



THE MOST IMPORTANT FACTS OF 2016

THE SITUATION TODAY

Developments on the Death Penalty Worldwide

The worldwide trend towards abolition, underway for more than fifteen years, was again confirmed in 2016.

There are currently **160** countries and territories that, to different extents, have decided to renounce the death penalty. Of these: **105** are totally abolitionist; **6** are abolitionist for ordinary crimes; **6** have a moratorium on executions in place and **43** are *de facto* abolitionist (i.e. Countries that have not carried out any executions for at least 10 years or countries which have binding obligations not to use the death penalty).

Countries retaining the death penalty worldwide have gradually declined over the last ten years: in 2016 there were **38** retentionist countries, compared to 54 in 2005.

Executions in 2015 and the first six months of 2016

In 2016, executions were carried out in **23** countries, compared to 25 in 2015.

In 2016, there were at least **3,135** executions, compared to at least 4,040 in 2015 and at least 5,735 in 2008. The decrease in executions as compared to 2015 is explained by decreases recorded in **Chin, Iran and Pakistan**.

In 2016, there were no recorded executions in **5** countries - **Chad, Jordan, India, Oman and United Arab Emirates** - where executions were carried out in 2015.

On the other hand, **4** countries, which had not carried out executions in 2015, resumed them in 2016: **Belarus** (4), **Botswana** (1), **Nigeria** (3) and **Palestine** (Gaza Strip) (3). In 2017, **Bahrein** executed 3 people, after a suspension since 2010 and **Kuwait** 7, after a suspension since 2013.

It could not be confirmed if judicial executions took place in **Libya, Syria and Yemen** in 2016.

Regional Overview

Once again, **Asia** tops the standings as the region where the vast majority of executions are carried out. Taking the estimated number of executions in China to be at least 2,000 (more or less as in 2015), the total for 2016 corresponds to a minimum of **3,073** executions (98%), down from 2015 when there were at least 3,946 executions.

In the **Americas**, the **United States of America** was the only country to carry out executions in 2016 (20). In several **Caribbean countries**, no new death sentences were imposed, and death rows were once again empty at the end of the year.

In **Africa**, in 2016, the death penalty was carried out in **6** countries (1 more than in 2015), and there were at least **38** executions compared to 66 in 2015: **Botswana** (1), **Egypt** (at least 16), **Nigeria** (3), **Somalia** (at least 14), **South Sudan** (at least 2) and **Sudan** (2).

In 2016, there were no executions in **Chad** that carried out executions in 2015 and in **Botswana** and **Nigeria** that carried out last executions in 2013.

In **Europe**, the only blemish on an otherwise completely death penalty-free zone continues to be **Belarus**, a country that has continued to execute its citizens regularly. In 2016 at least 4 execution has been recorded, while none was recorded in 2015. While in **Russia** a moratorium on executions is still in effect since a 1996, all other European countries have abolished the death penalty in all circumstances.

Abolition, De Facto Abolition and Moratoriums

In 2016, another 2 States joined the list of total abolitionist countries: **Nauru** and **Guinea** which completely abolished the death penalty, the last one repealing it also from the military code in 2017.

Four countries - **Benin, Cyprus, Dominican Republic** and **Togo** took further steps towards complete abolition.

In the **United States**, in four States –**Colorado** (since 2013, confirmed in 2015 for four years), **Oregon** (since 2011), **Pennsylvania** (since 2015) and **Washington** (since 2014, confirmed by Governor Inslee on December 29, 2016) – the Governors granted a stay of executions and essentially put executions on hold because of concerns about the death penalty system.

Towards Abolition

In 2016, significant political and legislative steps towards abolition or a *de facto* moratorium on capital punishment have been seen in **43** countries.

In **6** countries - **Chad, Equatorial Guinea, Guatemala, Myanmar, Thailand** and **Uganda** - have announced or proposed laws for the abolition of the death penalty in the Constitution or criminal codes or reduced the number of capital crimes.

During the Universal Periodic Review by the UN Human Rights Council, **3** countries – **Niger, Sierra Leone** and **Tajikistan** – accepted recommendations and/or announced steps towards abolition of the death penalty.

