

AMNESTY INTERNATIONAL GLOBAL REPORT

# DEATH SENTENCES AND EXECUTIONS

2020

AMNESTY  
INTERNATIONAL



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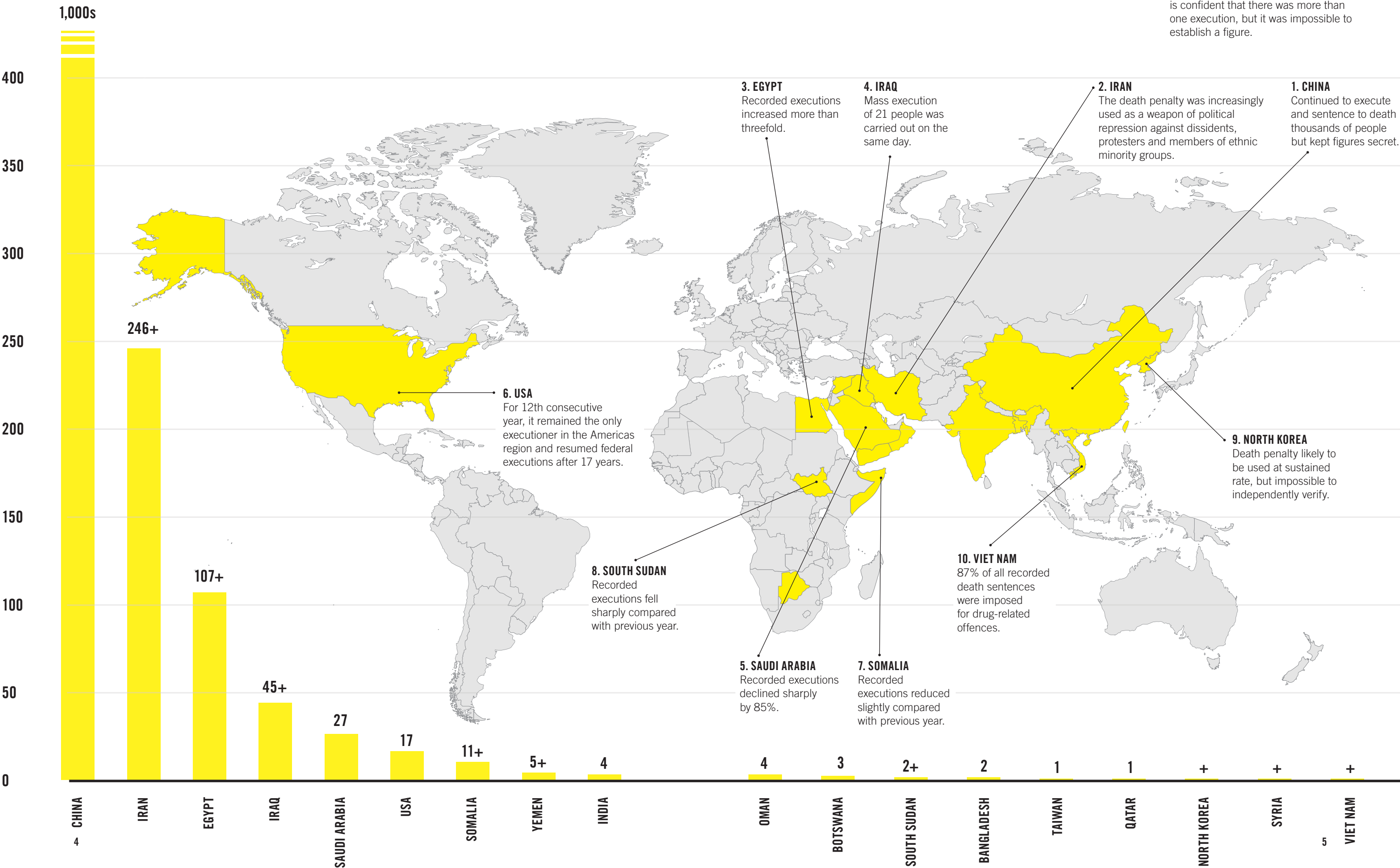
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# CONTENTS

<b>EXECUTING COUNTRIES IN 2020</b>	<b>4</b>
NOTE ON AMNESTY INTERNATIONAL'S FIGURES ON THE USE OF THE DEATH PENALTY	6
<b>THE USE OF THE DEATH PENALTY IN 2020</b>	<b>7</b>
GLOBAL TRENDS	7
EXECUTIONS	9
DEATH SENTENCES	12
COMMUTATIONS, PARDONS AND EXONERATIONS	14
THE DEATH PENALTY IN 2020: IN VIOLATION OF INTERNATIONAL LAW	14
<b>REGIONAL OVERVIEWS</b>	<b>16</b>
AMERICAS	16
ASIA-PACIFIC	24
EUROPE AND CENTRAL ASIA	34
MIDDLE EAST AND NORTH AFRICA	36
SUB-SAHARAN AFRICA	47
<b>ANNEX I: RECORDED EXECUTIONS AND DEATH SENTENCES IN 2020</b>	<b>55</b>
RECORDED EXECUTIONS IN 2020	55
RECORDED DEATH SENTENCES IN 2020	56
<b>ANNEX II: ABOLITIONIST AND RETENTIONIST COUNTRIES AS OF 31 DECEMBER 2020</b>	<b>57</b>
<b>ANNEX III: RATIFICATION OF INTERNATIONAL TREATIES AS OF 31 DECEMBER 2020</b>	<b>59</b>
<b>ANNEX IV: VOTING RESULTS OF UN GENERAL ASSEMBLY RESOLUTION 75/183, ADOPTED ON 16 DECEMBER 2020</b>	<b>61</b>

# EXECUTING COUNTRIES IN 2020



## NOTE ON AMNESTY INTERNATIONAL'S FIGURES ON THE USE OF THE DEATH PENALTY

This report covers the judicial use of the death penalty for the period January to December 2020. As in previous years, information is collected from a variety of sources, including: official figures; judgements; information from individuals sentenced to death and their families and representatives; media reports; and, for a limited number of countries, other civil society organizations. Amnesty International reports only on executions, death sentences and other aspects of the use of the death penalty, such as commutations and exonerations, where there is reasonable confirmation. In many countries governments do not publish information on their use of the death penalty. In China and Viet Nam, data on the use of the death penalty is classified as a state secret. During 2020 little or no information was available on some countries – in particular Laos and North Korea (Democratic People's Republic of Korea) – due to restrictive state practice.

Therefore, for many countries, Amnesty International's figures on the use of the death penalty are minimum figures. The true figures are likely to be higher. Where the organization obtains official information on a specific country in a given year, this is noted in the report.

In 2009 Amnesty International stopped publishing its estimated figures on the use of the death penalty in China, a decision that reflected concerns about how the Chinese authorities misrepresented Amnesty International's numbers. Amnesty International always made clear that the figures it was able to publish on China were significantly lower than the reality, because of the restrictions on access to information. China has yet to publish any figures on the death penalty; however, available information indicates that each year thousands of people are executed and sentenced to death. Amnesty International renews its call on the Chinese authorities to publish information on the use of the death penalty in China.

Where Amnesty International receives and is able to verify new information after publication of this report, it updates its figures online at [amnesty.org/en/what-we-do/death-penalty](https://www.amnesty.org/en/what-we-do/death-penalty)

In tables and lists, where “+” appears after a figure next to the name of a country – for example, Malaysia (22+) – it means that Amnesty International confirmed 22 executions, death sentences or persons under sentence of death in Malaysia but believes that there were more than 22. Where “+” appears after a country name without a figure – for instance, Syria (+) – it means that Amnesty International has corroborated executions, death sentences or persons under sentence of death (more than one) in that country but had insufficient information to provide a credible minimum figure. When calculating global and regional totals, “+” has been counted as 2, including for China.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution. The organization campaigns for total abolition of capital punishment.

## THE USE OF THE DEATH PENALTY IN 2020

***“A modern system of criminal justice must be reasonably accurate, fair, humane, and timely. Our recent experience with the Federal Government’s resumption of executions adds to the mounting body of evidence that the death penalty cannot be reconciled with those values.”***

Stephen Breyer, Associate Justice of the US Supreme Court, 16 July 2020<sup>1</sup>

### GLOBAL TRENDS

The year 2020 was marked by a further global decline in the use of the death penalty, and while the Covid-19 pandemic contributed to reductions in the number of executions carried out and death sentences imposed, it also exacerbated the inherent cruelty of this punishment.

The number of known executions decreased by 26% compared to the 2019 total, continuing the year-on-year reduction recorded since 2015 and once again reaching the lowest figure in more than 10 years. The number of known executing countries (18) decreased by 2 compared to 2019 and confirmed that the resort to executions remained confined to a minority of countries.

The significant drop was primarily linked to important reductions in executions in two of the countries that have historically reported high execution figures, Iraq and Saudi Arabia; and to a lesser extent some hiatuses that took place in response to the Covid-19 pandemic. In the USA, the surge in federal executions was balanced out in the national count mostly because of new stays of execution – or slower pursuit of warrants – in some US states, as a consequence of the Covid-19 pandemic. Six of the judicial reprieves granted in the USA in 2020 specifically referred to the Covid-19 pandemic. In Singapore executions were put on

<sup>1</sup> US Supreme Court, *Barr v. Purkey*, (591 US 2020), 16 July 2020, dissenting opinion.

hold because of litigation, including on the impact of Covid-19 related restrictions. The global total of newly imposed death sentences known to Amnesty International (at least 1,477) fell by 36% compared to 2019, partly because the Covid-19 pandemic caused disruptions and delays in criminal proceedings across the world.

Yet, as the world struggled to fend off the spread of the virus and protect people's lives, alarming increases were recorded in the resort to executions in some states. Egypt more than tripled its yearly figure, while in the USA the Trump administration authorized and pursued in July the resumption of federal executions after 17 years, eventually putting 10 men to death over five and a half months. India, Oman, Qatar and Taiwan also resumed state killings.

Against the backdrop of a world paralyzed by the pandemic, the disturbing determination of officials in some countries to circumvent health measures and relentlessly pursue executions and death sentences added an additional layer of cruelty to their use of the death penalty and made the case for its abolition ever more urgent. Among other example, US officials at state and federal level fought against requests for stays of executions to allow a spiritual adviser to accompany a man through his last moments, and by pursuing executions they put lawyers, correction officers, prisoners and others participating in the process at risk of contracting the virus. In China, where Amnesty International believed thousands of people were executed and figures remained a state secret, the authorities announced a crackdown on criminal acts that affected Covid-19 prevention efforts, authorizing the fast-tracking of cases which resulted in at least one death sentence being implemented at chilling speed.

As authorities in many countries moved to suspend prison visits and in-person court proceedings in response to the pandemic, those facing the death penalty were left for prolonged periods without social contact and – critically – with restricted access to their legal representatives. With some states choosing the pursuit of the death penalty no matter what, the pandemic not only constituted a high health risk for the prisoners and all stakeholders involved in the process, but it also impaired access to legal representation and other fair trial guarantees, which are critical safeguards that must be observed in all capital cases.

Developments from 2020 also confirmed trends from recent years which saw the world make continuous progress towards abolition of the death penalty. In May, Chad fully abolished the death penalty, becoming the fifth African country to do so in the last decade.<sup>2</sup> In September, Kazakhstan signed and in December took steps to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. No executions were recorded in Bahrain, Belarus, Japan, Pakistan or Sudan, all countries that carried out executions in 2019. Kazakhstan, the Russian Federation, Tajikistan, Malaysia and Gambia continued to observe official moratoriums on executions. In the USA, Colorado became the 22<sup>nd</sup> US abolitionist state and governor-issued moratoriums in California, Oregon and Pennsylvania continued throughout the year; Ohio rescheduled all its planned executions.

In a further sign of progress, Barbados concluded in January reforms to repeal the mandatory death penalty; and in April the authorities of Saudi Arabia announced that the country will end the use of the death penalty against people below the age of 18 at the time of the crime in cases not involving the counter-terror law. In July, the authorities in Sudan abolished the use of the death penalty for apostasy.

In December, the plenary session of the UN General Assembly (UNGA) saw a record number of states (123) supporting the adoption of its biennial resolution calling for the establishment of a moratorium on executions with a view to fully abolishing the death penalty<sup>3</sup> – an increase of 19 votes compared to 2007, when the first UNGA resolution on this issue was adopted. Djibouti, Jordan, Lebanon and South Korea supported the UN call for a moratorium on executions for the first time. Congo (Republic of), Guinea, Nauru and the Philippines, which had abstained on or voted against the 2018 resolution, also supported it, while Yemen and Zimbabwe switched from opposition to abstention.<sup>4</sup>

<sup>2</sup> See list of abolitionist and retentionist countries in Annex II of this document.

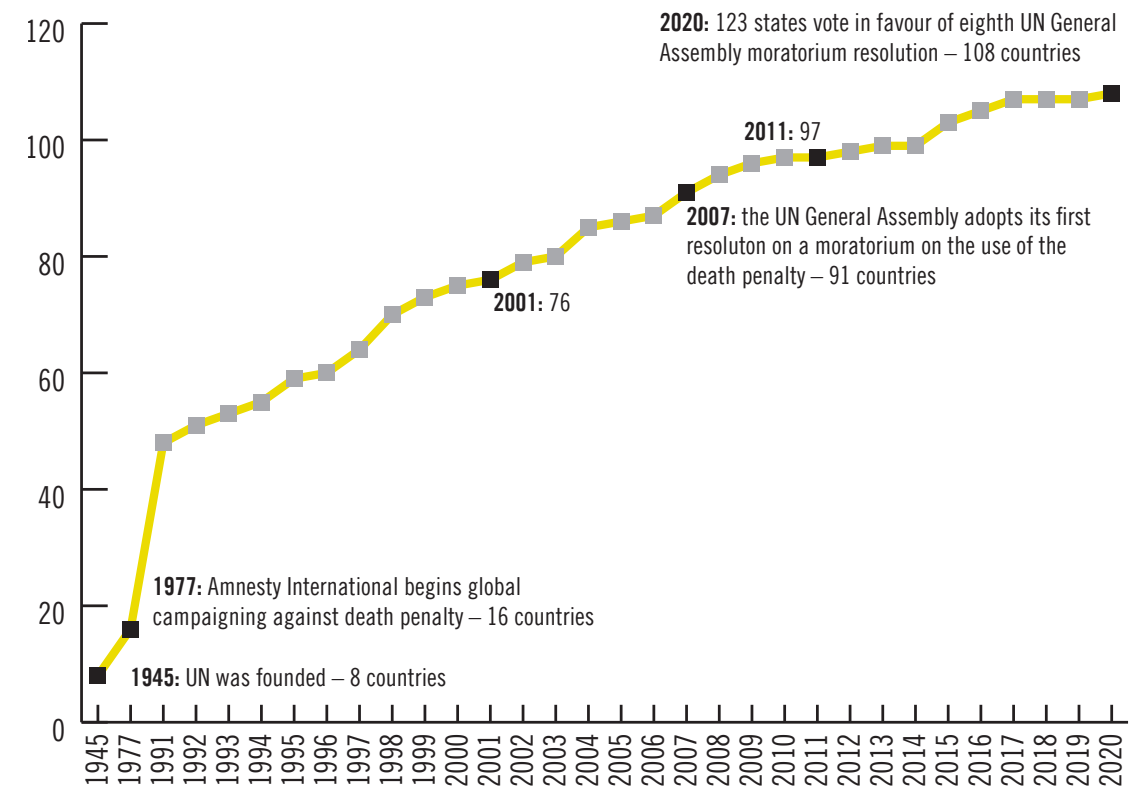
<sup>3</sup> UN General Assembly Resolution 75/183 of 16 December 2020.

<sup>4</sup> See voting records in Annex IV of this document; and Amnesty International, "UN: Opposition to the death penalty continues to grow", 16 December 2020, [amnesty.org/en/latest/news/2020/12/un-opposition-to-the-death-penalty-continues-to-grow/](https://www.amnesty.org/en/latest/news/2020/12/un-opposition-to-the-death-penalty-continues-to-grow/)

Despite some setbacks and additional challenges related to the Covid-19 pandemic, the world's journey towards global abolition of the death penalty continued unabated. It is now more critical than ever that further steps are taken, at all levels, to ensure that 2021 does not become the year where all this progress is undone.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.

## NUMBER OF ABOLITIONIST COUNTRIES (1945-2020)



## EXECUTIONS

At least 483 people were executed in 2020, the lowest figure that Amnesty International has recorded in at least a decade.<sup>5</sup> Executions fell by 26% compared to 2019, when 657 were registered; and by 70% from the peak of 1,634 executions reported in 2015. The year 2020 was the third consecutive year in which Amnesty International recorded the lowest execution figure in a 10-year period.

Four countries – Iran (at least 246), Egypt (at least 107), Iraq (at least 45) and Saudi Arabia (27) – accounted for 88% of all known executions. As in previous years, the recorded global totals do not include the thousands of executions that Amnesty International believed were carried out in China, where data on the death penalty is classified as a state secret.<sup>6</sup> The figures were also affected by the extremely limited

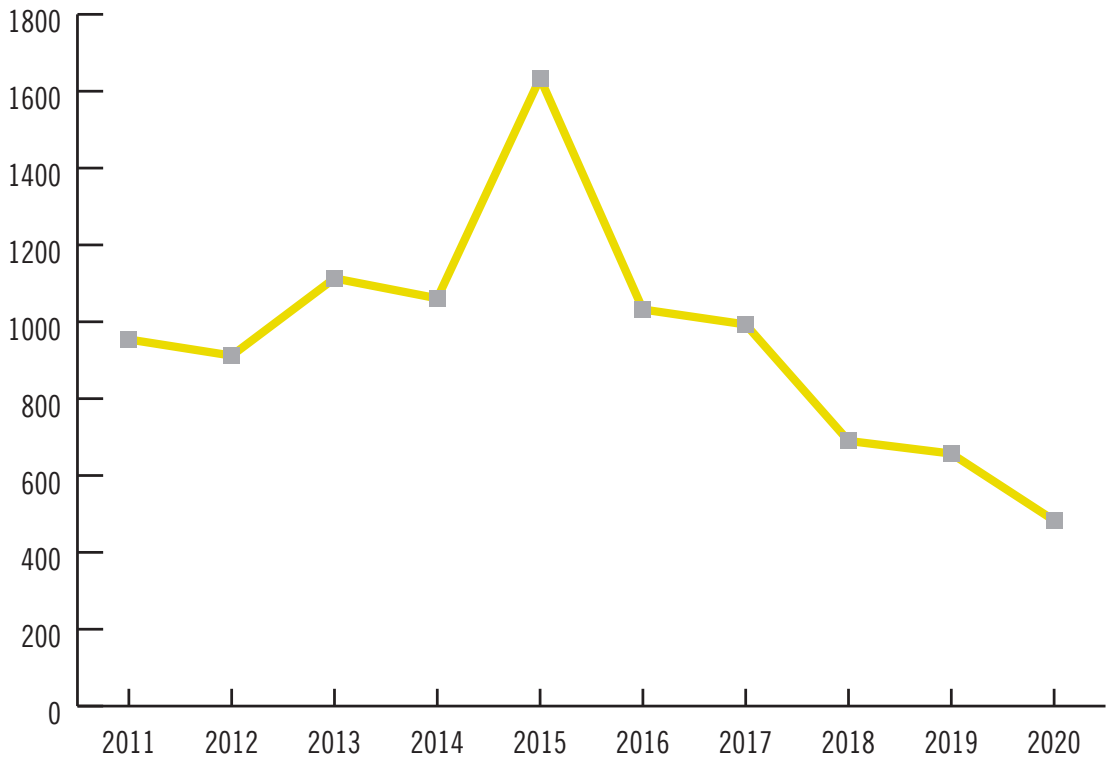
<sup>5</sup> The total number of executions reported for 2020 represents one of the lowest figures that Amnesty International has recorded in any given year since it began its monitoring of the use of the death penalty in 1979. However, changes in access to information, configuration of countries and methodology over the decades make it challenging to accurately compare this figure over a longer period.

<sup>6</sup> In 2009 Amnesty International stopped publishing its estimated figures on the use of the death penalty in China. Instead, the organization has challenged the authorities to prove their claims that they are achieving their goal of reducing the application of the death penalty by publishing the figures themselves.

access to information that Amnesty International had for two other countries, North Korea and Viet Nam, who are also believed to resort to the death penalty extensively.

Amnesty International recorded that 16 women were among the 483 people known to have been executed in 2020 (3%), as follows: Egypt (4), Iran (9), Oman (1) and Saudi Arabia (2).

RECORDED GLOBAL EXECUTIONS (2011-2020)



Two countries were primarily responsible for the global reduction in executions compared to 2019: Iraq more than halved its yearly total (from at least 100 in 2019 to at least 45 in 2020) and Saudi Arabia reduced its tally by 85%, from 184 to 27. At the opposite end, Egypt more than tripled its reported executions (from at least 32 to at least 107) and reached the highest total since its 2013 peak, when at least 109 executions were carried out.



EXECUTIONS RECORDED GLOBALLY IN 2020

Bangladesh (2), Botswana (3), China (+), Egypt (107+), India (4), Iran (246+), Iraq (45+), North Korea (+), Oman (4), Qatar (1), Saudi Arabia (27), Somalia (11+), South Sudan (2+), Syria (+), Taiwan (1), USA (17), Viet Nam (+), Yemen (5+).

Amnesty International recorded executions in 18 countries, two fewer than in 2019. No executions were known to have been carried out in Belarus, Japan, Pakistan, Singapore Or Sudan – all countries that executed people in the previous two years – as well as in Bahrain, which had carried out executions in 2019 but not in 2018.

India, Oman and Qatar resumed executions after several years without any, while Taiwan executed one man after a one-year hiatus. The US federal authorities resumed executions after almost two decades, while at state level executions were on hold for several months. Similar to 2019, Amnesty International was able to confirm that judicial executions took place in Syria, but had insufficient information to provide a credible minimum figure.

METHODS OF EXECUTIONS IN 2020<sup>7</sup>

BEHEADING	Saudi Arabia								
ELECTROCUTION	USA								
HANGING	Bangladesh	Botswana	Egypt	India	Iran	Iraq	South Sudan	Syria	
LETHAL INJECTION	China	USA	Viet Nam						
SHOOTING	China	Iran	North Korea	Oman	Qatar	Somalia	Taiwan	Yemen	

2020 KNOWN EXECUTING COUNTRIES BY INTERNATIONAL GOVERNMENTAL ORGANIZATIONS

Organization of American States: 1 out of 35 countries carried out executions – **USA**.

Organization for Security and Co-operation in Europe: 1 out of 57 countries executed people – **USA**.

African Union: 4 out of 55 countries carried out executions – **Botswana, Egypt, Somalia** and **South Sudan**.

League of Arab States: 8 out of 22 countries executed people – **Egypt, Iraq, Oman, Qatar, Saudi Arabia, Somalia, Syria** and **Yemen**.

Association of Southeast Asian Nations: 1 out of 10 countries carried out executions – **Viet Nam**.

Commonwealth: 3 out of 54 countries executed people – **Bangladesh, Botswana** and **India**.

Organisation Internationale de la Francophonie: 2 out of 54 countries carried out executions – **Egypt** and **Viet Nam**.

United Nations: 17 out of 193 member states (**9% of UN membership**) were known to have executed people.

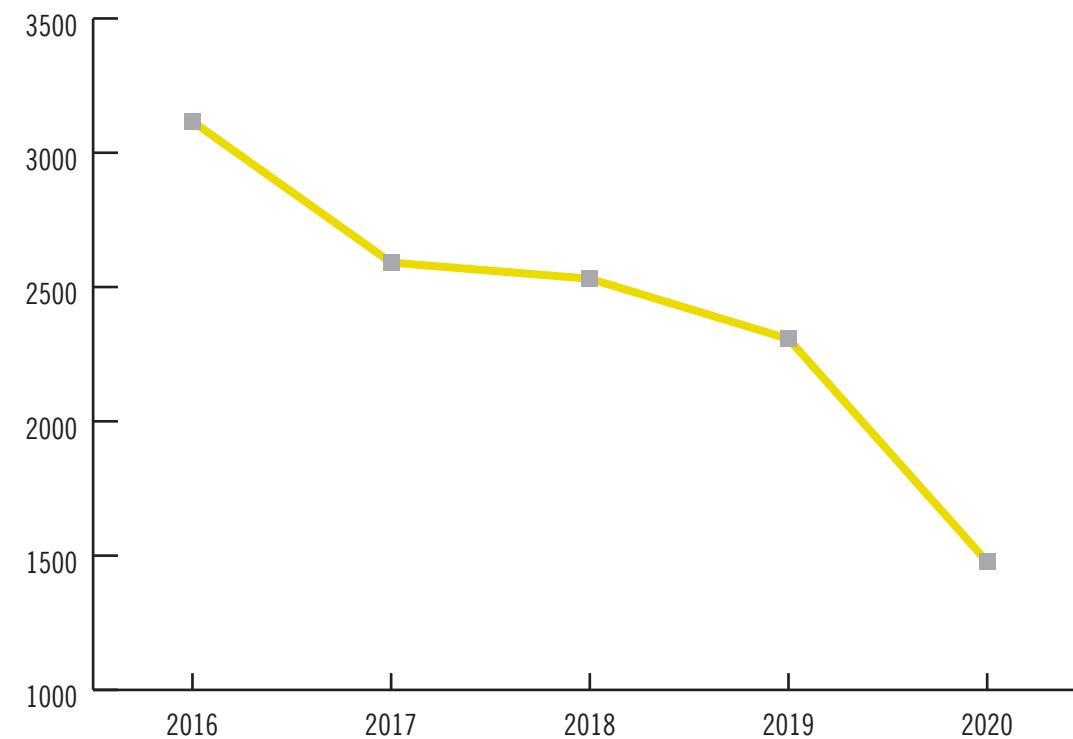
<sup>7</sup> In line with previous years, Amnesty International did not receive any reports of judicial executions by stoning in 2020.



