

## [1] ABOLITIONIST AND RETENTIONIST COUNTRIES

More than two thirds of countries in the world have abolished the death penalty in law or in practice:<sup>1</sup>

- **106** countries<sup>2</sup> abolished the death penalty for all crimes.
- **8** countries<sup>3</sup> abolished the death penalty for ordinary crimes only, with exceptions placed on crimes committed in times of war.
- **28** countries<sup>4</sup> can be considered abolitionist in practice as they have not held an execution for the last 10 years and are believed to have a policy or established practice of not carrying out executions.
- In total **142** countries have abolished the death penalty in law or in practice.
- **56** countries and territories still uphold and use the death penalty.
- **20** countries<sup>5</sup> carried out executions in 2019
- In 2019, the top five executioners were **China, Iran, Saudi Arabia, Iraq,** and **Egypt.**

## [2] PROGRESS MADE TOWARDS GLOBAL ABOLITION OF THE DEATH PENALTY

The global movement for the abolition of this cruel punishment has met undeniable successes although some countries persist in retaining the death penalty. In 2019, executions recorded by Amnesty International still decreased and **reached their lowest level in at least 10 years.** Some countries that are strong adherents to the death penalty such as Iran – the second largest executioner in the world – saw a major

decline in executions as compared to other years.<sup>6</sup> In the United States, **New Hampshire** became the 21st abolitionist State and **California**, where the death row population is the largest among all the US States, established a moratorium on executions.

**In the world**, 173 United Nation Member States out of 193 did not carry out any executions in 2019.

**In Central Asia**, Kazakhstan, the Russian Federation and Tajikistan upheld national moratoriums on the death penalty. Kazakhstan also showed encouraging signs **towards its accession to the Second optional protocol** to the International Convent on Civil and Political Rights, aiming at the abolition of the death penalty.

## [3] DEATH SENTENCES AND EXECUTIONS

**In 2019, the number of executions its lowest level in at least 10 years; 657** executions were recorded while **2,307** death sentences were handed down in **56 countries** (compared to 2,531 in 54 countries in 2018). Because of a lack of information and/or transparency from retentionist governments, such as China whose figures could not be incorporated, those figures are the lowest ones that could be determined. As such, the number of executions and death sentences are likely to be underestimated.

### [Asia]

Human rights organizations working in and on China estimate the number of executions in **China** in 2019 was in the thousands; figures pertaining to the death penalty remain a state secret in China, as in North Korea and Vietnam. No executions were carried out in **Afghanistan** and **Thailand** while **no death sentences have been handed down in Papua-New-Guinea** in

<sup>1</sup> For 2019 figures, see: Amnesty International, 2019, Global Report Death sentences and executions. 2019 <<https://www.amnesty.org/download/Documents/ACT5018472020ENGLISH.PDF>>

<sup>2</sup> Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Burundi, Cabo Verde, Cambodia, Canada, Colombia, Congo (Republic of the), Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Haiti, Holy See, Honduras, Hungary, Iceland, Ireland, Italy, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, North Macedonia, Madagascar, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niue, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia (including Kosovo), Seychelles, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Switzerland, Timor-Leste, Togo, Turkey, Turkmenistan, Tuvalu, UK, Ukraine, Uruguay, Uzbekistan, Vanuatu, Venezuela. In April 2020, Chad has however abolished the death penalty for terrorism acts after already abolishing for ordinary crimes in 2017 (in French) : <<https://www.amnesty.org/fr/latest/news/2020/04/tchad-la-decision-dabolir-la-peine-de-mort-est-un-signal-positif>>.

<sup>3</sup> Brazil, Burkina Faso, Chile, Guatemala, Israel, Kazakhstan, Peru, El Salvador.

<sup>4</sup> Algeria, Brunei Darussalam, Cameroon, Central African Republic, Eritrea, Eswatini (former Swaziland), Ghana, Grenada, Kenya, Laos, Liberia, Malawi, Maldives, Mali, Mauritania, Morocco/Western Sahara, Myanmar, Niger, Papua New Guinea, Russian Federation, 154 Sierra Leone, South Korea (Republic of Korea), Sri Lanka, Tajikistan, Tanzania, Tonga, Tunisia, Zambia.

<sup>5</sup> A figure followed with a "+" indicates the smallest reliable number of people executed although it is believed by Amnesty International that more people have been executed in reality; a "+" without any figure means Amnesty International have corroborated more than one executions but had no sufficient information to provide a credible information in its annual report: Bahrain (3), Bangladesh (2), Belarus (2+), Botswana (1), China (+), Egypt (32+), Iran (251+), Iraq (100+), Japan (3), North Korea (+), Pakistan (14+), Saudi Arabia (184), Singapore (4), Somalia (12+), South Sudan (11+), Sudan (1), Syria (+), USA (22), Viet Nam (+), Yemen (7).

