

AFRICAN REGIONAL CONGRESS AGAINST THE DEATH PENALTY

9 AND 10 APRIL 2018
ABIDJAN (CÔTE D'IVOIRE)

REPORT

Organised by



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Thanks to the team from ECPM for its dedication.

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OPENING SPEECH

RAPHAËL CHENUIL-HAZAN

ECPM's Executive Director

AMINATA NIAKATE

Lawyer and member of ECPM's Board

Keeper of the Seals of Côte d'Ivoire;
Ministers from Burkina Faso, Guinea, the Democratic Republic of Congo and Chad;
The AU Special Representative;
The UN High Commissioner for Human Rights,
The Commissioner from the ACHPR Death Penalty Working Group;
The Representative of the President of Côte d'Ivoire's National Assembly;
Parliamentarians;
Ambassadors;
Distinguished guests;

Participants of the 1st African Congress Against the Death Penalty, the largest abolitionist event ever held!

Abolitionist friends;

Welcome!

We are delighted to see so many people here for the same reason: abolition of the death penalty in Africa.

First of all, we would like to thank our partners, without which this event could not have taken place:

- The sponsors of the Regional Congress: Norway, Belgium and the European Union
- Our other partners: France, the IOF, the Institut français, the Swiss Embassy and the Naumann Foundation.

We had some clear goals in mind when preparing for this event:

- **Monitor the political commitments made at the Oslo Congress and encourage even more commitment from Africa's political leaders:** the presence of senior figures today, and many others who are not here but who have expressed their enthusiasm about the Congress, are the best examples of this.

- **Identify the region's main challenges and develop specific arguments**, particularly with regard to making the leap from a moratorium (some of which have been in place for more than 20 years) to abolition in law, an issue so relevant in Africa. Nothing should prevent governments from abolishing the death penalty today, especially not public opinion where, according to several recent surveys (particularly in Kenya), support for the death penalty as a criminal sentence is falling.
- **Encourage dialogue, joint action and the emergence of initiatives by actors themselves.** This lies at the heart of our day-to-day work and we welcome all those who would like to join us and work with us on joint projects;
- **Support international instruments:** the UNGA moratorium resolution and the Additional Protocol to the African Charter on Human and Peoples' Rights on the Abolition of the Death Penalty.
- **Prepare the next World Day on 10 October 2018** focusing on the conditions of detention of death row prisoners: this will actually be the theme of the plenary session on our 2nd day of debates, tomorrow morning.

Shining a light on the voices of abolition is also an important task for the Congress!

A number of witnesses of the death penalty are here today: Suzane Kigula from Uganda, Rafiou Adjama from Benin, Peter Ouko from Kenya, Arthur Judah Angel from Nigeria and Ndume Olatushani from the United States. They shall be voices who shine through the darkness and the inspiration for our work.

Others voices can be heard too: those of the artists who help the voice of abolition resonate beyond academic and activist chambers. At this point, I would like to acknowledge the artistic support and activism of Kajeem, a very popular singer from Côte d'Ivoire, and Beejoe, a slammer, poet and part of the group Au nom du slam.

Abolition of the death penalty in Africa is not a dream, a utopia or a pipe dream. On the contrary, it is a reality which is taking shape more clearly every day. New initiatives and trends are appearing on the African continent. Since the last World Congress in Oslo in 2016, Congo and Guinea have abolished capital punishment, Kenya has commuted more than 2,740 death sentences (including 92 for women) and abolished the compulsory death penalty, Benin has commuted the country's last 14 death row prisoners completing an abolition process begun in 2012, Burkina Faso has launched a process to formalise abolition in the Constitution, Gambia and Zimbabwe have announced that they would like to abolish the death penalty and have officially decreed a moratorium on executions, and the 2016 UN General Assembly vote on a moratorium resolution resulted in new support again with votes in favour by Malawi, Namibia and Swaziland.

The African Regional Congress aims to be a catalyst in this regard. We would like to recall the commitments made by African States and Governments in order to move even further towards definitive abolition - something which would enable us to say categorically one day: this is a continent completely free of the death penalty.

It's a question of belief now. There is an African proverb which says: "If you want to go fast, go alone. If you want to go far, go together"...against the death penalty!

OPENING SPEECH

NAMIZATA SANGARÉ

President of the The National Human Rights Commission of Côte d'Ivoire

It is with great pleasure and awareness of the importance of this day that our country, Côte d'Ivoire, welcomes you all to this 3rd Regional Congress Against the Death Penalty, organised by ECPM in partnership with National Human Rights Commission of Côte d'Ivoire, the World Coalition Against the Death Penalty and Fiacat.

I would like to welcome you all to Côte d'Ivoire and would like to express our joy and pride at hosting this important event.

Akwaba to our country! Akwaba to your country!

Before continuing, I would like to thank two people, two great statesmen whose dedication and commitment to human rights have always been present in the implementation of our mandate to promote, protect and defend human rights.

We would like to thank the Keeper of the Seals and the Justice and Human Rights Minister, Mr Sansan Kambile, who is chairing this event, and the Foreign Affairs Minister, His Excellency Marcel Amon Tanoh who is allowing us to use this beautiful conference room for this opening ceremony.

We would also like to acknowledge the presence of our distinguished guests at this ceremony: the Justice Ministers of Guinea-Conakry, Burkina Faso, Chad, the Democratic Republic of Congo, Niger and the Central African Republic, and His Excellency Alpha Barry, Burkina Faso's Foreign Affairs Minister.

I would also like to welcome the presidents and representatives of the National Human Rights Institutions who are here today, the representatives of international organisations and all the public bodies and civil society actors who are honouring us with their presence at this Congress.

Ladies and Gentlemen,

Within the framework of the anti-death penalty movement led by ECPM, a regional congress has preceded every world congress since 2012. The next world congress will be held in Brussels, Belgium, in 2019. In anticipation of that event, Abidjan has been chosen to host this 3rd Congress which aims, amongst other things, to encourage the commitment of the political leaders of the target countries; and to encourage dialogue, joint action and the emergence of initiatives by civil society actors, parliamentarians and the region's NHRIs.

Why is Côte d'Ivoire hosting this Congress?

Ladies and gentlemen, many specialists in this field consider Africa to be the next abolitionist continent. Côte d'Ivoire abolished the death penalty in 2000 and our partners, ECPM and Fiacat, see it as one of the leading States in this matter, capable of taking the fight beyond its borders since in our country there are no political obstacles to this evolving trend. Quite the reverse in fact.

Of the 55 Member States of the African Union, 4/5 of them no longer practice the death penalty and over the course of the last ten years only ten countries have carried out executions. Such progress shows that it is Africa which is demonstrating the strongest trend towards abolition!

This event also seeks to recall the role and importance of the NHRIs, including our own, in the abolitionist contract.

Ladies and gentlemen,

In its role as the institutional partner of this 3rd Regional Congress, CNDH-CI would like to assist ECPM in its work to promote abolition and continue advocacy in support of ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP2) by the Ivorian authorities.

It is considered that this international instrument can lock down abolition; it is the only one which does not allow for any retrograde steps.

Ratification of this instrument will therefore allow Côte d'Ivoire to reaffirm once again its solemn commitment to abolishing the death penalty before the international community and it will also represent, let there be no doubt, additional progress in terms of promoting and protecting human rights.

I would like to finish on this note of hope, reiterating my sincere thanks to the people here today, our partners ECPM and Fiacat, our sister NHRIs and all our guests.

OPENING SPEECH

PAUL ANGAMAN

President of Fiacat

Excellencies, Secretaries of State;
Ministers;
Ambassadors and representatives of diplomatic missions;
Parliamentarians, Religious Guides and Traditional Leaders;
Friends from civil society;
Ladies and Gentlemen;

Akwaba!

Welcome to this important Regional Congress Against the Death Penalty.

The choice of Côte d'Ivoire was certainly not an accident. It has been abolitionist in practice since its independence and in law since 2000. I have no doubt that it will soon ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights seeking to abolish the death penalty permanently as the Ivorian authorities have assured us that there is no obstacle to this.

Such a large and distinguished audience demonstrates both the importance and the relevance of the subject which has brought us together for the next two days.

The Fiacat which I represent is home to 30 national ACAT organisations working across four continents and 16 of them are established in sub-Saharan Africa. Fiacat is an international network defending the human rights of Christians which seeks to promote and protect human dignity by eradicating torture and bad treatment, forced disappearances, extrajudicial executions and the death penalty.

What is the status of abolition of the death penalty in Africa?

The trend in Africa is clearly in favour of abolition of the death penalty. While in 1990 there was only one abolitionist country, Cape Verde, today 20 of the 55 Member States of the African Union have abolished the death penalty for all crimes and at least 19 apply a moratorium on capital executions. This trend is particularly clear in French-speaking Africa. Since 2007 Rwanda, Burundi, Togo, Gabon, Benin, Madagascar, the Republic of Congo and Guinea have all abolished the death penalty for all crimes.

However, the abolitionist movement in Africa is coming up against substantial resistance connected to public opinion which is purported to be against abolition, traditions, religion and, more recently, terrorist attacks which continue to affect several of our States and

plunge many families into mourning. Two years ago my own country, Côte d'Ivoire, fell victim to this unspeakable barbarity. In this regard, I would like to say that all my thoughts are with the victims of these terrible acts.

Nonetheless, it is becoming difficult to justify the death penalty even for these crimes which create so many innocent victims. In the end, what is man but his dignity which is "co-natural and equal in all mankind".

Dignity is inviolable and indivisible; it cannot be subjected to any contingencies or compromised principles. The death penalty is not justice; it's revenge. When we sentence those who take a life to the same end, why do we seek to do to those people what we reproach them for? What are we doing to ourselves when we get it wrong? Who gives and renews the breath of life? The death penalty has never guaranteed better security for all. Moreover, it is assimilated with torture. Torture is prohibited in international, traditional and modern law. Abolition of the death penalty is therefore the only reasonable choice once the right to life has been universally accepted.

We know the fight for abolition of the death penalty is more than just a news event and it is vital for us all. Let's all contribute - political leaders, parliamentarians, members of civil society, technical and financial partners - to constructing a world where the death penalty can no longer be practiced or legitimised.

Thank you.

THE CONGRESS IN FIGURES

400 participants from 44 countries

including **5** ministers (Chad, Burkina Faso, Guinea Conakry, Côte d'Ivoire, DRC),
a number of diplomats, parliamentarians, lawyers, members of NHRIs
and **40** journalists

2 days of debates

91% of people considered they had effectively expanded their network

100% of participants questioned considered they had gained expertise

1 public concert attended by more than **550** people!

EVOLUTION OF USE OF THE DEATH PENALTY IN AFRICA IN 2018

Benin

The sentences of the last fourteen prisoners sentenced to death in Benin were commuted to prison sentences in February 2018. Benin's National Assembly adopted a new Criminal Code on 5 June, removing any reference to the death penalty.

Kenya

The compulsory death penalty was judged unconstitutional by Kenya's Supreme Court in December 2017.

Burkina Faso

Abolition of the death penalty in Burkina Faso: Burkina Faso's Parliament adopted a new Criminal Code on 31 May which excludes the death penalty for ordinary crimes.

Gambia

Ratification of OP2 by Gambia on 28 September 2018.

The slammer Bee Joe and Susan Kigula at the rehearsal for the Opening Ceremony.



Photographers at the Opening Ceremony.



Contributors and the audience at the Opening Ceremony.



Venance Konan,
Executive Director of the newspaper
Fraternité Matin and moderator
of the Opening Ceremony.

Contributors
to the roundtable
on “Is the death penalty
a colonial legacy?”



Public of the
roundtable “Is the
death penalty a
colonial legacy?”





Concert by Kajeem
at Côte d'Ivoire's
Institut français.

Performance
by the group
"Au nom de slam"
at Côte d'Ivoire's
Institut français

Performance
by Kajeem.



Celebrating
30 years
of Fiacat.



Thanks to Kajeem
and all our
witnesses for their
presence, testimony
and generosity.

INTERVIEW

MAYA SAHLI FADEL

Commissioner at the ACHPR, and a member of the Working Group on the death penalty and extrajudicial, summary or arbitrary killings in Africa

In Côte d'Ivoire and some other countries, the issue of so-called "microbe children" (delinquent children who attack and kill) is being debated on social media and in society. Some people think they should be given a taste of their own medicine. How can they be convinced otherwise?