## DEATH SENTENCES

Amnesty International recorded a significant decrease in the number of new death sentences known to have been imposed globally in 2020 (at least 1,477), down by 36% compared to 2019 (at least 2,307) and by 53% on 2016 (at least 3,117).

### RECORDED GLOBAL DEATH SENTENCES (2016-2020)



Variations in the nature and availability of information on death sentences for some countries continued to affect Amnesty International's assessment and ability to accurately compare trends by country. Amnesty International did not receive figures for death sentences imposed in 2020 from officials in Malaysia, Nigeria and Sri Lanka, countries that had previously reported high official numbers of death sentences in previous



### DEATH SENTENCES RECORDED GLOBALLY IN 2020

Afghanistan (4+), Algeria (1+), Bahrain (3), Bangladesh (113+), Belarus (3), Botswana (1), Cameroon (1+), China (+), Comoros (1), Democratic Republic of the Congo (20+), Egypt (264+), Gambia (1), Ghana (3), India (77), Indonesia (117+), Iran (+), Iraq (27+), Japan (3), Jordan (2+), Kenya (+), Kuwait (2+), Laos (9+), Lebanon (1+), Libya (17+), Malawi (2+), Malaysia (22+), Mali (30), Mauritania (1+), Morocco/Western Sahara (1+), Myanmar (1), Niger (3), Nigeria (58+), North Korea (+), Pakistan (49+), Palestine (State of, 17+), Qatar (4+), Saudi Arabia (8+), Sierra Leone (39), Singapore (8), Somalia (+), South Sudan (6+), Sri Lanka (16+), Sudan (10+), Syria (+), Taiwan (5), Thailand (35), Trinidad and Tobago (2), Tunisia (8+), United Arab Emirates (4+), USA (18), Viet Nam (54+), Yemen (269+), Zambia (119) and Zimbabwe (6).

years, for example. Partial disclosures by the authorities of Viet Nam indicated that hundreds of people continued to be sentenced to death yearly, even if comprehensive figures were not publicly available.

Nineteen women were known to have been sentenced to death in 2020 in Bangladesh (2), Indonesia (4), Laos (4), Taiwan (1), Thailand (1) and Viet Nam (7). However, Amnesty International was not able to obtain an accurate breakdown by gender for several countries, including those that are believed to extensively resort to the death penalty, such as Iran and Saudi Arabia, meaning that this figure could be higher.

Two fewer countries (54) were known to have imposed death sentences in 2020, compared to 2019 (56). Indeed while Cameroon, Comoros, Laos and Libya were recorded to have sentenced people to death in 2020, and had not done so in the previous year, no new death sentences were recorded in Guyana, Maldives, Oman, South Korea, Tanzania and Uganda in 2020, after they imposed some in 2019.

Amnesty International recorded decreases in the number of new death sentences imposed in 30 out of 54 countries where death sentences were known to have been imposed, which appeared to be linked in most cases to restrictions to judicial proceedings put in place in several countries in response to the Covid-19 pandemic. Most notably, death sentences decreased in Bangladesh (from at least 220 to at least 113), Egypt (from at least 435 to at least 264), India (from 102 to 77), Iraq (from at least 87 to at least 27), Kenya (from at least 29 to +), Lebanon (from 23 to at least 1), Pakistan (from at least 632 to at least 49), Somalia (from at least 24 to +) and USA (35 to 18).

Increases were recorded in 13 countries: Democratic Republic of the Congo (from 8 in 2019 to at least 20 in 2020), Indonesia (from at least 80 to at least 117), Japan (from 2 to 3), Mali (from at least 4 to 30), Nigeria (from at least 54 to at least 58), Palestine (State of, from 4 to at least 17), Qatar (from at least 2 to at least 4), Saudi Arabia (from at least 5 to at least 8), Sierra Leone (from 21 to 39), South Sudan (from at least 4 to at least 6), Thailand (from at least 16 to 35), Yemen (from 55 to at least 269) and Zambia (from 101 to 119).



### UNDER SENTENCE OF DEATH

At the end of 2020, at least 28,567 people were known to be under sentence of death. Nine countries held 82% of the known totals:

Iraq (7,900+), Pakistan (4,000+), Nigeria (2,700+), USA (2,485), Bangladesh (1,800+), Malaysia (1,314+), Viet Nam (1,200+), Kenya (1,000+), Sri Lanka (1,000+).

Amnesty International believed that a high number of prisoners were under sentence of death in several other countries, but figures were not available or it was impossible to estimate an adequate number. These included China, Egypt, Iran, North Korea and Saudi Arabia.

Even for those countries where figures were available, in most cases it was not possible to obtain a breakdown by gender. Amnesty International could confirm figures on women under sentence of death (113) for Ghana (5), Japan (7), Maldives (1), Taiwan (2), Thailand (26, all convicted of drug-related offences), USA (48) and Zambia (24).

## COMMUTATIONS, PARDONS AND EXONERATIONS

Amnesty International recorded commutations or pardons of death sentences in 33 countries:

Afghanistan, Bangladesh, Barbados, Cameroon, Democratic Republic of the Congo, Ghana, Guyana, India, Indonesia, Japan, Kenya, Kuwait, Lesotho, Malaysia, Morocco/Western Sahara, Myanmar, Niger, Nigeria, Oman, Pakistan, Sierra Leone, Singapore, South Korea, Sri Lanka, Sudan, Syria, Tanzania, Thailand, Trinidad and Tobago, USA, Yemen, Zambia and Zimbabwe<sup>8</sup>.

Amnesty International recorded at least 18 exonerations of prisoners under sentence of death in Cameroon (3), China (1), Singapore (1), Taiwan (1), USA (6) and Zambia (6)<sup>9</sup>.

## THE DEATH PENALTY IN 2020: IN VIOLATION OF INTERNATIONAL LAW



- The death penalty continued to be used in ways that violated international law and standards in 2020. Some examples included:
- At least **1 public execution** was recorded in Iran.
- Three people were executed for crimes that occurred when they were **below 18 years of age** in Iran; Amnesty International believed that other people in this category remained on death row in Maldives and Iran.<sup>10</sup>
- People with **mental (psycho-social) or intellectual disabilities** were known to be under sentence of death in several countries, including Japan, Maldives, Pakistan and USA.
- Death sentences were known to have been imposed after proceedings that did not meet **international fair trial standards** in several countries, including Bahrain, Bangladesh, Egypt, Iran, Iraq, Malaysia, Pakistan, Saudi Arabia, Singapore, Viet Nam and Yemen.
- **“Confessions”** that may have been extracted through **torture or other ill-treatment** were used to convict and sentence people to death in Bahrain, Egypt, Iran and Saudi Arabia.
- Death sentences were imposed **without the defendant being present (in absentia)** in Bangladesh, Democratic Republic of the Congo and Palestine (State of).

<sup>8</sup> Commutation is the process by which a death sentence is exchanged for a less severe sentence such as terms of imprisonment, often by the judiciary on appeal, but sometimes also by the executive. A pardon is granted when the convicted individual is completely exempted from further punishment.

<sup>9</sup> Exoneration is the process whereby, after sentencing and the conclusion of the appeals process, the convicted person is later cleared from blame or acquitted of the criminal charge, and therefore is regarded as innocent in the eyes of the law.

<sup>10</sup> Often the actual age of the prisoner is in dispute because no clear proof of age exists, such as a certificate of registration at birth. Governments should apply a full range of appropriate criteria in cases where age is in dispute. Good practice in assessing age includes drawing on knowledge of physical, psychological and social development. Each of these criteria should be applied in a way that gives the benefit of the doubt in disputed cases so that the individual is treated as a person who was below 18 years of age at the time of the crime, and accordingly should ensure that the death penalty is not applied. Such an approach is consistent with the principle that the best interests of the child shall be a primary consideration in all actions concerning children, as required by Article 3(1) of the UN Convention on the Rights of the Child.

- **Mandatory death sentences** were imposed in Ghana, Iran, Malaysia, Myanmar, Nigeria, Pakistan, Saudi Arabia, Sierra Leone, Singapore and Trinidad and Tobago.<sup>11</sup>
- **Military courts** sentenced civilians to death in Egypt. **Special Courts** imposed death sentences in Bangladesh, Iran, Pakistan, Saudi Arabia and Yemen.
- The death penalty was used for **crimes that did not involve intentional killing**, and therefore did not meet the threshold of “most serious crimes” under international law.<sup>12</sup>
- **Drug-related offences:**
  - at least 30 executions were known to have been carried out in 3 countries – China (+), Iran (23 out of 246+, 9%) and Saudi Arabia (5 out of 27, 19%). This was 6% of the 2020 recorded global total and represented a decrease of 75% from 2019 (118). Information on Viet Nam was unavailable;
  - 179 new death sentences were known to have been imposed in 8 countries: China (+), Indonesia (101 out of 117+, 86%), Laos (9 out of 9, 100%), Malaysia (3 out of 22+, 14%), Singapore (6 out of 8, 75%), Sri Lanka (3 out of 16, 19%), Thailand (8 out of 35, 23%) and Viet Nam (47 out of 54, 87%). This was 12% of the 2020 recorded global total and represented a decrease of 3% from 2019 (184).
- **Economic crimes**, such as corruption: China and Viet Nam.<sup>13</sup>
- **“Blasphemy”** or “insulting the prophet of Islam”: Nigeria and Pakistan.
- **Rape:** Egypt, India and Iran.
- Different forms of **“treason”, “acts against national security”, “collaboration”** with a foreign entity, **“espionage”, “questioning the leader’s policies”**, participation in **“insurrectional movement and terrorism”, “armed rebellion against the ruler”** and other **“crimes against the state”**, whether or not they led to a loss of life: Iran, Saudi Arabia and Yemen.
- **Expansion of the scope** of the death penalty: Bangladesh.

<sup>11</sup> Mandatory death sentences are inconsistent with human rights protections because they do not allow “any possibility of taking into account the defendant’s personal circumstances or the circumstances of the particular offence.” UN Human Rights Committee, Views: *Pagdayawon Rolando v. Philippines*, Communication No. 1110/2002, 8 December 2004, UN Doc. CCPR/C/82/D/1110/2002, para. 5.2.

<sup>12</sup> As prescribed by Article 6 of the International Covenant on Civil and Political Rights.

<sup>13</sup> In China, economic offences were punished with a “suspended” death sentence in one known case, which is generally commuted to terms of imprisonment after two years’ imprisonment when no other crimes are committed.



# REGIONAL OVERVIEWS

## AMERICAS

### REGIONAL TRENDS

- Resumption of US federal executions after 17 years highlighted arbitrariness and cruelty inherent to the use of death penalty.
- Colorado became the 22nd US abolitionist state; Ohio rescheduled all set executions, for the second year.
- The rest of the Americas region remained executions-free for the 12th consecutive year.
- The region recorded historically low figures, as restrictions due to the Covid-19 pandemic put fully or partially on hold executions and court proceedings in several countries.

COUNTRY	2020 RECORDED EXECUTIONS	2020 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2020
ANTIGUA AND BARBUDA	0	0	0
BAHAMAS	0	0	0
BARBADOS	0	0	6
BELIZE	0	0	0
CUBA	0	0	0
DOMINICA	0	0	0
GRENADA	0	0	1
GUATEMALA	0	0	0
GUYANA	0	0	25
JAMAICA	0	0	0
SAINT KITTS AND NEVIS	0	0	0
SAINT LUCIA	0	0	0

COUNTRY	2020 RECORDED EXECUTIONS	2020 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2020
SAINT VINCENT AND THE GRENADINES	0	0	1
TRINIDAD AND TOBAGO	0	2	48
USA <sup>14</sup>	17 in 6 jurisdictions: <sup>15</sup> Alabama (1) Georgia (1) Missouri (1) Tennessee (1) Texas (3) US federal (10)	18 in 7 states: <sup>16</sup> Arizona (1) California (5) Florida (7) Mississippi (1) Ohio (1) Oklahoma (1) Texas (2)	2,485 people, including 48 women, held in 30 jurisdictions. <sup>17</sup>  Eight states held more than 100 people: 708 in California 333 in Florida 206 in Texas 170 in Alabama 137 in North Carolina 137 in Ohio 117 in Pennsylvania 116 in Arizona

US executions in 2020 reached their lowest figure (17) in almost 30 years (14 in 1991). Five fewer executions were carried out compared to 2019 (22, 23% decrease) and eight compared to 2018 (25, 32% decrease). This record-low figure was the product of two contrasting developments.

In a major setback, the Trump administration authorized and pursued in July the resumption of US federal executions after 17 years, eventually putting 10 men to death over five and a half months. This staggering figure is unprecedented, not only as up to that point three executions in total had been carried out at federal level in the preceding four decades,<sup>18</sup> but also as these 10 executions carried out in under six months by one authority alone accounted for more than half of the nationwide total.

This surge in federal executions was balanced out in the national count mostly because of new stays of execution – or slower pursuit of warrants – in some US states as a consequence of the Covid-19 pandemic. Figures by the US-based Death Penalty Information Center indicate that the number of execution dates sought (62) and stays granted by courts (19) in the USA during 2020 remained overall similar to figures of previous years (65 and 24, respectively, in 2019).<sup>19</sup> Significantly, the execution dates sought at state level fell by almost a quarter (49) on the previous year, while only three fewer stays (16) were imposed by the courts. Six of the judicial reprieves granted in 2020 specifically referred to the Covid-19 pandemic. Three fewer states sought dates for executions in 2020 compared to previous years, with Florida – which was severely affected by the pandemic – ending the year without any executions for the first time since 2007.

<sup>14</sup> Figures based on Amnesty International's monitoring of information published by Departments of Corrections, courts and media in relevant US states.

<sup>15</sup> Both state and federal authorities carried out executions.

<sup>16</sup> A judge in Pennsylvania formally imposed a death sentence on 12 February 2020, after the jury had pronounced the guilty verdict and death sentence in the case on 12 and 14 November 2019. Amnesty International had counted this death sentence in its report covering the use of the death penalty in 2019.

<sup>17</sup> The state of New Hampshire, where the death penalty was abolished in 2019, still held one person under sentence of death. The Governor of Colorado commuted the existing three death sentences as he signed the death penalty repeal into law in March 2020.

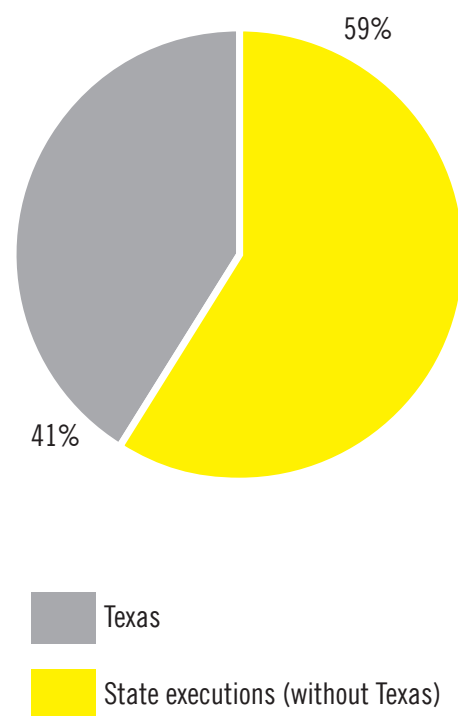
<sup>18</sup> Since executions restarted in the USA in 1977.

<sup>19</sup> Death Penalty Information Center, "Outcomes of death warrants in 2020", [deathpenaltyinfo.org/stories/outcomes-of-death-warrants-in-2020](https://deathpenaltyinfo.org/stories/outcomes-of-death-warrants-in-2020)

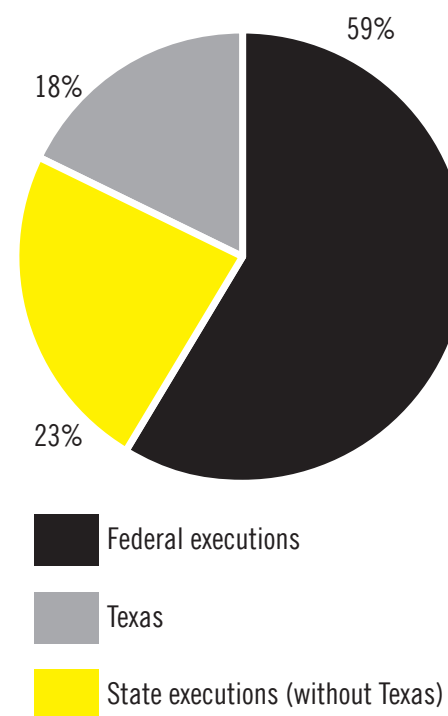
Another important factor contributing to the record-low US execution figure was the decision by Governor Mike DeWine to once again put all Ohio executions on hold, postponing them by several months because of ongoing issues with the state lethal injection method.<sup>20</sup>

Furthermore, challenges with the sourcing of substances and amended lethal injection protocols continued to cause a hiatus in executions in several other states, with Tennessee resorting to the electric chair for its only execution of 2020.<sup>21</sup> Despite the overall decrease in state executions, Texas continued to account for approximately half of the total (3 out of 7).

## US EXECUTIONS (2019)



## US EXECUTIONS (2020)



The number of recorded US death sentences (18) reached its lowest figure since the US Supreme Court declared death penalty statutes unconstitutional in 1972,<sup>22</sup> dropping by almost half compared to 2019 (35). This lower total was also due to a significant extent to the Covid-19 pandemic where several US states put court proceedings and jury trials on hold for varied periods, pursuing alternative remote-hearing arrangements when possible.<sup>23</sup> Five fewer states (7) imposed death sentences compared to 2019, after Alabama, Georgia, North Carolina, Pennsylvania and South Carolina did not report any during the year.

<sup>20</sup> AP News, "Ohio governor: Lethal injection no longer execution option", 8 December 2020, [apnews.com/article/legislature-ohio-coronavirus-pandemic-mike-dewine-executions-f7f1542613ae6922444d77341d4d3b40](https://apnews.com/article/legislature-ohio-coronavirus-pandemic-mike-dewine-executions-f7f1542613ae6922444d77341d4d3b40)

<sup>21</sup> In addition to Ohio, executions in 2020 were completely or in part on hold in several jurisdictions, including in Arkansas, Idaho, Indiana, Kentucky, Louisiana, Mississippi, Nebraska, North Carolina, Nevada, Oklahoma, South Carolina and South Dakota because of litigation and other challenges relating to lethal injection procedures. Long-standing legal challenges were ended in Arizona and California in June and July 2020, respectively. While California has an official moratorium on executions in place, officials in Arizona declared their intention to pursue executions.

<sup>22</sup> *Furman v. Georgia*, US Supreme Court, 408 U.S. 238 (1972).

<sup>23</sup> The list of the orders is available from United States Courts, "Court orders and updates during COVID-19 pandemic", [uscourts.gov/about-federal-courts/court-website-links/court-orders-and-updates-during-covid19-pandemic](https://uscourts.gov/about-federal-courts/court-website-links/court-orders-and-updates-during-covid19-pandemic)

### THE DEATH PENALTY IN THE USA

Following the repeal of the death penalty in Colorado, as of the end of 2020 a total of 22 states had abolished this punishment for all crimes, including 10 since the beginning of the millennium.<sup>24</sup> Of the 28 remaining states, California, Indiana, Kansas, Kentucky, Louisiana, Montana, Nevada, North Carolina, Oregon, Pennsylvania, Utah and Wyoming (12) had not carried out executions for at least 10 years, with California, Oregon and Pennsylvania observing governor-issued moratoriums on executions. At the federal level, the US military authorities had not carried out any executions since 1961, while executions of civilians were resumed in 2020.

Outside the USA, Trinidad and Tobago – the only country in the region to retain the mandatory death penalty for murder – was also the only one where new death sentences were recorded. Antigua and Barbuda, Bahamas, Belize, Cuba, Dominica, Guatemala, Jamaica, Saint Kitts and Nevis and Saint Lucia (9) did not have anyone on death row and no reports of new death sentences. Grenada and Saint Vincent and the Grenadines (2) each continued to hold one person under sentence of death.

The Covid-19 pandemic caused disruptions and delays in criminal proceedings across the Caribbean region, with Antigua and Barbuda, Jamaica, Guyana, Saint Kitts and Nevis, Saint Vincent and the Grenadines and Trinidad and Tobago reporting suspensions in trials, fully or partially, from March onwards, and, in some countries, suspension of physical visits to death row prisoners.<sup>25</sup>

## NOTABLE COUNTRY DEVELOPMENTS

The Senate of **Barbados** adopted on 22 January amendments to the Offences Against the Person Act, concluding reforms to repeal the mandatory death penalty and establish resentencing procedures for those on death row.<sup>26</sup> Following the commutation of one death sentence on 28 July, six men were under sentence of death at the end of the year.

On 14 August, the Court of Appeal of **Guyana** commuted the death sentence imposed on a man for murder, after it reclassified the charge to manslaughter. As part of its Universal Periodic Review at the UN Human Rights Council, the government committed in September to establishing a "a national consultative constitutional reform process in 2021 which will examine all areas of the Constitution including the human rights sections".<sup>27</sup>

Two men in **Trinidad and Tobago** were sentenced to the mandatory death penalty in separate murder cases in January and February. From March onwards, restrictions posed by the Covid-19 pandemic led to the introduction of virtual hearings and the temporary suspension of all jury trials, raising the concern of the Trinidad and Tobago Law Association, among others, on access to justice.<sup>28</sup> The Court of Appeal set aside the convictions and death sentences of two men in March and did the same for a third man in October, ordering a retrial in his case. In June the High Court quashed the death sentence of a man who had spent more than 23 years on death row and had come close to execution in 1999, as its implementation would

<sup>24</sup> The states of Colorado, Connecticut, Delaware, Illinois, Maryland, New Hampshire, New Jersey, New Mexico, New York and Washington. The District of Columbia has also abolished the death penalty.

<sup>25</sup> Amnesty International received information from the Governments of Antigua and Barbuda, Barbados, Dominica, Guatemala, Jamaica, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines. See also Jamaica Gleaner, "COVID-19 no excuse to halt jury trials, lawyers tell chief justice", 27 September 2020, [jamaica-gleaner.com/article/news/20200927/covid-19-no-excuse-halt-jury-trials-lawyers-tell-chief-justice](https://jamaica-gleaner.com/article/news/20200927/covid-19-no-excuse-halt-jury-trials-lawyers-tell-chief-justice); Stabroek News, "High Court moving ahead with restart of criminal trials", 2 October 2020, [stabroeknews.com/2020/10/02/news/guyana/high-court-moving-ahead-with-restart-of-criminal-trials/](https://stabroeknews.com/2020/10/02/news/guyana/high-court-moving-ahead-with-restart-of-criminal-trials/); Department of Public Information of Guyana, "Prison visits replaced with video calls amid COVID-19", 15 April 2020, [dpi.gov.gy/prison-visits-replaced-with-video-calls-amid-covid-19/](https://dpi.gov.gy/prison-visits-replaced-with-video-calls-amid-covid-19/)

<sup>26</sup> Parliament of Barbados, Offences Against the Person (Amendment) Bill, 2019, adopted on 22 January 2020, [barbadosparliament.com/bills/details/429](https://barbadosparliament.com/bills/details/429)

<sup>27</sup> Human Rights Council, Report of the Working Group on the Universal Periodic Review, Guyana Addendum Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, UN Doc. A/HRC/44/16/Add.1, 30 September 2020.

