. M.: The mobilisation of young people was fantastic. I think ECPM's Abolition Now Tour project worked really well in this respect, because young people were not just participants at the Congress, they were actively involved and included well in advance. They were given a platform to meet and share their experiences and ideas on participatory abolition projects in their different countries and regions with other Congress participants.

Since the Congress, as we continue to fight for the abolition of the death penalty in Kenya, we have been working closely with the Kenyan Abolition Now Tour delegation on advocacy projects to show that young people too are and can be the voice for abolition and possible change in Kenya.



▶ Sylvia Morwabe, Lawyer at the High Court of Kenya and Programme Director at Crime Si Poa

INSTRUMENTALISATION OF THE DEATH PENALTY FOR POLITICAL PURPOSES

Plenary session on the
instrumentalisation of the death
penalty for political purposes





▲
Günther Sautter, Director-General for International Order, the United Nations and Arms Control at the German Federal Foreign Office, addressing the audience at the Radialsystem in Berlin.
▲

Plenary

History, testimonies and perspectives on the political use of capital punishment

Belarus, Burma, DRC, Egypt, Iran, Saudi Arabia, United States

Opening address

Jean Asselborn, Minister of Foreign and European Affairs – Luxembourg

Speakers

Ali Adubisi, Founding member and Director, European Saudi Organisation for Human Rights (ESOHR) – Germany

Mahmood Amiry-Moghaddam, Professor of Neuroscience and Director of Iran Human Rights (IHR) – Norway

Sherif Azer, Director of Policy, Egyptian Commission for Rights and Freedom – Egypt

Tsakhia Elbegdorj, Commissioner, International Commission against the Death Penalty (ICDP), former President of Mongolia – Mongolia

Manny Maung, Myanmar researcher, Asia division, Human Rights Watch – Australia

Christelle Vuanga, Member of the National Assembly – Democratic Republic of Congo

Videos

Dr Agnès Callamard, Secretary General, Amnesty International – United Kingdom

Russ Feingold, President, American Constitution Society, former US Senator

Sviatlana Tsikhanouskaya, Leader of the Democratic Forces of Belarus – Lithuania

Moderator

Nicolas Perron, Director of Programmes, ECPM – France

Whether they use it to consolidate their power, control the population, further their political agenda or to stand out in elections, political actors are intrinsically linked to debates on the death penalty. Underlining that the death penalty is frequently a corollary of systemic human rights violations and addressing the problem of the oversimplification of public opinion on this issue, this plenary explored the various aspects of the instrumentalisation of the death penalty for political purposes to identify the most appropriate abolitionist strategies and counter the arguments used to justify its retention.

By way of introduction, Agnès Callamard sent a message of hope, courage and support to the abolitionist community gathered in Berlin after three years of separation due to the COVID-19 pandemic. At a time when human rights abuses have, in her view, reached unprecedented levels, the former United Nations Special Rapporteur and current Secretary General of Amnesty International emphasised the arbitrary nature of the use of the death penalty by the authorities, and stressed that it still reflects political choices and agendas at every level and in every state in the world. Exposing the way in which the death penalty is politicised, she urged participants to understand that the fight against the death penalty is a fight that can and must be won.

Using concrete illustrations, the contributions of speakers from eight different countries highlighted these common trends in the use of the death penalty for political purposes.

The first trend is the use of the death penalty as a crisis management tool and a deterrent to internal conflict:

In DRC, for example, according to Christelle Vuanga, the retention of the death penalty in the legislative arsenal is justified by the authorities' fear of public opinion. Indeed, part of the population sees the death penalty as an effective remedy for recurrent crime, rampant juvenile delinquency and the endless conflicts in the east of the country. The retention of the death penalty is thus encouraged by part of the political class for populist reasons, to appease the population directly confronted with crime and conflict.

“In a country of 100 million inhabitants, 500 people will sit in the National Assembly and one person will become President of the Republic. We believe that, for certain debates, it is these people who should do the thinking for the others. Reforms are not made when everyone agrees, but they are made when it is important and necessary.”

Christelle Vuanga, Member of the National Assembly in DRC

The death penalty is also used as the legal arm of repression to eliminate, control or silence opponents, dissidents and the population as a whole:

In Myanmar, since the military coup of February 2021, military courts have sentenced more than one hundred people to death, around half of them in absentia. These people were charged under the Anti-Terrorism Act, which was amended to introduce harsher penalties for activities in opposition to the coup government. According to Manny Maung, the political reasoning behind these convictions is to instil fear and make an example of those who oppose the military junta. The death penalty is therefore used in an abusive manner, in flagrant violation of human rights, in circumstances where the law is manipulated to serve the objectives of those in power with total impunity.

In Belarus, the only European state that practises capital punishment, the regime in power has, according to Sviatlana Tsikhanouskaya, unleashed a war against its own people, forcing hundreds of thousands into exile, imprisoning, torturing and accusing of terrorism those who have opposed it, some facing the death penalty. In 2022, the regime added three new crimes to the list of crimes punishable by death, including attempted acts of terrorism, essentially a thought crime. In March 2023, Belarusian President Alexander Lukashenko further increased the scope of the death penalty by signing a law providing for the death penalty for civil servants and military personnel convicted of high treason.¹⁰ According to Tsikhanouskaya, only strong international pressure could put an end to the dictatorship and enable a democratic transition to finally cease the repression and executions.

“We can't talk about the death penalty as part of the legal system in Belarus because the law simply doesn't work. We have a machine of repression built to keep the dictator in power, a machine that will kill anyone who gets in its way. The death penalty is not the only problem in Belarus, but it is a symptom of an inhuman regime that is prepared to kill for its own interests.”

Sviatlana Tsikhanouskaya,
Leader of the Democratic Forces of Belarus

These repressive practices are also characteristic of the use of the death penalty in certain Middle Eastern countries, such as Egypt, Iran and Saudi Arabia. The example that was undoubtedly discussed most vehemently was that of the Iranian authorities' response to the protests sparked by the death of Jina Mahsa Amini in police custody for wearing her hijab in a manner that did not conform to state standards. To censor these demonstrations, the Iranian regime is carrying out arbitrary arrests and detentions, public executions and using torture against demonstrators. This repression aims to discourage anyone considering protesting and challenging the authorities and instils a climate of fear within society at a time when, according to Mahmood Amiry-Moghaddam, “every execution is a political execution”. In his view, “the Iranian population is at risk of mass execution” if Iran continues its political repression. Amiry-Moghaddam also highlighted the influence of the origins of those persecuted by the regime, such as Amini, who was of Kurdish origin. In his view, close attention should be paid to minorities, who “in oppressive regimes, [are] even more affected”.

Similar trends exist in Egypt and Saudi Arabia, particularly with regard to the repression of minorities, discriminatory practices and the dissuasion of protest

¹⁰ Peinedemort.org, *Le Parlement de Biélorussie adopte un projet d'augmentation du champ d'application de la peine de mort pour trahison* (Belarusian parliament adopts bill to increase scope of death penalty for treason). 20 February 2023.

and human rights movements. Ali Adubisi told participants that repression in Saudi Arabia increased considerably after the Arab Spring, which led to a definitive halt to political opposition in the country. He also noted that this practice was used against minorities, in particular Shiites and immigrants, who were over-represented among those executed. Sherif Azer described how in Egypt, since 2013, the death penalty has been used as a tool of political oppression, with laws restricting the right to freedom of expression and assembly to label those who dare to question the regime as terrorists. Human rights defenders, journalists, lawyers and academics have been subjected to mass arrests, and even children have been sentenced to death. The country had the highest number of death sentences recorded in the world, with a 34% increase in sentences in 2021.

Finally, other factors may come into play, such as electoral concerns, demagoguery, symbolism or the oversimplification of public opinion. Abolition must therefore also be the result of political will:

Russ Feingold described the political dynamics underlying the death penalty in the United States, pointing out that the issue had often been used, since the 1960s, to strengthen the political position of candidates who wanted to be perceived as “tough on crime”. These strategies were in fact aimed at increasing political support among white voters by appealing to racist grievances against black people. Feingold noted that since the late 1990s, however, the movement against the death penalty has grown and a general trend of declining public support for the death penalty has been observed, with twenty-three states having already abolished it and three others having introduced a moratorium. Eleven of the twenty-three States that have abolished the death penalty have done so in the last fifteen years. This dynamic reflects the determination of certain political representatives to put an end to the profoundly unjust and racist application of the death penalty in the United States, as well as the fight led by criminal law and racial justice reform movements, which are contributing to the move towards abolition at federal level and in certain states.

In conclusion, Tsakhia Elbegdorj, former President of Mongolia who initiated the abolition of the death penalty in his country, described how he had succeeded in getting a moratorium adopted in Mongolia, illustrating how political will can triumph over the retention of the death penalty. To the applause of the audience, Elbegdorj emphasised the essential role of the executive in abolishing the death penalty and described the various stages that had enabled him to lead his country towards abolition, giving hope and courage to all the participants in the room.

Recommendations

- **Build strong relationships and networks with other human rights movements, adopting an inclusive and intersectional approach, in order to strengthen the universal dimension of the fight against the death penalty;**
- **Raise public awareness and call on the authorities to put an end to the zero-risk policy of imposing the death penalty in the event of conflicts and political or social crises, whether local or international, as the aim is unattainable and the strategy ineffective in every respect;**
- **Research and adapt abolitionist arguments to better reflect the significance of the death penalty in a given state, while reframing its role in order to modify the political risk of abolition.**

Find out more

- ECPM and Iran Human Rights, *Annual Report on the Death Penalty in Iran 2022*, April 2023.
- Kurdistan Human Rights Association – Geneva (KMMK-G), *Interim Annual Report on the Situation of Human Rights in Kurdistan of Iran for the period: 1st January to September 30th 2022*, October 2022.
- ESOHR, *Saudi Executions in 2021 – Fluctuating political stability*, January 2022.
- WCADP, *How to Work with Parliamentarians for the Abolition of the Death Penalty*, September 2021.
- League for the Defence of Human Rights in Iran (LDDHI) et FIDH, *No one is spared: the widespread use of the death penalty in Iran*, October 2020.

Watch the plenary session in full here:



“In Iran,
the death penalty is
an instrument to spread fear.”



Mahmood Amiry-Moghaddam
IHRNGO (Iran Human Rights)

► How was the correlation between the use of the death penalty and political/social events demonstrated in Iran in the last six months?

Mahmood Amiry-Moghaddam: Iran Human Rights has monitored the death penalty trends in the last 15 years and our data show that when there is a close correlation between the number of executions and political events in the country.

When the regime fears protests or right after the protests, the execution numbers increase. In general, Iranian authorities have been expecting protests after they started easing the COVID restrictions gradually in the second half of 2021 and onwards. In line with that we have observed an increase in the number of executions since the second half of 2021. In 2022 a surge in the executions was observed in May 2022, when smaller gatherings by teachers and those retired started spreading to several cities. That surge continued until the start of the nationwide protests following the death in custody of Jina Mahsa Amini in September 2022. The first weeks of the nationwide protests there were not many executions, while the bloody crackdown on the protests that resulted in several hundred death was going on. Since then the execution number started increasing again. We should keep in mind that most of those executed in Iran belong to the marginalized groups in the society whose execution doesn't lead to a large international outcry.

► When the World Congress was taking place in November 2022, the situation in Iran was already at the center of the discussion. How has the situation evolved since then, what has the impact been on the violations of human rights?



Besides the executions, the overall situation of human rights is deteriorating day-by-day

M. A.-M.: Few weeks after the start of the protests the regime started prosecution of protesters under mass-trials in the Revolutionary Courts. The protesters were threatened by the death penalty, more than 100 faced charged punishable by death and in December and January four protesters were executed. However, due to strong international reactions, the political costs of the

execution of protesters became very high for the regime. Therefore, they have executed 7 protesters in total. However, the number of executions for “non-political” charges, especially those with drug-related charges has increased dramatically. In the months after the protests, the Iranian regime has executed in average two people every single day, more than 50% of them with drug-related charges. Besides the executions, the overall situation of the human rights is deteriorating day-by-day. The regime is struggling for its survival and in order to do so it has to rebuild the barrier of fear that was fallen apart after the onset of the protests in September 2022. Death penalty is the most important instrument of spreading fear in the society and the Iranian regime know how to use it. I would say that the regime has to some degree succeeded to prevent larger protests in most of Iran, with the exception of the Baluchistan region. But Iran will never go to the time before Jina Mahsa Amini was killed in the detention of the morality police.

► During the World Congress, you spoke about the way the death penalty was used against minorities in Iran. How has the situation impacted the rights of minorities in Iran?

M. A.-M.: Ethnic minorities have always been overrepresented in the execution statistics. This has increased dramatically during 2022 and the first half of 2023. Baluch prisoners constitute between 20-30% of all executions, despite being 2-5% of Iran’s population. Most of them are sentenced to death by the Revolutionary Courts, without any due process, for drug-related charges. Besides that, more than 50% of all executions for political charges in the last 13 years are Kurds. So the regime targets ethnic minorities in particular. Not surprisingly, the most long-lasting protests have taken place in the ethnic regions of Baluchistan and Kurdistan.

Iranian lawyer Nasrin Sotoudeh, highly committed to the abolitionist cause in her country, winner of the Robert Badinter Prize



Nicolas Perron, ECPM Director of Programmes, and Mahmood Amiry-Moghaddam, Director of Iran Human Rights, receiving the Robert Badinter Award on behalf of Iranian lawyer Nasrin Sotoudeh, presented by Christiane Taubira, former French Minister of Justice



Jean Asselborn, Minister
of Foreign and European Affairs
– Luxembourg

Roundtable

Lack of transparency as a corollary of the political use of the death penalty

Cameroon, China, France, Iran, Japan, Vietnam

Opening address

Jean Asselborn, Minister of Foreign and European Affairs – Luxembourg

Speakers

Giao Vu Công, Head of the Department of Constitutional Law and Administrative Law, Vietnam National University – Vietnam

Hideo Hiraoka, Former Minister of Justice – Japan

Chaima Kabaoui, Member of the United Families Collective – France

Javaid Rehman, UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran – Pakistan

Tobias Smith, Assistant Professor, Administration of Justice, Ohlone College – United States

Nestor Toko Monkam, Lawyer and President of the Network of Cameroonian Lawyers Against the Death Penalty – Cameroon

Moderator

Chiara Sangiorgio, Policy Advisor on the Death Penalty, Amnesty International – United Kingdom

In 2021, the Secretary-General of the United Nations highlighted the growing concern of civil society and international institutions about the lack of transparency surrounding the application of the death penalty in retentionist states. While this lack of transparency is a violation of the human rights of those facing the death penalty and their families, it also has an impact on abolitionists, lawyers and, more broadly, the general public, by preventing both accountability and access to information. Following three years marked by a pandemic that exacerbated these pre-existing problems, this roundtable provided an opportunity to reflect on the consequences of this lack of transparency and to look at the mechanisms in place to enable lawyers and civil society to overcome them.

The discussion began with the very moving testimony of Chaima Kabaoui, whose brother, Bilel Kabaoui, is one of the eleven French citizens currently detained and

sentenced to death in Iraq. Chaima took the floor to express the distress felt by the relatives of those sentenced to death in the face of the lack of transparency shown by the French government, particularly with regard to the circumstances of their secret transfer from Syria to Iraq, in violation of international law and France's commitments to prohibit the transfer of prisoners to countries where they risk the death penalty. While the trials were considered unfair by the UN Special Rapporteurs, NGOs and the press, Chaima asked: "Why did France send its citizens to a country with the death penalty? and "Why were the families not informed? She stressed the lack of psychological support for the families and, above all, their need for information on the appeal procedures and negotiations undertaken by France.

Hideo Hiraoka, Japan's former Minister of Justice, then spoke about the retentionist policies and lack of transparency surrounding conditions on death row and executions in his country. When he took up his post as Minister, although he was not an active abolitionist, Hiraoka continued the discussion on the death penalty in Japan initiated by his predecessors but met with strong opposition from supporters of capital punishment in the Japanese Parliament. Today, Hiraoka continues to argue for the abolition of the death penalty in Japan, the only retentionist country among the members of the Organisation for Economic Co-operation and Development (OECD) which, despite a relatively low number of executions (around four a year) and of death row prisoners (133 in 2022), continues to maintain its stance on capital punishment. Hiraoka rejects the argument of cultural relativism in an area as serious as the death penalty and argued that hiding or concealing the reality of death row and executions could constitute a violation of international human rights law.

In addition to the effects on those on death row and their loved ones, the lack of transparency also has a major impact on the work of those who represent them. Lawyer Nestor Toko Monkam described how the lack of transparency has affected his ability to effectively represent his clients facing the death penalty in Cameroon, where this issue is a daily challenge. Investigators often refuse any contact between lawyers and their clients, hearings may be ordered in camera to cover up judicial truths, statements taken without the assistance of an interpreter are often used against defendants, and the defence can be made to submit by interrupting the lawyer or postponing the case until the lawyer behaves in a compliant manner. During the COVID-19 pandemic, lockdown measures, restrictions on visits to detainees and the suspension or postponement of hearings made it difficult for lawyers to access their clients and greatly undermined respect for the rights of the defence and the work of lawyers.

In Cameroon, lawyers are faced with a terrible dilemma: prepare for a hearing in difficult conditions or give up on defending their client.

In other countries around the world, the death penalty is an extremely sensitive subject and very little information is available. This is the case in Vietnam where, since 2011, statistics on the death penalty are considered to be state secrets. No one knows exactly how many people are executed each year. According to Giao Vu Công, conditions on death row are extremely harsh. Death row inmates are kept in a separate wing, locked up permanently in a very narrow cell and sometimes even shackled 24 hours a day. Suicide attempts and requests for early execution are frequent. In his view, although it is difficult to envisage any improvement in prison conditions in a state that is extremely sensitive to human rights criticism, cooperation with academic institutions and civil society organisations, discussions within the United Nations (UN) and diplomatic contacts are essential to encourage legislative reforms in this area.

Elsewhere, the lack of transparency affects not only the work of civil society but also that of political decision-makers. Tobias Smith specialises in examining the intersection between the secrecy surrounding the death penalty in China and that country's control over public discourse. He argues that while some topics, such as statistics on the death penalty, are banned, other discussions of capital punishment are not only allowed but encouraged in state media and online platforms, as long as they suit state purposes. The issue of abolishing the death penalty is thus largely excluded from public debate. Smith also notes that, ironically, the secrecy and censorship surrounding capital punishment has a far greater impact on Chinese opinion leaders and policy makers. It results in self-censorship in their speeches, actions and policy decisions so as not to risk inadvertently revealing state secrets.

Thus, beyond the importance of transparency for the advocacy work of civil society, it is essential to understand that the secrecy surrounding the death penalty is above all a major obstacle to its abolition, since it also muzzles the people who would be most likely to encourage a discussion on the issue.

The roundtable concluded with a speech by Javaid Rehman, Special Rapporteur on the situation of human rights in Iran. Rehman identified two major concerns regarding the application of the death penalty in the country. Firstly, the total lack of transparency, as the vast majority of executions are not made public and there is no data on the number, date of execution, ethnicity, gender, age or religion of those executed. Secondly, almost all death sentences handed down in Iran constitute an arbitrary deprivation of life, given that national legislation provides for more than 80 offences punishable by death, including crimes such as homosexual relations, adultery, blasphemy, and drug-related offences. These sentences violate the International Covenant on Civil and Political Rights (ICCPR) and discriminate against activities that should not be crimes in the first place. Rehman went on to describe the growing trend of executions for drug-related

crimes, which disproportionately affect ethnic minorities and people living in poverty. He also highlighted the violations of the rights of the defence in these cases, in particular the use of torture to obtain confessions, the lack of access to a lawyer and the denial of the right to a fair trial. Finally, Rehman expressed his deep concern at the fact that in Iran, girls can be executed from the age of 9 and boys from the age of 15.

