



## **AUSTRALIAN COALITION AGAINST DEATH PENALTY**

**also known as – ACADP**

**ACADP is an Australian registered non-profit human rights organization with no political or religious affiliation.**

ACADP is an Australian independent semi-private organization dedicated to achieving total abolition of the death penalty, worldwide.

ACADP was founded in Melbourne Australia in June 2000. The organization acts in accordance with *The Universal Declaration of Human Rights* in that ...

**'Everyone has the right to life, liberty and security of person.'** (Article 3)

ACADP also supports *The United Nations Commission on Human Rights* against the incarceration of offenders for purposes of punishment in that ...

**'No one shall be subjected to torture, cruel, inhumane or degrading treatment or punishment (also known as Death Row Phenomenon Syndrome) – that incarceration of dangerous offenders to be subject solely for the purpose of security to others.'** (Article 5)

Each and every day around the world, Governments legally kill men, women and children via various methods – hanging, lethal injection, electrocution, gassing, beheading or stoning to death. Capital punishment is a barbaric, brutal, cruel, degrading, inhuman and uncivilized punishment. The death penalty is a part of politically motivated corrupt criminal justice system, where it is used against certain people that Governments 'select' to eliminate for a variety of reasons.

The death penalty is a direct violation of the most fundamental universal human right – the right to life. Governments do not give nor grant us human life and they should have no right to take away a human life. Human rights are universal. Human rights belong to all everyone. Human rights are everybody's business. As members of the human race, each and every one of us has a born right to protect human life, regardless of location on this Earth. The death penalty cannot be separated from universal Human rights.

**ACADP opposes the use of the death penalty in all cases, under any circumstances – unconditionally !!!**



ACADP cites several reasons for this view ...

- Because the death penalty is a violation of the most fundamental universal human right – the right to life.
- Because the death penalty is a barbaric, brutal, cruel, degrading, inhumane and uncivilized form of punishment – incarceration of offenders protects the innocents from the dangerous.
- **Because the death penalty is fallible – the possibility of error of judgement can never be excluded – innocent/wrongly convicted people have been executed in the past.**
- Because the death penalty is extremely corruptible – some death row prisoners are 'chosen/selected' to be executed, while others are not.
- Because the death penalty is overwhelmingly biased and discriminative against the disadvantaged, the poor, the uneducated, the mentally ill, the mentally retarded, child offenders, political opponents, racial, ethnic and religious minorities, individuals deemed by governments to be 'troublesome' and offenders who commit non-violent crimes.
- Because the death penalty has a brutalizing effect on the community, actually inspiring more acts of violence and copycat crimes - thereby diminishing rather than increasing the deterrent effect.
- Because the use of the death penalty creates more victims in society – the innocent family members and loved ones of the executed offenders.

ACADP receives no money from government, corporations nor the public. The organization is entirely staffed by ACADP is an organization independent of any government, business, political or religious organization. This independence is possible thanks to dedicated human rights activist volunteers.

ACADP promotes the development of human rights values with the aim for total abolition of the death penalty ... for a death-penalty-free world.

ACADP aims at educating society (with a special focus on youth) by raising awareness of the facts and fallacies surrounding with the use of state-sanctioned killing around the world. ACADP publishes what the media won't tell the public.

ACADP advertises, publishes and promotes educational information about capital punishment around the world and the effects of/surrounding executions.

The organization conducts correspondence with both Australian and international government/political leaders, international human rights activists/groups/organizations and the worldwide media.

ACADP is involved in various campaigns, research, monitors, gathers and divulges information, news and updates on the use of the death penalty, worldwide. ACADP campaigns via various non-violent methods for the total abolition of the death penalty around the world, including online contributions and debating.

In addition, the ACADP guards and takes action against any calls for the reintroduction of capital punishment in Australia, including calls for the introduction of Sharia law into Australia.



## **AUSTRALIA - CAPITAL PUNISHMENT (Abolished 1985)**

Australia's last judicial killing was on February 3, 1967. The hanging of Ronald Ryan at Pentridge Prison aroused a storm of public anger and the biggest protests ever seen in the history of Australia, which would result in total abolition. To this day, serious doubt remains whether Ryan was guilty beyond all reasonable doubt.

There were many doubts in the Ryan capital case, total lack of scientific ballistic forensic evidence, mysterious missing pieces of vital evidence that would have cleared Ryan, ambiguities in the case, dire inconsistencies of all eyewitnesses evidence, and testimony by another prison officer that he fired the one single shot from a distance at an elevated position in a downward trajectory angle - heard by all witnesses at the scene of the crime. No person heard two shots fired.

Ryan was convicted of murder, sentenced to death and subsequently hanged by the State of Victoria based 'solely' on unsigned, unrecorded, unproven allegations of verbals/confessions, said to have been made by Ryan to police. The Victorian Premier Henry Bolte, played a key role in the hanging of Ronald Ryan. With a state election on the horizon, Bolte took the stance to be 'tough on crime' and was determined Ryan would go to the gallows.

On March 1, 2004 Ronald Ryan's defence attorney, Dr Philip Opas QC, said to Dorina Lisson, President of ACADP ...

***" ... I want to put the record straight. I want the truth told about Ronald Ryan – that an innocent man went to the gallows. I want the truth to be made available to everyone, for anyone young and old, who may want to do research into Ryan's case or research on the issue of capital punishment. I will go to my grave firmly of the opinion that Ronald Ryan did not commit murder. I refuse to believe that at any time he told anyone that he did ... "***

The "facts" surrounding the Ronald Ryan capital case can be found at ...  
**<http://ronaldryan.info>**

Documentary film on Ronald Ryan – The Last Man Hanged in Australia  
**[https://youtu.be/2Y97-\\_OOZ5U](https://youtu.be/2Y97-_OOZ5U)**

Beyond Reasonable Doubt – Was Ronald Ryan Guilty or Innocent?  
**<https://youtu.be/KnSnZrVCvGk>**

Australia officially abolished capital punishment nationwide under *The Crimes (Death Penalty Abolition) Amendment Act 1985*. Under Commonwealth law, the death penalty was abolished in 1973 by *Section 4 of The Death Penalty Abolition Act 1973*. Under the Australian Extradition Act, a person cannot be deported from Australia to face prosecution on a capital charge if there is the slightest chance they would face the death penalty. Before deportation, there must be an assurance the death penalty will not be imposed. The extradition laws reflect Australia's bipartisan opposition to the death penalty.



Today, a minority of right-wing individuals are calling for the reintroduction of capital punishment in Australia. Some religious extremists/groups are calling for Sharia law to be introduced in Australia.

**On March 10, 2010 - The Australian federal parliament passed laws ensuring that capital punishment can never be reintroduced in any jurisdiction. All sides of Australian politics supported the symbolic laws, which ensures that all Australian states and territories can never reinstate the death penalty. There were no speeches or votes against it.**

**On May 17, 2011 - The Australian federal government moved to block any calls for Sharia law in Australia, strongly rejecting any proposal for the introduction of sharia law, adding that there is no place for the 'eye-for-an-eye' justice in Australian society with a stable democracy.**

**On November 20, 2012 - Australia was among a record 110 countries which backed a resolution, voted on every two years, at the United Nations General Assembly committee calling for the abolition of the death penalty, worldwide.**

Australia is prevented from legislating for the reintroduction of capital punishment because it is party to a number of International Treaties, whose objective is total abolition of the death penalty worldwide. All Australian politicians describe this as a 'hallmark of a civilized society'.

