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Amnesty Morocco demonstrating with other NGOs against the death penalty. October 2005 © Rachid Tniouni

ABOLITIONIST REFLECTIONS

On 11 December 1977 Amnesty International and participants of the International Conference on the Abolition of the Death Penalty issued the [Stockholm Declaration](#) – the first international abolitionist manifesto – which called on all governments to bring about the immediate and total abolition of the death penalty.

At the time, only 16 countries had abolished the death penalty. Forty years on, that figure stands at 105. Let's not make it another 40 years before the death penalty is consigned to history.

MIDDLE EAST AND NORTH AFRICA

Campaigning against the death penalty in the Middle East and North Africa can feel like an uphill struggle. Over the 40 years Amnesty has been campaigning, long-term breakthroughs have been rare and precious. The top ten in Amnesty's annual global death penalty statistics report is routinely dominated by the region.

International media coverage might paint a dramatic picture of public executions for crimes like sorcery and adultery, or divisive executions like that of Saddam Hussein in 2006 and more recently the Saudi Arabian Shi'a cleric Nimr al-Nimr in 2016. Much of Amnesty's campaigning in the region focuses on executions of juvenile offenders or on unfair trials often characterised by torture.

In this context it can be difficult to envisage progress to abolition. Yet the picture is more varied and complex than an initial glance may suggest. The large majority of executions are carried out in four countries – Iran, Saudi Arabia, Iraq and Egypt – which are to some degree regional outliers. Meanwhile Morocco, Tunisia and Algeria are now considered abolitionist in practice. Israel is abolitionist for ordinary crimes. In Oman, Qatar and Lebanon, executions have become relatively rare and exceptional events. There is no uniformly strong appetite to use the death penalty across the region.

Regrettably other states which had been execution-free for some time - Kuwait, Bahrain and Jordan – have resumed in recent years. This mirrors developments in Iraq, where after several years where executions were paused, they have spiralled amidst the government's flawed attempts to show it is providing protection against insecurity. In Egypt meanwhile, President Sisi's rule has seen the advent of mass death sentences for political opponents of the state after unfair trials before civilian and military courts.

In Iran, security and political crimes are only a part of the picture. Since 1988 Iran has put to death 10,000 people for drug offences, and there may be 5,000 drug offenders on death row. Hopes of serious reform on drug executions have recently been raised but new legislation has disappointed. Nonetheless, in the region's worst executor, officials have finally conceded that decades of rampant use of the death penalty have failed to address drug problems. This is a salutary reminder to abolitionist campaigners that while progress on the death penalty can sometimes appear elusive, only by continuing to raise our voices will we help to create the conditions for a different approach.

SAUDI ARABIA: ARRESTED AS TEENAGERS AND ON DEATH ROW



Arrested as teenagers, sentenced to death in Saudi Arabia.

@KingSalman - spare them!



Ali al-Nimr, Abdullah al-Zaher, Dawood al-Marhoon and Abdulkareem al-Hawaj are four young men on death row in Saudi Arabia, having been convicted of security-related offences in relation to their participation in anti-government protests when they were under the age of 18. According to international law, they should not have been sentenced to death in the first place.

All four young men, who are of the Shi'a Muslim minority in Saudi Arabia, were sentenced to death by the Specialized Criminal Court, Saudi Arabia's notorious counter-terror court. Saudi Arabia is one of the top executioners in the world and has continuously used the death penalty as a political weapon to silence dissent, particularly against the minority Shi'a community.

In all four cases, the court appears to have based its conviction on "confessions" the young men say were extracted through torture and other ill-treatment, allegations that the court failed to order investigations into. The young men have exhausted all their appeals and face execution as soon as the King ratifies their sentences, which could happen at any time.

Amnesty International has been campaigning to keep the cases in the public eye in an effort to pressure the Saudi Arabian authorities not to execute them. While there is no way of knowing when they might be executed, our experience suggests that the Saudi Arabian authorities are highly conscious of international focus on death penalty cases.



Roya Boroumand is the Executive Director of the Abdorrahman Boroumand Center for Human Rights in Iran¹, a non-governmental non-profit organization dedicated to the promotion of human rights and democracy in Iran.

Iran continues to impose and implement the death penalty at an alarmingly high rate. In your view, has there been any progress towards reducing the use and/or scope of the death penalty in Iran?

The number of executions in Iran remains alarmingly high. But, if we look back at the use and scope of the death penalty during the decade that followed the 1979 revolution, we see progress. The efforts of Iran's civil society, which emerged in the late 1990s and early 2000s, and the international community have resulted in changes in laws and practices. The combination of years-long human rights

documentation and advocacy efforts and progress in communication, which has allowed the circulation of information and raised awareness, the creation of a United Nations' special mandate on Iran, and the international community's persistent expression of concern regarding the rise in executions, and Iran's deadly anti-narcotic policy in particular, have had an impact on the behaviour of Iranian authorities and lawmakers.