Recommendations

- **Build strong relationships and networks with human rights movements working on media data, freedom of expression and the right to be informed in order to collect data on sentences and executions, thereby increasing transparency on the death penalty;**
- **Advocate respect for all international safeguards guaranteeing protection of the human rights of those facing the death penalty and their families, such as the Nelson Mandela Rules 83 to 85, which provide for the establishment of independent administrative authorities to monitor and inspect prisons that limit access to lawyers and civil society;**
- **Advocate systematic and public disclosure of facts relating to the death penalty, with full, accurate and disaggregated data, including on the gender, age, nationality, race, socio-economic status and vulnerabilities of those sentenced to death, the number of persons sentenced to death and related offences, the number of executions carried out, the methods of execution used, the number of death sentences overturned or commuted on appeal or subject to amnesty, clemency or remission;**
- **Encourage reporting and academic research on death penalty data by civil society organisations.**

Find out more

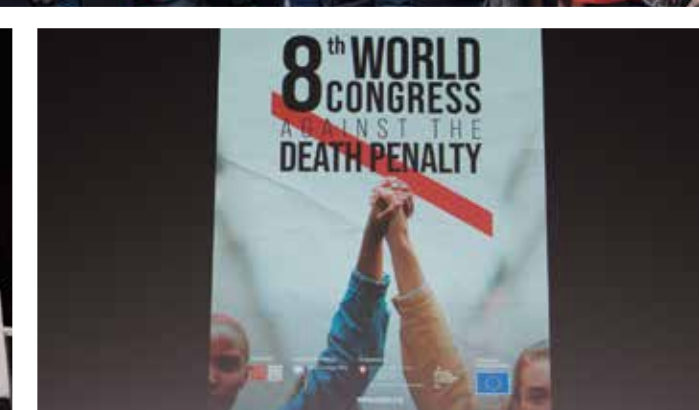
- ECPM and Iran Human Rights, *Annual Report on the Death Penalty in Iran 2022*, April 2023.
- Kurdistan Human Rights Association – Geneva (KMMK-G), *Interim Annual Report on the Situation of Human Rights in Kurdistan of Iran for the period: 1st January to 30th September 2022*, October 2022.
- Tobias Smith, *(Not) Talking about the Capital Punishment in the Xi Jinping Era*, September 2022.
- Amnesty International, *Death sentences and executions 2021*, May 2022.
- ESOHR, *Saudi Executions in 2021 – Fluctuating political stability*, January 2022.
- Organisation for Security and Cooperation in Europe, Office for Democratic Institutions and Human Rights, *The death penalty in the OSCE Area – Background Paper – Special Focus: the role of lawyers in capital punishment cases, 2022*.
- Cornell Center on the Death Penalty Worldwide, *No One Believed Me: A Global Overview of Women Facing the Death Penalty for Drug Offenses*, October 2021.
- ECPM, *La situation des citoyens français condamnés à mort en Irak*, October 2021.
- League for the Defence of Human Rights in Iran and FIDH, *No one is spared: the widespread use of the death penalty in Iran*, October 2020.
- ECPM, *Isolation and desolation: Conditions of detention of people sentenced to death (Malaysia)*, May 2020.

- Tobias Smith, *Body Count Politics – Quantification Secrecy and Capital Punishment in China*, May 2020.
- ECPM, *Dehumanised: the prison conditions of people sentenced to death in Indonesia*, April 2020.
- ECPM, *Vivants, sans l'être : mission d'enquête (Liban)*, January 2020.
- ECPM, *Towards a silent death: conditions of detention of people sentenced to death (Democratic Republic of Congo)*, December 2019.
- ECPM, *Sentenced to oblivion: fact-finding mission on death row (Cameroon)*, January 2019.
- ECPM, *Le baigne au pays des sables : peine de mort, conditions de détention et de traitement des condamnés à mort (Mauritanie)*, January 2019.

Watch the plenary session in full here:













A young participant in the Congress taking a break outside the Radialsystem

CHALLENGES IN THE FIGHT AGAINST THE DEATH PENALTY

Every three years, the World Congress Against the Death Penalty provides an opportunity for those involved in the abolitionist movement to hold in-depth discussions, during roundtables and workshops, on contemporary issues in the fight against the death penalty. A few months before the Congress, members of the World Coalition Against the Death Penalty and other human rights organisations were invited to complete a survey to tell ECPM about the issues they were facing and the priorities they wished to highlight in the Congress programme. This section aims to summarise the debates that took place in Berlin on the various issues identified by the abolitionist community.

The first main category of challenges relates to the means of achieving universal abolition, in law and in practice, of the death penalty. Participants attended and took part in discussions on how to make abolition of the death penalty irreversible, enshrining its abolition in customary international law, and the example of abolition processes in the member states of the Organisation of Islamic Cooperation (OIC).

The second broad category of issues concerns the means strengthening mobilisation on abolition of the death penalty among civil society actors working on human rights more generally. In this context, and for the first time during the World Congress Against the Death Penalty, the issue of collaboration with organisations defending children's rights and women's rights was addressed during a roundtable on the use of the death penalty in cases of sexual violence. In anticipation of the Regional Congress Against the Death Penalty to be held in Amman (Jordan) in July 2023, participants also discussed and endeavoured to develop tools for mobilising civil society in the Middle East in the abolitionist struggle.

Finally, two sessions were organised on the issue of protecting vulnerable people from the death penalty. The aim of the first workshop was to raise participants' awareness of intellectual and psychosocial disabilities. A second workshop focused on developing strategies to help local civil society organisations, lawyers and journalists better understand how criminal laws, including those relating to the death penalty, are used to repress sexual and gender minorities.

Roundtable

How to make abolition of the death penalty irreversible?

Philippines, Liberia, Papua New Guinea

Opening address

Aimé Ange Wilfrid Bininga, Minister for Justice, Human Rights and the Promotion of Indigenous Peoples – Republic of Congo

Speakers

Sergey Dikman, Legal Adviser, Head of Unit, Council of Europe – France

Karen Gomez-Dumpit, Former Commissioner of the Commission on Human Rights of the Philippines and member of the Executive Committee of the Anti-Death Penalty Asia Network (ADPAN) – Philippines

Sam Nimely, Programme Coordinator and human rights activist, Rescue Alternatives Liberia – Liberia

Moses Sakai, Tutor at the School of Business and Public Policy, University of Papua New Guinea – Papua New Guinea

Moderator

Aurélie Plaçais, Executive Director, World Coalition Against the Death Penalty – France

Despite the universal trend towards abolition, the death penalty remains a controversial issue in many countries around the world. Indeed, some abolitionist states attempt to reintroduce capital punishment, while others that have recently expressed a desire to abolish it are reconsidering their position. This roundtable aimed to explore the range of national, regional and international legal mechanisms available to ensure the irreversibility of the abolition of the death penalty, and to develop new arguments and strategies to counter the threat of its reintroduction.

Moses Sakai opened the discussion by describing the work and struggle of civil society in Papua New Guinea to achieve the abolition of the death penalty at the beginning of 2022. Sakai described the background to the abolition, which took place after a long moratorium in the country. In particular, he praised the constant

advocacy work carried out at national level by activists, NGOs, churches, lawyers and bar associations, among other local actors. He also spoke of the importance of advocacy work during international events such as the World Day against the Death Penalty or Human Rights Day, as well as through, for example, the UNGA resolution on a moratorium, in the context of universal periodic reviews or in connection with the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP2).

Sam Nimely then spoke in more detail about the international aspects of abolishing the death penalty. In particular, he focused on the ratification of international treaties, such as the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP2), as well as support for draft regional protocols, such as the draft protocol to the African Charter on Human and Peoples' Rights on the abolition of the death penalty in Africa. Nimely believes that traditional and religious beliefs and the perception that the death penalty is the solution to eliminate crime are among the many factors preventing the implementation of treaties and the abolition of the death penalty in Liberia. To address these perceptions and beliefs, Nimely suggests that civil society organisations should conduct more awareness-raising campaigns at community level, explaining to community members the importance of abolishing the death penalty and the universal nature of human rights. Governments and international organisations should also cooperate to provide effective alternatives to the death penalty, such as rehabilitation and social reintegration.

The second part of the roundtable looked at ways of addressing the political will to reintroduce the death penalty. Karen Gomez-Dumpit described how civil society has successfully fought off attempts to reintroduce the death penalty in the Philippines in the context of the "war on drugs". She said that the first step was to rely on credible studies and evidence showing that capital punishment does not deter crime, such as the analysis of the Philippine Supreme Court, which showed that sentencing error rates were as high as 70% and that figures on the effectiveness in deterring crime actually related to the rate of policing of the population. The second step is to tackle the emotional aspect surrounding crime. In the Philippines, civil society is now reaching out to supporters of the death penalty and seeking to hold frank discussions on preventing and combating crime, focusing on alternatives to the death penalty and measures that are genuinely effective in tackling crime. The war on drugs has shown that the death penalty has had little effect on the illegal drugs trade, while claiming a large number of victims among the poorest and most deprived.

Gomez-Dumpit then highlighted the key role played by the National Commission on Human Rights, churches, NGOs and lawyers in ensuring that the Philippines did not reintroduce the death penalty into the judicial system. She also stressed that accession to the Second Optional Protocol (OP2) and the support of the European Union and international partners had been crucial. In particular, she emphasised the effectiveness of the European Union's Generalised Scheme of

Preferences Plus (GSP+), especially in broadening the target audience for advocacy against capital punishment.

Finally, Sergey Dikman described the role played by the Council of Europe and the European Court of Human Rights in the abolition of the death penalty in Europe and, in particular, how these institutions accelerated the political processes that have made Europe, with the exception of Belarus, which is not a member of the Council, a death penalty-free zone since the mid-1990s. Dikman also outlined how the two institutions have developed a body of case law and legal tools that shape the abolitionist agenda of European governments in their interaction with retentionist countries, such as the principle of non-refoulement, measures against the trade in goods used for the death penalty, and the recognition that conditions of detention on death row amount to cruel, inhuman and degrading treatment. In conclusion, Dikman emphasised the essential role of Protocols 6 and 13 to the European Convention on Human Rights in eradicating the death penalty in Europe.

Recommendations

- **Ensure that abolition of the death penalty for all crimes is enshrined in the Constitution to align with the object and purpose of Article 6 of the International Covenant on Civil and Political Rights (ICCPR), in line with General Comment No. 36 of the Human Rights Committee;**
- **Advocate ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (OP2), and for support to and ratification of the regional protocols;**
- **Change the discourse by discussing alternatives to the death penalty and genuinely effective measures to combat crime.**

Find out more

- WCADP, *What is the Risk that the Death Penalty Will Return in Your Country?*
- WCADP, *Just One More Step: Ratifying International and Regional Protocols*, March 2022.
- WCADP, *Keep the death penalty abolished in the Philippines*, March 2021.

Workshop

Making abolition of the death penalty a norm of customary international law

Facilitators

Anna-Maria Getoš Kalac, Professor of Law, University of Zagreb – Croatia

Xavière Prugnard, Representative to the African Union and Head of the Programme on the Abolition of the Death Penalty, FIACAT – France

William Schabas, Professor of International Law, Middlesex University – United Kingdom

This workshop aimed to train participants on the customary international law norms relevant to the abolition of the death penalty and to explore ways of enshrining abolition in international law through customary international law or jus cogens norms. Given the highly academic nature of the subject, a key challenge of the workshop was to reconcile the theoretical and practical approaches in order to provide participants with the tools needed to mobilise these concepts in abolitionist advocacy.

“The leading research on the death penalty demonstrates: It is not a justifiable function of legitimate government; [i]t violates human rights; and therefore, [i]t contravenes the peremptory norms of general international law (jus cogens). For all of the above reasons, the undersigned understand that the proscription of the death penalty from punitive systems is a demand based on the right to life and the right not to subject human beings to torture or inhuman treatment, which we consider to be rights integral to jus cogens.”

▶ Berlin Declaration signed by thirty-two international experts including Robert Badinter (France), Jose-Luis Zapatero (Spain), Federico Mayor Zaragoza (Spain), William Schabas (UK), John Bessler (US).

In line with this objective, it was important to distinguish between jus cogens and customary international law, and also between norms prohibiting the death penalty, such as the prohibition of torture or the right to life, and those limiting its application, both from the point of view of the characteristics of the emergence of these norms and the degree of constraints they imply, even though these categories may sometimes overlap.

The working groups drew up an advocacy strategy for the abolition of the death penalty, using customary international law standards, and identified the next steps required for recognition of the death penalty as contrary to customary international law.

Recommendations

- Create more links and tools for collaboration between academics and abolitionist actors on the ground in order to promote the development of knowledge about customary international law and jus cogens, and their use in awareness-raising and advocacy work;
- Develop joint awareness-raising and advocacy strategies to achieve recognition of the link between the death penalty and torture.

Find out more

- Declaration on the abolition of the death penalty as a peremptory norm of international law (jus cogens) on the occasion of the 8th World Congress Against the Death Penalty, November 2022.
- WCADP, Factsheet – The death penalty: a road paved with torture, 10 October 2022.
- Position paper – The Death Penalty and the Prohibition of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, August 2021.
- William A. Schabas, *The Customary International Law of Human Rights*, May 2021.
- WCADP, *How to work with the African Commission on Human and Peoples' Rights for the abolition of the death penalty*, February 2020.

Workshop

A new approach: the example of abolition of the death penalty in the member states of the OIC

Facilitators

Sarah Belal, Founder and Executive Director, Justice Project Pakistan – Pakistan

Nael Georges, Author of the ECPM Study on the process of abolishing the death penalty in member states of the OIC – France

The aim of this workshop was to examine abolition processes in the member states of the Organisation of Islamic Cooperation (OIC) and to exchange with participants on different approaches to abolitionist advocacy with national authorities. The facilitators intended to introduce the subject of the death penalty and Islam, exploring the compatibility of the norms of Islamic law and international human rights law. They sought to engage participants in dialogue through two working groups, one exploring the implementation of international human rights law standards in Muslim countries and the other examining successful advocacy strategies that have mobilised stakeholders in these countries on the issue of the death penalty.

The workshop highlighted the importance of freedom of expression in abolitionist countries, which allows abolitionist activists to publicly oppose the death penalty without the risk of imprisonment or murder. The facilitators also stressed the importance of taking Islam into account in abolitionist advocacy and addressed the retentionist argument that abolition of the death penalty is contrary to Sharia law. Participants agreed that there is no consensus on the absolute necessity of applying the death penalty among the different currents of Islam. They also emphasised that the death penalty is always part of a singular historical, social and economic context and that advocacy and awareness-raising strategies must be adapted accordingly. The facilitators reiterated that the death penalty is an intrinsically political sanction, widely used against opponents in violation of their rights, including freedom of religion.

Recommendations

- Create a database of persons sentenced to death in OIC retentionist States, enabling categorisation according to the exercise of power and consultation of legal reforms and developments in case law relating to criminal law and the death penalty in particular;
- Develop a toolkit of arguments and precedents for lawyers working in Muslim states who represent people facing the death penalty;
- Establish a forum of abolitionist parliamentarians so that they can exchange and share strategies to combat any extension of the death penalty or to limit its application.

Find out more

- JPP, *Criminalising torture in Pakistan – The need for an effective legal framework*, 2022.
- JPP, *Death Penalty in Pakistan – Data Mapping Capital Punishment 2022*, 2022.
- KontraS and ECPM, *The death penalty in law and in practice – Indonesia*, October 2022.
- ADPAN and ECPM, *The death penalty in law and in practice – Malaysia*, October 2022.
- Mauritanian Human Rights Association and ECPM, *The death penalty in law and practice – Mauritania*, October 2022.
- Droits et paix and ECPM, *The death penalty in law and practice – Cameroon*, July 2022.
- Algerian League for the Defence of Human Rights and ECPM, *The death penalty in law and practice – Algeria*, July 2022.
- Moroccan Coalition Against the Death Penalty and ECPM, *The death penalty in law and practice – Morocco*, July 2022.
- Tunisian Coalition Against the Death Penalty and ECPM, *The death penalty in law and practice – Tunisia*, April 2022.
- JPP, *Trapped Inside – Mental Illness and Incarceration*, 2021.
- Eleos Justice, *Killing in the name of God – State-sanctioned violations of religious freedom*, 2021.
- ECPM, *The process of abolishing the death penalty in member states of the Organisation of Islamic Cooperation, Overview*, 2021.
- ECPM, *The process of abolishing the death penalty in member states of the Organisation of Islamic Cooperation*, 2020.
- JPP, *A “most serious crime” – Pakistan’s unlawful use of the death penalty*, September 2016.
- JPP, *Policy brief – Public Hanging is a Violation of Human Dignity and the Constitution of Pakistan*

Roundtable

Sexual violence and the death penalty: reaffirming the universality of human rights

Bangladesh, DRC, India, Pakistan, Senegal, Tunisia

Opening address

Hanne Sophie Greve, Commissioner of the International Commission against the Death Penalty (ICDP), former judge at the European Court of Human Rights – Norway

Speakers

Bharti Ali, Co-founder and Executive Director, HAQ Centre for Child Rights – India

Mohammad D. Ashrafuzzaman, Programme Coordinator, Asian Legal Resource Centre and Head of Bangladesh Desk, Asian Human Rights Commission – Hong Kong

Aissétou Kanté, President of the Commission on Children's Rights, Association of Senegalese Women Lawyers (AJS) – Senegal

Valérie Khan, Independent consultant – Pakistan

Chokri Latif, President, Tunisian Coalition Against the Death Penalty – Tunisia

Charlène Yangazo, Coordinator, *Outre Neuve Asbl* – Democratic Republic of Congo (DRC)

Moderator

Neetika Vishwanath, Head (Sentencing) and member of the Project 39A Executive Steering Committee – India

In a global context of increased freedom of expression in relation to gender-based violence, some voices are calling for perpetrators to be punished more severely. While the laws in sixteen countries still carry the death penalty for the crime of rape,¹¹ many other states are considering its reintroduction, in blatant disregard

¹¹ World Coalition Against the Death Penalty, *The 8th World Congress reaffirms the importance of gender-based discussions*, December 2022.

of the views of gender and children's rights experts. Adopting a victim-oriented approach, the roundtable focused on the instrumentalisation by authorities of public demands for justice, to avoid addressing the roots of sexual violence. The discussion also aimed to promote cooperation and the creation of partnerships between members of the abolitionist movement and women and children's rights activists, to advocate for abolition of the death penalty as a response to rape.

The session began with an exchange between the moderator and Hanne Sophie Greve on the total absence of data proving that the death penalty is an effective sanction for preventing and reducing gender-based and sexual violence. The Commissioner also pointed out that the crime rate in abolitionist countries had not increased. Given these statistics, the question remains why states continue to apply the death penalty for these crimes. The moderator invited the speakers to describe the problem of sexual violence in their country, to explain its pervasiveness and its various forms and, finally, to outline how it is perceived and understood in their local cultures.

“If a crime has been committed, we frequently see that society will turn its back both to the victim and to the offender. If the victim is underprivileged, poor, from a marginalised group, maybe no one cares at all, and they won't see justice in their case. On the other hand, if the victim has support from a community, family, etc., we may see that the society turns its back to the perpetrator. There will be a big pressure on the prosecution to find the one who is responsible.”

▶ Hanne Sophie Greve, ICDP Commissioner.

The discussion revealed that the common denominator between the various forms of sexual violence – including sexual abuse, rape, sexual exploitation, child marriage, harassment and online violence – is that they are rampant in society. Despite criminalisation, sexual violence remains rooted in patriarchal, misogynistic, sometimes feudal or tribal structures, as well as in regressive religious narratives. Charlène Yangazo, who spoke about the prevalence of sexual violence in DRC, particularly in areas affected by armed conflict where sexual violence is used as a weapon of war, also remarked that poverty is a major factor in the widespread perpetration of sexual violence. In DRC, as in other countries, sexual violence is marked by taboos, shame and, often, a lack of understanding of the phenomenon, particularly when children are involved.

Faced with a problem so deeply entrenched in society, rather than tackling the root causes of sexual violence, some governments consider that the death penalty is the appropriate response. In this regard, Bharti Ali noted that there is a common thread between laws relating to sexual violence and the death penalty: they are guided by morality and patriarchy rather than evidence and rationality. It is interesting to note that, in the majority of cases, it is not the reparation

sought by victims of these forms of violence that justifies use of the death penalty. Aissétou Kanté pointed out that punishing perpetrators is often not the first priority expressed by survivors of gender-based violence. They do, however, frequently express a need for psychosocial, psychological and economic reparation.

Valerie Khan and Mohammad D. Ashrafuzzaman highlighted the omerta that continues to surround rape in many countries, and the risk that this may lead to a decrease in reporting by victims in countries where the death penalty is the punishment for this crime. Since the majority of rapes are perpetrated by people close to the victim, the latter may be reluctant to file a complaint or experience pressure not to do so, especially when a member of their family could face a death sentence. This problem is compounded by the way cases of rape are dealt with by police, sometimes in a hostile manner, lacking appropriate skills or actively dissuading survivors from filing complaints. Several speakers therefore recommended focusing on forensic mental health, police training, justice reforms and the implementation of participatory processes.

All the speakers emphasised that the repressive rhetoric calling for the death penalty for rape is also based on a dehumanisation of sexual offenders. This approach contributes to the depoliticisation of rape, by making it a personal issue, involving “deviant” individuals, whereas rape is a societal problem. The focus on the death penalty as a repressive solution means that the underlying causes of sexual violence are not analysed, which prevents the emergence of collective initiatives aimed at changing the culture of rape.

Finally, Chokri Latif drew participants’ attention to the fact that in Tunisia the campaign to reinstate the death penalty is relaunched every time a heinous crime or terrorist act is committed in the country. Indeed, the Tunisian President recently stated that he supported the reinstatement of the death penalty following the rape and murder of a young girl.

Latif denounced the instrumentalisation of people’s emotional reactions for political purposes. He considered that this response does not address the failings of the State, particularly in terms of security, that it is an obstacle to combating discrimination against women, and that it runs counter to the gains and achievements made in modernising the country since the 1950s and 60s.

