

# Mental anguish 'adds weight' to argument for ending capital punishment – UN rights chief

1 March 2017 – The United Nations human rights chief today reiterated his call to abolish the death penalty as it raises serious issues in relation to the dignity and rights of all human beings, including the right to life and the right not to be subjected to torture or to cruel, inhuman or degrading treatment.

“International and national bodies have determined that several methods of execution are likely to violate the prohibition of torture, because of the pain and suffering they are likely to inflict on the convicted person,” said UN High Commissioner for Human Rights Zeid Ra’ad Al Hussein, at the opening of the biennial high-level panel discussion on the death penalty, which was organized as part of the Human Rights Council’s current session.

“Studies of the severe pain and suffering caused by other methods has continued to extend this list, to the point where it has become increasingly difficult for a State to impose the death penalty without violating international human rights law,” he stated.

He added that the long and highly stressful period that most individuals endure while waiting on ‘death row’ for years, or even decades, and frequently in isolation, for an uncertain outcome, has also been referenced as constituting torture or cruel, inhuman or degrading treatment.

This “death row phenomenon” has been recognized by the UN Human Rights Committee and other bodies at the international, regional and domestic levels, as well as by the California Supreme Court.

When the authorities fail to give adequate information about the timing of executions, they keep not only the convicted person but also his children and other family members in permanent anticipation of imminent death, he explained.



Opening of the biennial high-level panel discussion on the death penalty, organized as part of the Human Rights Council’s current session. 1 March 2017. UN Photo/Jean-Marc Ferré

“The severe mental and physical suffering which are inflicted by capital punishment on the person concerned and family members should now be added to the weight of the argument,” Mr. Zeid said, explaining that this is another reason why the death penalty should be abolished, besides its capricious and often discriminatory application and its failure to demonstrate any deterrent effect beyond that of other punishments.

The UN rights chief recalled that a former Special Rapporteur has recommended that the Human Rights Council request a comprehensive legal study regarding the emergence of a customary norm according to which the death penalty constitutes torture or other cruel, inhuman or degrading treatment or punishment.

It has been 10 years since the General Assembly resolution of December 2007 which urged States to adopt a moratorium on the use of the death penalty, with a view towards its full abolition.

Over this decade, the global trend against capital punishment has become increasingly strong, with almost three out of four countries now having either abolished it or stopped practicing it.

However, the overall number of executions in States that continue to resort to the death penalty has increased in the last two years, and some States in which a moratorium had been in place for many years have recently resumed executions.

"I take this opportunity, once again to urge all States to end use of the death penalty," Mr. Zeid said.

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## [Investigation reveals fake 'torture stories' about lawyer Xie Yang](#)

Amid all the hype created by four articles published by overseas media about the "torture" of detained Chinese lawyer Xie Yang, investigations by reporters and an investigative team have showed that the accusations were nothing but cleverly orchestrated lies.

Xie Yang, a lawyer in central China's Hunan Province, was put under investigation by police in July 2015 for suspected inciting subversion of state power and disrupting court order, and placed under "residential surveillance in a designated location."

The four stories carried by overseas media between Oct. 11 and Nov. 15, 2016 were entirely fabricated by disbarred Beijing lawyer Jiang Tianyong, 46, who was aiming to cater to the tastes of western institutions and media organizations and to use public opinion to pressure police and smear the Chinese government. The stories were essentially fake news.

### **Imagination-based "torture stories"**

Jiang was detained on Nov. 21, 2016 after attempting to use somebody else's identification card to take train. He was found to be carrying seven mobile phones, 11 SIM cards and seven bank cards.

Police investigations showed that he was also suspected of being in possession of documents that were related to state secrets, and inciting subversion of state power.

He is currently under “coercive measures,” which can include summons by force, bail, residential surveillance, detention and arrest.

Jiang confessed that after the Fengrui Law Firm in Beijing was put under police investigation in July 2016, he had been organizing people, including relatives of suspects involved in the case, to carry placards, create disturbances and secure interviews to mislead overseas reporters.

After Xie was detained, Jiang met with Xie’s wife, surnamed Chen, in September last year. He incited her to invent Xie’s torture stories and post them online.

According to the law, without police approval the defense lawyer could not meet with criminal suspects in custody during an investigation if they were involved in criminal cases including endangering national security, terrorism or serious bribery.

Both Jiang and Chen had not seen Xie during his detention.

However, to convince the public, Jiang gave Chen instructions, telling her:

- Fatigue interrogation must have been used by the police and it was a kind of torture;
- Xie was not a smoker, but the investigators were usually shown on TV as heavy smokers that stay up all night during interrogation, and that they could make up the story of Xie being fumigated with smoke, and this was also a kind of torture;
- Xie had not recovered from a fracture in his right leg before his arrest, and that they could pretend that the investigators tortured him by hurting his injured leg;
- They could pretend Xie was beaten up during interrogation.