You are right to raise this issue. I actually discussed it myself during my speech. There is a trend towards abolition of the death penalty in Africa. There are therefore several steps to follow. Sometimes, some acts push people to request the death penalty for the people who committed those crimes. In some African countries children have been kidnapped or killed, terrible crimes for which people are prepared to take revenge through application of the death penalty. But if we return to our traditions, our African values, the sacred nature of the right to life must be underlined. Since the late 1990s, one of priorities of the African Commission on Human and Peoples' Rights has been abolition of the death penalty. We have adopted a number of studies, observations and local policies with States. When States present their report to the Commission, we invite those which are still retentionist to move towards a moratorium. But a State cannot decree abolition of the death penalty from one day to the next. We are not Europeans; we must take into account our African societies and specificities. The people must be informed because they remain very supportive of the death penalty with its spirit of revenge. It is like the Law of Talion: an eye for an eye, a tooth for a tooth. What is important is raising public awareness about the need to retain the right to life and move towards abolition. Assistance is required to achieve this - that is to say, politicians themselves and civil society organisations must raise awareness among people so that the idea that the death penalty is cruel and discriminatory can be taken on board.

In the face of terrorism, what will be the alternative to the death penalty?

The African Commission is currently revising its research into the death penalty. We are going to include both the fight against terrorism and respect for human rights. Terrorism is indeed an oppressive scourge in Africa affecting practically every country. In the face of terrorist acts, some States which used to have moratoriums have adopted special laws to counter terrorism where the death penalty has been reintroduced. But there are alternatives, such as life imprisonment. States must strike a balance between security and respect for human rights. However, some States are trying.

“IF WE RETURN
TO OUR TRADITIONS,
OUR AFRICAN VALUES,
THE SACRED NATURE
OF THE RIGHT TO LIFE MUST BE
UNDERLINED”

You also raised the fact that the Additional Protocol has hit a wall. What stage is the Commission’s advocacy at today?

There have been some challenges. Some say it is to do with procedure; others say it is connected to the sensitivity of the issue. But it will be handed over to the bodies of the African Union very soon. That is why I appealed to the States here today to support and assist the African Commission in making sure this draft Protocol is adopted by the African Union. Arguments which ensure that States can reclaim the idea of abolition of the death penalty must be developed. I am encouraged by the so-called “champion” States which are already abolitionist. We can also count on a large number of States which have adopted de facto moratoriums. I think that the support of these two groups could convince the retentionist countries to accept the draft Protocol. They are not the initial target because the Protocol will only be binding for those States which ratify it. But it could gradually entice them in.

Interview conducted by: Pôleafrique.info
Editing: ECPM

INTERVIEW

CHEICK SAKO

Secretary of State, Keeper of the Seals and Minister of Justice, Republic of Guinea

Guinea is an abolitionist State. What challenges did you face to reach that point?

Guinea's situation is unusual. Our country had a tradition of violence which had been exacerbated since its independence in 1958. President Alpha Condé was democratically elected in 2010 and undertook a series of reforms, including the justice system, and the death penalty was tackled as part of that process. The last executions date back to 2000. From 2000 to 2016, a de facto moratorium was in place. In 2016, reform of the Criminal Code was unanimously passed by the National Assembly and we managed to remove the death penalty from the legislation [Editor's note: no crime can be punished by death in the Guinean Criminal Code at present. The most serious crimes receive a sentence of life imprisonment]. We moved from a de facto moratorium to a moratorium in law which means that Guinean judges can no longer apply the death penalty because it is no longer within the legislation. But the death penalty has not been formally abolished in Guinea.

Despite the moratorium in law, Amnesty International has been rather concerned about the new law because it does not explicitly set out the punishments for some types of violence.

I think that Amnesty's fear is unfounded. The new Criminal Code has tightened up the legal definition of offences and punishments with regard to inhuman and degrading treatment and in terms of rape, as well as any form of gender-based violence. It has removed the death penalty for ordinary crimes. The issue might be relevant for military crimes but the Military Criminal Code, which was put to the vote afterwards, has also removed the death penalty. In the light of the country's history, human rights organisations must now do their work and when the time is right we will put a simple ordinary act before the National Assembly to ratify this situation in law.

Indeed, how did you manage to get parliamentarians to support this law?

We used quite an unusual approach, unique to our country. A committee of magistrates and individuals from civil society was created within the framework of reform of the justice system. That committee worked on a priority action plan over 2 years. The reform resulted in the Assize Courts being abolished because people used to be on remand for 5 to 11 years in Guinea without being tried. This was unacceptable. That gave criminal jurisdiction to the court of first instance which could hand down death penalties. Consequently, the death penalty cannot be left in legislation. Since I followed an educational approach, the majority of MPs in both the ruling majority and the opposition voted for this text. By abolishing the Assize Courts, it was therefore possible for us to switch to a moratorium in law which, in reality, is equivalent to abolition. The image I like to use is that the struggle against the

“AFRICAN NATIONS
NEED TO TAKE CONCERTED ACTION
AND THE AFRICAN UNION NEEDS
TO STATE ITS POSITION”

death penalty is like a 3-storey house. On the ground floor are the countries which use the death penalty. There are still many of them, even big countries like the United States. On the 1st floor are the States which have a de facto moratorium. That’s where we were between 2000 and 2016. The 2nd floor contains countries with a moratorium in law, i.e. those which have removed it from their legislation and can no longer apply it. The countries on the 3rd floor, such as Côte d’Ivoire for example, have abolished the death penalty. But there is no etymological difference between the 2nd and 3rd floors since it relates to the history of each country. We have a moratorium in law; judges can no longer apply the death penalty. Therefore, the situation is the same as in Côte d’Ivoire or France. It is a question of terminology.

It is said that the trend is for abolition in Africa. But some African nationals are sentenced to death overseas. What is Guinea’s position on this diplomatic issue?

Many Africans are sentenced to death overseas when capital punishment is not used in their own State. African nations need to take concerted action and the African Union needs to state its position. Whenever I travel, I ask how many of my compatriots are in prison and what the reasons are for their sentences. In general, it makes things easier if there is a bilateral agreement. With regard to the death penalty specifically, we have not yet had a case in Guinea.

What is Guinea’s position on the draft Protocol to the African Human Rights Charter which has not yet been ratified by a number of African countries?

It takes time to get things moving in Africa. There is no contradiction between Guinea’s position and the position of the African Union. With regard to that text, I am planning to present it during the section on future laws but, let me assure you, any text by the African Union which does not run counter to our Constitution, which is the case here, is adopted by the National Assembly.

What is your position on terrorism and what are the alternatives to the death penalty?

This is a crucial issue and it is up to African leaders, within the African Union, to state their position in that respect. But be it terrorism or any other unacceptable act, nothing

“THAT EXTREME PUNISHMENT, I.E.
TAKING SOMEONE’S LIFE,
WILL NOT BRING AN END
TO TERRORISM”

should stop African countries moving towards abolition of the death penalty. That extreme punishment, i.e. taking someone’s life, will not bring an end to terrorism. We can find other appropriate punishments. In Guinea, life imprisonment with a minimum of 30 years detention is the harshest sanction.

Thank you, Minister. Have you anything to add?

Some of our Western friends must stop telling us what to do. The death penalty exists in the United States and some states execute people relentlessly. Africa is heading towards abolition, a position which, in my opinion, is inevitable. I think that the history of each country, their particularities and their pace must be taken into account in order to reach this stated goal. You cannot generalise and put all States in the same basket. Côte d’Ivoire abolished the death penalty in 2000. Guinea waited until 2016 to move to a moratorium in law. Mali, Burkina Faso and Niger are still behind us. What is important is the goal which is moving towards abolition. Stones should not be thrown at people or States. The DRC is a large country with 80 million inhabitants and is fairly complex. It too must have its own time but I think that abolition is inevitable even there.

Interview conducted by: Pôleafrique.info
Editing: ECPM

INTERVIEW

KAJEEM

Ivorian popular musician

The Ivorian singer, Kajeem, agreed to get involved in the fight for abolition during the African Congress. He met our witnesses, former death row prisoners, and spoke on their behalf at the Concert Against the Death Penalty organised on 10 April at Cote d'Ivoire's Institut français.



Kajeem, you have been very involved in the anti-death penalty movement during the Abidjan Congress. Can you tell us why?

I made a commitment to particular values and causes over 20 years ago. I agree with those people who think that everyone has the right to a second chance. Having seen people come out of prison and start a new life, I tell myself that sentencing someone to death means not really believing that they can repent, make a new start and return to work for society.

For me, as an Ivorian and an African we say even when there's a murder, if you repent, you are forgiven. So, I have to be against the death penalty.

I also work with an NGO, Ngboadô, which renovates prisons and gives them a more human face because prisons in Africa and some countries in the third world are the worst in the world. But society as a whole is better if you're not so worn down when you leave prison.

Has your commitment allowed you to see how the justice system works and witness problems of discrimination?

Yes, if you haven't had contact with prison before you definitely don't have any idea what actually goes on in there. Being in touch with that world shows that there is real discrimination connected to poverty and other issues. These are things which have to be worked on; they have to be corrected over time. If not, it will inevitably have an impact on society as a whole.

How do people react when you talk about abolition of the death penalty?

Reactions are divided. Some people ask why I'm committed to this issue and others think it's excellent that I'm using my fame for this cause. It's not the kind of debate we have very often in Côte d'Ivoire. It's amazing that the issue is being discussed again but I've noticed that every opportunity to debate this issue is important. It's the only way to make attitudes change - by listening to the arguments of those who are against to death penalty to answer them.

“OUR SOCIETY
NEEDS JUSTICE,
NOT REVENGE.”

There was a case of a child being killed because of occult practices. That horrified people so much that there were some voices, even people in authority, calling for a return to the death penalty. Under the influence of emotion, some people let themselves be swept up in that kind of opinion but, in general, their opinion cannot stand up to argumentation.

During the Congress you had the opportunity to meet people who had survived death row. What do you remember from those moments?

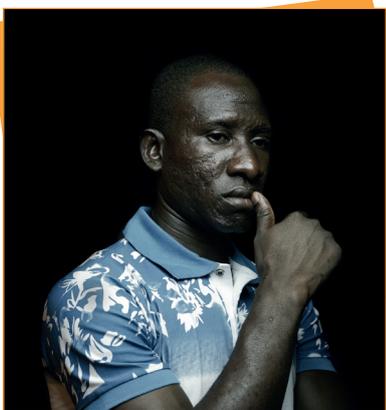
I really wasn't expecting it. I could never have imagined what that kind of meeting would bring about. I was pleasantly surprised that the people from death row didn't have any hate or bitterness in their hearts. They were completely at peace. The first shock when you meet these people is seeing that they have been changed by their time on death row and that today they are committed and working for others. Honestly, that was the most extraordinary moment of my career because you could never imagine what those people go through. When they tell you, it's a real shock. Personally, I felt privileged to be able to experience that; to meet them and talk to them.

You wrote an entire set on abolition of the death penalty for your concert. Can you tell me what message you wanted to convey?

The essential message of that set was that our society needs justice, not revenge. Sentencing someone to death is trying to do something bad to appease your own pain. I don't think that's how you make society change. I simply hope that everyone who came that day left strengthened by our arguments. Mankind will only evolve in a society which is resolutely against the death penalty.

Interview: Bérangère PORTALIER

THE WITNESSES OF THE CONGRESS



RAFIOU ADJAMA

Son of a prisoner sentenced to death in Benin: Osséni Inoussa Adjama, a Togolese national

When he was a young teenager, Rafiou Adjama's father was arrested and sentenced to death in Benin for being involved in a bank robbery. He was forced to leave school and find work to contribute to the needs of his family and to be able to buy the medicine his father, who had fallen ill because of his conditions of detention, needed to survive. Detained since 1999, his father's sentence was commuted to

life imprisonment in 2018 but he still continues to serve time in the civil prison of Akpro-misséréké.



ARTHUR JUDAH ANGEL

Former death row prisoner, Nigeria

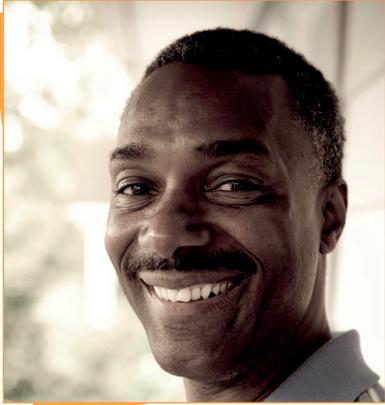
Sentenced to death in Nigeria for murder in 1986 aged 21, Arthur Judah Angel has always denied the accusations made against him. An artist, he was imprisoned at Enugu prison (Nigeria) and lived in particularly difficult conditions: his execution date was cancelled at the last minute and he witnessed 58 executions carried out on the same day. He was eventually released in 2000 after 16 years in prison, including nearly 10 on death row.



SUSAN KIGULA

Former death row prisoner, Uganda

Sentenced to death in Uganda for killing her husband, Susan Kigula never stopped claiming her innocence. She created a choir for death row detainees, gained a law degree from the University of London and was finally released after 15 years in prison. to the point of becoming, in her country, a true symbol of the fight against the death penalty. Susan Kigula left prison in January 2016. Since then, she has founded the Susan Kigula African Child Foundation.



