

General motion of the 7th Congress of Hands Off Cain
Approved by the Congress at the unanimity

The 7th Congress of Hands Off Cain, held in the Opera Prison (Milan) on December 16, 2017, It notes with satisfaction, in the tenth anniversary of the approval of the UN General Assembly Resolution on the Moratorium on Capital Punishment, of the continued positive evolution towards the abolition of the death penalty in the world, and commits the governing bodies to intensify the action of promotion and pressure, starting from Africa, aimed at obtaining other support for the new Pro-moratorium Resolution in view of the 2018 General Assembly;

It supports the project underway by Hands Off Cain and the European Commission entitled "Containing the death penalty in times of war on terrorism" in Egypt, Tunisia and Somalia, aimed at limiting the scope of the death penalty, to guarantee its application in compliance with mandatory principles and universally recognized standards as well as with the international obligations and commitments of these countries, as well as to introduce a moratorium in view of the total abolition of the death penalty;

the Congress Commits the governing bodies to take initiatives aimed at overcoming, with the death penalty, even death by penalty and punishment until death, in fact decreed (in Italy) by the special set of norms and penitentiary regimes such as life imprisonment without parole ("ergastolo ostativo", 41-bis and daytime isolation, to make live the "right to hope" that belongs to every human being, a right encoded in the Council of Europe space by the jurisprudence of the European Court of Human Rights and by the standards of the European Committee for the prevention of torture (CPT), but denied, as it is in Italy, by that automatic barrier to the concession of prison benefits for those accused or convicted of the crimes referred to in 4-bis, as long as they don't decide to cooperate with the investigations ;

To this end, it supports appeals to the Human Rights Committee and the UN Committee against Torture presented by the Law Firm of Professor Andrea Saccucci on behalf of over 240 prisoners sentenced to life imprisonment and the appeal filed to the EDU Court presented by the Law Firm of Antonella Mascia, with the Professors Valerio Onida and Barbara Randazzo starting from the Viola case;

it reaffirms its support for the European research project "The Right to Hope. Life Imprisonment in the European Context", incardinated at the University of Milan and coordinated by Professor Davide Galliani, adopts the hypothesis of Promotory Act at the Italian Constitutional Court prepared by Professor Andrea Pugiotto against the system of "ergastolo ostativo" (LWOP) which, combined with "hard prison" and daytime isolation, provokes over time - as amply demonstrated by the statistical analysis produced by Francesco Fabi on the basis of the answers to the questionnaires of hundreds of prisoners sentenced to life - irreversible damage to the physical and mental health of the prisoner, damage that may result in inhuman or degrading punishment and / or treatment;

it thanks the director Ambrogio Crespi who on this theme has realized the docufilm "Spes contra Spem - Liberi dentro", an extraordinary work, filmed inside the Opera Prison, which features prisoners sentenced to life imprisonment, who, because the law denies their hope with an endless sentence ("fine pena mai"), they decided to incarnate it, to be a source of an active process of change, as witnessed by the convicts who animate the Spes contra Spem Laboratories established in the prisons of Opera, Parma, Voghera, Rebibbia and Secondigliano and strongly supported by the Minister of Justice Andrea Orlando and the Head of Dap Santi Consolo;

it welcomes the achievement of the goal of the 3000 members of the Transnational Nonviolent Radical Party and Transparty fixed, under penalty of its closure, from the 40th Congress held in Rebibbia Prison and invites the members and the executive bodies of Hands Off Cain to support

the campaign for the achievement of at least 3000 members also in 2018, to save and make live, with the Radical Party, an inestimable political patrimony, which is not only ours but of everyone, of humanity, the one that Marco Pannella left us and which consists in the way of thinking, feeling and acting with which Marco, for over half a century, has managed to discover and give substance to ideas, struggles and reforms, in Italy and beyond;

In acknowledging to the Minister of Justice Andrea Orlando that he had transmitted to the head of government Paolo Gentiloni the decrees implementing the reform of the penitentiary system, it supports the nonviolent action of Rita Bernardini and Deborah Cianfanelli, conducted together with tens of thousands of prisoners , aimed at the approval by the Council of Ministers of an increasingly necessary and urgent reform for the conditions of the prisons of our country, starting from the health of prisoners who are increasingly victims of health neglect, often due to irresponsible decisions by the supervisory judges (giudici di sorveglianza), as evidenced by the story of Marcello Dell'Utri, more than ever representative of the many cases of prisoners who are not adequately treated in prison even when they are suffering from very serious diseases.