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AMNESTY INTERNATIONAL GLOBAL REPORT

DEATH SENTENCES AND EXECUTIONS

2023

AMNESTY
INTERNATIONAL



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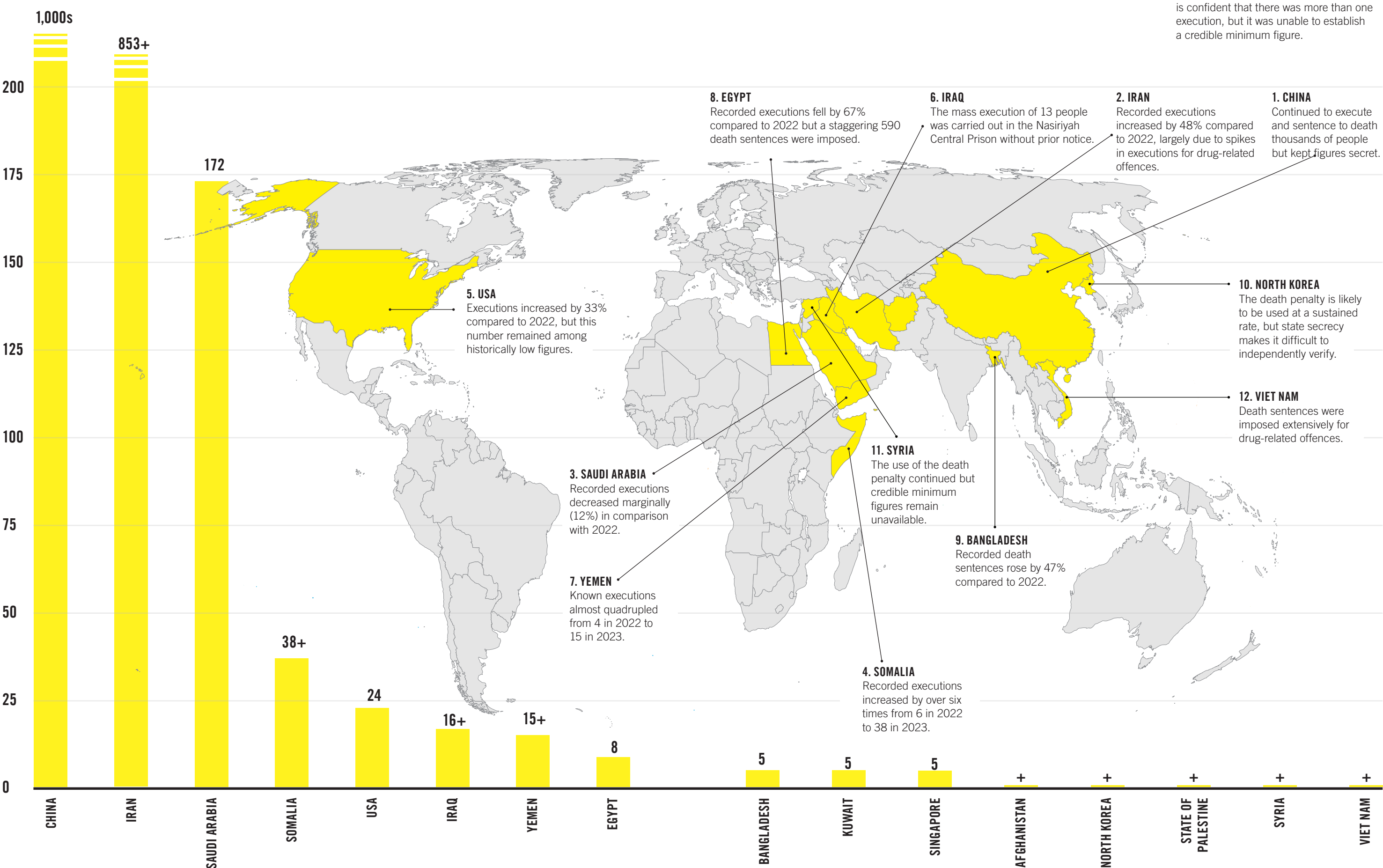
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EXECUTING COUNTRIES IN 2023



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

Of the executing countries in 2023, the 12 countries numbered on the map have persistently executed people in the past five years (2019-2023).

+ indicates that the figure that Amnesty International has calculated is a minimum. Where + is not preceded by a number, this means that Amnesty International is confident that there was more than one execution, but it was unable to establish a credible minimum figure.

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

This report covers the judicial use of the death penalty for the period January to December 2023. As in previous years, information is collected from a variety of sources, including: official figures; judgments; information from individuals sentenced to death and their families and representatives; media reports; and, as specified, other civil society organizations. Amnesty International reports only on executions, death sentences and other aspects of the use of the death penalty, such as commutations and exonerations, where there is reasonable confirmation. In many countries governments do not publish information on their use of the death penalty. In China and Viet Nam, data on the use of the death penalty is classified as a state secret. During 2023, little or no information was available on some countries – in particular Belarus and North Korea – due to restrictive state practice.