Fifteen other countries have confirmed their policy of *de facto* moratorium on the death penalty or executions in place for many years: **Burkina Faso, Central African Republic, Comore, Eritrea, Ethiopia, Guyana, Lebanon, Malawi, Papua Nuova Guinea, Qatar, South Korea, Swaziland, Tanzania, Tunisia** and **Zambia**.

In the Caribbean Region, in **8** countries – **Antigua and Barbuda, the Bahamas, Belize, Cuba, Dominica, Guatemala, Jamaica** and **Saint Lucia** – no new death sentences were imposed and death rows were still empty at the end of 2016. In **3** other countries of the region –**Grenada, Saint Kitts and Nevis** and **Saint Vincent and the Grenadines** – no new death sentences were issued and death row inmates were a few units.

Furthermore, collective commutations of death sentences or suspension of executions indefinitely were granted in **7** countries: **Democratic Republic of Congo, Ghana, Kenya, Morocco, Nigeria, Sri Lanka** and **Zimbabwe**.

Relevant clemency acts have been adopted also in countries where new laws have been adopted to abolish the death penalty for certain crimes such as Myanmar and Thailand.

In **India**, the Supreme Court has continued to contain the use of the death penalty..

Reintroduction of the Death Penalty and Resumption of Executions

In 2016, there were **4** countries which resumed executions when did not carried out executions in 2015: **Belarus** (4), **Nigeria** (3), **Botswana** (1) and **Palestine** (Striscia di Gaza) (3).

In the first six months of 2017, **Bahrein** resumed executions (3) after seven years of suspension and **Kuwait** (7) after a suspension since 2013.

It could not be confirmed if judicial executions took place in **Syria** in 2016, as well as in **Libya** and **Yemen**.

Turkey and the **Philippines** announced the reintroduction of the death penalty.

On the other hand, there were no recorded executions in **5** countries where executions were carried out in 2015: **Chad, India, Jordan, Oman** and **United Arab Emirates**.

The sixth UN Resolution for a universal moratorium on executions

On 19 December 2016, the General Assembly of the United Nations advanced again its call to end the use of the death penalty with the passage of a new Resolution calling on States to establish a moratorium on executions, with a view to abolishing the practice. It was the sixth time such text was adopted since 2007.

The new Resolution was adopted by a **117 votes in favour** (as in 2014) and **40 against** (+ 2 compared to 38 in 2014), with 31 abstentions (- 3 compared to 2014) and 5 absent during the vote (+ 1 compared to 2014).

New votes in favour came from **Guinea, Malawi, Namibia, Solomon Island, Sri Lanka and Swaziland**. In a further positive sign, **Zimbabwe** moved from opposition to abstention.

On the contrary **Burundi** and **South Sudan** went from the vote in favour to a vote against the Resolution, meanwhile **Equatorial Guinea, Niger, Philippines** and **Seychelles** went from a vote in favour to abstention. **Maldives** moved from abstention to a vote against.

Some States were, for different reasons, absent during the vote: **Democratic Republic of Congo, Gambia** and **Senegal** which previously abstained, as well **Rwanda**, previously favourable.

Noteworthy is especially the vote in favour, for the first time, of **Swaziland** and the vote of **Malawi**, which were targeted by a mission of *Hands Off Cain* with the financial support of the Italian Ministry for Foreign Affairs, aimed at getting its vote in favour of the Resolution, meanwhile Zimbabwe was targeted by a mission of Hands off Cain in 2014.

Although the text contains an amendment, voted in Third Commission in November on Singapore's proposal, referring to the prerogatives of States to decide what kind of punishment be used for the most serious crimes, the positive steps recorded in the reinforcement of the text are much more significant. The Resolution has been strengthened as it calls on States to "make available relevant information about the use of the death penalty" (inter alia by disaggregating, by sex, age and race, data on the practice of the death penalty, as well as providing the number of detainees in the death row and information on enforced executions). The General Assembly recognized for the first time the role played by national human rights bodies in support of local, national and regional debates on the death penalty, as well as for the first time has highlighted the need that those who risk the death penalty are treated with humanity and respect for their dignity as it is defined by the international human rights law. Confirmation of votes in favor of a universal moratorium on executions is very important at a time when, in the face of the terrorist emergency, there is the risk of abdicating the principles of the State of Law instead of strengthening them.