<sup>6</sup> According to the annual reports on the death penalty in Iran by Iran Human Rights and ECPM, Iranian authorities executed 273+ in 2018 and 280+ in 2019, compared to an average of 657+ yearly executions between 2010 and 2017. The reduction is due to the new amendment in the Iranian Anti-Narcotics Law which limits death penalty for some drug offenses. See <<https://iranhr.net/en/articles/4177>>.

2019, compared to 9 in 2018. The death sentences that were handed down were, in many cases, seen **as a violation to international human rights standards** given that they were applied in the context of crimes that do not meet the “most serious crime” definition (for instance, a minimum of 168 death sentences for drug offences have been imposed in 2019 according to Harm Reduction International<sup>7</sup>) According to Amnesty International, **people who were under 18 years of age at the time of the offense have been sentenced to death** in Maldives and in Pakistan.

#### [Middle East & North Africa]

Contrary to a trend that has been observed the past few years, executions recorded by Amnesty International in Middle East and North Africa increased in 2019 (579 in 2019, 78 more than in 2018). **This is mainly due to the significant increase in executions in Saudi Arabia and Iraq.** In Brunei Darussalam, **a reform of the criminal code introduced the death penalty by stoning for same-sex relationships**, causing a global outcry. At least **4 juvenile offenders** were executed in Iran. By carrying out at least 251 (according to Amnesty International) or at least 280 (according to IHR/ECPM) death sentences, **Iran remains the biggest executioner in the region.** In 2020, Saudi Arabia abolished the death penalty for minors.

#### [North America]

In the **United States**, in 2019, **35** death sentences have been handed **down in 11 states and by the federal authorities.** Although the military authorities have not carried out executions since 1961 and the federal government since 2003, **the US Attorney General had scheduled new federal executions starting on July 25th.** Between 1973 and 2018, 167 individuals were sentenced to death before ultimately being exonerated of the crime for which they were found guilty. The death penalty is still used against people with mental or intellectual disabilities. With the abolition of the death penalty in New Hampshire, **21** states<sup>8</sup> in total have now abolished capital punishment and **30** continue to retain it; 11 of which have not carried out any executions for the last 10 years.<sup>9</sup>

#### [Sub Saharan Africa]

In 2019, **385** death sentences have been handed down in the Sub Saharan Africa region compared to 212 in 2018. However, significant commitments in favour of the abolition have been noted. After repealing the death penalty for ordinary crimes in 2017, Chad **fully**

**abolished the death penalty in 2020.** In accordance with international treaties to which Gambia is a party, **the provision that allowed the death penalty has been removed from the draft Constitution.**

## [4] EXECUTION METHODS

Executions in 2019 were carried out primarily through **beheading** (Saudi Arabia), **electrocution** (United States), **hanging** (Japan, Singapore, etc), **lethal injection** (United States, Vietnam, etc) and **shooting** (Belarus, Somalia, etc).

## [5] INTERNATIONAL INSTRUMENTS SUPPORTING ABOLITION

Progress towards abolition has been made through the adoption of international treaties, whereby States pledge not to use capital punishment:

- **Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty** has now been ratified by **88** States (2 more compared to 2018) and signed by 1 other.
- **Protocol to the American Convention on Human Rights on the abolition of the death penalty**, has now been ratified by **13** States in the Americas.
- **Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms** has now been ratified by **46** European States and signed by 1 other.
- **Protocol No. 13 to the European Human Rights Convention concerning the abolition of the death penalty in all circumstances** has been ratified by **44** European States and signed by 1 other.

Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms provides for the abolition of the death penalty in times of peace, whereas Protocol No. 13 provides for its total abolition. The Second Optional Protocol to the International Covenant on Civil and Political Rights as well the Protocol to the American Convention on Human Rights also provide for the total abolition of the death penalty but give the party States the possibility to make an exception during times of war.

In December 2020, the United Nations' General Assembly will vote on the **8th moratorium on the executions.**

<sup>7</sup> Harm Reduction International, 2019, The Death Penalty for Drug Offences: Global Overview 2019 : <[https://www.hri.global/files/2020/02/28/HRI\\_DeathPenaltyReport2019.pdf](https://www.hri.global/files/2020/02/28/HRI_DeathPenaltyReport2019.pdf)>.

<sup>8</sup> Alaska, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Jersey, New Hampshire, New Mexico, New York, North Dakota, Rhode Island, Vermont, West Virginia, Wisconsin and District of Columbia.

<sup>9</sup> California, Colorado, Indiana, Kansas, Kentucky, Montana, Nevada, North Carolina, Oregon, Pennsylvania and Wyoming