

DEATH SENTENCES AND EXECUTIONS

2014

AMNESTY
INTERNATIONAL



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<i>Insert:</i> Death penalty in 2014 Executing countries in 2014 Death penalty trends 1995-2014

Note on Amnesty International figures on the use of the death penalty

This report covers the judicial use of the death penalty for the period January to December 2014. As in previous years, information is collected from a variety of sources, including: official figures; information from individuals sentenced to death and their families and representatives; reporting by other civil society organizations; and media reports. 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 In many countries governments do not publish information on their use of the death penalty, making confirmation of the use challenging. In Belarus, China and Viet Nam, data on the use of the death penalty is classified as a state secret. During 2014 little or no information was available on some countries - in particular Eritrea, Malaysia, North Korea and Syria, due to restrictive state practice and/or political instability.

Therefore, with only a few exceptions, Amnesty International's figures on the use of the death penalty are minimum figures. Where we obtain fuller 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; this decision reflected concerns about how the Chinese authorities misrepresented Amnesty International's estimated numbers. In stopping publishing estimates on China the organization challenged China to publish information on the use of the death penalty. China has yet to publish any figures on the death penalty. However, available information indicates that thousands of people are executed and sentenced to death in China each year.

Where Amnesty International receives and is able to verify new information after publication of this report, it updates its figures online at www.amnesty.org/deathpenalty

Where "+" appears after a figure next to the name of a country – for instance, Yemen (22+) – it means that this is the minimum figure calculated by Amnesty International. Where "+" appears after a country name without a figure – for instance, death sentences in South Sudan (+) – it means that there were executions or death sentences (more than one) in that country but 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.

SUMMARY

“There are too many flaws in the system. And when the ultimate decision is death there is too much at stake to accept an imperfect system”

Jay Inslee, Governor of Washington State, USA, 11 February 2014

Amnesty International recorded executions in 22 countries in 2014, the same number as in 2013.¹ At least 607 executions were carried out worldwide, a decrease of almost 22% compared with 2013. As in previous years, this figure does not include the number of people executed in China, where data on the death penalty is treated as a state secret. At least 2,466 people are known to have been sentenced to death in 2014, an increase of 28% compared with 2013. This increase was largely due to sharp spikes in death sentences in Egypt and Nigeria, where courts imposed mass sentences against scores of people in some cases.

An alarming number of countries that used the death penalty in 2014 did so in response to real or perceived threats to state security and public safety posed by terrorism, crime or internal instability. For example, Pakistan lifted a six-year-long moratorium on the execution of civilians in the wake of the horrific Peshawar school attack. The government also pledged to execute hundreds of people on death row who had been convicted on terrorism-related charges. China made use of the death penalty as a tool in the “Strike Hard” campaign, which the authorities characterized as a response to terrorism and violent crime in the Xinjiang Uighur Autonomous Region.

There is no evidence that the death penalty has a greater deterrent effect on crime than terms of imprisonment. Where governments present the death penalty as a solution to crime

¹ In 2013 and in 2014 Amnesty International was unable to confirm whether executions were carried out in Syria.

or insecurity they are not only misleading the public but – in many cases – failing to take steps to realize the goal of abolition recognized in international law.²

Many of those states that retain the death penalty continued to use it in contravention of international law and standards. Unfair trials, “confessions” extracted through torture or other ill-treatment, the use of the death penalty against juveniles and people with mental or intellectual disabilities, and for crimes other than “intentional killing” continued to be concerning features of the use of the death penalty in 2014.

Despite these concerns, the world continues to make progress towards abolition.

With the exception of Europe and Central Asia region, where Belarus – the only country in the region that executes – resumed executions after a 24-month hiatus, Amnesty International documented positive developments in all regions of the world. The Sub-Saharan Africa region saw particular progress, with 46 executions recorded in three countries, compared to 64 executions in five countries in 2013 – a 28% reduction. The number of executions recorded in the Middle East and North Africa region decreased by approximately 23% - from 638 in 2013 to 491 in 2014. In the Americas, the USA is the only country that executes, but executions dropped from 39 in 2013 to 35 in 2014, reflecting a steady decline in executions over recent years. The state of Washington imposed a moratorium on executions.

Fewer executions were recorded in the Asia-Pacific region, excluding China, and debates on abolition began in Fiji, South Korea and Thailand.

² Article 6(6) of the International Covenant on Civil and Political Rights states clearly that provisions in the same Article allowing for the use of the death penalty under certain circumstances “shall not be invoked to delay or to prevent the abolition of capital punishment”. In its General Comment no.6, the UN Human Rights Committee has stated that Article 6 “refers generally to abolition in terms which strongly suggest [...] that abolition is desirable. The Committee concludes that all measures of abolition should be considered as progress in the enjoyment of the right to life”. Human Rights Committee, General Comment No.6, Article 6 (Sixteenth session, 1982), Compilation of general comments and general recommendations adopted by human rights treaty bodies, UN doc. HRI/GEN/1/Rev.9, May 2008.

THE USE OF THE DEATH PENALTY IN 2014

“We must continue to argue strongly that the death penalty is unjust and incompatible with fundamental human rights”

UN Secretary-General Ban Ki-moon, 10 October 2014

GLOBAL FIGURES

EXECUTIONS

Amnesty International recorded executions in 22 countries in 2014, the same number of countries as in 2013. Although the number remained constant, there were some changes in the countries carrying out executions. Seven countries that executed in 2013 did not do so in 2014 (Bangladesh, Botswana, Indonesia, India, Kuwait, Nigeria and South Sudan) while seven others resumed executions (Belarus, Egypt, Equatorial Guinea, Jordan, Pakistan, Singapore and the United Arab Emirates [UAE]). Amnesty International was unable to confirm whether judicial executions took place in Syria.

At least 607 executions were carried out worldwide, a decrease of almost 22% compared to the figures recorded for 2013. This figure does not include the number of people who were believed to have been executed in China. In 2009 Amnesty International stopped publishing the organization's estimated figures on the use of the death penalty in China, where data on capital punishment is considered a state secret. Instead the organization has challenged the Chinese authorities to prove their claims that they are achieving their goal of reducing the application of the death penalty by publishing the figures themselves. (see page 26).

REPORTED EXECUTIONS IN 2014

Afghanistan (6), Belarus (3+), China (+), Egypt (15+), Equatorial Guinea (9), Iran (289+), Iraq (61+), Japan (3), Jordan (11), Malaysia (2+), North Korea (+), Pakistan (7), Palestine (State of) (2+, Hamas authorities, Gaza), Saudi Arabia (90+), Singapore (2), Somalia (14+), Sudan (23+), Taiwan (5), UAE (1), USA (35), Viet Nam (3+) and Yemen (22+).

Three countries – Iran, Iraq and Saudi Arabia – were responsible for 72% of the 607 recorded executions. In Iran the authorities officially announced 289 executions, but hundreds more were carried out which were not officially acknowledged.

DEATH SENTENCES

At least 2,466 people in 55 countries are known to have been sentenced to death in 2014. This represents an increase of 28% compared with 2013, when 1,925 death sentences were recorded in 57 countries. This increase was largely due to sharp spikes in death sentences in Egypt (from 109 in 2013 to 509 in 2014) and Nigeria (from 141 in 2013 to 659 in 2014), both countries in which courts imposed mass sentences in some cases.

REPORTED DEATH SENTENCES IN 2014

Afghanistan (12+), Algeria (16+), Bahrain (5), Bangladesh (142+), Barbados (2), Botswana (1), China (+), Congo (Republic of) (3+), Democratic Republic of Congo (DRC) (14+), Egypt (509+), Gambia (1+), Ghana (9), Guyana (1), India (64+), Indonesia (6), Iran (81+), Iraq (38+), Japan (2), Jordan (5), Kenya (26+), Kuwait (7), Lebanon (11+), Lesotho (1+), Libya (1+), Malaysia (38+), Maldives (2), Mali (6+), Mauritania (3), Morocco/Western Sahara (9), Myanmar (1+), Nigeria (659), North Korea (+), Pakistan (231), Palestine (State of) (4+ Hamas authorities, Gaza), Qatar (2+), Saudi Arabia (44+), Sierra Leone (3), Singapore (3), Somalia (52+: 31+ Somali Federal Government; 11+ Puntland; 10+ Somaliland), South Korea (1), South Sudan (+), Sri Lanka (61+), Sudan (14+), Taiwan (1), Tanzania (91), Thailand (55+), Trinidad and Tobago (2+), Tunisia (2+), Uganda (1), UAE (25), USA (72+), Viet Nam (72+), Yemen (26+), Zambia (13+) and Zimbabwe (10).

For some countries, such as Nigeria and Tanzania, the rise in the number of recorded death sentences is also partly due to the authorities providing more complete data to Amnesty International.

At least 19,094 people were believed to be under sentence of death worldwide at the end of 2014.

COMMUTATIONS, PARDONS AND EXONERATIONS

Commutations or pardons of death sentences were recorded in 28 countries: Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Egypt, Ghana, India, Iran, Iraq, Jamaica, Jordan, Kuwait, Malaysia, Mali, Myanmar, Nigeria, Saudi Arabia, Sierra Leone, Singapore, South Korea, Sri Lanka, Sudan, Tunisia, Trinidad and Tobago, UAE, USA, Viet Nam and Zimbabwe.

Amnesty International recorded 112 exonerations of death row prisoners in nine countries: Bangladesh (4), China (2), Jordan (1), Nigeria (32), Sudan (4), Tanzania (59), USA (7), Viet Nam (2) and Zimbabwe (1).³ The release of prisoners from death row on the grounds of

³ Exoneration is the process where, after sentencing and the conclusion of the appeals process, the convicted person is later freed from blame or acquitted of the criminal charge, and therefore is regarded as innocent in the eyes of the law. Iwao Hakamada was temporarily released in Japan pending retrial and therefore his case is not included in this list.

innocence exposes the fallibility of human justice and sparked debates on the death penalty in several countries, including countries where support for capital punishment has traditionally been strong, such as China, Japan, Viet Nam and the USA.

HOW THE DEATH PENALTY WAS USED IN 2014

The following methods of executions were used: beheading (Saudi Arabia), hanging (Afghanistan, Bangladesh, Egypt, Iran, Iraq, Japan, Jordan, Malaysia, Pakistan, Palestine, Singapore, Sudan), lethal injection (China, USA, Viet Nam) and shooting (Belarus, China, Equatorial Guinea, North Korea, Palestine, Saudi Arabia, Somalia, Taiwan, UAE, Yemen).

As in previous years, there were no reports of judicial executions carried out by stoning. In UAE one woman was sentenced to death by stoning for committing "adultery" while married. Public executions were carried out in Iran and Saudi Arabia.

Amnesty International has received reports indicating that at least 14 people were executed in Iran for crimes they allegedly committed when they were under 18 years of age. Egypt, Iran and Sri Lanka sentenced juvenile offenders to death in 2014. The imposition and execution of the death penalty against people aged under 18 when the crime was committed is a violation of international law. Often the actual age of the offender is in dispute because no clear proof of age, such as a certificate of registration at birth, exists.⁴ Amnesty International remained concerned that in Iran, Maldives, Nigeria, Pakistan, Saudi Arabia, Sri Lanka and Yemen, people who were juveniles at the time of their alleged crimes were under sentence of death during 2014.

People with mental or intellectual disabilities were under sentence of death in several countries including Indonesia, Japan, Malaysia, Pakistan, Trinidad and Tobago and the USA.

In the majority of countries where people were sentenced to death or executed, the death penalty was imposed after proceedings that did not meet international fair trial standards. In 2014 Amnesty International raised particular concerns in relation to court proceedings in Afghanistan, Bangladesh, China, Egypt, Iran, Iraq, North Korea, Pakistan, Saudi Arabia and Sri Lanka. In several countries – including Afghanistan, Bahrain, China, Iran, Iraq, North Korea and Saudi Arabia – sentences were based on "confessions" that may have been extracted through torture or other ill-treatment. In Iran some of these "confessions" were broadcast on television before the trial took place, further breaching the defendants' right to presumption of innocence.

⁴ 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 doubt in disputed cases so that the individual is treated as a juvenile offender, 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 continued to be imposed in Barbados, Iran, Malaysia, Pakistan, Singapore and Trinidad and Tobago. 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.

People continued to be sentenced to death or executed for crimes that did not involve intentional killing, and therefore did not meet the threshold of "most serious crimes", as prescribed by Article 6 of the International Covenant on Civil and Political Rights (ICCPR). The death penalty was imposed or implemented for drug-related offences in a number of countries, including China, Indonesia, Iran, Malaysia, Saudi Arabia, Singapore, Sri Lanka, Thailand, UAE and Viet Nam.

Other capital crimes which did not meet the standard of "most serious crimes" but for which the death penalty was imposed in 2014 included: economic crimes such as corruption (China, North Korea and Viet Nam); armed robbery (DRC); committing "adultery" while married (UAE); rape that resulted in death (Afghanistan); rape committed by repeat rape offenders (India), rape (Saudi Arabia, UAE); kidnapping (Saudi Arabia); torture (Saudi Arabia); "insulting the prophet of Islam" (Iran); blasphemy (Pakistan); "witchcraft" and "sorcery" (Saudi Arabia).

Finally, different forms of "treason", "acts against national security", "collaboration" with a foreign entity, "espionage", participation in "insurrectional movement and terrorism" and other "crimes against the state", whether or not they led to a loss of life, were punished with death sentences in Lebanon, North Korea, Palestine (in the West Bank and in Gaza), Qatar and Saudi Arabia.

THE DEATH PENALTY AND INTERNATIONAL INTERGOVERNMENTAL ORGANIZATIONS IN 2014

- Of the 35 member states of the Organization of American States, only the USA carried out executions.
- Of the 57 member states of the Organization for Security and Co-operation in Europe, only Belarus and the USA carried out executions.
- Four of the 54 member states of the African Union were known to have carried out judicial executions: Egypt, Equatorial Guinea, Somalia and Sudan.
- Nine of the 21 member states of the League of Arab States are known to have carried out executions: Egypt, Iraq, Jordan, Palestine, Saudi Arabia, Somalia, Sudan, UAE and Yemen.⁵
- Three of the 10 member states of the Association of Southeast Asian Nations are known to have carried out executions: Malaysia, Singapore and Viet Nam.
- Three of the 53 member states of the Commonwealth were known to have carried out executions: Malaysia, Pakistan and Singapore.

⁵ Syria's membership was suspended because of the violence used to suppress uprisings. Due to the ongoing conflict, Amnesty International could not confirm any information on the use of the death penalty in Syria in 2014.

- Three of the member and observer states of the Organisation internationale de la Francophonie are known to have carried out executions: Egypt, United Arab Emirates and Viet Nam.
- Japan and the USA were the only countries in the G8 to carry out executions.
- 173 of the 193 member states of the UN were execution-free in 2014.

POSITIVE DEVELOPMENTS

The number of executions recorded in 2014 decreased by 22% compared with 2013. In Sub-Saharan Africa, 46 executions were recorded in three countries compared to 64 executions in five countries in 2013 – a 28% drop. Only Equatorial Guinea, Somalia and Sudan are known to have carried out executions. The number of executions recorded by Amnesty International in the Middle East and North Africa decreased by approximately 23%, from 638 in 2013 to 491 in 2014. In the Americas, the USA continued to be the only country to implement death sentences – but executions dropped from 39 in 2013 to 35 in 2014, reflecting a steady decline in executions.

A number of positive legislative developments were also recorded. In December the National Assembly of Madagascar adopted legislation to abolish the death penalty. Similar bills remained pending before legislative bodies in Benin, Chad, Fiji, Mongolia and Suriname.⁶ The Parliament of Barbados began considering draft legislation aimed at abolishing the mandatory death penalty. In February, the US state of Washington imposed a moratorium on executions.

El Salvador, Gabon and Poland became state parties to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, on 8 April, 2 April and 24 April respectively. On 23 May, Poland also ratified Protocol No. 13 to the (European) Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances.

In December the UN General Assembly adopted its fifth resolution on a moratorium on the use of the death penalty. The number of votes in favour of resolution 69/186 increased by six, from 111 in 2012 to 117 in 2014, while 38 voted against and 34 abstained.⁷ Six more countries supported the resolution compared to last time a similar vote took place in 2012.⁸ New votes in favour of the 2014 resolution came from Equatorial Guinea, Eritrea, Fiji, Niger and Suriname. In a further positive sign, Bahrain, Myanmar, Tonga and Uganda moved from opposition to abstention. Regrettably, Papua New Guinea moved from abstention to a vote against the resolution.

⁶ The bills were adopted in Fiji and Suriname in February and March 2015 respectively.

⁷ The USA voted against the resolution but its vote was not captured in the official voting sheet.

⁸ On 20 December 2012, 111 states voted in favour, 41 against and 34 abstained in the vote on the UN General Assembly resolution 67/176. The full list of co-sponsors of and voting on the 2014 resolution can be found in Annex IV of this document.

New additions to the text of the 2014 resolution included calls on all states to comply with their obligations under the 1963 Vienna Convention on Consular Relations and respect the right of foreign nationals to receive information on consular assistance when legal proceedings are initiated against them; make available relevant information on the countries' use of the death penalty "disaggregated by sex, age and other criteria" as well as on the number of commutations, acquittals and pardon granted; and to not expand the scope of the death penalty.

CAMPAIGNING AGAINST THE DEATH PENALTY: AMNESTY INTERNATIONAL'S CONTRIBUTIONS

Throughout 2014, together with other members of civil society and stakeholders in all regions, Amnesty International activists helped to stop executions and secure positive action on the death penalty in a number of states. For example:

On 27 March **Iwao Hakamada** was temporarily released from death row in Japan pending a retrial. He had spent 45 years at the Tokyo Detention Centre under sentence of death, and developed a severe mental illness during his time on death row. Amnesty International's members had been campaigning on his behalf for nearly a decade.

Chandran s/o Paskaran was spared execution in Malaysia on 7 February after an outcry from human rights groups, including Amnesty International.

Osariakhi Ernest Obyangbon, a Nigerian national, was due to be executed in Malaysia on 14 March 2014. He had not received a fair trial and had been diagnosed as having schizophrenia, for which he had been receiving treatment before his appeal in 2007. Amnesty International was notified of the imminent execution 36 hours before it was due to be carried out and issued urgent appeals to the Malaysian authorities. After Osariakhi Ernest Obyangbon's execution was stayed, his brother wrote to Amnesty International, saying: "I am profoundly grateful to you and your entire team for saving my brother's life at the last minute. My brother was already moved from his room to the execution room and given different clothes to wear for the execution before you saved his life. We, the members of his family, will forever appreciate your magnanimity towards him." Both Chandran s/o Paskaran and Osariakhi Ernest Obyangbon remain on death row.

ThankGod Ebhos was sentenced to death in Nigeria in 1995. On 23 June 2013 he was taken to the gallows with four other men, all of whom were hanged in front of him. At the last minute, the prison authorities realized that ThankGod Ebhos's death sentence required a firing squad and he was returned to his cell. On 24 October, following campaigns against his execution, ThankGod Ebhos was released from death row.

Meriam Yehya Ibrahim was released from prison in Sudan, on 23 June. Her death sentence for apostasy, imposed by a Khartoum court on 15 May, was overturned by an appeals court. Meriam Yehya Ibrahim's case attracted widespread international attention with over one million people responding to Amnesty International's appeal for her release.

On 3 December the Court of Appeals for the Fifth Circuit stayed the execution of **Scott Panetti** in Texas, USA, less than eight hours before it was due to be carried out. His mental illness, which included schizophrenia, predated, and apparently contributed to, the murder for which he was sentenced to death. Amnesty International began campaigning on his behalf in 2004.

THE USE OF THE DEATH PENALTY TO COMBAT CRIME AND INSECURITY

Many countries that imposed or implemented death sentences in 2014 did so in response to real or perceived threats to state security and public safety posed by terrorism, crime or internal instability.

- **Pakistan** lifted a six-year long moratorium on the execution of civilians in the wake of the horrific Peshawar school attack. Seven people were executed in less than two weeks at the end of 2014. The government also pledged to execute hundreds of people on death row who had been convicted on terrorism-related charges.
- **China** made use of the death penalty as a tool in the “Strike Hard” campaign, which the authorities characterized as a response to terrorism and violent crime in the Xinjiang Uighur Autonomous Region. Three people were sentenced to death in a mass sentencing rally involving 55 people convicted of terrorism, separatism and murder. Between June and August, 21 people were executed in the Xinjiang Uighur Autonomous Region in relation to separate terrorist attacks.
- Both **Cameroon** and the **UAE** expanded the scope of the death penalty to include “terrorism”-related crimes.
- **Jordan** resumed executions in December after an eight-year hiatus, executing 11 men convicted on murder charges. The authorities clearly stated that the move was in response to increasing murder rates.
- In December, **Indonesia** announced the resumption of executions for drug-related offences to confront “a national emergency”.

The argument in support of use of the death penalty to combat crime ignores the fact that there is no convincing evidence that the death penalty works as a particular deterrent to crime, or that it is more effective than terms of imprisonment. This has been confirmed in many studies carried out by the UN and across different countries and regions.⁹

⁹ Amnesty International, Not making us safer: Crime, public safety and the death penalty (ACT 51/002/2013), 10 October 2013, available at www.amnesty.org/en/documents/act51/002/2013/en/

REGIONAL OVERVIEWS

AMERICAS

REGIONAL TRENDS

- The USA remained the only country to carry out executions in the Americas region. Fewer executions were recorded and fewer states executed.
- The use of the death penalty in the region continued to decline, with an overall decrease in the number of death sentences imposed (from at least 95 death sentences in 2013 to 77 in 2014).
- The US state of Washington imposed an official moratorium on executions on 11 February.
- The government of Suriname introduced draft legislation to remove the death penalty from the Criminal Code. El Salvador ratified an international treaty on the abolition of the death penalty.¹⁰
- Barbados began legislative processes to remove the mandatory death penalty.