THE DEATH PENALTY IN ILLIBERAL COUNTRIES

Of the **38** countries worldwide that retain the death penalty, **32** are dictatorial, authoritarian or partly free States. **Nineteen** of these countries were responsible for approximately **3,110** executions, **99%** of the world total in 2016.

China alone carried out at least **2,000**, about **64%**, of the world total of executions; **Iran** put at least **530** people to death; **Saudi Arabia**, at least **154**; **Vietnam** at least **100**; **Iraq**, at least **92**; **Pakistan** **87**; **North Korea**, at least **70**; **Egypt**, at least **16**; **Somalia**, at least **14**; **Bangladesh** **10**; **Malaysia** at least **9**; **Afghanistan** **6**; **Belarus** **4**; **Singapore** **4**; **Indonesia** **4**; **Nigeria** **3**; **Palestine (Gaza Strip)**, **3**; **South Sudan** at least **2**; **Sudan** **2**.

It could not be confirmed if judicial executions took place in **Libya, Syria** and **Yemen** in 2016.

Many of these countries do not issue official statistics on the practice of the death penalty, therefore the number of executions may, in fact, be much higher.

This is the prevalent situation worldwide concerning the practice of the death penalty. It points to the fact that the fight against the death penalty entails, beyond the stopping of executions, a battle for transparency of information concerning capital punishment, for democracy, for respect of the rule of law and for political rights and civil liberties.

The terrible podium of the world's top executioners is taken by three authoritarian States in 2016: **China, Iran** and **Saudi Arabia**.

China: Officially the World's Record-holder for Executions (Despite a Continued Reduction)

Although the death penalty remains a State secret in China, some news in recent years, including declarations from official sources, suggest that the use of the death penalty may have diminished compared to preceding years.

A major turnabout came after the introduction of a legal reform on 1 January 2007, which required that every capital sentence handed down in China by an inferior court is reviewed by the Supreme People's Court (SPC).

The US-based *Dui Hua Foundation* estimated that China executed approximately 2,000 people in 2016, less than 2,400 in 2015, 2014 and 2013. This number of executions was a fall of 30 percent from 2012, when *Dui Hua* estimated that China executed 3,000 people, and a precipitous drop from 6,500 executions in 2007 and 12,000 in 2002.

According to the *Dui Hua Foundation*, the reduction was likely brought about by: greater use of sentence

of death with two-year reprieve (which is nearly always commuted to life imprisonment or a fixed-term sentence), improvements in due process rights recently codified in revisions to the Criminal Procedure Law (CPL), continued review by the Supreme People's Court, and the decision to move away from using executed prisoners as the country's primary "organ donors."

In October 2013, China was reviewed under the Universal Periodic Review of the UN Human Rights Council. On 19 March 2014, in its response to the recommendations received, the Government rejected the following recommendations: continue reform towards eventual abolition of the death penalty, including greater transparency in its use; publish or make available precise information on the identity and number of the individuals currently awaiting execution and of those who were executed; establish a moratorium on the application of the death penalty as a first step to its definitive abolition.

On 29 August 2015, the Standing Committee of the National People's Congress (NPC) amended the Criminal Law, eliminating the death penalty for nine crimes, including smuggling weapons, ammunition, nuclear materials or counterfeit currency; counterfeiting currency; raising funds by means of fraud; arranging for or forcing another person to engage in prostitution; obstructing a commander or a person on duty from performing his duties; and fabricating rumours to mislead others during wartime. The maximum penalty for those crimes would become life in prison. The removal of the death penalty from these nine offenses would not put much of a dent in China's world-leading use of capital punishment, which largely focuses on homicide, rape, robbery, and drug offenses. It would, however, show the government continuing to make good on its pledge to work towards gradual abolition of the death penalty.

It was the second time that China reduced the number of crimes that could be subject to death sentence since 1979 when the current Criminal Law took effect. In February 2011, the National People's Congress passed an amendment to the Criminal Law, reducing the number of crimes punishable by death from 68 to 55. The 13 crimes were economic-related and non-violent offences.

At the moment, therefore, China has 46 crimes punishable by death in its criminal code.