#### **Australia's Strategy for Abolition of the Death Penalty**

*<http://dfat.gov.au/international-relations/themes/human-rights/Documents/australias-strategy-for-abolition-of-the-death-penalty.pdf>*

Most morally decent people are cynical about politicians who, at times, will support capital punishment to their advantage. Most decent civilized politicians believe that capital punishment is ethically and morally abhorrent and not useful at all in fighting crime. Then, there are politicians like who wish to make a name for themselves by calling for the reintroduction of capital punishment. But these politicians sldo refuse to inform the public of the high costs associated with capital punishment.

Contrary to popular belief, executing criminals does not save taxpayers' money. The important issue of capital punishment brings a 'responsibility' by politicians to fully inform the public that legally killing people is extremely expensive to taxpayers. Just one capital case, after all appeals have been exhausted, ends up costing taxpayers' much more money than life in prison without parole.

In all democratic nations every human being is considered innocent of an alleged crime until proven guilty beyond a reasonable doubt by a court of law. For this reason, certain safeguards must be used for capital cases. These safeguards make capital trials more extensive, and therefore, they last longer. The greatest cost of capital cases would incur prior to, and during the trial, not in post-conviction and appeals proceedings. Litigating a death penalty case needs more preparation - is extremely expensive and labour intensive.



The costs incurred for a capital trial can run into the millions of dollars. In view of the 'life-and-death issue' at stake, governments have an obligation to guarantee those prosecuted for capital cases receive the very best defence that taxpayers money can buy ... a top-notch team of the best-of-the-best lawyers with wide latitude in hiring top-notch best-of-the-best experts and consultants. All these costs would place a huge financial burden on the already over-stretched legal justice system.

After a person has been sentenced to death, various avenues for numerous appeals are available to the condemned, making the process to execution more lengthy, thereby much more expensive. The appeals process eliminates the possibility of legal and other errors in the capital cases. The process could be streamlined of course, but at a very different cost - increasing the possibility of convicting and executing an innocent or wrongly convicted person. If history were any guide, innocent or wrongly convicted people would be executed along the way. How does a Government pardon a corpse?

Evidence of the importance of the appeals process can be seen in the United States of America, where in the last forty years alone, more than 160 prisoners have been released from death row after evidence emerged of their wrongful conviction. These prisoners had spent many years, even decades on death row awaiting execution. The appeals process saved these prisoners from execution. The fact that some legal errors have been discovered during the appeals process strongly suggests there have been other cases where legal errors have not been discovered in time and wrongly convicted people have been executed.

**Fact: ... If Australia was to reintroduce capital punishment, federal and state taxes would need to be increased, additional hidden taxes would need to be introduced including a costly permanent capital punishment tax levy, essential community services such as health, education, etc. would need to be cut drastically to pay for having the luxury of legally killing people. Every Australian man, woman and child would pay a high price for having the death penalty in use.**

## **DEATH PENALTY AROUND THE WORLD**

The death penalty around the world has two faces - one is in the international spotlight and the other is hidden from view. The Australian media rarely reports cases of state-sanctioned killing around the world, in the slight chance it might upset foreign governments. The death penalty in the USA is highly publicised. On the other hand, the death penalty in Asian, Middle Eastern and African countries is shrouded in secrecy - executions are intermittently reported by officials and most often ignored by the media. Therefore, the public remains unaware.

According to a recent United Nations Human Rights report, more than 22,000 people are on death row around the world after being convicted of various crimes, including non-violent crimes. In most countries offenders receive limited defense counsel, one trial one appeal and then executed. In many countries state-sanctioned killings remain a closely guarded state secret. The public in general, has very little knowledge of the facts.



In some countries, speaking out for human rights and against the death penalty, is considered criminal. Many human rights activists and journalists trying to report human rights abuses are incarcerated, tortured, killed or mysteriously disappear. Nobody dares to appeal for clemency for the condemned. The few local human rights activists and family members struggling to save the lives of the condemned face harassment, intimidation, imprisonment and death threats.

The public is influenced to trust the criminal justice system – that capital punishment is only used for the 'worst-of-the-worst' offenders. But nothing can be further from the truth - the death penalty around the world is applied capriciously and at random. The death penalty around the world is a lethal lottery. Politics, quality of legal counsel, police or prosecutorial misconduct, corruption, ominous jury members, who you are, your ethnicity, your financial status, your intellect, the jurisdiction where the crime is committed, and the political climate at the time of the crime or death sentence, and political rivalry are more often the determining factors - more than the actual facts of the crime itself.

Countries that carry out judicial/extra-judicial executions do not kill all those sentenced to death. They 'select' offenders to kill - known as 'legalised selective discrimination'. This selection process is known as blatant discrimination. In the USA, the death penalty is only applied for pre-meditated murder. In most other retentionist countries the death penalty is applied for over 100 violent and non-violent crimes. The vast majority of non-violent criminals do not make it to execution - they are, flogged, tortured, or murdered in prison.

Crimes punishable by death include adultery, apostasy, blasphemy, drug-trafficking, prostitution, homosexuality, sorcery, sexual intercourse between partners not married to each other, individuals converting or preaching Christianity or Judaism, insulting Allah or prophet Muhammad, corruption on Earth (can virtually mean anything; a legal 'catch-all term' that the defendant is an enemy of Allah for a variety of offences), conspiring against the government, consuming alcohol, gambling and plotting to overthrow the Islamic regime. Executions in many countries remain a sordid public spectacle. Hundred of people gather to watch, film and loudly cheer. The condemned are ritually flogged, humiliated or insulted by being paraded in public prior to being executed by beheading, hanging, shot, firing squad, strangled by crane, or stoned to death.

Under strict Islamic/Sharia laws, a male offender is buried up to the waist with his hands tied behind his back, while a female offender is buried up to her neck. Spectators, usually male, then carry out the stoning by hurling rocks and stones at the offender. The stones are deliberately chosen to be large enough to cause pain, but not big enough to kill the offender in just one or two strikes. Eventually (can take up to one hour or more) the offender dies from shock due to blood loss.

**It is important to note that all Holy books and religions in the world preach compassion, forgiveness and mercy over vengeance. The death penalty is inconsistent with these religious teachings. Proponents of capital punishment unfairly use religion to justify state-sanctioned killing, torture and violence.**



More than half of all women are in prison or on death row for culture/religious 'moral crimes'. The media does not publish this important information.

Human Rights organizations report that tens of thousands have died hideously, customarily executed in public to the sound of public cheers. Finding some strange pleasure in the public state killing of another human being can only be described as truly "feral". The Human Rights Committee, established under the International Covenant on Civil and Political Rights, has stated that public executions are incompatible with human dignity, which have a brutalizing and dehumanising effects on society. Saudi Arabia executes by public beheadings. <http://deathpenaltynews.blogspot.com.au/2015/01/saudi-arabia-woman-executed-for-killing.html>

There are deep concerns at the continued imposition of corporal punishment such as human limb amputation or decapitation, floggings and torture. Punishments include chopping off the hand at the wrist for stealing, 40-80 lashes for drinking alcohol or gambling. Some condemned offenders are flogged in public prior to being executed. Although this brutal act removes dangerous offenders from society permanently and protects citizens, life imprisonment achieves the same objective.

Present and past Australian Governments' have publicly stated that they oppose the death penalty for Australians only - that the death penalty is 'unacceptable in all circumstances and in all jurisdictions'. The bipartisan policy is that executing Australian citizens is barbaric and seeks clemency, yet the execution of non-Australians is acceptable.