THE DEATH PENALTY IN THE USA IN 2014¹¹

35 executions: Arizona (1), Florida (8), Georgia (2), Missouri (10), Ohio (1), Oklahoma (3) and Texas (10). All executions were carried out by lethal injection. Two women were among those executed in 2014.

At least 72 new death sentences: Alabama (4), Arizona (3), Arkansas (2), California (14), Connecticut (1), Florida (11), Georgia (1), Indiana (1), Kentucky (1), Louisiana (3), Mississippi (1), North Carolina (3), Ohio (3), Oklahoma (2), Oregon (1), Pennsylvania (4), South Carolina (1), South Dakota (1), Texas (11) and Federal (4).

3,035 people were under sentence of death as of October 2014, including 745 in California, 404 in Florida and 276 in Texas.

¹⁰ El Salvador ratified on 8 April the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The National Assembly of Suriname adopted changes to the Criminal Code abolishing the death penalty for all crimes in March 2015.

¹¹ For more information see Death Penalty Information Centre, "The Death Penalty in 2014: Year End Report", available at: www.deathpenaltyinfo.org/documents/2014YrEnd.pdf (accessed on 5 March 2015).

18 states have abolished the death penalty;¹² 32 retain it. Of these, Colorado, Kansas, Nebraska, New Hampshire, Oregon, Pennsylvania and Wyoming have not conducted any executions for at least 10 years. The governors of Oregon and Washington states have established official moratoriums on executions.¹³ The federal authorities have not carried out any executions since 2003 and the military authorities since 1961.

Seven people were exonerated of the crime for which they had been sentenced to death, bringing the total of such exonerations since 1973 to 150. At least two people had their death sentences commuted by the courts.

Four fewer people were executed in the USA than in 2013 and three states – Texas, Missouri and Florida – accounted for 80% of all executions. 65% of executions were carried out in southern states. Alabama and Virginia, states that executed in 2013, did not carry out executions in 2014. The number of executions in Texas declined from 16 in 2013 to 10 in 2014 and in Oklahoma from six to three. The number of executions in Missouri increased sharply, from two in 2013 to 10 in 2014.

The overall number of death sentences – at least 72 – decreased by eight compared to 2013.¹⁴ The total number of new death sentences recorded in 2014 was half the number recorded 10 years ago (140 in 2005).

Excluding the USA, five new death sentences were imposed in 2014 in three countries and 65 people were under sentence of death. Nearly half of those under sentence of death were in Trinidad and Tobago. Amnesty International did not record any new death sentences in the following countries: Antigua and Barbuda, the Bahamas, Belize, Cuba, Dominica, Grenada, Guatemala, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and Suriname.

No one was under sentence of death in Cuba, Dominica, Guatemala, Saint Lucia and Suriname.

On 27 March, at the request of nine member states of the Organization of American States,¹⁵ the Inter-American Commission on Human Rights (IACHR) held a hearing on the death penalty in the Americas. States expressed an interest in working towards abolition and the

¹² In addition, the District of Columbia has also abolished the death penalty.

¹³ The governor of Pennsylvania established a moratorium on executions on 13 February 2015.

¹⁴ Death Penalty Information Centre, "The Death Penalty in 2014: Year End Report", available at: www.deathpenaltyinfo.org/documents/2014YrEnd.pdf (accessed on 5 March 2015). This is a projected figure.

¹⁵ Argentina, Brazil, Costa Rica, Dominican Republic, Honduras, Mexico, Panama, Paraguay and Uruguay.

Commissioners challenged the failure of states to highlight the need to identify strategies towards this end.¹⁶

The authorities in several Caribbean countries continued to present the death penalty as a solution to high crime rates and called for the resumption of executions. The number of recorded murders remained high, particularly in the Bahamas and Trinidad and Tobago. Detection and conviction rates remained extremely low. Trinidad and Tobago recorded 451 murders in 2014 and the police service classified only 63 as detected, representing just 14.19% of all cases.¹⁷ In Guyana the Director of Public Prosecutions announced in 2014 that in 2013 the courts had heard 83 cases of murder and 12 for other serious offences, out of a total of 109 cases. Of these, only 36 had resulted in actual convictions.¹⁸

COUNTRY DEVELOPMENTS

Five people remained on death row in **Antigua and Barbuda**, after the authorities pardoned two prisoners during the year.

One man, Kofhe Goodman, remained under sentence of death at the end of the year in the **Bahamas**, where no new death sentences were recorded. Mario Flowers and Anthony Clarke had their death sentences commuted by the Court of Appeal in May and November respectively.¹⁹ Of particular relevance was the judgment in Mario Flowers' case, in which the judges not only ordered that the case be remitted to the Supreme Court for resentencing, but also found that the murder of a police officer is not in itself a sufficient element to classify the act as the "worst of the worst" and attract the death penalty. By placing the emphasis on the circumstances of the murder rather than on the identity of the victim, this decision calls

¹⁶ For more information, visit Inter-American Commission on Human Rights, "Human Rights Situation and the Death Penalty in the Americas", 27 March 2014, available at <http://hrbrief.org/2014/03/human-rights-situation-and-the-death-penalty-in-the-americas/> (accessed on 5 March 2015).

¹⁷ Trinidad and Tobago Police Service, Police Service Serious Crime Statistics, available at www.ttps.gov.tt/Statistics.aspx (accessed on 5 March 2015).

¹⁸ *Guyana Times*, "DPP disposes of 109 cases in 2013", 17 January 2014, available at www.guyanatimesgy.com/2014/01/13/dpp-disposes-of-109-cases-in-2013/ (accessed on 5 March 2015).

¹⁹ Case no. 174 of 2010 and 178 of 2010 *Sylvester Aritis vs. Regina* and *Mario A. Flowers vs. Regina*, delivered on 30 April; and 287 of 2013 and 291 of 2013 *Anthony Clarke vs. Regina*, delivered on 26 November.

into question the categorization of murders adopted by the Parliament in 2011, which made the murder of a police officer or prison guard punishable by death.²⁰

On 9 January the Leader of the Opposition in the Bahamas, Hubert Minnis, published a draft Constitutional (Amendment) (Capital Offences) Bill. The draft Bill – which was not formally introduced in Parliament for procedural reasons – removed the possibility of appeals against death sentences upheld by the Bahamas Court of Appeal to any other court “anywhere else in the world”, on any grounds.²¹ This move appeared to aim at preventing appeals to the Judicial Committee of the Privy Council, a UK-based court which has jurisdiction as the final appellate court for the Bahamas and several other Caribbean countries, and to the Inter-American Commission on Human Rights.²² It would have also removed delays in the execution of a death sentence or detention conditions as grounds for commutations; and it would have set time limits for mercy petitions and appeals to international bodies, after which a death sentence could have been implemented even if these appeals were pending.

Two new death sentences were imposed in **Barbados**, bringing to 11 the number of people held under sentence of death at the end of the year. In November, the government introduced in Parliament a series of bills aimed at bringing national legislation in line with regional human rights law, including as established by the Inter-American Court of Human Rights.²³

The Penal System Reform (Amendment) Bill, 2014 aims at improving guidelines for courts on the factors and mitigating circumstances which judges should consider in sentencing.²⁴ The Prisons (Amendment) Bill, 2014 would abolish corporal punishment in prisons, establish a prisoners release board and allow for the early release of prisoners.²⁵ The Criminal Procedure (Amendment) Bill, 2014 seeks to amend the Criminal Procedure Act to include mandatory psychiatric evaluations for all those appearing before the High Court in murder

²⁰ Penal Code (Amendment) Act, 2011, Art.290. The Act also made the following offences punishable either by death or life without the possibility of parole: murder of a judicial officer, including judges, registrars and prosecutors; murder of a witness or juror; murder of more than one person; murder committed by a defendant who has a prior murder conviction; and murder in exchange for value. Any other type of murder is punishable by a term of imprisonment of 30 to 60 years.

²¹ Paragraph 4,2(a) of the Bill. The Bill is available from the government website: www.bahamas.gov.bs/

²² Other independent Commonwealth countries that recognize the Judicial Committee of the Privy Council as their final court of appeal are Antigua and Barbuda, Grenada, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and Trinidad and Tobago.

²³ All bills were being considered by the Parliament as of 4 February 2015.

²⁴ Available at: www.barbadosparliament.com/bills/details/50 (accessed on 5 March 2015).

²⁵ Available at: www.barbadosparliament.com/bills/details/56 (accessed on 5 March 2015).

cases, in order to determine whether the defendant is fit to stand trial, as well as to allow judges to raise the defence of “insanity” and diminished responsibility should it be a concern.²⁶ The Constitution (Amendment) Bill, 2014 proposes amending the Constitution of Barbados to introduce discretion in the sentencing of people convicted of murder, which presently carries the mandatory death penalty.²⁷

While these bills include some positive steps, Amnesty International is concerned that the Constitution (Amendment) Bill, 2014 also seeks to prevent prisoners under sentence of death appealing against their sentences on the basis that the imposition or implementation of a death sentence violates their fundamental right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

No new death sentences were imposed in **Belize**, where one person remained under sentence of death.

The Parliament of **Dominica**, where no new death sentences were imposed and where no one was under sentence of death, adopted new legislation in July renouncing the authority of the Judicial Committee of the Privy Council and recognizing the Caribbean Court of Justice as its final appellate court. The human rights record of Dominica was reviewed at the Universal Periodic Review before the UN Human Rights Council on 1 May. The authorities of Dominica rejected recommendations to abolish the death penalty.²⁸

No new death sentences were imposed in **Grenada**. One man, Kyron McFarlane remained under sentence of death.²⁹

In October Robert Browne was sentenced to death for murder in **Guyana**. The Ministry of Foreign Affairs publically stated that, following the commutation of the death sentences of 15 prisoners in recent years, 13 men were on death row at the end of 2014.³⁰ However, information received by Amnesty International from the Office of the Director of Public Prosecutions indicated that 26 men were under sentence of death as of 31 December 2014.

²⁶ Available at: www.babadosparliament.com/bills/details/51 (accessed on 5 March 2015).

²⁷ Available at: www.babadosparliament.com/bills/details/52 (accessed on 5 March 2015).

²⁸ Amnesty International, Dominica still falling down on the death penalty and the rights of LGBTI persons (AMR 26/001/2014), 19 September 2014, available at www.amnesty.org/en/library/asset/AMR26/001/2014/en/639f9570-8be3-45c3-b1db-19904dfbe495/amr260012014en.pdf

²⁹ Information provided by the authorities to Amnesty International in 2014 indicated that no one was under sentence of death at the end of the year. Subsequent information received by the organization indicated that Kyron McFarlane is still under sentence of death but he is no longer held on death row.

³⁰ UN Human Rights Council, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21-Guyana, UN doc. A/HRC/WG.6/21/GUY/1, 19 January 2015.

The national consultation on the abolition of the death penalty, which the government committed to put in place by 2015 through the Parliamentary Special Select Committee, had not begun by the end of 2014. The President suspended the Parliament on 10 November and elections are expected in May 2015.

No new death sentences were imposed in **Jamaica** during 2014, while one man, Leslie Moodie, had his death sentence commuted. Another man, Separus Lee, remained under sentence of death at the end of the year.

No new death sentences were recorded in **Saint Kitts and Nevis**, where one person, Everson Mitcham, remained under sentence of death at the end of the year.

Patrick Lovelace remained the only person under sentence of death in **Saint Vincent and the Grenadines**, where no new death sentences were imposed.

In June the government of **Suriname** introduced draft legislation to amend the Criminal Code and abolish the death penalty for all crimes, while increasing maximum terms for life sentences from 20 to 30 years.³¹ No new death sentences were recorded and no one was under sentence of death at the end of the year.

At least two new death sentences were imposed in **Trinidad and Tobago** in 2014. Ronald Bisnath was sentenced to death on 26 March and Shawn Marceline on 17 June, both having been convicted of murder. Richard Anthony Daniel and Julia Ramdeen, the only woman under sentence of death, had their death sentences commuted on appeal by the Judicial Committee of the Privy Council in February and March respectively.³²

Two prisoners, Garvin Sookram and Keron Lopez, had their death sentences confirmed by the Privy Council and appealed to the IACHR. On 19 May the IACHR asked the government of Trinidad and Tobago to refrain from executing the two men until it had ruled on the merits of their individual appeals.³³ With at least 30 people under sentence of death at the end of the year, Trinidad and Tobago holds the second largest death row population in the Americas region, after the USA. The consultation on the new Constitution initiated by the Ministry of Legal Affairs in 2013, including on the retention or abolition of the death penalty, continued in 2014.

³¹ The National Assembly adopted the Bill on 3 March 2015.

³² Judicial Committee of the Privy Council, *Richard Anthony Daniel v. The State*, Appeal No.48 of 2012, [2014] UKPC 3, delivered on 13 February 2014; and Judicial Committee of the Privy Council, *Ramdeen v. The State*, Appeal no. 77 of 2012, [2014] UKPC 7, delivered on 27 March 2014.

³³ See also: www.oas.org/en/iachr/decisions/precautionary.asp

The **USA** continued to use the death penalty in contravention of international law and standards. On 22 January Edgar Arias Tamayo was executed in Texas in violation of a binding judgment by a 2004 International Court of Justice (ICJ), which ordered the USA to provide judicial “review and reconsideration” of the convictions and sentences imposed against 51

Mexican nationals, including Edgar Tamayo.³⁴ Nine US states had denied the 51 individuals their right to seek consular assistance without delay after the arrest, as required by the Vienna Convention on Consular Relations. The Inter-American Commission on Human Rights stated that the USA had deprived Edgar Arias Tamayo of a criminal process that satisfied the minimum standards of due process and a fair trial as required under the American Declaration of the Rights and Duties of Man.³⁵ On 9 April the US authorities once again violated the ICJ judgment by executing Ramiro Hernandez Llanas, who was also part of the group of 51 Mexican nationals covered by the ICJ ruling. Ramiro Hernandez Llanas had an intellectual disability which, his lawyers argued, made his execution unconstitutional.³⁶

Amnesty International recorded several cases in which the death penalty was used against people with mental and intellectual disabilities in contravention of international law and standards. Askari Abdullah Muhammad was executed in Florida on 7 January for a murder committed in prison in 1980. He had a long history of serious mental illness, including a diagnosis of paranoid schizophrenia.³⁷ Paul Goodwin was executed in Missouri on 10 December. His lawyers had sought clemency on the grounds that his intellectual disability, combined with other mental deficits, rendered his execution unconstitutional.³⁸

³⁴ International Court of Justice, *Avena and Other Mexican Nationals (Mexico v. United States of America)*, Judgment, 31 March 2004, available at www.icj-cij.org/docket/index.php?pr=605&p1=3&p2=3&case=128&code=mus&p3=4 (accessed on 5 March 2015). Among the 51 Mexican nationals, José Ernesto Medellín and Humberto Leal García were executed in 2008 and 2011 respectively.

³⁵ Inter-American Commission on Human Rights, “IACHR Concludes that the United States Violated Tamayo’s Fundamental Rights and Requests that his Execution be Suspended”, 17 January 2014, available at www.oas.org/en/iachr/media_center/PReleases/2014/002.asp

³⁶ Amnesty International, Texas execution set despite mental disability, Urgent Action 71/14 of 24 March 2014, available at: www.amnesty.org/en/library/info/AMR51/019/2014/en

³⁷ Amnesty International, Execution looms after decades on death row, Urgent Action 321/13 of 27 November 2013, www.amnesty.org/en/library/info/AMR51/080/2013/en

³⁸ Amnesty International, Missouri execution set for human rights day, Urgent Action 302/14 of 3 December 2014, www.amnesty.org/en/library/info/AMR51/057/2014/en

“INTELLECTUAL DISABILITY IS A CONDITION, NOT A NUMBER”³⁹

On 27 May 2014 the US Supreme Court struck down in *Hall v. Florida* a law of Florida requiring that a defendant claiming to have intellectual disability – and to be therefore exempt from execution under national law – show an IQ score of 70 or below.⁴⁰ The Supreme Court judgment of 2002, which established the prohibition on executing people with intellectual disabilities, had left to states the “task of developing appropriate ways to enforce the constitutional restriction”, resulting in limited protection in some states and rigid assessments procedures.⁴¹

In its 2014 ruling the US Supreme Court found that Florida’s exclusive reliance on the IQ test to make the assessment blocked the presentation of other evidence that would demonstrate limitations in the defendants’ mental faculties. Other evidence could include medical histories, school tests and reports, and testimony on past behaviour and family circumstances. The Court also found that the assessment procedure as established in Florida failed to recognize that IQ scores are imprecise.⁴²

Robert Campbell had his execution stayed just two and a half hours before it was due to be carried out in Texas on 13 May. The stay was granted to allow his lawyers to pursue an appeal based on new evidence that he has an intellectual disability that would render his execution unconstitutional.⁴³

On 3 December the Court of Appeals for the Fifth Circuit issued a stay of execution for Scott Panetti, less than eight hours before it was due to be carried out. His mental illness, which includes schizophrenia, predates, and apparently contributed to, the murder for which he was sentenced to death. He was nonetheless found competent to stand trial and was allowed to represent himself in proceedings that were described by people who were present as a “mockery”.⁴⁴

³⁹ *Hall v. Florida*, 572 U. S. (2014), delivered on 27 May 2014.

⁴⁰ *Hall v. Florida*, 572 U. S. (2014), delivered on 27 May 2014.

⁴¹ *Atkins v. Virginia*, 536 U.S. 304 (2002), delivered on 20 June 2002.

⁴² Amnesty International, The Nation we aspire to be: Revisiting intellectual disability and the death penalty, 29 May 2014, available at www.amnesty.org/en/library/info/AMR51/034/2014/en

⁴³ Amnesty International, Mental disability claim as execution nears, further information on Urgent Action 90/14, 6 May 2014, available at www.amnesty.org/en/library/info/AMR51/029/2014/en

⁴⁴ Amnesty International, USA: Texas set to execute severely mentally ill man, Urgent Action 292/14, 18 November 2014, available at www.amnesty.org/en/library/info/AMR51/053/2014/en

Frank Walls, who was 19 at the time of the murder of two people for which he was sentenced to death, was assessed as functioning at the level of a 12-year-old and as suffering from brain damage, brain dysfunction and major psychiatric disorders.⁴⁵

Michael Zack suffered severe physical, sexual and psychological abuse as a child and teenager. Mental health experts present at his trial testified that in their opinion he suffered from post-traumatic stress disorder, chronic depression and possible brain damage, that he had the mental and emotional age of a young child and that his ability to appreciate the criminality of his conduct had been substantially impaired.⁴⁶

Both Frank Walls and Michael Zack sought clemency from the Governor of Florida in 2014. No decision on their clemency applications had been made by the end of the year.

Concerns about racial discrimination continued to mark the use of the death penalty in the USA. Within a few weeks in 2014, Texas executed two individuals who were just above 18 at the time of the crimes for which they were convicted. Both were African American: Ray Jasper was tried for the murder of a white man in front of all-white juries. Earl Ringo was executed on 10 September in Missouri for the murder of two white people. He was tried in front of an all-white jury. In April the UN Human Rights Committee expressed concern “about the continuing use of the death penalty and, in particular, racial disparities in its imposition that disproportionately affects African Americans, exacerbated by the rule that discrimination has to be proven on a case-by-case basis.” The Committee recommended that the USA take measures to effectively ensure that the death penalty is not imposed as a result of racial bias and “consider establishing a moratorium on the death penalty at the federal level and engage with retentionist states with a view to achieving a nationwide moratorium.”⁴⁷

A similar recommendation was made by the UN Committee against Torture, which examined the period report of the USA in November. The Committee expressed “concern at the State party’s admission that it is not currently considering abolishing the death penalty at the federal level.” The Committee also expressed concern “at reported cases of excruciating pain

⁴⁵ Amnesty International, “USA: Florida death row prisoner seeks clemency: Frank Walls”, Urgent Action appeal 319/13, AMR 51/079/2013, available at: www.amnesty.org/en/library/info/AMR51/079/2013/en

⁴⁶ Amnesty International, “USA: Death row inmate seeks commutation to life”, Urgent Action appeal 140/14, (AMR 51/033/2014), available at: www.amnesty.org/ar/library/asset/AMR51/033/2014/en/f6b9fd4c-b5de-40f7-899f-3298e9a69385/amr510332014en.pdf

⁴⁷ UN Human Rights Committee, Concluding observations on the fourth periodic report of the United States of America, UN doc. CCPR/C/USA/CO/4, 23 April 2014, para8.

and prolonged suffering that procedural irregularities have caused condemned prisoners in the course of their execution.”⁴⁸

TRYING TO FIX THE UNFIXABLE: ABOLITION IS THE ONLY SOLUTION

In recent years, executing states in the USA have been confronted by limited availability of substances used in lethal injection protocols; this is due both to changes in the domestic production of these drugs as well as tighter regulations in the European Union on the export of substances which could be used in executions or torture.⁴⁹

Several states have taken steps to amend their legislation to either introduce alternative lethal injection protocols or to allow the use of substances produced by compounding pharmacies, which are not certified by the U.S. Food and Drug Administration.⁵⁰ Some states have also attempted to conceal the source of the drugs they use in lethal injection. Bills to enable this were introduced in Alabama, Georgia and Ohio.

In 2014, three more US executions were added to the list of those that have been described as “botched”.⁵¹ In January, Dennis McGuire in Ohio appeared to gasp several times and snort loudly after the lethal injection with midazolam, one of the “new” drugs, began.⁵² It took more than 20 minutes before he was pronounced dead.⁵³ In April, Clayton Lockett died in Oklahoma approximately 40 minutes after the lethal injection began, during which period he gasped, writhed and mumbled.⁵⁴ An investigation by the Oklahoma Department of Public

⁴⁸ UN Committee against Torture, Concluding observations on the combined third to fifth periodic reports of the United States of America, UN doc. CAT/C/USA/CO/3-5, 19 December 2014, para25.

⁴⁹ Together with other NGOs, such as Reprieve and Omega, since 2010 Amnesty International has been advocating for tighter regulations in the trade from Europe, and in particular that Council of the European Union Regulation (EC) No 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment is amended, including to add in its Annex III substances such as hydromorphone, midazolam, pancuronium bromide, rocuronium bromide and vecuronium bromide.