Iran: Number of Executions in 2015, the Highest in Over 25 Years

China carries out the most executions each year, but **Iran** puts to death more people per capita than any other country.

In 2016, there were at least **530** executions, down 45,4% compared to 2015 and down 34% compared to 2014.

If the number of executions is lower than previous years, the country continues to record the largest number of per capita executions in the world also in 2016.

In 2016, **194** execution cases (36%) were reported by official Iranian sources (websites of the Iranian Judiciary, national Iranian broadcasting network, and official or state-run news agencies and newspapers); **336** cases (64%) included in the annual numbers were reported by unofficial sources (other human rights NGOs or sources inside Iran). The actual number of executions is probably much higher than the figures included in the Annual Report of *Hands Off Cain*. According the *Abdorrahman Boroumand Foundation* the Islamic Republic of Iran executed **564** people in 2016.

The crimes that have motivated death sentences are divided as follows in terms of frequency: **drug-related offences**: 309 cases (58.3%), 72 of them reported by official Iranian sources; **murder**: 132 (24.9%), including 65 announced by official sources; **rape**: 36 (6.7%), of which 33 announced by official media; **political offenses or "terrorism"** and **Moharebeh** (waging war against God): 25 (4.7%), including 24 officially reported; **armed robbery, extortion with other political and nonviolent crimes**: 7 (1.3%), including 4 officially reported. In at least 21 other cases (3.9%), the crimes for which the convicts were found guilty remained unspecified.

At least **2,744** prisoners have been executed in Iran since the beginning of Rouhani's presidency (between 1 July 2013 and 31 December 2016).

Saudi Arabia: Wave of Executions after King Abdullah's Death

In 2016, Saudi Arabia executed at least **154** people, beheading **150** and firing **4**. Among those executed, 3 were women and 151 men; 118 were Saudi Arabian citizens and others were foreigner nationals: one from Bangladesh, one from Chad, one from Eritrea, one from Iraq, one from Nigeria, one from Qatar, one from Syria, three from Egypt, three from Ethiopia, four from Jordan, nine from Pakistan and ten from Yemen. Most of them have been executed for murder (83), then for terrorism (47), drug related crimes (22), one for rape and one for rape of a juvenile.

In 2015, Saudi Arabia beheaded 159 people. At least 40 people have been sentenced to death in 2016.

Saudi Arabia had among the highest number of executions in the world in the past – the record number was established in 1995 with 191 executions –, but in recent years the numbers had decreased considerably, thanks, in part, to some reforms in the penal system.

The new surge in executions began towards the end of the reign of King Abdullah, who died on 23 January 2015, accelerating this year under his successor King Salman, who has adopted a more assertive foreign policy. In April, the King promoted his powerful Interior Minister Mohammed bin Nayef to be crown prince and heir to the throne. Some diplomats in Riyadh have said that judicial reforms, including the appointment of more judges, have allowed a backlog of appeals cases to be heard, leading to a short-term rise in executions. Others have argued that regional instability may have led Saudi judges to impose more draconian sentences.

DEMOCRACY AND THE DEATH PENALTY

Of the 38 retentionist, only 6 countries are considered liberal democracies. This definition, as used here, takes into account the country's political system and its respect towards human rights, civil and political liberties, free market practices and the rule of law.

There were only 3 liberal democracies that carried out executions in 2016, and they accounted for 25 executions between them, 0,8% of the world tally. These were: **United States of America** (20), **Japan** (3), **Botswana** (1) and **Taiwan** (1). In 2015 there were 4 (United States, Japan, India and Taiwan), and they carried out 38 executions.

In many of these countries considered “democratic”, the system of capital punishment is, in several aspects, veiled in secrecy.

THE DEATH PENALTY IN ISLAMIC COUNTRIES

Of the 47 Muslim-majority States or territories worldwide, 24 can be considered abolitionist in various forms, while 23 retain the death penalty, of which 18 look explicitly to *Sharia* law as the basis of their legal system. In some cases, these legal systems also stem from entrenched and overlapping sources, historical and modern, religious and secular. In other cases, the Islamic *Sharia* law remains the only source for legislation in the country.