<sup>28</sup> Newsday, "Law Association concerned over limited access to courts", 5 October 2020, [newsday.co.tt/2020/10/05/law-association-concerned-with-limited-access-to-courts/](https://newsday.co.tt/2020/10/05/law-association-concerned-with-limited-access-to-courts/)

be unconstitutional.<sup>29</sup> Forty-eight people were known to be under sentence of death at the end of the year, with one third who had spent more than five years on death row, which rendered the implementation of their death sentences unconstitutional.<sup>30</sup> The year saw a reduction in the annual murder count, which still remained high (393, down from 536 in 2019) and triggered occasional calls for the resumption of executions.<sup>31</sup> Figures from the Trinidad and Tobago Police Service classified only 57 murders as detected (15%).<sup>32</sup>

The global pandemic greatly affected the use of the death penalty in the **USA** beyond the yearly totals of executions and death sentences. Amnesty International recorded that Covid-19 prison outbreaks claimed or are suspected of having claimed approximately half of the lives of the death row prisoners known to have died in detention in 2020 (15 out of 33).<sup>33</sup>

As prison authorities in most jurisdictions moved to suspend visits, prisoners were left for prolonged periods without social contact and access, whether in-person or remotely. With some executions being scheduled and appeals moving forward, the pandemic not only constituted a high health risk for the prisoners, but also impaired their access to legal representation and right to a fair trial, which are critical safeguards in capital cases. The Director of the Death Penalty Representation Project of the American Bar Association highlighted in April, among other concerns, how “most capital defense teams were unable to conduct the large majority of the investigation and expert work required in capital representation” due to restrictions put in place in response to the pandemic, with the result that the time available to defense teams was “truncated significantly”.<sup>34</sup> The lack of in-person interviews with the client, witnesses and family members, as well as necessary mental health screening, expert analysis and post-conviction investigations, were among factors highlighted in submissions filed in support of requests for Covid-19-related delays and stays of execution in several cases.<sup>35</sup>

Despite this, in a year when the protection of people’s lives from Covid-19 was a global priority, the authorities of Missouri, South Carolina, Tennessee, Texas and at federal level pursued executions and fought against requests for stays, adding an additional layer of cruelty to the state judicial killings. The spiritual adviser of Wesley Ira Purkey, for example, sought through a judicial application to stay the execution as he had health complications and was therefore unable to support Purkey ahead of the execution, only to see the request denied.<sup>36</sup> Two lead attorneys of Lisa Montgomery, who had a severe mental disability and her execution set initially for December 2020, contracted Covid-19 after they went to meet her to prepare her clemency application, eventually obtaining a temporary stay three weeks before the set execution date.<sup>37</sup> After Orlando Hall’s execution in November, eight members of the staff overseeing his execution, his spiritual adviser and other personnel all tested positive for Covid-19.<sup>38</sup>

All the more in this context, the obstinate pursuit of an unprecedented number of executions by the federal authorities exacerbated the arbitrariness and flaws of the US death penalty system. It also showed cruel contempt on the part of the Trump administration for safeguards and restrictions established under

international law and standards on the death penalty. Four months before the US presidential elections, the federal government broke a 17-year-long hiatus in executions without providing any reasoning for the decision to resume executions at that specific time, nor on how the cases and dates were prioritized for execution.<sup>39</sup> In several cases, the federal authorities moved to administer lethal injections before the courts could rule on pending motions and past the date originally set for the execution. This was done through the hastened re-issuing and immediate implementation – with inadequate notice to legal counsel – of new warrants, which Amnesty International considers as amounting to cruel, inhuman or degrading treatment.

The haste with which these executions were carried out also undermined the prisoners’ ability to seek effective remedies for the inadequate legal representation they had received at trial and at the appeal stage, as well as other flaws and concerns that had long affected their cases. These included: procedural obstacles preventing evidence of traumatic childhoods and abuse; development of the brain and psychological and emotional maturation continuing beyond 18 years of age; and diminished culpability from being considered by the courts – echoing concerns often raised in the context of state executions.

People with mental (psycho-social) and intellectual disabilities continued to be subjected to the death penalty in 2020, in violation of international law and standards. Among other examples from federal cases, a district court had stayed the execution of Wesley Ira Purkey as he had provided substantial evidence that he had Alzheimer’s disease and had been diagnosed with complex post-traumatic stress disorder, schizophrenia, bipolar disorder, major depression and psychosis, which made him not competent for execution. However, his execution proceeded on 16 July, shortly after the US Supreme Court lifted the stay in a 5-4 ruling, with no rationale provided.<sup>40</sup> At the state level, on 7 May the Court of Criminal Appeals of Texas halted the execution of Randall Mays days before it was due to be carried out to allow for judicial consideration of his claim that he had an intellectual disability.<sup>41</sup> In the same state, six men had their death sentences commuted on the grounds that they had an intellectual disability, after they had spent between 18 to 25 years on death row. One of them, Clifton Williams, previously had his set execution halted two weeks before it was due to be carried out in June 2018.<sup>42</sup>

Racial bias continued to overshadow the death penalty in 2020. Orlando Hall, a Black man, was executed on 19 November after the prosecution struck four of the five eligible Black jurors from service at his 1995 trial, leading to an all-white jury sentencing him to death. Lezmond Mitchell, a Navajo man, was executed on 26 August, despite a request for a stay by the Inter-American Commission on Human Rights, on the grounds that his right to a fair trial had been violated and that the execution would have also violated the right to cultural identity of the Navajo Nation and undermined their right to self-determination, as they oppose the application of the death penalty to their members. He was litigating his claim that racism contributed to the verdict in his case when his execution was set.

<sup>29</sup> For more information, Death Penalty Project, Wenceslaus James, [deathpenaltyproject.org/story/wenceslaus-james/](https://deathpenaltyproject.org/story/wenceslaus-james/)

<sup>30</sup> In line with the standard set by the Judicial Committee of the Privy Council in *Pratt and Morgan v. The Attorney General of Jamaica* (UKPC 37) (1993). The Judicial Committee of the Privy Council is the last appellate court of several Commonwealth countries, including Trinidad and Tobago.

<sup>31</sup> Daily Express, “Senator’s draconian calls”, 27 October 2020, [trinidadexpress.com/opinion/editorials/senator-s-draconian-calls/article\\_3e2760e4-18b4-11eb-a0fb-5b93301c93fc.html](https://trinidadexpress.com/opinion/editorials/senator-s-draconian-calls/article_3e2760e4-18b4-11eb-a0fb-5b93301c93fc.html)

<sup>32</sup> A crime is classified as detected when a suspect had been identified and charged in relation to the murder. The figures were available from <https://tts.gov.tt/Statistics/Crime-Totals-By-Month>

<sup>33</sup> Thirty-three people were recorded to have died on death row in 10 states, with 15 dying as a result of or with suspected complications from Covid-19: Alabama (2), Arizona (2, including one due to Covid-19), California 19 (including 12 suspected Covid-19 deaths), Florida (4), Georgia (1), Louisiana (1), Missouri (1, due to Covid-19), Ohio (1, due to Covid-19), Oregon (1), Pennsylvania (1).

<sup>34</sup> American Bar Association, Declaration of Emily Olson-Gault, Esq., 3 April 2020, [americanbar.org/content/dam/aba/administrative/government\\_affairs\\_office/aba-habeas-level-covid%20.pdf?logActivity=true](https://americanbar.org/content/dam/aba/administrative/government_affairs_office/aba-habeas-level-covid%20.pdf?logActivity=true)

<sup>35</sup> American Bar Association, Declaration of Emily Olson-Gault, Esq., 3 April 2020.

<sup>36</sup> US District Court for the Southern District of Indiana, Terre Haute Division *Dale Hartkemeyer (AKA Seigen), Plaintiff v. William Barr*.

<sup>37</sup> US District Court for the District of Columbia, *Lisa Montgomery (Plaintiff) v. William P. Barr*, 12 November 2020.

<sup>38</sup> For more information, The Independent, “Trump’s renewal of federal executions could have sparked Covid superspreader event”, 6 February 2021, [independent.co.uk/news/world/americas/trump-death-row-covid-superspreader-b1798623.html](https://independent.co.uk/news/world/americas/trump-death-row-covid-superspreader-b1798623.html)

<sup>39</sup> Amnesty International, “USA: Senseless pursuit of US federal executions calls for review of proceedings and immediate halt to use of death penalty” (Index: ACT 50/2922/2020), 21 August 2020, [amnesty.org/en/documents/act50/2922/2020/en/](https://amnesty.org/en/documents/act50/2922/2020/en/)

<sup>40</sup> US Supreme Court, *Barr v. Purkey* (591 US 2020), US Supreme Court, 16 July 2020.

<sup>41</sup> Court of Criminal Appeals of Texas, Ex Parte Randall Wayne Mays, No. WR-75,105-02 (2020).

<sup>42</sup> Amnesty International, “USA: Intellectual disability claim as execution set – Clifton Williams” (Index: AMR 51/8429/2018), 16 May 2018, [amnesty.org/en/documents/amr51/8429/2018/en/](https://amnesty.org/en/documents/amr51/8429/2018/en/) For a short summary of the six cases, see Texas Coalition to Abolish the Death Penalty, *Texas death penalty developments in 2020: The year in review*, [tcadp.org/wp-content/uploads/2020/12/Texas-Death-Penalty-Developments-in-2020-FINAL.pdf](https://tcadp.org/wp-content/uploads/2020/12/Texas-Death-Penalty-Developments-in-2020-FINAL.pdf)



ALABAMA'S FLAWED DEATH PENALTY SYSTEM ON DISPLAY: ROCKY MYERS' CASE



↑ Rocky Myers © Private

Rocky Myers, a Black man, has been on death row in Alabama for more than 26 years. A nearly all-white jury convicted him of the 1991 murder of a white woman, his neighbour. While the jury sentenced him to life without the possibility of parole, the judge overrode the recommendation and sentenced him to death. Alabama outlawed judicial override of jury decisions in 2017, but against international human rights standards it did not give those already on death row the benefit of the reform. In November 2020, the US Supreme Court denied a petition seeking redress<sup>43</sup>.

Rocky Myers grew up in New Jersey in poverty and is literate at primary school level. At 11, he was diagnosed with an intellectual disability. His assigned lawyer for post-conviction appeals abandoned his case without notice, making him miss key deadlines for judicial appeals. The courts relied primarily on IQ tests, a standard which the US Supreme Court found to be inadequate in 2014, to reject his request for a deadline extension on the grounds that he had an intellectual disability. Rocky Myers maintains his innocence. No evidence linked Rocky Myers to the murder, except for a video-recorder stolen from the victim, which he maintains he had found abandoned in the street. Key testimonies against him were tainted by inconsistencies and allegations of police pressure, with one later recanted as untrue. His execution was set in 2004 and again in 2012, and is likely to be rescheduled as soon as Alabama finalizes a new protocol for execution by nitrogen asphyxiation. The Governor of Alabama can, however, provide some redress for all the failures in his case and grant him clemency.

The flawed use of the death penalty extended beyond the cases of 2020. In Florida, the State Supreme Court took several regressive decisions that eroded safeguards in capital cases following a slew of recent appointments to the Court. Reversing its previous positions, in January the Court allowed for the imposition of death sentences after non-unanimous jury decisions;<sup>44</sup> in May, it abandoned a standard followed in the appellate review of cases based on circumstantial evidence alone, which had previously barred convictions to stand if the evidence could be consistent with “any reasonable hypothesis of innocence”;<sup>45</sup> it further ended the retroactive application of a key US Supreme Court judgement that strengthened protections for people with claims of intellectual disabilities;<sup>46</sup> and in October, it ended its independent review of death sentences ensuring comparative proportionality.<sup>47</sup>

At the opposite end, some important advances were made to protect the rights of those facing the death penalty. On 5 June, the Supreme Court of North Carolina ruled in favour of death row prisoners who had appealed their sentences under the state’s 2009 Racial Justice Act, allowing their applications for reviews of their death sentences to continue. The Act, which was repealed in 2013, allowed those facing the death penalty to apply for commutation if they could demonstrate that racial bias may have tainted their cases.<sup>48</sup> On 30 September, the Governor of California Gavin Newsom signed into law the Racial Justice Act,

43 *Calvin McMillan (Petitioner) v. Alabama*, petition 20-193 denied by the US Supreme Court on 23 November 2020.

44 Supreme Court of Florida, *State v. Poole*, No. SC18-245 (2020).

45 Instead allowing for these if “there is substantial, competent evidence to support the verdict and the judgment”. *Bush v. State*, Supreme Court of Florida, No. SC18-227 (2020).

46 Supreme Court of Florida, *Phillips v. State*, No. SC18-1149 (2020). The key decision by the US Supreme Court referred to is *Hall v. Florida*, US Supreme Court, 472 U.S. 701 (2014).

47 Supreme Court of Florida, *Lawrence v. State*, No. SC18-1172 (2020).

48 Supreme Court of North Carolina, *North Carolina v. Andrew Darrin Ramseur*, No. 388A10 (2020).

prohibiting racial discrimination in all criminal prosecutions and sentencing taking place from 2021, and took separate measures to prohibit racial, ethnic, religious and gender discrimination in jury selection from 2022 and expand the jury pools.<sup>49</sup> The Governor also authorized a separate measure to prohibit the use of race-based IQ adjustments in determining the eligibility for the death penalty for those with intellectual disabilities.<sup>50</sup> California, Oregon and several other states also launched new initiatives to integrate death row prisoners with the general population, to offer access to work and other rehabilitative programmes.<sup>51</sup>

Against this backdrop, it was all the more significant that during the year, six men who had been previously convicted and sentenced to death had the charges against them dismissed in Florida, Mississippi, Nevada and Pennsylvania. The total number of such exonerations by year end was 184.<sup>52</sup> Concerns of prosecutorial misconduct, ineffective legal representation, procedural obstacles barring the judicial consideration of exculpatory or mitigating evidence were some of the factors that also tainted their death sentences.<sup>53</sup>

The two capital cases at the US naval base at Guantánamo Bay, Cuba, saw the pre-trial proceedings before military commissions come to a standstill in 2020. The year began with high-profile hearings in the case against five men charged with plotting the attacks of 11 September 2001, during which James Mitchell and John Bruce Jessen – two former military psychologists who worked as CIA contractors – provided their testimony on their role in designing and implementing a programme of “enhanced interrogation techniques” breaching the absolute prohibition of torture and other ill-treatment. Their testimony was sought by the defence team in its effort to exclude the prosecution’s primary evidence against the five men, as acquired through torture. The proceedings of the military commissions were affected by considerable delays from March onwards, linked to the succession of four judges in the case and travel restrictions because of the pandemic.<sup>54</sup>

The pandemic also compounded the inherent unfairness of the military commissions, as well as the cruelty of the detention conditions at the base. None of the six men charged with the death penalty – nor any of the 40 people detained at Guantánamo – had an in-person legal meeting after the pandemic struck.<sup>55</sup> This was of particular significance not only because six men face the imposition of the death penalty if convicted in their forthcoming trials, but also as the pandemic had the effect of leaving torture survivors without direct access to their lawyers and main contacts with the outside world for prolonged periods. Of further concern was the health risk that the pandemic posed to the ageing prisoner population at the Guantánamo detention centre, including those with underlying health conditions, as well as military staff. With the hospital facilities at the base offering limited access to medical treatment, the ban by the then Secretary of Defense Mark Esper on military reporting of Covid-19 cases put in place in March, coupled with the suspension of inspections by the International Committee of the Red Cross, drew widespread concern from monitors and officials.<sup>56</sup>

49 Office of Governor Gavin Newsom, “Governor Newsom signs landmark legislation to advance racial justice and California’s fight against systemic racism & bias in our legal system”, 30 September 2020, [gov.ca.gov/2020/09/30/governor-newsom-signs-landmark-legislation-to-advance-racial-justice-and-californias-fight-against-systemic-racism-bias-in-our-legal-system/](https://gov.ca.gov/2020/09/30/governor-newsom-signs-landmark-legislation-to-advance-racial-justice-and-californias-fight-against-systemic-racism-bias-in-our-legal-system/)

50 California Legislative Information, AB-2512 Death penalty: person with an intellectual disability, [leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill\\_id=201920200AB2512](https://leginfo.ca.gov/faces/billStatusClient.xhtml?bill_id=201920200AB2512)

51 For a short summary, see Death Penalty Information Center, [deathpenaltyinfo.org/news/oregon-closes-death-row-joins-national-trend-away-from-automatic-solitary-confinement](https://deathpenaltyinfo.org/news/oregon-closes-death-row-joins-national-trend-away-from-automatic-solitary-confinement)

52 For more information see Death Penalty Information Center, [deathpenaltyinfo.org/policy-issues/innocence-database](https://deathpenaltyinfo.org/policy-issues/innocence-database); on 18 February 2021, 11 more people exonerated between 1974 and 2002 were added to the list, bringing the new total up until the end of 2020 to 184.

53 See, among other examples, Amnesty International, “USA: Man faces execution for crime when aged 18 – Billy Wardlow” (Index: AMR 51/2595/2020), 24 June 2020, [amnesty.org/en/documents/amr51/2595/2020/en/](https://amnesty.org/en/documents/amr51/2595/2020/en/); and “USA: Man with claims of innocence executed in Missouri – Walter Barton” (Index: AMR 51/2376/2020), 26 May 2020, [amnesty.org/en/documents/amr51/2376/2020/en/](https://amnesty.org/en/documents/amr51/2376/2020/en/)

54 Army Col. Douglas Watkins was appointed as “caretaker” judge in the case and stayed in post between 28 April to 16 September, only to be appointed again from 14 December; Col. Stephen Keane, who took office on 17 September, recused himself on 2 October; LTC Matthew McCall, who took office on 16 October 2020, left the case on 14 December.

55 The New York Times, “I expected 2020 to be a hectic year at Guantánamo. I was wrong”, 26 August 2020, [nytimes.com/2020/08/26/insider/guantanamo-pandemic-delays.html?smid=tw-share](https://nytimes.com/2020/08/26/insider/guantanamo-pandemic-delays.html?smid=tw-share)

56 Military.com, “Pentagon orders bases to stop reporting coronavirus numbers as cases surge”, 31 March 2020, [military.com/daily-news/2020/03/31/pentagon-orders-bases-stop-reporting-coronavirus-numbers-cases-surge.html](https://military.com/daily-news/2020/03/31/pentagon-orders-bases-stop-reporting-coronavirus-numbers-cases-surge.html); “Warren, Reed, colleagues seek information on DoD efforts to prevent COVID-19 outbreaks at Guantánamo Bay Prison”, 10 June 2020, [warren.senate.gov/oversight/letters/warren-reed-colleagues-seek-information-on-dod-efforts-to-prevent-covid-19-outbreaks-at-guantanamo-bay-prison](https://warren.senate.gov/oversight/letters/warren-reed-colleagues-seek-information-on-dod-efforts-to-prevent-covid-19-outbreaks-at-guantanamo-bay-prison)

# ASIA-PACIFIC

## REGIONAL TRENDS

- Secrecy in China, North Korea and Viet Nam continued to impede an accurate assessment of the use of the death penalty in the region with the highest number of executions.
- India and Taiwan resumed executions after hiatuses of four years and one year, respectively; Malaysia continued to observe an official moratorium on executions.
- Japan, Pakistan and Singapore did not report any executions for the first time in several years.

COUNTRY	2020 RECORDED EXECUTIONS	2020 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2020
AFGHANISTAN	0	4+	976
BANGLADESH	2	113+	1,800+
BRUNEI DARUSSALA	0	0	+
CHINA	+	+	+
INDIA <sup>57</sup>	4	77	404
INDONESIA	0	117+	482+
JAPAN	0	3	120
LAOS	0	9+	+
MALAYSIA	0	22+	1,314+
MALDIVES	0	0	19
MYANMAR	0	1	+
NORTH KOREA	+	+	+
PAKISTAN	0	49+	4,000+
PAPUA NEW GUINEA	0	0	20
SINGAPORE	0	8	50+
SOUTH KOREA	0	0	60
SRI LANKA	0	16+	1,000+
TAIWAN	1	5	49
THAILAND	0	35	235
TONGA	0	0	0
VIET NAM	+	54+	1,200+

<sup>57</sup> Project 39A, *Death Penalty in India: Annual Statistics Report 2020*, January 2021, [project39a.com/annual-statistics-2020/](https://project39a.com/annual-statistics-2020/); Amnesty International monitors daily developments on the use of the death penalty in India, but it gathered a lower number of death sentences for 2020.

Amnesty International believed that six Asia-Pacific countries carried out executions in 2020, the lowest number on record. However, the organization could only confirm execution figures for Bangladesh, India and Taiwan – as secrecy in China, North Korea and Viet Nam made it impossible to verify reports and assess the true resort to state killings in the region, which it believed continued to be in the thousands.

The number of new death sentences recorded in 2020 (517) more than halved compared with 2019, when 1,227 were registered. This was largely due to a significant drop in reports of death sentences gathered for India (from 102 in 2019 to 77 in 2020), Pakistan (from 632+ to 49+) and Bangladesh (from 220+ to 113+). These figures and the regional total were affected by temporary suspensions of court proceedings put in place in response to the Covid-19 pandemic, which also saw several countries introduce new procedural guidelines to allow for remote judicial proceedings or prioritize non-capital trials during lockdowns.<sup>58</sup>

The number of countries imposing death sentences (16) remained similar to 2019 (17). Reports of death sentences were recorded in Laos, where none were available for the previous year; and no new death sentences were reported in Maldives and South Korea, which had sentenced people to death in 2019.

The use of the death penalty in the Asia-Pacific region continued to violate international law and standards in many cases. The death penalty was extensively used for offences that did not meet the threshold of the “most serious crimes” to which the use of the death penalty must be restricted under international law.<sup>59</sup> These included drug-related offences; economic crimes, such as corruption; and acts that could not be considered to constitute recognizable criminal offences complying with requirements under international human rights law, such as “blasphemy”. People who were below 18 years of age at the time of the crime remained under sentence of death in Maldives. In many cases recorded by Amnesty International, death sentences were imposed by special courts.

## NOTABLE COUNTRY DEVELOPMENTS

For the second year, no executions were recorded in **Afghanistan**. As part of the preparations for the peace talks between the Afghan government and the Taliban, from August the authorities released 156 prisoners who had been sentenced to death.<sup>60</sup> Amnesty International recorded reports of four new death sentences imposed in March for kidnapping and murder, but no official figures were made available.<sup>61</sup>

Two executions were carried out in **Bangladesh**. A man who had been convicted of the murder of Bangabandhu Sheikh Mujibur Rahman, the country’s first President, and who had been on the run for two decades, was hanged in April.<sup>62</sup> Another man, convicted of the murder of two people, was executed in November.<sup>63</sup> In October, the International Crimes Tribunal, a Bangladeshi court established to investigate mass-scale human rights violations committed during Bangladesh’s 1971 War of Independence, issued the death warrant against Syed Mohammad Kaisar, after the Supreme Court had upheld his death sentence in January.<sup>64</sup> Appeals on his behalf were pending as the year ended.

Amnesty International recorded reports of 113 new death sentences for murder. Two women were among those sentenced. Of the 113 total, 21 men and one woman were sentenced in their absence; and 60 death

<sup>58</sup> Temporary suspensions in criminal proceedings were recorded in several countries, including Afghanistan, Bangladesh, India, Malaysia, Maldives, Pakistan and Sri Lanka.

<sup>59</sup> See p. 14 in the global overview for more detailed information.

<sup>60</sup> Al Jazeera, “Afghanistan begins release of 400 Taliban prisoners”, 14 August 2020, [aljazeera.com/news/2020/8/14/afghanistan-begins-release-of-400-taliban-prisoners](https://www.aljazeera.com/news/2020/8/14/afghanistan-begins-release-of-400-taliban-prisoners); TOLONews, “All barriers removed for intra-Afghan talks: Ghani”, 20 August 2020, [tolonews.com/afghanistan/all-barriers-removed-intra-afghan-talks-ghani](https://www.tolonews.com/afghanistan/all-barriers-removed-intra-afghan-talks-ghani)

<sup>61</sup> TOLONews, “4 men convicted of kidnapping and murder sentenced to death”, 8 March 2020, [tolonews.com/afghanistan/4-men-convicted-kidnapping-and-murder-sentenced-death](https://www.tolonews.com/afghanistan/4-men-convicted-kidnapping-and-murder-sentenced-death)

<sup>62</sup> Dhaka Tribune, “A fugitive for over 20 years, Majed was arrested on Tuesday”, 12 April 2020, [dhakatribune.com/bangladesh/2020/04/12/bangabandhu-killer-majed-hanged](https://www.dhakatribune.com/bangladesh/2020/04/12/bangabandhu-killer-majed-hanged)

<sup>63</sup> United News of Bangladesh, “Laxmipur double murder: Condemned convict hanged at Kashimpur Jail”, 2 November 2020, [unb.com.bd/category/Bangladesh/laxmipur-double-murder-condemned-convict-hanged-at-kashimpur-jail/59842](https://www.unb.com.bd/category/Bangladesh/laxmipur-double-murder-condemned-convict-hanged-at-kashimpur-jail/59842)

<sup>64</sup> Prothom Alo, “Crimes against humanity: Death warrant issued against Syed Mohamamd Kaisar”, 22 October 2020, [en.prothomalo.com/bangladesh/crime-and-law/crimes-against-humanity-death-warrant-issued-against-syed-mohamamd-kaisar](https://en.prothomalo.com/bangladesh/crime-and-law/crimes-against-humanity-death-warrant-issued-against-syed-mohamamd-kaisar)



sentences were imposed by special courts.<sup>65</sup> On 13 October, President Mohammad Abdul Hamid signed an ordinance to amend the Women and Children Repression Prevention Act, 2000, to allow for the death penalty as punishment for rape.<sup>66</sup>

**China** remained the world’s lead executioner, continuing to classify figures on executions and death sentences as a state secret and preventing independent scrutiny. Although it is possible that a reduction in the use of the death penalty occurred in recent years, Amnesty International believed that the number of death sentences imposed and executions carried out in 2020 remained in the thousands. The organization continued to call on the Chinese authorities to be transparent and make a full breakdown of such information publicly available.

As in previous years, Amnesty International’s monitoring suggested that the death penalty was used in most cases to punish murder and drug-related offences, out of the 46 offences for which it remained applicable. Among these were many non-violent acts that do not meet the threshold of the “most serious crimes” under international law and standards. Amnesty International was unable to assess whether death sentences or executions were imposed and carried out in the Xinjiang Uyghur Autonomous Region (XUAR), where the death penalty was known to have been secretly used, after grossly unfair proceedings, in previous years as part of so-called “People’s War” and “strike hard” campaigns, impacting predominantly Muslim-ethnic minorities within the region.