Therefore, for a significant number of countries, Amnesty International's figures on the use of the death penalty are the minimum recorded. The true overall figures are likely to be higher.

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

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

In tables and lists, where “+” appears after a figure next to the name of a country – for example, Malaysia (38+) – it means that Amnesty International confirmed 38 executions, death sentences or persons under sentence of death in Malaysia but believes that there were more than 38. Where “+” appears after a country name without a figure – for instance, Oman (+) – it means that Amnesty International has corroborated executions, death sentences or persons under sentence of death (more than one) in that country but had insufficient information to provide a credible minimum figure. When calculating global and regional totals, “+” has been counted as two, 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 the death penalty.

THE USE OF THE DEATH PENALTY IN 2023

“We cannot arbitrarily ignore the existence of the inherent right to life of every individual. [...] The death penalty has not brought the results it was intended to bring”

Ramkarpal Singh, Deputy Minister in the Prime Minister's Department in charge of Law and Institutional Reforms¹

GLOBAL TRENDS

Amnesty International's monitoring shows that in 2023 the lowest number of countries on record carried out the highest number of known executions in close to a decade. These figures confirm trends of recent years that pointed to the ever-increasing isolation of retentionist countries.

The surge in recorded executions was largely attributable to an alarming spike in executions for drug-related offences in Iran, driven by the complete disregard on the part of the authorities for international restrictions on the use of the death penalty. Not only may these offences not be punished by death under international human rights law and standards, but also they disproportionately impacted Iran's most marginalised communities, especially men and women from the oppressed Baluchi ethnic minority.

The known totals did not include the thousands of people believed to have been executed in China, which remained the world's lead executioner; and North Korea and Viet Nam, countries believed to continue to carry out executions extensively, but with no available data.

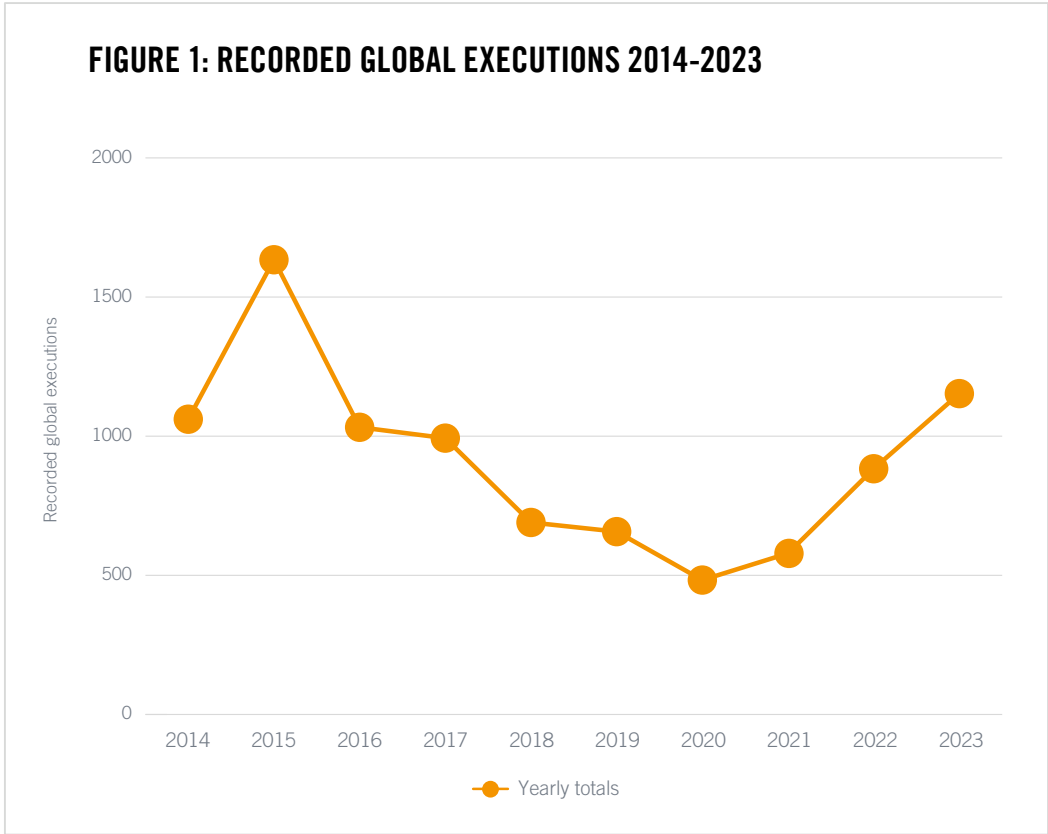
Secrecy and control of information on the death penalty continued to be an indicator of the determination of governments of some executing countries to use this punishment as a tool to instil fear and display the power of state institutions. Death penalty figures remained classified as state secrets in China and Viet Nam. Even though reporting on death sentences and executions was tightly restricted in these two countries as well as North Korea, the authorities sparingly lifted the veil of secrecy on certain cases as a reminder that crime, or departures from established rules, would be harshly punished. In Myanmar, the military authorities continued to impose death sentences in military-controlled courts, in secretive and grossly unfair proceedings. Similarly, authorities of some US states pursued bills to keep secret the sourcing of equipment or substances used in executions and prevent scrutiny – exemplary was the redaction by the authorities of Alabama of significant parts of the abhorrent new protocol for executions by nitrogen asphyxiation.