Recommendations

- **Reaffirm the universality of human rights and raise public awareness of these issues, while recognising local specificities, concerns and needs in order to develop effective abolitionist strategies;**
- **Build relationships and networks between the abolitionist movement and women’s and children’s rights organisations;**
- **Advocate for the abolition of the death penalty for sexual violence, while focusing on the root causes of the problem and adopting a more victim-centred approach that respects human rights.**

Find out more

- Eleos Justice, ADPAN and the SAME Network, *A Deadly Distraction: Why the Death Penalty is not the Answer to Rape in South Asia*, May 2022.
- The Advocates for Human Rights, *Human Rights Day Webinar Death Penalty for Rape in Bangladesh*, February 2021.
- JPP, *Policy Brief – Public Hanging is a Violation of Human Dignity and the Constitution of Pakistan*, July 2020.

Watch the roundtable in full here:



Workshop

Supporting civil society in the Middle East

Facilitators

Julia Bourbon Fernandez, Head of Middle East and North Africa Office (MENA) Desk, ECPM

– France

Duaa Dhainy, Researcher and advocacy associate at the European Saudi Organisation for Human Rights (ESOHR) – Lebanon

Drewery Dyke, Senior Research Fellow at the Foreign Policy Centre and International Partnerships Focal Point at Salam for Democracy and Human Rights (Salam DHR) – Canada and United Kingdom

Rafic Zakharia, Lawyer and member of the Lebanese Association for Civil Rights – Lebanon

Despite a worldwide drop in death sentences, four of the world's five leading executioners are countries in the MENA region. After China, which remains at the top of the list in terms of the approximate number of people executed, they are Iran, Egypt, Saudi Arabia and Syria. These countries also rank among those where civic space is most restricted and where it is most difficult for human rights defenders to carry out their work. In this context, this workshop aimed to assess the needs of civil society in the Middle East in order to strengthen international collaboration and support. It also provided an opportunity to discuss the drafting of a resolution and the upcoming Regional Congress Against the Death Penalty, to be held in Amman (Jordan) in July 2023.

The facilitators began the session by giving an overview of the use of the death penalty in the MENA region. They highlighted the specificities and differences of each country and sub-region and noted that among the common features of these diverse political and social contexts is the poor administration of justice. Participants then worked in groups to identify the main needs of civil society actors to advance abolition in countries where civil society space is restricted. Sharing and drawing on successful experiences and good practices in the Middle East in various areas (monitoring, advocacy, capacity building, particularly for lawyers), participants identified tools and recommendations that could be explored to advance abolition of the death penalty in the region.

Recommendations

- Strengthen advocacy with states that have diplomatic relations with countries in the Middle East to ensure that human rights, particularly the issue of the death penalty, are at the heart of all diplomatic exchanges;
- Analyse the legislation of states to identify specific advocacy points in order to strengthen the case for reducing the scope of death penalty;
- Contribute to improving cohesion of civil society working in and on these countries;
- Develop training for civil society actors, lawyers and judges;
- Raise awareness among young people and the general public.

Find out more

- Salam DHR, *End the use of the death penalty: Summary recommendations to states for the Universal Periodic Review (UPR) of Bahrain*, November 2022.
- ESOHR, *Saudi Executions in 2021 – Fluctuating political stability*, 2022.
- Kurdistan Human Rights Association – Genève (KMMK-G), *Interim Annual Report on the Situation of Human Rights in Kurdistan of Iran for the period: 1st January to september 2022*, 2022.
- Reprieve, *The Death Penalty in Egypt – Ten Years After the Uprising*, January 2022
- ECPM and WCADP, *Iraq's compliance with the ICCPR regarding the death penalty*, January 2022.
- Salam DHR, *The Death Penalty in Bahrain – A system built on torture*, October 2021.
- Salam DHR, *World Day Against the Death Penalty: Joint Appeal-Bahrain*, October 2021.
- Reprieve and Migrant Care, *Worked to Death: A study on migrant workers and capital punishment*, August 2021.
- Reprieve and ESOHR, *Mid-term report for the Universal Periodic Review of the Kingdom of Saudi Arabia*, June 2021.
- Reprieve and BIRD, *From uprising to executions – The death penalty in Bahrain, ten years on from the Arab Spring*, 2021.
- ECPM, *Situation de la peine de mort en Égypte*, December 2020.
- ECPM, *Vivants, sans l'être. Mission d'enquête au Liban*, 2020
- ECPM-IHR, *Rapport annuel sur la peine de mort en Iran*, 2023

Workshop

Intellectual and psychosocial disabilities

Facilitators

Colleen Adnams, Emeritus Professor of Intellectual Disability, Department of Psychiatry and Mental Health, University of Cape Town – South Africa

Dobby Chew, Executive Coordinator, Anti-Death Penalty Asia Network (ADPAN) – Malaysia

Maitreyi Misra, Head of the Mental Health & Criminal Justice team and the Death Penalty Mitigation team, Project 39A – India

This workshop provided an opportunity to raise awareness on intellectual and psychosocial disabilities and offered an overview of the many recent developments in this area. Two case studies were used to strengthen the capacity of participants to detect the intellectual and psychosocial disabilities of two individuals on the basis of medical reports and health records, to develop litigation strategies to make these disabilities visible and relevant before the courts, and to build advocacy strategies with public authorities.

The facilitators reaffirmed the importance of distinguishing between different concepts and being able to identify them among death row prisoners. They stressed the importance of dispelling the myth that there is a hierarchy of mental health issues. They also highlighted the disproportionate prevalence of intellectual and psychosocial disabilities among death row prisoners and the lack of effective access to care, despite the existence of effective prevention and treatment options.

The participants also examined the elements of international law on disability and the death penalty, highlighting the difference in approach between the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of Persons with Disabilities (CRPD). These two approaches can be reconciled by ensuring access to justice for persons with intellectual or psychosocial disabilities through appropriate procedural adjustments, taking into account the specific risk of wrongful execution and eliminating discriminatory barriers.

Recommendations

- Strengthen the capacity of abolitionists to detect psychosocial and intellectual disabilities affecting death row prisoners, and to develop effective and relevant litigation, advocacy and awareness-raising strategies based on an inclusive approach, such as that promoted by the United Nations Committee on the Rights of Persons with Disabilities;
- Create links with organisations that defend the rights of people with disabilities, particularly those specialising in intellectual and psychosocial disabilities.

Find out more

- JPP, *Safeguarding the Rights of Mentally Ill Defendants: The Supreme Court of Pakistan's Landmark Judgment*, 2022.
- The Advocates for Human Rights, *Japan's Compliance with the International Covenant on Civil and Political Rights: The Death Penalty*, September 2022.
- The Advocates for Human Rights, *Pakistan – Stakeholder Report on the Death Penalty for the United Nations Universal Periodic Review*, 14 July 2022.
- JPP, *Supreme Court Mental Illness Verdict – Safia Bano v. Home Dept*, 2021.
- JPP, *Trapped Inside – Mental Illness and Incarceration*, 2021.
- Project 39A, *Deathworthy: A Mental Health Perspective of the Death Penalty*, October 2021.
- JPP et Amnesty International, *Prisoners of the Pandemic – The right to health and Covid-19 in Pakistan's detention facilities*, December 2020.

Workshop

Sexual minorities, gender-based discrimination and the death penalty

Facilitators

Ajita Banerjee, Research and Policy Officer, International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), Asia – Thailand

Céline Martin, Independent consultant, Author of *10 questions on the death penalty for LGBTQIA+ people* – France

This workshop aimed to design strategies to improve understanding among local civil society organisations, lawyers and journalists, of the ways in which criminal laws, including those on the death penalty, are used to repress gender and sexual minorities. The facilitators and participants discussed the current application of the death penalty against LGBTQIA+ people and the challenges involved. For example, the gender identity of people accused of crimes can play a role in their trials and convictions, even if they were not arrested for homosexuality. The facilitators also highlighted the lack of information on the demographic groups concerned and the need to develop research in the field, obtain funding and for specific legal assistance training. Collective strategies to counter anti-LGBTQIA+ laws, policies and political statements were also discussed.

Participants explored ways of supporting local LGBTQIA+ rights groups and ensuring the protection of abolitionist actors who raise awareness and inform the public about the executions of sexual minorities, such as lawyers and journalists. These include developing specific tools to represent LGBTQIA+ people sentenced to death in connection with their sexual orientation, sharing essential information on which activists can base their campaigns and carrying out comparative studies on developments in other countries.

On 21 March 2023, the Ugandan Parliament passed by a near unanimous vote one of the world's most repressive laws against LGBTQIA+ people. The law provides for life imprisonment for same-sex sexual relations or for the mere

“promotion” of homosexuality. It also provides for the application of the death penalty in the case of an HIV-positive person having sexual relations with a person of the same sex.¹²

Recommendations

- Bring national legislation into line with international law and standards by removing legal provisions that allow the death penalty to be used for offences that do not reach the threshold of the “most serious crimes”;
- Repeal all discriminatory laws that punish same-sex sexual relations and non-normative gender expression;
- Guarantee judicial transparency by publishing full and detailed information, disaggregated by gender identity and sexual orientation.

Find out more

- ILGA Asia, *Briefing Note – Abolish the Death Penalty and its Arbitrary Use to Punish LGBTIQ Persons*, 2022.
- ECPM, *10 questions on the death penalty for LGBTQIA+ people*, November 2022.
- The Advocates for Human Rights, *Uganda – Committee Against Torture – Alternative Report Relating to the Death Penalty*, October 2022.
- The Advocates for Human Rights, *Uganda – Human Rights Committee – LGBTI rights*, May 2022.
- Cornell Center on the Death Penalty Worldwide, *Defending Women and Transgender Persons Facing Extreme Sentences: A Practical Guide*, October 2021.
- Cornell Center on the Death Penalty Worldwide, « No One Believed Me »: *A Global Overview of Women Facing the Death Penalty for Drug Offenses*, September 2021.
- The Sentencing Project, National Black Women's Justice Institute, Cornell Center on the Death Penalty Worldwide, *In The Extreme: Women Serving Life Without Parole and Death Sentences in the United States*, 2021.
- Eleos Justice and Capital Punishment Justice Project, *State-Sanctioned Killing of Sexual Minorities: Looking Beyond the Death Penalty*, February 2021.
- WCADP, *Primer on Transgender Individuals Facing the Death Penalty*, October 2021.
- The Advocates for Human Rights, *Uganda – Universal Periodic Review – LGBTIQ+ Rights*, July 2021.

12 <https://www.radiofrance.fr/franceinter/podcasts/geopolitique/geopolitique-du-jeudi-23-mars-2023-9110814>

CRIMINALISATION OF HOMOSEXUALITY: FROM PRISON TO THE DEATH PENALTY

- 61 countries have jurisdictions which criminalise private, same-sex, consensual sexual activity. All of them criminalise men and 42 criminalise women.
- 11 jurisdictions can or do impose the death penalty for same-sex intimacy.

MAURITANIA

Despite the moratorium on executions observed since 1987, Article 308 of the Criminal Code stipulates that "any adult Muslim man who has committed an indecent act or an act against nature with an individual of the same sex will be punished to death by public stoning". For women, the sentence is 2 years' imprisonment and a fine.

SAUDI ARABIA

Under Sharia law, sexual relations between men are deemed an offence but punishment is not clearly specified. Although the sentence to be imposed may however be subject to debate between courts, given that sexual relations outside marriage* are in any event illegal, punishment for a married man is generally stoning (and 100 lashes, as well as one year of exile for men who are single).

QATAR

The 2004 Criminal Code no longer makes sodomy or other same-sex relations between consenting persons crimes per se. Notwithstanding, courts may also refer directly to Sharia law and as such sentence Muslim men to death for homosexual relations.

IRAN

The 1991 Criminal Code makes sodomy a crime punishable by death for responsible, consenting adult men. The punishment for female homosexuality is one hundred lashes for the first 3 offences recorded, then the death penalty is applied for a 4th offence.

AFGHANISTAN

Although the Afghan Criminal Code does not contain any explicit provisions prohibiting consensual sexual relations between people of the same sex, Article 130 of the Constitution enables Sharia law to be invoked. As such, any sexual relation outside marriage* may be punishable by death.

PAKISTAN

Homosexuality, made illegal in the 1860 Criminal Code, is punishable by death. In this country, where Sharia law is applied, homosexuality, bisexuality and transidentity are profoundly taboo.

BRUNEI

New legislation implementing Sharia law in this country was scheduled for May 2014, whereby homosexuality was to become a crime punishable by death whereas until this date a maximum sentence of 10 years' imprisonment was prescribed. In May 2019, the Sultan of Brunei announced a moratorium on the death penalty for homosexuality and adultery.

UNITED ARAB EMIRATES

Under Sharia law, any sexual act outside marriage* is punishable by death. The States of Abu Dhabi and Dubai have federal laws which stipulate prison sentences for sodomy (respectively 14 and 10 years' imprisonment).

YEMEN

Pursuant to Article 264 of the 1994 Criminal Code, sodomy is punishable by death by stoning for married men (and 100 lashes or one year's imprisonment for unmarried men). Article 268 punishes sexual relations between consenting women with up to 3 years' imprisonment.

SOMALIA

Sharia law is applied in Southern Somalia, in Emirates controlled by al-Shabaab, as well as in Somaliland. It punishes same-sex relations to death or flogging.

NIGERIA (12 NORTHERN STATES)

Under Sharia law, 12 States in the north of the country impose the death penalty for male homosexuality. Women incur prison sentences or flogging. Since January 2014, same-sex marriage, organizations linked to LGBTI+ persons and intimate relationships in public are criminalized by law. In States where homosexuality is not as severely repressed, punishments currently range from 10 to 14 years' imprisonment.

* Here, marriage refers exclusively to heterosexual marriage, i.e. between two persons of different sex.

** A new Sharia-based Criminal Code came into effect in Brunei on 3 April 2019. On 5 May, the Sultan announced that he would continue to maintain the moratorium on the death penalty in effect since 1957.

In July 2020, Sudan abolished the death penalty for homosexual people (which applied until then to repeat «offenders»). Homosexuality, however, is still criminalised there today.

SEXUALITY IS PUNISHABLE BY DEATH / IN 11 COUNTRIES, HOMO



JOIN US!

www.ecpm.org

@AssoECPM

#AbolitionNow

Exhibitions

in parallel to the Berlin Congress

In parallel to the 8th World Congress Against the Death Penalty, two exhibitions were organised to raise awareness on the issues surrounding the death penalty and increase the visibility of victims of this cruel and inhuman punishment.

“Final Moments on Death Row” **Marc Asnin and Scott Langley**

“Final Moments on Death Row” is an exhibition that combines the New York artist Marc Asnin’s recent text-based work, “Final Words”, consisting of the last statements of executed prisoners in the state of Texas, and Scott Langley’s photo documentary, *Timeline of an Execution*, which chronicles both inside and outside a prison during an execution.

At the initiative of the two artists, the respective works of Marc Asnin and Scott Langley were placed face to face to create a dialogue between them, exhibited in parallel on self-supporting structures to create a setting evocative of death row. The exhibition ran for a fortnight and engaged the entire university community, given its strategic location in a passageway used by a large number of students.

The opening of the exhibition was preceded by a conference featuring speeches by administrative and academic representatives of the Freie Universität, ECPM representatives, Ndume Olatushani, a former death row prisoner in the state of Tennessee, and a musical performance by one of ECPM’s local partners, the German Coalition to Abolish the Death Penalty.

Marc Asnin is renowned for his long-term work with images. He is an acclaimed documentary filmmaker and photographer, and his work, in particular *My Uncle Charlie*, has been published in major newspapers, including the *New Yorker* (US) and *Le Monde* (France).

Photographer Scott Langley has worked for a number of NGOs, including Amnesty International.

“The Faces of Abolition” **Christophe Meireis and Marie Bardiaux-Vaïente**

The exhibition “The Faces of Abolition” combined the work of photographer Christophe Meireis, who took portraits of leading figures in the abolition movement in their respective countries and gave them a voice in the form of powerful quotations, with that of researcher Marie Bardiaux-Vaïente drawing on archives about witnesses to abolition in Europe. Panels were displayed on the gates of Humboldt University, a major thoroughfare in Berlin. Over twenty-five days, around 12,500 people viewed the exhibition.

In a context marked by the extension of the death penalty in Belarus, the threat of its reinstatement in Russia and the blatantly problematic practice in the annexed Ukrainian territories, a public conference was organised in collaboration with Humboldt University on 14 November 2022 on the death penalty from a European perspective, with the participation of a group of experts on the issue.

The group of experts included:

Yoan Vilain, Representative for International and European Affairs, Humboldt University

Raphaël Chenuil-Hazan, Executive Director, ECPM

Martin Heger, Doctor and Law Professor, Humboldt University

Marie Bardiaux-Vaïente, Researcher and contributor to the exhibition “The Faces of Abolition”

Susan Kigula, Former death row prisoner in Uganda

Christiane Taubira, Former French Minister of Justice

“Final Moments on Death Row” exhibition



“The Faces of Abolition” exhibition on the railings of Berlin’s Humboldt University





Debra Milke, former death row prisoner in the United States, addressing the audience at the opening ceremony of the 8th World Congress Against the Death Penalty

THE FACES OF THE FIGHT AGAINST THE DEATH PENALTY

The fight against the death penalty is led by many people who have dedicated their lives to promoting human rights and protecting human dignity: they are the “faces” of abolition of the death penalty. They play a crucial role in raising public awareness, mobilising governments, developing policies and cooperation at all levels for abolition of the death penalty. Their efforts have contributed to significant progress in many countries towards the permanent abolition of this barbaric and inhuman practice.

These “faces” include witnesses, in other words people who have been directly affected by the death penalty, such as former death row prisoners and their families. Their testimonies shed light on the failings of the judicial system, the inhumanity of prison conditions, the death row phenomenon, the execution of innocent individuals, psychological and physical torture, and all the forms of injustice inherent in capital punishment.

Other actors are also essential to accompany and support the work of witnesses. They include, of course, lawyers and judges who work on the front line, at the heart of the judicial system, directly dealing with those facing the death penalty. But they are not alone in having a strong influence on the fight for abolition of the death penalty. Journalists, for example, also have a major role to play in raising public awareness on the death penalty, as do national human rights institutions (NHRIs), whose work, combined with that of civil society actors, is also essential to achieving changes in policies on the death penalty. Finally, mobilising new non-conventional actors, such as businesses, can also have an influence and advance the fight to abolish capital punishment.

Former death row prisoners: key witnesses to the death penalty

As in earlier editions of the World Congress, a large number of witnesses attended and took part in the Berlin Congress to give a voice to those affected by the death penalty and to share with participants their experiences and the effects of capital punishment on their lives.



Yaovi Azonhito – Former death row prisoner, Member of ACAT Benin – Benin

Yaovi Azonhito was sentenced to death in 1997 and spent 25 years on death row before being granted presidential clemency. Since then, he has testified about the atrocious conditions of detention of people sentenced to death. He is a member of ACAT Benin.



Antoinette Chahine – Former death row prisoner, Anti-death penalty and anti-torture activist – Lebanon

Antoinette Chahine was accused of participating in the murder of a priest in 1994 and was arrested for a crime of which her brother, a member of the Lebanese Forces, in exile at the time of the events, was accused by the state of Lebanon. She was sentenced to death in 1997 on the basis of two testimonies obtained under torture, which were later withdrawn. After being tortured and imprisoned for five years, she was released in 1999 as a result of the mobilisation of international civil society and her lawyer. Antoinette has participated in many editions of the World Congress Against the Death Penalty and campaigns against the death penalty and torture, in particular by meeting with students and young prisoners.



Mohamed Cheikh Ould Mkhaitir – Former death row prisoner – Mauritania

Mohamed Cheikh Ould Mkhaitir is a Mauritanian blogger sentenced to death for blasphemy and detained for five and a half years for criticising the use of Islam to justify caste discrimination in Mauritania. Mohamed is among the many Mauritians sentenced or persecuted for denouncing these forms of discrimination, as well as the legacy of slavery in his country. In May 2018 and June 2019, UN human rights experts called for his release and expressed concern about his deteriorating health. Mohamed was finally released in 2019 and found refuge in France.



Hsieh Chih-hung – Former death row prisoner – Taiwan

In 2000, Hsieh Chih-hung was accused of being the accomplice of Kuo Chun-wei in a double murder and rape. He was first convicted in October 2001 and spent nineteen years on death row, claiming that his confession had been extracted under torture. Seven new trials found Hsieh and Kuo guilty and confirmed their death sentences, before Taiwan's High Court overturned

the decision. Hsieh Chih-hung's case is one of many in recent years where death row prisoners have been convicted and sentenced to death on flimsy evidence, before having their sentences overturned.



Ahmed Haou – Former death row prisoner, Anti-death penalty activist – Morocco

Ahmed Haou, then a student, was sentenced to death in 1984 for undermining the state's internal security after holding up placards against the regime during a peaceful demonstration. His sentence was later commuted to life imprisonment before he was finally pardoned in 1999, following pressure from international organisations. Ahmed's only crime was to have expressed his opposition to the regime, to have exercised his right to freedom of expression. Ahmed's story illustrates the use of the death penalty to repress dissent, in violation of international law. In 2021, he published a testimonial book, *Rescapé de la morgue*, recounting his ten years on death row.