In 2020, as the country struggled with the Covid-19 pandemic, the Chinese authorities appeared to once again resort to the death penalty to send a public message, displaying an over-reliance on the refuted argument that the death penalty has a unique deterrent effect and making no effort to promote an informed national debate on the human rights issues associated with the use of this punishment. On 3 February, the High People’s Court of Heilongjiang Province announced that it would severely punish, including with the death penalty, 36 crimes related to the prevention and control of the Covid-19 epidemic.<sup>67</sup> On 7 February, the National Health Commission, the Supreme People’s Court, the Supreme People’s Procuratorate and the Ministry of Public Security issued joint guidance to “severely crack-down on medical-related illegal and criminal acts during the epidemic prevention and control period”, directing that investigations and prosecutions of crimes against medical staff and linked to the disruption of medical activities be fast-tracked and severely punished, including through the death penalty.<sup>68</sup> The issuing of the guidelines followed the murder, days earlier, of two people enforcing travel restrictions put in place in response to the epidemic.<sup>69</sup> In an emblematic case, a man was speedily tried for this incident and on 1 March convicted and sentenced to death; his first appeal was rejected four weeks later and on 9 July, the Supreme People’s Court announced that it had reviewed his case and authorized the execution, which had been carried out just five months after the crime was committed.<sup>70</sup> Amnesty International was concerned by the speed of the proceedings, which raised questions as to whether international fair trial guarantees were respected in his case.

The resort to executions to send a public message, as seen in the context of the Covid-19 pandemic response, reflects patterns Amnesty International has long recorded in relation to drug-related offences. Once again in 2020, the Chinese authorities appeared to increase the number of reports published on executions in Chinese media in the lead-up to the UN-established and promoted International Day against Drug Abuse and Illicit Trafficking, on 26 June. To mark the occurrence, the Supreme People’s Court issued new guidelines highlighting 10 “illustrative cases” relating to offences involving drugs and “warranting

65 Such as courts established under the Law and Order Disruption Crimes (Speedy Trial) Act, 2002. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions stated that military and other special courts “are ill suited to ensuring full compliance with fair trial standards as required in capital cases” and “should not have the power to impose sentences of death”. Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, 9 August 2012, UN Doc. A/67/275, para. 33.

66 bdnews24.com, “President Hamid signs ordinance on capital punishment in rape cases”, 13 October 2020, [bdnews24.com/bangladesh/2020/10/13/president-hamid-signs-ordinance-on-capital-punishment-in-rape-cases](https://bdnews24.com/bangladesh/2020/10/13/president-hamid-signs-ordinance-on-capital-punishment-in-rape-cases)

67 Global Times, “Nation fights epidemic-related crimes”, 4 February 2020, [globaltimes.cn/content/1178487.shtml](https://globaltimes.cn/content/1178487.shtml)

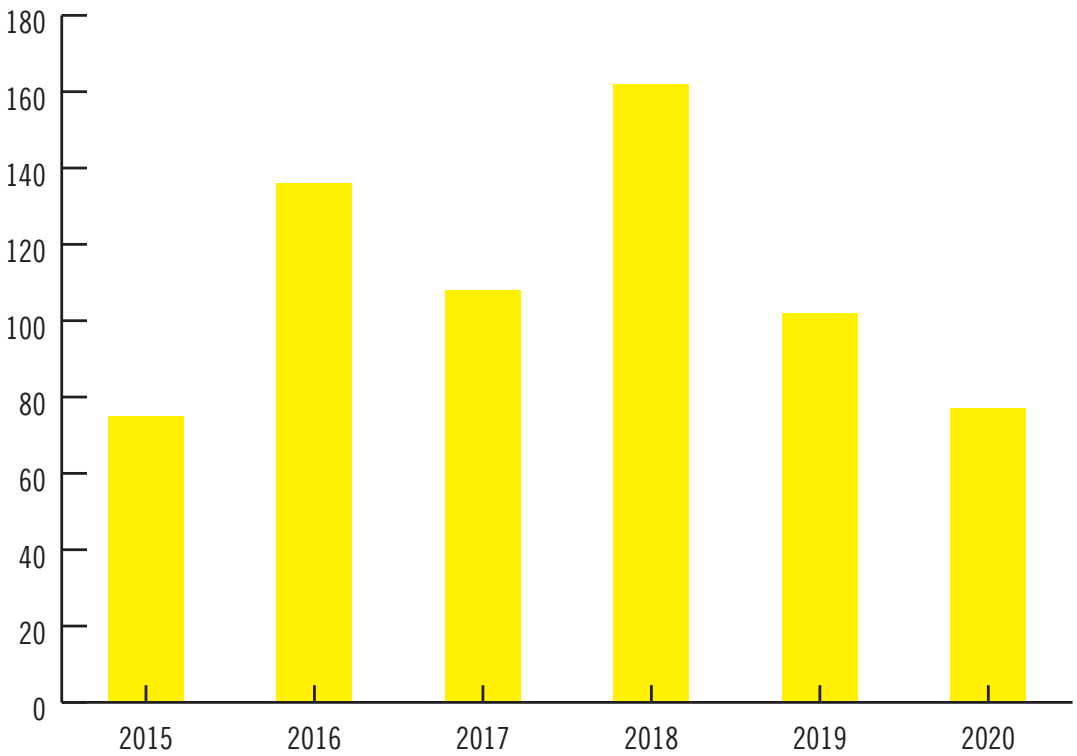
68 State Council, “关于做好新型冠状病毒肺炎疫情防控工作期间保障医务人员安全 守护良好医风秩序的通知”, 8 February 2020, [nhc.gov.cn/yzygj/s7658/202002/4b1763555f7443fa7d1b974bd417f4a.shtml](http://nhc.gov.cn/yzygj/s7658/202002/4b1763555f7443fa7d1b974bd417f4a.shtml)

69 Global Times, “Chinese man arrested for killing COVID-19 control volunteer”, 8 February 2020, [globaltimes.cn/page/202102/1215327.shtml](https://globaltimes.cn/page/202102/1215327.shtml)

70 Supreme People’s Court, “云南河口中院依法对罪犯马建国执行死刑”, 9 July 2020, [court.gov.cn/zixun-xiangqing-240251.html](http://court.gov.cn/zixun-xiangqing-240251.html)

severe punishment”.<sup>71</sup> Among these, three resulted in four executions on 21 April, and 15 and 17 June. The guidelines were aimed at providing guidance to lower courts as to the characteristics of the crime or offender that should be considered as aggravating, but effectively promoted punitive approaches that violate human rights in the name of drug control and, as shown in recent UN studies, have a particular dire effect on the most marginalized sectors of society.<sup>72</sup>

## RECORDED NEW DEATH SENTENCES IN INDIA (2015-2020)



Economic offences, such as embezzlement, continued to be punished by death. At least one new “suspended” death sentence – with the possibility of commutation after two years – was imposed for corruption.<sup>73</sup> On 26 December, the National People’s Congress enacted amendments to the Criminal Law to include the death penalty as punishment for crimes committed by non-state officials when the amounts of money involved is “especially huge”.<sup>74</sup> The death penalty was already a discretionary punishment for officials convicted of these crimes.

On 4 August, the Supreme People’s Court acquitted a man after a retrial due to lack of evidence.<sup>75</sup> He was convicted of murder and sentenced to death with a two-year suspension in Jiangxi Province in 1995. He had not been represented by a lawyer and maintained that his “confession” had been extracted through torture.

71 Supreme People’s Court, “最高人民法院发布2020年十大毒品（涉毒）犯罪典型案例”, 24 June 2020, [szszy.chinacourt.gov.cn/article/detail/2020/06/id/5318300.shtml](http://szszy.chinacourt.gov.cn/article/detail/2020/06/id/5318300.shtml)

72 UN Human Rights Council, Study on the impact of the world drug problem on the enjoyment of human rights, 4 September 2015, UN Doc. A/HRC/30/65; Implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights, 14 September 2018, UN Doc. A/HRC/39/39.

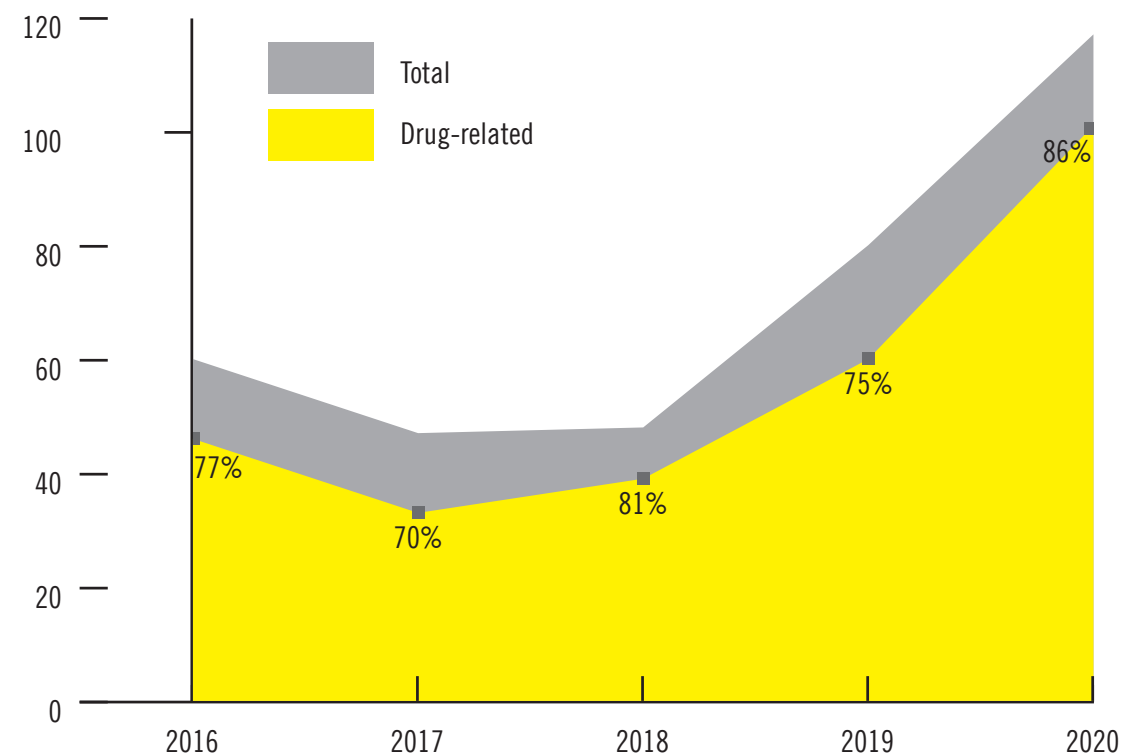
73 South China Morning Post, “Chinese provincial chief given suspended death sentence for role in major corruption scandal”, 31 July 2020, [scmp.com/news/china/politics/article/3095595/chinese-provincial-chief-given-suspended-death-sentence-role](https://scmp.com/news/china/politics/article/3095595/chinese-provincial-chief-given-suspended-death-sentence-role)

74 NPC Observer, “Criminal Law Amendment (XI) of the People’s Republic of China”, [npcobserver.com/legislation/criminal-law-amendment-xi/](http://npcobserver.com/legislation/criminal-law-amendment-xi/); the amendments are effective from 1 March 2021.

75 South China Morning Post, “Zhang Yuhuan case shows China’s need to prevent wrongful convictions”, 9 August 2020, <https://www.globaltimes.cn/page/202102/1215327.shtml>

The authorities of **India** carried out the country's first executions since 2015 in March, putting to death four men convicted of the high-profile rape and murder of a woman in Delhi in 2012. According to figures by Project 39A at the National Law University, Delhi, the number of death sentences imposed in India in 2020 (77) continued to decrease from the peaks of previous years, reducing by a quarter on 2019 (102) and falling below 100 for the first time since 2015. All death sentences were imposed for murder or offences involving murder, except for four which related to the rape of children.

## RECORDED NEW DEATH SENTENCES IN INDONESIA (2016-2020)



Amnesty International recorded a 46% increase in the imposition of the death penalty in **Indonesia** in 2020, with 101 out of the 117 new death sentences imposed for drug-related offences and 16 for murder. These figures reflected the trend recorded in previous years, which saw courts impose death sentences to punish drug-related crime in at least 70% of the known cases. Five foreign nationals, all Malaysians convicted of drug trafficking, were among those sentenced to death. Four women, all Indonesian, were sentenced for murder (2) and drug trafficking (2). At the end of the year, at least 482 people were believed to be under sentence of death.

In April, the chairperson of the Corruption Eradication Commission, Firli Bahuri, met with the Commission III of the House of Representatives, overseeing legal affairs, to discuss implementing existing provisions of the Anti-Corruption Law to punish corruption in the administration of Covid-19 relief funds.<sup>76</sup>

No executions were carried out in **Japan**, for the first time since 2011. Three men were sentenced to the gallows, convicted in separate cases of multiple murders – an annual total that was in line with the five or fewer yearly figures recorded since 2012. In January, a man had his death sentence commuted on appeal on the grounds that he had a severe mental (psycho-social) disability at the time of the murders.<sup>77</sup> As of 31

<sup>76</sup> Jakarta Post, "KPK warns that COVID-19 aid swindlers face death penalty", 30 April 2020, [thejakartapost.com/news/2020/04/29/kpk-warns-that-covid-19-aid-swindlers-face-death-penalty.html](https://thejakartapost.com/news/2020/04/29/kpk-warns-that-covid-19-aid-swindlers-face-death-penalty.html)

<sup>77</sup> Japan Times, "High court throws out lay judge death sentence over murders of five in 2015", 27 January 2020, [japantimes.co.jp/news/2020/01/27/national/crime-legal/japan-court-death-sentence-2015-murders-awaji](https://japantimes.co.jp/news/2020/01/27/national/crime-legal/japan-court-death-sentence-2015-murders-awaji)

December, 120 people were believed to be under sentence of death, after three men died while on death row during the year. Among them, 110, including six foreign nationals, had their death sentences being final. Two renounced their appeals. Those on death row continued to be held in solitary confinement; and in the absence of effective safeguards or regular psychiatric evaluations, persons with mental (psycho-social) and intellectual disabilities continued to be subjected to the death penalty, in violation of international law and standards.<sup>78</sup>

On 20 February 2020, the Osaka district court denied Kenji Matsumoto's eighth request for retrial. He developed a delusional disorder while detained in solitary confinement on death row and has a long-standing mental (psycho-social) disability that originated from mercury poisoning (Minamata disease) and predates his conviction. According to his lawyer, these played a significant part during the police interrogation of him and resulted in a coerced "confession". His lawyer said that he was not competent to understand and participate in the legal proceedings in his case, as well as the nature and purpose of the death sentence imposed on him. In dismissing his petition for retrial, the court also dismissed his request that the court issued a stay of execution while his appeal was pending, which would have otherwise violated Article 32 of the Constitution stipulating the right to a fair trial. The decision violates international safeguards on the use of the death penalty.<sup>79</sup>

On 23 December the Supreme Court ordered that Iwao Hakamada's case be returned to the Tokyo High Court for retrial. Iwao Hakamada was sentenced to death in 1968 after being convicted in an unfair trial and developed a severe mental (psycho-social) disability while on death row. He was released pending retrial in 2014 and was allowed to remain at home while the proceedings against him continued.

Amnesty International recorded that nine people, including four women, were sentenced to death in **Laos** in 2020, all for drug-related offences.

The authorities of **Malaysia** continued to observe an official moratorium on executions for the third consecutive year and supported the biennial UN General Assembly resolution calling for a suspension of the use of the death penalty for the second time. The Special Committee established in 2019 by the late Liew Vui Keong, former minister in the Prime Minister's Department for Legal Affairs, to study sentencing policies with a view to replacing the mandatory death penalty, submitted its report to the minister on 11 February.<sup>80</sup> Following a change in government in early March, Minister Takiyuddin Hassan confirmed in a response to parliament that the new government had received the final version of the report on 17 July.<sup>81</sup> The findings of the study were not made public before the year ended, but the minister informed parliament in August that the report recommended the substitution of the mandatory death penalty for 11 offences under the Dangerous Drugs Act, 1952 and 21 offences carrying the death penalty but with discretion of the Court.<sup>82</sup> In August, the Federal Court declared the imposition of the mandatory death penalty constitutional, clarifying that it is a prerogative of the parliament to enact legislation on offences and punishments.<sup>83</sup>

Figures from the Department of Corrections indicated that as of 30 June, 1,314 people were under sentence of death, including 475 still appealing their sentences before the Court of Appeal and Federal Court, and 839 appealing for pardons.<sup>84</sup> This means that between 1 December 2019 – when official figures had previously

<sup>78</sup> Human Rights Committee, General Comment 36 (2018) on Article 6 of the International Covenant on Civil and Political Rights, on the right to life, 30 October 2018, UN Doc. CCPR/C/GC/36, para. 49.

<sup>79</sup> Safeguard no. 8 of the UN Safeguards guaranteeing protection of the rights of those facing the death penalty, adopted by Economic and Social Council Resolution 1984/50 of 25 May 1984, which clearly states that "Capital punishment shall not be carried out pending any appeal or other recourse procedure or other proceeding relating to pardon or commutation of the sentence".

<sup>80</sup> Malaysiakini, "Death sentence – committee submits report on alternatives", 11 February 2020, [malaysiakini.com/news/510445](https://malaysiakini.com/news/510445)

<sup>81</sup> The Sun Daily, "Cabinet to discuss report on abolishing capital punishment – Takiyuddin", 13 August 2020, [thesundaily.my/local/cabinet-to-discuss-report-on-abolishing-capital-punishment-takiyuddin-KH3458873](https://thesundaily.my/local/cabinet-to-discuss-report-on-abolishing-capital-punishment-takiyuddin-KH3458873)

<sup>82</sup> Parliament of Malaysia, Second Meeting, Third Term of the 14th Parliament, Written responses to question no. 1 to 556, 13 July to 27 August 2020, Response to question no. 1.

<sup>83</sup> Federal Court of Malaysia, *Letitia Bosman v. Public Prosecutor and other appeals*, [2020] 8 CLJ 147.

<sup>84</sup> Parliament of Malaysia, Second Meeting, Third Term of the 14th Parliament, Written responses to question no. 1 to 556, 13 July to 27 August 2020, Response to question no. 10.

been issued – and end of June 2020, at least 34 new death sentences were imposed.<sup>85</sup> During 2020, Amnesty International recorded reports relating to 22 new death sentences, including three for drug trafficking.

Official figures also indicated that for the period 2015 to 2019, a total of 197 people submitted their clemency application to state and federal pardon boards, and 188 Malaysian nationals and 198 foreign nationals – including 60 Nigerian nationals, 39 Iranian, 21 Indonesian, 13 Thai, 11 Indian and 10 Filipino – had their death sentence confirmed by the Federal Court.<sup>86</sup> These figures reflected findings published by Amnesty International in 2019.<sup>87</sup>

The Attorney General's Office of **Maldives** confirmed to Amnesty International that the government was committed to maintain the “informal moratorium” on executions as it focused on reforming the Maldivian judicial system and improve its independence. No new death sentences were imposed and 19 people, including one woman, remained under sentence of death, all convicted of murder. Three had exhausted their legal avenues and five were below 18 years of age at the time of the crime. The Child Rights Protection Act of November 2019, which prohibits the imposition of death penalty against those below 18 years of age, came into force in February 2020.<sup>88</sup>

One new death sentence was known to have been imposed in **Myanmar**, for murder.<sup>89</sup> On 17 April, as part of the New Year celebrations, the then President U Win Myint granted mass pardons and commuted all death sentences to life imprisonment without release date.<sup>90</sup> The authorities did not make publicly available how many people had their death sentences commuted.

Without access to **North Korea** and independent media and sources in the country, Amnesty International continued to face significant challenges with the verification of information on its use of the death penalty in 2020. Although it is very likely that executions continued to be carried out and death sentences imposed at a sustained rate, Amnesty International was unable to corroborate reports of executions, including executions carried out in public; or of Central Committee and other Korean Workers' Party officials.<sup>91</sup> Similarly, the organization could not verify information relating to death sentences imposed, reportedly after summary trials and for a range of acts that either did not meet the threshold of the “most serious crimes” to which the use of the death penalty must be restricted under international law, or which could not be considered to constitute recognizable criminal offences complying with international human rights law requirements.<sup>92</sup>

No executions were reported in **Pakistan** for the first time since these were resumed in December 2014. Amnesty International recorded a significantly lower number of death sentences in 2020 (49) compared with previous years, which could partly be linked to a hiatus in court proceedings due to the Covid-19 pandemic. Two of the recorded death sentences were imposed for “blasphemy”; 19 by Anti-terrorism Courts; and seven by Model Criminal Trial Courts, special courts established in 2019 to deal with the backlog of criminal cases. On 17 June, the High Court of Peshawar quashed the convictions of 196 people tried by military courts and, in most cases, sentenced to death.<sup>93</sup> The military courts were established in January 2015, in the wake of the December 2014 attack on a school in Peshawar, to try civilians suspected of terrorism-related offences.

85 Parliament of Malaysia, Third Meeting, Third Term of the 14th Parliament, Written responses to question no. 1 to 544, 2 November to 17 December 2020, Response to question no. 441.

86 Parliament of Malaysia, Third Meeting, Third Term of the 14th Parliament, Written responses to question no. 1 to 544, 2 November to 17 December 2020, Response to question no. 441.

87 Amnesty International, *Fatally Flawed: Why Malaysia Must Abolish the Death Penalty* (Index: ACT 50/1078/2019), 10 October 2019, [amnesty.org/en/documents/act50/1078/2019/en](https://www.amnesty.org/en/documents/act50/1078/2019/en)

88 Government of Maldives, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council Resolution 16/21 – Maldives, 14 February 2020, UN Doc. A/HRC/WG.6/36/MDV/1, para. 146.

89 The Irrawaddy, “Myanmar court sentences man to death by hanging for love triangle murder”, 15 January 2020, [irrawaddy.com/news/burma/myanmar-court-sentences-man-death-hanging-love-triangle-murder.html](https://www.irrawaddy.com/news/burma/myanmar-court-sentences-man-death-hanging-love-triangle-murder.html)

90 Myanmar Times, “Nearly 25,000 prisoners freed on Myanmar New Year”, 17 April 2020, [mmtimes.com/news/nearly-25000-prisoners-freed-myanmar-new-year.html](https://www.mmtimes.com/news/nearly-25000-prisoners-freed-myanmar-new-year.html)

91 See for example Korea Times, “North Korea publicly executes 2 people for quarantine violations”, 7 December 2020, [koreatimes.co.kr/www/nation/2020/12/103\\_300477.html](https://www.koreatimes.co.kr/www/nation/2020/12/103_300477.html); and Dong-a Ilbo, “코로나 예방차원 격리된 북한료, 몰래 대중목욕탕 갔다가 총살”, 13 February 2020, [donga.com/news/article/all/20200213/99665772/1](https://www.donga.com/news/article/all/20200213/99665772/1)

92 Yonhap News, “국정원, ‘김정은. 환을 급락에 거물 환전상 처형’”, 27 November 2020, [yna.co.kr/view/AKR20201127072351001](https://yna.co.kr/view/AKR20201127072351001); Radio Free Asia, “북 평양서 조직적 성매매 혐의로 6명 공개총살”, 6 August 2020, [rfa.org/korean/in\\_focus/ne-kw-08062020070746.html](https://www.rfa.org/korean/in_focus/ne-kw-08062020070746.html)

93 Dawn, “PHC sets aside 200 convictions by military courts”, 17 June 2020, [dawn.com/news/1564018](https://www.dawn.com/news/1564018)

Proceedings under these military courts did not meet international fair trial standards. In a landmark judgement, in June the Lahore High Court commuted the death sentence imposed on Muhammad Iqbal, who was 17 at the time of his arrest in 1998.<sup>94</sup> A death warrant in his case had been issued in 2016.

On 1 October, 37 members of the House of Representatives of **the Philippines** introduced a new bill amending the Comprehensive Dangerous Drugs Act of 2002 to increase the penalties for drug-related offences, including by re-introducing the death penalty. Several other measures to reinstate this punishment filed in previous years remained pending before the House of Representatives (13) and Senate (10) at the end of the year. The Philippines is a state party to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

The authorities of **Singapore** did not carry out any executions for the first time since 2013.<sup>95</sup> This hiatus was primarily linked to ongoing litigation, including on the impact of restrictions relating to the Covid-19 pandemic on key aspects of the death penalty process. As Singapore was confronting its first surge of Covid-19 cases, on 5 February President Halimah Yacob issued a temporary stay of execution, halting the first known hanging of the year two days before it was due to be carried out.<sup>96</sup> On 8 September, the President issued a new execution order, in the same case, for 10 days later. The legal representative of the man at risk of execution, Singaporean national Syed Suhail bin Syed Zin, sought and obtained a judicial stay of execution on several grounds, including that his client had been discriminated against in the selection and prioritization of cases for execution because of his nationality. He claimed that foreign nationals, including some whose cases preceded his, appeared to be at lesser risk because of travel and other Covid-19-related restrictions, which posed challenges with regard to last family visits and repatriation of bodies.<sup>97</sup> Although the state conceded that it would have no control over travel restrictions established in other countries, it rejected the claim, indicating that separate litigation involving some Malaysian men was the origin of the postponement. The High Court granted permission for the appeal, extending the stay of execution beyond the end of the year. In addition to Syed Suhail bin Syed Zin, Moad Fadzir bin Mustaffa had his execution scheduled and halted, one day before it was due to be carried out, in September.<sup>98</sup> Both men had been convicted and sentenced to the mandatory death penalty for drug-related offences.

