

NEWS RELEASE, 22ND JANUARY 2009

“Hundreds saved from the death penalty in Uganda – The end of the mandatory death penalty in Africa?”

On 21st January 2009, the Supreme Court of Uganda, on an appeal by the Attorney General, upheld the 2005 decision of the Constitutional Court declaring the death sentences on all prisoners on death row unconstitutional, numbering in excess of 900 men and women.

The Supreme Court unanimously found that the automatic nature of the death penalty in Uganda for murder and other offences amounted to inhuman punishment, as it did not provide the individuals concerned with an opportunity to mitigate their death sentences. A large number of cases will now be remitted to the High Court for sentence hearings. The Supreme Court also ruled that any of the prisoners who have been on death row for more than three years since the conclusion of their criminal appeals would have their death sentences commuted to life imprisonment.

The litigation in Uganda has been conducted on a *pro bono* basis by the law firm Katende, Ssempebwe and Co. They have been assisted by a team of UK lawyers comprising Saul Lehrfreund MBE and Parvais Jabbar, the Executive Directors of the London-based Death Penalty Project at Simons Muirhead & Burton solicitors, and barristers at Doughty Street Chambers, London. They have travelled to Uganda to meet all the men and women under sentence of death and assisted with the drafting of legal arguments. They also travelled to Uganda to attend the hearing in the Supreme Court. This assistance was partly funded by

the European Union and the Global Opportunities Fund of the Foreign and Commonwealth Office.

Saul Lehrfreund MBE and Parvais Jabbar are part of a larger team that has been involved in successfully challenging the mandatory death penalty in nine Caribbean countries and in Malawi in April 2007. They have been invited to assist local lawyers with similar challenges in other African states including Nigeria, Kenya, Zambia and Tanzania.

Saul Lehrfreund MBE and Parvais Jabbar, human rights lawyers and Executive Directors of the Death Penalty Project state:

“We are delighted that the jurisprudence from other regions in the world has now been accepted and that international human rights standards have been deeply entrenched into the laws of Uganda, This decision clearly applies in many African countries. The legal work carried out by the lawyers in Uganda in achieving this breakthrough was truly outstanding. It was our privilege to work with them in Uganda.”

Notes to Editors:

1. For further information please contact Saul Lehrfreund or Parvais Jabbar at the Death Penalty Project:

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2. For further information about the work of the Death penalty project please go to www.deathpenaltyproject.org.