For example; Just prior to the execution of the three convicted Bali bombers in 2008, every Australian politician publicly stated; "*They deserve the justice [death] that will be delivered to them.*" Surely, these public comments have not gone unnoticed internationally. By focusing just on Australian citizens facing the death penalty in foreign countries smacks of the worst kind of racism. Obviously, principle is sacrificed for political advantage. In 2015, Australia's suggestion to swap two Australians (Andrew Chan and Myuran Sukumaran) on death row in Indonesia for two Indonesians in Australian prisons was viewed worldwide as racist - it smacked of suggestion that Australian lives are more valuable than foreigners' lives - suggesting the death penalty is okay for non-Australians.

The rest of the world can only see Australia as hypocritical - speaking with a forked tongue on this ultimate human rights issue as. Internationally, this bipartisan policy damages and forfeits Australia's credibility over international human rights laws, which includes worldwide abolition of death penalty. A global unbiased effort is needed to abolish the death penalty around the world.

Australia's opposition to the death penalty should be clear and consistent, regardless of the crime, regardless of the country, regardless of the citizenship of the convicted. Opposing the death penalty for some crimes but not for others, for some criminals but not for Australian criminals, opens Australia to charges of hypocrisy and undermines our commitment to the universal abolition of the death penalty. Australia is seen as racist and weak over abolition of the death penalty.



## **WHEN JUSTICE ERRS – Oooops 'human error'**

**Colin Campbell Ross**, a 28-year-old Australian publican was convicted and sentenced to death for the rape and murder of a 12-year-old girl, Alma Tirtschke. Ross was hanged at the Old Melbourne Gaol on April 24, 1922 - despite his claim of innocence. The hanging was botched in a gruesome manner. Ross' spinal cord was fractured, his larynx and windpipe torn, as he struggled with rasping breaths and convulsed on the rope for twenty minutes before dying of strangulation.

In 2008 (eighty-six years later) the State of Victoria granted Ross an official posthumous pardon, after new research discredited the evidence used for his conviction. The only physical evidence connecting Ross to the crime were hairs on a blanket which prosecutors claimed was Tirtschke's. However, recent forensic tests have proven the original hair samples did not come from the victim.

There is no way of knowing how many people have been executed in the past that may have been innocent or wrongly convicted. Members of the jury are not perfect human beings and sometimes they do make wrong verdicts. The courts and defence lawyers go on to other cases. Governments do not generally entertain claims of innocence after the defendant is dead. Because states will not re-open cases once a prisoner has been executed, it's impossible to determine positively, if an innocent or wrongly convicted person has ever been executed.

It is too late to reverse the decision or compensate the executed offender for a miscarriage of justice after the death sentence has been carried out. In addition, the right to compensation for each family member of a wrongly executed person would total in the millions of dollars. Those who argue for the death penalty on the grounds that at least the killer is removed permanently from society must also keep in mind that there is always the possibility, however remote, that an innocent person may be executed.

**The USA boasts to have to best-of-the-best criminal justice system in the world. However, since 1973 more than 160 death row prisoners in the USA have been released after evidence emerged, during their appeals' process, of their innocence or wrongful conviction. Most of these death row prisoners had spent more than a decade on death row and some had come within hours of being executed. These cases can be found at ...**

*<http://www.deathpenaltyinfo.org/innocence-and-death-penalty>*

**There is no such thing as a 'perfect' criminal justice system - legal mistakes do occur. It took more than one trial and more than one appeal in almost all of cases of released death row prisoners. The fact that some mistakes were discovered in time strongly suggests that there have been other occasions when mistakes were not discovered in time and wrongly convicted people have been executed. Nobody knows for sure!**

Sadly, every politician around the world knows the safest course for their political career is to keep silent ... silent about the tens of thousands of people that are put to death by Governments each year, worldwide. The media around the world rarely report worldwide executions. Many executions remain a state secret.



Killing human beings as a deterrent to crime is not a measure of ethical and moral decency. Those who argue this point never seem to acknowledge the deterrent quality or punitive power of life sentences without parole.

There is nothing positive or uplifting about state-sanctioned killing.

Capital punishment actually brutalizes and degrades a society – inspiring more acts of violence because it teaches children that it is 'alright' to legally kill some people.

We are human, not animals – we cannot pretend to be humane and at the same time act out like animals. Furthermore, the use of capital punishment around the world has been proven to have no deterrent effect on crime, it cannot be administered without racial bias, without discrimination, and it costs taxpayers' more money than life without parole.

**ACADP's opposition to the death penalty is all about Governments' legally killing people ... it's just that simple!**

## **THE DEATH PENALTY - Arguments For and Against**

**FOR** ..... The death penalty deters crime.

**AGAINST** ..... Scientific studies have consistently failed to find convincing evidence that the death penalty deters crime more effectively than other punishments. Most murders are unplanned, spur-of-the-moment passion crimes. People who commit these murders are not thinking about the death penalty.

Murderers seldom plan their crimes; the small numbers who do believe they will avoid detection and therefore, are not deterred by the thought of the death penalty. Mentally unbalanced people and those driven by political or religious fantasies are not deterred by the death penalty. With the exception of professional hit men very few people are in a rational frame of mind when they commit murder.

The most recent survey of various research findings on the relation between the death penalty and homicide rates, conducted for The United Nations, concluded ...  
" ... *It is not prudent to accept the hypothesis that capital punishment deters murder to a marginally greater extent than does the threat and application of the supposedly lesser punishment of life imprisonment ...*" The death penalty only kills the criminal, not the crime, there is no correlation between the two. Research has concluded that deterrence cannot be the logic behind the death penalty.

**FOR** ..... If you take the life of another you should lose your life. You lose the right to your life. The State should take your life in return – an eye-for-an-eye.



**AGAINST** ..... This common argument has been used to support the use of capital punishment without regard to the calculus or the true meaning. Governments would have to execute millions of killers - in time - to kill every killer that meets that 'eye-for-an-eye' imperative. Without discrimination, Governments should also kill the killers, which kill the killers. What we would see is a bloodbath of human slaughter on the face of this planet. But Governments do discriminate when it suits them - you see, Governments do not kill all killers, they 'select' the killers they want to kill. It is called 'selective eligibility' for state-sanctioned killing. Some condemned prisoners believe that 'judicial killing' is not a punishment but freedom from this world. Some prisoners request to be killed.

**FOR** ..... The death penalty is only used for the 'worst-of-the-worst' convicted offenders.

**AGAINST** ..... Nothing can be further from the truth. The public is influenced to trust the criminal justice system, that capital punishment is only used for the 'worst-of-the-worst' offenders. The truth is that the death penalty around the world is applied arbitrarily, capriciously and at random. The death penalty is a lethal lottery - it is not equally distributed amongst the population. Politics, quality of legal counsel, police or prosecutorial misconduct, eyewitness errors, false or coerced confessions, use of 'snitches' as informants, corruption, ominous jury members, who you are, your ethnicity, your financial status, your intellect, the jurisdiction where the crime is committed, the public mood/response, the political climate at the time of the crime or death sentence and political rivalry are more often the determining factors - more than the actual facts of the crime itself. Fact ... Countries that carry out judicial and extra-judicial executions do not kill all those sentenced to death. They 'select' the offenders they want to execute. This is known as 'legalised selective discrimination'. Almost never are executed offenders in the category of the 'worst-of-the-worst' offenders.