Eight other men, including three foreign nationals, were sentenced to the mandatory death penalty during the year, six for drug-related offences and two for murder. From mid-April onwards, court proceedings began to take place remotely due to the COVID-19 pandemic, with defendants being sentenced to death while connected remotely from the prison, separated from their lawyer.<sup>99</sup> As questions had already been raised before the Supreme Court on possible infringements by the prison authorities of privileged communication between attorney and client without any judicial orders or supervision of the process, the restricted access to the defendants raised further concern on the protection of the right to a fair trial, particularly in capital proceedings.<sup>100</sup>

Five men under sentence of death were acquitted of their capital charges, including two after their ordinary appeals had been exhausted. Among them was a Nigerian national, who had faced the death penalty accused of drug trafficking.<sup>101</sup> He was initially acquitted in November 2014, but after the prosecution appealed, the Court of Appeal found that the trial judge had not properly considered the impact of certain assertions the man had made in a statement after his arrest. He was convicted and the case remitted to the High Court for sentencing. At the request of the prosecution, a medical expert examined the prisoner and

94 Dawn, “Death sentence in juvenile case commuted”, 9 June 2020, [dawn.com/news/1562319](https://www.dawn.com/news/1562319)

95 Singapore Prison Service, Singapore Prison Service Annual Statistics 2020, 4 February 2021, [sps.gov.sg/news-about-us/in-the-news/singapore-prison-service-annual-statistics-release-for-2020-1](https://sps.gov.sg/news-about-us/in-the-news/singapore-prison-service-annual-statistics-release-for-2020-1)

96 Court of Appeal of Singapore, *Syed Suhail bin Syed Zin v. Attorney-General*, [2020] SGCA 122.

97 *Syed Suhail bin Syed Zin v. Attorney-General*.

98 Amnesty International, “Singapore: Fair trial concerns must lead to urgent review of all death penalty cases” (Index: ACT 50/3092/2020), 21 September 2020, [amnesty.org/en/documents/act50/3092/2020/en/](https://www.amnesty.org/en/documents/act50/3092/2020/en/)

99 NBC News, “Singapore court sentences drug suspect to death on Zoom videoconferencing app”, 20 May 2020, [nbcnews.com/news/world/singapore-court-sentences-drug-suspect-death-zoom-videoconferencing-app-n1211126](https://www.nbcnews.com/news/world/singapore-court-sentences-drug-suspect-death-zoom-videoconferencing-app-n1211126)

100 Court of Appeal of Singapore, *Syed Suhail bin Syed Zin v. Public Prosecutor*, [2020] SGCA 101, para. 12; and *Datchinamurthy a/l Kataiah and Gobi a/l Avedian v. Attorney-General*, [2020] SGCA 77.

101 Court of Appeal of Singapore, *Ilechukwu Uchechukwu Chukwudi v. Public Prosecutor*, [2020] SGCA 90.



diagnosed him as suffering from Post-Traumatic Stress Disorder (PTSD) with dissociative symptoms, as a result of childhood trauma. The expert held that the PTSD symptoms were triggered when he was told that he faced the death penalty and had likely led to the assertions made during interrogation. This allowed for his case to be reopened in 2017 and his eventual acquittal in September 2020.

In June the High Court of Busan in **South Korea** commuted the death sentence imposed on a man in November 2019, on the grounds that he had a severe mental (psycho-social) disability; the Supreme Court affirmed the decision in October.<sup>102</sup> Official figures provided to Amnesty International indicated that at the end of the year, 60 men, including two civilian foreign nationals and four military personnel, were on death row with their death sentences being final.

The Supreme Court of **Sri Lanka** extended the stay order that it had put in place to halt the resumption of executions authorized by then President Maithripala Sirisena in June 2019.<sup>103</sup> The order was pronounced to allow for the consideration of petitions stating that the arbitrary selection of four prisoners and the secrecy surrounding the execution order and preparations violated the rights of those facing the death penalty. At least 16 men, including one foreign national, were sentenced to death during the year. Three had been convicted of drug-related offences.

On 1 April, the authorities in **Taiwan** shot a man convicted of arson resulting in death, in the first execution since 2018.<sup>104</sup> Five new death sentences were imposed, including on one woman, and one man had his death sentence finalized. In May, the High Court of Tainan acquitted Hsieh Chih-hung, who had been released pending retrial in 2019 after spending 18 years under sentence of death.<sup>105</sup> The authorities indicated to Amnesty International that 38 people, including one woman, were on death row at the end of 2020 with their sentences being final. On 15 July, the Ministry of Justice amended the “Rules for the Execution of the Death Penalty”, introducing the right for death row prisoners to arrange religious ceremonies of their choosing ahead of their execution and psychological counselling for the executioners, in an implicit acknowledgment of the impact of the death penalty on all those involved. The amended regulations, however, failed to require that relatives of the prisoner be provided with notice of any scheduled executions or to exclude those with severe mental or intellectual disabilities from the use of the death penalty, among other concerns.

Official figures provided to Amnesty International indicated that 35 new death sentences were imposed in **Thailand**; 15 foreign nationals were among the 235 people under sentence of death at the end of the year. King Maha Vajiralongkorn Badinthepp Thearawangkun issued royal pardons on two occasions in August and December, which resulted in the commutation of 107 death sentences.<sup>106</sup> Twenty-two people were exonerated. At least seven men and one woman were sentenced to death for drug-related offences; figures published by the Department of Corrections on 1 December indicated that 131 people, including 26 women, out of 240 (55%) were on death row for this type of crime.

Data on the use of the death penalty in **Viet Nam** continued to remain classified as state secret. On 16 October, national media reported that the government had submitted, with the approval of the Prime Minister, a report to the National Assembly that noted that as of 30 September the number of people sentenced to death increased by 440, or 34%, compared with the same period in 2019. This figure alone does not allow for an accurate calculation of the number of death sentences imposed during 2020, because of possible decreases in the total linked to any commutations and as the reporting period is not clearly defined and comparable. However, it indicates that hundreds of people continued to be sentenced to death yearly, and that approximately 1,734 people were under sentence of death as of end of September 2020. The report also highlighted the government's concern at overcrowding and other detention conditions of

102 KBS World, “Supreme Court upholds life sentence for arson-homicide case”, 29 October 2020, [world.kbs.co.kr/service/news\\_view.htm?lang=e&Seq\\_Code=157233](http://world.kbs.co.kr/service/news_view.htm?lang=e&Seq_Code=157233)

103 Colombo Gazette, “FRs against death penalty listed for support on 14 October”, 29 May 2020, [colombogazette.com/2020/05/29/frs-against-death-penalty-listed-for-support-on-14-october](http://colombogazette.com/2020/05/29/frs-against-death-penalty-listed-for-support-on-14-october)

104 Amnesty International Taiwan, “Taiwan: Second execution under President Tsai Ing-wen, a disgraceful setback to human rights”, 2 April 2020, [amnesty.tw/news/3381](https://www.amnesty.tw/news/3381)

105 Taipei Times, “After 19 years on death row, Hsieh Chih-hung freed”, 16 May 2020, [taipeitimes.com/News/front/archives/2020/05/16/2003736489](https://www.taipeitimes.com/News/front/archives/2020/05/16/2003736489)

106 Royal Decree of Amnesty B.E. 2020 of 13 August 2020; and Royal Decree issued on the occasion of the royal birth of His Majesty the King Maha Bhumibol Adulyadej the Great Borommanat Bophit on National Day and National Father's Day, 2020, of 4 December 2020.

those facing the death penalty, noting that 57 out of 69 detention facilities had built separate detention areas to house those on death row, with a total of 700 cells with capacity for more than 1,200 prisoners – a figure that is in line with the estimated 1,734 total.

Amnesty International continued to monitor reports on the use of the death penalty during the year, but was only able to gather information on 54 new death sentences. Seven of these were imposed on women; 10 on foreign nationals. Forty-seven were imposed for drug-related offences and two for embezzlement – offences which do not meet the threshold of the “most serious crimes” under international law and standards.

The government issued Decree No. 43/2020, effective from 15 April, and Joint Circular No. 02/2020, effective from 1 December, to set out the process, timelines and the roles and responsibilities of the authorities in the carrying out of executions by lethal injection. Among other elements, the directives allow family members of the executed prisoner, including if they are foreign nationals, to apply for the return of the body or ashes.

On 8 May, the Supreme People's Court affirmed at its final cassation level the conviction of and death sentence imposed on Hồ Duy Hải.<sup>107</sup> On 15 June, two members of the National Assembly petitioned it to review his case, which was assigned to its Judiciary Committee. Vietnamese media reported in November that the Judiciary Committee had submitted its report on the case on 14 August, but the findings were not made public. Hồ Duy Hải maintained that he was forced to “confess” to the murder through torture during police interrogation and later retracted the “confession”. His case has been marred by further procedural irregularities and disregard of key exculpatory evidence. He came close to execution twice in the past decade.<sup>108</sup>

107 Radio Free Asia, “Vietnam's Supreme Court reaffirms death sentence in decade-old Ho Duy Hai murder case”, 15 June 2020, [rfa.org/english/news/vietnam/ho-06152020195024.html](https://www.rfa.org/english/news/vietnam/ho-06152020195024.html)

108 See Amnesty International, *Death Sentences and Executions in 2019* (Index: ACT 50/9870/2019), 21 April 2020, [amnesty.org/en/documents/act50/1847/2020/en/](https://www.amnesty.org/en/documents/act50/1847/2020/en/), p. 27.

# EUROPE AND CENTRAL ASIA

## REGIONAL TRENDS

- While Belarus continued to impose death sentences, there were no executions in 2020.
- Kazakhstan, the Russian Federation and Tajikistan continued to observe moratoriums on executions.
- Kazakhstan signed and moved to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

COUNTRY	2020 RECORDED EXECUTIONS	2020 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2020
BELARUS	0	3	4
KAZAKHSTAN	0	0	1
RUSSIAN FEDERATION	0	0	0
TAJIKISTAN	0	0	0

## NOTABLE COUNTRY DEVELOPMENTS

On 10 January, the Mahilyou Regional Court in **Belarus** convicted brothers Illia Kostseu, 21, and Stanislau Kostseu, 19, of murder and sentenced them to death.<sup>109</sup> The decision became final on 22 May, after the Supreme Court upheld both the convictions and sentences.<sup>110</sup> Both men petitioned President Alyaksandr Lukashenka for clemency, but the outcome of the decision was not known at the end of the year. Prisoners in Belarus are typically not told of decisions on clemency petitions, until they are taken away to be executed. Their families and lawyers are usually notified of the executions only weeks or months after they are carried out.

On 6 March, the Minsk Regional Court convicted and sentenced to death Viktor Skrundzik. Skrundzik appealed the verdict and on 30 June, the Supreme Court overturned his conviction and death sentence and ordered a retrial.<sup>111</sup> Hearings in the new trial began in September, but were suspended in October, due to the COVID-19 pandemic.<sup>112</sup>

Viktor Serhel lost his Supreme Court appeal against the conviction and death sentence for murder.<sup>113</sup> He appealed for clemency from the president and was at risk of execution at the end of the year.

On 12 March, the UN Human Rights Committee adopted its views in the case of Hennadz Yakavistki, concluding that Belarus violated the right to a fair trial guaranteed under Article 14 of the International

109 Human Rights Center “Viasna”, “Two men sentenced to death in Čerykaŭ”, 10 January 2020, [dp.spring96.org/en/news/95682](https://dp.spring96.org/en/news/95682)

110 Amnesty International, “Belarus: Stop execution of two young brothers: Stanislau and Illia Kostseu” (Index: EUR 49/2533/2020), 19 June 2020, [amnesty.org/en/documents/EUR49/2533/2020/en/](https://amnesty.org/en/documents/EUR49/2533/2020/en/)

111 Human Rights Center “Viasna”, “Supreme Court quashes death sentence in double murder case”, 30 June 2020, [spring96.org/en/news/97957](https://spring96.org/en/news/97957)

112 Human Rights Center “Viasna”, “Man re-sentenced to death after retrial in Sluck”, 15 January 2021, [dp.spring96.org/en/news/101329](https://dp.spring96.org/en/news/101329)

113 Amnesty International, “Belarus must not execute Viktor Serhil” (Index: EUR 49/1845/2020), 19 February 2020, [amnesty.org/en/documents/eur49/1845/2020/en/](https://amnesty.org/en/documents/eur49/1845/2020/en/)

Covenant on Civil and Political Rights (ICCPR).<sup>114</sup> Despite the fact that in 2016 the Committee asked Belarus not to execute Yakavistki while his complaint was being considered, the prisoner was executed in Minsk on 5 November 2016. The UN Committee concluded that the execution constituted a violation of the right to life under Article 6 of the ICCPR; and that by proceeding with it, despite the Committee’s request for interim measures, Belarus violated its obligations as a state party to the first Optional Protocol to the Covenant.

The European Parliament expressed concerns about the retention of the death penalty, stating that it “strongly condemns the ongoing application of the death penalty and calls for its immediate and permanent abolition and, pending this, a moratorium on capital punishment and an effective right to appeal against death penalty sentences”.<sup>115</sup>

On 23 September, **Kazakhstan** signed the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty.<sup>116</sup> On 29 December, the Senate of Kazakhstan’s parliament passed the Law on ratification of the Protocol. The Law, which still required enactment by the President at year’s end, contains a reservation that provides for the application of the death penalty in time of war.

114 UN Human Rights Committee, Communication No. 2789/2016, 24 June 2020, UN Doc. CCPR/C/128/D/2789/2016.

115 European Parliament, “The continuous violations of human rights in Belarus, in particular the murder of Raman Bandarenka”, RC-B9-0389/2020, 26 November 2020, [europarl.europa.eu/doceo/document/TA-9-2020-0331\\_EN.html](https://europarl.europa.eu/doceo/document/TA-9-2020-0331_EN.html)

116 Amnesty International, “Kazakhstan takes important step towards abolishing death penalty”, 24 September 2020, [amnesty.org/en/latest/news/2020/09/kazakhstan-takes-important-step-towards-abolishing-death-penalty/](https://amnesty.org/en/latest/news/2020/09/kazakhstan-takes-important-step-towards-abolishing-death-penalty/)



# MIDDLE EAST AND NORTH AFRICA

## REGIONAL TRENDS

- Recorded executions decreased by 25% to lowest in a decade, with a significant drop in Saudi Arabia and Iraq.
- Executions recorded in eight countries, marked by a sharp increase in Egypt and the resumption of executions in Oman and Qatar.
- Recorded death sentences decreased by 11%.

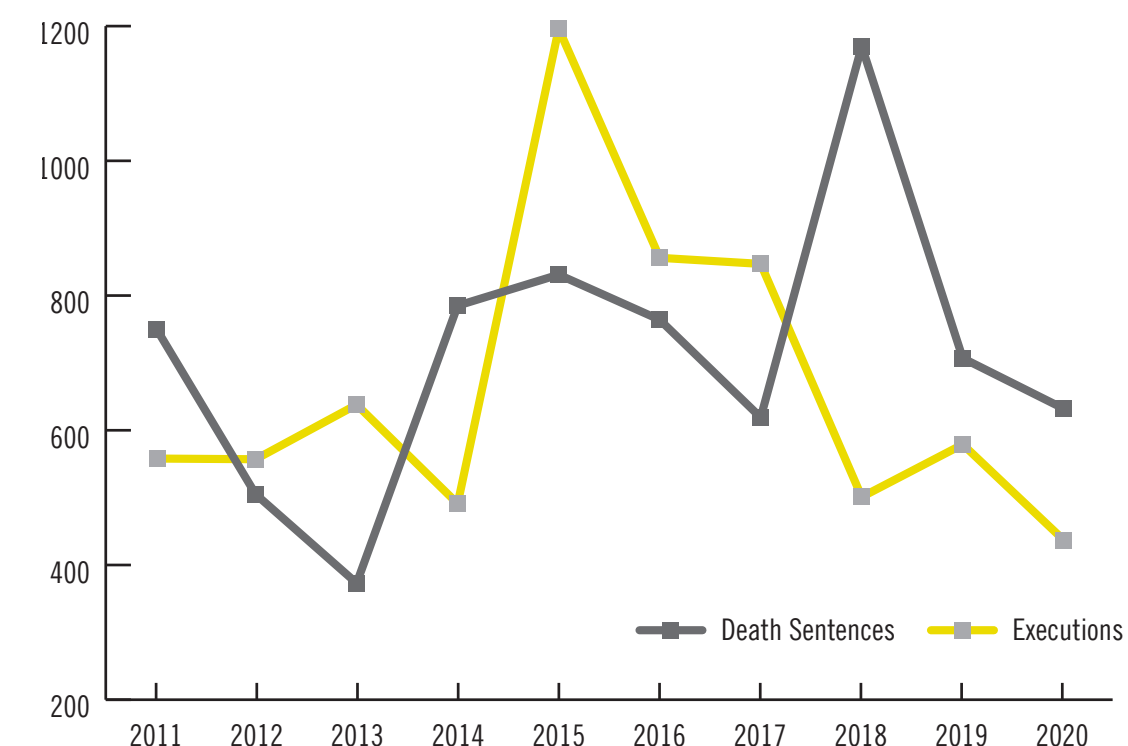
COUNTRY	2020 RECORDED EXECUTIONS	2020 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2020
ALGERIA	0	1+	+
BAHRAIN	0	3	27+
EGYPT	107+	264+	+
IRAN	246+	+	+
IRAQ	45+	27+	7,900+
ISRAEL <sup>117</sup>	0	0	0
JORDAN	0	2+	120+
KUWAIT	0	2+	+
LEBANON	0	1+	+
LIBYA	0	17+	17+
MOROCCO/WESTERN SAHARA	0	1+	+
OMAN	4	0	+
PALESTINE (STATE OF)	0	17+ <sup>118</sup>	125+
QATAR	1	4+	+
SAUDI ARABIA	27	8+	+
SYRIA	+	+	+
TUNISIA	0	8+	+
UNITED ARAB EMIRATES	0	4+	+
YEMEN	5+	269+	323+

The use of the death penalty in the Middle East and North Africa region decreased in 2020. Recorded executions went down by 25%, from 579 in 2019 to 437 in 2020; and recorded death sentences fell by 11% from 707 in 2019 to 632 in 2020.

<sup>117</sup> Amnesty International classifies Israel as abolitionist for ordinary crimes because its laws provide for the death penalty only for exceptional crimes such as crimes under military law or crimes committed in exceptional circumstances.

<sup>118</sup> These death sentences were imposed by courts run by the Hamas de facto administration in the Gaza Strip. Seven of the death sentences were imposed after trials in which defendants were absent.

## EXECUTIONS AND DEATH SENTENCES RECORDED IN THE MIDDLE EAST AND NORTH AFRICA (2011-2020)

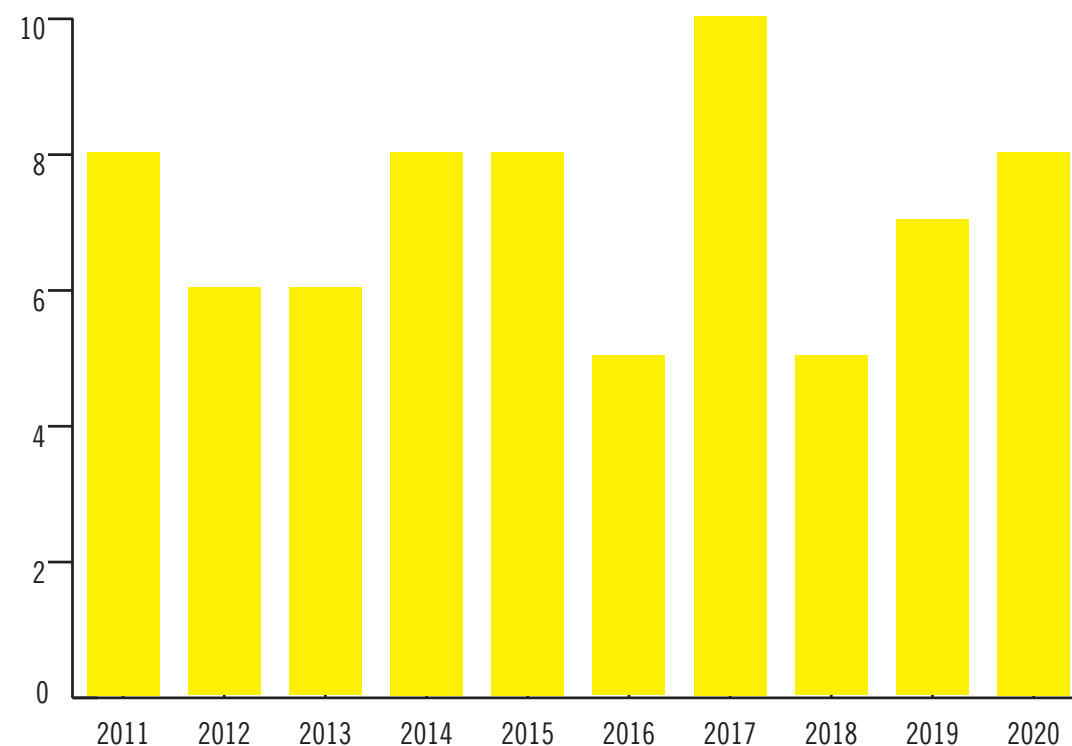


Amnesty International recorded executions in eight countries – Egypt, Iran, Iraq, Oman, Qatar, Saudi Arabia, Syria and Yemen – in the region. The 437 executions recorded in 2020 were the lowest in a decade with the decrease in recorded executions in Saudi Arabia and Iraq mainly responsible for the reduction. Recorded executions declined sharply by 85% in Saudi Arabia, from 184 in 2019 to 27 in 2020, and there was a 55% drop in recorded executions in Iraq, from 100 in 2019 to 45 in 2020. Also, there was a modest reduction in recorded executions in Iran (251 in 2019 to 246 in 2020) and Yemen (seven in 2019 to five in 2020). However, Egypt bucked that trend as recorded executions rose more than threefold from 32 in 2019 to 107 in 2020 and it overtook Saudi Arabia as the country with the second highest executions in the region. Oman and Qatar resumed executions, carrying out their first known executions in years. Like in 2019, Amnesty International was able to corroborate information that executions occurred in Syria in 2020 but had insufficient information to provide a credible minimum figure. Iran remained the top executing country in the Middle East and North Africa and carried out 56% of recorded executions in the region. Two countries – Iran and Egypt – carried out 81% of recorded executions in the region.

Amnesty International recorded the imposition of death sentences in the whole region except in Israel – which is abolitionist for ordinary crimes only<sup>119</sup> – and Oman. Compared to the previous year, recorded death sentences increased sharply in Yemen (from 55 to 269), Libya (from 0 to 17) and Palestine (State of) (from four to 17); while they decreased in Egypt (from 435 to 264).

<sup>119</sup> Countries whose laws provide for the death penalty only for exceptional crimes such as crimes under military law or crimes committed in exceptional circumstances.

## COUNTRIES KNOWN TO HAVE CARRIED OUT EXECUTIONS IN THE MIDDLE EAST AND NORTH AFRICA (2011-2020)



## NOTABLE COUNTRY DEVELOPMENTS

At least one death sentence was imposed in **Algeria**. In January, a man was sentenced to death by the Criminal Court in Annaba after being convicted of killing his ex-wife.<sup>120</sup> In May, the authorities made public the draft of a new Constitution.<sup>121</sup> Article 38 of the draft constitution provides that “the right to life is inherently attached to the human person, and no one should be deprived of it arbitrarily”. The article did not fully guarantee the right to life and effectively allows the use of the death penalty provided for by law.

In **Bahrain**, the Court of Cassation reaffirmed the death sentences of Mohamed Ramadhan and Hussain Moosa in July, despite evidence that the men were tortured during their interrogation.<sup>122</sup> The two men were convicted of killing a policeman in 2014 following a grossly unfair trial. Their 2015 final death sentence verdict was subject to a retrial following medical records attesting to the men’s torture, which were submitted by the Special Investigations Unit affiliated to the Ministry of Health. The men had exhausted all rights of appeal and became at risk of execution.

In **Egypt**, there was a significant increase in the number of executions; the 107 executions recorded by Amnesty International were more than three times higher than the 32 executions recorded in 2019. At least

23 of the executed men were sentenced to death in cases relating to political violence following grossly unfair trials marred by forced “confessions” and other serious human rights violations including torture and enforced disappearances.

On 24 February, the authorities executed eight men in the early hours of the morning in Borg el-Arab prison, Alexandria.<sup>123</sup> The men were among 17 defendants who were sentenced to death following an unfair trial by a military court in October 2018 in relation to deadly attacks on three churches and a police checkpoint that killed 88 individuals. According to court documents, several defendants in the case told prosecutors they were subjected to enforced disappearance and torture. No independent, impartial or effective investigations were carried out into these claims.