Hanging, firing squad and beheading are the methods which were used to enforce the death penalty 2016, while there were no reports of judicial executions carried out by **stoning**, which is the most terrible of all Islamic punishments.

Hanging – But Not Only...

In 2016, at least 756 hangings, compared to 1360 in 2015, were carried out in 10 Muslim-majority countries: **Afghanistan** (6), **Bangladesh** (10), **Egypt** (at least 16), **Iran** (at least 530), **Iraq** (at least 92), **Malaysia** (at least 9), **Nigeria** (3), **Pakistan** (at least 87), **Palestine** (at least 1, in Gaza Strip) and **Sudan** (2).

Hanging is often carried out in public and combined with supplementary punishments such as flogging and the amputation of limbs before the actual execution.

Extra-judiciary executions by hanging were carried out in **Afghanistan** in the zones controlled by the Taliban.

In **Afghanistan**, in August 2016, six men, including five security personnel were hanged by Taliban in the Farah province. They were sentenced to death for collaborationism with the Government.

In 2016, another 8 executions by hanging were carried out in 3 non-Muslim countries: **Botswana** (1), **Japan** (3) and **Singapore** (4).

Hanging is often carried out in public and combined with supplementary punishments such as flogging and the amputation of limbs before the actual execution. In **Iran**, hanging is often carried out by crane or low platforms to draw out the pain of death. The noose is made from heavy rope or steel wire and is placed around the neck in such a fashion as to crush the larynx causing extreme pain and prolonging the death of the condemned. Hanging is often carried out in public and combined with supplementary punishments such as flogging and the amputation of limbs before the actual execution.

Firing Squad

Not considered an Islamic punishment, the firing squad has been used in 2015 and the first six months of 2016.

In 2016, at least **24** executions by firing squad were carried out in **4** Muslim- majority countries: **Indonesia** (4), **Palestine** (at least 2), **Somalia** (at least 14) and **Saudi Arabia** (at least 4).

It could not be confirmed if judicial executions by firing squad took place in **Lybia, Syria** and **Yemen** in 2016, due to the internal armed conflicts that have intensified over the past two years and the lack of official information provided by authorities.

However, extra-judiciary executions by shooting were carried out in **Somalia** by the Islamic rebels *Al-Shabaab* and in **Yemen** by *Al-Qaeda* linked Islamists. Executions by shooting decided by self-proclaimed *Sharia* courts were carried out by the *Islamic State* in **Syria, Iraq** and **Libya**.

In 2016, at least **77** more executions by firing squad were carried out in **5** non- Muslim countries: **Belarus** (4); **China** (number unknown); **North Korea** (at least 70); **South Sudan** (2) and **Taiwan** (1).

Beheading

Beheading as a “legal” means of carrying out executions provided by *Sharia* law is exclusive to **Saudi Arabia**, which beheaded at least **150** people in 2016 (another 4 people were executed by firing squad).

However, in 2016, extra-judiciary executions by beheading were carried out in **Somalia** by the Islamic rebels *Al-Shabaab*, in **Egypt** by Sinai-based militant group *Ansar Beit al-Maqdis*, and in **Syria** and **Iraq** by the predominantly Sunni jihadist group called *Islamic State* (IS).

Stoning

Of all Islamic punishments, stoning is the most terrible. It is meant to cause a slow torturous death. The condemned person is wrapped head to foot in white shrouds and buried in a pit. A woman is buried up to her armpits, while a man is buried up to his waist. A truckload of rocks is brought to the site and court-appointed officials, or in some cases ordinary citizens approved by the authorities, carry out the stoning. The stones used must be neither too large, or they may cause instant death, nor too small to be fatal. If the condemned person somehow manages to survive the stoning, he or she will be imprisoned for as long as 15 years but will not be executed.

Stoning still happens today. There are 17 countries in which stoning is either practiced *de facto* or authorised by law.

Stoning is a legal punishment for adultery in **11** countries: Brunei Darussalam, Iran, Mauritania, Nigeria (in one-third of the country's 36 States), Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, the United Arab Emirates, and Yemen. In some countries, such as Brunei Darussalam, Mauritania and Qatar, stoning has never been used although it remains legal.

