



HANDS OFF CAIN
THE DEATH PENALTY WORLDWIDE
2018 REPORT

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THE MOST IMPORTANT FACTS OF 2017 (And the First Six Months of 2018)

THE SITUATION TODAY

Developments on the Death Penalty Worldwide

The worldwide trend towards abolition, underway for twenty years, was confirmed in 2017 and first six months of 2018.

There are currently **162** countries and territories that, to different extents, have decided to renounce the death penalty. Of these: **106** are totally abolitionist; **7** 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 2017 there were **36** retentionist countries, which were 38 in 2016, compared to 51 in 2007.

Executions

In 2017, executions were carried out in **22**, while they were 23 in 2016 and 25 in 2015.

In 2017, there were at least **3,118** compared to at least 3,135 executions in 2016, at least 4,040 in 2015 and at least 5,735 in 2008.

In 2017, there were no recorded executions in **5** countries - **Indonesia, Nigeria, Sudan, Taiwan and Botswana** - where executions were carried out in 2016.

On the other hand, **4** countries, which had not carried out executions in 2016, resumed them in 2017: **Jordan** (15), **Kuwait** (7), **Bahrain** (3), **United Arab Emirates** (1).

It could not be confirmed if judicial executions took place in **Libya, Syria** and **Yemen** in 2017.

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 2016), the total for 2017 corresponds to a minimum of **3,034** executions (97%), a little bit down from 2016 when there were at least 3,073, and from 2015 when executions recorded were 3,946.

In the **Americas**, the **United States of America** was the only country to carry out executions in 2017 (23). 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 2017, the death penalty was carried out only in **3** countries (3 less than in 2016), but there were at least **59** executions, an increase compared to 38 in 2016: **Egypt** (at least 31), **Somalia** (at least 24) and **South Sudan** (at least 4).

In 2017, there were no executions in **Botswana, Nigeria** and **Sudan** that carried out last executions in 2016.

In May 2017, at its 60th Ordinary Session in Niamey, Niger, the African Commission on Human and Peoples' Rights adopted a resolution on the Right to Life in Africa. The resolution urges states parties to the African Charter on Human and Peoples' Rights that have established a moratorium on executions to take steps towards the abolition of the death penalty, and those states parties that have not abolished the death penalty to immediately establish a moratorium on executions with a view to the abolition.

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 2017 at least 2 executions has been recorded, while 4 were recorded in 2016. 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 2017, **6** States strengthen the list of abolitionist countries: **Guinea** which completely abolished the death penalty, repealing it also from the military code while **Central African Republic** abolished the death penalty from the military code but retains it formally for ordinary crimes; **Guatemala** became abolitionist for ordinary crimes, after an historical decision by the Constitutional Court abolished it, except for military crimes; **Gambia** which declared a moratorium on executions; **Ethiopia** became de facto abolitionist after ten consecutive years without executions and, in **Mongolia**, the new abolitionist Penal Code, approved in 2015, entered into force on 1 July 2017.

On 1 June 2018, **Burkina Faso**, which did not carry out executions since 1998, became completely abolitionist.

Two already abolitionist countries – **Madagascar** and **Sao Tome and Principe** – acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights.

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 2017, significant political and legislative steps towards abolition or restriction on the use of the death penalty and a *de facto* moratorium on capital punishment have been seen in **30** countries.

In **3** countries – **Afghanistan**, **Chad** and **Thailand** – laws have been proposed or adopted to abolish the death penalty or reduce the number of capital crimes.

In **Kenya**, the Supreme Court declared unconstitutional the mandatory use of the death penalty for murder.

Nine other countries have confirmed their policy of *de facto* moratorium on the death penalty or executions in place for many years: **Ghana**, **Guyana**, **Malawi**, **Morocco**, **South Korea**, **Swaziland**, **Tanzania**, **Tunisia** and **Zambia**.