**FOR** ..... Countries that use capital punishment have lower crime rates.

**AGAINST** ..... Countries that execute their criminals are mostly repressive nations, which either limit or do not release accurate information on the true crime rates, death row numbers, or execution statistics. This gives the public the false assertion that the use of capital punishment is a deterrent to crime. In most retentionist countries, various crimes are committed with total impunity (eg. honour killings). The victims of crime/human rights abuses are systematically denied justice by the authorities - repeated and deliberate failure to bring offenders to justice. Crime rates and statistics from male-dominated oppressive regimes are unreliable, because victims of crime do not report certain crimes (eg. rape), or the authorities alter/ignore the actual crime. Also, many governments impose the most extensive form of media censorship. Retentionist countries continue to have some of the highest crime rates per head of population in comparison to abolitionist countries. For example; The USA is the only western nation that regularly practises the death penalty, and yet, the USA continues to have the highest crime rates (per capita) and the highest incarceration rates (per capita) than any other country in the world - startling evidence that the death penalty is not a deterrent to crime at all, but actually brutalizes a society by inspiring more acts of violence in an already violent society.



**FOR** ..... Keeping criminals in prison is wasting taxpayers' money. Executing criminals saves taxpayers' money.

**AGAINST** ..... This is one big fallacy. Fact is that capital punishment is very expensive to taxpayers', but you won't hear or read about this fact, not from politicians and not from the media. There is ample evidence that just one capital case, after all appeals have been exhausted, ends up costing taxpayers' much more money than life in prison without parole.

In all democratic nations every human being is considered innocent of an alleged crime until proven guilty beyond a reasonable doubt by a court of law. For this reason, certain safeguards must be used for capital cases. These safeguards make capital trials more extensive, and therefore, they last longer.

The greatest cost of capital cases would incur prior to, and during the trial, not in post-conviction and appeals proceedings. The costs incurred for just one capital trial run into the millions of dollars. In view of the 'life-and-death issue' at stake, Governments have an obligation to guarantee those prosecuted for capital cases receive the very best defence that taxpayers money can buy - a top-notch team of the best-of-the-best lawyers, with wide latitude in hiring top-notch best-of-the-best experts and consultants. After a person has been sentenced to death, various avenues for numerous appeals are available to the condemned, making the process to execution more lengthy, thereby much more expensive. Appeals eliminate the possibility of errors in the capital case of the convicted offender. The process could be streamlined of course, but at a very different cost - increasing the possibility of convicting and executing an innocent/wrongly convicted person. All these costs place a huge financial burden on the already over-stretched legal justice system. Unfortunately, politicians and the media keep this fact a closely guarded secret. Hence, the high cost of state-sanctioned killing is not reported. Those who passed mathematics know the costly fact of the death penalty system, but they do not want the public to know the truth.

For example; If Australia was to re-introduce capital punishment, federal and state taxes would need to be increased and additional hidden taxes would need to be introduced. A permanent and costly 'capital punishment levy' would be introduced. If the public wants capital punishment they will have to pay for it. Don't rely on the media or politicians to inform you of this fact - they are only interested in sensationalistic ratings and votes!

In addition, the re-introduction of capital punishment would create other problems, such as bias, discrimination, etc. The first step to losing a capital case is selecting a jury - it would be highly unlikely that all 12 jury members would support state-sanctioned killing, resulting in a hung jury (deadlocked jury) - a jury that cannot, or will not, agree unanimously on a verdict. If a case ends in a hung jury, the case would be retried with a different jury. This scenario can continue until a jury unanimously agrees on a verdict - adding extra costs on an extremely costly capital justice system - meaning more taxpayers' money.

**It is important to note that in multi-cultural Australia, capital punishment cannot be administered without racial bias, discrimination or prejudice.**



**FOR** ..... The appeals process of death penalty cases should be shortened or eliminated to save taxpayers money.

**AGAINST** ..... And, if history were any guide, innocent and wrongly convicted people would be executed along the way, as some have been in the past. The appeals process eliminates errors within the criminal justice system, but what are one or two mistakes when death penalty supporters talk about the expeditious eradication of criminals? Even if all appeals proceedings were abolished the capital system would still be more expensive than life without parole.

**FOR** ..... Lethal injection is not cruel - it is like putting your dog to sleep, which makes it way too humane.

**AGAINST** ..... Legally killing people by lethal chemicals/poisons should be seen for what it really is - to make executions more palatable to society, to the executioners' involved in carrying out this repugnant state-sanctioned violence, and to the blood-lust witnesses eager to view the killing of another human being. Although lethal injection may appear to be clean and bloodless, it is anything but humane. Death by lethal injection was designed to prevent many of the disturbing and bloody images associated with other methods of killing people. Many disturbing ugly incidents of 'botched' executions by lethal injection have been reported. Yet, State authorities continue to brainwash the public into believing that death by lethal injection is humane. This is simply not true.

**FOR** ..... If a person brutally murders someone, why should society care that the death penalty is a cruel and unusual punishment?

**AGAINST** ..... *The Universal Declaration of Human Rights (Article 5)* clearly states; 'No one shall be subjected to torture, cruel, inhumane or degrading treatment or punishment (also known as Death Row Phenomenon Syndrome) - that incarceration of dangerous offenders to be subject solely for the purpose of security to others.' To inflict this kind of severe, wholly arbitrary and unnecessary brutal punishment is degrading to human dignity, which should be totally rejected in a decent civilized society.

**FOR** ..... If killers are not executed, there is a possibility they will escape from prison to kill again. Capital punishment ensures that the offender will never escape to re-offend.

**AGAINST** ..... This is the ultimate of excuses for the death penalty. Isn't the government supposed to provide the best of safeguards and security to guarantee the public that prisons are escape-proof? Must we start killing prisoners because governments are failing their responsibility to adequately protect society from dangerous offenders?

To suggest we kill offenders on the 'slight chance' that they may escape from prison is immoral as it is outrageous. Prison authorities/officials are supposed to ensure, absolutely, that correctional facilities are secure and escape-proof, rather than continue to cut corners for extra profits.



**FOR** ..... For better or worse, the execution of a criminal absolutely guarantees that they will not commit a crime again.

**AGAINST** ..... Of course, and a life sentence without parole approaches the same promise without the need for a Government to spend millions of extra dollars just to perform a 'revenge' act on the offender. To execute criminals on the hypothesis that they 'might' kill again is preposterous. It is like saying, don't drive your car ever again in the slight chance you 'might' cause a fatality.

**FOR** ..... The death penalty brings 'closure' for the victims' family.

**AGAINST** ..... This is a powerful argument for supporting the death penalty. However, one fails to see how killing the offender can provide justice to the victims family. As if another killing closes doors!

Supporters of the death penalty often say that state-sanctioned killing bring closure to the victims family. But how can two wrongs make a right? How can one killing then justify another? That is not true justice - it is quite simply an act of pure "revenge". Tragically, the loss of a loved one is permanent. Their sorrow and the pain will always be with them. Killing the offender does nothing to relieve their pain. What it does accomplish is grief to the innocent family members and loved ones of the executed - it creates yet another set of victims in society.

Many family members of victims of crime say they can hardly wait to gain 'closure' by the execution of the offender. But what the public never hears is any of these same people say years later, that they found this 'promising closure'. Supporters of the death penalty argue that a death sentence will bring the victims family with some sort of relief - focusing on anger, hatred and rage, rather than focusing on healing. Waiting, wishing, and seeing the offender executed by the State is not going to help the healing process. This only leads victims' families to more despair over their loss.

**FOR** ..... Many opponents of the death penalty have never been the victim of a violent act, or know of someone who has been killed by another person.