Susan Kigula – Former death row prisoner, Founder of the Susan Kigula African Child Foundation – Uganda

Susan Kigula was arrested in 2000 and sentenced to death in 2002 for the murder of her husband, despite always maintaining her innocence. During her fifteen years in prison, she founded a choir of death row prisoners and obtained a law degree from the University of London. In 2009, following her appeal,

Uganda's Constitutional Court ruled that the mandatory death penalty, the execution of a death row prisoner more than three years after his or her final sentence, and execution by hanging were contrary to the Constitution. This landmark ruling reduced the number of death sentences and the number of people on death row. Since her release in 2016, Susan Kigula founded the Susan Kigula African Child Foundation to help disadvantaged children.



Keith Lamar – Death row prisoner in Ohio – United States

Keith LaMar was sentenced to death in 1993 following a riot in the prison where he was incarcerated, which resulted in several deaths. Identified by other prisoners as the instigator of the rebellion, despite numerous contradictory accounts, he received the death sentence and has been on death row ever since. During his years in prison, Keith has become an avid reader, writing regularly and in 2014 published *Condemned: The Whole Story*. For the past ten years, the association Justice for Keith LaMar has been working to help him tell his story. Catalan pianist Albert Marquès heard about Keith for the first time in 2020. Over the following months, the two men struck up a friendship around their shared passion for jazz and organised a support concert

featuring songs chosen by Keith, who also spoke between performances via pre-recorded videos. In the wake of the concert's success, Keith and Albert took the experience further, recording their first joint album, *Freedom First*, in 2022. Accompanying Keith's lyrics with jazz rhythms, Albert offers him a platform to express emotions and reflections matured by thirty years spent on death row, as well as the writing skills he developed during that time.



Herman Lindsey – Former death row prisoner, Executive Director of Witness to Innocence – United States

Herman Lindsey was sentenced to death for the robbery and murder of a pawnbroker in Florida in 1994. In 2009, the Florida Supreme Court ruled by a unanimous vote that there was insufficient evidence against him and that he had not received a fair trial. Herman was exonerated after spending three years on death row. Today, he works with at-risk youth and is involved in criminal justice reform as Director of Witness to Innocence, Board Member of Floridians for Alternatives to the Death Penalty and Ambassador for Represent Justice. He hosts a programme called "Cruel Justice" where he interviews guests on topics related to criminal justice reform and lectures in the United States and abroad.



Joaquin Martinez – Former death row prisoner, member of Witness to Innocence – United States

Joaquin Martinez was acquitted after spending four years in prison for a double murder he did not commit. At his retrial, key witnesses changed their stories and withdrew their testimonies, and all admitted that detectives had corrupted them. In addition, a key piece of evidence – an audio cassette of allegedly incriminating statements – was ruled inadmissible. The tape was so inaudible that the first jury had been provided with a transcript, altered by the victim's father, then in charge of the Sheriff's Office evidence room. At the retrial, Joaquin was acquitted of all charges. His case attracted international attention, including from the Pope, the King of Spain and the Spanish Prime Minister at the time. Joaquin now lives in Spain and campaigns for the abolition of the death penalty worldwide.



Juan Roberto Meléndez-Colón – Former death row prisoner, member of Witness to Innocence – United States

Juan Roberto Meléndez-Colón spent seventeen years, eight months and one day on Florida's death row for a crime he did not commit, before being exonerated in 2002. Juan, who could not afford a lawyer, was sentenced to death in a week, even though there was no physical evidence against him. Had it not been for the chance discovery of a transcript of the recorded confession of the person responsible for the crime, sixteen years after Juan Roberto was sentenced to death, he would almost certainly have been executed. Since his release, Juan Roberto has shared his story with tens of thousands of people in the United States, Canada and Europe. His story is featured in the internationally acclaimed documentary, *Juan Meléndez 6446*.



Debra Milke – *Former death row prisoner, member of Witness to Innocence – United States*

Debra Milke spent twenty-two years on death row for a crime she did not commit. In 1989, her world collapsed when her 4-year-old son was found dead after going to the shopping centre with a friend to see Father Christmas. She was arrested, interrogated, charged with the murder of her own child and sentenced to death on the basis of false evidence and biased justice. Debra fought for her freedom for over twenty years, studying law, reading legal documents and looking for a new lawyer. Her sentence was finally overturned in 2013 by the Federal 9th Circuit Court of Appeals. Despite this victory, the pain of losing her son persists. She continues to fight against the death penalty and campaigns to ensure that no one is ever subjected to such injustice.



Ndume Olatushani – *Former death row prisoner – United States*

Ndume Olatushani, sentenced to death in Tennessee in 1985 for the murder of a grocer during a robbery, spent twenty-eight years in prison, including twenty on death row, in a cell where he could not stretch out his arms, for 23 hours a day. When he was allowed out, he had chains on his feet, “tied up like an imaginary monster”, in his words. Art helped him to survive, gave him hope, a reason to stand up and not give up. After twenty years of fighting to prove his innocence, the Tennessee authorities offered him an Alford plea, allowing the convicted man to waive his official acquittal in exchange for his immediate release. Ndume accepted but lost his right to vote and his right to compensation for the twenty-eight years he spent in detention while innocent.



Pete Ouko – *Former death row prisoner, Founder and Executive Director of Crime Si Poa – Kenya*

Pete Ouko, the father of two young children, was sentenced to death for the murder of his wife in 2001. He spent almost eighteen years on death row, testifying about the difficulties of surviving while awaiting execution. He was pardoned in 2007 and released in 2016. Since then, he has been involved in defending the rights of prisoners, founding and running the association Youth Safety Awareness Initiative. Pete is also fighting to uncover the truth about his wife’s murder so that he and his children can move on. In 2007, he set up Crime Si Poa, an organisation that aims to support and offer vocational and civic training to young Kenyans to prevent them from committing crimes or re-offending. The organisation also offers a resource centre for former prisoners where they can start an activity and begin their lives again.



Ron Wright – *Former death row prisoner, member of Witness to Innocence – United States*

Ralph “Ron” Wright Jr was an Air Force sergeant and Orange County sheriff’s deputy who wrongfully spent three years in custody. Ron was charged with the murder of a woman and her young son in 2007. Despite the absence of physical evidence, weapon or testimony incriminating Ron, he was convicted based on

potential motive and opportunity. In 2017, the Florida Supreme Court ruled that all the evidence against him was purely circumstantial. He was acquitted of murder and became the 27th person to be exonerated from the death penalty in Florida. Ron now lives in Florida and fights for the abolition of the death penalty.



Firmin Yangambi – *Former death row prisoner, Lawyer at the International Criminal Court and President of the NGO Paix sur terre – Democratic Republic of Congo*

Firmin Yangambi, a former political prisoner, is a lawyer and human rights activist. In 2010, he was sentenced to death for “illegal possession of weapons of war and attempting to organise an insurrectional movement”, then to twenty years in prison on appeal for “forming an insurrectional movement”. Firmin has always contested these charges. He was finally granted a presidential pardon in March 2019, after ten years in prison, but is still the victim of judicial harassment. His election as President of the Tshopo Bar Association was cancelled on the grounds of ineligibility following a criminal conviction. Today, Firmin says he fears for his life because of the pressure he is facing, but he continues to fight for justice and human rights.

Death row prisoners and their lawyers: a unique partnership

Introductory remarks by the facilitators

Debra Milke, Former death row prisoner – United-States

Rafic Zakharia, Lawyer and member of the Lebanese Association for Civil Rights – Lebanon

Opening addresses

Edmont-Claude Frety, Lawyer and Board Member of ECPM – France

Richard Sedillot, Lawyer and Board Member of ECPM – France

Julie Couturier, President of the Paris Bar – France

First roundtable: testimonies from Democratic Republic of Congo

Liévin Ngondji, Lawyer, co-founder and President of *Culture pour la paix et la justice* – Democratic Republic of Congo

Firmin Yangambi, Lawyer and former death row prisoner – Democratic Republic of Congo

Musical interlude

Diana Ezerex, Singer and composer – Germany

The Mondëna Quartet, Artists – Germany

Second roundtable: testimonies from Malaysia

Agiilandeswari Mainthan, Daughter of Mainthan Arumugam, death row prisoner – Malaysia

Dobby Chew, Executive Coordinator, Anti-Death Penalty Asia Network

Third roundtable: testimonies from the United States

Sandrine Ageorges-Skinner, Member of ECPM, wife of death row prisoner Hank Skinner – United States

Robert Owen, Lawyer for many death row prisoners, including Hank Skinner – United States

Ndume Olatushani, Former death row prisoner – United States

David H. Herrington, Lawyer – United States

Video

Rhonda Neff, Lawyer representing Debra Milke – United States

Conclusion

Fatimata M'Baye, Lawyer and Chair of the Mauritanian Human Rights Association – Mauritania

The relationship between a lawyer and a client is always unique and complex. In death penalty cases, this relationship is particularly important because it can save a life. But it is precisely in capital cases that developing and maintaining a good relationship can be difficult, if not impossible. Many governments keep people on death row isolated from other prisoners and their families, which means that their lawyer is sometimes their only link with the outside world. Death row prisoners are also often subjected to psychological torture and held in extremely difficult conditions. In these circumstances, establishing a relationship of trust can be a real challenge, requiring good communication, a high level of professionalism, a great deal of respect and, above all, humanity.

The singular intimacy of this partnership was at the heart of the last evening event organised by ECPM at the Berlin Congress, sponsored by the Paris Bar. Following introductory remarks by ECPM's Board Members, Richard Sedillot and Edmond-Claude Frety, and by the President of the Paris Bar, all three of whom are lawyers, the programme focused on testimonies from "couples" formed by lawyers and their clients (or their clients' family members). The three groups of speakers, from DRC, Malaysia and the United States, and Fatima M'Baye's closing speech, highlighted the particularities of the relationship between death row prisoners and their lawyers, the challenges faced but also the courage, hope and friendship fostered by this relationship. Musical interludes performed by Diana Ezerex and The Mondëna Quartet added to this intense and moving event.

Watch the event in full here:



Workshop

Identifying the death row phenomenon

Facilitators

Yaovi Azonhito, Former death row prisoner – Benin

Carole Berrih, Founder and Director, *Synergies Coopération* – France

Văn Đài Nguyễn, Lawyer and co-founder of the Vietnam Committee for Human Rights – Vietnam

Nordine Drici, Founder and President of *Planète Réfugiés – Droits de l'homme* – France

This workshop aimed to define the death row phenomenon from the perspective of those sentenced to death and to develop a clear and relevant advocacy tool for abolitionist actors. The death row phenomenon is characterised by the prolonged detention of convicts in very harsh conditions, resulting in higher rates of psychological and psychiatric disorders than in the rest of the prison population, such as paranoia, hallucinations, self-mutilation, suicidal thoughts, depression and loss of sense of reality. These symptoms are known as “death row syndrome”.

This workshop began with the testimonies of Yaovi Azonhito, a former death row prisoner in Benin, and Văn Đài Nguyễn, sentenced to 15 years in prison in Vietnam for “carrying out activities aimed at overthrowing the people’s administration”, a charge that could have led to a death sentence. Drawing on these testimonies and case studies from different countries, participants split into groups to reflect on the definition and consequences of death row phenomenon. The various components of death row syndrome were also discussed. Finally, the participants shared their thoughts in a plenary session, outlining the main elements of the phenomenon with a view to conducting advocacy.

Find out more

- JPP, *Serving Time: Pakistan’s Prisons Through the Ages*, 2022.
- ECPM, *Isolation and desolation: conditions of detention of people sentenced to death (Malaysia)*, May 2020.
- ECPM, *Dehumanized: the prison conditions of people sentenced to death in Indonesia*, April 2020.
- ECPM, *Vivants, sans l’être: mission d’enquête (Liban)*, January 2020.
- ECPM, *Towards a silent death: conditions of detention of people sentenced to death (Democratic Republic of the Congo)*, December 2019.
- ECPM, *Sentenced to oblivion: fact-finding mission on death row (Cameroon)*, January 2019.
- ECPM, *Le bagne au pays des sables: peine de mort, conditions de détention et de traitement des condamnés à mort (Mauritanie)*, January 2019





Hank Skinner

4 April 1962 – 16 February 2023

**Exclusive text by Hank Skinner
for the 8th World Congress Against the Death Penalty (September 2022)**

“Anyone who has never been sentenced to death and spent some years on death row just cannot really understand what it’s like. They simply have no life experiences to assimilate it with. Don’t mess with Texas, they say!

And Texas ain’t kidding at all. Before the COVID-19 pandemic, Texas usually killed about one prisoner every other week, often more.

There is a constant threat of death after your third or fourth year here. As well, there is a pall of oppression and death, a sense of doom, depression and darkness that hangs over Texas death row. It never leaves or lessens. Condemnation pressed down from the courts, victims’ families, pro death penalty sources, the news media and the public at large. All of this combines to create, as I often say about Texas death row, ‘It’s a desperate place, full of desperate people, with desperate needs.’ I’ve been here twenty-seven years for a crime I didn’t commit. On March 24, 2010, I came within twenty-three minutes of being executed. From the beginning, I thought I was certainly going to die. I had only one claim in the US Supreme Court, that I authored myself, to gain access to the evidence to include DNA to prove my actual innocence. My lawyer, whom I had more or less forced to file it, told me repeatedly it was going to get me killed. I thought: ‘Well, you fellas, you’re on the late show, again in case you hadn’t noticed, they’re killing me anyway today!’

All of the above, and more, is why, in a Texas death penalty case, you have got to have good lawyers and, most importantly, you have to have good rapport and a good relationship with them. Because you have to trust them with your life.

Steven C. Losch was my hero. He was an NAACP [National Association for the Advancement of Colored People] lawyer trained by George Kendall. He was considered ‘the best’ in Texas capital defense, to the point he wrote the book on it. Today, it’s still put out by the Texas Criminal Defense Lawyers Association, and it is called, in his honour, the *Losch Capital Defense Manual*.

When he and I first met, we instantly hit it off. He was a New York Yankee, born and raised in the Bensonhurst section of Brooklyn, and he had the nose, nasal accent to go with it. He was a former boxing promoter, which made him a fierce courtroom warrior. He was a wheeler-dealer type and very persuasive. He was a litigation genius.

The captain of death row back then was quietly anti-death penalty, so he let Steven call on Saturdays and get me to his office to talk to him. Together, we constructed my first state habeas writ, and it was a real humdinger piece of work. Well, it was so good the trial judge blew a fuse, defaulted it, it never got heard. To this day, I have never had a state habeas writ heard by a state trial or appeals court. That was in March 1999.

Unfortunately, Steven died unexpectedly in May 2003. I was devastated. He was only 54 years old.

A few months later, I got a letter from George Kendall, who was then senior staff counsel at the NAACP, that does indigent capital and other defense, telling me, ‘Hank, this guy is different from Steven, but I trained him too. He’s a Harvard graduate, he has Texas death penalty experience, and I think he’ll work well with your senior counsel, Doug Robinson. Just give him a chance, Hank. I think you’ll be pleased with his work. His name is Robert C. Owen.’

When I first met him, my impression was of a college kid. He was much older than that but didn’t look like it. He’s born the same year as I, a month and a few days older than me. He’s from Georgia. I’m from south Virginia. So, we’re practically home boys.

But I wasn’t ready to accept him. I was like a kid whose dad had died, and now it’s a year later, mum has met a new man, and this guy is trying to make a connection with a 13-year-old boy who idolised his dad and views this new guy as some interloper, unfit substitute. He wasn’t Steven Losch.

We argued, we disagreed, but Rob hung in there. Finally, in 2005, at the conclusion of my evidentiary hearing in federal court, both Rob and Doug gave me a hug. Doug is a father figure to me, and he has shown such enormous care and patience with me, it's truly amazing. He's the smartest person I ever met. I do not always agree with him, but still it's obvious he cares. The hug Rob gave me, I leaned into it and hugged him back the best way I could. And what a hug it was. As I just told him at our September 30th visit, that hug still sustains me to this day. I love Rob like a brother. He amazes and moved me when he sent me postcards from his vacation in Europe. I couldn't help but think, 'Wow, this guy only takes a two-week break in a year, yet he thinks of me and sends me a card.'

As time went on, we started talking about law and ideas at our visit. I've always thought Rob and Doug are too nice, too cordial, too diplomatic, especially so considering their adversarial opponent is the executioner.

Rob Owen has matured into a great triple A [international legal certification] capital appeals defense lawyer. Doug was already a master litigator and negotiator. Rob is an impassioned orator, one of the best at all arguments I've ever seen. Doug is a cross-examiner of adversarial witnesses, experts and others, without equal.

These two attorneys are the best money cannot buy. They make O.J. Simpson's 'dream team' look like a group of amateurs. The short of this is, I'm very lucky. I got the two best in the nation representing me pro bono, who treat me with respect and kindness. I thank them both for the time and energy and care they dedicate to prove my innocence and save my life."



Sandrine Ageorges-Skinner

Wife of Hank Skinner

Hank is gone...

From one decade to the next, from one execution date to the next and from one World Congress to the next, Hank always fought tirelessly for the freedom and rights of everyone. His letter, written for the 8th World Congress in Berlin in November 2022, reflects all aspects of his personality: his humour, his zest for life, his instinct for survival, his love of the law and his gratitude to those who have supported him since he was sentenced to death in Texas in 1995, in particular his lawyers, for whom he had great affection and unwavering admiration.

For his daily struggles on death row to improve prison conditions, for the legal aid he provided to his friends on death row, for his innate sense of fairness, he paid the high price of continuous and often painful reprisals. He never gave up the fight to prove his innocence, nor did he lose hope of succeeding.

However, the unjust force over life decided otherwise. Shortly after the 8th World Congress Against the Death Penalty, he suffered a stroke that left him half-paralysed, with serious memory and speech problems. The prison waited more than ten days before admitting him to hospital and didn't inform me at all. His friends in the same detention block had to write to his lawyers to warn us of his alarming state of health. I was only alerted by the hospital when he was admitted to intensive care at the beginning of December 2022. After tests, he was diagnosed with advanced brain cancer and underwent surgery a few days later. His lawyers and I had no access to his doctors, but I was able to communicate daily by telephone with the intensive care nurses. They never failed to inform him of my calls,

which reassured him that he wasn't being abandoned to the sad fate he quickly understood.

After three weeks in hospital, he was transferred to the so-called "medical unit" of a prison north of Huntsville, where I was able to visit him once a week, a squalid place, a sort of "mouroir" where prisoners are abandoned. I wondered what happened to prisoners who had no family or friends to worry about them... Hank was recovering quite well from his operation, but he told me straight away that they were going to leave him there until he died and that he would never see the light of day again. As always, he was very realistic and worried about me going through all this, and often apologised as if it was all his fault. I noticed, between our first two visits, that he hadn't been fed for three days, he was weak and dehydrated. When I asked the warden in charge of the visiting room, she simply replied, "Oh, it's probably because he's on death row so they don't go to his cell..." It very quickly became clear to me what level of care he was receiving. And, with his lawyers, we fought a daily battle to obtain access to his medical file and his doctors. It took us over a month to consult his medical file and we were never able to have any contact with his doctors until the day before he died, when one of them contacted me to tell me that he was back in hospital and that the latest tests were not good at all. As death row inmates are not entitled to contact visits, I had to obtain special authorisation from the regional prison administration to be able to visit him in intensive care, which was granted for the following morning, even though it was by no means certain that he would get through the night.

In the end, we gave each other the best farewell present, he waited for me, and I was able to take the decision that was needed to free him from this horrible prison that had locked up his body and mind, as if his death sentence hadn't been traumatic enough. He passed away while we were together, hand in hand for an hour, talking to him, reassuring him and supporting him as best I could in this completely disarming situation.

Although his end was cruel, we can only remember his laughter, the strength of his commitment and the injustice that robbed him of his life.

Now a new battle begins. With the appeal process now null and void since his death, proving his innocence posthumously is going to be extremely complicated. But on his behalf, we must never give up, because the death penalty is torture for all those who come close to it.



Sandrine Ageorges-Skinner, reading the letter sent by her husband, Hank Skinner, at the plenary session "Death row prisoners and their lawyers: a unique partnership"

KEY PLAYERS IN THE FIGHT AGAINST THE DEATH PENALTY

Key witnesses event
with many actors
in the abolitionist struggle



Roundtable

Same fight, same risks: lawyers and journalists as actors for abolition

United States, Iran, Singapore, Tanzania

Speakers

Sandra Babcock, Law professor, Founder and Director of the Cornell Center on the Death Penalty Worldwide – United States

Kambiz Ghafouri, Journalist – Finland

Kirsten Han, Journalist – Singapore

Anna Aloys Henga, Lawyer and Executive Director of the Legal and Human Rights Center – Tanzania

Fatimata M'Baye, Lawyer and Chair of the Mauritanian Human Rights Association – Mauritania

Video

Maurice Possley, Journalist and Senior Researcher, National Registry of Exonerations
– United States

Moderator

Michel Beuret, Editorial Director, *Fondation Hironde* – Switzerland

Whether representing clients facing the death penalty or keeping the public informed on the use and status of the death penalty, lawyers and journalists are key players in the fight for abolition. This roundtable focused on the challenges they meet, the ethical and deontological questions they may face, as well as the common risks they experience as human rights defenders and civil rights protectors.