A spike in executions during the year was recorded in October and November when the authorities executed at least 57 people – 53 men and four women.<sup>124</sup> The executions followed an incident at the Tora Prison Complex, south of Cairo, on 23 September, when four prisoners on death row and four members of security forces were killed. Officials blamed the violence on an alleged escape attempt by prisoners. However, there has not been an independent and transparent investigation into the incident. Of the 57 people, 15 men were convicted of murder in cases related to political violence, and 38 men and the four women were convicted of murder in regular cases. Two of the men executed were also convicted of rape. On 3 October, the authorities executed two men convicted in a mass trial in the case known as “Alexandria Library events” for involvement in political violence that took place in the aftermath of the authorities’ deadly dispersal of the Rabaa Square sit-in in August 2013.

On 4 October, 10 men who were convicted and sentenced to death, in the case known as “Agnad Masr” involving violent attacks on officials and public property, were executed. The defendants told Supreme State Security Prosecutors that they had been subjected to enforced disappearance and torture; however, there was no investigation into their complaints. One of the men executed, Gamal Zaki, had appeared in a video “confession” broadcast on several media outlets before the trial was concluded, severely undermining his right to a fair trial, including his right not to incriminate himself and his right to the presumption of innocence. Three other men who were executed on 4 October had been convicted in another case of political violence in the aftermath of the authorities’ dispersal of the Rabaa Square sit-in.

Recorded death sentences decreased from 435 in 2019 to 264 in 2020. The decline in the number of recorded death sentences may be due to the limited access to information on prisoners sentenced to death in cases unrelated to political violence; the reduction in the number of mass trials in which death sentences were imposed compared to previous years; and temporary court closures and delays in trials due to the Covid-19 pandemic. On 2 March, 37 people were sentenced to death by the Cairo Criminal Court following their conviction on terrorism-related charges.<sup>125</sup> The 37 people were among 208 people convicted of carrying out 54 armed attacks between 2013 and 2014. In July, the Court of Cassation (highest appeals court) upheld the death sentence against Wael Tawadros, known as Father Isaiah, a monk who was convicted of killing Bishop Anba Epiphanius in April 2019. Wael Tawadros was sentenced to death following a grossly unfair trial, where the court relied on his torture-tainted “confessions” to secure a conviction. He was also denied the right to an adequate defence.<sup>126</sup> Security forces subjected Wael Tawadros to an enforced disappearance between 2 and 28 August 2018. According to a video statement given by Wael Tawadros in court, examined by Amnesty International, during this period, security officers stripped him naked, took him to the monastery where the murder took place and told him to wear his monk robe. He was then beaten, given electric shocks, and ordered to act out the alleged murder on camera. Wael Tawadros said that when a judge ordered that he be taken to hospital for a medical test, an officer ordered a medical worker to falsely write that he was fine.

<sup>120</sup> L’Expression, “Il a tué sa femme dans la cour d’une école à Annaba Peine de mort pour l’ex-mari”, 11 January 2020, [lexpressiondz.com/nationale/peine-de-mort-pour-l-ex-mari-325948](https://lexpressiondz.com/nationale/peine-de-mort-pour-l-ex-mari-325948)

<sup>121</sup> Amnesty International, “Algerian draft constitution: Human rights concerns” (Index: MDE 28/2601/2020), 25 June 2020, [amnesty.org/en/documents/mde28/2601/2020/en/](https://www.amnesty.org/en/documents/mde28/2601/2020/en/)

<sup>122</sup> Amnesty International, “Bahrain: Two men facing execution lose last court appeal despite torture-extracted ‘confessions’”, 13 July 2020, [amnesty.org/en/latest/news/2020/07/bahrain-two-men-facing-execution-lose-last-court-appeal-despite-torture-extracted-confessions](https://www.amnesty.org/en/latest/news/2020/07/bahrain-two-men-facing-execution-lose-last-court-appeal-despite-torture-extracted-confessions)

<sup>123</sup> Amnesty International, “Egypt: Eight men put to death in mass execution”, 24 February 2020, [amnesty.org/en/latest/news/2020/02/egypt-eight-men-put-to-death-in-mass-execution](https://www.amnesty.org/en/latest/news/2020/02/egypt-eight-men-put-to-death-in-mass-execution)

<sup>124</sup> Amnesty International, “Egypt: Chilling rise in executions reveals depth of human rights crisis”, 2 December 2020, [amnesty.org/en/latest/news/2020/12/egypt-chilling-rise-in-executions-reveals-depth-of-human-rights-crisis](https://www.amnesty.org/en/latest/news/2020/12/egypt-chilling-rise-in-executions-reveals-depth-of-human-rights-crisis)

<sup>125</sup> Amnesty International, “Egypt: Death sentences against 37 convicted of terrorism after unfair trial”, 2 March 2020, [amnesty.org/en/latest/news/2020/03/egypt-death-sentences-against-37-convicted-of-terrorism-after-unfair-trial](https://www.amnesty.org/en/latest/news/2020/03/egypt-death-sentences-against-37-convicted-of-terrorism-after-unfair-trial)

<sup>126</sup> Amnesty International, “Egypt: Chilling rise in executions reveals depth of human rights crisis”, 2 December 2020, [amnesty.org/en/latest/news/2020/12/egypt-chilling-rise-in-executions-reveals-depth-of-human-rights-crisis](https://www.amnesty.org/en/latest/news/2020/12/egypt-chilling-rise-in-executions-reveals-depth-of-human-rights-crisis)

Iran carried out at least 246 executions. Executions continued to be lower than they were before the amendments to the anti-narcotics law came into effect in November 2017, which has resulted in a reduction in the number of people sentenced to death and executed for drug-related offences in the country. Of the 246 executions recorded by Amnesty International, 194 were for murder; 23 were for drug-related offences; 12 were for rape; four were for “armed insurrection against the state” (*baghi*); five were for “enmity against God” (*moharebeh*); two were for murder and rape; two were for espionage; two were for unknown crimes; one was for “spreading corruption on earth” (*efsad fil arz*); and one was for drinking alcohol.<sup>127</sup> One execution was carried out in public and nine women were executed.

Hanging and shooting were the methods of execution recorded during the year.<sup>128</sup> Although the Islamic Penal Code continued to provide for stoning, Amnesty International did not record any execution by stoning during the year.

The death penalty was maintained in law for some consensual same-sex sexual conduct and extramarital sexual relations, some drugs offences, and for vaguely worded offences such as “insulting the Prophet”, “enmity against God” and “spreading corruption on earth”.

The death penalty was increasingly used as a weapon of political repression against dissidents, protesters and members of ethnic minority groups.

In December, dissident journalist Ruhollah Zam was executed in connection with his anti-establishment social media news channel, Amad News.<sup>129</sup> Ruhollah Zam, who had fled Iran following the 2009 post-election protests, was abducted during a visit to Iraq in October 2019 and forcibly returned to Iran. He was held without any contact with his family or lawyers for nine months, after which he was only allowed to meet with his court-appointed lawyer in the presence of intelligence and security agents. In June, following a grossly unfair trial, he was sentenced to death by Branch 15 of the Revolutionary Court in Tehran for “spreading corruption on earth” in connection with Amad News. The channel, which operated on the mobile phone app Telegram and had more than a million followers, broadcast videos of protests and information about the alleged involvement of various authority figures in corruption. The authorities claimed both publicly and in court documents that his media work involved “espionage” for Israel and France, “cooperation with the hostile state of the United States”, “crimes against national security” and “spreading propaganda against the system”.

The authorities brought vague and overly broad criminal charges that carry the death penalty against protesters. Scores of protesters who had been arrested in connection with the November 2019 protests were charged with “enmity against God”, “spreading corruption on earth” or “armed insurrection against the state”. Several were sentenced to death following unfair trials that relied on torture-tainted “confessions”.<sup>130</sup>

In February, Branch 15 of the Revolutionary Court in Tehran convicted Amirhossein Moradi, Mohammad Rajabi and Saeed Tamjidi of several charges including “enmity against God” (*moharebeh*) in connection with acts of arson that took place during protests in November 2019.<sup>131</sup> They were sentenced to death following a trial that was grossly unfair; they were denied access to lawyers during the investigation phase and said they were tortured. Amirhossein Moradi said he was tortured into giving a “confession” that was broadcast on state television and used as evidence to convict them. In December, the Supreme Court quashed their death sentences during a judicial review of their case and sent it back to a lower court.

On 5 August, a protester – Mostafa Salehi – was executed in a prison in Esfahan province, despite serious concerns about violations of his right to a fair trial, including the denial of access to a lawyer during the investigation phase of his case. Mostafa Salehi, who maintained his innocence, was sentenced to death in

<sup>127</sup> Under Iran’s Islamic Penal Code, consumption of alcoholic beverages is punishable by 80 lashes, and if an individual is convicted and sentenced three times, the punishment on the fourth occasion is death.

<sup>128</sup> For the first time since the 1980s, shooting was recorded as a method of execution in Iran.

<sup>129</sup> Amnesty International, “Iran: Execution of journalist Rouhollah Zam a ‘deadly blow’ to freedom of expression”, 12 December 2020, [amnesty.org/en/latest/news/2020/12/iran-execution-of-journalist-rouhollah-zam-a-deadly-blow-to-freedom-of-expression](https://www.amnesty.org/en/latest/news/2020/12/iran-execution-of-journalist-rouhollah-zam-a-deadly-blow-to-freedom-of-expression)

<sup>130</sup> Amnesty International, *Iran: Trampling Humanity – Mass Arrests, Disappearances and Torture Since Iran’s 2019 November Protests* (Index: MDE 13/2891/2020), 2 September 2020, [amnesty.org/en/documents/mde13/2891/2020/en](https://www.amnesty.org/en/documents/mde13/2891/2020/en)

<sup>131</sup> Amnesty International, “Iran: Three prisoners at risk of execution” (Index: MDE 13/1888/2020), 28 February 2020, [amnesty.org/en/documents/mde13/1888/2020/en/#:~:text=Amirhossein%20Moradi%2C%20Mohammad%20Rajabi%20and,Their%20trial%20was%20grossly%20unfair](https://www.amnesty.org/en/documents/mde13/1888/2020/en/#:~:text=Amirhossein%20Moradi%2C%20Mohammad%20Rajabi%20and,Their%20trial%20was%20grossly%20unfair)

connection with the death of a member of the security forces during nationwide protests that took place between December 2017 and January 2018.

Some of those executed during the year were members of Iran’s Kurdish and Baluchi minorities. Nine members of the Baluchi and 11 members of the Kurdish ethnic minorities were executed.

**HEDAYAT ABDOLLAHPOUR**



↑ © Hedayat Abdollahpour © Private

Hedayat Abdollahpour, a Kurdish prisoner who had been on death row since 2017, was secretly executed.<sup>132</sup> The authorities did not return his body to his family and refused to reveal the whereabouts of his remains. He had been sentenced to death in 2017 following a grossly unfair trial, in connection with an armed clash between the Revolutionary Guards and members of the Kurdish Democratic Party of Iran (KDPI) that took place in 2016. He was transferred on 9 May from the Central Prison of Urumieh, in West Azerbaijan province, to an undisclosed location. Over the following weeks, the authorities refused to provide his family and lawyers with any information regarding his fate or whereabouts.

On 24 June, his family was provided with a death certificate at the National Organization for Civil Registration in Oshnavieh, West Azerbaijan province, stating that he had “died” in Urumieh on 11 May as a result of “being hit by hard or sharp objects”. Amnesty International believes that this is consistent with reported claims made by the KDPI following his enforced disappearance that he was executed by firing squad in a Revolutionary Guards military base in Oshnavieh. On 10 June, the head of the centre for the implementation of sentences in Urumieh told his family that he had been executed in Oshnavieh weeks earlier.

Iran continued to use the death penalty against people who were below the age of 18 at the time of the crime, contrary to international law that strictly prohibits the use of the death penalty in such cases.<sup>133</sup> Under Iran’s Islamic Penal Code, boys aged above 15 lunar years and girls aged above nine lunar years who are convicted of murder and certain other capital crimes may be sentenced to death in the same way as adults. The law grants judges the discretion to replace the death penalty with an alternative sentence if they find that there are doubts about the individual’s comprehension of the nature of the crime or consequences, or their full “mental growth and maturity” (*roshd va kamal-e aghli*) at the time of the crime. During the year Amnesty International recorded the execution of three people – Majid Esmailzadeh, Mohammad Hassan Rezaiee and Shayan Saeedpour – who were below the age of 18 at the time of the crime.

On 21 April, Shayan Saeedpour, aged 21, was executed in the central prison in Saqqez, Kurdistan province.<sup>134</sup> A criminal court in Kurdistan province had sentenced him to death in October 2018 after convicting him of murder in connection with the fatal stabbing of a man during a fight in August 2015 when Shayan Saeedpour was 17 years old. Shayan Saeedpour had a mental disability and had been medically diagnosed with impulse control disorder prior to his arrest. Amnesty International understands that the Legal Medicine Organization, a state forensic institute, had stated in a submission to the trial court that Shayan

<sup>132</sup> Amnesty International, “Iran: Forcibly disappeared prisoner feared ‘executed by firing squad’”, 30 June 2020, [amnesty.org/en/latest/news/2020/06/iran-forcibly-disappeared-prisoner-feared-executed-by-firing-squad](https://www.amnesty.org/en/latest/news/2020/06/iran-forcibly-disappeared-prisoner-feared-executed-by-firing-squad)

<sup>133</sup> As a state party to the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, Iran is legally obliged to treat anyone under the age of 18 as a child and ensure that they are not subjected to the death penalty.

<sup>134</sup> Amnesty International, “Iran: Execution of young man ‘vengeful and cruel’”, 21 April 2020, [amnesty.org/en/latest/news/2020/04/iran-execution-of-young-man-vengeful-and-cruel](https://www.amnesty.org/en/latest/news/2020/04/iran-execution-of-young-man-vengeful-and-cruel)



Saeedpour had attained “mental growth and maturity” at the time of the crime and “could distinguish between right and wrong”, an assessment disputed by his lawyer and family. His lawyer had raised concerns that the trial court had not considered his medical diagnosis.

#### MOHAMMAD HASSAN REZAIEE



↑ ⓘ Mohammad Hassan Rezaiee  
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On 31 December, Mohammad Hassan Rezaiee was executed in Lakan prison in Rasht, Gilan province, after spending more than 12 years on death row.<sup>135</sup> He was 16 years old when he was arrested in 2007 in connection with the fatal stabbing of a man during a group fight. His trial was grossly unfair. Agents from the Investigation Unit of Iran’s Police (*agahi*), in Bandar-e Anzali, Gilan province, held him in prolonged solitary confinement without access to his family or lawyer. According to informed sources, they repeatedly tortured him to obtain “confessions”, including by beating him with sticks, kicking and punching him, and flogging him with hosepipes. During his trial before a criminal court in Gilan province in October 2008, the court relied on his forced “confessions” to convict and sentence him to death, even though he had retracted them in court and said that they were given under torture.

The authorities carried out some executions without announcing them in advance or giving advance notices to families or legal representatives of people executed, as required under Iranian law. For instance, authorities executed wrestler Navid Afkari in secret on 12 September without prior notice to him, his family or lawyer.<sup>136</sup> He had been given two death sentences – one for murder under the Islamic principle of “retribution in kind” (*qesas*) by a criminal court and a second one for “spreading corruption on earth” (*efsad f’il arz*) by a Revolutionary Court – in connection with the fatal stabbing of an intelligence agent, which took place on 2 August 2018 in Shiraz during protests and in which he denied any involvement, and various alleged peaceful and violent activities, primarily in the context of protests, which the authorities claimed threatened national security. His trial was grossly unfair and he was subjected to a catalogue of human rights violations including enforced disappearance, torture and other ill-treatment leading to forced “confessions”, and the denial of access to a lawyer at the investigation stage.

Death sentences were imposed in Iran during the year. However, due to the lack of transparency of the authorities on the use of the death penalty and insufficient information, Amnesty International was unable to provide a credible minimum figure for death sentences.

In October, the Supreme Court overturned the death sentence of Barzan Nasrollahzadeh, who had been sentenced to death in 2013 for a crime that was committed in 2010 when he was just 17 years old.<sup>137</sup> The Supreme Court reduced his sentence to a term of imprisonment; he was released in October after being deemed to have completed his sentence.

In **Iraq**, the authorities carried out the mass execution of 21 people on 17 November; they included individuals allegedly affiliated to the armed group calling itself “Islamic State” and convicted of terror-related

charges.<sup>138</sup> The Court of Appeal in Erbil upheld the death sentence of Abdulrahman Aar (also known as Mehmet Besiksiz) on 23 September. Abdulrahman Aar, an ethnically Kurdish citizen of Turkey, had been arrested, along with several other individuals, in Erbil on 20 July 2019 by the Counter Terrorism Department of the Kurdistan Regional Government, in connection with the killing of a Turkish diplomat. Due to the Covid-19 pandemic, the courts were closed for many months during the year.

In **Kuwait**, five commutations were recorded. The Court of Cassation commuted two death sentences to life imprisonment in February;<sup>139</sup> in July the Court commuted the death sentence of three brothers – one to life imprisonment and the other two to 10 years’ imprisonment.<sup>140</sup>

The Court of Cassation in **Lebanon** quashed one death sentence in February, and a hearing was ordered for March.<sup>141</sup> At the end of the year the status of the case was unclear.

In **Morocco/Western Sahara**, King Mohammed VI commuted two death sentences to life imprisonment in commemoration of Throne Day.<sup>142</sup>

The government of **Oman** informed Amnesty International that four people – three men and one woman – were executed on 30 December for premeditated murder; no death sentence was imposed; no pardon was granted; and the Court of Cassation commuted two death sentences to life imprisonment and a fine in July. The government clarified that the four people executed were sentenced to death under Article 237 of the Penal Code in previous years before 2020 and the commutations were granted to two people convicted of drug-related offences in 2019. The government explained further that the Covid-19 pandemic did not affect or influence any procedures related to the death penalty and no Covid-19-related deaths occurred among people on death row. The executions in Oman marked the resumption of implementation of death sentences; prior to this, the last known execution in the country was carried out in 2015.

In October, His Majesty Sultan Haitham Bin Tarik issued Royal Decree No. 120/2020 on the amendment of some provisions of the Law on Penal Procedures, with implications on the use of the death penalty in the country. Article (1) of the law provides: “The Criminal Court shall not issue a verdict for a death sentence except upon full consensus/unanimity of views. Prior to issuing such a verdict, the Criminal Court must send the related documents to a committee to be formed by orders of His Majesty the Sultan under the chairmanship of the Grand Mufti of the Sultanate or his assistant, along with the membership of two persons of expertise to be nominated by the Chairman of the Committee to offer their opinion from a Sharia-based perspective. If the Committee’s opinion does not reach the said Court within the subsequent 60 days, the Court shall issue a verdict on the case. If no consensus is reached for a capital/death sentence, it shall be replaced with a life sentence (life imprisonment).”<sup>143</sup>

**Qatar** resumed executions in May when it executed Anil Chaudhary, a Nepali national, by shooting following the confirmation of his death sentence by the Court of Cassation.<sup>144</sup> Prior to the implementation of the death sentence, the last known execution in the country was carried out in 2000.

138 Amnesty International, “Iraq: Mass execution of 21 individuals is an outrage”, 17 November 2020, [amnesty.org/en/latest/news/2020/11/iraq-mass-execution-of-21-individuals-is-an-outrage](https://www.amnesty.org/en/latest/news/2020/11/iraq-mass-execution-of-21-individuals-is-an-outrage)

139 Al-Anbaa, “Cancelling the execution of two citizens who kidnapped a citizen from Salmiya and assaulted her in Jabriya”, 24 February 2020, [alanba.com.kw/ar/kuwait-news/incidents-issues/952843/24-02-2020](https://www.alanba.com.kw/ar/kuwait-news/incidents-issues/952843/24-02-2020)

140 Al-Anbaa, “The Court of Cassation cancels the execution of 3 brothers who avenged their brother against his murderer”, 13 July 2020, [nabd.com/s/74991032-ab3f21/](https://www.nabd.com/s/74991032-ab3f21/)

141 Middle East Monitor, “Lebanon overturns death sentence of rapist, murderer”, 21 February 2020, [middleeastmonitor.com/20200221-lebanon-overturns-death-sentence-of-rapist-murderer](https://www.middleeastmonitor.com/20200221-lebanon-overturns-death-sentence-of-rapist-murderer)

142 Morocco World News, “Throne Day: King Mohammed VI offers royal pardon to 1,446 convicts”, 29 July 2019, [moroccoworldnews.com/2020/07/312957/throne-day-king-mohammed-vi-offers-royal-pardon-to-1446-convicts](https://www.moroccoworldnews.com/2020/07/312957/throne-day-king-mohammed-vi-offers-royal-pardon-to-1446-convicts)

143 Times of Oman, “His Majesty Sultan Haitham Bin Tarik issues two Royal Decrees”, 12 October 2020, [timesofoman.com/article/his-majesty-sultan-haitham-bin-tarik-issues-two-royal-decrees](https://www.timesofoman.com/article/his-majesty-sultan-haitham-bin-tarik-issues-two-royal-decrees)

144 Khabarhub, “Nepali man shot to death in Qatar as punishment for murder”, 21 May 2020, [english.khabarhub.com/2020/21/98178](https://english.khabarhub.com/2020/21/98178)

135 Amnesty International, “Iran: Execution of young man arrested as a child an abhorrent violation of right to life” (Index: MDE 13/3478/2020), 31 December 2020, [amnesty.org/en/documents/mde13/3478/2020/en](https://www.amnesty.org/en/documents/mde13/3478/2020/en)

136 Amnesty International, “Iran: Secret execution of wrestler Navid Afkari a ‘travesty of justice’”, 12 September 2020, [amnesty.org/en/latest/news/2020/09/iran-secret-execution-of-wrestler-navid-afkari-a-travesty-of-justice](https://www.amnesty.org/en/latest/news/2020/09/iran-secret-execution-of-wrestler-navid-afkari-a-travesty-of-justice)

137 Amnesty International, “Iran: Stop imminent execution of three prisoners arrested as teenagers”, 22 February 2019, [amnesty.org/en/latest/news/2019/02/iran-stop-imminent-execution-of-three-prisoners-arrested-as-teenagers](https://www.amnesty.org/en/latest/news/2019/02/iran-stop-imminent-execution-of-three-prisoners-arrested-as-teenagers)

According to the Saudi Arabia Human Rights Commission, **Saudi Arabia** carried out 27 executions.<sup>145</sup> Of that number, Amnesty International was able to corroborate 25 executions,<sup>146</sup> of two women and 23 men: 19 for murder; five for drug-related offences; and one for a terrorism-related offence. Of the 25 executions corroborated, 16 were of Saudi Arabian nationals and the others were of nationals from the following countries: Egypt (1); Iraq (1); Jordan (2); Syria (3) and Yemen (2). There was a reduction in executions for ta'zir (discretionary) death sentences from January. However, there was no official change to Saudi laws on it, including the Saudi Drugs and Narcotics Control Law that provides that drug smuggling or related crimes are punishable by death under ta'zir.

The 27 recorded executions constituted an 85% drop in executions in Saudi Arabia compared to 2019 when 184 executions were recorded.<sup>147</sup> Also, it was the lowest number of executions recorded by Amnesty International since 2010 when Amnesty International confirmed 27 executions in the country. During the year the Saudi Press Agency, the official news agency of the Saudi Arabia government, officially published the details of the execution of 25 people. The fact that the Saudi Arabia Human Rights Commission announced that it documented 27 executions, two more than the Saudi Press Agency, raised some doubt about the real number of people executed by the authorities in 2020.

The Saudi Arabia Human Rights Commission had stated that “the sharp decrease [in executions] was brought about in part by a moratorium in death penalties in drug-related offences”.<sup>148</sup> The moratorium had not been previously announced officially in 2020, neither were the details published during the year. Amnesty International was unable to determine the extent to which the moratorium impacted the number of executions in 2020.<sup>149</sup> Nevertheless, two factors might have contributed to the significant drop in the number of executions in Saudi Arabia. Firstly, the Covid-19 pandemic during the year might have disrupted planned executions in Saudi Arabia. Secondly, Saudi Arabia's presidency of the G-20 and its hosting of the G-20 summit might have influenced the authorities not to carry out executions to avoid international scrutiny and criticism. From the end of July to November, when the G-20 summit was held,<sup>150</sup> no executions were carried out in Saudi Arabia. Saudi Arabia's presidency of the G-20 ended on 30 November; immediately after this, executions resumed in the country. Between 10 December and 31 December, nine people were executed.

145 Saudi Arabia Human Rights Commission, Twitter post, 19 January 2021, [twitter.com/HRCSaudi\\_EN/status/1351087958565281793](https://twitter.com/HRCSaudi_EN/status/1351087958565281793): “Saudi Arabia drastically decreases application of death penalty in 2020: 2020 marks lowest number of executions in Saudi Arabia for decades, decreasing executions by 85% since previous year”.

146 Amnesty International was unable to verify the details of two executions which the Saudi Arabia Human Rights Commission said they had documented.

147 The 184 executions recorded by Amnesty International in 2019 were the highest recorded using Amnesty International's research logs citing Ministry of Interior figures for Saudi Arabia since 2000. Prior to 2000, Amnesty International had recorded 192 executions in Saudi Arabia in 1995.