In the Caribbean Region, in **8** countries – **Antigua and Barbuda**, the **Bahamas**, **Belize(PC)**, **Cuba**, **Dominica**, **Guatemala**, **Jamaica** and **Saint Lucia** – no new death sentences were imposed and death rows were still empty at the end of 2017. 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 there was only one death row inmate.

Furthermore, other than the case of Morocco and Tanzania, collective commutations of death sentences by President or suspension of executions indefinitely were granted in **5** countries: **Benin**, **Nigeria**, **Papua Nuova Guinea**, **Sri Lanka** and **Zimbabwe**.

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 2017, there were **4** countries, which resumed executions when did not carried out in 2016: **Jordan** (15), **Kuwait** (7), **Bahrain** (3), **United Arab Emirates** (1).

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

On the other hand, there were no recorded executions in **5** countries - **Indonesia**, **Nigeria**, **Sudan**, **Taiwan** and **Botswana** - where executions were carried out in 2016.

A setback to the ongoing abolitionist process, has been recorded in **Sierra Leone** where, in the white Paper on the Constitutional Review Committee (CRC) published in November 2017, the Government said that it will keep the death penalty in the section 16 (1) of the Constitution 1991.

THE DEATH PENALTY IN ILLIBERAL COUNTRIES

Top Executioners of 2017 – China, Iran and Saudi Arabia

Of the **36** countries worldwide that retain the death penalty, **30** are dictatorial, authoritarian or partly free States. Twenty of these countries were responsible for approximately **3,091** executions, more than **99%** of the world total.

China alone carried out at least **2,000**, about **64%**, of the world total of executions; **Iran** put at least **544** people to death; **Saudi Arabia**, at least **140**; **Iraq**, at least **125**; **Vietnam** at least **100**; **Pakistan 66**; **Egypt**, at least **31**; **Somalia**, at least **24**; **Jordan 15**; **Singapour 8**; **Kuwait 7**; **Bangladesh 6**; **Palestine** (Gaza Strip), **6**; **Afghanistan 5**; **Malaysia** at least **4**; **South Sudan** at least **4**; **Bahrein 3**; **Belarus 2**; **United Arab Emirates 1** and **North Korea**, unknown. It could not be confirmed if judicial executions took place in **Libya**, **Syria** and **Yemen** in 2017.

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 2017: **China**, **Iran** and **Saudi Arabia**.

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

China executes more people every year than the rest of the world combined, although the exact figure is not published and considered a state secret. In 2016 year the country carried out about 2,000 death sentences, according to estimates by the *Dui Hua Foundation*, a human rights NGO based in the United States. It is likely that the same number of executions, about 2,000, was recorded in 2017.

This number of executions was a fall of 30 % 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.

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). Furthermore, since February 2010, the Supreme People's Court has recommended to use a policy of "justice tempered with mercy," suggesting to the courts to "suspend the death sentence for two years for all cases that don't require immediate execution."

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 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: *slight increase in the number of executions*

The election of Hassan Rouhani as President of the Islamic Republic on 14 June 2013 and its reconfirmation in the elections of 19 May 2017, have led many observers, some human rights defenders and the international community to be optimistic. However, the new Government has not changed its approach regarding the application of the death penalty, and indeed, the rate of executions has risen sharply since the summer of 2013. At least **3,288** prisoners have been executed in Iran since the beginning of Rouhani's presidency (between 1 July 2013 and 31 December 2017).

From 1 July 2013 to 31 December 2013, there were at least **444** executions, in 2014 there were at least **800** executions, at least **970** executions in 2015, at least **530** executions in 2016, and at least **544** executions in 2017.

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 2017.

In 2017, only **112** execution cases (20%) were reported by official Iranian sources (websites of the Iranian Judiciary, national Iranian broadcasting network, and official or state-run news agencies and newspapers); **432** cases (80%) 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*.