In four of the remaining countries – Afghanistan, Iraq, Mali and Syria – stoning is not legal but tribal leaders, militants and others carry it out extra-judicially.

In the Aceh region of Indonesia and Malaysia, stoning is sanctioned regionally but banned nationally.

In September 2016, article 126 of the penal code of **Sudan** has amended and stoning for adultery has changed with hanging.

In 2016, no “legal” stoning has been recorded.

However, extra-judiciary sentences by stoning were carried out in **Syria** and **Iraq** by the predominantly Sunni jihadist group called *Islamic State* (IS), and in **Yemen** by *Al-Qaeda*-linked Islamists.

Blood Money

According to Islamic law, the relatives of the victim of a crime have three options: to allow the execution to take place, to spare the murderer's life to receive blessings from God, or to grant clemency in exchange for *Diya*, or blood money.

In 2016, in **Iran, Kuwait, Pakistan, Saudi Arabia** and **United Arab Emirates**, hundreds of murder convicts were spared after they were pardoned by the victims' family members who accepted the blood money.

In **Iran**, the “blood money” for a woman is half that of a man. Furthermore, if a man kills a woman, a man cannot be executed, even if condemned to death, without the family of the woman first paying to the family of the murderer half the price of his blood money.

In September 2011, **Saudi Arabia** decided to triple the money paid to the victim's relatives, but kept the sum for female victims at half that for male victims.

In some of the 47 Muslim-majority countries in the world, conversion from Islam or renouncing Islam is considered apostasy and is technically a capital crime. The death penalty has also been expanded on the basis of *Sharia* law to cases of blasphemy. That is, the death penalty can be imposed in cases of those who offend the prophet Mohamed, other prophets or the Holy Scriptures.

According to the report *Freedom of Thought 2015*, published by the *International Humanist and Ethical Union* (IHEU), the “crime” of apostasy was found to be punishable by death in 12 of the most fundamentalist Muslim countries: Afghanistan, Iran, Iraq, Malaysia (despite contradicting federal law, the State governments of Kelantan and Terengganu passed laws in 1993 and 2002, respectively, making apostasy a capital offense), Maldives, Mauritania, Nigeria (only in twelve predominantly Muslim northern States), Qatar, Saudi Arabia, Sudan, United Arab Emirates, and Yemen.

Out of 47 Muslim-majority countries in the world, at most 6 permit capital punishment for blasphemy. They are Iran, Iraq, Pakistan, Saudi Arabia, the United Arab Emirates, and possibly Afghanistan (the new Afghan Constitution incorporates human rights norms that could affect statutes treating blasphemy as a capital crime). In June 2012, Kuwait’s Emir refused to sign a bill passed by Parliament stipulating the death penalty for blasphemy.

In another five States, militant Islamists acting as religious authorities in some areas are also dealing out *Sharia* punishment including death for “offences” to religion: namely *Al-Shabaab* in Somalia; *Boko Haram* and other Islamists in Nigeria; the *Taliban* in Afghanistan; and the Sunni jihadist group *Islamic State of Iraq and the Levant* (ISIL), now known as *Islamic State* (IS), in Libya, Syria and Iraq.

In 2016, death sentences for apostasy, blasphemy and witchcraft were imposed in **Mauritania, Nigeria, Pakistan and Saudi Arabia**. In 2016 no death sentence was issued in **Iran** for these “crimes” but again in 2017.

Sudan increased penalties for blasphemy and continued to prosecute those accused of apostasy.

DEATH PENALTY FOR JUVENILE OFFENDERS

The execution of people for crimes committed before 18 years of age is a breach of the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC).

In 2016, at least 8 juvenile offenders were executed: 5 in **Iran** and 3 in **Saudi Arabia**.

In the first six months of 2017, **Iran** executed 3 juveniles at the moment of crime.

In 2015, there were at least 9 executions of people under the age of 18 at the time of their crime, and they were carried out in Iran (3) and Pakistan (6). In 2014, at least 17, all only in one country, Iran. In 2013, at least 13 juvenile offenders had been executed in 3 countries: at least 9 in Iran; at least 3 in Saudi Arabia; and 1 in Yemen.