NDUME OLATUSHANI

Former death row prisoner, United States

Ndume spent 28 years in prison in the United States, including 20 on death row, for a crime he did not commit. Saved by the discovery of drawing and painting and supported throughout his detention by his relatives and abolitionist organisations, today he continues to actively campaign against the death penalty with young people.



PETE OUKO

Former death row prisoner, Kenya

Pete Ouko, the father of two young children, was sentenced to death for murder in 2001 aged 31. He always maintained his innocence. Detained for nearly 18 years in a cell with 13 other prisoners, today he spends nearly all his time explaining how to survive while you await execution in particularly difficult conditions. Pardoned and then released on 26 October 2007, he now has a law degree from the University of London. He works to defend the rights of prisoners in Africa as Director of the Youth Safety Awareness Initiative which he founded.

OPENING CEREMONY

Moderator

Venance Konan, Executive director of the newspaper *Fraternité Matin*

QUOTES FROM SPEAKERS:

“It is in Africa that you find the strongest trend towards abolition.”

NAMIZATA SANGARÉ

President of the CNDH-CI

“Abolition of the death penalty in Africa is not a dream, a utopia or an idle fancy.”

RAPHAËL CHENUIL-HAZAN

Executive Director of ECPM

AMINATA NIAKATE

A lawyer and member of ECPM's Board

“Let's keep the flame of justice burning to make Africa the next abolitionist continent.”

KEVIN MIGUEL RIVERA

President of the WCADP

“The death penalty has never guaranteed better security for all.”

PAUL ANGAMAN

President of Fiacat



“We must all work for the right to life.”

SANSAN KAMBILE

*Keeper of the Seals, Justice and Human Rights Minister,
Côte d'Ivoire*

**“Outreach work is needed to strengthen public opinion
in the fight against the death penalty.”**

MAYA SAHLI FADEL

*Commissioner at the ACHPR, and member of the Working Group on the death penalty
and extrajudicial, summary or arbitrary killings in Africa*

**“15 States still have to ratify the African Charter
prohibiting the death penalty.”**

JOSÉPHINE CHARLOTTE MAYUMA KALA

*Special Representative and Head of the African Union liaison office
in Côte d'Ivoire*



“No State has the right to take lives.”

ANDREA ORI

*Representative from the West Africa Regional Office of the UN High Commissioner
for Human Rights*

**“Across the world, and Africa is no exception,
the death penalty has been applied in a discriminatory
manner against the poor, marginalised groups in society
and minority groups.”**

Message from **NAVANETHEM PILLAY**
*President of the ICDP, UN High Commissioner for Human Rights
from 2008 to 2014*

“Abolition is inevitable in all countries.”

CHEICK SAKO

*Secretary of State, Keeper of the Seals and Minister of Justice,
Republic of Guinea*

**“My country is ready for abolition.
Now Parliament must play its role.”**

BESSOLÉ RENÉ BAGORO

*Keeper of the Seals, Minister of Justice, Human Rights and Civic Promotion,
Burkina Faso*

**“Chad cannot remain on the sidelines of abolition.
It is inevitable that Chad will abolish
the death penalty one day, even for terrorism.”**

DJIMET ARABI

*Keeper of the Seals, Minister of Justice responsible for human rights,
Chad*

“Our institutions have a duty to respect and protect people.”

MARIE-ANGE MUSHOBEKWA

*Minister of Human Rights,
Democratic Republic of Congo*

“Action must first be taken on the social causes of crime.”

PETE OUKO

*Former death row prisoner,
Kenya*

ROUNDTABLE

IS THE DEATH PENALTY A COLONIAL LEGACY?

Before the arrival of the colonial powers in Africa, executions only took place in exceptional circumstances. What if Africa were to abolish the death penalty by reclaiming its history?

Moderator:

Aminata Niakate (France) – Lawyer, ECPM Board member

Speakers:

Alice Mogwe (Botswana) – Legal expert, Director of DITSHWANELO, Secretary General of the FIDH

Baingué Emmanuel Ibo (Côte d'Ivoire) – Traditional leader from the village of Domolon in the département of Alépé in the Mé region in the south of Côte d'Ivoire. Member of Côte d'Ivoire's National Chamber of Kings and Traditional Chiefs

Carlson Anyangwe (Cameroon) – Researcher and law professor, expert for the Working Group on the death penalty and extrajudicial, summary or arbitrary killings in Africa, ACHPR

The pursuit of justice in most pre-colonial African communities in both West (with the Manden Charter) and Southern Africa or in the Berber communities rested on respect for the matriarchal and patriarchal line. Throughout their lives, people were protected by both their mother and their father, so much so that the head of the community had to go through them when making a decision. The head of the community's role consisted above all of maintaining equilibrium in the community by setting up reparation mechanisms. When a member of the community had killed or blood had been spilt, the most serious punishment was often to be ostracised, keeping that person at a distance. More rarely, when all reparation mechanisms had been attempted or because of exceptional circumstances making it difficult to restore the victims' dignity, the decision would be taken to execute that person. But this punishment was perceived as being so shameful that the death was carried out in the greatest secrecy, generally in private.

Increase in death sentences during colonisation

The death penalty was applied much more widely in Africa during colonisation, initially in North and West Africa during the Arab colonisations beginning in the 8th century. Subsequently, European colonisations often used the death penalty as an exogenous colonial instrument, first connected to the Arab-Muslim African slave trade, then European triangular trade and finally the colonial administration as it was. The British colonial regime, for example, punished more than a hundred crimes by death. This punishment was considered a means of strengthening the power of the colonising authority in order to keep order. It was the same old argument, still heard today, that the death penalty was dissuasive. These executions were usually carried out in public, creating a form of ritual around the death. The same procedure was used by the German colonists who openly admitted that they carried out executions to protect themselves from the native population. The aim of the justice system was therefore to sow fear more than to restore the equilibrium of the community. This

“THE BRITISH
COLONIAL REGIME
PUNISHED MORE THAN
A HUNDRED CRIMES
BY DEATH”

approach was already practiced by the colonial powers in their own countries. In *The London Hanged* (Ed. CNL), Peter Linebaugh recalls “that in 18th century London the gallows were not just for punishing criminals. They also contributed to imposing the tyranny of nascent modern capitalism on the poor. Hanging was a dissuasive spectacle for anyone attempting to break the law of private property, even if it was to avoid dying of hunger”.

Although the colonists eventually departed, they left the death penalty behind and practice of this punishment became widespread for political reasons or to keep order: to dissuade potential criminals or political opponents from acting. Today, a number of African countries continue to use capital punishment, invoking the terrorist threat. Some of them refuse to reveal the number of people sentenced to death and executed, or their conditions of detention, and one might wonder whether this state of affairs is connected to the “shame” of putting people to death found in the pre-colonial era. However, the death penalty in Africa was certainly mainly a colonial import.

Looking at it from another angle, in the struggle for the emancipation of the South African people against apartheid, the black population rallied around a notion inherited from Bantu history: Ubuntu. This word, which has numerous definitions depending on the context, generally refers to the idea of connecting humanity, connecting individuals in their dignity to ensure harmony in a community. Political use of Ubuntu made it possible to envisage a policy of reparation in South Africa and it was no coincidence that a moratorium on executions was applied in 1990 at the beginning of discussions on the end of apartheid. It might therefore prove particularly interesting for human rights activists to examine the value systems of individuals and draw on concepts stemming from pre-colonial Africa to reveal a less violent, more reparatory and inevitably abolitionist notion of justice.

RECOMMENDATIONS:

- **Reveal the colonial foundations of use of the death penalty**
- **Highlight pre-colonial visions of Justice**

Portuguese-speaking countries – a special case

The situation of Portuguese-speaking countries previously ruled by Portugal remains unusual. Portugal celebrated 150 years of abolition in 2017 and remains the 1st abolitionist country in Europe. It is therefore worthy of note that Portuguese-speaking countries were all abolitionist early on. Cape Verde was even the 1st abolitionist country in Africa; its last execution dates back to 1835.

Dates of abolitions:

In Africa :

Cape Verde (1981),
Mozambique, (1990),
Sao Tome & Principe (1990)
Angola (1992),
Guinea-Bissau (1993).

Outside Africa:

Brazil (1979, last execution in 1855) and Timor Leste (1999, date of independence)

Today, membership negotiations between the Community of Portuguese Language Countries and Equatorial Guinea still stall over the issue of abolition of the death penalty.

PANEL MOBILISING PARLIAMENTARIANS

Parliamentarians have a crucial role to play in the national and international abolitionist movement because of their privileged position within the institutions of their respective countries. As guardians of popular sovereignty and representatives of their fellow citizens, they must have the courage to take the initiative.

Moderator:

Jean Paul Soro (Côte d'Ivoire), former Côte d'Ivoire MP

Speakers:

Anne Seydoux-Christe (Switzerland), Senator, State adviser, Representative of the APF

Nouzha Skalli (Morocco), MP, co-founder of the RPCPM

Sidibe Abdoulaye (Côte d'Ivoire), MP, President of the General and Institutional Affairs Committee

Jessie Majome (Zimbabwe), MP, Chair of the PGA national group in Zimbabwe and member of the PGA International Council

Parliamentarians have the power to draft, propose and vote on abolitionist laws within the framework of their legislative role. Their position also allows them to monitor government action. In abolitionist countries they can therefore prevent any retrograde steps which may unfortunately occur, as has been the case in Chad recently. In retentionist countries, they are usually able to collect and publicise data and information relating to application of the death penalty, particularly via commissions of inquiry.

"A parliamentarian can initiate reform of the issue or at least encourage debate by putting the issue on the Assembly's agenda."

Hon. **Sidibe Abdoulaye** (Côte d'Ivoire)

Parliamentarians can also act as essential intermediaries for raising public awareness within the framework of their representative role and thanks to the privileged access they have to certain information. They can also initiate debates among all actors from all areas of civil society. MPs and Senators are guardians of popular sovereignty but they are also the guarantors of their institutions and must therefore be able to take a step back in the face of the emotions surrounding the death penalty which can sometimes rattle public opinion, especially when particularly terrible crimes are committed. Finally, they can stimulate and participate in parliamentary diplomacy initiatives by creating friendship groups, joining parliamentary networks or visiting other countries.

"We must get an overview of the situation by basing ourselves on more comprehensive knowledge of certain cases. We are there to help people make the right choices, not limit ourselves to emotional reactions."

Hon. **Anne Seydoux-Christe** (Switzerland)

The fight against the death penalty: a challenge for parliamentarians

Despite their central role, parliamentarians do nonetheless face certain obstacles which can make progress towards abolition in their country difficult. In particular, over the course of one or several periods in office they must fight prejudice against criminals and society-wide ignorance of the death penalty and how it is applied. More concretely, another significant challenge facing parliamentarians is the organisation of their time and the priorities they must choose: their time in office forces them to study a huge variety of issues in the life of the nation and those beyond the abolitionist struggle can very often monopolise their attention. Further, the struggle against the death penalty is only rarely an urgent issue on the agenda of political actors and significant effort must therefore be made just to spark colleagues' interest in this subject. The fragmentation of parliaments following political divisions and parliamentary groups can be all that is required to halt the circulation of an idea as universal as respect for the right to life.

"If we want to end the death penalty, we must prevent the Executive from confiscating the legislative power of Parliament. We must ensure that we are not outflanked so as to be able to continue to report on the situation in prisons."

Hon. **Jessie Majome** (Zimbabwe)

African parliamentarians can rise to these challenges, firstly by campaigning to strengthen the role and power of their assembly within the institutions. There are many States across the world where Parliament has unfortunately been reduced to a recording chamber subjugated to the Executive. Although these assemblies can sometimes appear cacophonous and complex, that is because they represent the entry level of popular representation of a society which is always diverse and never simple. However, parliamentarians determined to fight for abolition can influence the debate, above all on the basis of strength in numbers. The establishment of networks and the construction of joint arguments which transcend not only the political divisions of the chambers but also national borders can be particularly fruitful initiatives.

"The team which launched the network of Moroccan parliamentarians was mixed: one person from the forefront of the opposition; one from the forefront of the majority. It's a universal cause. After a joint statement we began to collect signatures. We managed to get 250 signatures from parliamentarians from nearly all groups."

Hon. **Nouzha Skalli** (Morocco)

In the wake of the Moroccan initiative, presented in 2013, several other networks of abolitionist parliamentarians have been created in places such as Tunisia, the Democratic Republic of Congo and the Central African Republic.

RECOMMENDATIONS:

- **Set up trans-party, national, regional or international parliamentary networks to debate, establish joint strategies and speak with one voice;**
- **Prepare draft resolutions, parliamentary motions or laws on abolition of the death penalty to remind the Executive of this issue, put the subject to parliamentary debate or ensure that the issue does not disappear from the national debate;**
- **Ask oral questions on the issue of the death penalty at parliamentary sessions;**

- Organise investigations into death row in their respective countries and/or vis-à-vis the judicial and administrative institutions playing a role in application of the death penalty;
- Initiate debates with civil society and endeavour to inform fellow citizens of the practical and moral issues connected to application of the death penalty.