148 Saudi Arabia Human Rights Commission, Twitter post, 19 January 2021, [twitter.com/HRCSaudi\\_EN/status/1351087958565281793](https://twitter.com/HRCSaudi_EN/status/1351087958565281793): “Saudi Arabia drastically decreases application of death penalty in 2020: 2020 marks lowest number of executions in Saudi Arabia for decades, decreasing executions by 85% since previous year”.

149 In 2019, executions for drug-related offences were less than 50% of the total executions recorded. Of the 184 executions recorded in Saudi Arabia in 2019, 84 were for drug-related offences; 55 for murder; 37 for terrorism-related offences; five for rape; two for beating and rape; and one for armed robbery and rape.

150 The G-20 summit was scheduled to take place in Riyadh, Saudi Arabia from 21 to 22 November 2020. However, due to the Covid-19 pandemic, it was held virtually.

## RECORDED EXECUTIONS IN SAUDI ARABIA (2011-2020)



In April, a Royal Order was announced to end the use of the death penalty against people below the age of 18 at the time of the crime in cases not involving the counter-terror law, with the death penalty replaced with a maximum punishment of 10 years in prison.<sup>151</sup> By the end of the year, the authorities had not publicly published the Royal Order containing the announcement and its implementing regulations remained unclear.

In August, the Saudi Arabia Human Rights Commission announced that the country's public prosecutor had ordered a review into the death sentences of three young Shi'a activists – Ali al-Nimr, Abdullah al-Zaher and Dawood al-Marhoun – who were below the age of 18 at the time of arrest and had been at risk of execution.<sup>152</sup> They were aged 17, 16 and 17 respectively at the time of their arrest in 2012 and convicted and sentenced to death for offences relating to their participation in anti-government protests in Saudi Arabia's Eastern Province.

In December, the prosecution dropped its call for the death penalty for Mohammad al-Faraj and four other young men being tried in a mass trial. Mohammad al-Faraj and the young men belong to Saudi Arabia's Shi'a minority and are being tried for protest-related offences. Mohammad al-Faraj was 15 years old when he was arrested for protest-related offences he was accused of committing when he was between 9 and 10 years old. In a new charge sheet presented to the court in December, the prosecution demanded prison terms for the young men.

151 Amnesty International, “Saudi Arabia: Death penalty reform for minors falls short, and total abolition must now follow”, 27 April 2020, [amnesty.org/en/latest/news/2020/04/saudi-arabia-abolition-of-jvenile-death-penalty](https://www.amnesty.org/en/latest/news/2020/04/saudi-arabia-abolition-of-jvenile-death-penalty)

152 Saudi Arabia Human Rights Commission, Twitter post, 27 August 2020, [twitter.com/HRCSaudi\\_EN/status/1298934544515633153](https://twitter.com/HRCSaudi_EN/status/1298934544515633153): “Public prosecution refers for re-sentencing Ali al-Nimr, Dawoud al-Marhoun and Abdullah al-Zaher.”; Amnesty International, “Saudi Arabia: Review of young men's death sentences overdue step towards justice”, 27 August 2020, [amnesty.org/en/latest/news/2020/08/saudi-arabia-review-of-young-mens-death-sentences-overdue-step-towards-justice](https://www.amnesty.org/en/latest/news/2020/08/saudi-arabia-review-of-young-mens-death-sentences-overdue-step-towards-justice)



In March, President Bashar al-Assad of **Syria** issued Legislative Decree No. 6 that, among other things, commuted to life imprisonment the death sentences of prisoners for crimes committed before 22 March.<sup>153</sup> By the end of the year Amnesty International was unable to determine the number of death sentences commuted to life imprisonment under the decree.

President Kais Saied of **Tunisia** announced his position in favour of resuming executions during a National Security Council meeting in September where he stated that “murder deserves the death penalty”.<sup>154</sup> The President made the remarks following the recent murder of a girl in Ain Zaghuan. The last known execution in Tunisia was carried out in 1991.

The **United Arab Emirates** announced in November the legal reform to its laws that had provided reduced punishment, of between three and 15 years in prison, for “honour killings”.<sup>155</sup> The reform makes anyone convicted of “honour killings” liable to being punished with the death penalty, as in murder cases.

There was a substantial increase in recorded death sentences in **Yemen**; 269 death sentences were recorded compared to 55 in the previous year. On 23 March, a Huthi-run court in Yemen upheld the death sentence imposed on Hamid Haydara, a prisoner of conscience of the Baha’i faith.<sup>156</sup> Three days later, the head of the Sana’a-based Supreme Political Council of Yemen announced a pardon for Hamid Haydara.<sup>157</sup>

On 11 April, four journalists – Akram al-Walidi, Abdelkhaleq Amran, Hareth Hamid and Tawfiq al-Mansouri – were convicted and sentenced to death by the Huthi-run Specialized Criminal Court of Sana’a on trumped-up charges following a grossly unfair trial.<sup>158</sup> The four journalists had been detained since 2015. During their detention the men were forcibly disappeared, held in intermittent incommunicado detention and in solitary confinement, and deprived of access to medical care.

153 Al Masdar, “Syrian President issues general amnesty for all prisoners”, 22 March 2020, [almasdarnews.com/article/syrian-president-issues-general-amnesty-for-all-prisoners/](https://almasdarnews.com/article/syrian-president-issues-general-amnesty-for-all-prisoners/)

154 Amnesty International, “Tunisia: Presidential statement in favour of death penalty is shocking”, 29 September 2020, [amnesty.org/en/latest/news/2020/09/tunisia-presidential-statement-in-favour-of-death-penalty-is-shocking](https://www.amnesty.org/en/latest/news/2020/09/tunisia-presidential-statement-in-favour-of-death-penalty-is-shocking)

155 DW, “UAE gets rid of ‘honor’ killing defense in major legal overhaul”, 7 November 2020, [dw.com/en/uae-gets-rid-of-honor-killing-defense-in-major-legal-overhaul/a-55529396](https://www.dw.com/en/uae-gets-rid-of-honor-killing-defense-in-major-legal-overhaul/a-55529396)

156 Amnesty International, “Yemen: Huthi-run court upholds death sentence against Baha’i prisoner of conscience”, 23 March 2020, [amnesty.org/en/latest/news/2020/03/yemen-huthirun-court-upholds-death-sentence-against-bahai-prisoner-of-conscience](https://www.amnesty.org/en/latest/news/2020/03/yemen-huthirun-court-upholds-death-sentence-against-bahai-prisoner-of-conscience)

157 Amnesty International, “Yemen: Huthi authorities’ decision to release Baha’i prisoners is ‘positive signal’”, 26 March 2020, [amnesty.org/en/latest/news/2020/03/yemen-huthi-authorities-decision-to-release-bahai-prisoners-is-positive-signal](https://www.amnesty.org/en/latest/news/2020/03/yemen-huthi-authorities-decision-to-release-bahai-prisoners-is-positive-signal)

158 Amnesty International, “Yemen: Court sentences four journalists to death” (Index: MDE 31/2139/2020), 21 April 2020, [amnesty.org/en/documents/mde31/2139/2020/en](https://www.amnesty.org/en/documents/mde31/2139/2020/en)

## SUB-SAHARAN AFRICA

### REGIONAL TRENDS

- The use of the death penalty reduced in the region; recorded executions fell by 36% and recorded death sentences dropped by 6%.
- Executions were recorded in three countries – Botswana, Somalia and South Sudan; one fewer compared with 2019.
- Chad became the 21<sup>st</sup> country in sub-Saharan Africa to abolish the death penalty for all crimes.
- Recorded commutation of death sentences increased by 87%.

COUNTRY	2020 RECORDED EXECUTIONS	2020 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2020
BOTSWANA	3	1	5
BURKINA FASO <sup>159</sup>	0	0	0
CAMEROON	0	1+	120+
CENTRAL AFRICAN REPUBLIC	0	0	0
CHAD	0	0	
COMOROS	0	1	1+
DEMOCRATIC REPUBLIC OF THE CONGO	0	20+	67+
EQUATORIAL GUINEA	0	0	
ERITREA	0	0	
ESWATINI (FORMER SWAZILAND)	0	0	1
ETHIOPIA	0	0	
GAMBIA	0	1	1+
GHANA	0	3	160
KENYA	0	+	1,000+
LESOTHO	0	0	0
LIBERIA	0	0	
MALAWI	0	2+	27
MALI	0	30	30+

159 Burkina Faso is abolitionist for ordinary crimes only. In 2018, the country removed the death penalty from its Penal Code; however, the death penalty remained in the Military Code of Justice.

COUNTRY	2020 RECORDED EXECUTIONS	2020 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2020
MAURITANIA	0	1+	123+
NIGER	0	3	
NIGERIA	0	58+	2,700+
SIERRA LEONE	0	39	94
SOMALIA	11+	+	+
SOUTH SUDAN	2+	6+	342+
SUDAN	0	10+	88+
TANZANIA	0	0	244+
UGANDA	0	0	133+
ZAMBIA	0	119	495
ZIMBABWE	0	6	88

Amnesty international recorded a decrease in executions and the imposition of death sentences in sub-Saharan Africa. Recorded executions in the region went down by 36%, from 25 in 2019 to 16 in 2020; and recorded death sentences fell by 6%, from 325 in 2019 to 305 in 2020.

Executions were recorded in three countries – Botswana, Somalia and South Sudan; one fewer than in 2019 as no execution was recorded in Sudan in 2020. Compared with the previous year, recorded executions went up in Botswana from 1 to 3; reduced in Somalia from 12 to 11; and fell sharply in South Sudan from 11 to 2. Death sentences were recorded in 18 countries in 2020, the same as 2019. Despite the overall reduction in recorded death sentences in the region, recorded death sentences increased in the following countries in 2020 compared with 2019: Cameroon (0 to 1); Comoros (0 to 1); Democratic Republic of the Congo (8 to 20); Mali (4 to 30); Nigeria (54 to 58); Sierra Leone (21 to 39); South Sudan (4 to 6); and Zambia (101 to 119).

Progress against the death penalty continued as Chad became the 21<sup>st</sup> country in the region to abolish the death penalty for all crimes. In addition, there was an increase in commutation of death sentences triggered by the mass commutations in Tanzania. At least 309 commutations were granted during the year; an 87% increase compared with last year when at least 165 commutations were granted.

## EXECUTIONS AND DEATH SENTENCES IN SUB-SAHARAN AFRICA (2011-2020)



## NOTABLE COUNTRY DEVELOPMENTS

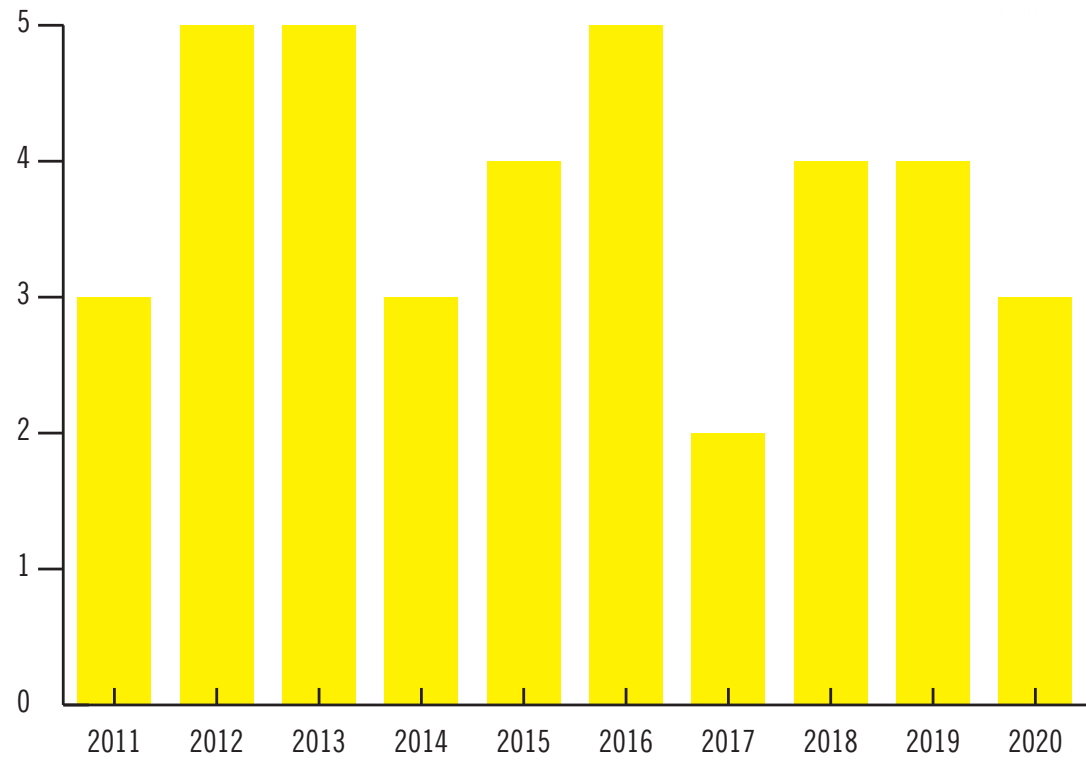
In **Botswana**, three people were executed by hanging during the year. On 21 February, the Botswana Prison Service announced that 29-year-old Mmika Michael Mpe was executed in the morning of that day.<sup>160</sup> He had been convicted and sentenced to death for the murder of his employer by the High Court of Botswana on 18 May 2018 and his appeal against conviction and sentence was dismissed by the Court of Appeal on 8 February 2019. On 28 March, the Botswana Prison Service announced the execution of 33-year-old Moabi Seabelo Mabiletsa and 39-year-old Matshidiso Tshid Boikanyo at the Gaborone Central Prison on the morning of that day.<sup>161</sup> Both men had been convicted and sentenced to death for murder by the Gaborone High Court. They appealed against the judgement, but the appeal was dismissed on 8 February 2019 by the Court of Appeal. The African Commission on Human and Peoples' Rights (The Commission) reacted to the execution of the two men and emphasized: "The Commission reiterates its opposition to the imposition of the death penalty as it constitutes a violation of Article 4 of the African Charter on Human and Peoples' Rights (the Charter), which specifically prohibits the arbitrary deprivation of the right to life and enshrines the integrity of persons and Article 5 of the Charter also prohibits cruel, inhuman or degrading punishment."<sup>162</sup> The Commission also urged Botswana to observe a moratorium on executions in line with the Commission's Resolution 136 on the Moratorium on the Death Penalty.

<sup>160</sup> Botswana Prison Service, "Execution of convict Mmika Michael Mpe", 21 February 2020, 1/14/2 I (81).

<sup>161</sup> Botswana Prison Service, Facebook post, 28 March 2020, [facebook.com/BotswanaGovernment/posts/press-release-the-botswana-prison-service-wishes-to-inform-the-public-that-the-e/2858778814204758/](https://facebook.com/BotswanaGovernment/posts/press-release-the-botswana-prison-service-wishes-to-inform-the-public-that-the-e/2858778814204758/)

<sup>162</sup> The African Commission on Human and People's Rights, "Press release on the execution of Moabi Seabelo Mabiletsa and Matshidiso Tshid Boikanyo", 16 April 2020, [achpr.org/pressrelease/detail?id=489](https://achpr.org/pressrelease/detail?id=489)

COUNTRIES KNOWN TO HAVE CARRIED OUT EXECUTIONS IN SUB-SAHARAN AFRICA (2011-2020)



In **Cameroon**, during the year, three women – Damaris Doukoya, Dawandala Marie and Weteyla Martha – were exonerated by the military tribunal of Maroua. The three had previously been sentenced to death on charges of “illegal immigration”, “spying”, “complicity of insurrection” and “armed group”. On 15 April, President Paul Biya signed decree No. 2020/193 to commute and remit prison sentences.<sup>163</sup> Among various other commutations, the decree commuted the death sentences of persons, whose sentences had become final as at 15 April, to life imprisonment. However, it excluded the following: “fugitives at the date of signing of the decree”; “recidivist offenders”; “persons imprisoned and sentenced for an offence committed while in detention”; and “persons sentenced for corruption”, “state security and terrorism-related offences”. By the end of the year, Amnesty International was unable to determine the number of death sentences commuted to life imprisonment in implementation of the decree.

The only death sentence recorded by Amnesty International in **Comoros** was imposed on Mohamed Zaidou for murder by the Assize Court of Moroni.<sup>164</sup>

On 28 April 2020, the National Assembly of **Chad** adopted an anti-terrorism bill that removed death penalty provisions from the 2015 anti-terrorism law.<sup>165</sup> On 20 May 2020, the revised anti-terrorism bill was signed into law by President Idriss Déby Itno. This effectively abolished the death penalty for all crimes in Chad

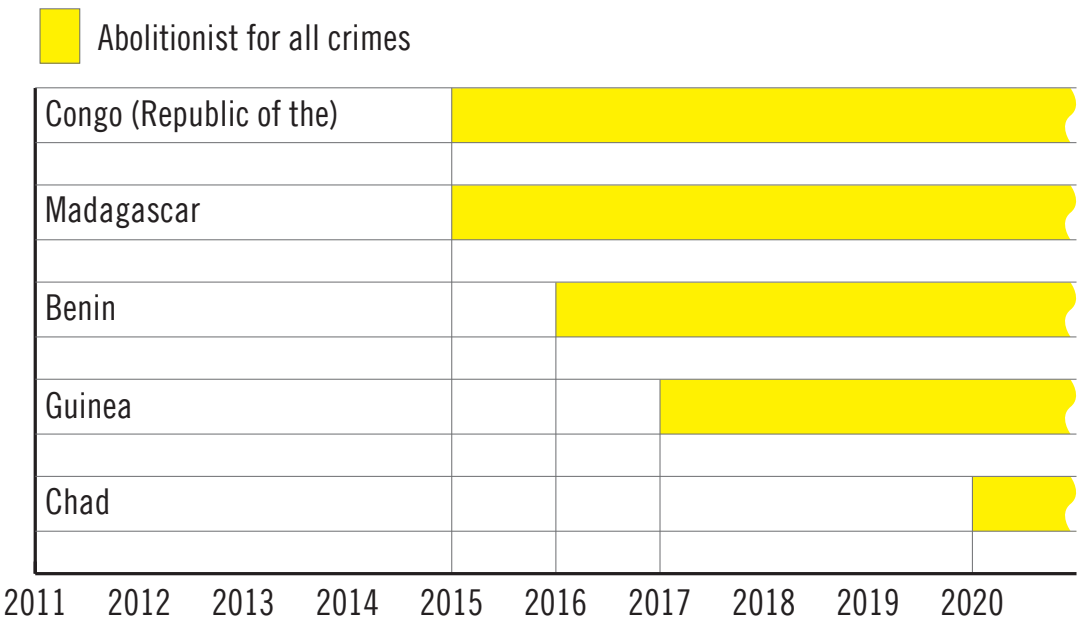
163 Decree No. 2020/193 of 15 April; Cameroon Tribune, “Commutation, remission of sentences: Implementation of presidential decree awaited”, 17 April 2020, [cameroon-tribune.cm/article.html/31859/fr.html/commutation-remission-of-sentences-implementation-of-presidential-decree#](http://cameroon-tribune.cm/article.html/31859/fr.html/commutation-remission-of-sentences-implementation-of-presidential-decree#)

164 Franceinfo, “L’actualité régionale 7 Octobre: Comores”, 7 October 2020, [la1ere.francetvinfo.fr/mayotte/actualite-regionale-7-octobre-878812.html](http://la1ere.francetvinfo.fr/mayotte/actualite-regionale-7-octobre-878812.html)

165 Amnesty International, “Tchad. La décision d’abolir la peine de mort est un signal positif pour les droits humains”, 29 April 2020, [amnesty.org/fr/latest/news/2020/04/tchad-la-decision-dabolir-la-peine-de-mort-est-un-signal-positif/](https://www.amnesty.org/fr/latest/news/2020/04/tchad-la-decision-dabolir-la-peine-de-mort-est-un-signal-positif/)

since the country had previously removed the death penalty from a new Penal Code promulgated in 2017.<sup>166</sup> Four individuals sentenced to death in 2018 for murder were detained in the high-security prison of Koro Toro. By the end of the year, Amnesty International was unable to determine if their sentences had been commuted.

ABOLITIONIST FOR ALL CRIMES IN SUB-SAHARAN AFRICA (2011-2020)



In the **Democratic Republic of the Congo**, on 30 June, President Félix Tshisekedi signed an ordinance on commutation of sentences and collective pardons for prisoners in commemoration of the country’s 60<sup>th</sup> independence anniversary.<sup>167</sup> The ordinance, among other commutations, commuted death sentences to life imprisonment. By the end of the year, Amnesty International was unable to determine the exact number of people who had their death sentences commuted under the ordinance. However, the organization confirmed that Col Eddy Kapend and Georges Leta, who were sentenced to death by a military court in 2001 over the death of former President Laurent-Désiré Kabila, had their death sentences commuted to life imprisonment under the ordinance.<sup>168</sup> In September, two former bank employees – Gradi Koko Lobanga and Navy Malela Mawani – were sentenced to death by a tribunal in their absence.<sup>169</sup>

166 Amnesty International discovered a 1985 Military Code of Justice in Chad that provides for the death penalty. The organization wrote letters to the Minister of Justice of Chad in June and December to clarify the status of that law. In January 2021, the Minister of Justice informed Amnesty International in a letter that following the enactment of the 2017 Penal Code, Article 522 of that law effectively repealed the death penalty provisions of the Military Code of Justice. He confirmed that no law provides for the death penalty in Chad.

167 Radio Okapi, “60-eme anniversaire de l’indépendance de la RDC: Félix Tshisekedi accorde une grâce présidentielle collective à certains prisonniers”, 1 July 2020, [radiookapi.net/2020/07/01/actualite/justice/60-eme-anniversaire-de-lindependance-de-la-rdc-felix-tshisekedi-accorde](http://radiookapi.net/2020/07/01/actualite/justice/60-eme-anniversaire-de-lindependance-de-la-rdc-felix-tshisekedi-accorde)

168 VOA, “Tshisekedi réduit la peine d’Eddy Kapend, condamné pour l’assassinat de l’ex-président Laurent-Désiré Kabila”, 1 July 2020, [voaafrique.com/a/les-condamn%C3%A9s-pour-l-assassinat-de-l-ancien-pr%C3%A9sident-laurent-d%C3%A9sir%C3%A9-kabila-voient-leurs-peines-r%C3%A9duites/5485119.html](http://voaafrique.com/a/les-condamn%C3%A9s-pour-l-assassinat-de-l-ancien-pr%C3%A9sident-laurent-d%C3%A9sir%C3%A9-kabila-voient-leurs-peines-r%C3%A9duites/5485119.html)

169 “Jugement condamnant Gradi Koko Lobanga et Navy Malela à la peine capitale”, RP 27.071, [scribd.com/document/496141401/EXCLUSIF-Jugement-condamnant-Gradi-Koko-Lobanga-et-Navy-Malela-a-la-peine-capitale#from\\_embed](https://scribd.com/document/496141401/EXCLUSIF-Jugement-condamnant-Gradi-Koko-Lobanga-et-Navy-Malela-a-la-peine-capitale#from_embed); Global Witness, “A statement from Global Witness on the judgement handed down to Congolese whistleblowers, Gradi Koko Lobanga and Navy Malela Mawani, in relation to their involvement in providing information used in investigations carried out by PPLAAF and Global Witness”, 2 March 2021, [globalwitness.org/en/press-releases/statement-global-witness-judgement-handed-down-congolese-whistleblowers-koko-lobanga-and-navy-malela-mawani-relation-their-involvement-providing-information-used-investigations-carried-out-pplaaaf-and-global-witness/](https://globalwitness.org/en/press-releases/statement-global-witness-judgement-handed-down-congolese-whistleblowers-koko-lobanga-and-navy-malela-mawani-relation-their-involvement-providing-information-used-investigations-carried-out-pplaaaf-and-global-witness/)

The government of **Eswatini** informed Amnesty International that no execution was carried out; no death sentence was imposed; and only one LiSwati male, who was convicted by the High Court in 2011 of murder and rape, was under the sentence of death at the end of the year.

The government of **Gambia** informed Amnesty International that no execution was carried out in the country as the official moratorium on executions remains in place; one death sentence was imposed as Sheikh Hydara was convicted of murder on 12 October. The government stated that due to the Covid-19 pandemic, in March, the courts adjourned all their sittings and partially resumed in April to hold virtual hearings mostly for bail applications. The courts fully resumed in September for hearing on all cases, including for offences that carry the death penalty.

The **Ghana** Prisons Service informed Amnesty International that no executions were carried out and the courts imposed three death sentences in 2020. At the end of the year, 160 people – 155 men and five women – were under sentence of death, including six foreign nationals from Benin (1), Burkina Faso (2) and Nigeria (3). Nine prisoners – seven in March and two in June – had their death sentences commuted to life imprisonment.

In **Kenya**, the abolition of the mandatory death penalty by the Supreme Court in the case of *Francis Karioko Muruatetu and Wilson Thirimbi Mwangi v. Republic*<sup>170</sup> continued to lead to the commutation of death sentences by the court after resentencing hearings. In March, 23 prisoners, who had petitioned the High Court to review their death sentences following the Supreme Court judgement in Muruatetu, had their death sentences commuted to various prison terms.<sup>171</sup> Paul Mwaniki, one of the petitioners, whose death sentence was commuted to 20 years' imprisonment, was set free having already been in prison for 20 years. The Appeal Court upheld the death sentence of Ruth Kamande who was convicted and sentenced to death in 2018 for the death of her boyfriend.<sup>172</sup> The Appeal Court stated that the conviction was lawful and there was no justification to interfere with the decision of the trial court.