In addition, in 2016, juvenile offenders were sentenced to death in the **Maldives** and **Somalia** or were still on death row at the end of the year in **Bangladesh, Indonesia, Papua Nuova Guinea, Nigeria** and **Pakistan**.

Kuwait, has lowered the juvenile age from 18 to 16 starting from January 2017.

THE “WAR ON DRUGS”

Article 6(2) of the International Covenant on Civil and Political Rights (ICCPR) grants an exception to the right to life guaranteed in Article 6(1) to countries that have not yet abolished the death penalty, but only in relation to ‘the most serious crimes’. The jurisprudence has developed to the point where UN human rights bodies have declared that drug offences are not among the ‘most serious crimes’.

In 2011, through an internal human rights guidance note, the United Nations Office on Drugs and Crime (UNODC) has required the organisation to stop funding for a country if it is feared that such support may lead to people being executed. Despite this guideline, the leadership of UNODC has continued to allocate funds to governments, particularly that of **Iran**, who use them to capture, sentence to death, and often execute alleged drug traffickers.

On 23 June 2016, UNODC unveiled its 2016 World Drug Report and warned that the number of drug users has risen worldwide. However, the 174-page document included no reference to the increased number of death sentences and executions in countries like Iran, Saudi Arabia and Pakistan, where the UN agency funds counter-narcotics police.

A number of European states, including the **United Kingdom, Denmark** and **Ireland**, have already withdrawn funding from similar UNODC programmes in Iran, with the Danish Government accepting they are “leading to executions”. But **France** and **Germany** have declined to make similar commitments, and have not ruled out contributing to the new UN funding settlement for Iran’s Anti-Narcotics Police

(ANP). A *Reprive's* research shows that France has provided more than EUR 1 million to Iran's ANP in recent years; while Germany contributed to a EUR 5 million UNODC project which provided the ANP with training and equipment. The UK decided to halt its financing to anti-drug fund destined to Iran, but not to that for Pakistan. While the UK government's Strategy for the Abolition of the Death Penalty lists Pakistan as a 'priority country', the UK has given more than £12 million to support anti-drug operations in Pakistan.

Another concern is the presence in many States of legislation prescribing mandatory death sentences for certain categories of drug offences. Mandatory death sentences that do not consider the individual merits of a particular case have been widely criticized by human rights authorities. According to *Harm Reduction International* (HRI), **33** jurisdictions in all still maintain laws that prescribe the death penalty for drug-related crimes, including **10** countries that allow for mandatory capital punishment for certain drug offences: Brunei-Darussalam, Iran, Kuwait, Laos, Malaysia, Myanmar, Singapore, Sudan, Syria, and Yemen. But in most of these countries executions are extremely rare. Fourteen, including America and Cuba, have the death penalty on the books for drug traffickers but do not apply it in practice. Only in seven countries – China, Indonesia, Iran, Malaysia, Saudi Arabia, Singapore and Vietnam – are drug offenders known to be routinely executed. In Iraq, Libya, North Korea, Sudan, South Sudan and Syria the data are murky.

The prohibitionist ideology concerning drugs once again made its contribution to the practice of the death penalty in 2015 and the first six months of 2016.

In the name of the war on drugs, in 2016, there were at least **334** executions (they were 713 in 2015) carried out in **5** countries: **China** (number unknown); **Indonesia** (4); **Iran** (at least 309); **Saudi Arabia** (at least 23); **Singapore** (2).

In 2016, hundreds of death sentences for drug offences were handed down though not carried out in **10** more countries: **India, Kuwait, Laos, Malaysia, Pakistan, Qatar, Sri Lanka, Thailand, United Arab Emirates** and **Vietnam**.

THE “WAR ON TERROR”

In the name of the war on terrorism, authoritarian and illiberal countries continue in their violation of human rights within their own countries and, in some cases, have executed and persecuted people that, in reality, are only involved in passive opposition or activities that displease the given regime.

In 2016, at least **182** people were executed for acts of “terrorism” in **8** countries: **Afghanistan** (6), **Bangladesh** (6), **Egypt** (1), **Iran** (at least 24), **Iraq** (at least 88), **Pakistan** (7), **Saudi Arabia** (at least 47) and **Somalia** (at least 3). In 2015, at least **100** executions related to acts of terrorism or crimes of political nature were carried out in **12** countries.