Such coaching shows that Jiang was all too aware how people and the media could easily be manipulated for his own criminal ends.

“People could be easily convinced if we mingled the true with the false,” Jiang said. “I later rewrote and polished Chen’s torture story, split it into parts and published them in instalments to arouse sustained attention on Xie’s case.”

Jiang said he also sent the fake stories to “activists” overseas.

#### XIE IN GOOD CONDITION

When the Hunan Provincial People’s Procuratorate learnt about the media reports about Xie, it set up an independent team to investigate.

The team's report, resulting from an investigation of Xie's fellow inmates, interrogators, related personnel when he was under residential surveillance, and Xie himself, showed that the, so-called, torture did not happen.

A criminal suspect surnamed Wu, who shared a cell with Xie for three months, said Xie claimed that he was very comfortable when he was held under residential surveillance.

"Xie told me that he had several dishes for each meal and the police dared not to mistreat him," Wu said.

Xie's interaction with reporters tells a different tale to the "torture" story: he walked steady, took firm steps and acted naturally during his interview with the reporters; he told reporters that he slept nine hours every day, could get access to essential physical examinations, and was in a good physical condition; he said he enjoyed decent food and clothing and also received clothes and cotton quilts from his family last winter.

He could maintain communication with his family members even when he was under residential surveillance.

A letter sent by Xie's wife to the police on Jan. 5, 2016, also shows that Xie was treated well.

"You have bought medicine for Xie Yang's leg, passed our letters to each other, which conveyed my, and our child's, yearning for Xie and Xie's yearning for us. This has made us not that lonely in the past half year," she wrote. "I appreciate your people-oriented management of Xie. Although it's not convenient for you to tell me about his case, we know that Xie is safe and comfortable there through his letter."

When the judicial organ told Chen she could meet Xie during his custody, Chen was very happy and sent a note to Xie through the police, saying that she would meet him at 3 p.m. the same day. However, she changed her mind half an hour later.

Jiang said that he persuaded Chen not to meet Xie, because he was afraid this might upset his plan. As a result, Xie has not been able to meet Chen so far.

Confessing his guilt and showing remorse, Jiang said he had created trouble for the police, attacked the Chinese government and smeared the image of the judicial organs.

He also expressed his hope that those who did similar illegal acts would learn a lesson from him and start afresh.

"It's not too late," he said.

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# Innovation imperative to make Global Goals a reality – UN official, on day one of ideas fest

1 March 2017 – The first ‘playable’ United Nations conference on sustainable development kicked-off today in Germany’s city of Bonn, aiming to chart a new way of thinking on addressing some of the world’s most complex development challenges.

The three-day Global Festival of Ideas for Sustainable Development has brought together policy makers, civil society and the private sector to discuss and exchange ideas and policies and collaboratively work on simulations and models to overcome obstacles in the implementation of the Sustainable Development Goals (SDGs).

“To ensure that by 2030, the SDGs become a reality for everyone, everywhere, we must innovate in the way we think about communicating the goals, building partnerships, and push for more people-centred action at the local, regional and global levels,” underlined Sarah Poole, UN Development Programme (UNDP) Deputy Assistant Administrator.

She added that the UN has a responsibility to help countries make the Global Goals a reality by putting societies on a sustainable development pathway, managing risks and enhancing resilience.

Also today, the UN SDG Advocate, Alaa Murabit, highlighted the importance of partnership and cooperation between “unlikely allies” working together to implement the agenda for the benefit all humankind.

In particular, she highlighted the importance of SDG5: Achieve gender equality and empower all women and girls.

“I’m a medical doctor and I’m very passionate about health, but it’s gender equality that gets me out of bed every morning. It’s a desire and a drive to ensure that women and girls around the world have the same opportunity as their male counterparts,” she said in her keynote address.

“It is the recognition that if we educated women and girls, then we will see changes not only in gender equality, in fighting corruption, government, peace and security but it’s actually the second highest need for climate change action,” Dr. Murabit added, stressing the economic importance of creating education and employment opportunities for women and girls around the world.

The Global Festival of Ideas, the first in a series of annual forums, is hosted by the UN SDG Action Campaign in partnership with the Overseas Development Institute (ODI) with the support of the German Government.

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## [Drug-resistant tuberculosis continues to be serious health threat says UN health agency](#)

1 March 2017 – The United Nations health agency stressed the critical need the critical need for research and development of new antibiotics to tackle the threat of drug-resistant tuberculosis.

According to the World Health Organization (WHO), in the past 50 years, only two new antibiotics addressing drug-resistant tuberculosis have made it to the third phase of trials. These medicines are now tested on patients to assess efficacy, effectiveness and safety, and will still have to pass the final stage before they can be sold.

“Addressing drug-resistant tuberculosis research is a top priority for WHO and for the world,” says WHO Director-General Margaret Chan. “More than US\$ 800 million per year is currently necessary to fund badly needed research into new antibiotics to treat tuberculosis.”