⁵⁰ The U.S. Food and Drug Administration defines compounding pharmacies as practices “in which a licensed pharmacist, a licensed physician, or, in the case of an outsourcing facility, a person under the supervision of a licensed pharmacist, combines, mixes, or alters ingredients of a drug to create a medication tailored to the needs of an individual patient.” For more information, visit: www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/PharmacyCompounding/ucm339764.htm

⁵¹ Death Penalty Information Centre, “Examples of Post-Furman Botched Executions”, available at www.deathpenaltyinfo.org/some-examples-post-furman-botched-executions?scid=8&did=478

⁵² Amnesty International, “USA: Another killing in a long-since failed experiment”, 17 January 2014, available at www.amnesty.org/en/library/info/AMR51/005/2014/en

⁵³ He was executed with the “new” drugs midazolame and hydromorphone. No further executions have been carried out in Ohio since.

⁵⁴ Amnesty International, USA: Time to do something, Mr President: After Oklahoma's ‘botched’ execution, a call for human rights leadership, 2 May 2014, available at www.amnesty.org/en/library/info/AMR51/028/2014/en

Safety found that a paramedic and a physician had spent 50 minutes trying to place the needle to administer the lethal injection drugs in different parts of Clayton Lockett's body.⁵⁵ The investigation found an elevated concentration of midazolam in the tissue near his right groin indicated that the drug had not been administered into the vein. In July Arizona executed Joseph Wood using midazolam and hydromorphone. Witnesses to the execution described Joseph Wood as gasping and snorting for more than an hour.⁵⁶

While the federal authorities announced a review of the use of the death penalty in April, several states have taken steps to amend their execution methods.⁵⁷ In 2014 Oklahoma proposed to reintroduce executions by gas chambers; Tennessee and Virginia by electric chair; Utah and Wyoming by firing squad.⁵⁸

Amnesty International opposes the death penalty unconditionally, regardless of the method of execution used. The organization believes that there is no such thing as a humane execution and renews its call on the US authorities to take the opportunity of the present debate on execution procedures to abolish the death penalty for all crimes.

During 2014, Alabama, California, Kansas, Louisiana and Missouri considered draft legislation to expedite executions through the streamlining of appeals and/or scheduling of executions. In Colorado a bill was introduced to limit the power of the Governor to grant clemency. On 14 May the Governor of Louisiana signed into law a bill expanding the scope of the death penalty and making the murder of a prison worker a capital crime.

The states of Maryland, South Dakota and West Virginia considered bills to reinstate the death penalty, while Arizona, Delaware, Florida, Kansas, Nebraska, New Hampshire and Washington debated draft legislation for its abolition. In Washington, the Governor established a moratorium on all executions.

Charges were dropped in six cases where individuals had been sentenced to death and one man was acquitted of the crime for which a death sentence had been imposed. These seven cases in 2014 bring the number of former death row inmates exonerated since 1973 to 150.⁵⁹ Carl Dausch was acquitted in Florida, while Glenn Ford was exonerated in Louisiana;

⁵⁵ Oklahoma Department of Public safety, The Execution of Clayton D. Lockett-Case Number 14-0189SI, available at <http://deathpenaltyinfo.org/documents/LockettInvestigationReport.pdf> (accessed on 5 March 2015). In January 2015 the US Supreme Court agreed to review the lethal injection procedure of Oklahoma and halted scheduled executions pending its review.

⁵⁶ Amnesty International, USA: 'He is still alive', 24 July 2014, AMR 51/042/2014, available at: www.amnesty.org/en/library/info/AMR51/042/2014/en

⁵⁷ "Holder: DOJ needs Congress' support to reduce immigration backlog", PBS, 31 July 2014, available at www.pbs.org/newshour/bb/holder-doj-needs-congress-support-reduce-immigration-backlog/ (accessed on 5 March 2015).

⁵⁸ A good summary of legislation proposed and passed can be found at Death Penalty Information Centre, 2014 legislation, available at: www.deathpenaltyinfo.org/2014legislation, (accessed on 5 March 2014).

⁵⁹ For the full list, visit Death Penalty Information Centre at www.deathpenaltyinfo.org/innocence-list-those-freed-death-row?scid=6&did=110

Henry McCollum and Leon Brown in North Carolina; and Ricky Jackson, Wiley Bridgeman and Kwame Ajamu in Ohio.

Pre-trial military commission proceedings continued against six detainees at the US naval base in Guantánamo, Cuba. The US government intends to seek the death penalty in all cases if the individuals are convicted. The military commissions do not meet international fair trial standards. Any imposition of the death penalty after such a trial would violate international law.

ASIA-PACIFIC

REGIONAL TRENDS

- Pakistan and Singapore resumed executions in 2014.
- China, Democratic People's Republic of Korea (North Korea) and Viet Nam continued to classify data on the death penalty as a state secret.
- The number of executing countries decreased from 10 in 2013 to 9 in 2014.
- A bill to abolish the death penalty remained pending in Mongolia. Legislators in Fiji, Republic of Korea (South Korea) and Thailand began debates on abolition of the death penalty.⁶⁰
- China, Japan and Viet Nam exonerated people who had been sentenced to death.

EXECUTIONS AND DEATH SENTENCES IN ASIA-PACIFIC

At least 32 executions in nine countries: Afghanistan (6), China (+), Japan (3), Malaysia (2+), North Korea (+), Pakistan (7), Singapore (2), Taiwan (5), Viet Nam (3+). This figure does not include the number of executions believed to have taken place in China.

At least 695 new death sentences were known to have been imposed in 17 countries in the region: Afghanistan (12+), Bangladesh (142+), China (+), India (64+), Indonesia (6), Japan (2), Malaysia (38+), Maldives (2), Myanmar (1+), North Korea (+), Pakistan (231), Singapore (3), South Korea (1), Sri Lanka (61+), Taiwan (1), Thailand (55+), Viet Nam (72+).

Amnesty recorded 32 executions in the Asia-Pacific region – these figures do not include China, which executed thousands. While the number of recorded executions remained essentially the same as in 2013 (37), the number of death sentences recorded in 2014 decreased by 335 compared to 2013, excluding China.

In China, data on the number of executions and death sentences remained a state secret in 2014. Amnesty International stopped publishing figures on China in 2009 and instead

⁶⁰ Fiji abolished the death penalty for all crimes in February 2015.

challenged the Chinese government to release the numbers themselves in line with international standards and to prove their claims that they are achieving their goal of reducing the application of the death penalty.

The decrease in death sentences in the region is partly attributable to a decrease in the number of death sentences in Bangladesh, which in 2013 recorded the exceptionally high figure of 220 new death sentences because of the mass sentencing of 152 people for mutiny. It is also partly due to the difficulty of obtaining figures for countries such as Viet Nam.

In a landmark judgment in January the Supreme Court of India put executions in that country on hold. Doubts surrounding the safety of the conviction in several cases sparked debates on the death penalty in countries such as China, Japan and Viet Nam.

However, several other countries took action to resume executions. Following a terrorist attack that killed more than 140 people in December, Pakistan lifted its moratorium on executions of civilians. Papua New Guinea continued to take steps towards resuming executions.

Countries in the region continued to use the death penalty in contravention of international law and standards. The Trincomalee High Court of Sri Lanka sentenced a man to death for a crime committed when he was 12 years old. Juvenile offenders remained under sentence of death in Maldives, Pakistan and Sri Lanka. People with mental or intellectual disabilities remained on death row in several countries, including Indonesia, Japan, Malaysia and Pakistan.

The death penalty was imposed after unfair trials in Afghanistan, Bangladesh, China, North Korea, Pakistan and Sri Lanka. In China and North Korea, forced “confessions” extracted through torture or other ill-treatment were admitted as evidence at trials. Special courts imposed the death penalty in Bangladesh, India and Pakistan.

The courts of Malaysia, Singapore and Pakistan imposed the mandatory death penalty, and for crimes that do not meet the threshold of the “most serious crimes” under the International Covenant on Civil and Political Rights (ICCPR), such as blasphemy (Pakistan), economic crimes (China, North Korea, Viet Nam), and rape that resulted in death (Afghanistan) and rape committed by repeat rape offenders (India). China, Indonesia, Malaysia, Singapore, Sri Lanka, Thailand and Viet Nam continued to sentence people to death for drug trafficking. Executions for drug trafficking were recorded in China, Malaysia, Singapore and Viet Nam.

COUNTRY DEVELOPMENTS

At least 12 men were sentenced to death in **Afghanistan**, where six people were executed on 8 October. Five of them – Samimullah, Azizullah, Nazar Mohammad, Qaisullah and Habibullah – were sentenced to death after unfair trials for armed robbery, kidnapping and the rape of at least four women. One woman died as a result of her injuries.

In October officials at the Presidential Palace stated that the government would review the cases of 400 people who had been sentenced to death, approximately 100 of whom had their death sentence finalized by the Supreme Court.⁶¹

Afghanistan was reviewed under the UN Human Rights Council Universal Periodic Review (UPR) on 27 January. The Afghan authorities rejected recommendations to establish a moratorium on executions and abolish the death penalty.⁶²

In 2014 Amnesty International did not record any executions in **Bangladesh**, where at least 141 men and one woman were sentenced to death. The NGO Odhikar reported that a further 33 death sentences were imposed, for an overall total of at least 175. At least 1,235 people were under sentence of death at the end of the year.

The International Crimes Tribunal (ICT), a Bangladeshi court established to investigate the events of Bangladesh's 1971 independence war, sentenced six senior officials of the opposition party Jamaat-e-Islami to death – Ameer Motiur Nizami in October; Mir Qasim Ali, M.A. Zahid Hossain Khokon and Mobarak Hossein in November; Syed Mohammad Qaisar and Azharul Islam in December. The Supreme Court commuted the death sentence of Delwar Hossain Sayedee in September and upheld the sentence of Muhammad Kamaruzzaman in November.⁶³

The proceedings before the ICT did not meet international fair trial standards. The ICT is not an impartial court and all the sentences it imposed were against opposition party members, the majority of them against leaders of the Jamaat-e-Islami party.

No executions and no new death sentences were recorded in **Brunei Darussalam**. On 1 May a new Penal Code came into force in Brunei Darussalam, retaining the death penalty for a range of offences which do not meet the threshold of the “most serious crimes” under international law, including robbery. Defendants who were under 18 when crimes were committed can also be sentenced to death and acts that should not be considered crimes, such as consensual sex between unmarried adults or adults of the same gender, also attract the death penalty under the new Penal Code. Brunei Darussalam was reviewed under the

⁶¹ “Afghanistan to review cases of 400 convicts sentenced to death”, Khaama Press, 14 October 2014, available at www.khaama.com/afghanistan-to-review-cases-of-400-convicts-sentenced-to-death-6837 (accessed on 4 March 2015).

⁶² UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Afghanistan, UN doc. A/HRC/26/4, 4 April 2014.

⁶³The full verdict of the decision in the Muhammad Kamaruzzaman case was published in February 2015. Another review is still available to him before the Supreme Court. A new death sentence was imposed by the ICT on 18 February 2015 against Abdus Subhan.

UPR on 2 May. The state rejected recommendations to amend the Penal Code to bring it into line with international law and to abolish the death penalty.⁶⁴

Amnesty International monitors the use of the death penalty in **China** through available, but limited, sources, including media reports. On the basis of these sources, the organization estimates that in 2014 China continued to execute more than the rest of the world combined, and sentenced thousands to death.

Death sentences continued to be imposed after unfair trials and for non-lethal acts. Approximately 8% of all recorded executions in China, were carried out for drug-related crimes. Economic crimes, including embezzlement, counterfeiting and taking bribes accounted for approximately 15% of all executions. In some instances family members only found out about the executions of their relatives on the same day the death sentences were implemented.

Amnesty International was particularly concerned by the use of the death penalty as a tool in the “Strike Hard” campaign, which the authorities characterized as a response to terrorism and religious extremism in the north-western Xinjiang Uighur Autonomous Region. In one instance, three people were sentenced to death in a stadium in front of more than 7,000 people as part of a mass sentencing event involving 55 defendants. The death sentences were imposed for intentional homicide in connection with the murder of four people, including a three-year-old girl.⁶⁵

On 16 June, 13 people involved in seven separate cases were executed. They had been convicted of various offences including organizing, leading and participating in terrorist groups; murder; arson; theft; and illegal manufacture, storage and transportation of explosives.⁶⁶ Eight people of Uighur ethnicity were executed on 23 August in relation to separate terrorist attacks.⁶⁷

Several cases of wrongful convictions and executions emerged in 2014, sparking debate on the death penalty. Nian Bin was released in August after the Fujian Provincial Higher People’s Court acquitted him of murder due to insufficient evidence. He had filed three appeals in six years and the Supreme People’s Court had overturned his death sentence and

⁶⁴ Amnesty International, Brunei’s revised Penal Code a dangerous step backwards for human rights (ASA 15/002/2014), 19 September 2014, available at www.amnesty.org/en/library/info/ASA15/002/2014/en.

⁶⁵ “Xinjiang’s Yili hold Mass Sentencing Rally: 55 Terrorist are Charged”, Xinhua, 27 May 2014, available at <http://news.qq.com/a/20140527/044951.htm> (accessed 5 March 2015).

⁶⁶ “13 executed over terror attacks, violent crimes in Xinjiang”, Xinhua, 16 June 2014, available at http://news.xinhuanet.com/english/china/2014-06/16/c_133411946.htm (accessed 5 March 2015).

⁶⁷ “8 terrorists executed in Northwest China”, Xinhua, 24 August 2014, available at http://news.xinhuanet.com/english/video/2014-08/24/c_133579992.htm (accessed 5 March 2015).

ordered a retrial in 2010. Nian Bin had maintained that he was forced to “confess” to the crime during police interrogation. Reports in November indicated that the police had begun a new investigation into the same crime for which Nian Bin was acquitted and listed him as one of the suspects.⁶⁸

In December, the Inner Mongolia Higher People’s Court exonerated Hujiltu (also known as Qoysiletu) of intentional homicide due to insufficient evidence.⁶⁹ Hujiltu was executed in 1996; and he had maintained that he was ill-treated and forced to “confess” to the crime while in police custody. In 2005 another man confessed to the crime.

Also in December, the Shandong Provincial Higher People’s Court announced a review of the case of Nie Shubin who was executed in 1995 at the age of 21 for an alleged rape and intentional homicide in Shijiazhuang city, Hebei province. Another man was arrested in 2005 for three other unconnected rape and murder cases and claimed that he was also responsible for the murder for which Nie Shubin was convicted.⁷⁰

Another case that provoked considerable debate was that of Li Yan. On 24 June the Supreme People’s Court overturned her death sentence. She had been convicted of killing her husband. Prior to the murder, Li Yan had contacted the police on several occasions to seek protection from physical violence. On one occasion, following a physical assault by her husband she required hospital treatment. This information was not taken into account during her first trial. At the end of the year Li Yan was still awaiting a verdict.

Legal academics were among the concerned voices that called for reforms in the administration of justice, urging the Supreme People’s Court to issue a notice to all courts to provide legal aid to defendants charged with offences that are punishable by death.⁷¹

The process of reforming the administration of justice continued in 2014. The Decision from the Fourth Plenum of the 18th Party Congress indicated that steps would be taken to ensure

⁶⁸ “Chinese police again probe acquitted death row prisoner: lawyer”, Reuters, 25 November 2015, available at www.reuters.com/article/2014/11/25/us-china-rights-idUSKCN0J915I20141125 (accessed 5 March 2015). On 15 February 2015, Fuzhou City Intermediate People’s Court ruled that Nian Bin should receive state compensation of more than 1.13 million yuan (US\$180,622).

⁶⁹ “Courts find executed Chinese teenager ‘not guilty’”, BBC News, 15 December 2014, available at www.bbc.com/news/world-asia-china-30474691 (accessed 5 March 2015).

⁷⁰ “China reviews another execution after miscarriage ruling”, Reuters, 23 December 2014, available at www.reuters.com/article/2014/12/23/us-china-crime-idUSKBN0K109S20141223 (accessed 5 March 2015).

⁷¹ Liu Renwen, “Defendants Facing Death Penalty Review Should Have Right to Legal Aid”, Legal Daily, 26 March 2014.

the independence of the judiciary by limiting the power of officials to interfere in legal cases.⁷²

In November the National People's Congress began consideration of the People's Republic of China Criminal Law Amendment (9) (Draft) which, if adopted, would remove the possibility of imposing the death penalty for nine crimes and reduce the overall number of capital offences from 55 to 46.⁷³ The authorities noted that since the last amendment to the list of capital offences in 2011, the abolition of the death penalty for the 13 crimes "has not had a negative impact on public order" and that society has "expressed positive opinion in favour of reducing the number of crimes for which the death penalty is used".⁷⁴ While a welcome step, Amnesty International remained concerned that these proposed amendments will have a limited effect in reducing its use in practice. The authorities have themselves acknowledged that the death penalty is "seldom used" for the nine crimes for which its abolition is proposed. Furthermore, several of the remaining 46 capital offences, which include economic crimes such as embezzlement and taking bribes, as well as non-lethal crimes such as rape, trafficking of women and children, sabotaging communications or communication equipment, and drug-related crimes, do not meet the threshold of the "most serious crimes" for which the death penalty can be imposed under international law.

The practice of harvesting organs from executed prisoners for transplants continued throughout 2014, despite the 2013 announcement by former Vice-Minister of Health Huang Jiefu that organs would only be sourced from voluntary donation schemes as of mid-2014.⁷⁵ Huang then later announced that using organs from prisoners will be phased out starting from 1 January 2015.⁷⁶

⁷² Chinese Communist Party, "CCP Central Committee Decision concerning Some Major Questions in Comprehensively Moving Governing the Country According to the Law Forward", available at <https://chinacopyrightandmedia.wordpress.com/2014/10/28/ccp-central-committee-decision-concerning-some-major-questions-in-comprehensively-moving-governing-the-country-according-to-the-law-forward/> (accessed 5 March 2015).

⁷³ The nine crimes were smuggling weapons or ammunition, smuggling nuclear materials, smuggling counterfeit currency; counterfeiting currency; fraudulent fundraising, organizing prostitution, forcing others into prostitution; obstructing the performance of military duties; and spreading rumours during a state of war.

⁷⁴ National People's Congress, "Xingfa Xiuzheng'an (9) (Caoan) Tiaowen" (Criminal Law Amendment (9) Provisions), 13 November 2014, available at www.npc.gov.cn/npc/xinwen/lfgz/flca/2014-11/03/content_1885029.htm (accessed 5 March 2015).

⁷⁵ Amnesty International, Death sentences and executions in 2013 (ACT 50/001/2014), p.21.

⁷⁶ For example, "China to stop harvesting executed prisoners' organs", BBC News, 4 December 2014, www.bbc.com/news/world-asia-china-30324440 (accessed 5 March 2015).

On 29 October the government of **Fiji**, where the last execution was carried out in 1964, announced during its UPR that, at the following session of Parliament, the Military Code would be amended to remove any references to the death penalty.⁷⁷ Fiji supported UPR recommendations to ratify the Second Optional Protocol to ICCPR and abolish the death penalty for all crimes.

While the government of **India** scheduled several executions in 2014, none were carried out. Amnesty International recorded that at least 64 new death sentences were imposed for murder and, for the first time since the Criminal Law (Amendment Act) of 2013 came into force, rape by repeat offenders. Information reported by the Death Penalty Research Project of the National Law University in Delhi indicated that 270 people were under the sentence of death and that eight people had their mercy petitions rejected in 2014.⁷⁸

In a landmark judgment on 21 January the Supreme Court commuted the death sentences of 15 people.⁷⁹ Thirteen of them (Suresh, Ramji, Bilavendran, Simon, Gnanprakasham, Meesekar Madaiah, Praveen Kumar, Gurmeet Singh, Sanjeev Chaudhury, Jafar Ali, Shivu, Jadeswamy and one woman, Sonia Chaudhury), on the grounds that there was a delay in the disposal of their mercy petitions by the President. The delays in question ranged from five to 12 years. The Court also commuted the death sentences of Sundar Singh and Magan Lal Barela on the ground that they suffer from mental illness.

In its judgment, the Supreme Court ruled that “undue, inordinate and unreasonable delay in execution of death sentence [amounted to] torture” and was a ground for commutation of sentence. Importantly, the Court also ruled as “bad law” a previous decision in the case of Devender Pal Singh Bhullar, which stated that prisoners convicted of terrorism-related offences cannot appeal for commutation on grounds of inordinate delay.

Quoting extensively from international treaties and standards, the Supreme Court stated that the execution of people suffering from mental illness was unconstitutional and ruled that mental disability would be a factor that warranted commutation of a death sentence. The Court also reiterated that solitary confinement of a prisoner on death row was unconstitutional and set guidelines on the treatment of people under sentence of death. According to the guidelines, prisoners on death row should receive legal aid; be informed in writing about the rejection of their mercy petitions; have their mental and physical conditions regularly checked; and be allowed to meet their family members before execution.

⁷⁷ The Bill to this aim was adopted and signed into law in February 2015.

⁷⁸ For more information visit Death Penalty Research Project at www.deathpenaltyindia.com/

⁷⁹ Supreme Court of India, *Shatrughan Chauhan & Anr Vs. Union of India & Ors*, Writ Petition (Criminal) No. 55 of 2013, delivered on 21 January 2014.

Among those whose death sentences were commuted in 2014 following this judgment was Devender Pal Singh Bhullar.⁸⁰ Devender Pal Singh Bhullar was sentenced to death in August 2001 for his involvement in a bomb attack in New Delhi in 1993 that killed nine people. He was arrested in January 1995 under the Terrorist and Disruptive Activities (Prevention) Act, a law that subsequently lapsed and contained provisions incompatible with international human rights law, including the right to a fair trial.