**AGAINST** ..... There are many victims of crime and their families that seek true justice and not purely revenge via the death penalty. It is abhorrent to suggest that only the victims of crime or the families of victims of crime have the 'exclusive right of say' in this matter, and that the rest of us are not qualified to render an opinion on the argument that we can neither claim a homicide in the family, nor appreciate horrific tragedies endured by others. When the State kills, it kills in all our names. When the State kills, it is everyone's business.

**FOR** ..... Executing the offender is 'justice served' for the victim/s family.

**AGAINST** ..... Justice is a myth, just like deterrence, and all the fancy words that supporters of the death penalty use to justify state-sanctioned killing in the name of justice. Killing offenders based on what might make some victims feel better, is not justice served, it merely "appeases" the anger, hatred, rage and resentment.



The death penalty is merely revenge masquerading as justice. Justice served, is when the hurt of victims and their families comes to an end. The fact is that no amount of punishment for offenders can make the hurt go away. There is never an end to the hurt from violent crime. The only satisfaction that a state-sanctioned execution brings to victims of crime and their families is that another human being has been legally killed (aka retribution, revenge, an eye-for-an-eye) and more innocent victims family members are created. Society disregards the suffering family members of executed offenders. It is important to also note that the drawn-out media coverage elevates the stories of offenders - thus denying victims' the healing they need. The names and faces of offenders should fade into obscurity. Life in prison without parole is adequate punishment for some offenders. Incarceration of offenders protects the innocents from the dangerous. Incarceration (loss of freedom) is 'true punishment' - death is merely a release.

**FOR** ..... Opponents of the death penalty should allow buildings of extra prisons to house all criminals next to their houses.

**AGAINST** .... There's no need. There are correct zoning laws for commercial, industrial and residential buildings. Besides, there is always land space to build new prisons, which creates employment. However, this should not be necessary if the majority of offenders who are in prison for non-violent crimes (eg. petty offenders, addicts, the mentally ill and the mentally retarded) are given alternative punishment rather than locking them up in already overcrowded prisons. Drug/substance addiction causes changes in the brain – addiction is a disease. The state should treat addicts for their addiction problems rather than send them to prison. There are many alternatives to imprisonment for the majority of non-violent offenders, such as providing medical, psychological and rehabilitation treatment in secure state-funded facilities.

**FOR** ..... Some criminals are abnormal/sick, and should be exterminated.

**AGAINST** ..... Labelling criminals as abnormal/sick individuals suggests that they are irredeemable - completely beyond the hope of reform. It is taking no consideration of the mental depravity required to commit a horrific crime. No one is more 'evil' than anyone else; we are products of our genes, our environment, our personal histories, our psychological conditions and our mental clarity, which all play a large part in our social behaviour.

Sadly, society has little knowledge of the reality of mental illness and its occasionally violent manifestations of a person lost in the darkness of their own mind. Research shows that most people on death row suffer from mental retardation, mental illness or have acquired brain trauma. Mental illness does not discriminate - it can happen to anyone at anytime. The threat of the death penalty does not deter mentally unbalanced people from committing crimes. Mental illness is defined as - any of various conditions characterized by impairment of an individual's normal cognitive, emotional, or behavioural functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as brain disease, infections or head trauma. Mental illnesses disrupt a person's thinking, feeling, mood, ability to relate to others and daily functioning.



Mental illnesses include major depression, schizophrenia, bipolar disorder, obsessive compulsive disorder, panic disorder, post traumatic stress disorder and borderline personality disorder. Most people who suffer from mental illness turn to various substance abuse in an attempt to, escape or numb, emotional painful feelings of depression, fear, anxiety, delusions, hallucinations, mental confusion, mood swings, etc. Many attempt suicide or request authorities to kill them (state-assisted suicide). Death for some is a release and freedom.

**FOR** ..... Executed offenders' human organs should be harvested for human organ donations/transplants for medically ill people who need new organs.

**AGAINST** ..... It's not that simple! The reality is that the majority of death row prisoners and executed prisoners either have been, or are substance addicts. In addition, almost every prisoner awaiting state-sanctioned execution are taking a variety of multiple prescribed medications for a variety of psychiatric illness and physical medical health problems, such as diabetes, kidney or liver failure, cardiovascular disease, and various human diseases. Many are infected with HIV, hepatitis, tuberculosis and other viral infections. Over time, chronic health conditions and long-term medications cause some degree of damage to human organs - deemed unsuitable donors for organ transplants.

**FOR** ..... Criminals should not be allowed to breathe - they waste free oxygen. They are sub-human, animals, scumbags, pieces of manure, etc, and should be exterminated.

**AGAINST** ..... Undiluted hatred! The death penalty really is a "legalized hate crime". Governments allow the public to hate certain individuals in society, making the death penalty an acceptable form of state-sanctioned violence. It is homicidal retribution - homicidal vengeance, which breeds and feeds more hatred and more violence in society. Supporters of the death penalty love killing - it gives them a temporary thrill. Truth is, nobody kills for love. A civilized society should never tolerate such hatred for certain human beings that we lower ourselves to such an inhuman act of legalised killing. A decent civilized society simply cannot accept the proposition that a government, any government, has the ultimate power over its citizens - the "right" to kill a human being in a well-organized pre-meditated cold-blooded ritual, and call ourselves civilized. Capital punishment teaches us that it is "all right" to kill "chosen" offenders - that it is "alright" to hate certain individuals. Society is encouraged to publicly express hatred and their desire to kill some offenders. This notion is publicly acceptable.

**FOR** ..... Advances in forensics/DNA tests can prove 100 percent guilt.

**AGAINST** ..... Scientific laboratory accreditation alone cannot guarantee the integrity of forensics/DNA evidence in every instance. A match between the crime scene profile and a defendant's profile does not prove that the defendant committed the particular crime. The technical reliability of forensic evidence depends on a number of factors, including the quantity and quality of the sample analysed and the laboratory equipment and technique in analysing the samples. The accuracy of forensic analysis depends on the quality of monitoring, verifying and documenting laboratory performance procedures in the forensic laboratory.



Samples are relatively insensitive to degradation. Also, poor quality samples can lead to uncertain results requiring substantial interpretation by the forensic scientist. Samples that contain a mixture of several persons can result in errors. There is the potential for human error or varying opinions in the interpretation of the forensic results. Sample mishandling, mislabelling or contamination is also likely to compromise a forensic analysis, than an error in the analysis. Contamination of the forensic sample can occur at any stage of the collection, transport, storage, analysis or contaminated with other samples. Laboratory staff could make human errors in conducting the analysis, in interpreting or reporting the results of the analysis, failing to comply with an established procedure for analysis, a misjudgement by the scientist, or some other mistake. There can be several explanations for other errors, such as the possibility that a laboratory error resulted in a false positive/negative, the sample was 'planted' at the crime scene, the sample was innocently left at the crime scene either before, during, or immediately after the crime. Misconduct and tampering with a sample by person/s cannot be eliminated altogether.

**FOR** ..... The death penalty is no different to abortion – both methods kill.

**AGAINST** ..... Human Rights includes Womens Rights. Nobody has a right to tell a woman what to do with her body. A woman has the ultimate fundamental human right to do as she wishes with her own body. Abortion cannot be separated from Womens' Rights. A fetus is "doing" something to the woman - using her body against her will. A fetus is doing it involuntarily but nevertheless, if the woman is committing murder by having an abortion, she is doing it to someone who is also doing something to her. Many other instances of using someone's body against their will are illegal, such as rape. By medical definition, the fetus is a biological parasite taking nutrition from its host (the woman) but gives nothing back in terms of health benefits, although it can threaten a woman's life. Pregnancy can often cause emotional and physical health problems for women, including death. It is estimated a female dies from post-partum haemorrhaging every three minutes around the world – the most common cause of death. Imagine the hysterical outcry by males if pregnancy or childbirth threatened a man's life?