Several networks have been created in Africa since the announcement at the Regional Congress Against the Death Penalty in Rabat (Morocco) in 2012. In particular, the following should be mentioned:

- **Morocco**: 26 February 2013: creation of the 1st network of parliamentarians in a country which has not abolished the death penalty which collected 250 signatures from all political parties represented in Parliament with the exception of the PJD;
- **Tunisia**: creation of the network in 2015
- **Burkina Faso**: creation of the network in 2016
- **DRC**: creation of the network in 2016
- **CAR**: creation of the network in 2017
- Preparations underway to create a network in **Niger** and **Cameroon**

At the General Assembly of the APF held in July 2018 in Québec, the APF Parliamentarians, at the initiative of the Hon. Anne Seydoux-Christe (Switzerland), adopted the following resolution on the death penalty: http://apf.francophonie.org/IMG/pdf/cp-resolution_sur_la_peine_de_mort.pdf

WORKSHOP

TRAINING JOURNALISTS: TALKING ABOUT THE DEATH PENALTY AND WHAT IS AT STAKE

The media has a responsibility for the image the public holds of criminals facing the death penalty and the emotion created by a story. From an individual story to political issues, how can journalists convey the abolitionist message?

Leader

Bérangère Portalier (France) – ECPM's Communication Manager.

Speakers:

Pete Ouko (Kenya) – Former death row prisoner in Kenya, pardoned in 2017. Obtained a law degree from the University of London during his detention.

Sandrine Ageorges-Skinner (France) – Wife of Hank Skinner, sentenced to death in Texas since 1995.

Journalists are the main link between citizens and the justice system when an event connected to the death penalty occurs in a country. When injustice occurs, the media is in the front line to mobilise the public and the competent authorities. In some cases journalists can even come to the aid of sentenced prisoners by investigating and trying to throw light on a case. Indeed, on several occasions an investigation published in the press has provided information for the justice system.

An abolitionist movement composed of a variety of actors – support groups, NGOs, lawyers – exists in most of the countries which still apply the death penalty, monitoring information about death sentences and the conditions of detention on death row. They are therefore particularly useful for certain information, be it legal details or indications of the “atmosphere” which will contribute to raising public interest. It can also be compared with official information so as to provide an overview of the points of view of each party.

When and how to talk about death row prisoners?

It is not nearly sufficient to say that journalists must pass on information to the public. If information is to be put across, there are a large number of formats and choices to be made as to how to convey it. A journalist might decide to discuss the death penalty politically, provide judicial reports or concentrate on the human side and draw up portraits of the key players.

A journalist will usually move readers and have an impact on the public's spirit by telling personal accounts. For example, by concentrating on nationals sentenced to death overseas it is possible to focus on someone's life story and develop critical remarks about the death penalty without worrying about the authorities in one's own country.

Journalists can become interested in defendants when they are arrested and at their trial. It is therefore important to respect the presumption of innocence until the verdict has

“WHEN INJUSTICE OCCURS,
THE MEDIA IS IN THE FRONT LINE
TO MOBILISE THE PUBLIC
AND THE COMPETENT
AUTHORITIES”

been handed down. It is helpful to recall that journalists can also write about the conditions of detention of prisoners and help them mobilise public opinion throughout their journey through the justice system and prison. Such long-term follow-up is particularly useful for helping prisoners find the money required for their defence and to avoid foundering into oblivion.

Encouraging debate is one of the fundamental functions of the press: when an execution is carried out in a country, if concerns are expressed about the treatment of the detainee, etc. journalists can approach political actors and ask them for their reaction. Whether they are in favour of abolition or not, their reaction can contribute to creating a discussion, making the death penalty a public concern. Obviously, care must be taken to ensure that a variety of viewpoints are represented.

The good practices of abolitionist journalists

Many arguments support abolition of the death penalty. However, three stand out because of their simplicity; they are easier to slip into a report or an article whose length is fixed in advance. The death penalty kills innocent people. There is nothing to prove that it is dissuasive. It usually constitutes a tool of political repression. If the media outlet allows for it, developing one or several of these ideas is always welcome.

Finally, it is always helpful to recall the main principles of the job which are: the protection of sources and the rigorous verification of information. With regard to the death penalty, it is fundamental not to fall into the very common trap seen in all countries of demonising the accused. In this respect, it might be helpful to recall a final important principle of journalism: respect the humanity of the people referred to in any information.

RECOMMENDATIONS:

- **Illustrate abolitionist arguments with personal accounts**
- **Take into account the presumption of innocence and put forward the arguments of all parties until the verdict has been handed down**
- **Once the judgement has been made, continue to investigate prison conditions**

PLENARY SESSION

THE DEATH PENALTY, POVERTY AND CONDITIONS OF DETENTION: FROM ONE WORLD DAY TO ANOTHER

In many countries being poor considerably increases the risk of being sentenced to death: problems accessing quality legal assistance, corrupt police departments, etc. The repercussions of this sentence are just as harsh for relatives and friends, accentuating their economic vulnerability. Today, personal accounts and figures clearly demonstrate the correlation between capital punishment and poverty.

Moderator:

Annemarie Pieters (Belgium), Vice-President of the World Coalition Against the Death Penalty

Speakers:

Rafiou Adjama (Benin) – Son of Osséni Inoussa Adjama, a Togolese national sentenced to death in Benin

Lievin Ngondji (DRC) – Lawyer, President of Culture pour la Paix et la Justice

Colins Okeke (Nigeria) – Jurist for HURILAWS

Tendai Biti (Zimbabwe) – Lawyer, former Finance Minister, President of the People's Democratic Party since 2015

Bochra Bel Haj Hmida (Tunisia) – Lawyer and parliamentarian, Co-founder of ATFD

In the DRC, death sentences mainly involve the most economically and socially vulnerable. It is paradoxical that these people, a minority group isolated from society, constitute the majority of the country's prison population. This is a situation which can be found in many retentionist countries, particularly the United States where African-Americans represent 14% of the country's population but 40% of death row prisoners.

Two stories can illustrate the situation in the DRC. The first involves a young child soldier, arrested after an attack against the Government. An orphan without any financial and therefore legal means, the child was judged within 24 hours and immediately executed. Three months later, a group was arrested, including one person who admitted committing the crime for which the child had been executed. But unlike that innocent child whose life had been taken, the real guilty party had the means to defend himself and avoided a death sentence.

The second even more preposterous story involves a man who had refused to give some of his food to soldiers. The soldiers arrested him and he was sentenced to death by a military tribunal after a surreal judgement was handed down for use of a weapon of war. This man had been in possession of a piece of meat and the judge considered that he had weapons capable of killing a cow...Once again, if this person had had access to legal assistance worthy of the name, he would almost certainly have avoided the guillotine.

Accounts which are just as unedifying are to be found in Tunisia. In 1984, some young men who had demonstrated for better access to staple goods were arrested. There was

no evidence in the file supporting the accusation made against them, apart from a few statements from individuals claiming to have “seen” these demonstrators in the street. Their fate had already been sealed when they entered the courtroom. A few days earlier, the judge had told the press that he would sentence them to death if they came to court. He kept his promise. Fortunately, the young men were eventually pardoned.

Shortly afterwards, a wealthy, well-respected doctor was ruled to have killed and dismembered his friend. At the end of an exemplary trial which ran for several months, he avoided a death sentence thanks to the intervention of a multitude of experts who were able to prove that the doctor suffered from “mental health issues”.

In Zimbabwe, where 79% of the population lives below the poverty line, the death penalty can be applied to men in the event of aggravating circumstances which are poorly defined in law. A study examined the social and geographical origins of 318 people sentenced to death between 1998 and 2005. It was revealed that 73% of them were from a poor rural background, usually from shanty towns. As well as being economically vulnerable, most of these people belonged to minority communities in the country. One might suspect that the Zimbabwean justice system discriminates against people not only on the basis of their poverty but also their religion or if they belong to certain ethnic groups.

In Nigeria, this kind of different treatment can be observed as soon as someone enters the police station. The police enjoy many rights with regard to carrying out the investigation and directing the work of the justice system, and it is common for the word of a poor person to be called into question, especially if that individual claims that the real guilty party is from a middleclass background. Corruption within the police is widespread and they are quick to

10 reasons why application of the death penalty is discriminatory and affects the poor more particularly:

http://www.worldcoalition.org/media/resourcecenter/EN_2017WorldDayLeaflet.pdf

- Unequal access to education and information: understanding and using the complexity of judicial systems is a discriminating factor for the poorest
- Bail and pre-trial release: it will be more difficult to prepare a defence
- Unequal access to justice and the costs incurred
- Importance of the effectiveness of legal assistance at the very beginning of the trial
- The cost of a good defence
- The case of foreign nationals
- Prejudice and discrimination against the poor
- Corruption handicaps the poorest
- Living conditions on death row are hardest without financial support
- The impact on relatives, particularly through marginalisation (financial and social) of families

For more information:

http://www.worldcoalition.org/media/resourcecenter/EN_WD2017_FactSheet

UNLIKE THE INNOCENT MAN
WHOSE LIFE HAD BEEN TAKEN,
THE REAL GUILTY PARTY HAD
THE MEANS TO DEFEND HIMSELF
AND AVOID A DEATH SENTENCE.

conceal evidence to protect the most powerful. Unsurprisingly, this discriminatory treatment continues in the court room: the last death sentence for someone from the upper echelons of society dates back to 1999; a few months ago, a man was sentenced to capital punishment for stealing bottles of beer and mobile telephones...

Tunisia, the DRC, Zimbabwe and Nigeria are far from the only countries in this situation. That is why it is essential to reveal these accounts, investigate and raise awareness about this two-tier justice system which too often costs the life of the most vulnerable. Unfortunately, the escalation in terrorism-related problems can provoke tension within public opinion which tends to take refuge in a death sentence.

WITNESS

Rafiou Adjama, son of **Osséni Inoussa Adjama**, a Togolese national sentenced to death in Benin

“It all began when my father left the village to go to Cotonou in Benin. He had found a job there and he was working hard. The little money he found there he sent back for the health of his mother and his children. That is where he met one of his old friends who was trading between Cotonou and South Africa. He promised my father he would help him and send him to Europe. My father was proud because for us Africans when you go to Europe, you have the opportunity to lead a better life. That was why his friend gave him a telephone number one day: “Call him, he’ll come and give you money and you can use that money for your documents. Then see what happens next.” My father was very happy and came to the village to tell us the news. The whole family prayed for him. He left for Lomé.

A few days later, I came home from school at midday and saw that everyone in the family was sad. They told me that my father had been arrested in Lomé. “Arrested? Why?” His brothers decided to go to Lomé to get news. It was hard work getting to Lomé as we come from a fairly poor family. But it was already too late. My father had been arrested by Interpol and then transferred to Benin. In Lomé, they told his brothers that he needed a lawyer. He had been accused of involvement in a robbery. As anyone accused of a crime is already a criminal and

“IS THERE STILL A WAY
TO SAVE YOU?
– YES, THERE’S MONEY.”

my father was tarnishing the image of the country, his brothers were told to go to Benin for more information.

His brothers returned to the village to get some money so they could find a lawyer to defend him. But before they reached Cotonou, it was already too late. He had already been sentenced. In Africa, if you’re arrested and you don’t have the means to pay for a lawyer, you’re automatically guilty and you’re accused. That is how he came to be sentenced to death in 1999.

I thought I was going to become the child of a future European. Instead I became the child of a prisoner. Sentenced. I was demoralised. I had lost all my support. There was no one with me. I was only 14 years old. I had to work in order to go to school. I would go one day and the next I stayed at home to earn some money to return to school the following day...I tried. I obtained my middle-school certificate and got to high school. I stayed for the first two years but one day I said to myself: “Why am I going to school? Who for? To become what? I’ve still got my brothers behind me who don’t have any support. The old man is far away. Who’s with him?” And I decided to abandon my education and leave the village to go to Cotonou to visit my father from time to time.

It wasn’t easy to visit him in Cotonou. It was impossible to visit prisoners sentenced to death in Benin from 1999 to 2010. After 2010, I was able to see my father for the first time. That first meeting was not easy. When they brought him in, I saw that he couldn’t walk. He had already become older than his actual age. We couldn’t even speak that day because he was crying and so was I, and there was a time limit. Before we realised the hour had passed it was already too late and they took him away.

For the second visit, he started to cry again. I told him: “Dad, ok, what is it?” He told me that they were stuffed into cells with 50 to 100 people where you had to crouch down to sleep. They didn’t even have time to sleep... “Is there money left to save you?” – “Yes, there’s money”. I told him: “Dad, when they arrested you, I stopped going to school. I’ve come to Cotonou today to be near you, to work, to find what I can to help you. If we need money, I’m going to try. I haven’t got a vocational qualification but I’m going to see what I can do for you.” My father has prostate and kidney problems. When I got home, I went to see colleagues and friends to ask for their help. Some helped me; others pushed me away because the child of a prisoner is like a criminal himself. Everything I found I used for my father. Today, hospital; tomorrow medication. That’s the life I lead.