In 2014 the President rejected the mercy petitions of Holiram Bordoloi, Jagdish, Surendra Koli, Yakum Memon, Sonu Sardar, Rajendra Wasnik, and two women, Renukabei and Seema, putting them at risk of imminent execution.⁸¹

On 2 September the Supreme Court established that it should continue to hear appeals for reviews (review petitions) of death sentences imposed by High Courts with benches of three judges, but with the new possibility of oral hearings of 30 minutes to allow lawyers to present arguments in person, as opposed to written documentation alone, which had been the previous procedure.⁸² People on death row who had been denied this in previous review petitions could have the oral hearing in a new review petition. The judgment allowed C. Muniappan and Others, B.A. Umesh, Sundar @ Sundarajan, Yakub Abdul Razak Memon and Sonu Sardar and other prisoners whose review petitions were pending, to benefit from a further review of their cases. However, this benefit did not extend to cases – like Arif and other cases – where appeals issued after the ordinary review petitions (curative petitions) had already been dismissed by the Supreme Court. All these executions were stayed by the Supreme Court or High Courts to allow for the consideration of further appeals.⁸³

In March the government replaced the mandatory death penalty in the Narcotic Drugs and Psychotropic Substances Act with an optional death sentence.⁸⁴

In May the Law Commission of India began a study on the death penalty “to make the public debate on this much contested theme more informed, robust and reasonable”.⁸⁵ On 5 August

⁸⁰ Santhan, Murugan and Perarivalan had their death sentences commuted on 18 February, while Ajay Kumar Pal on 12 December.

⁸¹ Santhan, Murugan and Perarivalan’s mercy petitions were also rejected, but their death sentences were commuted on 18 February by the Supreme Court.

⁸² Supreme Court of India, *Mohd. Arif @ Ashfaq vs. The Registrar, Supreme Court of India*, Writ Petition (Criminal) No.77 of 2014, delivered on 2 September 2014. Mohd.Arif@Ashfaq had already had his curative petition rejected and therefore could not benefit from this new review.

⁸³ The death sentence of Surendra Koli was stayed by the Allahabad High Court and commuted in 2015.

⁸⁴ The Gazette of India, 10 March 2014, available at www.indiacode.nic.in/acts2014/16%20of%202014.pdf (accessed on 5 March 2015).

⁸⁵ Law Commission of India, “Consultation paper on capital punishment”, May 2014.

the Union Minister of State for Home Affairs Shri Kiren Rijiju clarified in response to a parliamentary question that there was no proposal from the government to abolish the death penalty.

Six new death sentences were imposed in **Indonesia** in 2014. At least 130 people remained under sentence of death at the end of the year, 64 of whom had been convicted of drug trafficking.

On 28 November the Deputy Attorney General for General Crimes, Basyuni Masyarif, announced that the government was planning to execute five people before the end of the year. He also stated that another 20 executions had been scheduled for 2015. On 3 December Vice-President Jusf Kalla stated that the President would not grant clemency to at least 64 individuals who had been sentenced to death for drug-related offences and that their executions would be carried out.⁸⁶

The Ministry of Foreign Affairs continued to proactively seek the commutation of death sentences imposed against Indonesians abroad. Figures released in February 2015 indicated that between 2011 and 2014, when a special task force was established within the Ministry, 240 Indonesians who faced executions abroad had their death sentences commuted and that 46 of these were commuted in 2014 alone.⁸⁷ Some 229 other Indonesian nationals were still facing execution abroad, including 15 in China for drug trafficking, 168 in Malaysia (112 for drug trafficking and 56 for murder), 38 in Saudi Arabia, four in Singapore (including one for drug trafficking), one in Laos and one in Viet Nam, both for drug trafficking.⁸⁸

Iwao Hakamada who, at 78, was the longest serving death row prisoner in the world, was temporarily released on 27 March pending retrial in **Japan**. He had spent 45 years and six months at the Tokyo Detention Centre under sentence of death. While on death row he developed a severe mental illness. The prosecution unsuccessfully opposed his release and on 31 March filed a second appeal against the decision to grant him a retrial.⁸⁹

⁸⁶ The executions of six prisoners went ahead in January 2015. See also Amnesty International, "Indonesia: First executions under new president retrograde step for rights", 17 January 2015.

⁸⁷ Antara News, "Government save 190 Indonesians from death sentence: President", 16 August 2014, available at www.antaranews.com/en/news/95328/government-saves-190-indonesians-from-death-sentence-yudhoyono (accessed on 5 March 2015)

⁸⁸ "229 citizen threatened with the death penalty", *Harian Nasional*, 12 February 2015, available at www.harnas.co/2015/02/12/229-wni-terancam-hukuman-mati (accessed on 5 March 2015).

See also "Death penalty is a form of sovereignty", *Media Indonesia*, 22 June 2014, available at www.mediaindonesia.com/mipagi/read/7481/Hukuman-Mati-Bentuk-Kedaulatan/2015/01/22 (accessed 5 March 2015).

⁸⁹ The court has still to decide on this matter.

The release of Iwao Hakamada sparked debate on fair trial safeguards and flaws in the administration of justice. Despite this, three executions were carried out during the year. Masanori Kawasaki was hanged on 26 June at Osaka detention centre. Mitsuhiro Kobayashi and Tsutomu Takamizawa were hanged on 29 August at Sendai detention centre and Tokyo detention centre respectively. All three had been convicted of murder. Executions continued to be shrouded in secrecy and were carried out without prior announcements to the prisoners' relatives and lawyers. In February 2014, a group of former lay judges had urged the Minister of Justice to halt executions until there is greater transparency in the use of capital punishment in Japan.⁹⁰

Two new death sentences were imposed in Japan, both for murder. At the end of the year, 128 people including six foreign nationals, were on death row.⁹¹ Ninety-three of them were appealing for retrials.⁹² Prisoners continued to be detained in solitary confinement and were prohibited from talking to other prisoners. Contact with the outside world was limited to infrequent and supervised visits from family, lawyers or other approved visitors.

DEATH ROW AND MENTAL ILLNESS

Several prisoners under sentence of death in Japan have developed mental illness. Within months of the Supreme Court's 1980 judgment confirming his death sentence, **Iwao Hakamada** began to show signs of seriously disturbed thinking and behaviour. His communication with his lawyers became ineffective and his letters and verbal communications with his older sister were incoherent. Although Iwao Hakamada was temporarily released in March 2014 pending retrial, his mental illness continues to impair his ability to communicate and demonstrates the lasting damage caused by death row conditions in Japan.

Kenji Matsumoto has been on death row for murder since 1993 and could face execution any moment. He has a longstanding mental disability which originated from mercury poisoning (Minamata disease) and is reportedly paranoid and incoherent as a result of his detention on death row. His lawyers are seeking a retrial.

In May the Nagoya High Court rejected the eighth request for retrial submitted by Masaru Okunishi, who was sentenced to death in 1969. He remained detained in the medical prison

⁹⁰ "Lay judges' moral dilemma", *The Japan Times*, 21 May 2014, available at www.japantimes.co.jp/opinion/2014/03/21/editorials/lay-judges-moral-dilemma/#.U5f39nJ_uZc (accessed on 5 March 2015).

⁹¹ This figure does not include Iwao Hakamada.

⁹² Asahi Shimbun, "Decrease of execution to three, possible effect of Hakamada's retrial", 31 December 2014, available at <http://digital.asahi.com/articles/ASGDS5CHYGDSUTIL02D.html> (accessed on 5 March 2015).

in Hachioji, unable to speak, but fully conscious. On 2 June his lawyers submitted an objection to the High Court following the latest decision not to grant a retrial.⁹³

The UN Human Rights Committee reviewed Japan's compliance with the ICCPR in 2014 and expressed concern that "several of the 19 capital offences do not comply with the [ICCPR]'s requirement of limiting capital punishment to the 'most serious crimes', that death row inmates are still kept in solitary confinement for periods of up to 40 years before execution, and that neither the inmates nor their families are given prior notice of the day of execution."⁹⁴

Following the murder of five women in what appeared to be cases of domestic violence, on 2 September the Parliament of **Kiribati** adopted at its first reading a Bill to amend the Penal Code and introduce the death penalty for murder. In October the President established a Commission of Inquiry tasked with carrying out a national consultation on the proposed amendments.⁹⁵ On 1 December the Commission reported to the Parliament that 99.5% of the population was against the introduction of the death penalty and the second reading of the Bill was postponed.⁹⁶

No executions were recorded in **Laos** in 2014 and no information was available on the number of death sentences imposed.

Amnesty International received credible information that at least two executions were carried out in **Malaysia**. One of the two, Alaggandiran A/L Vellu (also known as Chellah), was executed in March 2014 for murder. The name of the other prisoner is unknown.

At least 38 new death sentences were imposed in 2014, 16 of which were for drug trafficking. In November, Home Minister Datuk Seri Dr Ahmad Zahid Hamidi informed the Lower House of Malaysia that 975 prisoners were under sentence of death in the country

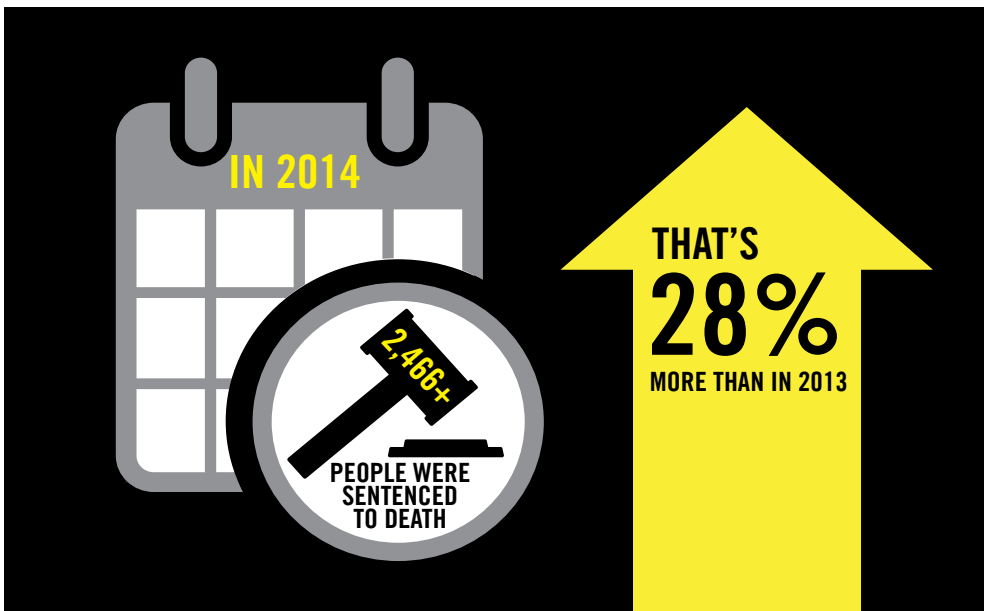
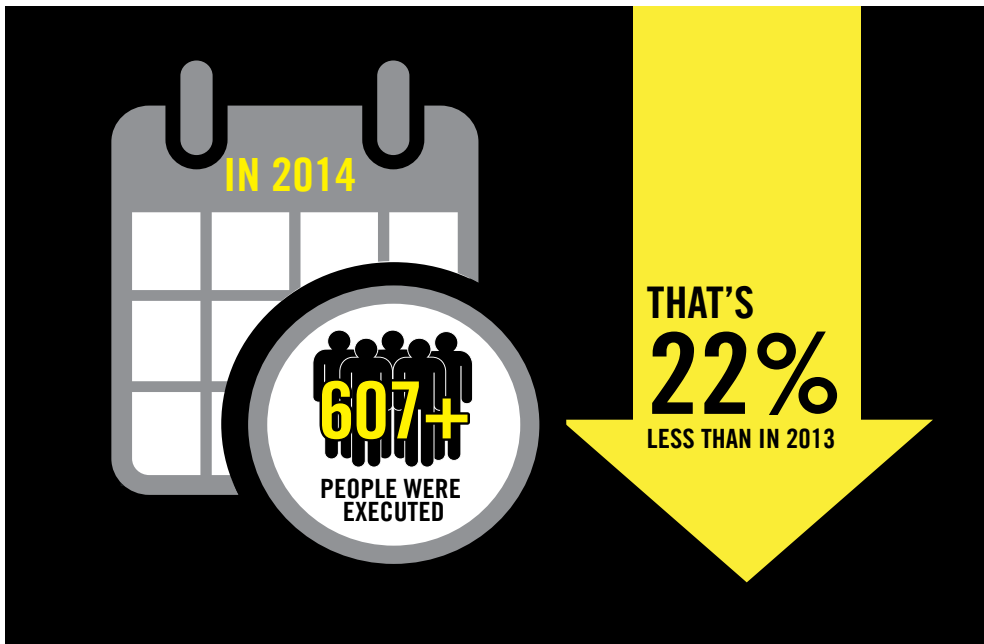
⁹³ Masaru Okunishi's objection against the latest decision not to grant him a retrial was rejected by the high court on 9 January 2015. His lawyers have appealed against the decision to the Supreme Court on 14 January 2015.

⁹⁴ UN Human Rights Committee, Concluding observations on the sixth periodic report of Japan, UN doc. CCPR/C/JPN/CO/6, 20 August 2014, para13.

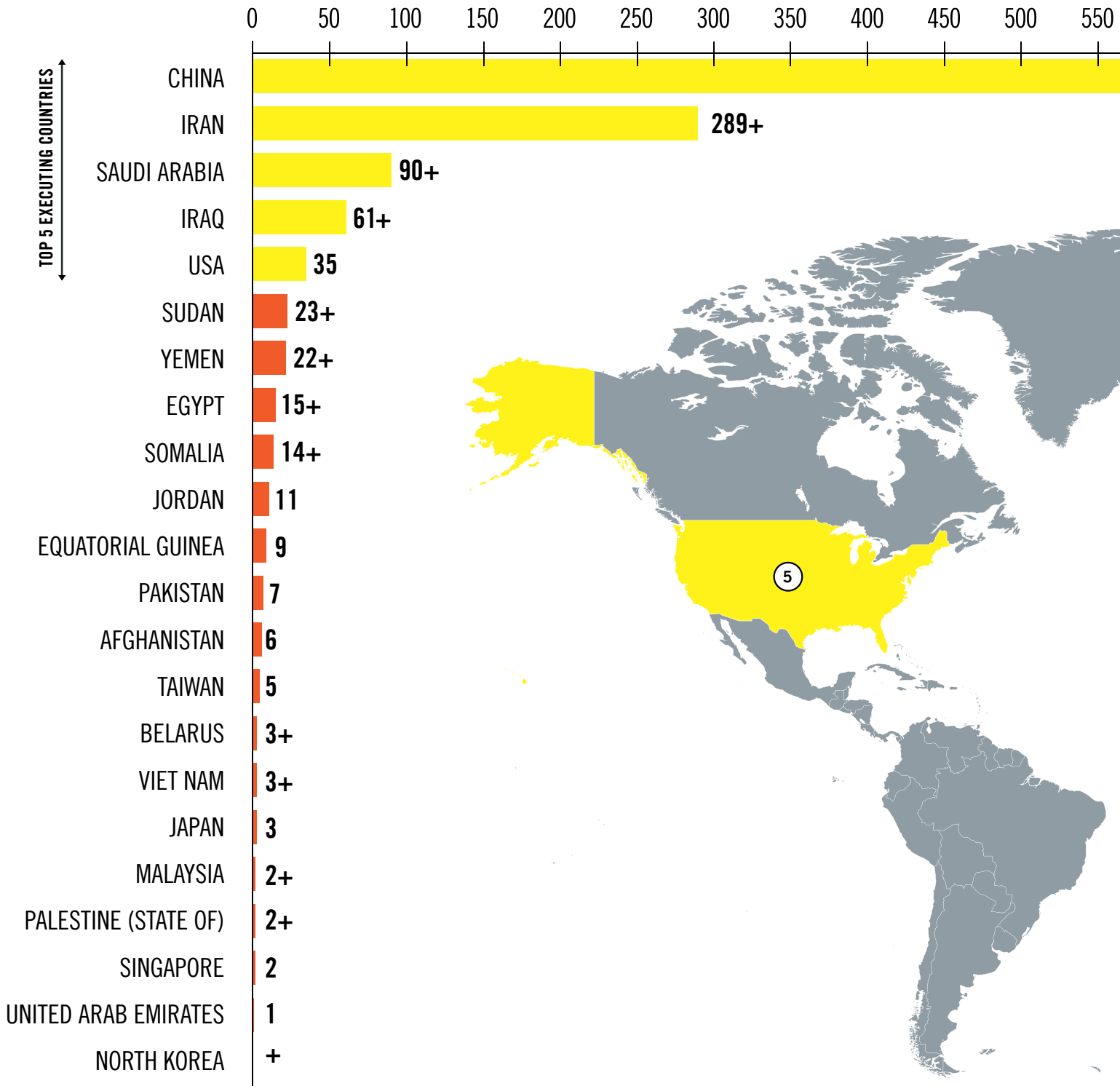
⁹⁵ Republic of Kiribati-Presidential Web Portal, "Public consultation gets underway on the Amendment to the Penal Code Bill advocating the Death Penalty", 23 October 2014, available at www.president.gov.ki/2014/11/13/public-consultation-gets-underway-on-the-amendment-to-the-penal-code-bill-advocating-the-death-penalty/ (accessed on 5 March 2015).

⁹⁶ Radio New Zealand International, "Public against introduction of death penalty in Kiribati", 1 December 2014, available at www.radionz.co.nz/international/programmes/datelinepacific/audio/20159137/public-against-introduction-of-death-penalty-in-kiribati (accessed on 5 March).

DEATH PENALTY IN 2014



EXECUTING COUNTRIES IN 2014



11 PERSISTENT EXECUTIONERS 2010-2014

1

CHINA
Carried out more executions than the rest of the world combined but figures remain a state secret.

2

IRAN
In addition to the 289 executions officially announced, Amnesty International believes at least 454 more executions were carried out.

3

SAUDI ARABIA
More than half of executions were carried out for non-lethal crimes.

4

IRAQ
Death sentences often handed down after grossly unfair trials.

5

USA
Fewer executions and a decrease in death sentences imposed.

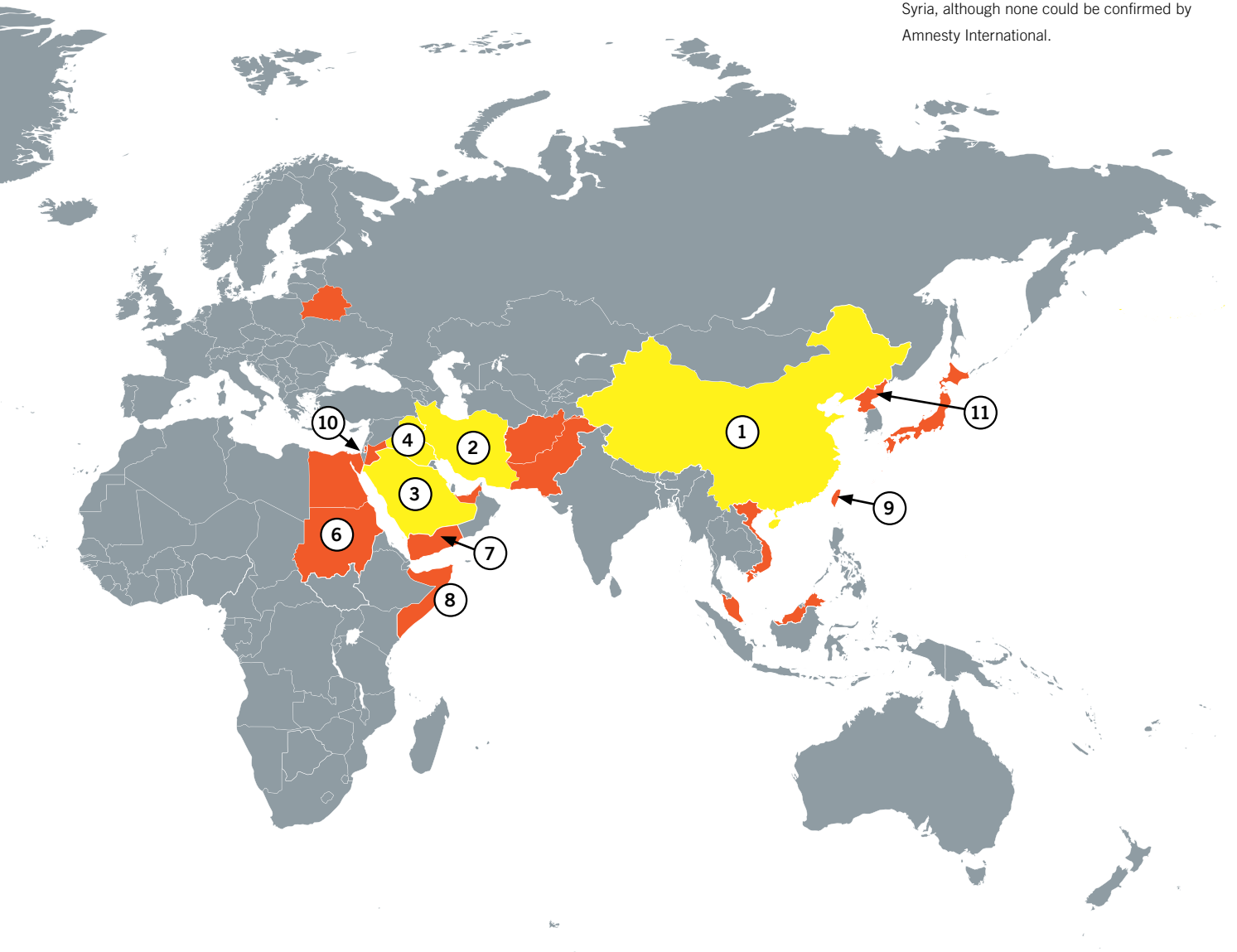
600 650 700 750 800 850 900 950 1000

+

This map indicates the general locations of boundaries and jurisdictions and should not be interpreted as Amnesty International's view on disputed territories.

+ indicates that the figure that Amnesty International has calculated is a minimum figure. Where + is not preceded by a number this means Amnesty International is confident that there was at least one execution but it was not possible to establish a figure.