“In Iran, we should not only fight for the right to abolition. But we should fight for the right to talk about that.”

 **Kambiz Ghafouri**, Journalist

“At the same time while being so proud of the death penalty, the Government does not want to release information on the death penalty. We have to be the ones to keep shedding light on this issue, to tell the stories of the prisoners on death row, to be reporting and documenting on all the executions that happen. Just so that we can keep pushing it in front of people and make them face it and make it harder for them to dismiss it as an abstract problem.”

 **Kirsten Han**, Journalist

The discussion began with Kirsten Han describing the obstacles she has faced as a result of her work against the death penalty in Singapore. She said that she had been the subject of two complaints for “unlawful public assembly”, which is the government’s way of censoring human rights activists, including those who speak out against the death penalty. Even though eleven executions were carried out in the country in 2022, the media and the government never provide details on the application of the death penalty in Singapore. Fatimata M’Baye responded to this point by saying that in Mauritania, although the state no longer executes those sentenced to death, the majority of the population supports capital punishment and that, as a result, state censorship is compounded by social censorship. Kambiz Ghafouri spoke about censorship in his country, Iran, where the death penalty is considered to be part of “divine law”. Criticism of the death penalty is therefore regarded as a crime.

In contrast, in Tanzania, as Anna Aloys Henga explained, it is entirely acceptable and straightforward to talk about the death penalty. But this openness also has a negative impact on abolitionist initiatives in the country. The issue of abolishing the death penalty is often seen as an unimportant matter that is not a priority for judges or politicians.

While the death penalty is often a social and cultural issue, it is first and foremost a highly political issue and instrument. As Ghafouri pointed out, the number of sentences or executions can increase considerably depending on the political context. The death penalty then becomes an instrument used to spread fear among the population and control society. Commenting on this, Han said that human rights defenders in Singapore are aware of being under surveillance by the authorities, but pointed out that, despite these threats and contrary to what the government would have people believe, the public is extremely supportive of their work, making donations and mobilising on social networks. This show of compassion encourages her to continue fighting to expose the truth about the application of the death penalty in the country.

The challenges and risks faced by lawyers and journalists were then discussed. Speaking on this issue, M’Baye recalled that she had once been personally threatened and even imprisoned, but that she had decided not to succumb to fear and to continue her work, pleading for sentences other than the death penalty.

Sandra Babcock explained that lawyers and journalists often face common challenges such as lack of resources, lack of training on the death penalty and, more generally, their invisibility in the fight against capital punishment due to their professional obligations.

These common challenges call for closer collaboration between lawyers and journalists on death penalty cases. According to Babcock, the only way to achieve effective collaboration is to build relationships of trust over time. They may not always have the same goals (journalists may be opposed to the death penalty but cannot say so without breaching their professional duty of neutrality, or lawyers may not want to be seen as activists), but it is essential to maintain active channels of communication between them. Babcock considers that it is important in any death penalty case to have a media strategy that allows lawyers either to explain to journalists why the defence team does not want to communicate with them or, on the contrary, to take advantage of their capacity to reach a wide audience in order to change public opinion and shed light on the truth about their client.

The session concluded with a video presentation by Pulitzer Prize-winning journalist Maurice Possley. Possley spent several years working for the *Chicago Tribune*, the newspaper which, in 1999, published a report on the criminal justice system in Illinois, the fifth largest state in the United States. The report identified numerous flaws and injustices in the criminal justice system and led the governor at the time to declare a moratorium on all executions in the state, on the advice of a host of lawyers and journalists. Possley stressed the key role played by journalists in shifting the debate on the death penalty from the issue of the justice of the death penalty to that of trusting an imperfect system to punish the right people. The involvement and collaboration between journalists and lawyers helped to cast a spotlight on issues that anti-death penalty campaigners and lawyers had been arguing for many years.

Recommendations

- **Guarantee the independence and protection of lawyers and journalists as human rights defenders, by recommending and introducing necessary reforms;**
- **Create links and networks between lawyers and journalists in order to raise public awareness on people sentenced to death or executed and related human rights issues;**
- **Establish networks and adopt international standards to protect human rights defenders, such as lawyers and journalists, in order to provide them with assistance, support, temporary relocation or any other measure necessary to ensure that they can carry out their vital work.**

Find out more

- Organisation pour la sécurité et la coopération en Europe, Bureau des institutions démocratiques et des droits de l'homme, *The death penalty in the OSCE Area – Background Paper 2022 – Special Focus: the role of lawyers in capital punishment cases*, 2022.
- World Coalition Against the Death Penalty, *Factsheet for Defense Lawyers*, 2020.

Watch the roundtable in full here:



Roundtable

The role of judges in relation to the death penalty

Cameroon, United States, India, Kenya

Speakers

Elsa Alcalá, Lawyer and former judge of the Texas Court of Criminal Appeals – United States

Marie-Laure Amandja, Judge and Substitute Public Prosecutor at the First Instance Court of Yaoundé Ekounou – Cameroon

Lavu Nageswara Rao, Former judge of the Supreme Court of India – India

Joel Ngugi, Judge of the High Court of Kenya – Kenya

Moderator

Dr Idrissa Sow, Chair of the Working Group on the Death Penalty, African Commission on Human and Peoples' Rights – Senegal

“Judges are terrible politicians,”¹³ and yet they are the key players in the administration of justice and, hence, in the administration of one of the most politicised issues: the death penalty. This roundtable discussed the various facets of the role of judges and prosecutors, addressing issues such as the concept of integrity, the psychological impact of administering the death penalty, their obligations and, most importantly, their contribution to and influence on the process of abolition of capital punishment.

Marie-Laure Amandja opened the discussion by emphasising that judges in Cameroon do not receive any specific training on the death penalty. In addition, they are not subject to any specific provisions concerning the imposition of death sentences. Although chief judges sometimes recommend that judges carefully consider cases and show restraint before imposing the death penalty, Amandja considers this insufficient. In her view, training should be provided to highlight the ineffectiveness of the death penalty in curbing crime, as well as the psychological and social impact of capital punishment on convicted offenders and their families. She also argues that judges should be accompanied by experts in psychology, psychiatry, sociology and criminology, and that they should organise visits

to prisons to observe the conditions of detention on death row. Finally, judges and prosecutors should be trained to re-characterise the facts of a case and promote the consideration of mitigating factors.

Lavu Nageswara Rao underlined that, in India, in addition to the issue of judicial training, there is the issue of inconsistencies in the application of procedural safeguards in death penalty cases. Judges must respect a multitude of legal safeguards and protections when making decisions on the death penalty. These safeguards include the requirement for specific reasons to justify a death sentence, a thorough investigation of aggravating and mitigating factors, a two-stage procedure and a public hearing for review proceedings. Governors and the President may also grant pardons, reprieves, remissions and commutations. In practice, however, these safeguards are applied arbitrarily and inconsistently, and Rao recommends introducing a mandatory appeal to the Supreme Court to address these concerns. Rao also considers that requirements for transparency and intelligibility of procedure in criminal cases could positively impact on death sentences and on the mental health of defendants and could reduce the possibility of wrongful convictions. The realisation of this ideal would require major investment in terms of funding, staff training and institutional priorities for prison systems. Concrete measures would include training of well-paid lawyers, availability of translators and access to well-equipped meeting rooms.

The second part of the roundtable focused on the influence judges can have on abolition of the death penalty in retentionist countries. After describing how his abolitionist conscience had been shaped since childhood by religion, Joel Ngugi argued that the abolitionist conscience of judges can, in his view, help to highlight the issues raised by death penalty in cases before them, which can sow a seed or fuel jurisprudential and legal reflection leading to abolition. Ngugi pointed out, however, that there are sometimes risks associated with a judge publicly expressing his abolitionist convictions. This is a risk that the last speaker at the roundtable, Elsa Alcalá, did not want to take. She did not announce openly that she was an abolitionist until she retired, fearing that if she did so before that prosecutors would seek her recusal on the grounds of her bias against capital punishment.

Both speakers agreed that judicial decisions have a crucial role in the process of abolishing the death penalty. For example, in 2017, the Supreme Court of Kenya declared that the mandatory death penalty for murder was unconstitutional, stressing that sentencing is a matter for the judiciary and not for parliament. Finally, the key issue of the impartiality and independence of judges was addressed. In this regard, Alcalá pointed out that in some states, such as Texas, judges are appointed by election or are subject to pressure from the public and prosecutors, which poses a major threat to the abolition of the death penalty.

¹³ DPIC, *Public Statements by Justices on the Death Penalty*, 2015.

Recommendations

- Guarantee, through the adoption of necessary reforms, the independence and impartiality of the judiciary and compliance with appropriate judicial standards and safeguards such as the Bangalore Principles of Judicial Conduct;
- Advocate for the recognition of the primacy of international law in national constitutions in order to facilitate the use of these standards by judges;
- Train judges and prosecutors and raise their awareness on human rights, including the death penalty and related issues, including the philosophical, historical, sociological and psychological aspects;
- Mobilise judges in the abolitionist movement and encourage their participation at the next World Congress Against the Death Penalty.

Find out more

- World Coalition Against the Death Penalty, *Factsheet for Judges*, October 2020.
- JPP, Research Society of International Law et Lawgic LLP, *Benchbook – International Human Rights and the Criminal Justice System in Pakistan*.

Workshop National human rights institutions, civil society and the fight for abolition

Animateurs

Mustapha Najmi, Advisor to the Presidency of the National Human Rights Council – Morocco
Marie-Lina Pérez, Head of Africa/Asia Desk, ECPM – France

During the 6th World Congress Against the Death Penalty in 2016, the issue of the role of national human rights institutions (NHRIs) in the fight against the death penalty was raised, and their importance has since been regularly highlighted. Indeed, while civil society plays a crucial role in the abolition of the death penalty, NHRIs are not to be overlooked, whether in terms of monitoring of conditions on death row or informing and raising public awareness on human rights violations. This workshop sought to find ways of involving NHRIs in abolitionist processes and to develop a framework of good practices for working with NHRIs in states applying a moratorium on the death penalty, as well as in retentionist states.

Drawing on ECPM's *Abolition of the Death Penalty: A Practical Guide for NHRIs*, published in 2019, and the World Coalition on the Death Penalty's *How to Work with NHRIs to Abolish the Death Penalty*, published in 2022, participants considered the role of NHRIs in abolishing the death penalty from a range of perspectives. They also discussed cooperation between NHRIs and civil society, including the definition of civil society and examples of good practice. They addressed the issue of strengthening the autonomy of NHRIs and their mission, particularly in terms of transparency, protection of abolitionist actors and promotion of the vote for a universal moratorium on the use of the death penalty.

Recommendations

- Include NHRIs in abolitionist processes and strengthen their collaboration with civil society to achieve abolition of the death penalty:
 - Involve civil society in all NHRI activities;
 - Encourage NHRIs to support training and capacity-building for civil society;
 - Create awareness-raising activities between both actors, jointly support legislation, share best practices around the world, agree on processes and steps to be taken towards abolition, encourage reciprocal participation in their respective activities;
 - Clarify the role of NHRIs and that of civil society organisations (CSOs) and ensure consistency in the positioning of NHRIs.
- Strengthen cooperation between NHRIs and civil society:
 - Share good practices between NHRIs;
 - Organise advocacy on ratification of the Second Optional Protocol to the ICCPR and moratorium;
 - Build the capacity of NHRIs on the principles that govern them;
 - Identify issues that do not offend the government;
 - Advocate for increased funding;
 - Expand the mandate of NHRIs and support them in their mandate;
 - Promote the political independence of NHRIs and introduce internal democracy to strengthen this independence;
 - Recommend that the government protect CSOs, develop joint advocacy with NGOs;
 - Encourage transparency in the appointment of NHRI members;
 - Facilitate meetings or discussions between the government and civil society.

Find out more

- WCADP, *How to Work with National Human Rights Institutions to Abolish the Death Penalty*, November 2022.
- ECPM, *A Practical Guide for NHRIs*, 2019.

Workshop

How to engage businesses and non-conventional actors in the fight against the death penalty

Facilitators

Blaire Andres, Head of Death Penalty Projects (US), Reprieve – United Kingdom

Maya Foa, Joint Executive Director, Reprieve – United Kingdom

Lena Patel, Chief External Affairs Officer, Responsible Business Initiative for Justice (RBIJ) – United Kingdom

Although the mobilisation of non-conventional actors is a relatively new issue, their influence makes them key players. Following on from the 7th World Congress Against the Death Penalty which addressed the contribution of businesses to the abolitionist movement, one of the challenges for this workshop was to build the capacity of congress participants and provide them with practical tools to identify and mobilise relevant non-conventional actors, and raise their awareness, in their respective countries.

With this objective in mind, two exercises were used: firstly to help participants identify the non-conventional actors operating in their jurisdictions, to recognise factors that may favour or limit their commitment to opposing the death penalty and to develop a mobilisation strategy; and, secondly, to devise an advocacy strategy in real time through role-play.

Factors that favour mobilisation of non-conventional actors include comprehensive research into the company's economic sector, the company itself, the profile of its executives and their partnerships, as well as the consistency of the proposed action with the company's brand image, corporate mission and ethics. The company's history of taking a public stance on other human rights issues and its involvement on the issue of the death penalty were identified as factors strongly encouraging non-conventional actors to get involved in the fight against the death penalty.

Find out more

- European Union, *Alliance for Torture-Free Trade*.
- ECPM and RBIJ, *Business Leaders against the Death Penalty*.
- Médias 24, *Création d'un réseau d'entrepreneurs contre la peine de mort au Maroc*, October 2022.

Film screening: The State of Texas vs. Melissa

A screening of *The State of Texas Vs Melissa*, a documentary filmed in 2020 by Sabrina Van Tassel, took place on 16 November 2022 at the Babylon Cinema in Berlin. The film follows the case of Melissa Lucio, who was the first Hispanic woman to be sentenced to death in Texas. It was selected for the Tribeca Film Festival in 2020 and won the Best Documentary Award at the Raindance Film Festival.

Melissa Lucio has been on death row since 2007, after being convicted of the abuse and murder of one of her children. On 25 April 2022, Melissa Lucio was granted a stay of execution by the Texas Court of Criminal Appeals. She remains on death row but no longer faces imminent execution. The screening was followed by a question and answer session with John Lucio, Melissa's son, Sabrina Van Tassel, the director, Christiane Taubira, former French Minister of Justice, and Aminata Niakaté, ECPM President. A large audience turned out that evening to watch this deeply moving film, which reveals the racial and social discrimination in the Texas criminal justice system and the use of the death penalty for political ends.



Christiane Taubira, former Minister of Justice, Sabrina Van Tassel, director, and Aminata Niakate at the screening of the film *The State of Texas vs. Melissa* at the Babylon cinema in Berlin

▲ All the participants in the Abolition Now Tour reunited in Berlin to share their experiences and their commitment to universal abolition ▲

SIDE MEETINGS



Open and private meetings

Several side meetings were organised in parallel to the Congress. These events, both private and open, were opportunities for abolitionists to meet, exchange ideas and pursue debates outside the framework of the academic programme.

WEDNESDAY, 16th NOVEMBER

HALLE
400p. – interp.

STUDIO B
80p. – interp.

STUDIO C
80p. – interp.

KUBE
35p. – no interp.

ATELIER A
20p. – no interp.

PRIVATE MEETING
13:00 → 14:00

ECPM

The role of NHRIs
in the processes of abolition
of the death penalty

PRIVATE MEETING
13:00 → 14:00

ECPM

The role of parliamentarians
in the processes of abolition
of the death penalty

OPEN MEETING
13:30 → 15:00

DPIC

Politics, Human Rights
and the Death Penalty
in the United States

PRIVATE MEETING
13:00 → 15:00

**WORLD COALITION
AGAINST THE DEATH PENALTY**
Steering Committee

OPEN MEETING
13:15 → 14:15

**SOUTH ASIA AND MIDDLE EAST
(SAME)
NETWORK AGAINST
THE DEATH PENALTY**
Stocktaking
and the way(s) forward

OPEN MEETING
13:30 → 15:00

**GERMAN COALITION TO
ABOLISH THE DEATH PENALTY**
Providing prisoners
on death row with pen pals

OPEN MEETING
15:15 → 17:15

ECPM - ABOLITION NOW TOUR

Transition workshop:
What's next? Building
sustainable engagement

OPEN MEETING
15:15 → 16:45

ICDP

How states abolish the death
penalty: case studies

OPEN MEETING
14:30 → 15:30

**OXFORD UNIVERSITY,
DEATH PENALTY
RESEARCH UNIT**

Mapping Death Row: foreign
nationals sentenced to death
across Asia and the Middle East

OPEN MEETING
15:15 → 16:45

THE RIGHTS PRACTICE
Effective defence
in death penalty cases in Asia

PRIVATE MEETING
15:15 → 16:15

IMPACT IRAN & ECPM
Death penalty in Iran:
advocacy strategies

THURSDAY, 17th NOVEMBER

OPEN MEETING
17:00 → 18:30

ADPAN EC

Challenging the State:
The role the international
community in protecting
front-line human rights
defenders

OPEN MEETING
17:00 → 18:30

**IBAHRI, PARIS BAR
& GERMAN BAR ASSOCIATION**

Roadmap to abolition:
what role for bar associations?

PRIVATE MEETING
17:00 → 18:30

**FRANCOPHONE AFRICAN
COALITION AGAINST
THE DEATH PENALTY**
General Assembly

PRIVATE MEETING
17:00 → 18:30

ECPM

Moratorium resolution:
advocacy strategy

Open meetings

Thursday 17th November

South Asia and Middle East (SAME) Network Against the Death Penalty: Stocktaking and the way(s) forward

South Asia and Middle East (SAME) Network

This open meeting allowed members of the Network to present and take stock of joint actions, sharing with participants effective and innovative strategies to combat the death penalty through litigation, multidisciplinary research, and creative communications. It was also an opportunity to reflect on the effectiveness of a regional network as a tool to enhance solidarity and coordination, drawing on a specific evaluation, presented at the meeting. Finally, members and participants discussed next steps, outlining common goals for the upcoming years, and ways to ensure the sustainability of the Network. The open nature of the meeting allowed participants to learn more about the work of Network members and discuss their insights as abolitionist experts in a complex region, while reflecting on the value of a regional, informal, flexible, members-led network against the death penalty.

Politics, human rights and the death penalty in the United States

Death Penalty Information Center (DPIC)

A panel discussion on politics, human rights and the death penalty in the United States. The panel featured former US Senator Russ Feingold, former Maryland Governor Martin O'Malley, and death-penalty experts Sandra Babcock, Faculty Director and Founder of the Cornell Center on the Death Penalty Worldwide, and Robert Dunham, Executive Director of the Death Penalty Information Center as well as a video presentation by Ohio State Senators Nickie Antonio and Stephen Huffman on their bipartisan efforts for abolition of the death penalty in their state. The debate was moderated by Robert Dunham.

Providing prisoners on death row with pen pals

German Coalition to Abolish the Death Penalty

One of the focuses of the German Coalition to Abolish the Death Penalty is the arrangement of pen-pal friendships with prisoners on death row in the

United States. The workshop addressed the benefits of pen pals for both sides as well as different systems of arranging pen-friendships and their advantages and disadvantages. It also covered potential problems and how to deal with them, the perception of pen pals in the media, pen pals for minors, etc. Following the event at the World Congress, the Coalition, along with other workshop participants, is in the process of creating a new network: "Pen Pal Partners – Networking for Death Row Prisoners" network.

Abolition Now Tour transition workshop: What's next? Building sustainable engagement

ECPM

The aim of this workshop was to bring together the young members of the six Abolition Now Tour delegations (from Democratic Republic of the Congo, Indonesia, Kenya, Lebanon, Morocco and the United States) to reaffirm their commitment to act for abolition of the death penalty in their country. Following completion of their priority actions, this workshop aimed to give them the impetus to consolidate their mobilisation and to define next steps within the work of local NGOs.

How states abolish the death penalty: Case studies

International Commission against the Death Penalty (ICDP)

This meeting aimed to launch and discuss the content of ICDP's new report on "How states abolish the death penalty". This document reviews the experiences of countries and US states as they moved towards abolition. Drawing on these lessons and experiences, the document provides guidance to states on how to abolish the death penalty. This work provides an essential contribution to the promotion of abolition of capital punishment in all regions of the world.

Sub-Saharan Africa in the vanguard of abolition: Recent developments and jurisprudence

Cornell Center on the Death Penalty Worldwide et Reprieve

During this session, a panel discussed new developments and resources in the fight for abolition of the death penalty in Sub-Saharan Africa. Attendees also received a new guide to the jurisprudence of the African Court and Commission on the application of the death penalty.