Today, I would like to thank the Benin Government which has abolished the death penalty and which commuted death sentences into life imprisonment. Although it’s not what we wanted yet, I think that it’s already a step in the right direction. I would like to end by telling people that not all prisoners are guilty and not all guilty people are in prison. Thank you.

WORKSHOP

GETTING YOUNG PEOPLE INVOLVED

**How can young people be mobilised to encourage attitudes to the death penalty to change?
A few ideas and activities to encourage youth to commit to universal abolition.**

Leader:

Charlène Martin (France) – Head of the Education programme of ECPM

Speakers:

Suzanne Mangomba (DRC): Coordinator at Culture pour la Paix et la Justice

Susan Kigula (Uganda): Former death row prisoner in Uganda, released in 2016

Ndume Olatushani (USA): Former death row prisoner, United States, released in 2012

For a number of years ECPM's Education programme has been meeting young people at schools and nonprofit organisations to talk to them about the issue of abolition of the death penalty. It is an issue which often results in a discussion of social challenges connected to justice and human rights. These visits are invariably enhanced by the presence of an important witness alongside the ECPM organiser, someone who has faced capital punishment and who can provide personal experience of the issue. They naturally include prisoners sentenced to death and subsequently released who can talk about their years of detention on death row, but there are also other witnesses of the death penalty such as the relatives of prisoners. Several visits have also been organised with victims of terrorism who have been able to explain their opposition to capital punishment despite the violence they have experienced, as well as journalists who have gone into exile in their country because of threats to their freedom of expression.

This approach combines theory, via a presentation by a representative from the organisation who can revisit the death penalty debate in general, with more concrete information via a speech which really lays the foundations for the meeting with young people. These visits are considered to be a time for interaction above all. It is about finding out what young people think, opening up the debate with them, hearing as many different arguments as possible and, above all, not antagonising them or forcing them towards an abolitionist position. Students can construct their opinion by feeling free. Teachers are also encouraged to bring the death penalty struggle into their classrooms. Lesson modules specially adapted to their subjects enable them to raise the issue while respecting the official syllabus.

Enabling young people to become actors in abolition

ECPM's Education programme also includes the mobilisation of young people. The aim is to encourage them to become actors for universal abolition. As part of this approach, an introduction to journalism project began with the publication of a magazine entirely written and illustrated by young people. The organisation also organises the Draw Me Abolition competition every two years where young people from across the world are invited to create

IT IS ABOUT FINDING OUT
WHAT YOUNG PEOPLE THINK
AND ABOVE ALL, NOT ANTAGONISING
THEM OR FORCING THEM TOWARDS
AN ABOLITIONIST POSITION.

an anti-death penalty piece of graphic art. It is a very important initiative to highlight the work of the abolitionists of the future.

In 2016, the Congolese organisation Culture pour la Paix et la Justice supported the participation of more than 50 young people from the DRC in this competition. The involvement of heads of studies, head teachers, teachers, etc. was required to achieve this. In a country where capital punishment generally remains a taboo subject, Draw Me Abolition revived the debate by involving a multitude of actors. In September 2017, the five winners of the drawing competition received an honourable diploma at the national anti-death penalty conference in Kinshasa and the best drawings were exhibited.

WITNESSES

Susan Kigula and **Ndume Olatushani**, former death row prisoners, both participated in school visits in France in 2016 on the same occasion.

Susan Kigula (Uganda):

“It was the first time I had met young people to talk about abolition of the death penalty. When I visited the schools, I saw that these children needed and wanted to know more about it. It doesn’t exist in their country but, despite that, these children asked brave questions, braver than those of the adults. I was pleased to be able to answer them. When you’re with children, they’re very sensitive. At the same time, although you can choose not to share certain things with adults, young people have an irresistible need to know and understand things. This understanding inspires them in the struggle for abolition.

These children are the leaders of the future. Although the death penalty has been abolished in their country, in a few years time they might find themselves in a situation where there is significant pressure to reintroduce the death penalty. It is very important to find out about the dangers of this punishment as young as possible. They must be encouraged to stand up

against this inhuman treatment, whatever the circumstances, be it terrorism or something else...Because it goes against our most profound values.”

Ndume Olatushani (United States):

“I had the opportunity to meet young French people and reinforce the idea that they should always resist the barbaric practice of the death penalty. Because there will always be people who, for political reasons mainly, will try to convince the public that the death penalty is a punishment which civilised societies should use. It is this idea which must be fought every day and the best weapon to do that is education.

It is important that young people know that this punishment always affects the most vulnerable, whichever country is applying the death penalty. People who have the necessary resources always manage to avoid it.

When I went home to the United States I was pleased to be able to talk about this experience. For many young people in the USA the death penalty is normal. They need to know that for many, many other young people in other countries the death penalty is abhorrent.”

RECOMMENDATIONS:

- **Encourage and promote abolitionist commitment by young people at all levels.**
- **Strengthen the exchange of practices in terms of teaching about abolition among abolitionist actors through the Teaching Abolition International Network**
- **Develop joint international educational action through the Teaching Abolition International Network**

ROUNDTABLE

THE DEATH PENALTY: A POLITICAL INSTRUMENT

In many countries the death penalty is applied by virtue of anti-terrorism laws and/or by military tribunals - exceptional laws used for political purposes creating real democratic problems.

Moderator:

Guillaume Colin (France) – Deputy Executive Director of the Fiacat

Speakers:

Alain Ory (Côte d'Ivoire) – Deputy State Prosecutor and President of Yopougon County Court, Abidjan

Fatimata M'Baye (Mauritania) – Lawyer and President of the AMDH

Teresa Mutua (Kenya) – Lawyer at Kenya High Court, Head of the Access to Justice programme in the Kenyan section of the International Committee of Jurists (ICJ Kenya)

Mwamus Mwamba Mushikonke (DRC) – Lawyer, President of Commission nationale de Droit de l'Homme

Sandrine Dacga Djatche (Cameroon) – Lawyer, member of Racopem

Salomon Nodjitouloum (Chad), President of ACAT, Chad

The death penalty is imposed as a “solution” to violence. It is seemingly the way to root out evil. This is the argument used to extend use of the death penalty (for drug trafficking for example). But history shows that, on the contrary, a capital sentence is not an effective means of dissuasion and actually increases the level of violence in a society. The death penalty dehumanises people and gives death a measure of “citizenship”.

In Mauritania, exceptional anti-terrorism and anti-drug laws have recently been added to the Criminal Code and, although the country observes a moratorium on executions, the death penalty continues to be commonly practised, particularly for blasphemy and treason. Last April, Parliament went so far as to adopt a law making the death penalty compulsory for apostasy. Today, many people are accused of terrorism just for demonstrating their opposition to the regime and are subjected to very worrying treatment. The length of preventive detention, for example, has increased from 2 sets of 48 hours to 3 sets of 5 days (the period of time during which a detainee cannot receive a visit from a doctor or their family). The authorities therefore have an extremely repressive legal arsenal at their disposal to silence discordant voices and the death penalty is undeniably a part of that.

In Kenya, a country with a moratorium on executions, automatic application of the death penalty is now contrary to the Constitution, something which might suggest that the country's situation is encouraging. Unfortunately, it is still possible to send people to death row and, again, the Government is quick to use it as a means of repression. With the entry into force of the Security Conduct Act, a set of anti-terrorism laws, the authorities can

THE DEATH PENALTY
IS USED TO SILENCE OPPONENTS
AND INCITE THE POPULATION
IN TOO MANY COUNTRIES.

criminalise the opposition with impunity and are not afraid to use the spectre of capital punishment to strengthen their power. These laws, which were supposed to bring peace and stability to the country, mainly target those who cannot pay for a lawyer.

The death penalty is also frequently used to silence the ruling authority's enemies or manipulate the public's emotions during electoral campaigns in the Democratic Republic of Congo. The 2006 Constitution consecrates the right to life and sets out that no derogation from that right is permitted, whatever the circumstances. Despite this, civil and military courts continue to hand down death sentences, playing on inconsistencies between internal legislation and the Constitution. The idea that the public broadly supports the death penalty is very widespread but it has not been corroborated by any research and is simply a belief.

In Cameroon, the death penalty was used as a political instrument as far back as the colonial period by the Germans who occupied the country. In particular, they used it to intimidate the population and retain their stranglehold on resources. Today, with the new penal laws passed in 2016, the Government is demonstrating a clear desire to gag the opposition by repressing it. No fewer than 16 crimes are punishable by death, including 10 which have a political connotation: treason, espionage, intelligence with the enemy, etc. Some of these offences are not even clearly defined: what are "troubles"? For several years the North of the country has been grappling with violent separatist movements which the ruling authority considers to be terrorists. Military tribunals have rendered summary justice. The accused, regularly tortured and detained in secret locations, are unable to access a lawyer. The number of death sentences handed down by military tribunals increased by 70% in 2016. Although the trend dropped slightly in 2017, the situation in the region remains very worrying. The political climate makes it even harder to combat this phenomenon. In 2018 speaking out against "the anti-terrorism fight" in Cameroon is usually the equivalent of political suicide.

The situation is similar in Chad where a special law was voted in 2015 with the aim of fighting poorly defined terrorism. After the attacks in N'Djamena, within a few days the Government judged and then executed 10 people accused of acts of terrorism. Prior to that, Chad had not applied the death penalty for 13 years.

However, over the last few years political laws have slowly been withdrawn at the request of the UN, particularly at a country's Universal Periodic Review.

The death penalty is used to silence opponents and incite the population in too many countries. Conversely, abolition of this inhuman punishment can be a political tool for reconciliation. Ending capital punishment means contributing to rebuilding countries destroyed by terrible internal conflicts and assisting their process of national reconciliation by demonstrating the ability to forgive. South Africa, Rwanda and Mozambique, for example, abolished the death penalty after terrible conflicts in their lands. Whereas the death penalty stems from precipitation and laziness, its abolition requires responsibility and political courage.

PANEL MANDATORY DEATH PENALTY

Over the past two decades, there has been a major global movement for abolition of the mandatory death penalty. In Africa, the highest courts in Uganda, Malawi and more recently Kenya have all reached the same conclusion: the death penalty cannot be imposed without judicial discretion to take into account the gravity of the offence and mitigating circumstances.

Speakers:

Livingstone Sewanyana (Uganda) - Executive Director of the FHRI and UN independent expert on the promotion of a new democratic and equitable international order

Annette So (Great Britain) – Deputy Director of DPP

In terms of international law, the mandatory death penalty violates two articles of the International Covenant on Civil and Political Rights: Article 6 which enshrines the right to life and Article 7 which prohibits torture and cruel, inhuman and degrading treatment. Recognizing these offences is a good starting point for sending a strong message against these practices: the mandatory death penalty violates the right to a fair trial, equality before the law, human dignity, and constitutes in itself an act of torture.

Definition of the mandatory death penalty

- The judge does not have the discretion to take into account the facts of the offence or the characteristics of the accused;
- The death sentence shall be imposed regardless of any mitigating circumstances that may apply.

In eleven countries around the world, capital punishment remains a mandatory punishment for certain crimes: Brunei, Ghana, Iran, Malaysia, Maldives, Myanmar, Nigeria, Pakistan, Saudi Arabia, Singapore, Trinidad and Tobago.

(Source : Amnesty International, « Condamnations à mort et exécutions en 2017 », ACT 50/7955/2018, Londres, 2018, p. 9.)

In Africa, 34 countries continue to use the death penalty. Of these, 11 apply laws allowing mandatory application of the death penalty, something which has resulted in 4 executions on the continent in the last 10 years. Nevertheless, there are now some interesting developments with regard to this issue. In Kenya, Uganda and Malawi extensive advocacy and awareness-raising by NGOs has resulted in the mandatory death penalty being declared unconstitutional. In Uganda in particular death row syndrome has been considered

ONCE AWARE,
THE PUBLIC GENERALLY OPPOSED
THIS ASPECT OF CAPITAL
PUNISHMENT.

to constitute cruel and inhuman treatment; and in Kenya Presidential commutations have taken place, most recently in 2016 where all death row inmates in the country had their sentences commuted to life imprisonment.

The case of Uganda

About 30 years ago the Ugandan abolitionist movement focused its efforts on raising public awareness. At the time, the country was about to adopt a new constitution and to this end many consultations had been held on the issue of abolition. But the new 1995 constitution, although mentioning the right to life in Article 24, still provides for the death penalty.

