

Alexandria Declaration
Calling upon the Arab Countries to Implement
the United Nations General Assembly Resolution 62/149
on the Establishment of a Moratorium on Executions

1. We, the representatives of the Arab civil society and the Arab coalitions challenging the death penalty, have met in Alexandria, the Arab Republic of Egypt, from 12 to 14 May 2008 at the kind invitation of the Swedish Institute in Alexandria and in partnership with Penal Reform International [PRI], in corporation with Amman Centre for Human Rights Studies [ACHRS] and MAAT Centre for Lawyers and Constitutional Studies, with the participation of representatives from the Cairo EC delegation, the UN High Commissioner for Human Rights, the Arab League and Amnesty International, for discussion and consultation on the implementation of the UN General Assembly Resolution 62/149 of 23 December 2007 concerning the establishment of a moratorium on executions;
2. Convinced that the death penalty is a violation of the most fundamental human right, i.e. the right to life; and that it did not succeed in any country in deterring criminality or in preventing it;
3. Believe that the death penalty amounts to torture and is a cruel, inhuman and degrading treatment. It contravenes the principle that consecrates the sanctity of human life. Life is God given and he alone could take it back.
4. Note with regret that the Arab judicial systems are abusively using the death penalty at the time most countries are abandoning it.
5. Recall that the tolerant Islamic Sharia'a has prescribed the death penalty as a deterrent, but sought to restrict the scope of its application to a very limited number of cases and by imposing strict conditions related to the infallibility of the witnesses, the absolute fairness of the judges and even then left room for possible forgiveness and reconciliation. In practice, this amounts to an effective establishment of a moratorium on executions in Islam.
6. Underline that such a penalty is being used in Arab positive laws extensively going far more than what the Sharia'a sought to impose.
7. Note with concern that the Arab legislations prescribing death penalty are ambiguous and leave room for wide interpretation in the categorisation of acts punishable by death, such as organised crime, terrorism, treat to state security and other crimes of political nature.
8. Remind that most of the legal and judicial systems in the Arab World are undergoing reforms, implicitly acknowledging some of their intrinsic disfunctionality. Such an imperfect justice system should not be empowered to apply death penalty.

9. Considering that the Arab world is part of the international community and since Arab countries have participated in the discussion and adoption of the United Nations Resolution 62/149, we call upon all Arab States to respect the said resolution and establish a moratorium on executions.

10. Request the Arab governments, each according to its own circumstances, to fully comply with the United Nations General Assembly Resolution 62/149 by:

- “(a) Respect[ing] international standards that provide safeguards guaranteeing the protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984;
- (b) Provide[ing] the Secretary-General with information relating to the use of capital punishment and the observance of the safeguards guaranteeing the protection of the rights of those facing the death penalty;
- (c) Progressively restrict[ing] the use of the death penalty and reduce[ing] the number of offences for which it may be imposed;
- (d) Establish[ing] a moratorium on executions with a view to abolishing the death penalty”.

11. Appeal to the Arab judges to comply, in the exercise of their profession, with the international standards of fair trial, to refrain from the use of the death penalty and to use alternative punishments instead.

12. Urge the member states of the Arab League to consider amending article 7 of the Arab Charter on Human Rights in order to eliminate any possibility of applying the death penalty to the under 18 of age.

13. Furthermore, appeal to the Arab states which have observed a de facto moratorium to remove this punishment from their legislation in order to prevent its circumstantial use.

14. Also appeal to the Arab journalists and human rights activists to fully play their role in the awareness raising and combat bad customs and practices such as revenge, violence in all its forms, and the dissemination of human rights culture, particularly the right to life.

15. Emphasise the need for the civil society to continue intensifying its activities to convince the public that narrowing and eventually abolishing the death penalty serves the ambition of the Arab masses in fulfilling their aspiration to justice and human rights.

Alexandria, 14 May 2008