Executions may have taken place in Libya and Syria, although none could be confirmed by Amnesty International.



6

SUDAN

Civilians prosecuted in military courts for crimes that carry the death penalty.

7

YEMEN

Increase in the number of executions.

8

SOMALIA

Fewer executions recorded.

9

TAIWAN

Five executions; one crime removed from list of capital offences.

10

PALESTINE (STATE OF)

Executions and death sentences in Hamas-controlled Gaza, Occupied Palestinian Territories.

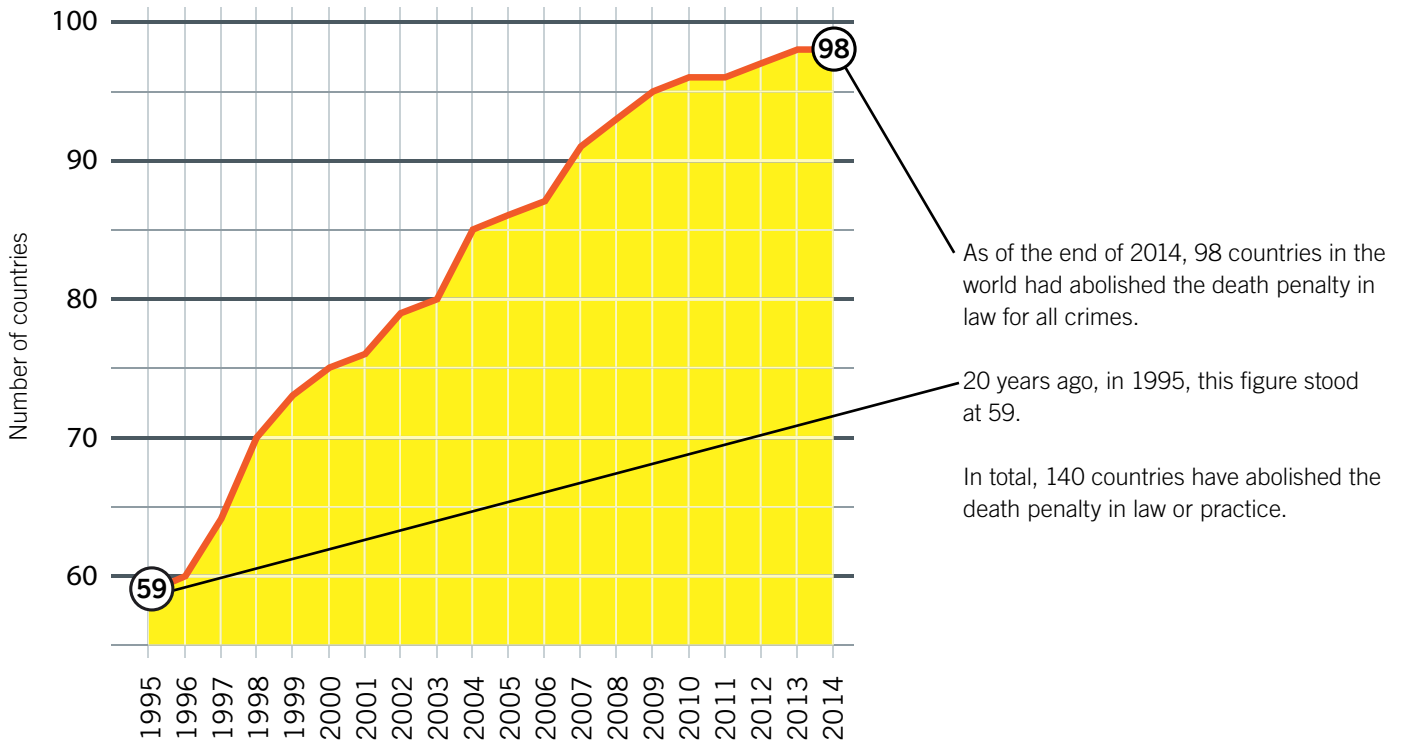
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NORTH KOREA

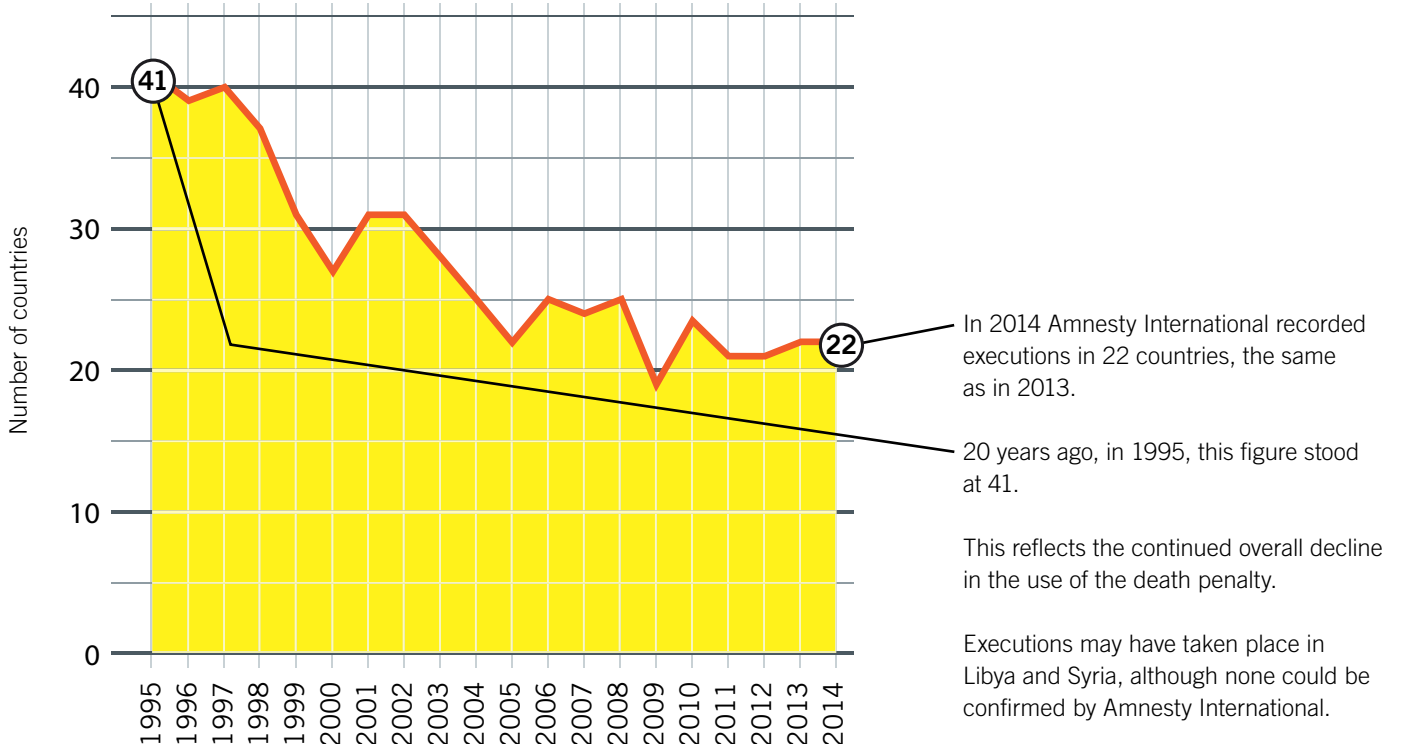
Executions after unfair trials, if any, and often for non-lethal crimes such as corruption.

DEATH PENALTY TRENDS 1995-2014

Increase in countries abolishing the death penalty



Decrease in countries carrying out executions



appealing against their sentences. During the same Parliamentary interrogation, the Minister also stated that “only two Malaysians and a foreigner have been sentenced to death in 2012 and 2013” (the information refers to executions).⁹⁷ Amnesty International recorded no executions in 2012 and two in 2013.

TWO EXECUTIONS STAYED

Chandran s/o Paskaran was spared execution in Malaysia on 7 February after an outcry from human rights groups, including Amnesty International. He had been convicted of murder and sentenced to death on 16 April 2008. On 5 February Chandran s/o Paskaran’s family were notified of his imminent execution and were allowed to visit him on 6 February. He received a temporary stay on the same evening.⁹⁸

Osariakhi Ernest Obyangbon, also known to Malaysian courts as the British national Philip Michael based on a passport found in his possession upon his arrest, was due to be executed on 14 March 2014. He had not received a fair trial and had been diagnosed as having schizophrenia, for which he had been receiving treatment, before his appeal in 2007. His execution was temporarily stayed, after interventions from human rights groups including Amnesty International, only hours before its scheduled time.

Both men remained detained on death row in Kajang Prison in Selangor state at risk of execution since they had exhausted all their legal remedies.

Despite the announcement by the authorities in 2012 of a review of mandatory death penalty laws for drug trafficking, the government did not introduce amendments to national legislation during 2014. During the UN Human Rights Council UPR in March Malaysia rejected recommendations to take steps towards abolition, as recommended during the UPR in October 2013.⁹⁹ The Attorney-General’s Chambers informed Amnesty International that the study of the death penalty laws and practices was still ongoing at the end of 2014.

Two new death sentences were imposed in **Maldives**, where the last execution was carried out in 1954. Twelve people remained under sentence of death at the end of the year. On 23 January Minister of Home Affairs Umar Naseer ordered the prisons officials in the country to start making “all necessary arrangements” for the implementation of all death sentences through lethal injection.

⁹⁷ “975 prisoners on death row awaiting appeals”, *New Straits Times*, 13 November 2014, available at www.nst.com.my/node/52491?d=1 (accessed on 5 March 2015)

⁹⁸ Amnesty International, Update to Urgent Action 22/14 (ASA 28/002/2014), 9 February 2014, available at www.amnesty.org/en/library/asset/ASA28/002/2014/en/c8560edb-be2c-4e43-ba53-230f652e8ae1/asa280022014en.pdf

⁹⁹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, Malaysia, UN doc. A/HRC/25/10/Add.1, 4 March 2014.

In April, the government introduced “Procedural Regulations on Investigating and Penalising the Crime of Murder” under the Police Act and Clemency Act, clearing the way for executions to be carried out. The new regulations contained new procedures relating to the execution of individuals who were below 18 when the crime was committed, allowing for them to be executed once they turned 18. Two people were sentenced to death by the Juvenile Court for crimes committed when they were under 18. The new Penal Code, adopted in April, retained the death penalty.¹⁰⁰

The authorities of **Mongolia** confirmed that no executions were carried out nor new death sentences imposed in 2014. The Bill to reform the Criminal Code, including to abolish the death penalty, remained pending before a committee of the Parliament during the year.

On 2 January President Thein Sein of **Myanmar** commuted all death sentences to life imprisonment. At least one new death sentence was imposed in Myanmar in 2014, where the last execution was carried out in 1988.

The extremely limited information available on **North Korea** did not allow for an adequate assessment of the country’s use of the death penalty. While reports could not be independently verified, on the basis of the analysis of the more credible sources, Amnesty International believes that at least 50 executions were carried out in 2014. This figure likely represents a gross underestimate and the true number is believed to be much higher.

According to these reports, those executed were likely convicted of offences ranging from watching banned foreign shows and films, to corruption and sexual relations deemed inappropriate (“womanizing”). They included senior officials of the Central Administrative Department of the Workers’ Party of Korea.

Death sentences continued to be handed down after unfair trials, including for offences that do not meet the threshold of the “most serious crimes” for which the death penalty can be imposed under international law and for crimes that do not carry the death penalty under the law of North Korea. In 2014 the authorities were reported to have amended the Criminal Code to expand the scope of the death penalty and make acts such as illegal phone contact with foreigners, drug use or drug dealings, and transnational human trafficking punishable by death.¹⁰¹

The UN commission of inquiry on human rights in the Democratic People’s Republic of Korea released a report in February 2014. It stated: “[A]s a matter of State policy, the authorities carry out executions, with or without trial, publicly or secretly, in response to political and other crimes that are often not among the most serious crimes. The policy of regularly

¹⁰⁰ The new Penal Code will come into force in April 2015.

¹⁰¹ “Criminal Code Inciting Border Fears”, Daily NK, 21 May 2014, available at: <http://www.dailynk.com/english/read.php?catId=nk01500&num=11885> (accessed 5 March 2015).

carrying out public executions serves to instil fear in the general population. Public executions [...] continue to be carried out today.”¹⁰² North Korea was reviewed under the UPR at the Human Rights Council on 1 May. In September the authorities rejected recommendations to ratify the Second Optional Protocol to the ICCPR or establish a moratorium on executions with a view to its abolition.¹⁰³

Prime Minister of **Pakistan** Nawaz Sharif lifted a six-year moratorium on civilian executions for terrorism-related offences on 17 December.¹⁰⁴ The decision was in response to an attack the day before on a school in Peshawar that left more than 149 people dead, including 132 children. Seven people were executed in less than two weeks: Aqeel and Arshad Meherban were executed on 19 December; Ikhlad Ahmed, Ghulam Sarwar, Rashid Mehmood and Zubair Ahmed were executed on 21 December; Nias Mohammad was executed on 31 December. All had been convicted under the Anti-Terrorism Act.

The government had previously attempted to lift the moratorium on executions by scheduling the execution of Shoaib Sarwar, who had been convicted of murder in 1998, for 18 September 2014. The execution was stayed two days before it was due to be carried out.¹⁰⁵

DEATH FOR BLASPHEMY

“Defiling the name of the Prophet Mohammed” is a capital offence under Section 295-C of the Pakistan Penal Code. Blasphemy laws are inconsistent with Pakistan’s international human rights obligations to guarantee the rights to freedom of expression and freedom of thought, conscience and religion. Furthermore, international law allows for the imposition of the death penalty only for the “most serious crimes”, which has been interpreted to refer to intentional killing only.

On 25 September a prison guard shot and wounded **Mohammad Asghar** at the Adiala prison in the city of Rawalpindi, Punjab province. A British national of Pakistani origin, Mohammad Asghar was diagnosed with paranoid schizophrenia in the UK in 2010, before he moved to Pakistan. He was convicted of blasphemy in 2014 and sentenced to death. Despite his diagnosis in the UK, the Pakistan Court ruled that Mohammad Asghar was “sane”. His appeal was pending before the Lahore High Court at the end of the year.¹⁰⁶ Mohammad Asghar remained in hospital at the end of the year. The provincial authorities charged the prison guard with

¹⁰² UN Human Rights Council, Report of the detailed findings of the commission of inquiry on human rights in the Democratic People’s Republic of Korea, UN doc. A/HRC/25/CRP.1, 7 February 2014, para845.

¹⁰³ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review-Democratic People’s Republic of Korea, Addendum 1, UN doc. A/HRC/27/10/Add.1, 12 September 2014.

¹⁰⁴ The military authorities executed a soldier in 2012.

¹⁰⁵ Shoaib Sarwar’s execution was scheduled for 3 February 2015 but was not carried out.

¹⁰⁶ Amnesty International, Pakistan: Further information: Guard shoots mentally ill prisoner, update to Urgent Action appeal 23/14 (ASA 33/014/2014), available at www.amnesty.org/en/library/info/ASA33/014/2014/en

attempted murder and suspended eight other prison guards. Mohammad Asghar's lawyer believes that his client is at risk of being killed if returned to prison because of the blasphemy charge.

On 16 October the Lahore High Court rejected an appeal against the death sentence of **Asia Bibi**, a Christian woman convicted on blasphemy charges. She was initially found guilty of blasphemy on 8 November 2010 and sentenced to death for allegedly insulting the Prophet Muhammad during an argument with a Muslim woman. Asia Bibi claimed that the evidence of her alleged blasphemy, which had been accepted by successive courts, was fabricated, and that she did not have access to a lawyer during her detention or on the final day of her trial in 2010. Asia Bibi was held in almost total isolation for her own protection since her arrest in 2009. Her mental and physical health reportedly deteriorated during her detention; her family and lawyers continued to fear for her safety.¹⁰⁷

According to the Human Rights Commission of Pakistan, 231 people were sentenced to death in 2014 and at least 8,200 people remained under sentenced of death at the end of the year.¹⁰⁸ Approximately 500 prisoners had exhausted all legal appeals with mercy petitions pending before the President.

At least six men were under sentence of death for crimes committed when they were below 18 years of age, but the number is likely to be higher. Figures released by the National Assembly in March indicated that of those under sentence to death at least 444 people had been convicted of drug-related offences.¹⁰⁹

No new death sentences were recorded in **Papua New Guinea**, where 13 people remained on death row at the end of the year. In January members of the Constitutional Law Reform Commission returned from visits to Malaysia, Singapore, Thailand and the USA to study how to implement the death penalty.¹¹⁰ Following amendments to the Criminal Code in 2013 that expanded the scope of the death penalty to include "wilful murder of a person on account of accusation of sorcery" and for "aggravated rape" and introduced changes to the list of possible methods of execution.¹¹¹ In a seriously regressive move, in April the National Executive Council confirmed that lethal injection was the chosen method of execution and

¹⁰⁷ Amnesty International, Pakistan: Woman sentenced to death for blasphemy: Asia Bibi, Urgent Action appeal 266/14 (ASA 33/015/2014), available at www.amnesty.org/en/library/info/ASA33/015/2014/en

¹⁰⁸ "8,261 prisoners: Hanging in the balance", *Express Tribune*, 18 December 2014, available at <http://tribune.com.pk/story/808727/6261-prisoners-hanging-in-the-balance/> (accessed on 5 March 2015)

¹⁰⁹ "Drug smuggling cases: 70% of death sentences quashed by higher courts", *Express Tribune*, 27 March 2014, available at <http://tribune.com.pk/story/687816/drug-smuggling-cases-70-of-death-sentences-quashed-by-higher-courts/>, (accessed on 5 March 2015).

¹¹⁰ "PNG says executions will go ahead this year", Radio New Zealand, 28 January 2014, available at www.radionz.co.nz/international/programmes/datetimepacific/audio/2583779/png-says-executions-will-go-ahead-this-year (accessed on 5 March 2015)

¹¹¹ Under Section 299A and 347 C of the Criminal Code.

that a death chamber would be built at the maximum security prison.¹¹² The last execution was carried out in 1954.

Singapore carried out two executions on 18 July 2014, ending a moratorium established in 2012 to allow the Parliament to review the mandatory death penalty laws. Tang Hai Liang and Foong Chee Peng had been convicted and mandatorily sentenced to death under the Misuse of Drugs Act for the trafficking of 89.55g and 40.23g respectively of diamorphine. Three new death sentences were imposed during the year; all were mandatory sentences for drug trafficking: Devendran was sentenced to death on 14 July; Prabagarana on 3 November; and Mohd Jeefrey bin Jamil on 28 November.¹¹³

Amnesty International recorded five commutations of death sentences in 2014; among them was Dinesh Pillai Raja Retnam whose sentence was commuted on account of his mental disability.¹¹⁴ It was the first time since sentencing discretion was introduced in 2012 that a case was commuted after taking into consideration the mental disability of the convicted prisoner. Twenty-two people were believed to be on death row at the end of the year.

One new death sentence was imposed in **South Korea**, where at least 61 people remained under sentence of death at the end of the year. The last execution was carried out in 1997. In December an opposition MP, Yoo In-tae, announced a plan to introduce a bill to abolish the death penalty.

At least 61 people, including two women, were sentenced to death in **Sri Lanka**, mostly for murder. At least 10 sentences were imposed for drug trafficking. One man was sentenced to death in his absence. On 7 February the Trincomalee High Court sentenced Thangarajah Sivakantharajah to death for a 1990 murder. He was 14 years old when he was arrested in 1992 and 25 when he was released on bail in 2003, while still waiting for his trial to

¹¹² pngedge.com, "Death penalty by lethal injection given go-ahead", 9 April 2014, available from Death Penalty News: http://deathpenaltynews.blogspot.co.uk/2014/04/papua-new-guinea-death-penalty-by.html?sm_au=iVVZr2r5NqTf3JHq (accessed on 5 March)

¹¹³ *Public Prosecutor v Prabagarana/I Srivijayan* [2014] SGHC 222, Criminal Case No 20 of 2014, 3 November 2014.

Public Prosecutor v Devendran A/L Supramaniam [2014] SGHC 140, Criminal Case No 4 of 2014, 14 July 2014.

Public Prosecutor v Mohd Jeefrey bin Jamil [2014] SGHC 255, Criminal Case No 31 of 2014, 28 November 2014.

¹¹⁴ Attorney General's Chambers, "First Person to qualify for re-sentencing under the diminished responsibility limb", 3 March 2014, available at www.agc.gov.sg/DATA/0/Docs/NewsFiles/AGC%20MEDIA%20STATEMENT_FIRST%20PERSON%20TO%20QUALIFY%20FOR%20RE-SENTENCING%20UNDER%20DIMINISHED%20RESPONSIBILITY_3%20MARCH%202014.pdf (accessed on 5 March 2015).

begin.¹¹⁵ International law prohibits the imposition of the death penalty against people below the age of 18 when the crime was committed.

Five out of eight people sentenced to death for drug trafficking in the same case on 30 October were pardoned and returned to their country of origin, India. The other three, all Sri Lankan nationals, remained under sentence of death. The Human Rights Commission of Sri Lanka reported in July that 529 people were under sentence of death, 451 of whom still appealing against the sentence.¹¹⁶

Taiwan carried out five executions and imposed one new death sentence in 2014; all cases involved people convicted of murder. The five men executed by shooting on 29 April were: Deng Kuo-liang executed at the Taipei Prison; Liu Yan-kuo, Tu Ming-lang and his brother Tu Ming-hsiung at the Tainan Prison; and Dai Wen-ching at the Hualien Prison. At the end of the year, 48 people were held on death row with their sentences finalized.

On 30 May the Legislative Yuan, the legislative body of Taiwan, adopted legislation to amend Article 347 of the Criminal Code to remove the death penalty as a punishment for the offence of kidnapping for ransom, except in cases in which the kidnapping leads to death. The amendment became effective on 20 June.¹¹⁷ Several other offences for which the death penalty remained a possible punishment, such as drug trafficking or sexual offences, do not meet the threshold of the “most serious crimes”.