The crimes that have motivated death sentences are divided as follows in terms of frequency: **drug-related offences**: 257 cases (about 47%), 20 of them reported by official Iranian sources; **murder**: 233 (about 43%), including 59 announced by official sources; **Moharebeh** (waging war against God), **"corruption on earth"**, **armed robbery**, and **extortion**: 25 (about 5%), including 15 officially reported; **rape**: 16 (about 3%), of which 14 announced by official media; **crimes of a sexual nature** (adultery, immoral relations and sodomy): 5 (1%), of which 3 officially reported; **political offenses or "terrorism"**: 2 (0.3%), including 1 officially reported. In at least 4 other cases (0.7%), the crimes for which the convicts were found guilty remained unspecified.

Saudi Arabia

In 2017, Saudi Arabia executed at least **140** people. Among those executed, 2 were women and 138 men; 87 were Saudi Arabian citizens and 53 were foreigner nationals, including the two women. Most of them have been executed for murder (72), then for drug related crimes (60), terrorism (4), rape (3), and 1 for "Istidraj" [revealing the unknown during unawareness and displaying weird acts]. However, according to the *European Saudi Organization for Human Rights* (ESOHR), during 2017, 146 people were beheaded, 90 of them were Saudi citizens while the other 56 were foreigners. Of those, 60 were charged with drugs offenses. In 2016, Saudi Arabia executed at least 154 people.

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 **36** 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 **2** liberal democracies that carried out executions in 2017, and they accounted for **27** executions between them, **0,8%** of the world tally. These were: **United States of America** (23) and **Japan**

(4).

In 2016 there were 4 (Botswana, Japan, Taiwan and United States), and they carried out 25 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, **25** can be considered abolitionist in various forms, while **22** retain the death penalty, of which **18** look explicitly to *Sharia* law as the basis of their legal system.

However, the problem is not the Koran itself as illustrated by the fact that not all countries that observe its teachings predominantly practice the death penalty, or make the text the basis of their penal or civil codes, or their fundamental law. It lies rather in the literal translation of a centuries-old text into penal norms, punishments and rules applied to our times, a transposition performed by fundamentalist, dictatorial or authoritarian regimes and used by them to impede any democratic progress.

In 2017 at least **977** executions, compared to 930 in 2016, were carried out in **14** Muslim-majority countries (they were 13 in 2016), many of which were ordered by religious tribunals applying a strict interpretation of *Sharia* law.

Hanging, firing squad and beheading are the methods which were used to enforce the death penalty 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...

Of the methods employed to carry out death sentences in the Muslim-majority countries, the most common is hanging, preferred for men but used for women as well.

In 2017, at least **808** hangings, compared to at least 756 in 2016 and to 1360 in 2015, were carried out in **10** Muslim-majority countries: **Afghanistan** (5), **Bangladesh** (6), **Egypt** (at least 31), **Iran** (at least 544), **Iraq** (at least 125), **Jordan** (15), **Kuwait** (7), **Malaysia** (at least 4), **Pakistan** (at least 66) and **Palestine** (at least 5, in Gaza Strip).

It could not be confirmed if executions by hanging took place in **Syria** in 2017, due to the internal armed conflicts that have intensified over the past two years and the lack of official information provided by authorities.

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

In 2017, another **16** executions by hanging were carried out in **3** non-Muslim countries: **Japan** (4), **Singapore** (8) and **South Sudan** (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 2017.

In 2017, at least **29** executions by firing squad were carried out in **4** Muslim-majority countries: **Barhein** (3), **Palestine** (at least 1), **United Arab Emirates** (1) and **Somalia** (at least 24).

It could not be confirmed if judicial executions by firing squad took place in **Lybia, Syria** and **Yemen** in 2017, 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** and **Iraq** and **Libya** by forces of the General Khalifa Haftar.

In 2017, at least **6** more executions by firing squad were carried out in **5** non-Muslim countries: **Belarus** (2); **China** (number unknown); **North Korea** (number unknown) and **South Sudan** (4).

Beheading

Beheading as a “legal” means of carrying out executions provided by *Sharia* law is exclusive to **Saudi Arabia**, which beheaded at least **140** people in 2017.