ACADP is not pro-abortion, it is pro-choice (aka Womens' Rights) and is non-judgemental.

## **PUBLIC OPINION – What You Need To Know**

**Every country in the world shows overwhelming support for the death penalty. The reasons for this majority public support are complex. If the public were fully informed of the facts and fallacies surrounding the use of the death penalty more people would oppose it.**

**Education and moral leadership shape an informed public opinion. It is the responsibility of political leaders, law legislators, influential intellectual individuals, and the media to lead public opinion in factual matters of human rights - the death penalty cannot be separated from International human rights.**



**A reminder, that not so long ago public opinion overwhelmingly supported slavery, racial segregation, flogging, lynching and even torture. The decision to abolish the death penalty has to be taken by politicians, even though public majority supports it.**

**For example; decent civilised governments would never introduce laws such as human torture even if public majority supported it. Yet, the death penalty is both mental (prolonged) and physical torture. The issue of legally killing criminals in every abolitionist country was framed as a 'moral' concern for society as a whole. The death penalty was considered incompatible with the basic principles of human rights, and thereby abolished.**

**Political leaders need to express a principled opposition to the death penalty in terms of the sanctity of human life and dignity. Sadly, the arguments against the death penalty will not lead to abolition. For abolition to happen, opponents of the death penalty and political leaders will have to 'speak' about the death penalty in the clear language of 'moral' principle. Abolition cannot be achieved without demanding political leaders do what is 'ethically and morally' right.**

**Political leaders use the death penalty as a 'populist tool' to prove they are 'tough on crime'. Politicians play with people's lives to gain political votes, knowing full well that they are appealing not to rationality but to raw emotions of vengeance, especially in the aftermath of a horrendous crime. However, not a mention by politicians that the majority of murder crimes are 'domestic related' – so why are these criminals exempt ???**

**Nor is it true that executed people are only those guilty of the worst-of-the-worst crimes. Executions include everything from murder, adultery, blasphemy and a variety of non-violent and moral crimes. The major players in drug-trafficking are never caught, never punished, never executed, because the major players are corrupt governments, police, law legislators, judges and lawyers who 'play' the system.**

## **THE DEATH PENALTY - A 'Government Program'**

The death penalty law is a legalized and discriminative 'Government Program'. It is judicial killing. Too many governments still believe that they can solve social problems by executing prisoners. Many people all over the world are unaware that the death penalty offers society not further protection but further brutalization.

The death penalty is imposed arbitrarily, capriciously and at random. It is applied to some people who commit non-violent crime and not to others who commit violent crime. Some death row prisoners are 'chosen or selected' to be legally killed while others are not. The use of the death penalty is discriminative against the poor, the disadvantaged, the mentally ill, the mentally disabled, the uneducated, and the minorities of racial ethnic and religious communities.



Most death row prisoners share similar biographies of extremely tough dysfunctional childhoods - lives of prolonged severe abuse, molestation, neglect, who have endured indisputable dire circumstances, which inevitably affected their mental and emotional health.

In essence, killing a criminal gives a temporary relief to society - that the 'evil' has been removed and, they the good people, can resume living a safe happy life. It is a 'sick' revengful act of rejoicing at the legalized killing of a human being. The question is; how does the practice of the death penalty differ from the human sacrifices in primitive societies where certain people were killed for the good of society? Are they not equally barbaric? Just because today's criminals are executed in a more organized way, the practice cannot be seen as any less brutal. Supporters of the death penalty often tend to imagine that crime is committed in a social vacuum, and they often claim that crime is essentially a social deviance.

A more sophisticated understanding of criminal behaviour is a result of social conditioning, causes, and the moral, political and psychological conditions, which the offender of a particular crime finds himself/herself in.

The tendencies to overlook this important sociological aspect of crime, and more importantly self-righteously isolate the rest of society from the criminal, lead to ignorance of crime and criminal behaviour. Consider for a moment that those who do good deeds are not born with better genes, they just happen to be exposed to better social conditioning and conditions. The argument here is not intended to deprive individual humans of their moral agency to choose good over evil, but rather to point out that in many cases, social conditioning, causes and conditions have a great role to play in the making of a criminal.

**Governments' are not infallible - we know that they habitually make mistakes. When society gives Governments' the right to kill people, we must understand that 'right' is often abused. More importantly, we are erroneously awarding Governments' absolute power over our lives, which in the long term has significant negative implications.**

In the words of Australian journalist Brian Morley, a witness to the hanging of Ronald Ryan in 1967 ... *"It was the most callous futile act that haunts me to this day. I saw a man deliberately killed in the name of the law - a man helplessly bound, led to the gallows and deliberately put to death. It achieved nothing."*

Governments' have a duty to protect society by ensuring that violent crimes are addressed - adopting preventive measures and understanding the sociological, psychological and economic contexts which create criminals in the first place. Prevention is far better than the easy cure of 'contract killing' of offenders or any person that Governments' want to eliminate/silence. The killing of criminals by Governments', (whether it be in public or behind closed doors) negatively affects the moral core of a society because it clearly violates the sanctity of human life. More so, there is a thin line between the use of death penalty for deterrence and public executions as 'spectator sport' as both acts end up legitimizing the killing of another human being.



The state-sanctioned killing of a human person, depends on the moral order that society lives by. Killing a criminal is easy, but preventing crime is a complex process that Governments' often are unwilling to undertake. It is easier to dismiss a criminal as being 'evil' than to face the tangle of social failures within our society.

There are serious flaws in every criminal justice system, the legal and other errors that occur due to police interrogation or corruption, prosecutorial misconduct, inadequate legal representation, inadequate case and forensics investigation, and jury members' bias and prejudice. Very often political rivalries between Governments play a major role in executions. There are no powerful or wealthy people on death row ... discrimination ???

In the words of former Illinois (USA) Governor George Ryan ... *"Our death penalty system is haunted by the demon of error - error in determining guilt - and error in determining 'who' among the guilty deserves to die, like flipping a coin to see 'who' will live or die."*

Remember this; ninety-nine percent of all death row prisoners around the world are powerless, penniless, mentally ill or incompetent, brain-damaged, uneducated, substance addicts, the products of pre-natal abuse and the products of extreme childhood emotional/psychological/physical abuse.

Nobody should be misguided that all criminal convictions automatically mean actual guilt. While this might be the stated objective of every legal system, it has rarely been achieved in this world with 100 percent certainty. The death penalty system has been proven to be a broken system. Not only is the death penalty irretrievably broken, it is inherently broken. If the death penalty was a product, it would be judged as shoddy, defective and unreliable. It would be recalled and removed from the shelves.

Whether you are for or against the death penalty, nobody can dispute that it is a barbaric, brutal, cruel, degrading, inhuman and uncivilized form of punishment. It is the most pre-meditated, meticulously prepared, carefully planned, cold-blooded 'legal ritual' of killing a human being by Government-chosen stealth executioners who go home to their families, still able to sleep peacefully at night. The job of executioner is not a 'real job' but performed by sadistic sexually dysfunctional persons who obviously achieve some kind of sick satisfaction during the killing procedure. It should be looked at with the ultimate of contempt.

Killing a criminal is not an occasion to celebrate. Indeed, rejoicing as a society at the killing of a criminal, shows the moral degradation of society. When the law metes out vengeance disguised as justice, it becomes complicit with criminals.