A sufficiently wide breach for NGOs pointed out the contradictions of the law to prevent application of the death penalty. Finally, the Supreme Court removed the constitutionality of the mandatory nature of the death penalty, explaining that it goes against not only the Constitution but also Uganda's international commitments. To alleviate the phenomenon of overcrowding on death row, the Supreme Court also had to rule in favour of automatic commutation to life imprisonment for death row inmates held for more than three years after their trial. 186 people were able to leave death row. A debate was then opened on the inhumanity of life imprisonment without possibility of release, a debate that continues today.

The removal of the automatic nature of this penalty has saved lives and is undeniably an important step towards abolition. Nevertheless, even though the last execution was carried out in 2005 the death penalty remains a reality in Uganda.

To win over public opinion, it has often been necessary to explain what it means to have a mandatory death penalty. Once aware, the public generally opposed this aspect of capital punishment. Nevertheless, many obstacles remain. The President remains a strong supporter of the death penalty and particularly heinous crimes, such as the sacrifice of children, contribute to public outcry. Nevertheless, it is to be welcomed that the issue of abolition is now identified by both political actors and members of civil society. Once the debate has begun, it can only move in the right direction.

The case of Kenya

Kenya has been under a de facto moratorium since 1987. In December 2017, the Supreme Court of Kenya declared the mandatory application of the death penalty unconstitutional. Kenyan legislation provided for the mandatory application of the death penalty for murder and armed robbery. In its judgment, the Supreme Court stated that mandatory sentences were unfair because they prevented a judge from taking into account the facts of the offence and the offender's background when deciding whether the death penalty should be imposed. This decision opened the possibility of a review of the death sentences for about 8,000 prisoners on Kenyan death row. The overwhelming majority of them had been sentenced to death for crimes that are not considered by international law to fall into the category of «most serious crimes». A working group has been established by the Attorney General to provide advice on the sentencing process. The DPP provides specialised technical assistance in the execution of its mandate.

Elsewhere in the world: recent advances in Malaysia

Until the end of 2017, Malaysia was one of ten countries with mandatory death sentences for drug trafficking. Section 39B of the Dangerous Drugs Act was amended on November 30, 2017 by Parliament, allowing the judge to use his discretion on this charge. However, this progress proved to be a first half-hearted victory since the judge can only use his discretion under two very specific conditions. If these conditions are not fulfilled by the accused, the judge will have no choice but to apply the death penalty in a mandatory manner. This law came into force in March 2018.

Currently, in Malaysia, nine counts are subject to mandatory death penalty. In October 2018, the new Malaysian government affirmed its commitment to the complete abolition of the death penalty.

RECOMMENDATIONS:

- Highlight the unconstitutional nature of the death penalty which violates international law
- Launch a public debate on the mandatory death penalty to raise awareness

WORKSHOP BEST PRACTICES FOR IRREVERSIBLE ABOLITION IN AFRICA

In 2017, 22 African States were considered de facto abolitionist countries How do we move from a de facto moratorium to irreversible abolition ?

Moderator:

Amy Bergquist (United States) - Lawyer, Advocacy Coordinator at the AHR, at the United Nations and regional human rights bodies

Speakers:

Philip Iya (South Africa) - Professor of Law and member of the Working Group on the Death Penalty of the ACHPR

Alice Mogwe (Botswana) - Lawyer, director of Ditshwanelo, Secretary General of the FIDH

Asunta Cavaller (Spain) - Director of the ICDP

Sharon Pia Hickey (Ireland) - Research and Advocacy Director Cornell Center on the DPW

The African Commission on Human and Peoples' Rights launched a regional initiative by working toward the adoption of a specifically African regional instrument, the draft Additional Protocol to the African Charter on Human and Peoples' Rights concerning abolition of the death penalty in Africa. Although it respects the sovereignty of African countries and is binding only for States willing to join it, the African Union has never discussed the draft Protocol. Abolitionists in Africa are therefore going through a period of reconsideration and reflection regarding the next steps to be taken towards ending the death penalty in Africa. The ACHPR's Working Group on the Death Penalty in Africa is considering a new strategy to re-submit the draft Protocol to AU bodies so that it can obtain the consent of African States. In the meantime, abolitionists can pursue many other initiatives: press releases from abolitionist countries, statements by Heads of States, efforts to shape public opinion, and other steps to foster an abolitionist climate on the continent.

Legal strategies

There is no single « African model » for abolishing the death penalty. For example, since independence, Madagascar had never used the death penalty, and subsequently abolished capital punishment. South Africa adopted an official moratorium and then moved forward to complete abolition. In Namibia, Angola, and several other countries, constitutional reform laid the groundwork for banning the death penalty. In Benin, the signature of an international instrument paved the way toward abolition. Some countries, such as Kenya, are moving towards abolition of the death penalty incrementally, by limiting its scope or removing legal provisions that make the death penalty mandatory for certain crimes.

A number of tools may accelerate movement towards abolition. For example, abolitionists may urge States to join international institutions and may use particular countries as positive

examples. Abolitionists can play an important role by conducting fact-finding missions about all aspects of the death penalty, including human rights violations beginning at the time of arrest, fair trial violations, conditions on death row and methods of execution. Such monitoring and documentation, as well as related advocacy, can raise awareness among the general public and of people in positions of power. To shape public opinion, abolitionists can and should identify key thought-leaders, including religious leaders and traditional chiefs, among others, to facilitate a meaningful and sustainable discussion of the death penalty and the importance of abolition.

The abolitionist movement in Africa is therefore going through a period of reconsideration and reflection with regard to the next steps to be taken towards ending the death penalty in Africa. The Protocol is an important component of future progress toward abolition and should not be abandoned, but efforts to bolster the Protocol must be accompanied by a broader campaign to motivate political leaders and the general public to oppose the death penalty.

Tailoring the arguments to different audiences

Political leaders who resist making progress towards abolishing the death penalty use public opinion to justify the status quo. Whether the general public supports or opposes the death penalty in a particular country, it is essential to conduct a true assessment of public opinion and, if necessary, to shift that opinion away from the death penalty. Sophisticated approaches to assessing public opinion examine the underlying reasons for public commitment to the death penalty. Is such a commitment rooted in religious teaching? Is it a response to recent historical events? Is it based on shared social values? A specific familial socialisation? After identifying the underlying reasons for public support of the death penalty, abolitionists can create public opinion assessments that expose weaknesses in the level of support for the death penalty and open the door for targeted advocacy to shift public opinion. In Uganda, for example, the vast majority of the public, once informed of the principle of the mandatory death penalty, oppose it and would therefore support a change in the law. Public opinion in many African communities may be shaped by reference to research on pre-colonial customary norms, such as Ubuntu in South Africa.

Specific strategies must target young people. Public opinion amongst the young in society is more malleable, and young people are more likely to spearhead a longer-term movement for change. But an abolitionist campaign targeting and involving young people must be adapted to their way of finding and disseminating information, including the use of social networks and video messaging.

On the African continent, abolitionists must face head-on the sentiment in some sectors that certain crimes, such as acts of terrorism, are far too serious not to be punishable by death. Abolitionists must develop a multi-faceted response to these concerns, drawing

upon evidence that the death penalty does not deter acts of terrorism, arguments that the death penalty glorifies extremist acts, and the voices of victims of terrorism who oppose the death penalty.

RECOMMENDATIONS:

- **Encourage States to join international institutions which consider abolition of the death penalty**
- **Identify key actors who can influence public opinion, including religious and traditional leaders, youth leaders, and other influencers.**
- **Assess the current status of the underlying motivations for public opinion regarding the death penalty in each non-abolitionist country, and use that assessment to formulate and implement a considered public opinion assessment that exposes weaknesses in support for the death penalty and points toward alternatives to the death penalty.**
- **Use high-quality public opinion assessments to inform the general public and shape the views of lawmakers.**
- **Conduct fact-finding missions about relevant aspects of the death penalty in retentionist countries and use the results in advocacy.**
- **Tailor the arguments to the different target audiences.**
- **Adapt abolitionist campaigns to target young people by incorporating popular social media platforms and video messaging.**
- **Continue to support the Working Group and the Protocol.**

WORKSHOP

AFRICANS SENTENCED TO DEATH OVERSEAS: A CONSULAR DUTY

Africans sentenced to death overseas find themselves in an extremely worrying situation: victims of discriminatory treatment and poorly assisted by their own country's consular services. What tools should be developed to encourage access to justice worthy of the name for those people?

Modérateur:

Oluwatosin Popoola (Nigeria) – Lawyer and Amnesty International Death Penalty Adviser

Speakers:

Chino Obiagwu (Nigeria) – Director and Founder of LEDAP

Chow Ying Ngeow (Malaysia) – Member of the Steering Committee of ADPAN

René Légré Hokou, National Human Rights Commissioner, Executive Secretary of the CNDH-CI

Particularly fragile conditions of defence

Most overseas death sentences for Africans occur in Asia for crimes related to drug trafficking. It is common to observe a discriminatory approach in the judicial system in the pursuit of investigations and arrests which can go so far as racial profiling of the accused. They encounter serious problems accessing proper representation enabling them to understand their situation, both during preventive detention and at the time of the trial. At the very beginning of their journey in the legal machine during the interrogation by the police, it is extremely rare for an interpreter to be dispatched. Above all, the fact that consulates are generally not notified of the situation facing one of their nationals, or not until it is much too late, clearly does not make the situation easier.

Generally cumulative, these issues foster an unfair trial - especially because numerous countries in Asia, having adopted very harsh anti-drug trafficking laws, place the weight of evidence directly on the accused. After the trial, similar problems persist in terms of access to information and high quality legal assistance. In Malaysia for example, the procedure for requesting pardon remains very opaque and prisoners sentenced to death are generally not even aware of the existence of this option.

Obstacles to consular assistance

In this kind of case, consular relations have a decisive role to play. The Vienna Convention, signed by most States in 1963, specifies in particular that consular functions aim to protect “in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law”, as well as “helping and assisting nationals, both individuals and bodies corporate, of the sending State”. However, implementation of this Convention faces numerous obstacles.

SIMPLY REGULARLY EXPRESSING CONCERN ABOUT THE FATE OF ONE OF A GIVEN STATE'S NATIONALS ATTRACTS THE ATTENTION OF THAT COUNTRY'S JUDICIAL AUTHORITIES.

Firstly, developing and maintaining a network of consular services is expensive and some African countries do not have consulates in some parts of the world. Consequently, how can they act and monitor a case closely? Moreover, when a foreign national is arrested overseas, the authorities can omit to inform the Consulate, either through ignorance of their obligations or deliberately. Finally, when such notification is sent to the consular authorities, there can be problems accessing the detained individual or even simply accessing information.

How should consular assistance be strengthened?

However, although it is clear that consular services must be strengthened and expanded internationally, their power is currently far from non-existent. Simply regularly expressing concern about the fate of one of a given State's nationals attracts the attention of that country's judicial authorities. Consulates can also act as a go-between by facilitating access to a defence worthy of the name, enabling funds to be delivered and ensuring a connection with the family. In terms of the wider level of relations between States, bilateral mutual assistance conventions strengthening the principles of the Vienna Convention can also be signed. Finally, the Universal Periodic Review is an excellent opportunity to carry out advocacy with the State under review. Most of the world's countries have ratified the Vienna Convention and it is essential to exploit such mechanisms to strengthen their application - especially when the life of a human being hangs in the balance.

RECOMMENDATIONS:

- **Be publicly concerned about the fate of one's nationals**
- **Concretely support detainee access to a defence**
- **Draw up bilateral mutual assistance conventions between States**

Côte d'Ivoire:

Although Côte d'Ivoire has abolished capital punishment, Ivorians are still being sentenced to death elsewhere

At least two Ivorian nationals are currently sentenced to death in other African States. Armand Guehi, sentenced to death on 30 March 2010 by the Tanzanian courts for the murder of his Ivorian wife, applied to the ACHPR to claim his right to a fair trial, particularly his right to be assisted by a lawyer and his right to an interpreter during the procedure resulting in his sentencing. Thus far, Côte d'Ivoire has not done what is required to assist its citizen. Further, the case of another Ivorian, sentenced to death and detained in Mauritania, has been raised.

This situation illustrates the case of numerous African countries whose nationals are sentenced to death at the other end of Africa or in a border State and usually abandoned to their fate.

Africans sentenced to death in Indonesia

Between 2008 and 2018, Indonesia carried out 33 executions, 18 of which involved foreign nationals (55%), 10 of whom were African (Nigeria, Ghana and Senegal), i.e. 56% of the foreign nationals executed in that country. This high percentage could also be explained by poor diplomatic support from African countries towards their imprisoned fellow citizens, either because of inadequate consular resources or a manifest desire or disinterest.

So-called "hard" retentionist countries have a much more robust consular support policy. This is particularly true of Pakistan in its defence of Ali Aulfikar whose execution was delayed several times after pressure from Islamabad. He finally died in prison in May 2018. China, the country which executes more people than any other in the world, also supports its 7 prisoners sentenced to death.