Effective defence in death penalty cases in Asia

The Rights Practice

Increased effectiveness of lawyers leads to fewer death sentences. With fewer death sentences it is easier to argue for abolition of the death penalty. The Rights Practice has been working with organisations across Asia – China, India, Indonesia, Malaysia, Pakistan, Singapore and Taiwan – to research the national situation for lawyers taking death penalty cases. This includes the legal, institutional and other obstacles to lawyers being able to perform effectively in various Asian countries. During this open meeting, the organiser presented the findings across the region and opened a discussion on how to improve effectiveness and influence changes in the law.

Challenging the State: the role of the international community in protecting human rights defenders on the frontline

Anti-Death Penalty Asia Network (ADPAN)

The limiting of civil society space by authoritarian regimes is not a new practice. ADPAN members are increasingly restricted in their capacity to advocate for the abolition of the death penalty, to challenge other forms of state-sanctioned killing and to represent defendants facing the death penalty at their final hearings. Speakers from ADPAN member organisations in Bangladesh, the Philippines and Singapore shared their reflections on the realities of operating on the ground, the challenges of opposing state-sanctioned killing and what the international community needs to do to protect human rights defenders on the front line. The event was co-organised by ADPAN, Capital Punishment Justice Project and the Australian Embassy in Germany. The closing address was given by Philip Green, Australian Ambassador to Germany, Switzerland and Liechtenstein.

Mapping death row: foreign nationals sentenced to death across Asia and the Middle East

Death Penalty Research Unit, University of Oxford

The University of Oxford Death Penalty Research Unit presented its work on the creation of an interactive database mapping cases of foreign nationals sentenced to death across Asia and the Middle East and introduced its new project on mapping death sentences in drug-related cases. The aim of the meeting was also to invite attendees to subscribe to the case databases and/or collaborate with the Death Penalty Research Unit.

Roadmap to abolition: What role for bar associations?

International Bar Association's Human Rights Institute (IBAHRI), Paris Bar and German Bar

Cette réunion ouverte This open meeting explored the role of bar associations in both retentionist and abolitionist countries in efforts towards universal abolition.

The death penalty in Francophone countries

International Organisation of La Francophonie (OIF)

OIF, in partnership with the Parliamentary Assembly of La Francophonie, organised a French-speaking workshop attended by some forty participants, including parliamentarians, former ministers and members of national and international NGOs. The aim of the meeting was to take stock of progress and obstacles towards abolition of the death penalty in the Francophone area. The rich discussions identified a number of avenues to be explored in terms of advocacy for the adoption of the Second Optional Protocol to the International Covenant on Civil and Political Rights; for the abolition of capital punishment in penal codes and codes of criminal procedure; for the reduction of sentences punishable by death; for support to the universal moratorium on the use of the death penalty adopted every two years by the United Nations General Assembly; and for the adoption of a protocol to the African Charter on Human and Peoples' Rights on the abolition of the death penalty in Africa. The Francophone world has a strong abolitionist momentum: of the 82 member states of La Francophonie, only five have carried out executions in the last fifteen years. All the others have abolished capital punishment in law or in practice.

Private meetings

Wednesday 16th November

The role of NHRIs in the process of abolition of the death penalty

ECPM

The role played by national human rights institutions (NHRIs) in the promotion and protection of human rights is paramount. The death penalty and related issues, such as compliance with international human rights standards and minimum standards on trial and detention, fall entirely within their mandate. This private meeting was intended to promote the exchange of good practices between NHRIs in order to better integrate the issue of abolition of the death penalty in their strategies.

The role of parliamentarians in the process of abolition of the death penalty

ECPM

Parliamentarians have a fundamental role in abolition processes at the national and international level. This meeting aimed to share good practices and reflect on new strategies to strengthen progress towards abolition of the death penalty.

Thursday 17th November

Steering Committee of the World Coalition Against the Death Penalty

World Coalition Against the Death Penalty

The Steering Committee of the World Coalition Against the Death Penalty met on the fringes of the World Congress to develop the new strategy for the World Coalition 2023-2027. The meeting was open to all members of the World Coalition and approximately thirty organisations took part in the discussions. As an introduction, former US Senator Russ Feingold, President of the American Constitution Society, a new member organisation of the World Coalition, gave a speech on the death penalty in the United States and efforts to get the US to vote in favour of the UN General Assembly moratorium resolution.

General Assembly of the Francophone African Coalition Against the Death Penalty

Francophone African Coalition against the Death Penalty

The meeting provided an opportunity to gather the final signatures to complete the structure's legal documents and adopt the Coalition's annual action plan for 2023.

Death Penalty in Iran: Advocacy strategies

Impact Iran and ECPM

Meeting of Impact Iran members and other actors aimed at strengthening identification of advocacy strategies.

Moratorium resolution: Advocacy strategies

ECPM

Coordination meeting of the members of the World Coalition Against the Death Penalty involved in a common advocacy strategy on the vote of the UN General Assembly Resolution for a universal moratorium on the use of the death penalty.



CONCLUSION

Afterword



Amina Bouayach

President of the National Human Rights Council (Morocco)

Member of the Academic Committee responsible for preparing the academic programme of the 8th World Congress

Abolition: a fight for dignity and freedom

I congratulate ECPM on the successful organisation of the 8th World Congress Against the Death Penalty, which saw an increased mobilisation of abolitionists from the four corners of the world. The participatory approach adopted in the preparation of the Congress certainly played a part in this. There is no doubt that the diversity of the Academic Committee, which included representatives of human rights institutions, NGOs, experts and abolition activists, was reflected in the Congress programme, the themes chosen, and the speakers invited, enriching the quality of the debates and encompassing many issues of interest to the participants. The Congress saw the involvement of a growing number of young activists but also of political leaders, particularly from the African continent, testifying to a growing awareness of the issues surrounding abolition, particularly among the younger generations, and attesting to the relevance of the communication campaigns run by our colleagues.

As a result, the Congress took on a more universal dimension, defending the absolute supremacy of the right to life. It was in this universal context that the debates on the fifteen themes of the Congress programme took place. The Congress provided an opportunity to take stock of the situation in several continents and

countries. Between those who still apply the death penalty, those where there is a de facto moratorium, and those who have taken the step of abolition in law, an absence of consensus emerges on the non-derogable nature of the protection of the right to life, as is the case for the prohibition of torture.

For let there be no mistake, the absolute prohibition of the violation of the right to life must become a peremptory norm from which all rights flow. As abolitionists, our goal must be clear and unambiguous: for the international community to recognise the right to life as the primary, supreme and inalienable right that cannot be diminished or undermined.

So what strategies should be adopted to counter the lack of consensus on the sanctity of the right to life among those who are still reluctant? The Congress provided an ideal opportunity to find out. Through discussions with participants about their experiences, their achievements, their failures, their aspirations and their “abolitionist battles”, the main point to emerge was the need to adapt to diversity – diversity of contexts and cultures, diversity of backgrounds, diversity of stakeholders. It seems essential to adopt tailored approaches, which have to be constantly updated and renewed, and adapted to regional and national contexts.

However, underlying these continually updated strategies, three distinct and interrelated processes can be seen, requiring three levels of intervention: the societal level, the political level and the legal level.

The societal process for abolition is the foundation on which our intervention strategies must be built. This means instilling a growing awareness of the issues linked to the abolition of the death penalty, the absurdities that arise from its application, the moral and humanist values that demand its abolition and the human tragedies that surround any death sentence. One example is the “Draw me abolition” campaign launched by the National Human Rights Council among Moroccan art students. Raising young people’s awareness of the fight for abolition must be part of any educational programme promoting human rights and freedoms. To this end, new communication technologies can be a valuable means of reaching as many young people as possible. I also believe that it is essential to make serious efforts to simplify arguments and concepts in order to make abolitionist discourse accessible to all.

It is only once the societal movement has taken root that a real political momentum can emerge around the issue, aimed at political actors and leaders, regardless of their political affiliation or leanings, because the fight for abolition must not be reduced to a partisan or ideological issue. The aim of our advocacy, activities, conferences and meetings is to normalise abolition, or rather to decry its absence. The universality of the right to life applies equally to everyone and is not contingent on any calculation or narrow interest. Protecting life is the duty of everyone and, above all, of elected representatives. It is therefore their

Abolition is not an end in itself, it is just one stage in the journey of a humanity that aspires to dignity, justice and freedom

responsibility to legislate, vote for and ratify abolition. With the ultimate goal: to abolish the death penalty in law.

The culmination of our efforts as abolitionists is the translation into law of the prohibition on endangering life. The repeal of all forms of capital punishment in the Criminal Code is both essential and necessary. Experience shows that enshrining the right to life, even in the supreme law of the land, that is to say its Constitution, does not systematically lead to the abolition of the death penalty. Abolition does,

however, become more likely when this forms part of a comprehensive arsenal of legal and judicial reforms aimed at guaranteeing citizens' fundamental rights. Opportunities are therefore rare, and it is crucial to have first raised sufficient awareness among a wide range of stakeholders. The role of judges, prosecutors and lawyers in this process cannot be underestimated. And it is no coincidence that a significant number of laws to abolish the death penalty around the world have been instigated by women and men from the legal profession.

What will the future hold?

As an abolitionist and an activist, I am optimistic. The large number of young people present at the 8th World Congress Against the Death Penalty can only give us cause for satisfaction. It is clear that the future is in the hands of the younger generations, to whom we will one day pass the torch. Because abolition is not an end in itself, it is just one stage in the journey of a humanity that aspires to dignity, justice and freedom.

It was a pleasure and an honour to share so much with everyone present. Next year, I look forward to meeting more individuals who are passionate and convinced, but also people who are yet to be so.

Address by Robert Badinter



Robert Badinter

Honorary ECPM President

"My dear friends, I would very much like to be with you at this Congress in Berlin. I wish to thank the organisers, but also all the activists, especially the youngest among us.

I can tell you that, as I come to the end of a life that has already been long, I have seen the flame of abolition shine ever brighter and farther. Why? First, because of the activists, you today, your predecessors yesterday, who tirelessly, against timorous rulers, or worse still, those bent on exercising absolute power over their people through terror, who, faced with timid, if not bloodthirsty, governments, have always fought so that the primary violation of the first of human rights, the right to life, finally ceases to reign over this world.

So, I mentioned the march forward, it exists, it is real, it is even faster than I expected, but we also have, in so many prisons, so many thousands of women and men on death row waiting to be executed evening after evening, night after night, day after day, living with the presence of death in their cells.

We cannot accept this. We must fight against the death penalty: we know that it is useless in the area of violent crime. It is useless and worse, it awakens sinister shadows in the minds of terrorists. There is a fascination with death that is also present in terrorists.

But we, here, are not among those who think that death is the answer to crime. We believe that there are others, and in Victor Hugo's superb words, we are convinced that every human being has the right to become better.

For them to succeed in this journey, we must first abolish the death penalty, then improve the prison system and finally ensure that every human being in the world can find a place that is worthy of what remains the essence of the human condition, the possibility, as I said, to become better.

Today, the path is open: we must continue to fight for universal abolition, and it is now up to you to carry the torch. I believe that you will hold high and carry far this flame which is simply called the most beautiful of words: humanity.”





▲ Ariane Jacobberger, Head of the Academic Programme, ECPM, Raphaël Chenuil-Hazan, Executive Director, ECPM, Marie-Lina Pérez, Head of Africa-Asia Desk, ECPM ▲

ANNEXES





List of speakers



Colleen Adnams

Emeritus Professor of Intellectual Disability, Department of Psychiatry and Mental Health – South Africa

Colleen Adnams is President of the International Association for the Scientific Study of Intellectual and Developmental Disabilities (IASSIDD) and is also IASSIDD Vice-president for Africa and Eastern Mediterranean Regions.



Ali Adubisi

Founding member and Director of the European Saudi Organisation for Human Rights (ESOHR) – Germany

Ali Adubisi co-founded ESOHR in 2013, after arriving safely in Germany. The organisation focuses on human rights violations in Saudi Arabia, carries out a range of activities and produces reports on the human rights situation in the country, including on the use of the death penalty.



Elsa Alcala

Attorney at Elsa Alcala Law – United States

Elsa Alcala is a former judge on the Court of Criminal Appeals, the supreme court of Texas for state criminal cases. Before then, she served the Texas judiciary as judge of the 338th District Court, and as a justice on the First Court of Appeals, a state intermediate court. After retiring from the judiciary, she served as a lobbyist for the Texas Defender Service, a non-profit group providing legal representation in death penalty cases. As an attorney, she has worked on both sides of the aisle, formerly as a prosecutor and now as a self-employed legal consultant in high-stakes criminal litigation.



Bharti Ali

Co-founder and Executive Director of HAQ: Center for Child Rights – India

Bharti Ali is a development professional and social activist working on gender and child rights issues. She is one of the Co-founders and the Executive Director of HAQ: Centre for Child Rights, an NGO working towards mainstreaming children's concerns in law, policy and action for realisation of their human rights. Her areas of specialisation are child protection and access to justice. She is a member of the Child Rights Core Group of the National Human Rights Commission in India.

**Marie-Laure Amandja****Judge and Substitute Public Prosecutor at the First Instance Court of Yaoundé Ekounou – Cameroon**

Marie-Laure Amandja graduated from the National School for the Magistrature in Paris and is now a Substitute Public Prosecutor at the First Instance Court of Yaoundé Ekounou in Cameroon. She has also received training from the FDC (Civil Law Initiative), whose goal is to contribute to the international influence of the continental legal and judicial tradition.

**Mahmood Amiry-Moghaddam****Professor of neuroscience and Director of Iran Human Rights – Norway**

Mahmood Amiry-Moghaddam is a professor of neuroscience at the University of Oslo and a member of the Norwegian Academy of Science and Letters. He is the founder and director of Iran Human Rights (IHRNGO), which monitors and reports human rights violations, in particular the use of the death penalty, and promotes the rule of law in Iran. The establishment of strong and independent civil society and the abolition of the death penalty are the main goals of IHRNGO.

**Blaire Andres****Head of Death Penalty Projects (US) at Reprieve – United Kingdom**

Blaire Andres leads Reprieve's US death penalty casework and the innovative Stop Lethal Injection Project. Blaire has conducted extensive advocacy work against the death penalty in the US and served as an expert advisor to the European Commission and the United Nations. She also runs the Lethal Injection Information Center, providing expert pro bono advice and consultation to pharmaceutical manufacturers to help them prevent the misuse of their medicines in lethal injection executions.

**Mohammad D. Ashrafuzzaman****Programme Coordinator at the Asian Legal Resource Center and Head of Bangladesh Desk at the Asian Human Rights Commission – Hong Kong**

As Programme Coordinator of the Asian Legal Resource Center (ALRC), MD Ashrafuzzaman is ALRC's main representative to the United Nations. He also heads the Bangladesh Desk at the Asian Human Rights Commission, which works towards rethinking and redesigning justice institutions in Asia to guarantee human rights and democracy. He is a member of the Anti-Death Penalty Asia Network (ADPAN), for which he co-authored the 2022 report "A deadly distraction: Why the death penalty is not the answer to rape in South Asia".

**Sherif Azer****Programmes Director, Egyptian Commission for Rights and Freedoms – Egypt**

Sherif Azer is Programme Director at the Egyptian Commission for Rights and Freedoms and was formerly Assistant Secretary General at the Egyptian Organisation for Human Rights. He also worked as a death penalty project lead on the Middle East and North Africa regions with Reprieve UK. Sherif Azer has a Ph.D. in international law from the University of York, UK.

**Yaovi Azonhito****Former death row prisoner – Benin**

Yaovi Azonhito was sentenced to death in 1997 and spent 25 years on death row before being granted presidential clemency. Since then, he has testified about the atrocious conditions of detention of people sentenced to death. He is a member of ACAT Benin.

**Sandra Babcock****Law professor, Founder and Director of the Cornell Center on the Death Penalty Worldwide – United States**

Sandra Babcock is a Clinical Professor at Cornell Law School, as well as the Director and Founder of the Cornell Center on the Death Penalty Worldwide (CCDPW). Most notably, she represented Mexico before the International Court of Justice in the case of *Avena and Other Mexican Nationals (Mexico v. USA)* and led a ten-year project in Malawi that resulted in the release of 150 prisoners on death row. In 2018, she launched the Alice Project to address gender discrimination in death penalty cases. In recognition of her commitment against the death penalty, she received the American Bar Association's John Paul Stevens Guiding Hand of Counsel Award in 2021.

**Ajita Banerjee****Research and Policy Officer at ILGA Asia – India**

Ajita Banerjee is the Research & Policy Officer at ILGA Asia, where she focuses on access to justice and LGBTQIA+ rights in the region. She previously worked with the International Commission of Jurists where she led a research project on the barriers faced by LGBTQIA+ persons when attempting to access the justice system in India. She holds a master's degree in Human Rights Law from SOAS, University of London, and was the recipient of the Chevening Scholarship.

**Sarah Belal****Founder and Executive Director of Justice Project Pakistan (JPP) – Pakistan**

Sarah Belal is the founder and Executive Director of JPP. Under Sarah Belal's leadership, JPP has secured stays of executions of several death row prisoners and has successfully highlighted the issue of Pakistan's use of the death penalty on the national and international stage. Sarah is the recipient of the 2016 Franco-German Human Rights Prize, the National Human Rights Prize awarded by the Federal Ministry of Human Rights of Pakistan as well as the Echoing Green Global Fellowship.

**Carole Berrih****Founder and Director of Synergies Coopération – France**

Carole Berrih is specialised in the fight against abuse in detention. She is the founder and director of *Synergies Coopération*, a consultancy office dedicated to research, evaluation and training in the fields of criminal justice, prisons and human rights. She is the author of several ECPM fact-finding mission reports, including the 2021 report on the conditions of detention of persons facing the death penalty in Lebanon.

**Michel Beuret****Editorial Director of the *Fondation Hironnelle* – Switzerland**

Michel Beuret is a Swiss journalist and reporter who has worked for 25 years in the Swiss press and at *Swiss Radio Television* (RTS), often covering armed conflict zones in Africa, the Middle East and South America. Since 2018, Michel Beuret has been the editorial director of the *Fondation Hironnelle*, an organisation that creates and trains local journalists in countries in crisis, to provide news and opinion content in a spirit of public service.

**Amina Bouayach****President of the National Human Rights Council – Morocco**

Amina Bouayach has been Vice President of the Global Alliance of National Human Rights Institutions (GANHRI) since December 2021. She was formerly Vice President and Secretary General of the International Federation for Human Rights (FIDH). She is the first woman president of the Moroccan Organisation for Human Rights (OMDH). She was a member of the Consultative Commission for the revision of the 2011 Moroccan Constitution. In 2021, the Office of the UN High Commissioner for Human Rights selected her as one of five eminent women human rights defenders advocating for a more egalitarian post-COVID-19 world. She is a member of the Academic Committee of the 8th World Congress Against the Death Penalty.

**Julia Bourbon Fernandez****Head of Middle East and North Africa Office (MENA) Desk, ECPM – France**

Julia Bourbon Fernandez trained as a lawyer, before working for the Office of the UN High Commissioner for Human Rights in Chad and the International Federation for Human Rights (FIDH). She joined ECPM in 2017. As Head of the MENA Desk, she works with local actors on the development of strategies, advocacy at the national, regional and international level, capacity building and awareness raising. She has coordinated several ECPM publications.

**Agnès Callamard****Secretary General of Amnesty International – United Kingdom**

A prominent figure in the human rights world, Dr Agnès Callamard joined Amnesty International as Secretary General in 2021, leading its human rights work and setting the strategic direction for the organisation. In 2016, she was the United Nations Special Rapporteur on extra-judicial, summary or arbitrary executions. She was formerly Director of the Global Freedom of Expression initiative at Columbia University, New York and Executive Director of Article 19, an NGO promoting freedom of expression.

**Dobby Chew****Executive Coordinator of ADPAN – Malaysia**

Dobby Chew has been involved in the struggle against the death penalty and torture since 2015. As Executive Coordinator of ADPAN, a regional network of organisations and individuals committed to working towards abolition of the death penalty in the Asia Pacific region, his work includes developing anti-death penalty campaigns in Malaysia and coordinating regional campaigns on imminent executions.

**Giao Vũ Công****Head of the Department of Constitutional Law and Administrative Law at the Vietnam National University – Vietnam**

Giao Vũ Công is the Head of the Constitutional Law Department, and Director of the Human Rights Centre at the School of Law, Vietnam National University, in Hanoi. He obtained a master's degree in constitutional law in Vietnam (2001), a master's degree in human rights law from Lund University (2005), and a Ph.D. in Human Rights from Mahidol University (2011). He is a founding member of the master's degree programmes in human rights and anti-corruption in Vietnam (2011 and 2017).

**Duaa Dhainy****Researcher and Advocacy Associate at the European Saudi Organisation for Human Rights (ESOHR) – Lebanon**

Duaa Dhainy is a Researcher and Advocacy Associate at ESOHR. The organisation brings together activists and aims to strengthen commitment to human rights principles in Saudi Arabia, including in death penalty cases.

**Sergey Dikman****Legal Adviser, Head of Unit at the Council of Europe – France**

Sergey Dikman is Legal Adviser and Head of Unit at the Council of Europe in Strasbourg. He has been working on the death penalty since 2011, focusing on efforts towards abolition in Belarus and monitoring the application of capital punishment in the European neighbourhood. Since 2021, he has been the focal point on death penalty matters at the Directorate General of Human Rights and Rule of Law.