Amnesty International calculated that at least 55 new death sentences were imposed in **Thailand** between June and December 2014, for drug-related offences and murder. The actual figure is believed to be much higher. The Department of Corrections indicated that 645 people, including 54 women, were under sentence of death as of 31 December. Approximately 47% (302 people) had been convicted of drug trafficking.

On 19 September the government introduced a Bill in the National Legislative Assembly to expand the scope of the death penalty to include destroying an aircraft in service; damaging an aircraft to make it no longer operational; placing any material in an aircraft to cause

¹¹⁵ “Tamil man from Trincomalee sentenced to death”, Tamil Net, 12 February 2014, available at www.tamilnet.com/art.html?catid=13&artid=37045 (accessed on 5 March 2015).

¹¹⁶ “Lanka rights body recommends abolition of capital punishment”, South Asian Media, 11 July 2014, available at www.southasianmedia.net/stories/south-asia/lanka-rights-body-recommends-abolition-of-capital-punishment-story (accessed on 5 March 2015).

¹¹⁷ Global Legal Information Network Legislative Yuan, available at: <http://glin.ly.gov.tw/web/nationalLegal.do?isChinese=false&method=legalSummary&id=5349&fromWhere=legalHistory> (accessed 4 March 2015)

See also: <http://glin.ly.gov.tw/file/legal/tw1806201427.pdf;jsessionid=133F705C7FE55A5289BBC3577830B6B>
[B](#)

damage; forcing the closure of an airport; and damaging airport facilities.¹¹⁸ The Bill had not been adopted before the end of the year.

On 22 December the Deputy Permanent Secretary of the Ministry of Justice Chanchao Chaiyanukit announced that the abolition of the death penalty was part of the Third National Human Rights Action Plan adopted by the authorities on 12 November.¹¹⁹

Figures on the use of the death penalty continued to be classified as a state secret in **Viet Nam**, where media reported at least three executions. The real figure is believed to be much higher. Amnesty International recorded that the courts imposed at least 72 new death sentences, 80% of which were for drug trafficking, and that at least 700 people remained under sentence of death at the end of the year. The death penalty continued to be imposed and implemented for drug-related offences and economic crimes such as embezzlement. Trials fell short of international standards of fairness, including in cases where the death penalty was imposed. Three cases in particular sparked debate in the country regarding the risk of executions on the basis of wrongful convictions: in December the Supreme Court authorized the stay of execution of Ho Duy Hai one day before it was due to go ahead and ordered a review of his case because of doubts surrounding his conviction.¹²⁰ In the same month, the National Assembly ordered the review of Nguyen Van Chuong's case. He was sentenced to death for murder in 2008 and his family had submitted numerous appeals to the courts. Earlier in the year, the Supreme People's Court declared Nguyen Thanh Chan innocent of a 2004 murder to which another man had confessed in October 2013.¹²¹

Viet Nam was considered under the UN UPR on 5 February. It stated that it was working to further reduce the number of crimes punishable by death as part of reforms to the Penal Code scheduled to be enacted by 2016.¹²² Viet Nam accepted recommendations to consider

¹¹⁸ "Thai parliament proposes death penalty for causing airport closure", Asia One, 19 September 2014, available at <http://news.asiaone.com/news/asia/thai-parliament-proposes-death-penalty-causing-airport-closure#sthash.33R1iCvY.dpuf> (accessed on 5 March)

¹¹⁹ "Thai Govt 'willing' to abolish death penalty: official", *Khaosod*, 22 December 2014, available at www.khaosodenglish.com/detail.php?newsid=1419229703 (accessed on 5 March).

¹²⁰ "Vietnam court halts execution of murder convict amid allegation of miscarriage of justice", *Thanh Nien News*, 4 December 2013, available at www.thanhniennews.com/society/vietnam-court-halts-execution-of-murder-convict-amid-allegation-of-miscarriage-of-justice-34885.html, (accessed 5 March 2015).

¹²¹ "Vietnam court halts execution of murder convict amid allegation of miscarriage of justice", *Thanh Nien News*, 4 December 2013, available at <http://www.thanhniennews.com/society/vietnam-court-halts-execution-of-murder-convict-amid-allegation-of-miscarriage-of-justice-34885.html> (accessed 5 March 2015)

¹²² UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Viet Nam, A/HRC/26/6, 2 April 2014.

ratifying the Second Optional Protocol to the ICCPR but rejected recommendations to establish a moratorium on the death penalty with a view to its eventual abolition.¹²³

EUROPE AND CENTRAL ASIA

REGIONAL TRENDS

- Belarus resumed executions in April, ending a 24-month hiatus that made the Europe and Central Asia region an execution-free zone.
- Poland ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), aiming at the abolition of the death penalty, and Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights).
- Kazakhstan, Russia and Tajikistan continued to observe their formal moratoriums on the death penalty.
- Kazakhstan adopted a new Criminal Code reducing the scope of the death penalty.

In July the European Court of Human Rights of the Council of Europe heard the case of *Al Nashiri v. Poland* regarding Poland's alleged complicity in Abd al-Rahim al-Nashiri's secret detention and transfer to the US naval base at Guantánamo Bay, Cuba, despite the risk of him being subjected to the death penalty in a trial by military commission.¹²⁴ The Court found that "at the time of [Abd al-Rahim al-Nashiri's] transfer from Poland there was a substantial and foreseeable risk that he could be subjected to the death penalty following his trial before the military commission" and consequently found that Poland had violated Article 2 (right to life) of the European Convention on Human Rights and Article 1 of Protocol No. 6 (abolition of the death penalty) to the European Convention on Human Rights.¹²⁵ The Court required Poland to seek to remove the risk that Abd al-Rahim al-Nashiri could be subjected to the death penalty by seeking assurances that the US authorities would not impose such penalty on him.¹²⁶

¹²³ UN Human Rights Council, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, Viet Nam, UN Doc. A/HRC/26/6/Add.1, 20 June 2014.

¹²⁴ European Court of Human Rights, "Secret rendition and detention by the CIA in Poland of two men suspected of terrorist acts", 24 July 2014, available at hudoc.echr.coe.int/webservices/content/pdf/003-4832205-5894802 (accessed on 5 March 2015).

¹²⁵ European Court of Human Rights, *Case of Al Nashiri v. Poland*, (Application no. 28761/11), 24 July 2014, para578, available at <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-146044> (accessed on 5 March 2015).

¹²⁶ European Court of Human Rights, *Case of Al Nashiri v. Poland*, (Application no. 28761/11), 24 July 2014, para589, available at <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-146044> (accessed on 5 March 2015).

COUNTRY DEVELOPMENTS

In April 2014 **Belarus** secretly executed Pavel Selyun, sentenced to death in June 2013 for a double murder committed in 2012.¹²⁷ The UN Human Rights Committee, the body overseeing the implementation of the ICCPR to which Belarus is a state party, was considering Pavel Selyun's case and had requested a stay of execution pending the conclusion of this process.¹²⁸ Such requests are binding on state parties to the First Optional Protocol to the ICCPR, which Belarus acceded to in 1992.

The UN Special Rapporteur on the situation of human rights in Belarus, Miklós Haraszti, condemned the execution and urged Belarus to establish a moratorium on the death penalty.¹²⁹ He further condemned the fact that the date of Pavel Selyun's execution was not made known, and that his mother only learned of the death of her son from his lawyer.

In May the Mogilev Regional Court confirmed that Rygor Yuzepchuk had been executed. He was sentenced to death in 2013 for a murder committed in 2012. The authorities have not made public the date of his execution or the location of his grave.¹³⁰

Alyaksandr Haryunou was executed in October. He had been sentenced to death in 2013 for a murder committed in 2012.¹³¹ After the Supreme Court confirmed his death sentence, Alyaksandr Haryunou appealed to the UN Human Rights Committee in April, arguing that his trial had been unfair.¹³² The Committee asked the Belarusian authorities to stay his execution until it had considered the case. Alyaksandr Haryunou's relatives and lawyer were not

¹²⁷ "Belarus executes convicted murderer: rights group", Death Penalty News, 18 April 2014, available at http://deathpenaltynews.blogspot.co.uk/2014/04/belarus-executes-convicted-murderer.html?sm_au=iV6jTrtbrMLLS7N (accessed on 5 March 2015).

¹²⁸ Amnesty International, Belarus: Death row prisoner executed in secret, 23 April 2014, available at www.amnesty.org/en/documents/EUR49/003/2014/en/

¹²⁹ UN News Centre, "UN rights expert calls on Belarus to impose death penalty moratorium, halt executions", 25 April 2014, available at www.un.org/apps/news/story.asp?NewsID=47653&Kw1=Belarus&Kw2=executions&Kw3=moratorium#.VLPDpCusXu0 (accessed on 5 March 2015).

¹³⁰ Amnesty International, Belarus executes second prisoner this year, 14 May 2014, available at www.amnesty.org/en/library/info/EUR49/005/2014/en.

¹³¹ Amnesty International, Belarus executes third prisoner this year, 6 November 2014, available at www.amnesty.org/en/documents/EUR49/009/2014/en/

¹³² UN High Commissioner for Human Rights "UN Human Rights Committee deplores Belarus execution", 14 November 2014, available at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15301&LangID=E (accessed on 5 March 2015).

Viasna Human Rights Centre, "Death convict Aliaksandr Hrunou files supervisory appeal and petition for clemency", 17 April 2014, available at <http://spring96.org/en/news/70601> (accessed on 5 March 2015).

informed of the date of the execution, nor were they given the opportunity to have a final meeting with him.¹³³

In October the UN Human Rights Committee considered the case of Vasil Yuzepchuk, executed in 2010. The Committee found violations of a number of rights recognized in the ICCPR, including the right to life and the right to a fair trial. The Committee concluded that Vasil Yuzepchuk's trial did not meet the criteria of independence and impartiality and that he had been tortured to extract a confession.¹³⁴

Eduard Lykau remained on death row. He was sentenced to death on 26 November 2011 by the Minsk Regional Court after being convicted of five murders committed in 2002, 2004 and 2011.¹³⁵

In January 2014, four UN Special Rapporteurs – Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment; and Special Rapporteur on the situation of human rights in Belarus – noted the lack of information regarding the trial and conviction of Eduard Lykau and the secrecy of the legal proceedings against him. They expressed concern that the death penalty may have been imposed after a trial that did not conform to the most stringent fair trial and due process guarantees.¹³⁶

In April 2014, following a Supreme Court ruling upholding the death sentence of Eduard Lykau, the Special Rapporteur on the situation of human rights in Belarus urged the Belarusian authorities to impose an immediate moratorium on death sentences and to refrain from carrying out further executions.¹³⁷ In June 2014 the Special Rapporteur on extrajudicial, summary or arbitrary executions expressed concern about the risk of Eduard Lykau's execution following proceedings marred by secrecy, and called on the authorities to commute his sentence.¹³⁸

¹³³ Amnesty International, Belarus executes third prisoner this year, 6 November 2014, available at www.amnesty.org/en/documents/EUR49/009/2014/en/

¹³⁴ UN Human Rights Committee, Communication No. 1906/2009, UN doc. CCPR/C/112/D/1906/2009, 17 November 2014 available at www.ccpcentre.org/doc/2014/11/1906-2009-Yuzepchuk-v-Belarus1.pdf (accessed on 5 March 2015).

¹³⁵ Amnesty International, Belarus must stop imminent execution: Eduard Lykau, 11 November 2014, available at www.amnesty.org/en/documents/EUR49/010/2014/en/

¹³⁶ UN High Commissioner for Human Rights, (2012) G/SO 214 (3-3-16) G/SO 214 (33-27) G/SO 214 (53-24) BLR 1/2014, 8 January 2014, available at [https://spdb.ohchr.org/hrdb/25th/public_-_UA_Belarus_08.01.14_\(1.2014\).pdf](https://spdb.ohchr.org/hrdb/25th/public_-_UA_Belarus_08.01.14_(1.2014).pdf) (accessed on 5 March 2015).

¹³⁷ UN High Commissioner for Human Rights, "Halt further executions – UN expert calls on Belarus for an immediate death sentence moratorium", 25 April 2014, available at www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14537&LangID=E (accessed on 5 March 2015).

¹³⁸ UN General Assembly, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, UN doc. A/HRC/26/36/Add.2, 2 June 2014, available at www.ohchr.org/EN/Issues/Executions/Pages/AnnualReports.aspx (accessed on 5 March 2015).

Kazakhstan continued to observe the official moratorium on executions established in December 2003.¹³⁹ In 2014 the Parliament adopted a new Criminal Code; the Code's reform has introduced the death penalty for violation of the laws of war (Article 164.2) and removed it for abuse of authority in war time (Article 380.4) and exceeding authority and official powers in war time (Article 380-1.4). The new Criminal Code also reduced from 18 to 17 the number of articles providing for the death penalty. These amendments entered into force on 1 January 2015.¹⁴⁰

At the UN Universal Periodic Review in October the government of Kazakhstan accepted recommendations to maintain the moratorium on the death penalty and to proceed with the abolition of the death penalty. Nevertheless, it did not support recommendations to ratify the Second Optional Protocol to the ICCPR and to abolish the death penalty for all crimes.¹⁴¹

In **Russia**, throughout the year, various politicians and law enforcement officials called for the reintroduction of the death penalty. In January, four political parties introduced a draft law in the Duma (lower house of parliament) aimed at suspending Russia's moratorium on the death penalty in cases where the crimes involved terrorism and murder.¹⁴² In May, Aleksandr Bastykin, head of the Investigative Committee of Russia, asked members of parliament to vote to restore the death penalty as a way to deter potential criminals. Other influential politicians such as Sergey Naryshkin, speaker of the Duma, and Pavel Krashennikov, chairman of the State Duma's Legislation Committee, dismissed these calls. In May a spokesperson for President Vladimir Putin confirmed the President's opposition to the death penalty.¹⁴³

¹³⁹ Amnesty International, *Death sentences and Executions 2013* (ACT 50/001/2014).

¹⁴⁰ Criminal Code of the Republic of Kazakhstan, adopted on 16 June 1997 and entered into force on 1 January 1998, including amendments as of 10 June 2014, repealed on 1 January 2015; and Criminal Code of the Republic of Kazakhstan, adopted on 3 July 2014, with further amendments of 7 November 2014, and entered into force on 1 January 2015, available at <http://online.zakon.kz/> (accessed on 5 March 2015)

¹⁴¹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review, Kazakhstan, UN doc. A/HRC/28/10, 10 December 2014, available at www.upr-info.org/sites/default/files/document/kazakhstan/session_20_-_october_2014/a_hrc_28_10_e.pdf (accessed on 5 March 2015).

¹⁴² "Russia's war on terror to remain within constitutional framework", *RT*, 30 December 2013, available at <http://rt.com/politics/russia-death-penalty-terrorism-982/> (accessed on 5 March 2015).

"Russian communists call for death penalty for terrorists", *Rapsi*, 4 February 2014, available at http://rapsinews.com/legislation_news/20140204/270633214.html (accessed on 5 March 2015).

¹⁴³ "Top investigator wants to restore death penalty 'as preventive measure'," *RT*, 30 May 2014, available at <http://rt.com/politics/162464-russia-death-penalty-return> (accessed on 5 March 2015).

MIDDLE EAST AND NORTH AFRICA

REGIONAL TRENDS

- In 2014, eight countries carried out executions, two more than in 2013.
- Egypt, Jordan and the United Arab Emirates (UAE) resumed executions in 2014.
- Sixteen countries handed down death sentences.
- The total number of death sentences imposed increased significantly in comparison to 2013.

EXECUTIONS AND DEATH SENTENCES IN THE MIDDLE EAST AND NORTH AFRICA

At least 491 executions in eight countries (out of 19 in the region) could be confirmed: Egypt (15+), Iran (289+), Iraq (61+), Jordan (11), Saudi Arabia (90+), Palestine (2+, Hamas authorities, Gaza), UAE (1) and Yemen (22+). It could not be confirmed if judicial executions took place in Oman and Syria.

At least 785 death sentences were imposed in 16 countries: Algeria (16+), Bahrain (5), Egypt (509+), Iran (81+), Iraq (38+), Jordan (5), Kuwait (7), Lebanon (11+), Libya (1+), Morocco/Western Sahara (9), Palestine (4+ Hamas authorities, Gaza), Qatar (2+), Saudi Arabia (44+), Tunisia (2+), UAE (25) and Yemen (26+).

As in previous years, the use of the death penalty in the Middle East and North Africa region continued to be of grave concern in 2014. The number of executions recorded by Amnesty International in the region in 2014 decreased by approximately 23% compared to 2013. In 2013 at least 638 executions were recorded while in 2014 the figure was at least 491. Iran, Iraq and Saudi Arabia continue to carry out the greatest number of executions in the region, accounting for 90% of all those confirmed in 2014. While the number of confirmed executions in Saudi Arabia increased by almost 14% compared with 2013, the numbers recorded for Iran and Iraq decreased sharply, by 22% and 64% respectively.¹⁴⁴ In contrast, executions recorded by Amnesty International in Yemen increased by 69%.

The number of confirmed death sentences imposed in 2014 – at least 785 – represented an increase of over 100%, compared to 2013 (when Amnesty International recorded 373 sentences). The mass death sentences imposed in Egypt contributed significantly to this increase, with the country accounting for 65% of all the death sentences imposed in the

¹⁴⁴ This assessment is based on a decrease in the number of executions that Amnesty International was able to confirm. The assessment for Iran is based on officially acknowledged figures although reliable sources reported that more executions were carried out. In Iraq, due to the internal armed conflict that escalated during the year, access to information on the use of the death penalty has been limited.

region in 2014. While the number of death sentences imposed in Algeria, Iran and Tunisia decreased, the number increased in Iraq, Saudi Arabia, UAE and Yemen.

Obtaining complete and reliable data on the use of the death penalty in the region is particularly difficult, especially on countries such as Iran, Iraq, Saudi Arabia and Yemen. The internal armed conflict in Syria meant that information on the use of the death penalty could not be confirmed.

Algeria, Bahrain, Kuwait, Lebanon, Libya, Morocco/Western Sahara, Qatar and Tunisia imposed death sentences; however, they did not carry out executions.

Across the region, executions continued to be carried out for crimes not involving intentional killings and therefore not meeting the threshold for the use of the death penalty under international human rights standards. Death sentences were imposed for crimes such as “insulting the prophet of Islam” (Iran) and “disobeying and breaking allegiance to the ruler” (Saudi Arabia), which are not recognizably criminal offences under international human rights law. In addition, death sentences were imposed in countries including Egypt, Iran, Iraq and Saudi Arabia after unfair trials.

Following the UN Human Rights Council Universal Periodic Review (UPR), Qatar and Saudi Arabia rejected recommendations on the use of the death penalty.

COUNTRY DEVELOPMENTS

In **Algeria** at least 16 death sentences were imposed; no executions were known to have been carried out in 2014.

No executions were carried out in **Bahrain**. Five death sentences were imposed on five men, four Bahraini nationals and one Yemeni national, while one commutation was granted. During the year the Court of Appeal upheld the death sentence of Maher Abbas Ahmad (also known as Maher al-Khabbaz). His lawyer had stated that the court accepted his “confession”, which was obtained under torture, as evidence against him.¹⁴⁵ Bahrain took a positive step when it moved its vote from “opposition” to “abstention” during the UN General Assembly vote on a resolution on the use of the death penalty.

At least 15 executions were carried out in **Egypt** in 2014. At least 509 death sentences were imposed; this figure includes death sentences imposed after grossly unfair trials.

During the year Egyptian courts handed down mass death sentences after mass trials that were grossly unfair. The Minya criminal court imposed mass death sentences on 37 people in April and 183 people in June. The death sentences followed referrals made by the court to

¹⁴⁵ Amnesty International, Death Sentence for Flare Fatality, 7 October 2014, available at www.amnesty.org/en/documents/MDE11/034/2014/en/

the Grand Mufti, Egypt's highest religious official.¹⁴⁶ Egyptian criminal courts must refer a case to the Grand Mufti for review, before handing down a death sentence; however, the opinion of the Grand Mufti is only advisory and not binding on the courts. In December, the Giza criminal court recommended death sentences against 188 people for involvement in the killing of 11 police officers in Giza in August 2013. The court referred the 188 people to the Grand Mufti, but final verdicts had not been handed down at the end of 2014.¹⁴⁷

Two commutations were granted in September when a court sentenced two men to life imprisonment after re-trying them on charges of inciting violence and blocking access to a public highway in 2013. A court in July had sentenced them to death in their absence on the same charges. Under Egyptian law, defendants tried in their absence have the right to a re-trial in person.

During the year Egypt's highest court overturned at least two death sentences passed by the lower courts, ordering that the defendants be re-tried.

Iran carried out the most executions in the region in 2014. Iranian authorities or state-controlled or state-sanctioned media officially announced 289 executions (278 men and 11 women). However, reliable sources reported at least 454 more executions in addition to those officially announced, bringing the total number of executions in 2014 to at least 743. Of those officially announced, 122 involved individuals convicted of drug-related offences and 29 were carried out in public. At least 81 death sentences were imposed. This figure included those that were officially announced and those that were not. In addition, at least 22 commutations were granted while at least 81 people were on death row at the end of the year.

During the year, the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran expressed concern about the continued high rate of executions and use of the death penalty against juvenile offenders in Iran.¹⁴⁸

Amnesty International received reports that Iran executed at least 14 people who were under 18 at the time of the crime. In December, the Supreme Court issued a "pilot judgment" ruling that all individuals currently on death row for crimes committed while they were under the age of 18 can submit judicial review requests to the Supreme Court pursuant to Article 91 of the revised Islamic Penal Code. The revised Penal Code allows the execution of juvenile offenders under *qesas* (retribution-in-kind) and *hodoud* (offences and punishments for which there are fixed penalties under Islamic law) crimes, unless the juvenile offender is found to

¹⁴⁶ Following the mass trials in March and April, the Minya criminal court recommended death sentences for 528 people and 683 people respectively. However, after the opinion of the Grand Mufti was received the court only imposed death sentences on 37 and 183 people respectively.