However, in 2017, extra-judiciary executions by beheading were carried out in **Somalia** by the Islamic rebels *Al-Shabaab* 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 2017, no “legal” stoning has been recorded.

However, in 2017 extra-judiciary sentences by stoning were carried out in in **Iraq** and **Syria** by the predominantly Sunni jihadist group called *Islamic State* (IS) and in **Somalia** by *Al-Shabab*.

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 2017, 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.

Death Penalty for Blasphemy and Apostasy

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 2017*, 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. Pakistan doesn’t have a death sentence for apostasy but it does for “blasphemy”, and the threshold for blasphemy can very low. So, in effect you can be put to death for expressing atheism in 13 countries.

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 another six 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.

On 29 September 2017, the UN Human Rights Council has passed a resolution on the death penalty calling, also, for an end to the death penalty for those accused of blasphemy, apostasy, having same-sex relationships or adultery. The resolution is the first of its kind in the UN. The resolution passed 27 in favour, 13 against with 7 states choosing to abstain.

In 2017, death sentences for apostasy, blasphemy or witchcraft were imposed in **Iran, Saudi Arabia** and in **Sudan** Other news were collected in **Mauritania** and **Pakistan**.

In **Morocco**, High Religious Committee has retracted its Islamic ruling stating that apostasy is punishable by death and has decided to permit Muslims to change their religion.

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). The CRC, which is the single most widely-ratified international human rights convention, in Art 37 (a) states: “Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age.”

In 2017, at least **8** juvenile offenders were executed in **Iran** (6) and in **South Soudan** (2).

In 2016, there were at least 8 executions of people under the age of 18 at the time of their crime, and they were carried out in Iran (5) and Saudi Arabia (3). In 2015, at least 9: in Iran (3) and in 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 2017, juvenile offenders were sentenced to death or were still on death row at the end of the year in **Bangladesh, Iran, Maldives, Nigeria, Pakistan** and **Saudi Arabia**.

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 *Reprieve’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 **9** countries that allow for mandatory capital punishment for certain drug offences: Brunei-Darussalam, Iran, Kuwait, Laos, Myanmar, Singapore, Sudan, Syria, and Yemen. But three of these countries (Brunei Darussalam, Laos and Myanmar) are de facto abolitionist.

Important legal developments have recently taken place in some countries. **Thailand**, adopted legislative amendments to its Narcotics Law in January 2017 that introduced reductions in penalties for possession, import/ export and production for the sale of drugs, and abolished the mandatory death penalty for the offence of selling drugs. In **Iran**, an amendment to the AntiNarcotics Law approved in October 2017 raised the minimum quantity of drugs required to incur capital punishment, with the change applied retroactively to prisoners on death row. Meanwhile, **Malaysia** removed the mandatory death sentence for drug offences in November 2017.

However, in 2017 the brutal ‘war on drugs’ in the **Philippines**, has resulted in an estimated 12,000 extrajudicial executions according to HRI and in the legislative efforts to reintroduce the death penalty for drugs.

However, the prohibitionist ideology concerning drugs once again made its contribution to the practice of the death penalty in 2017.

In the name of the war on drugs, in 2017, there were at least **344** executions (they were 338 in 2016 and 713 in 2015) carried out in **4** countries: **China** (at least 19, but the real number is unknown); **Iran** (at least 257); **Saudi Arabia** (at least 60); **Singapore** (8).

In 2017, hundreds of death sentences for drug offences were handed down though not carried out in **16** more countries: **Brunei Darussalam, China, India, Indonesia, Iran, Iraq, Kuwait, Laos, Malaysia, Palestine, Singapore, Sri Lanka, Thailand, Saudi Arabia, 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.

The number of executions for terrorism is dramatically increasing.