**Nordine Drici****Founder and President of the association *Planète Réfugiés-Droits de l'Homme* – France**

Nordine Drici is a specialist in human rights issues including torture, the death penalty, asylum and migration. Nordine Drici is very active in the associative field and is President of the association *Planète Réfugiés-Droits de l'Homme* which works to promote fundamental rights in the countries of origin of asylum seekers in France. He is the author of ECPM's report on the death penalty, detention conditions and treatment of death row prisoners in Mauritania (2019), as well as a book entitled *Conditions de détention et de traitement des condamnés à mort dans le monde : "le droit international à l'épreuve"*, published in November 2022.

**Drewery Dyke**

International Partnerships Focal Point at Salam DHR and Senior Research Fellow for the Foreign Policy Centre – United Kingdom and Canada

Drewery Dyke is Chair of the Rights Realization Centre (RRC), which seeks to build awareness of human rights violations in the MENA region and the Horn of Africa. He is also the focal point for international partnerships for Salam for Democracy and Human Rights. He was a researcher at Amnesty International for 18 years and has extensive experience working on countries in the MENA region and Afghanistan with ALQST, Minority Rights Group, Article 19 and Transparency International. He is a member of the Academic Committee of the 8th World Congress Against the Death Penalty.

**Tsakhia Elbegdorj**

Commissioner at the International Commission against Death Penalty – Mongolia

Tsakhia Elbegdorj is a Commissioner at the ICDP. In 1990, he was one of the key leaders of the Mongolian Democratic Revolution and since then served as a Member of Parliament four times, and as Prime Minister in 1998 and between 2004 and 2006. He was President of Mongolia from 2009 to 2017. During his mandate he granted pardon to all death row prisoners, introduced a moratorium on the death penalty, led his country to make an international commitment by becoming State Signatory to the Second Optional Protocol to the International Covenant on Civil and Political Rights in 2012 and eventually abolished the death penalty in 2017. He also led Mongolia to become a founding Member-State of ICDP.

**Russ Feingold**

President of the American Constitution Society – United States

Russ Feingold is a lawyer and politician who served as a United States Senator from Wisconsin from 1993 to 2011 and a Wisconsin State Senator from 1983 to 1993. Between 2003 and 2009, he introduced the Federal Death Penalty Abolition Act five times, which, if enacted, would abolish the death penalty for all federal and military crimes. Since 2020, he has been President of ACS.

**Maya Foa**

Joint Executive Director at Reprieve – United Kingdom

Maya Foa is the Joint Executive Director at Reprieve, where she leads a team of lawyers fighting against human rights abuses. She was selected as a World Economic Forum Young Global Leader in 2019 and has received numerous other distinctions. She has been described as “the woman behind a shortage of execution drugs” in the US for her innovative work tracing pharmaceutical supply chains and consulting with manufacturers to help them prevent the use of their life-saving drugs in executions.

**Nael Georges**

Joint Executive Director at Reprieve – United Kingdom

Nael Georges is Director of the Arab Islamic Centre for Human Rights. He holds a Ph.D. in human rights and works as a consultant for various international and non-governmental organisations. He is the author of the ECPM report on processes of abolition of the death penalty in the Member States of the Organisation of Islamic Cooperation (OIC).

**Anna-Maria Getoš Kalac**

Professor of Law at the University of Zagreb – Croatia

Prof Dr Anna-Maria Getoš Kalac is Head of the Criminal Law Department and the Balkan Criminology Network at the University of Zagreb's Faculty of Law, where she has been conducting research and teaching criminology, victimology, penology and the fundamentals of criminal law since 2006. As a visiting professor, she also lectures at the University of Lausanne and Sciences Po in Paris. Her most recent publication is the Balkan Homicide Study.

**Kambiz Ghafouri**

Journalist – Finland

Kambiz Ghafouri is a journalist, Chief Executive Officer of KGM Media Oy and an Iranian-Finnish human right activist. He actively campaigns against the death penalty through various professional projects and is Programme Coordinator of the Norway-based NGO, Iran Human Rights (IHRNGO).

**Karen Gomez-Dumpit**

Former Commissioner for the Human Rights Commission of the Philippines and Executive Committee Member of ADPAN – Philippines

Karen Gomez-Dumpit concluded her term at the Human Rights Commission of the Philippines in May 2022, where she led various initiatives including the successful campaign against the reintroduction of the death penalty. As part of various civil society networks, she continues to promote the dignity and rights of all persons, especially the marginalised sector.

**Hanne Sophie Greve**

Commissioner of the ICDP – Norway

Hanne Sophie Greve is a Commissioner at the International Commission against the Death Penalty (ICDP), a judge and Vice President of the Gulating High Court for Western Norway. She has more than 30 years of professional experience in international law and is committed to the promotion and protection of human rights. She has served as a judge on the European Court of Human Rights and has experience as an assistant UN protection officer. Hanne Sophie Greve was also a member of the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) and President of the group for two years.

**Kirsten Han****Journalist – Singapore**

Kirsten Han is a freelance journalist and activist. She founded the newsletter We, The Citizens in 2018, covering Singapore from a human rights perspective. She has been involved in anti-death penalty activism since 2010 and is a member of the Transformative Justice Collective, which encourages the reimagining of Singaporean society as compassionate and committed to abolishing systems of oppression.

**Anna Aloys Henga****Lawyer, Executive Director of the Legal and Human Rights Center (LHRC) – Tanzania**

Anna Aloys Henga is a Tanzanian lawyer and advocate of the High Court of Tanzania. She heads LHRC, an emblematic human rights organisation in Tanzania. In 2019, the United States awarded her the International Women of Courage Award in recognition of her efforts on women and children's rights in Tanzania. She has developed and managed various programmes to enhance the protection and promotion of women's rights in Tanzania.

**Hideo Hiraoka****Former Minister of Justice – Japan**

Hideo Hiraoka served as the 88th Minister of Justice of Japan from 2011-2012. He is a board member of CrimInfo, a Tokyo-based NGO which provides information on the death penalty in Japan. He is also a senior adviser to the Headquarters to Realise Abolition of the Death Penalty and Relevant Penal Reforms established in the Japan Federation of Bar Associations, as well as co-representative in the Citizens' Committee to Abolish Capital Punishment. When no executions took place in 2011, he became one of two ministers who have refused to order executions.

**Nina Joy Makena****Member of the Kenyan Abolition Now Tour delegation – Kenya**

Nina Joy Makena holds a Bachelor of Science in Entrepreneurship and a credited diploma in accounting. A human rights activist and advocate for abolition of the death penalty, she also is a digital content creator, a podcaster, and a great friend of society.

**Chaima Kabaoui****Member of the United Families Collective – France**

Chaima Kabaoui is a member of the United Families Collective. Her brother, Bilel Kabaoui, a French citizen, was arrested in Syria and sentenced to death in Iraq in June 2019.

**Alexious Kamangila****Lawyer and Fellow at Reprieve UK – Malawi**

Alexious Kamangila is an advocate of the Malawi Supreme Court of Appeal, the High Court of Malawi and its subordinate courts. He is a Reprieve UK Fellow and pursues appeals and clemency campaigns for prisoners on death-row in Malawi. His work recently resulted in the commutation of the death sentences of 22 death-row inmates to life imprisonment, after a 17-year hiatus. He focuses on strengthening capital defence through advocacy and training of lawyers to improve access to justice and respect for due process, and the right to a fair trial. He coordinated the Khoviwa decision which resulted in the Malawi Supreme Court of Appeal declaring the death penalty unconstitutional in April 2021, only to be reversed in August of the same year.

**Aissétou Kanté****Judge, President of the Commission on Children's Rights at the Association of Senegalese Women Lawyers (AJS) – Senegal**

Aissétou Kanté is President of the AJS's Commission on Children's Rights. The aim of the AJS Commission on Children's Rights is to promote, raise awareness and contribute to the protection of women's and children's rights, by providing support, assistance and training to communities and by strengthening public awareness on discrimination. Aissétou Kanté is also an Advisor to the Court of Appeal of Dakar.

**Valérie Khan****Independent consultant on gender, justice and child protection – Pakistan**

Valerie Khan is an independent consultant and development specialist, focusing on the Asia-Pacific region, with particular expertise in gender, justice and child protection. She was formerly Executive Director of Group Development Pakistan and Chairperson of the Acid Survivors Foundation, where she contributed to the fight against gender-based violence.

**Chokri Latif****President of the Tunisian Coalition Against the Death Penalty – Tunisia**

Chokri Latif, writer and researcher in political philosophy, is President of the Tunisian Coalition Against the Death Penalty, an independent Tunisian NGO that brings together thirteen associations including the Organisation Against Torture in Tunisia (OCTT) and the Tunisian Association of Democratic Women (ATFD). The Tunisian Coalition works for the abolition of the death penalty in Tunisia.

**trey legall****Member of the US Abolition Now Tour delegation – United States**

trey legall has been involved in the abolitionist movement since the 2011 #iAmTroyDavis campaign in Georgia. Since then, he has actively participated in many actions of the Texas Death Penalty Abolition Movement. He is also a member of S.H.A.P.E. Community Center, Black Alliance for Peace, RESULTS, and the Green Party, Animal Rights Committee.

**Céline Martin****Independent Consultant – France**

Céline Martin has a Ph.D. in international human rights law. She is an independent consultant specialising in gender issues, in particular sexual orientation, gender identity and expression, and sexual characteristics (SOGIESC). She collaborated with ECPM on a report on the death penalty and LGBTQIA+ people.

**Manny Maung****Myanmar Researcher at the Asia Division of Human Rights Watch (HRW) – Australia**

Manny Maung is a researcher on Myanmar in the Asia division of Human Rights Watch. Previously, she was a reporter and investigative journalist working for major broadcasters including *CNN International*, *Al Jazeera International*, *BBC* and many others. She was briefly involved with a clandestine non-governmental organisation conducting research on trafficking and labour rights across Myanmar, Nepal, Malaysia, and Indonesia, before joining HRW in 2019.

**Fatimata M'Baye****Lawyer, Chair of the Mauritanian Human Rights Association – Mauritania**

Fatimata M'Baye was the first woman lawyer in Mauritania. She specialised in the defence of children, women's rights and the fight against slavery. As Chair of the Mauritanian Human Rights Association and former vice-president of the International Federation for Human Rights (FIDH), she has defended many individuals facing the death penalty. She has been awarded several international prizes for her work.

**Maitreyi Misra****Head of the Mental Health & Criminal Justice team and the Death Penalty Mitigation team at Project 39A – India**

Maitreyi Misra is a founding member of Project 39A and Head of its Mental Health & Criminal Justice and Death Penalty Mitigation teams. Project 39A initiates specific research and legal actions on issues concerning the criminal justice system in India. She was the project head and the lead author of Project 39A's 2021 Report *"Deathworthy: A Mental Health Perspective on the Death Penalty"*.

**Sylvia Morwabe****Lawyer and Programme Director of Crime Si Poa – Kenya**

Sylvia Morwabe is an Advocate of the High Court of Kenya. As Programme Director of Crime Si Poa, she leads the Access to Justice Programme. She also provides strategic legal support to the Youth Safety Awareness Initiative which aims to promote social justice and a crime-free society through education, advocacy and social enterprise targeting children and young people.

**Liévin Ngondji****Co-founder and President of Culture pour la Paix et la Justice (CPJ) – DRC**

Liévin Ngondji Ongombe Taluhata is a criminal lawyer at the Bar of the Court of Appeal of Gombe in Kinshasa, and listed Counsel at the International Criminal Court. He is co-founder and President of *Culture pour la Paix et la Justice* (CPJ), President of the Coalition Against the Death Penalty in Democratic Republic of Congo (DRC) and President of the Coalition of Francophone Africa Against the Death Penalty. He conducted two fact-finding missions, in 2005 and 2019, on the deplorable situation of prisoners in DRC. In 2005, CPJ, together with ECPM, received the French Government's Human Rights Award. Liévin Ngondji has participated in all World Congresses Against the Death Penalty and is a member of the Academic Committee of the 8th World Congress Against the Death Penalty.

**Joel Ngugi****Judge, High Court of Kenya – Kenya**

Justice (Prof) Joel Ngugi was appointed a Judge of the High Court of Kenya in 2011. He currently serves as Presiding Judge of the Nakuru High Court and Chair of the National Steering Committee on Alternative Justice Systems Policy. He is a former Director of the Kenya Judiciary Training Institute and has served in many Judiciary Committees including the Committee that produced the Sentencing Guidelines. He is an affiliate Professor of Law at the University of Washington.

**Văn Đài Nguyễn****Human rights lawyer and co-founder of the Vietnam Committee for Human Rights – Vietnam**

Văn Đài Nguyễn is a human rights lawyer, founding member of the Brotherhood for Democracy and co-founder of the Vietnam Committee for Human Rights. In April 2018, he was sentenced to 15 years in prison for "activities aimed at overthrowing the people's administration", a charge that could have led to a death sentence.

**Sam Nimely****Human rights activist and Programme Coordinator of Rescue Alternative Liberia – Liberia**

Sam Nimely is a human rights activist. He has been the Programme Coordinator of Rescue Alternative Liberia since 2012. The association provides alternatives to enhance human rights, the rule of law, peace and democracy building, as well as victims' recovery in Liberia. Rescue Alternative Liberia is a member of the World Coalition Against the Death Penalty.

**Lena Patel****Chief External Affairs Officer at the Responsible Business Initiative for Justice (RBIJ) – United Kingdom**

Lena Patel has over 20 years' experience in stakeholder engagement and management in both the public and private sectors. She is currently Chief External Affairs Officer at RBIJ, a network of companies and business leaders who initiated the campaign "Business Leaders Against the Death Penalty".

**Marie-Lina Pérez****ECPM Head of Africa/Asia Desk – France**

Marie-Lina Pérez trained as a lawyer, before working at the Office of the UN High Commissioner for Human Rights in Geneva and the Alliance Française in Nairobi. She joined ECPM in 2016 for the 6th World Congress Against the Death Penalty in Oslo. As the Head of Africa/Asia Desk, Marie-Lina works with local partners on strategies, capacity building as well as developing advocacy at the national and international level. She has also coordinated and edited several ECPM publications.

**Nicolas Perron****ECPM Director of Programmes – France**

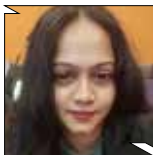
Nicolas Perron has been working for ECPM since 2008. He supervises all ECPM's activities in France and internationally, in particular in the MENA region, sub-Saharan Africa and South-East Asia.

**Aurélie Plaçais****Executive Director of the World Coalition Against the Death Penalty (WCADP) – France**

Aurélie Plaçais is an expert on issues related to the abolition of the death penalty worldwide and is Executive Director of the World Coalition Against the Death Penalty. She has nearly 15 years of experience in international advocacy, particularly in relation to the United Nations human rights mechanisms.

**Maurice Possley****Senior Researcher for the National Registry of Exonerations – United States**

Maurice Possley is a journalist and editor who worked as an Investigative Criminal Justice Reporter for the *Chicago Tribune* between 1984 and 2008. In 2008, together with the staff of the *Chicago Tribune*, he won a Pulitzer Prize for his investigative reporting. Since 2012, he has been a Senior Researcher for the National Registry of Exonerations, where he interviews lawyers and investigators and has written more than 2,300 case summaries of exonerations added to the Registry.

**Angelia Pranthaman****Founder and President, Sebaran Kasih (Spread Love) – Malaysia**

Angelia Pranthaman is the founder and president of *Sebaran Kasih* (Spread Love) which aims to promote and develop social justice by identifying, building and strengthening the capacities of marginalised groups. Angelia Pranthaman's brother, Pannir Selvam Pranthaman, was sentenced to death in Singapore for drug trafficking. As an artist, he has written songs while on death row and released them as singles. ECPM has been supporting the #SavePannir campaign since 2020.

**Xavière Prugnard****Representative to the African Union and Head of the Abolition of the Death Penalty Programme at FIACAT – France**

Xavière Prugnard worked with the National Human Rights Council of Morocco on the implementation of the national mechanism for the prevention of torture and on the development of cooperation with the United Nations and the International Organisation of La Francophonie. Today, she represents FIACAT at the African Union and is head of the programme on the abolition of the death penalty.

**Lavu Nageswara Rao****Former Judge of the Supreme Court of India – India**

Nageswara Rao is a former Judge of the Supreme Court in India. He was appointed in 2006, becoming the seventh person elevated directly from the Bar to the Supreme Court. Prior to that, he was a Senior Advocate and served three terms as Additional Solicitor General of India. He retired in June 2022.

**Javaid Rehman****UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran – Pakistan**

Javaid Rehman has been UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran since 2018. He is a professor of international human rights law and Muslim constitutionalism at Brunel University, London. He has written extensively on international human rights law, Islamic law and constitutional practices of Muslim majority States.

**Moses Sakai****Tutor at the University of Papua New Guinea's School of Business and Public Policy – Papua New Guinea**

Moses Sakai recently completed a masters in Economics and Public Policy. His thesis focused on the factors that have influenced Papua New Guinea to "disincline from implementing the death penalty on its convicted death row inmates". He also wrote an article on the reasons Papua New Guinea should set up a National Human Rights Commission.

**Chiara Sangiorgio****Policy Adviser on the death penalty, Amnesty International – United Kingdom**

Chiara Sangiorgio is a Policy Adviser on the death penalty at the International Secretariat of Amnesty International, where she writes reports and coordinates campaigning towards abolition. Amnesty International advocates for transparency on the death penalty and publishes annual reports on its global use, based on a range of sources including official data, judicial decisions, families and representatives of those on death row, media and civil society organisations.

**Günter Sautter**

Director General for International Order, the United Nations and Arms Control at the Federal Foreign Office – Germany

Ambassador Günter Sautter is the Director General for International order, the United Nations and Arms Control at the Federal Foreign Office as well as the Federal Government Commissioner for Disarmament and Arms Control. After studying political science, he joined the German Foreign Service in 2002. Ambassador Sautter has been Deputy Head of Mission at the Embassy in Managua, Counsellor for External Affairs at the Permanent Representation to the European Union, Private Secretary to the German Federal Foreign Minister, Chief of Staff to the State Secretaries at the Federal Foreign Office and Deputy Permanent Representative of the Federal Republic of Germany to the United Nations in New York.

**William Schabas**

Professor of international law, Middlesex University – United Kingdom

In addition to his position as Professor of international law at Middlesex University, William Schabas is Professor Emeritus at Leiden University and the University of Galway. He has worked as a consultant on capital punishment for the United Nations Office of Drugs and Crime, and drafted the 2010, 2015 and 2020 reports of the UN Secretary-General on the status of the death penalty. He has written extensively on issues related to the death penalty.

**Tobias Smith**

Assistant Professor of Administration of Justice, Ohlone College – United States

Tobias Smith is a researcher, educator and advocate specialising in variation in criminal punishment, particularly in China and in the United States. He is Assistant Professor of Administration of Justice at Ohlone College. He has written extensively on the death penalty, including an article on “Body Count Politics: Quantification, Secrecy, and Capital Punishment in China.” He holds a law degree and a Ph.D. from the University of California, Berkeley.

**Idrissa Sow**

President of the Working Group on the death penalty of the African Commission on Human and Peoples' Rights (ACHPR) – Senegal

Dr Idrissa Sow is a judge and advisor to the Supreme Court of Senegal and a lecturer at the Institute of Legal Professions in the Faculty of Legal and Political Sciences at Cheikh Anta Diop University of Dakar. He is specialised in the law of African integration organisations. Since November 2021, he has been President of the ACHPR Working Group on death penalty, extrajudicial, summary or arbitrary killings and enforced disappearances in Africa.

**Sviatlana Tsikhanouskaya**

Leader of the democratic forces of Belarus – Lithuania

Sviatlana Tsikhanouskaya is the leader of Belarusian democratic forces. She currently lives in exile in Lithuania, having been forced to flee her home country following the fraudulent presidential elections in 2020. Since then, Tsikhanouskaya became a symbol of peaceful struggle for democracy and female leadership. Among numerous other distinctions, Sviatlana Tsikhanouskaya is a recipient of the Sakharov Prize awarded by the European Parliament.

**Nestor Toko**

President of the Network of Cameroonian Lawyers Against the Death Penalty (RACOPEM) – Cameroon

Nestor Toko is a lawyer at the Cameroon Bar and the President of RACOPEM. He is also the Founder of the organisation *Droits et paix*, which strives to build a society respectful of human rights through advocacy, public awareness, legal action and assistance to victims. In 2019, he was in charge of the team of investigators who collected data from individuals sentenced to death that made possible the drafting and publication of ECPM's report “Sentenced to Oblivion: fact-finding mission on death row in Cameroon”.

**Neetika Vishwanath**

Head (Sentencing) & member of the Executive Steering Committee at Project 39A – India

Neetika is a lawyer trained in gender studies. She supervises the sentencing work at Project 39A and is a member of the Executive Steering Committee. Her research focuses on sexual violence, sentencing and the death penalty. In her former role with the Association for Advocacy and Legal Initiatives, she provided pro bono legal representation to survivors of sexual and domestic violence.