Drug-resistant tuberculosis is a condition in which the disease causing organism is resistant to at least isoniazid and rifampin, the two most potent tuberculosis drugs.

There were an estimated 580,000 cases and 250,000 related deaths in 2015, about 14 per cent of all tuberculosis related deaths for the year. Only 125,000 were started on treatment, and just half of those people were cured.

During a meeting of world leaders in September 2016, then UN Secretary-General Ban Ki-moon warned that drug-resistant tuberculosis has been identified in 105 countries.

The disease is treatable and curable by using second-line drugs. However, second-line treatment options are limited and require extensive chemotherapy (up to two years of treatment) with medicines that are expensive and toxic.

A series of high-level global meetings on tuberculosis have been scheduled. Drug-resistant tuberculosis and research will be major themes at the WHO conference in Moscow this coming November. It will also be a key agenda item at the UN General Assembly high-level meeting on tuberculosis in 2018.

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# War crimes committed by all parties in battle for Aleppo – UN-mandated inquiry on Syria

1 March 2017 – The battle late last year for control over Syria’s war-ravaged Aleppo was a stage of unrelenting violence, with civilians on both sides falling victim to war crimes committed by all parties, read a report issued today by the United Nations-mandated Independent International Commission of Inquiry on Syria.

The report documents brutal tactics employed by the parties to the conflict in the country as they engaged in the decisive battle for the once iconic city between July and December 2016, resulting in unparalleled suffering for Syrian men, women and children.

“The violence in Aleppo documented in our report should focus the international community on the continued, cynical disregard for the laws of war by the warring parties in Syria,” said Paulo Pinheiro, the Chair of the three-member Commission, which was mandated by the UN Human Rights Council.

“The deliberate targeting of civilians has resulted in the immense loss of human life, including hundreds of children,” he added.

The report notes that the siege-like tactics employed by pro-Government forces in eastern Aleppo last year trapped civilians without adequate food or medical supplies, and that between July and December, Syrian and Russian forces carried out daily air strikes, claiming hundreds of lives and reducing hospitals, schools and markets to rubble.

It adds that Syrian forces also used chlorine bombs – a chemical agent prohibited under international law – in residential areas, resulting in hundreds of civilian casualties. The Commission also notes that it received reports of use of cluster munitions in densely populated areas.

Furthermore, by late December, when pro-Government forces on the ground took control over eastern Aleppo, no functioning hospitals remained.

The intentional targeting of these medical facilities amounted to war crimes, the Commission concludes.

## ***Attack on UN/Syrian Arab Red Crescent humanitarian convoy***

In the course of its investigations, the Commission also examined an attack on a UN/Syrian Arab Red Crescent humanitarian convoy in Orum al-Kubra in Aleppo’s countryside by the Syrian Air Force. The attack killed 14 aid workers, destroyed 17 trucks carrying aid supplies, and led to the suspension of all humanitarian aid in the country.

“Under no circumstances can humanitarian aid workers be targeted,”

underscored Commissioner Carla del Ponte, adding: "A deliberate attack against them such as the one that took place in Orum al-Kubra amounts to war crimes and those responsible must be held accountable for their actions."

#### ***Indiscriminate attacks by armed groups***

Further in the report, the Commission also notes that armed groups indiscriminately shelled civilian-inhabited areas of western Aleppo with improvised weapons, such as rocket-assisted munitions and mortars, resulting in extensive civilian casualties. A number of these attacks were carried out without a clear military target and had no other purpose than to terrorise the civilian population.

The report also states that in some districts, armed groups shot at civilians to prevent them from leaving, effectively using them as human shields.



Chairperson of the Independent Commission of Inquiry on Syria Paulo Pinheiro (right) and Carla del Ponte, Member of the Commission, at a briefing on its special inquiry into events in Aleppo. UN Photo/Violaine Martin

It also notes that pro-Government forces on the ground, composed mostly of Syrian and foreign militias, executed hors de combat fighters and perceived opposition supporters, including family members of fighters.

#### ***Forced displacement of civilians***

The 37-page document reveals that the eastern Aleppo evacuation agreement forced thousands of civilians – despite a lack of military necessity or deference to the choice of affected individuals – to move to Government-controlled western Aleppo whilst others were taken to Idlib where they are once more living under bombardments.

"Some of these agreements amount to forced displacement. It is imperative that the parties refrain from similar future agreements and provide the conditions for the safe return of those who wish to go back to their homes in eastern Aleppo", said Commissioner Karen AbuZayd.

The Independent International Commission of Inquiry on Syria was established by the UN Human Rights Council to investigate and record all violations of international law since March 2011.

The report is based on 291 interviews, including with residents of Aleppo, and the review of satellite imagery, photographs, videos and medical records. It is scheduled to be presented to current session of the Council on 14 March during an interactive dialogue.