**THE REALISTIC FACT ... the death penalty system worldwide is a stealth corrupt and dirty political game. The death penalty is not about true justice, fairness, or protecting the public. It is all about politics – political power, political rivalry and political mind-games. It is about legalized discrimination, hatred, racism and vengeance. It is all about proud egotistical political rogues making a mockery out of people's lives.**



## **COALITION OF NON-GOVERNMENTAL ORGANIZATIONS - CALLING FOR A DEATH-PENALTY-FREE WORLD**

### *International Non-Governmental Organizations ...*

- **Amnesty International** - Irene Khan, Secretary General.
- **ECPM, Ensemble contre la peine de mort** - Micheel Taube, President.
- **FIDH, International Federation for Human Rights** - Sasha Koulaeva, Eastern Europe and Central Asia Desk.
- **Human Rights Watch** - Rachel Denber, Acting Executive Director for Europe and Central Asia.
- **ICJ, International Commission of Jurists** - Nicholas Howen, Secretary General.
- **International Federation of ACAT, Action by Christians for the Abolition of Torture** - Sylvie Bukhari-de Pontual.
- **International Helsinki Federation for Human Rights** - Aaron Rhodes, Executive Director.
- **International League for Human Rights** - Scott Horton, President.
- **OMCT-Europe, World Organisation Against Torture** - Laetitia Sedou, European Co-ordinator.
- **Penal Reform International** - Paul English, Executive Director.

### *Regional Non-Governmental Organizations ...*

- **ACAT México [Action by Christians for the Abolition of Torture]** - Fabienne Cabaret, Legal Coordinator (Mexico).
- **Asia Pacific Mission for Migrants** - Esther C Bangcawayan, Women Program/Area Co-ordinator (Hong Kong).
- **Asian Human Rights Commission** - Basil Fernando, Executive Director (Hong Kong).
- **Australian Coalition Against Death Penalty** - Dorina Lisson, President (Australia).
- **Azerbaijan Foundation for Democracy and Human Rights Protection** - Rena Sadaddinova (Azerbaijan).
- **Azerbaijan Human Rights Center** - Eldar Zeynalov, Director (Azerbaijan).
- **Belarusian Helsinki Committee** - Dzmitry Markusheuski, Press Secretary (Belarus).
- **Bureau for Human Rights and the Rule of Law** --- Nigina Bakhrieva, Program Director (Tajikistan).
- **Caucasian Institute for Peace, Democracy and Development** - Emil Adelhkanov, Deputy Chair of the Council (Georgia).
- **Center of Legal Aid for Ethnic Minorities** - Guncham Nurakhunova, Director (Kazakhstan).
- **Centre for Civil Initiatives** - Albert Voskanyan, Director (Nagorno-Karabakh).
- **Centre for Humanitarian Programs** - Batal Kobahiya (Abkhazia).
- **Chernihiv Public Committee of Human Rights Protection** - Oleksiy Tarasov, Chair (Ukraine).
- **Congress of Caucasian Women** - Maka Khangoshvili, Chair (Georgia).



- **Death Penalty Focus** - Lance G. Lindsey, Executive Director (United States of America).
- **Former Political Prisoners for Human Rights** - Nana Kakabadze, Chair (Georgia).
- **Helsinki Citizens' Assembly of Azerbaijan** - Arzu Abdullaeva (Azerbaijan).
- **Helsinki Citizens' Assembly of Vanadzor** - Artur Sakunts (Armenia).
- **Human Rights Center "Fray Francisco de Vitoria"** - Miguel Concha Malo, Chair of the Board (Mexico).
- **Human Rights Committee** - Fray Pedro Lorenzo de la Nada (Mexico).
- **Human Rights Information and Documentation Centre** - Ucha Nanuashvili, Executive Director (Georgia).
- **Human Rights Network "Todos los Derechos para Todos" [All Rights for All]** - Edgar Cortés, Secretary General (Mexico).
- **Human Rights Society of Uzbekistan "Civil Assistance"** - Ruslan Sharipov, Chair (Uzbekistan).
- **Independent Human Rights Group** - Dinara Sayakova, Director (Kyrgyzstan).
- **Initiative Group of Independent Human Rights Defenders of Uzbekistan** - Surat Ikramov, Chair (Uzbekistan).
- **Institute of Peace and Democracy** - Leyla Yunus (Dr.), Director (Azerbaijan).
- **Italian Coalition to Abolish the Death Penalty** - Arianna Ballotta, President (Italy).
- **Joint Committee for the Abolition of the Death Penalty** - Father Franco Mella (Hong Kong).
- **Journey of Hope...from Violence to Healing** - Bill Pelke, President (United States of America).
- **Justice and Peace Commission of the Hong Kong Catholic Diocese** - Christine Or (Hong Kong).
- **Legal Aid Society** - Nozima Kamalova (Uzbekistan).
- **Legal Forum Association** - Yury Shentsov, Executive Director (Kyrgyzstan).
- **Legal Initiative** - Valeri Fadeev, Chair (Belarus).
- **Mexican Commission for the Defence and Promotion of Human Rights** - Fabián Sanchez Matus, Director (Mexico).
- **Mothers Against the Death Penalty and Torture** - Tamara Chikunova, Chief-Coordinator (Uzbekistan).
- **Murder Victims' Families for Human Rights** - Hon. Renny Cushing, Executive Director (United States of America).
- **Norwegian Helsinki Committee** - Bjorn Engesland, Secretary-General (Norway).
- **Professional Assistance** - Yelena Volochay, Member of Board (Ukraine).
- **Public Committee for Aid to Refugees "Civil Assistance"** - Svetlana Gannushkina (Russia).
- **Texas Coalition to Abolish the Death Penalty** - Rick Halperin, President (United States of America).
- **Turkmen Initiative for Human Rights** - Farid Tukhbatullin (Turkmenistan).
- **Turkmenistan Helsinki Foundation on Human Rights** - Tadzhigul Begmedova, Chair (Turkmenistan).
- **United Filipinos in Hong Kong Secretariat** - Emmanuel C Villanueva, Secretary-General (Hong Kong).



- **Uzbekistan Human Rights Society "Ezgulik"** --- Vasila Inoyatova, Chair (Uzbekistan).
- **Women's Association of Abkhazia** - Natella Akaba, Chair of the Steering Board (Abkhazia).
- **Youth Human Rights Group** - Maria Lisitsyna, Chair of the Co-ordinating Council (Kyrgyzstan).

We, the concerned human rights organizations, are unconditionally opposed to the death penalty in all circumstances in all countries around the world, on the grounds that it is a violation of the right to life and that it is the ultimate cruel, inhuman and degrading punishment. As long as the death penalty is maintained, the risk of executing the innocent can never be eliminated.

Executions are brutalizing and only serve to reinforce the cycle of violence. They achieve nothing but revenge and cause anguish for the innocent relatives of those who are executed.

In particular, we, the concerned human rights organizations, are calling on the relevant authorities in countries where the death penalty is still practiced, to move swiftly towards abolition by introducing a moratorium on death sentences and executions as a first step with a view to complete abolition of the death penalty in due course. We are calling on the governments of all countries and territories that currently have moratoria in place to fully abolish the death penalty as a matter of urgency.

**We, the concerned human rights organizations, urge the Presidents of retentionist countries to exercise political leadership on this International human rights issue and to do all within their remit to further the trend towards total abolition of the death penalty worldwide.**

We are also concerned that the conditions on death row around the world fall far short of International human rights laws and standards.