There is progress on the use of the death penalty against political prisoners. Though dissidents, in particular from religious and ethnic minorities, continue to be sentenced to death and executed, the numbers are much lower than in the 1980s. Today, Iran's leaders are more concerned about the political cost associated with the execution of political prisoners. There has been no report of stoning cases in almost a decade and the number of executions reported in 2016 and 2017 are lower than the previous years. Further, Iran's draconian anti-narcotic law was reformed in 2017 and though lawmakers were pressured to reduce the scope of the reform, the final law will save lives. Most importantly, the proposed reform opened a nationwide debate about Iran's drug control policy. The efforts of the families of death row prisoners and the sacrifices of activists and lawyers who risked prison, the loss of their licenses, and exile to draw attention to individual cases and to systemic due process violations were critical in bringing about change.

Can you see any changes in attitudes among the people of Iran on the death penalty since Abdorrahman Boroumand Center for Human Rights in Iran began working to end the use of the death penalty? If so, what do you attribute to these changes?

When we started our research in 2001, there were no human rights groups focusing on the death penalty inside the country. At the time, the information we collected on executions were mainly found in official and semi-official newspapers and sometimes local blogs. Activism was just burgeoning and though the extra-judicial killing of dissidents in the 1990s led to protests, activists tried to give visibility to specific death penalty cases and to the execution of juvenile offenders, and fought against stoning, but there was no concerted efforts to document cases and fight against capital punishment as such. Today, the information we collect on the death penalty comes in great part from Iranian civil society, this signals an important shift in attitudes.

In the mid-2000s, as civil society became stronger and more vocal, the authorities clamped down on individuals and groups and shrunk the space for activism. The number of executions also increased sharply going from a little more than 100 execution cases reported in 2004, to more than 1,000 in 2015. Alleged drug offenders were particularly targeted by this new wave of executions. As activists were prosecuted, they experienced the violent, sub-standard and unfair judicial process that leads people to the gallows; and held with ordinary prisoners, their attention was drawn to the cases of death row prisoners. The flow of information, the persistence of human rights groups that helped document the cases, the courage of activists and individuals who continued to report from inside Iran, and the pressures from the international community encouraged some present and former officials inside Iran to openly question the effectiveness of Iran's anti-drug policies for example. Their arguments pointed repeatedly to the increase in addiction and trafficking regardless of the high number of executions and to the difficulties these executions created for Iran internationally. Today, the death penalty is among the issues discussed on social media. The execution of juvenile offenders, the debate on the negative results of mass incarceration and executions of drug offenders, many of them addicts, has made it to the press, to the parliament, and on TV. Though it is impossible to determine the scope of the shift towards abolition as long as activists are jailed for fighting against the death penalty, we see an increasing number of people who think and talk about the death penalty and there are registered and banned groups working openly or quietly to save lives.

Around the world, countries that resort to the use of the death penalty are becoming an increasingly isolated minority. What do you and Abdorrahman Boroumand Center for Human Rights in Iran think are the next steps for working towards abolition of the death penalty in Iran?

We have come a long way since the days when a person was arrested, tried within days without an attorney or the right to appeal the sentence, and executed the day after the trial at dawn. But we still have a long way to go before there is judicial transparency and Iran's laws and practices are compatible with the country's international human rights commitments. The implementation of reforms as well as progress in Iran's criminal justice system, where death sentences continue to be issued without respect for the minimum standards of fairness, depend on the concerted and persistent efforts of all those who believe in the dignity and human rights of all human beings. Those accused of ordinary crimes are the most vulnerable to police violence and unfair prosecution as they have little awareness of their rights and little or no visibility inside or outside the country. My organization has registered more than 8,200 executions since 2000 and we continue to learn about scores of executions that have gone unreported every year.

To progress towards abolition, human rights groups must keep documenting executions, advocate for change and provide Iranian civil society with the tools to reflect and act. We need to raise awareness among Iran's educated elite and influential political activists inside and outside the country, too often focused on political issues of the day, about the danger of an abusive and opaque judiciary that kills guilty and innocents alike. We must draw their attention to the long term impact of executions on the most vulnerable families and encourage them to focus on harmful laws and practices. Iranian clerics who know that abuses are committed in the name of Islam should raise their voices and call for reforms. The international community must continue to speak up to hold Iranian officials accountable and press them for transparency and reform. Civil society activists and lawyers in prison for doing their job should not become the norm. A focus on the justice system and due process violations, in relation to political prisoners but also to all those entangled with the judiciary, will bring Iranian authorities to consider change. No government likes the world to believe it has contempt for the lives of its citizens. Progress towards abolition is inevitable, but there will be no miracle. Change is possible if abolitionists join their efforts and persist.

¹ Formerly known as the Abdorrahman Boroumand Foundation