¹⁴⁷ On 2 February 2015 the final verdict sentencing 183 people to death was issued by the court after the opinion of the Grand Mufti was received.

¹⁴⁸ UN General Assembly, Situation of human rights in the Islamic Republic of Iran, UN doc. A/69/356, 27 August 2014, para7.

have not understood the nature of the crime or its consequences, or if there are doubts about the offender's mental capacity. The use of the death penalty against juvenile offenders is strictly prohibited under the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention on the Rights of the Child; Iran is a party to both International human rights treaties.

Iran continued to carry out executions in secret. Hadi Rashedi and Hashem Sha'bani Nejad, of the Ahwazi Arab minority, were executed in secret in January 2014, following an unfair trial in 2012 which resulted in them being convicted of "enmity against God" and "corruption on earth." The authorities did not tell their families when they were executed and refused to hand over their bodies for burial.¹⁴⁹

Death sentences were generally imposed following trials that fell short of international fair trial standards. Defendants often had no access to lawyers during pre-trial investigations, and courts generally dismissed allegations of torture and admitted as evidence "confessions" obtained under torture.

Reyhaneh Jabbari was executed on 25 October in Raja'i Shahr Prison, in Karaj near Tehran, for the killing of Morteza Abdolali Sarbandi, a former employee of Iran's Ministry of Intelligence. Reyhaneh Jabbari was arrested in 2007 and admitted the stabbing immediately after arrest. She said she had acted in self defence, after he had tried to sexually abuse her. Following her arrest, she was held in solitary confinement for two months in Tehran's Evin Prison, where she did not have access to a lawyer or her family. She was sentenced to death under *qesas* by a criminal court in Tehran in 2009. The death sentence was upheld by the Supreme Court the same year. Sentences of *qesas* are not open to pardon or amnesty by the Supreme Leader.

Iranian courts continued to sentence people to death for crimes that did not meet the threshold of the "most serious crimes" and crimes not recognizably criminal offences under international human rights law.

Soheil Arabi was sentenced to death on 30 August by a criminal court in Tehran for "insulting the Prophet of Islam" (*sabbo al-nabbi*). The charge was based on postings he made on eight Facebook accounts, which the authorities said belonged to him. The Supreme Court upheld the sentence on 24 November. Soheil Arabi had been arrested in November 2013 by the Islamic Revolutionary Guard Corps (IRGC) and spent two months in solitary confinement in section 2A of Tehran's Evin Prison, which is under the control of the IRGC. During interrogation, he was pressured into making a "confession".

Earlier in February 2014, the Supreme Court upheld the death sentence of another man, Rouhollah Tavana, for "insulting the Prophet of Islam" in a video clip. He had been sentenced to death on 3 August 2013 by a criminal court in Khorasan.

In December, the threat of execution was used to punish some death row inmates. The authorities threatened to expedite the execution of 10 men, including a juvenile offender, for going on hunger strike. The men were among 24 prisoners from Iran's Kurdish minority who

¹⁴⁹ Amnesty International, Two Ahwazi Arab Men Executed Three at Risk, 14 February 2014, available at www.amnesty.org/en/documents/MDE13/008/2014/en/

started a hunger strike on 20 November in protest at the conditions of Ward 12 of Oroumieh Central Prison, West Azerbaijan Province, where political prisoners are held. The juvenile offender, Saman Naseem, was sentenced to death following an unfair trial in 2013 on the charges of “enmity against God” and “corruption on earth” for his alleged membership of the armed opposition group, Party For Free Life of Kurdistan, and engaging in armed activities against the state. Saman Naseem was 17 at the time of the alleged offences.

In **Iraq** executions were carried out and death sentences imposed for offences that included terrorism, murder and kidnapping. Since 2005 the vast majority of those executed have been sentenced to death for terrorism-related offences, in most cases after unfair trials. At least 61 executions were known to have been carried out in 2014, a reduction from the 2013 of at least 169 executions.¹⁵⁰ At least 38 death sentences were imposed and at least one commutation was granted. Although the majority of those sentenced to death and executed were Iraqi nationals, nationals from Libya, Saudi Arabia and other countries were also sentenced to death and executed. No executions took place in the Kurdistan Region of Iraq.

Ahmed al-'Alwani, a former member of Iraq's Council of Representatives and a prominent member of the secular political party al-Iraqiya Bloc, was sentenced to death on 23 November by the Central Criminal Court of Iraq in Baghdad for killing two soldiers. He had been charged with “assaulting military assets and killing and injuring security forces for terrorist ends” under Article 4 of the 2005 Anti-Terrorism Law. Ahmed al-'Alwani was denied access to his lawyer and family. In court, his lawyer was not allowed to cross-examine the prosecution witnesses or ask questions as these were deemed “not productive” by the court. The court refused to record his questions in the minutes of the hearing. Ahmed al-'Alwani's lawyer was intimidated on several occasions by security forces until he withdrew from the case.

On 21 January the Iraqi Ministry of Justice issued a statement confirming that the authorities had executed 26 men on 19 January. Amnesty International was able to confirm that at least 12 more men were also executed. The organization also learned that on the same day the presidency's office ratified around 200 death sentences.

In 2014, a number of ministers in **Israel** called for the resumption of the death penalty, which was abolished for ordinary crimes in 1954. In May, Minister of Transportation Yisrael Katz called for the death penalty to be reinstated as a deterrent for Palestinian prisoners.¹⁵¹ In June, Housing Minister Uri Ariel called for the use of the death penalty for “terrorists”, following the kidnapping and murder of three Jewish teenagers.¹⁵²

¹⁵⁰ More executions may have been carried out in Iraq in 2014; however, Amnesty International was only able to confirm 61 executions.

¹⁵¹ “Israeli minister demands death sentences for Palestinian prisoners”, *Middle East Monitor*, 12 May 2014, www.middleeastmonitor.com/news/middle-east/11411-israeli-minister-calls-for-death-sentences-for-palestinian-prisoners (accessed on 5 February 2015).

¹⁵² “Minister Ariel Calling for the Death Penalty for Terrorists”, *The Yeshiva World*, 17 June 2014, www.theyeshivaworld.com/news/headlines-breaking-stories/240001/minister-ariel-calling-for-the-death-penalty-for-terrorists.html (accessed on 8 February 2015).

Jordan resumed executions on 21 December after an eight-year hiatus. On that day 11 men were executed at short notice at Swaqa Correctional and Rehabilitation Centre. All had been convicted and sentenced to death for murder prior to 2006; their sentences had been upheld by the Court of Cassation. The Jordanian media outlet *Ammon News* quoted a government source as saying that the final decision to execute the 11 men was made by the authorities only on the night before. This raises serious concerns about whether the authorities adhered to international human rights standards which require that individuals on death row and their families be given advance notice of their execution. The executions followed the establishment, in November, of a special committee of the Cabinet to look into lifting the suspension on executions, as a deterrent to murder and in response to public demand. The authorities did not make any public announcement about the formation of the special committee until the executions were carried out.

At least 113 people were under sentence of death in Jordan at the end of the year. According to government information, five death sentences were imposed, all on men, during 2014. Three were Jordanian nationals, the fourth was a Syrian national and the fifth was a Palestinian national. Three men, two Egyptians and one Jordanian, had their death sentences commuted to 20 years' imprisonment.

No executions were carried out in **Kuwait**. Seven death sentences were imposed; at least eight people were under sentence of death and four commutations were granted.

No executions were carried out in **Lebanon**. At least 11 people were sentenced to death and five commutations were granted in 2014.¹⁵³

In **Libya** at least one death sentence was imposed; no executions were recorded. Former al-Gaddafi officials continue to face trials that may lead to the use of the death penalty.

According to government information, nine death sentences were imposed in **Morocco/Western Sahara** in 2014; 117 people – 114 men and three women – were on death row at the end of the year. No executions were carried out.

Amnesty International has been unable to confirm figures on the use of the death penalty in **Oman**.

¹⁵³ Five out of the 11 death sentences were imposed in the defendants' absence. The five people whose sentences were commuted were initially sentenced to death in 2014 but had their death sentences reduced to life imprisonment with hard labour.

At least two executions were carried out and four death sentences were imposed in **Palestine** (State of). The executions were carried out and the death sentences were imposed by the Hamas authorities in Gaza.¹⁵⁴ In the West Bank no executions took place and no death sentences were imposed by Palestine.

No executions were recorded in **Qatar**. At least two death sentences were imposed, on a Qatari national and a Philippine national. During the UN UPR in March, Qatar rejected recommendations to commute all death sentences, declare a moratorium on executions and abolish the death penalty.

At least 90 executions were recorded in **Saudi Arabia**. This figure is a slight increase from previous years (2013: 79+; 2012: 79+; 2011: 82+). Two of those executed were women, an Ethiopian national and a Nepali national. The 88 men comprised: 53 Saudi Arabians, seven Syrians, one Iranian, 21 Pakistanis, one Philippine national, two Yemenis, one Indian, one Turkish and one Iraqi.

Close to half of the executions were carried out for crimes involving killings. The others were carried out for non-lethal crimes: 42 for drug-related offences; and the remainder for kidnapping, torture, rape, and witchcraft and sorcery.

Amnesty International recorded the imposition of at least 44 death sentences in Saudi Arabia, all against men. The real number is likely to be much higher. At least six commutations and six pardons were granted. Scores of people remain on death row but the exact number cannot be confirmed.

Court proceedings in Saudi Arabia fall far short of international standards for fair trial. Trials in death penalty cases are often held in secret. Defendants are rarely allowed formal representation by lawyers, and in many cases are not informed of the progress of legal proceedings against them. They may be convicted solely on the basis of “confessions” obtained under duress or involving deception.

On 18 August, four members of one family were executed in the south-eastern city of Najran for “receiving large quantities of hashish”. The four men had been sentenced to death on the basis of “confessions” they claimed were extracted under torture.

¹⁵⁴ In addition to the judicial executions that were carried out, Hamas forces in Gaza extrajudicially and/or summarily executed at least 22 people they accused of “collaborating” with Israel, in the context of the July-August 2014 conflict between Israel and Gaza known as Operation Protective Edge. The executions were carried out by members of Hamas’ armed wing and the Internal Security Force. Some of those killed were prisoners who were appealing against death sentences passed by military courts in Gaza.

Hajras al-Qurey was executed on 22 September for drug trafficking, despite maintaining that he was tortured into “confessing” to the crime and the fact that he was convicted after an unfair trial. He had been sentenced to death on 16 January 2013 by the General Court in Najran. The sentence was later upheld by both an appeal court and the Supreme Court.

Hajras al-Qurey and his son, Muhammad al-Qurey, were arrested on 7 January 2012 at the al-Khadra crossing with Yemen, when customs officers suspected them of carrying drugs in their car. According to the court documents, Hajras al-Qurey tried to drive away at speed to escape from the border police, which gave chase and caught them. According to his family, Hajras al-Qurey suffered from psychological problems and had been known to lose control of himself when under pressure. Both men were taken for interrogation and claimed they were tortured to extract “confessions”. Muhammad al-Qurey “confessed” to the crime and testified that his father had not known that he, Muhammad, was smuggling drugs. Both men were denied access to lawyers during interrogation. The General Court in Najran ignored evidence from an assessment it had commissioned which found that Hajras al-Qurey had a mental condition that might have impaired his judgment. No investigations are known to have been carried out into the allegations that the men were tortured and received an unfair trial.

The Saudi Arabian authorities have responded with repressive measures, including the use of the death penalty, against those suspected of taking part in or supporting protests or expressing views critical of the state. At least 20 people connected with protests in the Eastern Province have been executed since 2011. In early and mid-2014, at least seven Shi’a activists detained in connection with protests were sentenced to death on vaguely worded security charges related to their activism. One of the seven, Ali al-Nimr, was 17 at the time of his arrest and was tortured to extract a “confession”.

Sheikh Nimr Baqir al-Nimr, a prominent Saudi Arabian Shi’a Muslim cleric, was sentenced to death by the Specialized Criminal Court in Riyadh on 15 October for various offences including “disobeying and breaking allegiance to the ruler”, “calling to overthrow the regime”, “calling for demonstrations”, “inciting sectarian strife”, “questioning the integrity of the judiciary”, “meeting with and supporting wanted suspects”, and “interfering in a neighbouring state’s affairs” (in reference to Bahrain). “Evidence” for the charges came from religious sermons and interviews attributed to the cleric. Amnesty International’s review of these texts confirms that Sheikh Nimr Baqir al-Nimr’s was exercising his right to free expression and was not inciting violence.

A number of charges, including “disobeying the ruler”, are not recognizably criminal offences under international human rights law. Sheikh Nimr Baqir al-Nimr’s trial was also flawed. The cleric was denied the most basic requirements to prepare a defence, including regular access to his lawyer and writing materials. Key eyewitnesses were not allowed to testify in court in violation of Saudi Arabian laws, and his lawyer was not informed of the dates of a number of court hearings.

Sheikh Nimr Baqir al-Nimr’s, who is the imam of al-Awamiyya mosque in al-Qatif, eastern Saudi Arabia, was arrested without a warrant on 8 July 2012 when security officers forced his car to stop and shot him when he refused to accompany them. He spent most of his detention in solitary confinement in military hospitals and in al-Ha’ir prison in Riyadh. He is paralyzed in one leg as a result of being shot.

In February, in its response to recommendations made during the UN UPR, Saudi Arabia rejected the following recommendations: to declare a moratorium on the death penalty; abolish the death penalty; and accede to the Second Optional Protocol to the ICCPR. However, Saudi Arabia accepted the recommendation to make further efforts to increase the transparency and openness of legal proceedings contemplating death sentences.

The death penalty remained in force in **Syria**. However, due to the internal armed conflict involving government forces and non-state armed groups it was not possible to confirm whether any death sentences were imposed, nor whether any judicial executions were carried out by the state.¹⁵⁵

According to media reports, at least two death sentences were imposed in **Tunisia** and three commutations were granted. No executions were carried out.

One execution was carried out in the **United Arab Emirates** (UAE) in 2014.¹⁵⁶ Twenty-five death sentences were imposed; this is an increase compared to the figure recorded for 2013. One woman was sentenced to death by stoning for “adultery”.¹⁵⁷ The other sentences were imposed on men for crimes including murder, drugs offences and rape. Foreign nationals constituted the largest number of people who received death sentence during the year. They included nationals of Afghanistan, Bangladesh, Egypt, India, Kuwait, Pakistan and Saudi Arabia. Twelve commutations were granted. At least 25 people were under sentence of death at the end of 2014. A new anti-terror law introduced during the year widened the scope of the death penalty.¹⁵⁸

In **Yemen**, at least 22 executions were carried out in 2014, all for murder. At least 26 new death sentences were imposed, an increase compared to 2013, when at least three were recorded.¹⁵⁹

¹⁵⁵ This does not include reports of extrajudicial executions and other unlawful killings by both government forces and non-state armed groups during the armed conflict, or deaths in custody following torture or other ill-treatment.

¹⁵⁶ A Sri Lankan migrant worker, Ravindra Krishna Pillai, was executed by firing squad on 21 January 2014 in Sharjah Central prison, Sharjah Emirate.

¹⁵⁷ The usual method of execution in the UAE is by firing squad.

¹⁵⁸ “Sheikh Khalifa approves anti-terrorism law”, *The National*, August 2014, www.thenational.ae/uae/government/sheikh-khalifa-approves-anti-terrorism-law (accessed on 13 March 2015).

¹⁵⁹ The Ministry of Interior officially recorded the imposition of five death sentences but 21 more were reported in the media, making a total of 26 in 2014.

SUB-SAHARAN AFRICA

REGIONAL TRENDS

- There was a 28% reduction in the number of known executions, compared with 2013.
- Fewer countries carried out executions and imposed death sentences: in 2014, three countries carried out executions, while in 2013 five countries carried out executions.
- The overall number of death sentences imposed in the Sub-Saharan Africa region increased significantly, largely due to high numbers in Nigeria.
- The National Assembly in Madagascar adopted a bill abolishing the death penalty.
- Gabon became a state party to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), aiming at the abolition of the death penalty, on 2 April.

EXECUTIONS AND DEATH SENTENCES IN SUB-SAHARAN AFRICA

At least 46 judicial executions were carried out in three countries: Equatorial Guinea (9), Somalia (14+) and Sudan (23+).

Amnesty International recorded at least 909 death sentences in 18 countries: Botswana (1), Congo (Republic of) (3+), Democratic Republic of the Congo (14+), Gambia (1+), Ghana (9), Kenya (26+), Lesotho (1+), Mali (6+), Mauritania (3), Nigeria (659), Sierra Leone (3), Somalia (52+; Somali Federal Government 31+, Puntland 11+, Somaliland 10+), South Sudan (+), Sudan (14+), Tanzania (91), Uganda (1), Zambia (13+) and Zimbabwe (10).

There were both positive and negative developments in the use of the death penalty in Sub-Saharan Africa during the year. Fewer countries carried out executions and fewer people were executed. A total of 46 executions were recorded for 2014, compared to 64 in 2013, representing a drop of 28%.

Despite a reduction in the number of countries that imposed death sentences – from 19 in 2013 to 18 in 2014 – the number of death sentences imposed rose sharply. Amnesty International recorded 423 sentences in 2013 and 907 in 2014, an increase of 114%. This increase was largely due to the high number of death sentences recorded in Nigeria during 2014.

Progress towards the abolition of the death penalty in the region was slow, with some setbacks recorded. Countries that had appeared to be moving towards abolition in 2013 did not make anticipated progress during 2014. However, on 10 December Madagascar's National Assembly adopted a bill abolishing the death penalty.

While calls were made by members of parliament in Kenya to widen the scope of the death penalty, the National Assembly in Cameroon adopted a bill applying the punishment to acts of terrorism. Government ministers in Chad and Sierra Leone announced their countries' intentions to introduce legislation abolishing the penalty. Malawi declared it had no such plans.

In July, the Working Group on Death Penalty and Extra-Judicial, Summary or Arbitrary Killings in Africa of the African Commission on Human and Peoples' Rights and the government of Benin jointly organized in Benin's capital Cotonou, a continental conference on the Abolition of the Death Penalty in Africa. Participants included representatives from African Union Member States, parliamentarians, national human rights institutions and civil society organizations. The main objectives were to finalize the draft Additional Protocol to the African Charter on Human and Peoples' Rights on the Abolition of the Death Penalty; issue a Declaration for African Union Member States to support the adoption of the draft Protocol and the UN Resolution on a moratorium on the use of the death penalty; and launch an advocacy and awareness campaign.

COUNTRY DEVELOPMENTS

No death sentences were imposed in **Benin** for the fourth year running. Thirteen people remained under sentence of death at the end of 2014. The last known executions in Benin were carried out in 1987.

According to government information, no executions were carried out in **Botswana** in 2014. One person was sentenced to death on 3 July; three men were under sentence of death at the end of the year. The death penalty continues to be applicable in law and is mandatory for murder unless there are extenuating circumstances.

No executions were carried out and no death sentences imposed in **Burkina Faso** during the year. On 15 October, before the start of mass protests that led to the resignation of President Blaise Compaoré, the Council of Ministers discussed a bill on the abolition of the death penalty. This would bring the laws in line with Burkina Faso's international commitments to human rights. The Council agreed to transmit the bill to the National Assembly but its status was unclear at the end of the year.

No executions were carried out in **Cameroon** in 2014. However, in December the parliament voted in favour of a bill which provides for the death penalty for acts of terrorism.

At the end of 2014, the **Central African Republic** (CAR) was yet to abolish the death penalty and ratify the Second Optional Protocol to the ICCPR, despite accepting recommendations to do so during the UN Human Rights Council Universal Periodic Review (UPR) in 2013. Armed conflict continued in CAR during 2014. Amnesty International did not record any judicial executions in 2014.

The last known executions in **Chad** took place in 2003. Following the UN UPR in 2013, Chad accepted, in March 2014, the recommendation to abolish the death penalty. In September, Minister of Communication and government spokesperson Hassan Sylla Bakari announced that a penal code aimed at abolishing the death penalty had been adopted by the government.¹⁶⁰ According to the Minister, the death penalty will be replaced with life

¹⁶⁰ "Chad: Towards abolishing the death penalty", Hands Off Cain, 9 September 2014, available at www.handsoffcain.info/archivio_news/index.php?iddocumento=18307842&mover=0 (accessed on 13 February 2015).

imprisonment with no possibility of conditional release. At the end of the year parliament was yet to adopt the penal code.

No executions were carried out in **Congo (Republic of)** in 2014. At least three death sentences were imposed, all for murder. At the end of the year Congo was yet to ratify the Second Optional Protocol to the ICCPR and abolish the death penalty, despite accepting recommendations to do so during the UN UPR in 2013.

The last known execution in **Comoros** was carried out in 1997. No known death sentences were imposed in 2014; at least six people were on death row.¹⁶¹ During the UN UPR in 2014, Comoros accepted recommendations to: speed up the process of adopting the new Penal Code that foresees the abolition of the death penalty; ratify the Second Optional Protocol to the ICCPR; and proceed with formal abolition of the death penalty.

In the **Democratic Republic of the Congo (DRC)** the last known execution took place in January 2003. In 2014, at least 14 death sentences were imposed, mostly on civilians, by military courts, for crimes including murder, armed robbery, conspiracy, participation in an insurrectional movement, and terrorism. In November, two men were sentenced to death by the Operational Military Court of North Kivu province sitting in Beni; one was a member of the DRC military and the other belonged to an armed group. The latter was sentenced in his absence. Neither man has a right of appeal as there is no remedy against any decision made by the Operational Military Court. As part of the outcome of the UN UPR in April, the DRC rejected recommendations to abolish the death penalty and ratify the Second Optional Protocol to the ICCPR.

In January, nine people – one Mali national and eight Equatorial Guinea nationals – were executed by firing squad in **Equatorial Guinea**; all had been convicted of murder. On 13 February the government adopted a temporary moratorium on the use of death penalty to enable Equatorial Guinea to join the Community of Portuguese-Speaking Countries in July. No new death sentences were handed down. During the UN UPR in May, Equatorial Guinea committed to consider the possibility of ratifying the Second Optional Protocol to the ICCPR.