In 2017, **Barhein** resumed executions for terrorism (3).

It could not be confirmed if judicial executions for terrorism took place in **Libya, Syria** and **Yemen** in 2016.

In 2016, hundreds of death sentences for “terror acts” were handed down though not carried out in **11** more countries: **Algeria, Cameroon, Democratic Republic of Congo, India, Jordan, Kazakhstan, Kuwait, Lebanon, Sudan, Tunisia** and **United Arab Emirates**. New anti-terrorism laws that provide for the death penalty were approved in **South Korea** and **Tanzania**.

At the end of 2016, at the **United States'** Navy base in Cuba hosting also the infamous Guantanamo detention camp, there were dozens still in custody for terror-ism.

DEATH PENALTY FOR NON-VIOLENT CRIMES, AND FOR POLITICAL MOTIVES AND DISSENT

According to the International Covenant on Civil and Political Rights, “In countries which have not abolished the death penalty, the sentence of death may be imposed only for the most serious crimes.” The ‘most serious crimes’ threshold for the lawful application of capital punishment is also supported by UN political bodies, which clarified that by ‘most serious crimes’ it intends only those ‘with lethal or other extremely grave consequences’.

In 2016, executions for non-violent crimes and essentially political motives were confirmed in **China** (number unknown) and **Iran** (at least 1).

In **Vietnam**, there were no reports of executions carried out for non-violent crimes in 2015 and in 2016. However, death sentences were imposed for financial crimes.

TOP SECRET DEATH

In December 2014, the General Assembly of the United Nations advanced again its call to end the use

of the death penalty with the passage of a new Resolution calling on States to establish a moratorium on executions, with a view to abolishing the practice. By its terms, the Assembly called on States to make available relevant information with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row and the number of executions carried out, and the number of death sentences reversed, commuted on appeal and in which amnesty or pardon has been granted.

Several countries, mainly authoritarian ones, do not issue official statistics on capital punishment; therefore, the number of executions may in fact be much higher.

In some countries, such as **China** and **Vietnam**, the death penalty is considered a State secret and reports of executions carried by local media or independent sources – upon which the execution totals are mainly based – in fact represent only a fraction of the total of executions carried out nationwide every year.

The same is applicable for **Belarus**, where news of executions filters mainly through relatives or international organisations long after the fact.

In **Iran**, which carries out executions regularly without classifying the death penalty as a State secret, the main sources of information on executions are reports selected by the regime and carried by State media. These reports do not carry news of all executions, as evidenced by information occasionally divulged by individual citizens or by political opposition groups.

Absolute secrecy governs executions in some countries, such as **Egypt, Malaysia, North Korea, and Syria**, where news of executions rarely filtered through to the local media.

Other States, like **Indonesia, Iraq, Saudi Arabia, Singapore, and South Sudan**, divulge news of executions after they have taken place with relatives, lawyers and the condemned people themselves being kept in the dark before the actual executions take place.

This is the prevalent situation worldwide concerning the secrecy of the death penalty. It points to the fact that the fight against capital punishment entails, beyond the stopping of executions, a battle for transparency of information concerning capital punishment, for democracy, for the respect of the rule of law and for political rights and civil liberties.

However, there are also countries considered “democratic”, such as **Japan, India, Taiwan** and the **United States** itself, where the system of capital punishment is for many aspects covered by a veil of secrecy.

THE “HUMANE” LETHAL INJECTION

Countries around the world are increasingly viewing capital punishment as a form of torture because it inflicts severe mental and physical pain on those sentenced to death.

Countries that decided to abandon the electric chair, hanging or the firing squad for lethal injection as the preferred method of execution, presented this “reform” as a conquest of civility and a humane and painless way to execute the condemned.

Today, there are **five** countries that use or provide for lethal injection as a method of execution: **United States, China, Taiwan, Thailand, and Vietnam**.

Executions by lethal injection were carried out also in **Guatemala** and **Philippines**, but they have not been used, since these two countries, respectively, established an official moratorium on executions and abolished the death penalty.

In 2016, executions by lethal injection were carried out in **3** Countries: **United States** (20), **China** (number unknown) and **Vietnam** (about 100).