In 2017, at least **250** people, compared to 182 in 2016, were executed for acts of “terrorism” in **9**

countries: **Bahrain** (3), **Bangladesh** (3), **Egypt** (15), **Jordan** (10), **Iran** (at least 25), **Iraq** (at least 125), **Pakistan** (44), **Saudi Arabia** (at least 4) and **Somalia** (at least 21).

In 2016, at least 182 executions for terrorism were carried out compared to at least 100 executions in 2015 related to acts of terrorism or crimes of political nature were carried out in 12 countries.

It could not be confirmed if judicial executions for terrorism took place in **Libya**, **Syria** and **Yemen** in 2017.

New anti-terrorism laws that expand the scope of the death penalty were approved in **Singapore** and **Saudi Arabia**.

In 2017, hundreds of death sentences for “terror acts” were handed down though not carried out in 8 more countries: **Algeria**, **Democratic Republic of Congo**, **India**, **Lebanon**, **Malaysia**, **Sudan**, **Tunisia** and **United Arab Emirates**.

In **Cameroon**, around 235 are on death row, mostly about people related to the Nigerian terrorist group Boko Haram.

At the end of 2017, at the **United States**’ Navy base in Cuba hosting also the infamous Guantanamo detention camp, there were dozens still in custody for terrorism.

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’.

Regardless, in 2017, death sentences and executions for non-violent crimes and essentially political motives were confirmed in **China** (number of executions unknown), **Iran** (at least 5 executions) and **North Korea** (unknown).and **Vietnam** (unknown).

TOP SECRET DEATH

In 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. By its terms, the Assembly called on States “to make available relevant information, disaggregated by sex, age, and race, as applicable, and other applicable criteria, 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, the number of death sentences reversed or commuted on appeal and information on any scheduled execution, which can contribute to possible informed and transparent national and international debates, including on the obligations of States pertaining to the use of the death penalty.”

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, U.N. Special Rapporteur on torture Juan Mendez told the U.N. General Assembly’s human rights committee on 23 October 2012. “Methods of execution cannot be discounted as being completely painless,” he told reporters after addressing the General Assembly’s Third Committee. In his report to the General Assembly, Mendez said that several U.N. expert panels have urged the United States to review its execution methods, including lethal injection, to prevent extreme pain and suffering. “Following a number of executions in the United States, it has recently become apparent that the (lethal injection) regimen, as currently administered, does not work as efficiently as intended,” Mendez’s report said. “Some prisoners take many minutes to die and others become very distressed,” he said. “New studies conclude that even if lethal injection is administered without technical error, those executed may experience suffocation, and therefore the conventional view of lethal injection as a peaceful and painless death is questionable.”

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 1982, the **United States** was the first country to use lethal injection as a legal means of carrying out the death penalty. However, the United States is not alone in its use of lethal injection, and it is not in good company.

In 1997, **China** became the second country to use lethal injection to carry out an execution, but the exact number lethal-injection executions is still unknown. However, China’s main form of execution remains shooting.

In October of 2003, **Thailand** officially changed its method of execution from firing squads to lethal injection, and in December it carried out its first executions by lethal injection, putting to death three people. But no one has been executed since 2009.

Since death by firing squad was replaced by lethal injections in July 2011, **Vietnam** carried out its first execution by lethal injection in August 2013, ending a two-year pause in capital punishment caused by difficulties in obtaining the needed chemicals.

In 1992, **Taiwan** was the first Country outside of the United States to legislate lethal injection as a form of execution. However, Taiwan has yet to execute anyone by this method, and executions continue to be carried out by shooting.

In 2014, the **Maldives** and **Papua New Guinea** gave the green light for the implementation of the death penalty through lethal injection, but then this option was dropped.

Guatemala carried out its first execution by lethal injection in February 1998. It has not been used since 2000, when two people were executed on live television. They were the second and third persons to

die by lethal injection in Guatemala, and remain to this date the last. Both executions were botched and the prisoners suffered prolonged suffering. The macabre spectacle was replayed on Guatemalan TV throughout the day. In July 2002, Guatemala's then President introduced a moratorium on executions, and in December 2012 Guatemala voted in favour of the Resolution on a Moratorium on the Use of the Death Penalty at the UN General Assembly.