On the other hand, Nigeria still has 6 prisoners sentenced to death in Indonesian prisons (and 8 nationals have already been executed), Sierra Leone has 2 and Zimbabwe 1.

This situation is not unique to Indonesia; it can be found in other Asian countries and those in the Middle East.

PANEL

THE KEY ROLE OF THE DRAFT ADDITIONAL PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON ABOLITION OF THE DEATH PENALTY IN AFRICA

The African Commission on Human and Peoples' Rights adopted a draft additional protocol to the African Charter on abolition of the death penalty in Africa in 2015 with the aim of garnering the support of the Member States of the African Union. An assessment of this strategy for abolition in Africa.

Moderator:

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

Speakers:

Paul Angaman (Côte d'Ivoire) – President of Fiacat

Maya Sahli Fadel (Algeria) – Commissioner at the ACHPR and member of the Working Group on the death penalty and extrajudicial killings in Africa

Clément Capo-Chichi (Benin) – Expert for the Working Group on the death penalty and extrajudicial killings at the ACHPR

The draft Additional Protocol to the African Charter on Human and Peoples' Rights on abolition of the death penalty in Africa is, as its name suggests, additional. It will therefore only be binding for States upon ratification or accession. This draft Protocol is composed of 6 articles and aims to protect and supplement the provisions of Article 4 of the African Charter on Human and Peoples' Rights which guarantees the right to life. The States which ratify it will be obliged to abolish the death penalty by taking rapid steps, respecting a moratorium on the imposition of capital punishment and on executions, and submitting periodic reports to the ACHPR, the body of the African Union responsible for promoting and protecting human rights in Africa. It is anticipated that it will come into force once it has been ratified by 15 Member States of the African Union.

Role of the ACHPR

Development of this draft Protocol began in 2011 by the Working Group on the death penalty and extrajudicial, summary and arbitrary killings in Africa, created in 2005 within the ACHPR. After numerous sub-regional consultations, discussions with political actors and the components of civil society from numerous African countries between 2011 and 2014, the draft Protocol was finalised and adopted in April 2015 at the 56th Ordinary Session of the African Commission, and then submitted to the bodies of the African Union. The draft was not adopted at that stage and sent back to the Commission due to procedural issues. It is due to be submitted to the African Union again. How to ensure it will be adopted this time? The ACHPR's new strategic plan involves identifying "champion" States which can commit to supporting adoption of this text and contacting the more reticent States to

IT IS PARTICULARLY IMPORTANT TO RAISE AWARENESS AND TRAIN POLITICAL ACTORS AND INFLUENTIAL MEMBERS OF CIVIL SOCIETY ON THE CONTENTS OF THE DRAFT PROTOCOL AND THE CONCRETE CONSEQUENCES ITS ADOPTION COULD HAVE ON THE GROUND.

better understand their reservations and emphasise the fact that it will only be binding for States which would like to ratify it, not for all Member States of the African Union.

The role of NGOs

At the same time, civil society and NGOs need to assist the Working Group to establish ties with these “champion” States, i.e. ones which have an exemplary record on the issue of the death penalty, so that they can obtain official support for the draft Protocol from other AU Member States. Advocacy work must be rigorously accompanied by monitoring of any commitments made nationally, regionally and internationally. Another essential task is also usually devolved to NGOs: raising awareness and training political actors and influential members of civil society on the contents of the draft Protocol and the concrete consequences its adoption could have on the ground. It is important to develop a solid set of arguments if this is to be achieved.

The Example of Benin

In Benin, NGOs have campaigned for abolition over many years and obtained an apparently modest victory in 2012 when the country signed up to the OP2-PIDCP. This was followed by six years during which the country slowly but surely moved towards abolition of capital punishment in its internal legislation.

On 5 July 2012, Benin signed up to the OP2-PIDCP. A few months later, Benin’s Constitutional Court indicated that the death penalty could not be included in the new Criminal Procedure Code. Some parliamentarians criticised abolition “by force” but in 2016 the Constitutional Court again ruled against the death penalty by withdrawing Article 302 of the Criminal Code. Finally, on 21 February 2018 a decree from the Council of Ministers authorised the commutation of death sentences into life imprisonment for the last 14 prisoners sentenced to death in the country. On 5 June 2018, the National Assembly adopted a new Criminal Code removing any reference to the death penalty.

It was a long road which began with ratification of an international treaty and was marked by constant pressure from Benin civil society which could serve as an example for many other African abolition actors.

RECOMMENDATIONS:

- **Encourage African States which have already abolished the death penalty to support the draft Additional Protocol to the African Charter on abolition of the death penalty in Africa;**
- **Identify “champion” States which could present this project to their peers during African Union summits;**
- **Raise the awareness of African civil society about the existence of this draft Protocol.**

Between 2009 and 2010: sub-regional consultations carried out by ACHPR;

2011: adoption of the Research on the death penalty in Africa by ACHPR which recommends adoption of an additional protocol on the death penalty in Africa;

July 2014: presentation of the draft Protocol at the first Continental Conference on the death penalty in Africa organised by ACHPR in Benin;

April 2015: adoption of the draft Protocol by ACHPR at its 56th Ordinary Session in April and transmission for adoption by the African Union.

What does the Additional Protocol on abolition of the death penalty in Africa say?

- Article 1: requires the Signatory States to commit to protecting the right to life and to abolishing the death penalty while respecting their sovereignty;
- Article 3 requires States that have ratified the Protocol to apply a moratorium on executions pending the completion of the national legislative process to abolish the death penalty;
- Article 6 provides for the entry into force of the Protocol once 15 African Union Member States have ratified or signed it.

For more information: http://www.worldcoalition.org/media/resourcecenter/AfricanProtocol_leaflet-EN.

PANEL LEGAL REPRESENTATION OF PERSONS FACING THE DEATH PENALTY

In the eyes of the law, lawyers provide a valuable barrier between the accused and the guillotine. But whether it is in Cameroon, Tanzania or Burkina Faso, they are confronted with extremely diverse situations. Are there any solutions or good practices which can be applied throughout Africa to save a client's life?

Moderator:

Annette So (Great Britain) - Head of Development and Legal Affairs of the DPP

Speakers:

Basil Ader (France) - Lawyer and Deputy President of the Paris Bar Association

Issouf Baadhio (Burkina Faso) - Lawyer and former President of the Bar Association of Burkina Faso from 2009 to 2012. President-designate of the UIA

Fulgence Massawe (Tanzania) - Lawyer at the Supreme Court of Tanzania, member of the LHCR

Nestor Toko (Cameroon) - President of Racopem

Having access to a lawyer is first and foremost about understanding what is happening to you. As an essential intermediary between the judicial system and the person subject to it, its function is ensured by two main principles in particular. The first of these, equality with the prosecutor, requires full access to the case file, the possibility of providing evidence, confidential interviews with the accused, and the possibility of requesting action from the court. The second, immunity from legal discourse, ensures the safety of the lawyer whether in the courtroom or the public square. They must be able to speak for the defence when the conditions so require, for example in the event of unfair treatment of their client. In this sense, the position of the lawyer is a marker of democracy. Thus, the International Criminal Court, which judges the most heinous crimes committed on the planet, guarantees in its statutes that the accused must have access to the best possible defence. An essential provision that honours this institution.

In Africa, a very wide range of cases and files face the death penalty. The best advice to give a young lawyer would therefore probably be to assess each situation on the basis of the context. For example, a distinction can be made between a death penalty required for ordinary offences and a death penalty required for offences which could be described as political. These are known by different names in different countries: breach of State security, terrorism, etc. In all cases they impose procedures that seriously hamper the work of the defence.

IT IS URGENT THAT STATES
COMMIT TO ENSURING THAT LAWYERS
CAN WORK INDEPENDENTLY,
SO THAT EX OFFICIO COMMISSIONS
DO NOT REPRESENT
A FRONTLINE DEFENCE.

Difficulties specific to Africa

Regardless of the country, three main obstacles often faced by lawyers in Africa can be identified. In some regions, access to the person being prosecuted is complicated by a practice of another era: «relegation». The person accused of a crime is arbitrarily removed from his or her place of residence, usually to a desert area. The person is then in communicational isolation with his or her lawyer, and the lawyer arrives at trial with very few elements of information to do any real defence work. More broadly, the continent is hit by a cruel lack of lawyers, coupled with a frequent lack of consular authorities abroad. Finally, the question of funding remains crucial in Africa and it is urgent that States commit to ensuring that lawyers can work independently so that ex officio commissions do not represent a frontline defence. Sometimes, it is necessary to employ investigators to prove a client's innocence. This approach, although costly, has already saved lives in Cameroon.

Tanzania is one of the countries which applies the mandatory death penalty. This makes the work of lawyers particularly difficult. In most cases, the murder suspect is first questioned by the police, in the absence of a defence if he or she cannot afford it, and then goes to court for the first time. If the accused is found guilty, he or she is automatically considered to be sentenced to death. The judicial system only recognizes the person's right to access State-funded representation for the second judgment which is supposed to confirm the first. The lawyer therefore usually intervenes too late in the process and death row is filled with people from the poorest parts of society.

In Africa, the death penalty has many faces. Depending on their country, lawyers face extremely varied and still too many challenges. To strengthen their work, it is essential that they increase exchange initiatives and mutual aid networks while pursuing valuable work to stay attentive to application of the death penalty in their countries.

RECOMMENDATIONS:

- Request access to your client
- Use investigators to defend your client
- Create networks of lawyers to organise monitoring in each country

REVIEW OF THE ACTIVITIES OF THE TEACHING ABOLITION PROGRAMME

Created in 2009 to raise young people's awareness of abolition of the death penalty, the "Teaching Abolition" programme was rolled out in schools in Abidjan during the African Congress Against the Death Penalty.

School visits with Abidjan students

The Teaching Abolition team, accompanied by witnesses, organises visits to schools in France every year in order to raise young people's awareness of abolition. The African Congress was an opportunity to export this work to young Ivorians. Charlène Martin, Head of the "Teaching Abolition" programme, therefore visited four schools in the city of Abidjan, accompanied by Susan Kigula, a young Ugandan woman and former death row prisoner who has become a real symbol of the fight against capital punishment in her country.

Together, they met 15 girls studying the Arts in the sixth form at the Lycée Mermoz, 67 sixth-formers from the Lycée Jules Verne, 36 middle-school students from the Collège Cours Sévigné and a hundred girls in the sixth form at the Lycée Sainte Marie. A presentation of the main issues by Charlène and Susan's personal story helped them consider abolition of the death penalty, express their opinions and ask questions. Paul Angaman, President of Fiacat, was also able to accompany us on two of these visits and he was able to explain to the students how the death penalty is used in Africa.

"Draw Me Abolition" exhibition

During the two days of debates, Congress participants were able to see the 50 best drawings from the 3rd "Draw Me Abolition" competition which were displayed on the railings of the entrance to the Congress. The competition invited students from across the world aged between 12 and 18 to create an anti-death penalty poster for the World Day on 10 October 2016. Young people from 12 countries and 4 continents took part in the competition. A catalogue was published and distributed to all Congress participants, as well as the young people met during the school visits, to highlight their work.

Slam by young Ivorians against the death penalty

"It's cruel!

It's criminal!

It's inhuman to use the death penalty.

Authorities, here and everywhere

Let's all fight together

To abolish the death penalty across the world"

This is the chorus sung by seven young Ivorians in front of a supportive audience at the Opening Ceremony of the Congress attended by a number of senior figures including several African ministers. These original and moving words were the result of the writing, diction and



singing workshops the five students from the Lycée Moderne de Cocody and two young people from the Naumann Foundation in Cote d'Ivoire attended under the supervision of the slammer, Bee Hoe, President of the Ivorian group Au Nom du Slam. Together, they wrote an anti-death penalty slam, telling Susan's story as she accompanied them in English. According to Mrs Guei, a teacher at the Lycée Moderne de Cocody, speaking the day after the Ceremony, "everyone is congratulating us at school because they saw the children on the television news at 8 o'clock.

*"No compensation is worth my 16, 16, years in prison
But I'm happy to be able to feel the sun's rays on my body
Happy to make a new start
Happy to see my daughter who is my bastion
I, Suzanne Kigula
Happy to make the death penalty my fight from now on"*

CLOSING CEREMONY

Moderator:

Israël Guebo, President of the organisation Génération innovante

QUOTES FROM SPEAKERS :

**“We leave this Congress with much optimism.
Together, we will make Africa the next
abolitionist continent.”**

AURÉLIE PLAÇAIS

Executive Director of the World Coalition Against the Death Penalty

**“With all my heart I hope that we can add Chad
and the DRC to the list of abolitionist countries
in 2019 in Brussels.”**

SEYNABOU BENGA

Head of the Academic

Programme of the 7th World Congress Against the Death Penalty

**“When historians of the future study world abolition,
the Abidjan Congress will be an important
chapter for them.”**

ARILD RETVEDT ØYEN

*Ambassador, UN Office for Humanitarian Affairs,
Norwegian Foreign Affairs Ministry*

**“Abolition of the death penalty in Africa
is an accessible utopia.”**

ARNAUD GAILLARD

Sociologist and member of Réseau d’Alerte et d’Intervention pour les droits de l’homme

**“Now we must convince
our respective parliaments.”**

JESSIE MAJOME

MP, President of the National Group of PGA in Zimbabwe

**“Bar associations must try to ensure a proper defence
of those who risk a death sentence.”**

BASILE ADER

Vice-President of the Paris Bar Association



“States must strengthen human rights institutions.”