The government of **Lesotho** informed Amnesty International that no execution was carried out, no one was sentenced to death, and no one was under the sentence of death at the end of the year. In May, the only death sentence in the country was commuted by the Lesotho Appeal Court.

In **Malawi**, the High Court in Kasungu sentenced two people – White Chilumpha and James Kanjira – to death for killing a child with albinism.<sup>173</sup>

On 18 December, to commemorate Independence Day, President Issoufou Mahamadou of **Niger** signed a decree on clemency, which commuted death sentences to life imprisonment.<sup>174</sup> By the end of the year, Amnesty International was unable to determine the number of death sentences commuted to life imprisonment under the decree.

The death sentences recorded in **Nigeria** were imposed for crimes that included murder, armed robbery, rape, kidnapping and blasphemy. A man, Olalekan Hameed, was sentenced to death by a Lagos State High Court via Zoom in May.<sup>175</sup> He appeared remotely from prison via Zoom, along with his lawyer and

<sup>170</sup> The Supreme Court of Kenya in this case abolished the mandatory death penalty for murder in December 2017.

<sup>171</sup> Kenyans, “23 death row prisoners escape hangman”, 1 April 2020, [kenyans.co.ke/news/51519-23-deathrow-prisoners-escape-hangman](https://kenyans.co.ke/news/51519-23-deathrow-prisoners-escape-hangman)

<sup>172</sup> Nation, “Appeal court upholds Ruth Kamande’s death sentence”, 6 November 2020, [nation.africa/kenya/news/appeal-court-upholds-ruth-kamande-s-death-sentence-2732900?view=htmlamp](https://nation.africa/kenya/news/appeal-court-upholds-ruth-kamande-s-death-sentence-2732900?view=htmlamp)

<sup>173</sup> CAJ News Africa, “Malawi revives death sentence amid albino killings”, 14 October 2020, [cainewsafrika.com/2020/10/14/malawi-revives-death-sentence-amid-albino-killings/](https://cainewsafrika.com/2020/10/14/malawi-revives-death-sentence-amid-albino-killings/)

<sup>174</sup> Le Sahel, “Communiqué du secrétariat général du gouvernement: Le chef de l’etat signe un décret portant remises gracieuses de peines”, 31 December 2020, [lesahel.org/communique-du-secretaire-general-du-gouvernement-le-chef-de-letat-signa-un-decret-portant-remises-gracieuses-de-peines/](https://lesahel.org/communique-du-secretaire-general-du-gouvernement-le-chef-de-letat-signa-un-decret-portant-remises-gracieuses-de-peines/)

<sup>175</sup> CNN, “A man was sentenced to death via Zoom in Nigeria, sparking criticism from rights groups”, 7 May 2020, [edition.cnn.com/2020/05/07/africa/nigeria-zoom-death-sentence-intl/index.html](https://edition.cnn.com/2020/05/07/africa/nigeria-zoom-death-sentence-intl/index.html)

prosecutors who joined the court session remotely. The court held the session via Zoom following the Lagos State’s social distancing guidelines to curb Covid-19. In August, a 70-year-old man – Mati Audu – was sentenced to death by stoning for rape by a sharia court in Kano State.<sup>176</sup> Also in August, the Upper Sharia Court of Kano State sentenced Yahaya Sharif Aminu, a 22-year-old musician, to death for blasphemy.<sup>177</sup> He had been charged with blasphemy against the prophet of Islam because of a series of audio messages circulated via WhatsApp in March. Yahaya Sharif was arrested in March after protesters burnt down his family home and led a procession to the Kano State Hisbah Corps<sup>178</sup> headquarters demanding for his arrest and prosecution. Several State Governors in Nigeria commuted death sentences during the year: Governor Obaseki of Edo State commuted four death sentences to life imprisonment;<sup>179</sup> Governor Muhammadu Inuwa Yahaya of Gombe State commuted one death sentence to 21 years’ imprisonment;<sup>180</sup> Governor Rotimi Akeredolu of Ondo State commuted 10 death sentences to life imprisonment;<sup>181</sup> Governor Simon Lalong of Plateau State commuted one death sentence to 21 years’ imprisonment.<sup>182</sup>

The Correctional Service of **Sierra Leone** informed Amnesty International that no executions were carried out; 39 death sentences were imposed by the courts; seven death sentences were commuted by the President; and 94 people were under the sentence of death at the end of the year.

Of the 11 executions recorded in **Somalia**, six were carried out in Somaliland and five in Puntland.<sup>183</sup> Of the five executions carried out in Puntland, two were of Abdifatah Abdirahman Warsame and Abdishakur Mohamed Dige who were convicted of rape and murder of a girl.<sup>184</sup> A third man, Abdisalan Abdirahman Warsame (brother to Abdifatah Abdirahman Warsame), convicted with the two, was spared execution following a negotiation of “blood money” (financial compensation) between his family and that of the deceased.<sup>185</sup> Amnesty International was able to corroborate information that death sentences were imposed in Somalia but had insufficient information to provide a credible minimum figure.

In **South Sudan**, on 14 July, the South Sudan Court of Appeal quashed the death sentence imposed on Magai Matiop Ngong because he was a child at the time of the crime, and ordered that his case be sent back to the High Court to rule on an appropriate sentence, and that he be removed from death row.<sup>186</sup> At the request of the family of the deceased the case was appealed to the Supreme Court, where it was pending at the end of the year.

The government of **Sudan** pardoned and released 35 South Sudanese prisoners of war captured in the 2012 fighting in Heglig during the conflict between Sudan and South Sudan following the latter’s

<sup>176</sup> BBC, “Sharia court sentence 70 year old Mati Audu to death for rape in Kano”, 12 August 2020, [bbc.com/pidgin/tori-53756874](https://bbc.com/pidgin/tori-53756874)

<sup>177</sup> Amnesty International, “Nigeria: Authorities must quash the conviction and death sentence imposed on Kano-based singer”, 13 August 2020, [amnesty.org/en/latest/news/2020/08/nigeria-authorities-must-quash-the-conviction-and-death-sentence-imposed-on-kano-based-singer/](https://amnesty.org/en/latest/news/2020/08/nigeria-authorities-must-quash-the-conviction-and-death-sentence-imposed-on-kano-based-singer/)

<sup>178</sup> The Kano State Hisbah Corps is a religious police force in Nigeria’s Kano State responsible for the enforcement of sharia law.

<sup>179</sup> Punch, “Obaseki commutes death sentence of four prisoners”, 3 January 2020, [punchng.com/obaseki-commutes-death-sentence-of-four-prisoners/](https://punchng.com/obaseki-commutes-death-sentence-of-four-prisoners/)

<sup>180</sup> Tribune, “Gombe gov commutes death penalty to 21 years, pardons 31 other prisoners”, 12 February 2020, [tribuneonline.ng.com/gombe-gov-commutes-death-penalty-to-21-years-pardons-31-other-prisoners/](https://tribuneonline.ng.com/gombe-gov-commutes-death-penalty-to-21-years-pardons-31-other-prisoners/)

<sup>181</sup> Sahara Reporters, “June 12: Ondo governor, Akeredolu, commutes death sentence of 10 prisoners to life imprisonment”, 11 June 2020, [saharareporters.com/2020/06/11/june-12-ondo-governor-akeredolu-commutes-death-sentence-10-prisoners-life-imprisonment](https://saharareporters.com/2020/06/11/june-12-ondo-governor-akeredolu-commutes-death-sentence-10-prisoners-life-imprisonment)

<sup>182</sup> Punch, “El-Rufai releases 25 prisoners, convert death sentences”, 2 October 2020, [punchng.com/el-rufai-releases-25-prisoners-convert-death-sentences/](https://punchng.com/el-rufai-releases-25-prisoners-convert-death-sentences/)

<sup>183</sup> These figures do not include reports of unlawful public killings by Somali armed opposition groups such as al-Shabaab.

<sup>184</sup> VOA, “Two men executed in Somalia for rape, murder of 12-year-old”, 12 February 2020, [voanews.com/africa/two-men-executed-somalia-rape-murder-12-year-old](https://voanews.com/africa/two-men-executed-somalia-rape-murder-12-year-old)

<sup>185</sup> Hiiraan, “Convict spared death in ‘blood money’ deal as two executed over rape of 12-year-old girl in Puntland”, 11 February 2020, [hiiraan.com/news/4/2020/Feb/16/7091/convict-spared-death-in-blood-money-deal-as-two-executed-over-rape-of-12-year-old-girl-in-puntland.aspx](https://hiiraan.com/news/4/2020/Feb/16/7091/convict-spared-death-in-blood-money-deal-as-two-executed-over-rape-of-12-year-old-girl-in-puntland.aspx)

<sup>186</sup> Amnesty International, “South Sudan: Quashing of teenager’s death sentence must lead to abolition of the death penalty”, 29 July 2020, [amnesty.org/en/latest/news/2020/07/south-sudan-quashing-of-teenagers-death-sentence-must-lead-to-abolition-of-the-death-penalty/](https://amnesty.org/en/latest/news/2020/07/south-sudan-quashing-of-teenagers-death-sentence-must-lead-to-abolition-of-the-death-penalty/)

independence in 2011.<sup>187</sup> The 35 people were sentenced to death for war- and terrorism-related crimes. In July, the authorities abolished the use of the death penalty for apostasy.<sup>188</sup> Also, in the same month, the authorities amended the Criminal Law to prohibit the use of the death penalty for children; this resolved the inconsistency that had existed between the Child Act and the Criminal Law.

President John Magufuli of **Tanzania**, in commemoration of Independence Day, commuted the death sentence of 256 prisoners in December.<sup>189</sup>

The Supreme Court of **Uganda** departed from its 2018 decision by quashing the death sentence of Moses Otim and ordered his release from prison.<sup>190</sup> The Supreme Court, in its second judgement on the case that came by way of review, held that it should not have confirmed the death sentence imposed on him by the trial court because he was below the age of 18 at the time of the crime. Moses Otim was convicted of murder and sentenced to death by Lira High Court and had been on death row for over 10 years. Section 94(1)(g) of the Children’s Act prohibits the imposition of the death sentence on a person below the age of 18 at the time of the crime. Ugandan law also provides that a child at the time of the offence can only be imprisoned for a maximum of three years if found guilty of an offence that carries the death penalty.

The government of **Zambia** informed Amnesty International that no executions were carried out; 119 death sentences were imposed; and 495 people – 471 males and 24 females – were under the sentence of death at the end of the year. Five death sentences were commuted – three to life imprisonment and two to 35 years’ imprisonment; six people were exonerated by the courts; and six foreign nationals were on death row. The government further stated that courts in Zambia continued to operate during the Covid-19 pandemic while adhering to the World Health Organization Covid-19 guidelines, the Zambia Public Health (Notifiable Infectious Disease) (Declaration) Notice No. 21 of 2020 and the Zambia Public Health (Infected Areas) (Coronavirus Disease 2019) Regulations No. 22 of 2020. Further restrictions were also put in place to reduce the number of persons allowed to attend court proceedings. The government said that no executions were put on hold, fully or partially, specifically because of Covid-19 and emphasized that no execution had been carried out in the country since 1997. In addition, it informed the organization that the Zambia Correctional Service distributed face masks and soap to all prisoners, including those on death row, placed restrictions on visits to the prison, and conducted regular body temperature checks on prisoners.

According to data provided to Amnesty International by the government of **Zimbabwe**, no executions were carried out; six death sentences were imposed, eight death sentences were commuted to life imprisonment and 88 people were under the sentence of death at the end of the year. The media reported that the eight commutations were granted as result of Clemency Order 1 of 2020 issued by President Emmerson Mnangagwa.<sup>191</sup> The Order, among other clemency provisions, commuted to life imprisonment the death sentence of all prisoners who had been on death row for at least 10 years.<sup>192</sup>

187 Eye Radio, “Sudan frees 35 S. Sudanese war prisoners captured in Heglig”, 2 March 2020, [eyeradio.org/sudan-frees-35-s-sudanese-war-prisoners-captured-in-heglig/](http://eyeradio.org/sudan-frees-35-s-sudanese-war-prisoners-captured-in-heglig/).

188 BBC News, “Sudan scraps apostasy law and alcohol ban for non-Muslims”, 12 July 2020, [bbc.co.uk/news/world-africa-53379733](http://bbc.co.uk/news/world-africa-53379733); Al Jazeera, “Changes in criminal law as Sudan annuls apostasy death sentence”, 12 July 2020, [aljazeera.com/news/2020/7/12/changes-in-criminal-law-as-sudan-annuls-apostasy-death-sentence](http://aljazeera.com/news/2020/7/12/changes-in-criminal-law-as-sudan-annuls-apostasy-death-sentence).

189 Anadolu Agency, “Tanzania commutes death sentences of 256 convicts”, 9 December 2020, [aa.com.tr/en/africa/tanzania-commutes-death-sentences-of-256-convicts/2071191#](http://aa.com.tr/en/africa/tanzania-commutes-death-sentences-of-256-convicts/2071191#).

190 Daily Monitor, “Court quashes death row sentence”, 11 June 2020, [monitor.co.ug/News/National/Court-quashes-death-row-sentence-Moses-Otim-Tibatema/688334-5574810-sfp3cjz/index.html](http://monitor.co.ug/News/National/Court-quashes-death-row-sentence-Moses-Otim-Tibatema/688334-5574810-sfp3cjz/index.html).

191 The Herald, “8 removed from death row”, 4 April 2020, [herald.co.zw/8-removed-from-death-row/](http://herald.co.zw/8-removed-from-death-row/).

192 Zim Eye, “Mnangagwa invokes presidential clemency and forgives prisoners on life sentence”, 27 March 2020, [zimeye.net/2020/03/27/mnangagwa-invokes-presidential-clemency-and-forgives-prisoners-on-life-sentence/](http://zimeye.net/2020/03/27/mnangagwa-invokes-presidential-clemency-and-forgives-prisoners-on-life-sentence/).

# ANNEX I: RECORDED EXECUTIONS AND DEATH SENTENCES IN 2020

This report only covers the judicial use of the death penalty and does not include figures for extrajudicial executions. Amnesty International only reports figures for which it can find reasonable confirmation, although the true figures for some countries are significantly higher. Some states intentionally conceal death penalty proceedings; others do not keep or make available data on the numbers of death sentences and executions.

Where “+” appears after a figure next to the name of a country – for example, Malaysia (22+) – it means that Amnesty International confirmed 22 executions or death sentences in Malaysia but believes there were more than 22. Where “+” appears after a country name without a figure – for instance, Syria (+) – it means that Amnesty International has corroborated executions or death sentences (more than one) in that country but had insufficient information to provide a credible minimum figure. When calculating global and regional totals, “+” has been counted as 2, including for China.

## RECORDED EXECUTIONS IN 2020

China 1,000s	Somalia 11+	Bangladesh 2
Iran 246+	Yemen 5+	Taiwan 1
Egypt 107+	India 4	Qatar 1
Iraq 45+	Oman 4	North Korea +
Saudi Arabia 27	Botswana 3	Syria +
USA 17	South Sudan 2+	Viet Nam +



RECORDED DEATH SENTENCES IN 2020

China 1,000s	Palestine (State of) 17+	Jordan 2+
Yemen 269+	Sri Lanka 16+	Kuwait 2+
Egypt 264+	Sudan 10+	Malawi 2+
Zambia 119	Laos 9+	Trinidad and Tobago 2
Indonesia 117+	Saudi Arabia 8+	Algeria 1+
Bangladesh 113+	Tunisia 8+	Cameroon 1+
India 77	Singapore 8	Lebanon 1+
Nigeria 58+	South Sudan 6+	Mauritania 1+
Viet Nam 54+	Zimbabwe 6	Morocco/Western Sahara 1+
Pakistan 49+	Taiwan 5	Botswana 1
Sierra Leone 39	Afghanistan 4+	Comoros 1
Thailand 35	Qatar 4+	Gambia 1
Mali 30	United Arab Emirates 4+	Myanmar 1
Iraq 27+	Bahrain 3	Iran +
Malaysia 22+	Belarus 3	Kenya +
Democratic Republic of the Congo 20+	Ghana 3	North Korea +
USA 18	Japan 3	Somalia +
Libya 17+	Niger 3	Syria +

ANNEX II: ABOLITIONIST AND  
RETENTIONIST COUNTRIES  
AS OF 31 DECEMBER 2020

More than two thirds of the countries in the world have now abolished the death penalty in law or practice. As of 31 December 2020 the numbers were as follows:

Abolitionist for all crimes:	108
Abolitionist for ordinary crimes only:	8
Abolitionist in practice:	28
Total abolitionist in law or practice:	144
Retentionist:	55

The following are lists of countries in the four categories: abolitionist for all crimes, abolitionist for ordinary crimes only, abolitionist in practice and retentionist.

1. ABOLITIONIST FOR ALL CRIMES

Countries whose laws do not provide for the death penalty for any crime:

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Burundi, Cabo Verde, Cambodia, Canada, Chad, 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, Honduras, Hungary, Iceland, Ireland, Italy, Kiribati, Kosovo\*,<sup>193</sup> Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niue, North Macedonia, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles,

193 This designation (\*) is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244 and the International Court of Justice Opinion on the Kosovo declaration of independence.

Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Switzerland, Timor-Leste, Togo, Turkey, Turkmenistan, Tuvalu, UK, Ukraine, Uruguay, Uzbekistan, Vanuatu, Vatican City, Venezuela.

## 2. ABOLITIONIST FOR ORDINARY CRIMES ONLY

Countries whose laws provide for the death penalty only for exceptional crimes such as crimes under military law or crimes committed in exceptional circumstances:<sup>194</sup>

Brazil, Burkina Faso, Chile, El Salvador, Guatemala, Israel, Kazakhstan, Peru.

## 3. ABOLITIONIST IN PRACTICE

Countries that retain the death penalty for ordinary crimes such as murder but can be considered abolitionist in practice in that they have not executed anyone during the last 10 years and are believed to have a policy or established practice of not carrying out executions:

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,<sup>195</sup> Sierra Leone, South Korea (Republic of Korea), Sri Lanka, Tajikistan, Tanzania, Tonga, Tunisia, Zambia.

## 4. RETENTIONIST

Countries that retain the death penalty for ordinary crimes:

Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Botswana, China, Comoros, Cuba, Democratic Republic of the Congo, Dominica, Egypt, Equatorial Guinea, Ethiopia, Gambia, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libya, Malaysia, Nigeria, North Korea (Democratic People's Republic of Korea), Oman, Pakistan, Palestine (State of), Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Somalia, South Sudan, Sudan, Syria, Taiwan, Thailand, Trinidad and Tobago, Uganda, United Arab Emirates, USA, Viet Nam, Yemen, Zimbabwe.

<sup>194</sup> No executions were recorded in these countries in more than 10 years.

<sup>195</sup> The Russian Federation introduced a moratorium on executions in August 1996. However, executions were carried out between 1996 and 1999 in the Chechen Republic.

# ANNEX III: RATIFICATION OF INTERNATIONAL TREATIES AS OF 31 DECEMBER 2020

The community of nations has adopted four international treaties providing for the abolition of the death penalty. One is of worldwide scope; three are regional.

Below are short descriptions of the four treaties, a list of states parties to the treaties and lists of countries which have signed but not ratified the treaties, as of 31 December 2020. States may become states parties to international treaties either by acceding to them or by ratifying them. Signature indicates an intention to become a party at a later date through ratification. States are bound under international law to respect the provisions of treaties to which they are a party, and to do nothing to defeat the object and purpose of treaties which they have signed.

## SECOND OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, AIMING AT THE ABOLITION OF THE DEATH PENALTY

The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, adopted by the UN General Assembly in 1989, is of worldwide scope. It provides for the total abolition of the death penalty but allows states parties to retain the death penalty in time of war if they make a reservation to that effect at the time of ratifying or acceding to the Protocol. Any state which is a party to the International Covenant on Civil and Political Rights can become a party to the Protocol.

States parties: Albania, Andorra, Angola, Argentina, Australia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Italy, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Palestine (State of), Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, San Marino, Sao Tome and Principe, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Timor-Leste, Togo, Turkey, Turkmenistan, UK, Ukraine, Uruguay, Uzbekistan, Venezuela (total: 88).

Signed but not ratified: Armenia, Kazakhstan (total: 2).

## PROTOCOL TO THE AMERICAN CONVENTION ON HUMAN RIGHTS TO ABOLISH THE DEATH PENALTY

The Protocol to the American Convention on Human Rights to Abolish the Death Penalty, adopted by the General Assembly of the Organization of American States in 1990, provides for the total abolition of the death penalty but allows states parties to retain the death penalty in wartime if they make a reservation to that effect at the time of ratifying or acceding to the Protocol. Any state party to the American Convention on Human Rights can become a party to the Protocol.

States parties: Argentina, Brazil, Chile, Costa Rica, Dominican Republic, Ecuador, Honduras, Mexico, Nicaragua, Panama, Paraguay, Uruguay, Venezuela (total: 13).

## PROTOCOL NO. 6 TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS, CONCERNING THE ABOLITION OF THE DEATH PENALTY

Protocol No. 6 to the (European) Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), concerning the abolition of the death penalty, adopted by the Council of Europe in 1983, provides for the abolition of the death penalty in peacetime; states parties may retain the death penalty for crimes “in time of war or of imminent threat of war”. Any state party to the European Convention on Human Rights can become a party to the Protocol.

States parties: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, UK, Ukraine (total: 46).

Signed but not ratified: Russian Federation (total: 1).

## PROTOCOL NO. 13 TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS, CONCERNING THE ABOLITION OF THE DEATH PENALTY IN ALL CIRCUMSTANCES

Protocol No. 13 to the (European) Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights), concerning the abolition of the death penalty in all circumstances, adopted by the Council of Europe in 2002, provides for the abolition of the death penalty in all circumstances, including in time of war or of imminent threat of war. Any state party to the European Convention on Human Rights can become a party to the Protocol.

States parties: Albania, Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, UK, Ukraine (total: 44).

Signed but not ratified: Armenia (total: 1).

# ANNEX IV: VOTING RESULTS OF UN GENERAL ASSEMBLY RESOLUTION 75/183, ADOPTED ON 16 DECEMBER 2020

The UN General Assembly adopted its eighth resolution on a moratorium on the use of the death penalty. The resolution was adopted by an overwhelming majority of UN member states.

### Co-sponsors of UN General Assembly resolution 75/183, adopted on 16 December 2020

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Panama, Paraguay, Poland, Portugal, Romania, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Togo, Ukraine, Uruguay, Venezuela (total: 77).

**Votes in favour** – Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Cambodia, Canada, Central African Republic, Chad, Chile, Colombia, Congo (Republic of), Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jordan, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, South Korea (Republic of Korea), Spain, Sri Lanka, Suriname, Sweden, Switzerland, Tajikistan, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, UK, Ukraine, Uruguay, Uzbekistan, Vanuatu, Venezuela (total: 123).

**Votes against** – Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Dominica, Egypt, Ethiopia, Grenada, India, Iran, Iraq, Jamaica, Japan, Kuwait, Libya, Maldives, North Korea (Democratic People’s Republic of Korea), Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Syria, Tonga, Trinidad and Tobago, Uganda, USA (total: 38).


**Abstentions** – Belarus, Cameroon, Comoros, Cuba, Eswatini (former Swaziland), Ghana, Guyana, Indonesia, Kenya, Laos, Lesotho, Liberia, Mauritania, Morocco/Western Sahara, Myanmar, Niger, South Sudan, Tanzania, Thailand, United Arab Emirates, Viet Nam, Yemen, Zambia, Zimbabwe (total: 24).

**Not present** – Burundi, Democratic Republic of the Congo, Gabon, Nigeria, Palau, Senegal, Solomon Islands, Somalia (total: 8).

**AMNESTY INTERNATIONAL  
IS A GLOBAL MOVEMENT  
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WHEN INJUSTICE HAPPENS  
TO ONE PERSON, IT  
MATTERS TO US ALL.**

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# DEATH SENTENCES AND EXECUTIONS

## 2020

Amnesty International's monitoring of the global use of the death penalty in 2020 showed that the number of known executions significantly decreased compared with the 2019 total, continuing the year-on-year reduction recorded since 2015 and once again reaching the lowest figure in more than 10 years. Significantly, and at the same time as the world was focused on saving lives from the Covid-19 pandemic, this overall decrease was reported while Egypt more than tripled its tally and the US federal government, India, Oman, Qatar and Taiwan resumed state executions. The trend was primarily linked to reductions in executions by Iraq and Saudi Arabia, as well as influenced to some degree by the Covid-19 pandemic.

The number of known executing countries (18) decreased by two compared with 2019 and confirmed that the resort to executions remained confined to a minority of states. Major executing countries – including China, Iran, North Korea and Viet Nam – continued to hide the full extent of their use of the death penalty by restricting access to death penalty information.

Positive developments towards abolition were recorded in Chad and Kazakhstan as well as the US states of Colorado and Ohio, while hiatuses in executions occurred in Bahrain, Belarus, Japan, Pakistan, Singapore and Sudan. Encouraging trends continued in Gambia, Kazakhstan, Malaysia, the Russian Federation and Tajikistan.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or the circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.

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