In 1996, the **Philippines** passed legislation allowing for executions by lethal injection, and in February 1999 it performed its first lethal-injection execution. The last execution took place in January 2000. After seven executions by lethal injection, a moratorium was established in December 2000, and Philippine legislators passed a law definitely abolishing the death penalty in June 2006.

In 2017, executions by lethal injection were carried out in **3** Countries: **United States** (23), **China** (number unknown) and **Vietnam** (about 100).

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. The reality is far different.

COUNTRY STATUS ON THE DEATH PENALTY

(as of 30 June 2018)

Abolitionist: 106

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bermuda*, Bhutan, Bolivia, Bosnia-Herzegovina, Bulgaria, *Burkina Faso*, Burundi, Cambodia, Canada, Cape Verde, Czech Republic, Colombia, Cook Islands*, Costa Rica, Croatia, Cyprus, Denmark, Djibouti, Dominican Republic, East Timor, Ecuador, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Guinea Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Ivory Coast, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia (The former Yugoslav Republic of), Madagascar, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Nicaragua, Norway, Netherlands, New Zealand, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, South Africa, *Suriname*, Sweden, Switzerland, Togo, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Vatican City* and Venezuela.

Abolitionist for Ordinary Crimes: 7

Brazil, Chile, El Salvador, Israel, *Guatemala*, Kazakhstan and Peru.

De Facto Abolitionist (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; date of last known execution in parenthesis): **43**

Antigua and Barbuda (1991), Bahamas (2000), Barbados (1984), Belize (1985), Brunei Darussalam (1957), Cameroon (1997), Central African Republic (1981), Comoros (1997), Congo (1982), Cuba (2003), Democratic Republic of the Congo (2003), Dominica (1986), Eritrea (no death penalty since independence in 1993), *Ethiopia* (2007), Ghana (1993), Grenada (1978), Guyana (1997), Jamaica (1988), Kenya (1987), Laos (1989), Lebanon (2004), Lesotho (1995), Liberia (2000), Malawi (1992), Maldives (1953), Mauritania (1987), Morocco (1993), Myanmar (1988), Niger (no executions or death sentences since 1976), Papua New Guinea (1957), Qatar (2003), Saint Lucia (1995), Saint Vincent and the Grenadines (1995), Sierra Leone (1998), South Korea (1997), Sri Lanka (1976), Swaziland (1982), Tanzania (1994), Tonga (1982), Trinidad and Tobago (1999), Tunisia (1991), Zambia (1997) and Zimbabwe (2005).

Retentionist Countries Observing a Moratorium on Executions: 6

Algeria, Equatorial Guinea, *Gambia*, Mali, Russia and Tajikistan.

Retentionist: 36

Afghanistan, Bahrain, Bangladesh, Belarus, **Botswana**, Chad, China, Egypt, **India**, Indonesia, Iran, Iraq, **Japan**, Jordan, Kuwait, Libya, Malaysia, Nigeria, North Korea, Oman, Pakistan, Palestine*, **Saint Kitts and Nevis**, Saudi Arabia, Singapore, Somalia, South Sudan, Sudan, Syria, **Taiwan***, Thailand, Uganda, United Arab Emirates, **United States of America**, Vietnam and Yemen.

Source: *Hands Off Cain*

Underlined: countries (2) which have binding obligations not to use the death penalty

In **bold**: liberal democracies¹ (6) that retain the death penalty

In *italics*: changes (4) with regard to 2016

* Non-UN member States

¹ The classification “liberal democracy” is based on the rigorous analytic standards employed by Freedom House in its *Freedom in the World 2018* report on the state of political rights and civil liberties around the world (www.freedomhouse.org).

EXECUTIONS IN 2017

At least **3.118** executions were carried out in **22** Countries and territories in 2017.