KHALID RAMLI

Representative from the National Human Rights Council (Morocco)

“If we focus too much on work, we risk only seeing bits of paper and forgetting that we work for human beings. We must always remember that we are talking about real people, real lives.”

NDUME OLATUSHANI

Former death row prisoner, United States

“In the current context there is a serious risk of some countries returning to capital punishment. It is therefore essential to continue advocacy work in this area.”

SALVATORE SAGUÈS

Representative the OIF



**“The death penalty is an unacceptable attack
on human dignity.”**

Message from **DIDIER REYNDERS**

Deputy Prime Minister and Minister for Foreign and European Affairs, Belgium

**“The life of another human does not belong to any State
or government.”**

Message from **FEDERICA MOGHERINI**

European Union High Representative for Foreign Affairs and Security Policy

**“We want to go further and we have decided
to go together.”**

JACQUELINE MOUDEINA

Lawyer and human rights activist, Chad

**“We need new voices to break down the walls of the debate
and create new bonds of solidarity.”**

ARIANE GRÉSILLON

ECPM Deputy Director

FINAL DECLARATION

Abidjan, 10 April 2018

WE,

The participants of the African Regional Congress in Abidjan (Côte d'Ivoire), held on 9 and 10 April 2018 and organised by ECPM in partnership with the World Coalition Against the Death Penalty, Fiacat and CNDH-CI;

ADOPT this Declaration at the end of two days of intense debates, exchanges of experiences, personal stories and official declarations;

WELCOMING:

- the development of the abolitionist movement in a world where nearly $\frac{3}{4}$ of States have revoked application of capital punishment in law or in fact;
- the fact that 4/5 of the 55 African States are abolitionist: 20 have abolished capital punishment for all crimes and 22 observe a moratorium on executions;
- the fact that 7 African States have abolished the death penalty over the last 10 years: Benin, Burundi, Congo, Gabon, Guinea, Madagascar and Togo.

WE RECALL THAT:

- the right to life is protected by all international and regional human rights legislation, particularly Article 6 of the International Covenant on Civil and Political Rights, and Article 4 of the African Charter on Human and Peoples' Rights;
- abolition of the death penalty is essential if the right to life is to be effectively protected and the dignity inherent to all human beings is to be fully and entirely recognised;
- no provisions in international law provide for the death penalty for the most serious crimes (genocides and crimes against humanity, war crimes).

NOTING HOWEVER THAT:

- the fight against terrorism is being used by some governments to extend the scope of application of the death penalty and resume executions;
- the death penalty is practiced in a discriminatory manner, particularly on the basis of socio-economic status and sexual orientation;
- because of their status, prisoners sentenced to death are subjected to conditions of detention which constitute cruel, inhuman and degrading treatment;
- 13 African countries still retain the death penalty and often apply it arbitrarily.

UNDERLINING THE NEED TO MAKE SIGNIFICANT PROGRESS TOWARDS TOTAL ABOLITION OF THE DEATH PENALTY IN AFRICA, WE CALL ON:

International and regional inter-governmental organisations to:

- continue and intensify their cooperation with States and civil society to promote abolition of the death penalty in Africa;
- adopt the draft Additional Protocol to the African Charter on Human and Peoples' Rights on abolition of the death penalty in Africa as quickly as possible.

The States present at the Abidjan Congress:

- Côte d'Ivoire and Guinea: to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights;
- Burkina Faso: to adopt the draft Constitution providing for abolition of the death penalty;
- Chad: to repeal the terrorism law of July 2015;
- the DRC: to vote in favour of the UN resolution calling for a moratorium on capital executions.

RETENTIONIST AFRICAN STATES TO:

- abolish the death penalty for all crimes;
- establish a moratorium on death sentences and executions, in conformity with UN resolutions and the African Commission on Human and Peoples' Rights;
- remove the compulsory death penalty;
- collect and publish regular information on application of the death penalty which is scientifically reliable and independently produced.

AFRICAN STATES WHICH ARE ABOLITIONIST IN LAW OR IN FACT TO:

- abolish the death penalty for all crimes;
- ratify the Second Optional Protocol to the International Covenant on Civil and political Rights;
- support adoption of the draft Additional Protocol to the African Charter on Human and Peoples' Rights on abolition of the death penalty in Africa;
- vote in favour of the UNGA 2018 resolution calling for a universal moratorium on capital executions and to become a co-sponsor of that resolution;
- support actors from civil society working for abolition of the death penalty.

African parliamentarians to form national, regional and international networks and to take the abolition debate to the heart of their parliaments.

NHRIs to systematically integrate death penalty issues into their action plans and encourage their States to abolish the death penalty and to vote in favour of the UN General Assembly Resolution calling for a universal moratorium on the death penalty.

ABOLITIONIST CIVIL SOCIETY TO:

- join the World Coalition Against the Death Penalty;
- create or join national coalitions against the death penalty;
- raise awareness with and educate the public, political decision-makers, the media, opinion-makers and the legal professions about abolition.

ECPM PRESENTATION

ECPM (Together Against the Death Penalty) is an organisation working for a particular cause: universal abolition of the death penalty under all circumstances.

ADVOCACY WITH THE HIGHEST AUTHORITIES

ECPM is the first NGO devoted to the struggle against the death penalty to have obtained ECOSOC status which guarantees it a presence and the possibility of advocating at the very heart of the UN system.

ECPM initiated the creation of the World Coalition Against the Death Penalty in 2002 which today has more than 150 members – NGOs, bar associations, local bodies, unions – from across the world. Along with the World Coalition, ECPM leads advocacy and public mobilisation campaigns with political decision-makers (European Union, African Commission on Human and Peoples' Rights, governments, etc.)

UNITING ABOLITIONISTS FROM ACROSS THE WORLD

ECPM is the founder and organiser of the World Congresses Against the Death Penalty. These events bring together more than 1,300 people representing the world abolitionist movement. Ministers, parliamentarians, diplomats, activists, civil society organisations, researchers and journalists come together every three years to strengthen their ties and draw up strategies for the future.

EDUCATION AND AWARENESS OF ABOLITION

ECPM works in schools to encourage young people to support the issue through drawing competitions, introductions to journalism and free class visits – with the participation of specialists, individuals previously sentenced to death or the families of prisoners sentenced to death. More than 10,000 middle and high school pupils have been involved since October 2009.

ECPM raises awareness among the public concerning minorities and vulnerable groups by participating in the Gay Pride, the Fête de la Humanité, Cities for Life, the World Day Against the Death Penalty, World Human Rights Day, etc.

STRENGTHENING THE CAPACITIES OF LOCAL ACTORS AND TAKING ACTION WITH THEM

ECPM fights against the isolation of activists wherever the death penalty remains by supporting the formation of national and regional coalitions against the death penalty (Morocco, Tunisia, Central Africa, Asia, etc.), as well as the creation of networks of abolitionist parliamentarians and lawyers.

ECPM encourages efficiency among its local partners by organising training sessions and advocating at all political levels for their work to be supported.

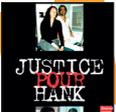
PROXIMITY TO PRISONERS SENTENCED TO DEATH

ECPM carries out and publishes judicial investigations into death row (in Morocco, Tunisia and the United States). Our publication "Investigation into Death Row in the DRC" received the French Republic's top Human Rights Prize.

ECPM supports the victims of the death penalty, prisoners and their families such as Serge Atlaoui and Hank Skinner.

ECPM supports correspondence with prisoners sentenced to death.

ECPM, OUR HISTORY

- 2018  **AGAINST THE DEATH PENALTY ABIDJAN** • Uniting more than 500 people, this 3rd regional congress against the death penalty will have been the largest abolitionist event ever held on the African continent.
- 2016  **ECPM IS GRANTED CONSULTATIVE STATUS WITH ECOSOC** • ECPM is present in Geneva (Human Rights Council), New York (United Nations Headquarters and Security Council), and Vienna (UNODC-United Nations Office on Drugs and Crime).
- 2015  **CAMPAIGN FOR SERGE ATLAOUI AND ALL DEATH ROW PRISONERS IN INDONESIA** • ECPM carries out lobbying actions to prevent the execution of Serge Atlaoui, a French citizen sentenced to death.
- 2013  **1ST NATIONAL NETWORK OF PARLIAMENTARIANS AGAINST THE DEATH PENALTY IN MOROCCO** • It is composed of more than 250 MPs from both chambers of Parliament. Following this, other networks are created in the wake of this unique initiative in Tunisia, Lebanon, DRC and Malaysia.
- 2010  **CAMPAIGN FOR HANK SKINNER** • ECPM carries out advocacy actions to prevent the execution of Hank Skinner. After a 15-year-long legal battle, the judge orders DNA analysis of crime scene evidence, 19 years after the facts occurred.
- 2007  **THE CASE OF THE BULGARIAN NURSES** • ECPM lobbies presidential candidates to save 5 Bulgarian nurses and a Palestinian doctor sentenced to death in Libya for allegedly inoculating children with the AIDS virus.
- 2005  **HUMAN RIGHTS PRIZE FOR THE FACT-FINDING MISSION IN DRC** • Further missions will then be carried out in Burundi, Rwanda, Tunisia, Morocco, USA, Cameroon and Lebanon.
- 2002  **THE WORLD COALITION AGAINST THE DEATH PENALTY** • On the initiative of ECPM, the 1st World Congress leads to the formation of the World Coalition Against the Death Penalty in Rome on 13 May 2002. Today, it boasts over 150 members.
- 2001  **1ST WORLD CONGRESS AGAINST THE DEATH PENALTY, STRASBOURG** • The event has since been organised every 3 years : in Montreal (2004), Paris (2007), Geneva (2010), Madrid (2013) and Oslo in 2016. ECPM positions itself as the association federator of global abolitionist forces.
- 2000  **CREATION OF THE ORGANISATION** • During the campaign, "Together Against the Death Penalty in the USA" which gathers 500,000 signatures in France.

ABBREVIATIONS

ACAT : Action by Christians for the Abolition of Torture
 ACHPR : African Commission on Human and Peoples' Rights
 ADPAN : Anti-Death Penalty Asia Network
 AHR : The Advocates for Human Rights
 AI : Amnesty International
 AMDH : Association Mauritanienne des Droits de l'Homme [Mauritanian Association for Human Rights]
 APF : Assemblée parlementaire de la francophonie [Parliamentary Assembly of La Francophonie]
 ATFD : Association tunisienne des femmes démocratiques [Tunisian association of the democratic women]
 AU : African Union
 CNDH : National Human Rights Council
 CNDH-CI : The National Human Rights Commission of Côte d'Ivoire
 Ditshwanelo : Botswana Centre for Human Rights
 DPP : Death Penalty Project
 DPW : Death Penalty Worldwide
 DRC : Democratic Republic of Congo
 ECPM : Ensemble contre la peine de mort [Together against the death penalty]
 FHRI : Foundation for Human Rights Initiative
 Fiacat : International Federation of Action by Christians for the Abolition of Torture
 FIDH : Fédération internationale des ligues des droits de l'homme [International Federation for Human Rights]
 HURILAWS : Human Rights Law Services
 ICC : International Criminal Court
 ICCPR : Second Optional Protocol to the International Covenant on Civil and Political Rights
 ICCPR-OP2 : Protocol to the International Covenant on Civil and Political Rights
 ICDP : International Commission against the Death Penalty
 ICJ : International Court of Justice
 LEDAP : Legal Defence and Assistance Project
 LHCR : Legal and Human Rights Centre
 NGO : Non-governmental organisation
 NHRI : National Human Rights Institution
 OIF : Organisation Internationale de la Francophonie
 PGA : Parliamentarians for Global Action
 PJD : Parti de la justice et du développement – Maroc [Party of justice and development - Morocco]
 Racopem : Réseau des avocats camerounais contre la peine de mort [Cameroonian Network of Lawyers Against the Death Penalty]
 RCA : République centrafricaine [Central African Republic]
 RPCPM : Réseau des parlementaires contre la peine de mort au Maroc [Network of Parliamentarians against the death penalty in Morocco]
 SKACF : Susan Kigula African Child Foundation
 UIA : Union internationale des avocats [International Bar Association]
 UNGA : United Nations General Assembly
 UPR : Universal Periodic Review
 WCAPD : World Coalition Against the Death Penalty
 YSAI : Youth Safety Awareness Initiative

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