Eritrea was examined during the UN UPR in February. As part of its reply to recommendations made, Eritrea rejected the following: to abolish the death penalty and ratify the Second Optional Protocol to ICCPR. The justice system in Eritrea is not transparent and official information on the use of the death penalty is very difficult to obtain. Therefore, no executions or death sentences could be confirmed.

During the year **Ethiopia** rejected recommendations made during the UN UPR to abolish the death penalty and ratify the Second Optional Protocol to the ICCPR. Amnesty International did not record any executions during 2014.

¹⁶¹ "Comoros: Radicals and HOC delegation meets Minister of Justice on voting for the UN resolution", Hands Off Cain, 18 November 2014, available at www.handsoffcain.info/news/index.php?iddocumento=18309593 (accessed on 13 February 2015).

At least one death sentence was imposed in **Gambia** in 2014. In November, Gambia's Supreme Court commuted seven death sentences to life imprisonment. A conditional moratorium on executions, which was announced by President Yahya Jammeh in 2012 and which he said would be "automatically lifted" if crime rates increased, remained in place in 2014. In November, the President announced that the death penalty would be applied for anyone convicted of raping a child.¹⁶² In October, during the UN UPR Gambia promised to examine recommendations to abolish the death penalty for all crimes and ratify the Second Optional Protocol to the ICCPR, with a view to providing responses no later than the 28th session of the Human Rights Council in March 2015.

No executions were carried out in **Ghana**; nine death sentences were imposed. President John Mahama commuted 21 death sentences to life imprisonment in commemoration of Ghana's 54th Republic Day Anniversary.¹⁶³ The government's plans to put to a referendum recommendations of the Constitutional Review Commission that require changes to the Constitution, including the removal of the death penalty, were not implemented in 2014.

No executions were recorded in **Guinea**. Amnesty International was unable to confirm any death sentences.

Kenya has an established practice of not carrying out executions although it continues to impose death sentences. According to media reports, at least 26 death sentences were imposed in 2014. During the year calls were made by some members of parliament to impose the death penalty for terrorism, homosexuality, corruption and economic crimes. In June, following the deaths of more than 80 people who drank illegally made alcohol, the Chair of the National Authority for the Campaign Against Alcohol and Drug Abuse proposed an amendment to the Alcohol Drink Control Act 2010 to include death sentences for people found dealing in illegal and inferior quality brews.¹⁶⁴ In August, Kenya's National Assembly, as part of amendments to the Anti-Corruption and Economic Crimes Act, rejected the inclusion of the death penalty as a punishment under the Act.

¹⁶² "Gambia: Jammeh declares tougher punishment for child abusers", *Daily Observer*, 24 November 2014, available at <http://allafrica.com/stories/201411242256.html> (accessed on 13 February 2015).

¹⁶³ The commutations were granted to 21 death row prisoners who had been on death row for at least 10 years. President Mahama had acted on the advice of the Council of State and the recommendation of the Ghana Prison Services.

¹⁶⁴ "Mututho seeks death penalty for killer brew peddlers", *Capital News*, 24 June 2014, available at www.capitalfm.co.ke/news/2014/06/mututho-seeks-death-penalty-for-killer-brew-peddlers/ (accessed on 13 February 2015).

No executions were recorded in **Lesotho**; at least one death sentence was imposed. In August the High Court sentenced Makhotso Molise to death by hanging for murder.¹⁶⁵

No executions or death sentences were recorded in **Liberia**. One pardon was granted.

Following the acceptance by **Madagascar** of the recommendation to abolish the death penalty during the UN UPR in November, on 10 December the National Assembly adopted a bill replacing the punishment with life imprisonment with hard labour. The bill requires signing into law by the President of Madagascar.

The death penalty is applicable in **Malawi** for crimes including treason, murder and aggravated robbery; it is no longer mandatory in murder cases. The last known execution was carried out in 1992.

During the year Malawi informed the UN Human Rights Committee that it has no plans to abolish the death penalty.¹⁶⁶ The Committee expressed concern that death sentences are still imposed and that the punishment is not reserved for the most serious crimes.¹⁶⁷ It also expressed concern that the right to seek a pardon is not effectively ensured. The Committee recommended that Malawi should consider abolishing the death penalty and acceding to the Second Optional Protocol of the ICCPR; review its Penal Code and ensure that the death penalty, if imposed at all, is applicable only to the most serious crimes; provide adequate funds for a prompt process for resentencing prisoners who have received a mandatory death penalty; and ensure the right to seek pardon or commutation of the death sentence.

Although the death penalty is provided for under the law in **Mali**, death sentences are systematically commuted to terms of imprisonment. The last execution took place in 1981. At least six people were sentenced to death and at least six death sentences were commuted in 2014.

Three men were sentenced to death in **Mauritania**, one for apostasy and the other two for murder. In December, Mohamed Cheikhould Mohamed Mkhaitir, was sentenced to death for writing an article deemed blasphemous against Islam. This was believed to be the first death sentence for apostasy since Mauritania's independence in 1960.

¹⁶⁵ "Woman gets death sentence for murder", Lesotho News Agency, 21 August 2014, available at www.lena.gov.ls/index.php?model=headline&function=display&text_id=44403 (accessed on 13 February 2015).

¹⁶⁶ "Malawi will not abolish the death penalty, UN told", Nyasa Times, 11 July 2014, available at www.nyasatimes.com/2014/07/11/malawi-will-not-abolish-the-death-penalty-un-told/ (accessed on 13 February 2015).

¹⁶⁷ UN Human Rights Committee, Concluding observations on the initial periodic report of Malawi, 111th session 7–25 July 2014, UN doc CCPR/C/MWI/CO/1/Add.1, 19 August 2014, para11.

The last execution in **Niger** took place in 1976 and no death sentences were imposed in 2014.

No executions were carried out in **Nigeria** in 2014. According to information received from the Nigerian Prisons Service: 589 people were sentenced to death; 49 death sentences were commuted; 69 pardons were granted; 32 death row prisoners were exonerated; and five foreign nationals were on death row in 2014. The number of death sentences reported by the Nigerian Prisons Service does not include those imposed on 70 soldiers by military courts during the year.¹⁶⁸ Therefore, inclusive of the soldiers, a total of 659 people were sentenced to death in 2014. At least 1,484 people were under sentence of death at the end of the year.¹⁶⁹ Most death sentences imposed are for murder and armed robbery.

During the year Nigerian military courts imposed mass death sentences. In September, 12 soldiers were sentenced to death for mutiny and attempted murder after firing shots at their commanding officer in the north-eastern city of Maiduguri in May. The convicted soldiers belonged to the Nigerian Army's Seventh Division, which is at the forefront of the fight against the armed group Boko Haram.

In December, a military court in Abuja imposed death sentences on 54 soldiers who were convicted of conspiracy to mutiny and mutiny for refusing to join operations to retake three towns in Borno State that had been captured by Boko Haram. According to testimony given by the soldiers during the trial, they had complained to their superiors about not having the weaponry needed to complete their mission against Boko Haram. The lawyer for the soldiers said that the military court had refused to consider the soldier's defence that they were improperly equipped. Halfway through the trial, journalists were prevented from covering the proceedings. Amnesty International is concerned that the trial may not have complied with internationally recognized standards for fair trial.

In December the military court in Abuja sentenced four more soldiers, accused of mutiny, to death. All 58 soldiers belonged to the Nigerian Army's Seventh Division.

Article 6(2) of the ICCPR, to which Nigeria is a party, stipulates that "sentence of death may be imposed only for the most serious crimes". Under international human rights standards, "most serious crimes" has been interpreted as being limited to crimes involving intentional killing. Since the charges against all the soldiers failed to meet the threshold of "most serious crimes" the death sentences should not have been imposed and are in violation of international human rights law.

On 29 May, the Governor of Ogun State commuted nine death sentences to life imprisonment. This was done to commemorate Democracy Day and followed the advice of the Commission on the Prerogative of Mercy. On 1 October, during Independence Day celebrations and following the advice of the State Advisory Council on the Prerogative of

¹⁶⁸ Reliable sources have also informed Amnesty International that, as at the time the organization received the statistics from the Nigerian Prisons Service, the 70 soldiers were not in the custody of the Nigerian Prisons Service but still in the custody of the Nigerian Army.

¹⁶⁹ The figure stated is for death row inmates in Nigerian prisons as at 30 June 2014. However, the 2014 statistics in comparison with those of 2013 indicate that the real figure as at 31 December is likely to be higher than 1,484.

Mercy, the Governor of Delta State announced that he had pardoned three death row prisoners and commuted the death sentences of nine others to terms of imprisonment.

ThankGod Ebhos was released on 24 October after 19 years on death row. Following Nigeria's Independence Day celebrations on 1 October, the Governor of Kaduna State announced that he was using his power of Prerogative of Mercy under section 212 of the Nigerian Constitution to sign a release order for ThankGod Ebhos.

ThankGod Ebhos was accused of an armed robbery that took place in 1988; he was sentenced to death by firing squad by a Robbery and Firearms Tribunal in Kaduna in 1995 and was on death row in Benin Prison in Edo State before his release. On 24 June 2013 ThankGod Ebhos was taken to the gallows in Benin Prison with four other men. The men were hanged in his presence but he escaped execution because at the last moment the prison authorities realized that his death sentence required a firing squad. In January 2014 the Economic Community of West African States (ECOWAS) Court of Justice granted an injunction restraining the government from executing ThankGod Ebhos. On 10 June the Court delivered a final judgment ordering that ThankGod Ebhos' name be removed from the death row list.

As part of the outcome of the UN UPR in 2013, on 20 March 2014 Nigeria rejected recommendations relating to abolition of the death penalty.

In **Sierra Leone**, no executions were carried out; three death sentences were imposed. The death penalty is still retained for treason and aggravated robbery and is mandatory for murder, although there have been no executions since 1998. According to government information, on 27 April President Ernest Bai Koroma commuted to life imprisonment the death sentences of five death row prisoners.

In March, the UN Human Rights Committee expressed regret at Sierra Leone's slow progress towards abolition and requested that the country expedite efforts to abolish the death penalty and ratify the Second Optional Protocol to the ICCPR.¹⁷⁰

In May, the Attorney-General and Minister of Justice, Franklyn Bai Kargbo, told the UN Committee against Torture that Sierra Leone would abolish the death penalty in a matter of weeks. He stated: "The President has at the same time directed my office, as a matter of urgency, to draft legislation removing the death penalty from our laws and making it a thing of the past in Sierra Leone. We anticipate completing the task in the space of a few weeks." At the end of 2014 Sierra Leone was yet to abolish the death penalty.

At least 14 people were executed and at least 52 sentenced to death in **Somalia**.¹⁷¹ At least 13 executions were carried out under the authority of the Somali Federal Government, and at least 31 death sentences were imposed, despite the government's vote in favour of the UN General Assembly resolution on a moratorium on the use of the death penalty in 2012 and

¹⁷⁰ UN Human Rights Committee, Concluding observations on the initial report of Sierra Leone, 110th session 10-28 March 2014, UN doc CCPR/C/SLE/CO/1, 17 April 2014, para18.

¹⁷¹ These figures do not include reports of public unlawful killings by Somali armed opposition groups such as al-Shabab.

2014. One more execution was recorded in the Jubaland region. Executions by the Somali Federal Government are usually carried out by firing squad.

At least 11 death sentences were imposed in the semi-autonomous region of Puntland in northern Somalia, and at least 10 in the self-declared Republic of Somaliland.

No executions were recorded in **South Sudan**. While it is believed that death sentences were imposed, numbers could not be confirmed.

At least 23 executions were recorded in **Sudan** and at least 14 death sentences were imposed. At least 215 people were on death row at the end of the year, and at least four people were exonerated in 2014.

On 23 June **Meriam Yehya Ibrahim** was released from prison after an appeal court overturned her sentence. She had been sentenced to death by hanging for apostasy, and to flogging for adultery. Meriam Yehya Ibrahim had been charged with adultery in 2013, allegedly after relatives reported her to the authorities for her marriage to a Christian man. Under Shari'a law as practised in Sudan, a Muslim woman is not permitted to marry a non-Muslim man, and any such marriage is considered adulterous. Meriam Yehya Ibrahim was detained in February 2014 after the court added the charge of apostasy when she informed the court that her mother had raised her as an Orthodox Christian. On 11 May the court gave her three days to renounce her Christian faith or be sentenced to death, an option that she rejected. At the time of her trial Meriam Yehya Ibrahim was eight months pregnant. On 27 May she gave birth to her second child in the clinic of Omdurman Women's Prison. Her 20-month-old son had been detained with her. The case of Meriam Yehya Ibrahim attracted widespread international attention with over one million people responding to Amnesty International's appeal for her release.

No executions were recorded in **Swaziland**. Amnesty International was unable to confirm any death sentences.

According to government information no executions were carried out in **Tanzania**; 91 people were sentenced to death; six death sentences were commuted; and 59 people were exonerated. As of 31 December, 410 people were under the sentence of death, this included eight foreign nationals (four Kenyans, two Burundians, one Ivorian, and one Indian).

No executions were carried out in **Uganda**; one death sentence was imposed.

At least 13 death sentences were imposed in **Zambia**, all for murder. Among them were three men sentenced to death by the Mansa High Court in November.¹⁷²

According to government information no executions were carried out in **Zimbabwe** in 2014. Ten death sentences were imposed; 95 people were on death row; four people had their death sentences commuted to life imprisonment; and one person was exonerated. At the end of the year, one foreign national – a Mozambican – was on death row.

¹⁷² "Three sentenced to death by hanging", Lusaka Voice, 28 November 2014, <http://lusakavoice.com/2014/11/28/three-sentenced-to-death-by-hanging/> (accessed on 13 February 2015).

ANNEX I: DEATH SENTENCES AND EXECUTIONS IN 2014

This report only covers the judicial use of the death penalty. The figures presented are those that can safely be drawn from Amnesty International's research, 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 instance, Yemen (22+) – it means that Amnesty International confirmed 22 incidents but has reason to believe that the true number is greater. Therefore 22+ means at least 22. Where “+” appears after a country name without a figure – for instance, death sentences in South Sudan (+) – it means that there were executions or death sentences (more than one) in that country but insufficient information to provide a credible minimum figure. When calculating global and regional totals, “+” has been counted as 2, including for China.

REPORTED EXECUTIONS IN 2014

China +	Pakistan 7
Iran 289+	Afghanistan 6
Saudi Arabia 90+	Taiwan 5
Iraq 61+	Belarus 3+
USA 35	Viet Nam 3+
Sudan 23+	Japan 3
Yemen 22+	Malaysia 2+
Egypt 15+	Palestine (State of) (in Gaza) 2+
Somalia 14+	Singapore 2
Jordan 11	United Arab Emirates 1
Equatorial Guinea 9	North Korea +

REPORTED DEATH SENTENCES IN 2014

China +	United Arab Emirates 25	Singapore 3
Nigeria 659	Algeria 16+	Qatar 2+
Egypt 509+	Democratic Republic of the Congo 14+	Trinidad and Tobago 2+
Pakistan 231	Sudan 14+	Tunisia 2+
Bangladesh 142+	Zambia 13+	Barbados 2
Tanzania 91	Afghanistan 12+	Japan 2
Iran 81+	Lebanon 11+	Maldives 2
USA 72+	Zimbabwe 10	Gambia 1+
Viet Nam 72+	Ghana 9	Lesotho 1+
India 64+	Morocco/Western Sahara 9	Libya 1+
Sri Lanka 61+	Kuwait 7	Myanmar 1+
Thailand 55+	Mali 6+	Botswana 1
Somalia 52+ (31+ by the Somali Federal Government; 11+ in Puntland; 10+ in Somaliland)	Indonesia 6	Guyana 1
Saudi Arabia 44+	Bahrain 5	South Korea 1
Iraq 38+	Jordan 5	Taiwan 1
Malaysia 38+	Palestine (State of) (Gaza) 4+	Uganda 1
Kenya 26+	Congo (Republic of) 3+	North Korea +
Yemen 26+	Mauritania 3	South Sudan +
	Sierra Leone 3	

ANNEX II: ABOLITIONIST AND RETENTIONIST COUNTRIES AS OF 31 DECEMBER 2014

More than two-thirds of the countries in the world have now abolished the death penalty in law or practice. As of 31 December 2014 the numbers were as follows:

Abolitionist for all crimes: 98

Abolitionist for ordinary crimes only: 7

Abolitionist in practice: 35

Total abolitionist in law or practice: 140

Retentionist: 58

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, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Burundi, Cambodia, Canada, Cabo Verde, Colombia, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Holy See, Honduras, Hungary, Iceland, Ireland, Italy, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Moldova, Monaco, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niue, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia (including Kosovo), Seychelles, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Switzerland, Timor-Leste, Togo, Turkey, Turkmenistan, Tuvalu, Ukraine, UK, Uruguay, Uzbekistan, Vanuatu, 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:

Brazil, Chile, El Salvador, Fiji, Israel, Kazakhstan, Peru.

3. ABOLITIONIST IN PRACTICE

Countries which 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, Benin, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Congo (Republic of), Eritrea, Ghana, Grenada, Kenya, Laos, Liberia, Madagascar, Malawi, Maldives, Mali, Mauritania, Mongolia, Morocco, Myanmar, Nauru, Niger, Papua New Guinea, Russian Federation,¹⁷³ Sierra Leone, South Korea, Sri Lanka, Suriname, Swaziland, 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, Chad, China, Comoros, Democratic Republic of the Congo, Cuba, Dominica, Egypt, Equatorial Guinea, Ethiopia, Gambia, Guatemala, Guinea, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libya, Malaysia, Nigeria, North 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.

¹⁷³ 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 2014

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

Below are short descriptions of the four treaties, lists of states parties and of countries which have signed but not ratified the treaties, as of 31 December 2014. (States may become 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 parties, 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

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, Argentina, Australia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cabo Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Italy, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Mexico, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, San Marino, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Timor-Leste, Turkey, Turkmenistan, Ukraine, UK, Uruguay, Uzbekistan, Venezuela (total: 81)

Signed but not ratified: Angola, Madagascar, Sao Tome and Principe (total: 3)

PROTOCOL TO THE AMERICAN CONVENTION ON HUMAN RIGHTS ON THE ABOLITION OF 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

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 1982, 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, Macedonia, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, UK (total: 46)

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

PROTOCOL NO. 13 TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS

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 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, Macedonia, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, UK (total: 44)

Signed but not ratified: Armenia (total: 1)

ANNEX IV: VOTING RESULTS OF UN GENERAL ASSEMBLY RESOLUTION 69/186, ADOPTED ON 18 DECEMBER 2014

Co-sponsors of UN General Assembly resolution 69/186, adopted on 18 December 2014

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cambodia, Cabo Verde, Chile, Colombia, Congo (Republic of), Costa Rica, Côte d'Ivoire, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Madagascar, Malta, Marshall Islands, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, Timor-Leste, Togo, Turkey, Turkmenistan, Tuvalu, Ukraine, UK, Uruguay, Vanuatu, Venezuela (total: 95)

Votes in favour – Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cabo Verde, Central African Republic, Chad, Chile, Colombia, Congo (Republic of), Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Kazakhstan, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Madagascar, Mali, Malta, Marshall Islands, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, South Sudan, Spain, Suriname, Sweden, Switzerland, Tajikistan, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, UK, Uruguay, Uzbekistan, Vanuatu, Venezuela (total: 117)

Votes against – Afghanistan, Antigua and Barbuda, Bahamas, Bangladesh, Barbados, Belize, Botswana, Brunei Darussalam, China, Dominica, Egypt, Ethiopia, Grenada, Guyana, India, Iran, Iraq, Jamaica, Japan, Kuwait, Libya, Malaysia, North Korea, Oman, Pakistan, Papua New Guinea, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Syria, Trinidad and Tobago, USA, Yemen, Zimbabwe (total: 38)¹⁷⁴

Abstentions – Bahrain, Belarus, Cameroon, Comoros, Cuba, Democratic Republic of the Congo, Djibouti, Gambia, Ghana, Guinea, Indonesia, Jordan, Kenya, Laos, Lebanon, Liberia, Malawi, Maldives, Mauritania, Morocco/Western Sahara, Myanmar, Namibia, Nigeria, Senegal, Solomon Islands, South Korea, Sri Lanka, Tanzania, Thailand, Tonga, Uganda, United Arab Emirates, Viet Nam, Zambia (total: 34)

Not present – Lesotho, Mauritius, Nauru, Swaziland (total: 4)

¹⁷⁴ The USA voted against the resolution but its vote was not captured in the official voting sheet.

WHETHER IN A HIGH-PROFILE CONFLICT OR A FORGOTTEN CORNER OF THE GLOBE, **AMNESTY INTERNATIONAL** CAMPAIGNS FOR JUSTICE, FREEDOM AND DIGNITY FOR ALL AND SEEKS TO GALVANIZE PUBLIC SUPPORT TO BUILD A BETTER WORLD

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I WANT TO HELP



DEATH SENTENCES AND EXECUTIONS

2014

Amnesty International recorded fewer executions globally in 2014, compared to 2013 – a year in which the organization recorded a spike in executions. In 2014, executions were recorded in 22 countries, the same number of countries as in 2013. Although this number remained constant, some countries resumed executions while others – which had executed in 2013 – did not carry out executions in 2014.

In the Middle East and North Africa, the resumption of executions in Egypt, Jordan and the United Arab Emirates led to an increase in the number of executing countries in the region in 2014. In Europe and Central Asia, Belarus resumed executions after two execution-free years. Belarus remains the only country in the region to use the death penalty.

Although the USA remained the only country in the Americas to impose death sentences and carry out executions, numbers for both declined in 2014. Seven US states carried out executions, two fewer than the previous year. The state of Washington imposed an official moratorium on executions in February 2014.

The overall number of executions recorded in Asia-Pacific decreased slightly, despite resumptions in Pakistan and Singapore. In sub-Saharan Africa, executions were recorded in three countries, two fewer than in 2013.

This report analyzes some of the key elements in the worldwide application of the death penalty in 2014.

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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