China: at least 2000

Iran: at least 544

Saudi Arabia: at least 140

Iraq: at least 125

Vietnam: at least 100

Pakistan: 66

Egypt: at least 31

Somalia: at least 24

United States: 23

Jordan: 15

Singapore: 8

Kuwait: 7

Bangladesh: 6

Palestine (Gaza Strip): 6

Afghanistan: 5

Japan: 4

Malaysia: almenyo 4

South Sudan: at least 4

Bahrain: 3

Belarus: 2

United Arab Emirates: 1

North Korea: unknown

In 2017, no executions were reported in **5** Countries – Indonesia, Nigeria, Sudan, Taiwan and Botswana – that carried out executions in 2016.

On the other hand, **4** countries, which had not carried out executions in 2016, resumed them in 2017: Jordan (15), Kuwait (7), Bahrain (3), United Arab Emirates (1). It could not be confirmed if judicial executions took place in Libya, Syria and Yemen in 2017.

Source: *Hands Off Cain*

In **bold**: liberal democracies¹ (**2**) that carried out executions (**27**) in 2017.

In *italics*: changes in 2017 (**4**) with regard to 2016.

* Non-UN member States

¹ The classification "liberal democracy" is based on the rigorous analytic standards employed by Freedom House in its *Freedom in the World 2018 report on the state of political rights and civil liberties around the world* (www.freedomhouse.org).

EXECUTIONS IN ISLAMIC COUNTRIES IN 2017
(as of 31 December)

Countries	by Hanging		by Firing Squad		by Beheading		by Stoning*	
	2016	2017	2016	2017	2016	2017	2016	2017
Afghanistan	6	5						
Saudi Arabia			+4		+150	+140		
Bangladesh	10	6						
Barhein				3				
Egypt	+16	+31						
United Arab Emirates				1				
Jordan		15						
Indonesia			4					
Iran	+530	+544						
Iraq	+92	+125						
Kuwait		7						
Malaysia	+9	+4						
Nigeria	3		3					
Pakistan	+87	+66						
Palestina (Gaza)	+1	+5	+2	1				
Somalia			+14	+24				
Sudan	2							
Totale	+756	+808	+27	+29	+150	+140		

Where “+” appears next to the figure it means that this is the minimum number of executions in the country

It could not be confirmed if judicial executions took place in Libya, **Syria** and **Yemen** in 2017..

* In 2017, there were no reports of judicial executions carried out by stoning. However, extra-judiciary sentences by stoning were carried out in **Somalia** in the zones controlled by *Al-Shabab*, in **Syria** and **Iraq** by the predominantly Sunni jihadist group called *Islamic State* (IS)

EXECUTIONS FOR DRUG-RELATED CRIMES IN 2017

(as of 31 December 2017)

Countries	2016	2017
China	unknown	unknown
Indonesia	4	
Iran	+309	+257
Saudi Arabia	+23	+60
Singapore	2	8
Totals	+338	+344

EXECUTIONS FOR TERRORISM IN 2017

(as of 31 December)

Countries	2016	2017
Afghanistan	6	
Saudi Arabia	+47	+4
Bahrein		+3
Bangladesh	6	+3
China		
Egypt	1	15
United Arab Emirates		
Jordan		10
Iran	+24	+25
Iraq	+88	+125
Pakistan	7	44
Somalia	+3	+21
Totale	+182	+250

EXECUTIONS OF JUVENILE OFFENDERS 2015-2017

(as of 31 December)

Countries	2015	2016	2017
Iran	+3	+5	+6
Pakistan	+6		
Saudi Arabia		+3	
South Sudan			2
Totals	+9	+8	+8

**EXECUTIONS FOR NON-VIOLENT CRIMES
OR POLITICAL MOTIVES IN 2017**

(as of 31 December)

Countries	2016	2017
China	unknown	unknown

North Korea	+70	unknown
Iran	+4	+5
Vietnam		unknown
Totals	+74	+unknown

Where “+” appears next to the figure it means that this is the minimum number of executions in the country.