**Many governments have frequently referred to public opinion as a key argument against abolishing the death penalty. At the same time, several countries prevent an informed public debate from taking place by withholding vital information about the application of the death penalty, including comprehensive statistics on death sentences and executions.**

In many countries death row numbers and executions remain a closely guarded 'state secret'. In countries that retain the death penalty there have been instances where the authorities have actively limited the peaceful expression of opinions on the death penalty, including by harassing, intimidating, threatening and incarceration of human rights activists.

**We, the concerned human rights organizations, believe that governments should lead public opinion in matters of human rights and criminal policy. Historically, it has almost always been the case that the death penalty has been abolished by governments even though significant sectors of the public favored its retention.**



## **DEATH BY HANGING - The Brutal Facts**

In Australia, hanging was the method used for capital punishment before it was officially abolished nationwide in 1985. Offenders were hanged for a variety of violent and non-violent crimes including murder, manslaughter, robbery, horse stealing, food stealing, sexual assault, forgery and for being illegally at large.

Hanging is still the common method of execution in most retentionist nations around the world. Many executions by hanging take place in public.

Immediately before the execution, the prisoner's hands and legs are tied and secured, the noose was placed around the neck, with the knot behind the left ear. A hood is then pulled over the prisoner's head.

Hooding the prisoner saves the officials who have to witness the execution, from seeing the prisoner's face as he is about to die, and after the death. Not looking at the condemned person's face is one way of coming to terms with state-sanctioned murder, but righteousness is another.

The execution takes place when a trap-door is opened and the prisoner falls through. At the end of the 'drop' the body, still accelerating under the force of gravity, delivers a massive blow to the back and one side of the neck, which combined with the downward momentum of the body, breaks the neck and ruptures the spinal cord. The prisoner's weight causes a rapid fracture-dislocation of the neck. Death by hanging is supposedly caused by dislocation of the third and fourth cervical vertebrae or asphyxiation.

However, instantaneous death is rarely achieved. Death by hanging is not a humane method of exterminating a healthy human being. It is a very brutal and cruel death. The condemned often collapse or faint before the noose can be properly positioned over his head.

Death by hanging is often botched, or carried out in such a way as to intentionally maximize the prisoner's suffering.

Botched hangings result in strangulation, obstructed blood flow, or beheading. If the prisoner has strong neck muscles, is of light-weight, if the 'drop' is too short, or if the noose is wrongly positioned, the fracture-dislocation will not be rapid and death results from slow asphyxiation. The prisoner writhes and throttles to death over several minutes. In medical terms - death from cerebral contusion, shock and asphyxia.

There have been reported cases of the rope breaking during the 'drop', which resulted in the prisoner falling to the ground. After officials replaced the broken rope, the prisoner would again have to endure the emotional and physical torture of being hanged for a second time, usually taking place within the hour. In another reported incident, the head of a prisoner split from the body during the hanging.



When a human being is hanged, his face becomes engorged, the tongue protrudes, the mouth vomits and drools, the eyes pop, the body defecates, violent movements of body limbs occur, and the face begins to turn a greyish-black. Although the prisoner may appear to be unconscious, the heart does not completely stop beating for some 20 minutes.

Most people do not know that a human heart beats on its own - and continues to do so - even when the rest of the body has shut down. This happens because the human heart is hard-wired with electrical impulses. Thus, during a phase of some 20 minutes, the pulsations of the doomed heart become fainter and slower as the heart struggles to maintain its normal function to pump blood throughout the body, intent on keeping the body alive. Eventually, the heart lapses into a spasmodic rhythm, then begins to flutter, before it slowly collapses, fails, and finally stops all movement. In medical terms - this is the "true" time of death. The "official" time of death portrayed to the public is deliberately distorted for the obvious reason.

It has been generally assumed that fracture-dislocation of the neck causes instantaneous loss of sensation. Sensory pathways from below the neck may rupture, but the sensory signals from the skin above the noose and from the trigeminal nerve may continue to reach the brain until hypoxia blocks them. The belief that fracture of the spinal cord causes instantaneous death is wrong - whether it causes instantaneous loss of consciousness seems highly probable.

**AUSTRALIA ... one case of a botched hanging was that of Colin Campbell Ross. The 29 year old bar owner was hanged on April 24, 1922 at Melbourne Gaol for the rape and murder of a 12 year old school girl. The new rope used to execute him proved to be a failure. The hanging was brutal and gruesome. Ross did not die quickly because his spinal cord was fractured, not severed. His windpipe was torn and obstructed by his damaged larynx. Hanging on the rope, Ross continued with rasping breaths and convulsions. He bent his knees and flexed his arms as he battled against the rope, slowly strangling for more than forty minutes before dying from asphyxiation.**

Eighty-six years later, new evidence emerged of his innocence. Colin Campbell Ross was posthumously pardoned by the Victorian Government on May 27, 2008 following irrefutable scientific evidence that Ross could not have committed the crime.

It is important to note that regardless of methods used to legally kill people, there is no such thing as a clean, quick, instantaneous death of a healthy human being. Many botched executions have occurred in the past and many will continue to occur as long as the death penalty is carried out as punishment.

Botched executions in most countries are kept secret and not reported. However, a list of reported botched executions in the USA can be found at ...  
<http://www.deathpenaltyinfo.org/some-examples-post-furman-botched-executions>



## **PLANNING TO TRAVEL OVERSEAS ? BEFORE YOU GO, READ THIS !**

Currently, there are 395 Australian citizens serving prison sentences in overseas prisons, most for drug-related offences. The majority of Australian citizens are incarcerated in Asian countries. If you are unlucky enough to find yourself on the wrong side of the law and end up in an overseas prison - here is a sample of what to expect. Prison life in many countries can be very rough, even for violation of a minor offence. Your government consular officials cannot save you from unfair trials, cruel and unusual punishments, severe prison sentences, nor from the death penalty that apply to many foreign nations.

In many countries drug-traffickers are presented with the death penalty. If you are caught with 15 grams heroin, or more, it is a mandatory death sentence. Many countries make no legal distinction between 'soft' and 'hard' drugs. Harsh penalties for carrying illegal drugs and other minor offences can be severe, even for crimes involving marijuana, alcohol or gambling. Penalties include public executions to the sound of public cheers, life in prison without parole, human limb amputation, floggings and even torture (electric shocks, beatings, rape, starvation, humiliation, mock execution, burning, sleep deprivation, water torture, long hours in contorted positions, use of pincers, drugs, and dogs.)

Be prepared to share your prison cell with a bucket, at least a dozen cockroaches, some lice and a few rats. You will need to become accustomed to the aroma from the bucket (your toilet). If you conform, prison officials will reward you with a lid for your bucket. If you refuse to conform, disobey rules, or are classified as 'troublesome', you may be legally flogged. Most prisons have small dormitory cells and can contain up to 20 prisoners with one large bucket for everyone to share. If you are young or good-looking you will be abused, assaulted and raped.

A variety of contagious diseases and infections are in abundance, including hepatitis, HIV, scabies, etc. The local drinking water contains a natural potent laxative - diarrhea becomes a habit. Good luck if you require urgent medical/dental treatment from 'qualified professionals'. Every prisoner is allowed one cold shower per week (2-3 minutes max. before the water is turned off by prison staff). Every prisoner is allowed clean underpants once per week. If you accidentally soil your underpants you will have to sit in it until the next scheduled distribution of clean underpants. The bed is usually a thin mat on the floor/ground, but do not assume you will get much sleep - those annoying mosquitoes keep buzzing in your ears and the rats have a bad habit of running over your face throughout the night. As for the food - you wouldn't feed it to a dog - the cockroaches look more appetizing !!!



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