**Christelle Vuanga**

Member of the National Assembly – DRC

With a background in journalism, Christelle Vuanga is a Member of the National Assembly of Democratic Republic of Congo (DRC), where she is Chair of the Women, Gender, Family and Children Commission, having served as Chair of the Human Rights Commission between 2019 and 2021. She is also President of the Network of Parliamentarians Against the Death Penalty in DRC.

**Charlène Yangazo**

Coordinator of Outre Neuve Asbl – DRC

Charlène Yangazo is a lawyer at the Court of Appeal of Kinshasa/Matete and Counsel at the International Criminal Court. She is Coordinator of *Outre Neuve Asbl*, an NGO that defends the rights of women prisoners and seeks to protect their fundamental rights and promote their social reintegration as well as the humanisation of the prison system.



Ogarit Younan

Founder of the University for Non-Violence and Human Rights – Lebanon

Ogarit Younan is a sociology graduate and campaigns against all forms of violence. She is the co-founder of the University for Non-Violence and Human Rights, the first university for non-violence established in 2009.

She is a pioneering figure of the abolitionist movement in Lebanon.



Camikara Yuwono

Member of the Indonesian Abolition Now Tour delegation – Indonesia

Camikara Yuwono is a gender and sexual minority rights campaigner based in Indonesia. He has worked on optimising communications and engagement strategy in local and international human rights organisations, including Amnesty International and FORUM-ASIA. He is also a part of the Indonesian Abolition Now Tour delegation and is a member of the Academic Committee of the 8th World Congress Against the Death Penalty.



Rafic Zakharia

Lawyer and member of the Lebanese Association for Civil Rights – Lebanon

Rafic Zakharia is a human rights and mediation lawyer. He is a member of the Lebanese Association for Civil Rights, an NGO recognised for its expertise and innovation in training and non-violent direct action, and a long-standing partner of ECPM.





Ariane Grésillon, Deputy
Executive Director, ECPM

About ECPM

Berlin World Congress team

Ramla Liatouji, Congress Coordinator
Philippe Dorche, Logistics and Production Officer
Nathan Huet, Logistics and Production Assistant
Ariane Jacobberger, Head of the Academic Programme
Camille Aubinais, Programme Assistant
Colline Boutrois, Programme Assistant
Anna Levy, Political Mobilisation and Fundraising Officer
Tessy Fernoc, Political Mobilisation Assistant
Sarah Hajjar, Culture and Civil Society Mobilisation Officer
Africa Moreno, Culture and Civil Society Mobilisation Assistant
Isadora Carvalho, Head of the Congress Application
Maira Guarabyra, Travel Logistics Officer

Permanent team

Raphaël Chenuil-Hazan, Executive Director
Ariane Grésillon, Deputy Executive Director
Nadège Poulain, Administrative and Financial Director
Nicolas Perron, Director of Programmes
Bertin Leblanc, Director of Communications
Julie Rouvière, Administrative and Financial Officer
Yaël Davigo, Administrative and Financial Assistant
Marie-Lina Pérez, Head of Africa-Asia Desk
Julia Bourbon-Fernandez, Head of Middle East and North Africa Desk
Mathilde Millier, International Projects Officer
Anna Dubarle, International Programmes Assistant
Laure Boukabza, Head of "Teach" Programme
Solène Paloma, "Teach" Programme Officer
Léa François, Citizen's Service Volunteer with the "Teach" Programme
Adèle Martignon, Editorial Content Officer
Émilie Fournier, Communications Officer

Board of Directors

Aminata Niate , President	Véronique Mary , Treasurer
Emmanuel Maistre , Director	Marie Doucet-Lechantre , Director
Laurent Duarte , Director	Emmanuel Oudar , Director
Richard Sédillot , Director	Edmond Fréty , Director

ECPM's history

Since 2000, ECPM has been supporting the creation of national and regional coalitions, conducting educational activities with young people, carrying out fact-finding missions on death row and building the capacity of local actors. Every three years, the association organises the World Congress Against the Death Penalty, the world's largest abolitionist event.

- 2000** Creation of the association following the publication of the book *An Open Letter to Americans for the Abolition of the Death Penalty* and the launch of a petition gathering **500,000 signatures**
- 2001** **Robert Badinter**, former French Minister of Justice, becomes Honorary President of the association and gives the opening speech at the first World Congress at the European Parliament in Strasbourg
- 2002** ECPM cofounds in Rome the **World Coalition Against the Death Penalty**
- 2005** ECPM receives the **Human Rights Prize awarded by the French Republic** for the report on its fact-finding mission in Democratic Republic of Congo. The same year, ECPM joins the **Paris Pride March** for the first time
- 2006** ECPM supports Mumia Abu-Jamal, an African-American journalist sentenced to death in 1982, alongside the **Free Mumia Coalition**
- 2010** Launch of the **Teaching Abolition Project** for secondary school and sixth-form students
- 2011** Publication of the first **Annual Report on the Death Penalty in Iran** with Iran Human Rights
- 2016** ECPM obtains **consultative status with the United National Economic and Social Council (ECOSOC)**, giving it the possibility to act within UN institutions in Geneva (Human Rights Council), New York (UN headquarters and Security Council) and Vienna (UNODC-UN Office on Drugs and Crime)
- 2017** ECPM obtains observer status at the African Commission on Human and Peoples' Rights
- 2018** ECPM obtains observer status at the International Organisation of La Francophonie
- 2021** ECPM celebrates **40 years of abolition in France** with **Robert Badinter**, ECPM Honorary President



Aminata Niakate, ECPM President, and Christiane Taubira, former French Minister of Justice

Partners and financial support

In partnership with the World Coalition Against the Death Penalty

The World Coalition Against the Death Penalty, composed of more than 160 NGOs, bar associations, local authorities and trade unions, was launched in Rome on 13 May 2002. It was created as a result of the commitment made by the signatories of the Final Declaration of the 1st World Congress Against the Death Penalty organised by ECPM in Strasbourg in June 2001. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate goal is to obtain universal abolition of the death penalty. To achieve this, it supports the work of its member organisations and coordinates international advocacy for abolition. The Coalition has also designated 10 October as World Day Against the Death Penalty. It is a partner in the triennial World Congress Against the Death Penalty.

Congress Sponsors

Germany - France - Switzerland - European Union

With the financial support of

Norway - Monaco - Luxembourg - Agence française de développement (AFD) - Belgium - Spain - Fondation de France - Paris Bar - Council of Europe

Supporting organisations

Freie Universität - Humboldt Universität - Human Rights Film Festival Berlin - Babylon cinema - France 24 - MCD - RFI - France Médias Monde - Le 1 hebdo - Fondation Hironnelle - City of Berlin - Visit Berlin - Pierre Boulez Saal - German Coalition to Abolish the Death Penalty - RIEA

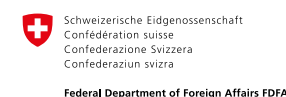
Organised by



Hosted and sponsored by



Co-sponsored by



Co-funded by
the European Union



En partenariat avec



Resolution for a universal moratorium on the use of the death penalty

Analysis of the vote in plenary session

On 15 December 2022, the United Nations General Assembly reunited in plenary session voted by a very large majority in favour of the resolution A/RES/77/222 for a universal moratorium on the use of the death penalty. The resolution was adopted by 125 States while 37 voted against it, 22 abstained and 9 did not take part in the vote.

Main developments compared to the 2020 vote in plenary

Positive developments took place in Ghana, Liberia and Myanmar shifting from abstaining to voting in favour as well as in Uganda, which voted in favour in 2022 after opposing the text in 2020. Two States which were absent during the 2020 plenary session voted in favour of the text (Solomon Islands and Palau). One State shifted from a negative vote to an abstention (Papua New Guinea). And two other States moved backwards by voting against the resolution: Yemen which had abstained in 2020 and the Democratic Republic of the Congo which did not take part in the vote.

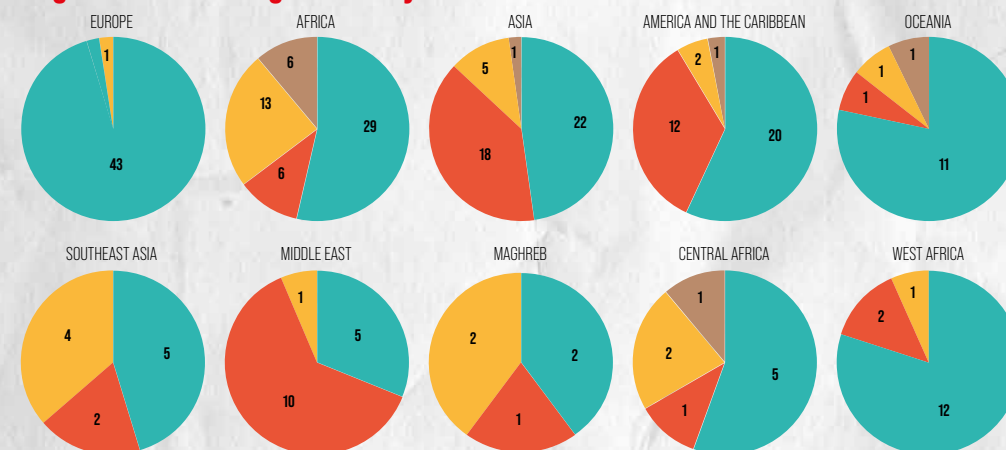
Main developments compared to the 2022 vote in 3rd committee

Uganda showed positive signs by voting in favour after abstaining from voting during the 3rd Committee vote. Besides, Lesotho shifted from a negative vote to an abstention. Three States which had voted in favour during the 3rd Committee (Seychelles, Somalia and Vanuatu) were absent during the vote in plenary. The Democratic Republic of the Congo, which did not take part in the vote during the 3rd Committee, opposed the text for the first time.

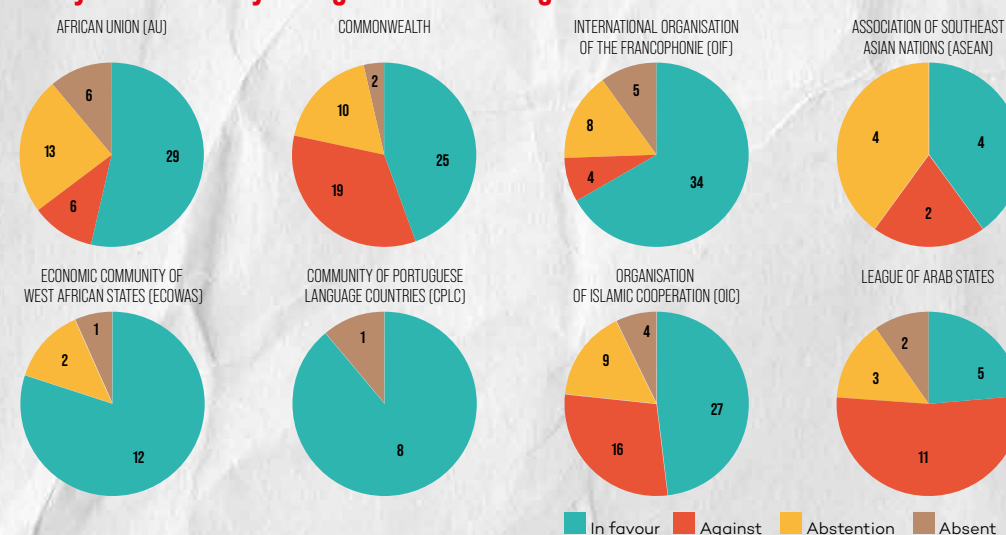
Consistency with countries' situations

- Among the 9 States which were absent during the vote in plenary session, 5 States are abolitionist (Seychelles, Vanuatu, Sao Tome and Principe, Senegal and Venezuela) and 1 State (Comoros) has not carried out any execution for at least 10 years;
- Among the 37 States which voted against the resolution, 17 States have not carried out any execution for at least 10 years and hence did not vote consistently with their situation;
- Among the 22 abstaining States, 14 did not vote in line with their situation since 11 of them have not carried out any execution for at least 10 years, 2 are abolitionist (Burundi and Gabon) and 1 State voted for the abolition of the death penalty in 2022 (Papua New Guinea).

Regional and sub-regional analyse of the vote



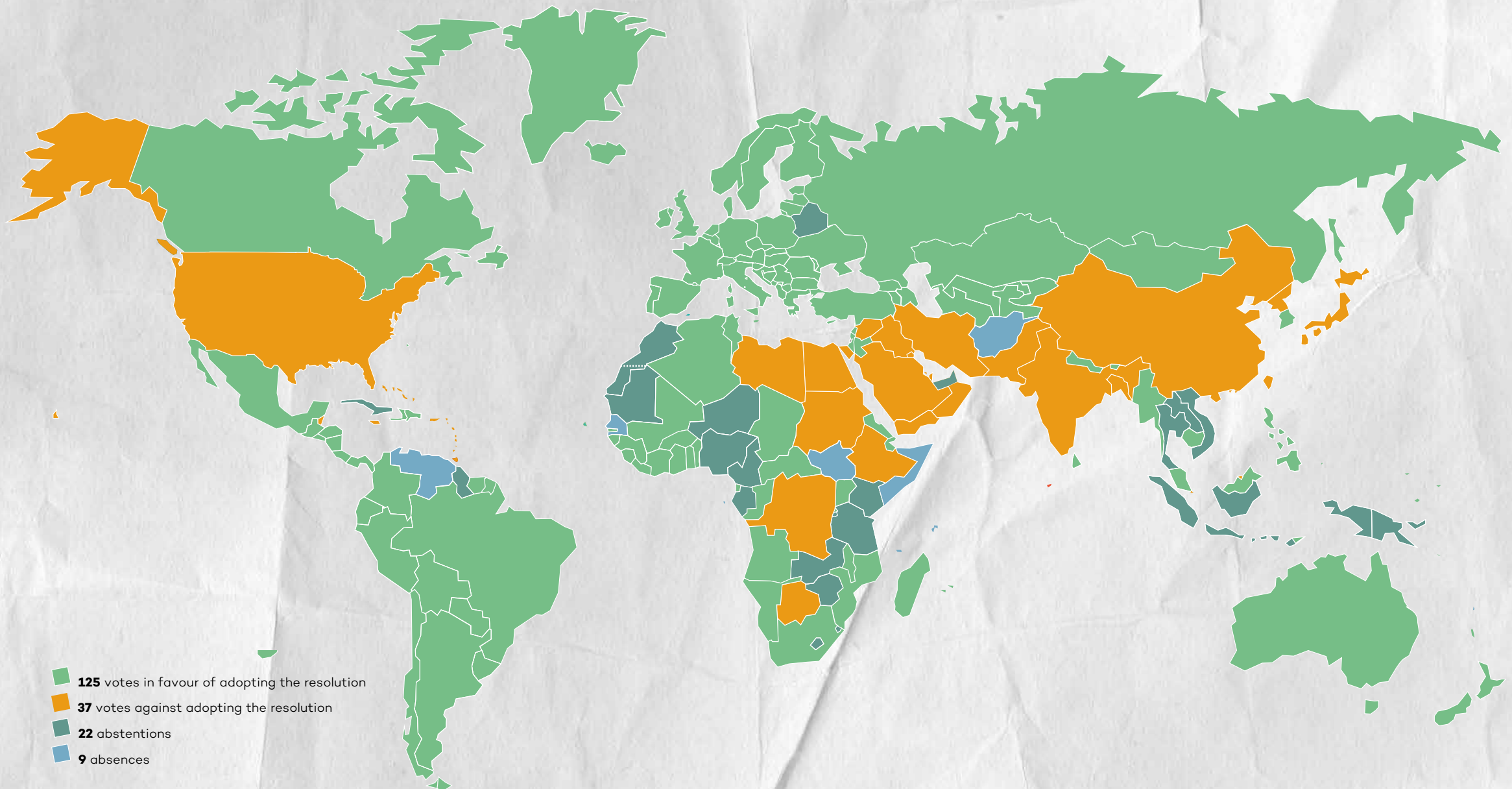
Analysis of votes by intergovernmental organisations



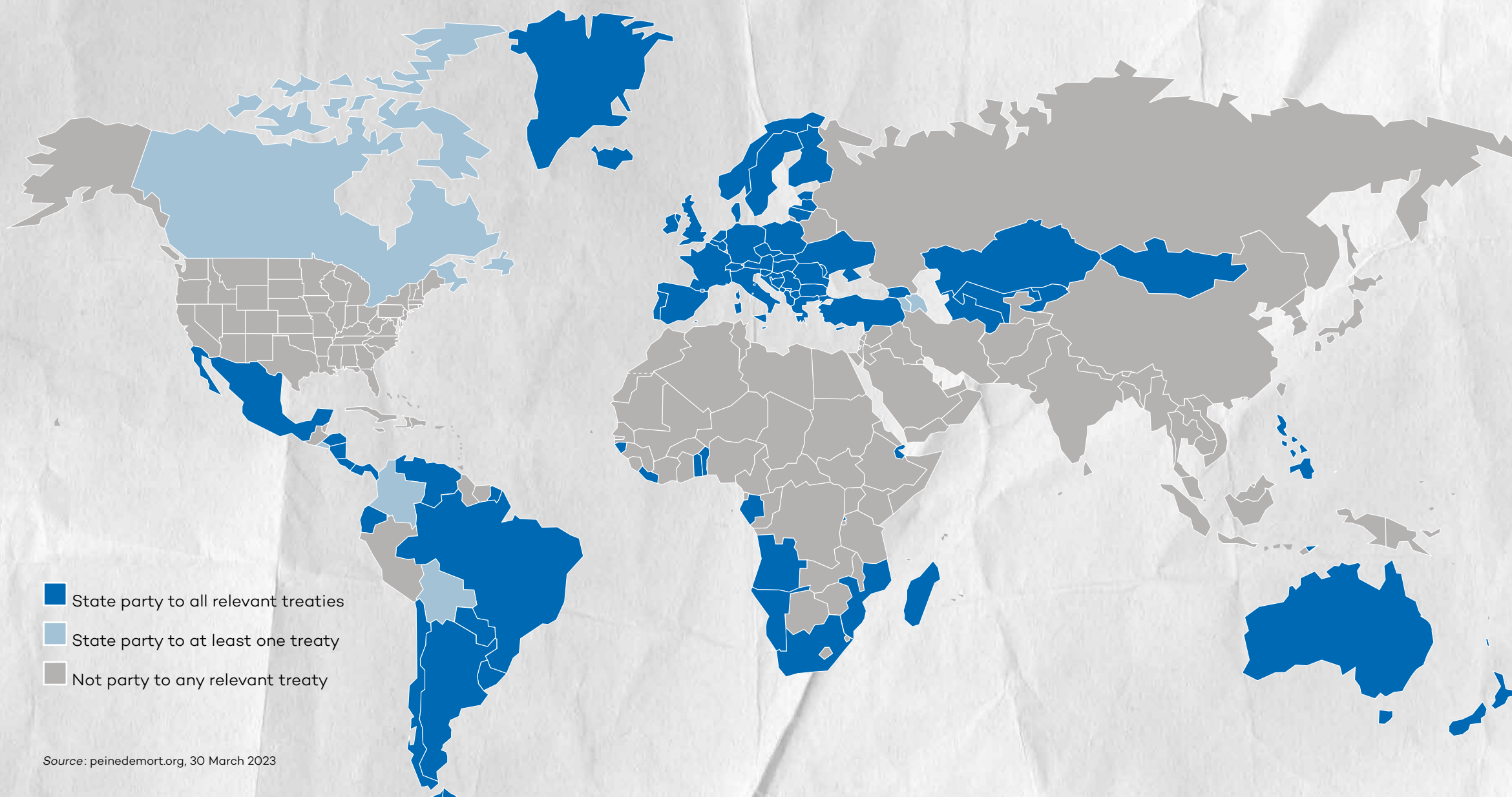
Positive evolutions were observed in most regions of the world. Once again, the main supporters of the resolution come from Europe and Africa. Asia remains the continent the least favourable to the text despite positive evolutions since 2020 (20 votes in favour in plenary in 2020, 22 positive votes in 2022). A significant number of States did not take part in the vote in plenary session this year, affecting negatively the results.

Within the intergovernmental organisations, a minority of member states from OIF and AU are opposed to the text. Within the OIC and ASEAN, more than half of the states vote in favour or are abstaining. The Arab League is the only organisation registering a majority of negative votes.

Map of the vote on the 2022 UN resolution for a universal moratorium on the use of the death penalty



Map summarising adherence to treaties prohibiting the death penalty





ABOLITION
NO

More information at:
www.ecpm.org

*Watch the video of the 8th World Congress Against the Death Penalty
and exclusive interviews on our YouTube channel:*
www.youtube.com/ECPMassociation



Exchange with the abolitionist community:

 **www.ecpm.org**

 **AssoECPM**

 **@AssoECPM**

Printed in November 2023
by Imprim' Ad Hoc, Paris.
Legal deposit: November 2023