¹ Al Jazeera, “Malaysian Parliament moves to end mandatory death penalty”, 3 April 2023, [aljazeera.com/news/2023/4/3/malaysias-parliament-votes-to-abolish-the-death-penalty](https://www.aljazeera.com/news/2023/4/3/malaysias-parliament-votes-to-abolish-the-death-penalty)

Pro-death penalty rhetoric took centre stage in some countries, following high-profile crimes or ahead of elections, despite the lack of evidence that this punishment has a unique deterrent effect. Following a series of high-profile cases, in September the National Assembly of South Korea adopted amendments to include the death penalty as maximum punishment for the murder or abandonment of newborns. The death penalty was also invoked as part of presidential electoral campaigns including in Taiwan and the USA.

Challenges to the death penalty mounted in several countries over the years appeared to bear some fruit in 2023. In the month of July, the repeal of the death penalty for drug-related offences in Pakistan and the abolition of the mandatory death penalty in Malaysia became effective; and the Parliament of Ghana voted in favour of two bills that would remove the death penalty from the criminal and military codes.

These developments showed that, when a human rights agenda is put at the centre of government plans, it is possible to rethink the response to crime and shift the investment of resources from retribution to prevention of crime and rehabilitation of offenders. The overwhelming majority of countries in the world have already made this choice and abolished the death penalty in law or practice. At the end of 2023, bills to repeal this cruel punishment were pending in the parliaments of Kenya, Liberia and Zimbabwe; that provided renewed hope that it is just a matter of time before the world completely gets rid of the death penalty.



EXECUTIONS

Amnesty International recorded 1,153 executions in 2023, an increase by 31% (270) from the 883 known executions in 2022. It is the highest figure recorded by Amnesty International since the exceptionally high number of 1,634 in 2015; and the first time since 2016 (1,032) that the known total was over 1,000 (see *Figure 1*).

The known totals do not include the thousands of people believed to have been executed in China, which in 2023 remained the world's lead executioner.² In addition, Amnesty International could not determine credible minimum figures for executions carried out in the Democratic People's Republic of Korea (North Korea) and Viet Nam, countries believed to continue to punish people by death extensively. Because of this, the global total presented in this report constitutes a minimum figure that only partially describes the true extent of states' resort to executions during the year.



EXECUTIONS RECORDED GLOBALLY IN 2023

Afghanistan (+), Bangladesh (5), China (+), Egypt (8), Iran (853+), Iraq (16+), Kuwait (5), North Korea (+), Palestine (State of) (+), Saudi Arabia (172), Singapore (5), Somalia (38+), Syria (+), USA (24), Viet Nam (+), Yemen (15+).

The significant increase in the known global total was mainly due to a spike in executions in Iran (48% rise from 576 in 2022; and more than doubled from 314 in 2021). This was particularly evident in its known drug-related executions, which surged from 255 in 2022 to 481 in 2023.

Iran alone accounted for 74% of all recorded executions; and Saudi Arabia for 15%. These two countries were responsible for 89% of the known total.

Rises in known executions were also recorded, most notably, in Somalia (from 6+ in 2022 to 38+ in 2023, a six-fold increase); the USA (from 18 in 2022 to 24 in 2023, 33% rise); and Yemen (from 4+ to 15+, almost quadrupled on the previous year).

Women were known to have been executed in China (+), Iran (24), Saudi Arabia (6), Singapore (1).

Executions were recorded in 16 countries, the lowest number of executing countries on record, since Amnesty International began monitoring. No executions were recorded in Belarus, Japan, Myanmar and South Sudan, all countries that carried out executions in 2022 (20 countries in total).

² In 2009 Amnesty International stopped publishing its estimated figures on the use of the death penalty in China. Instead, the organization has challenged the authorities to prove their claims that they are achieving their goal of reducing the application of the death penalty by publishing the figures themselves. Little or partial information was available for several other countries (see Note on Amnesty International's figures on the use of the death penalty in this report for further information).

2023 KNOWN EXECUTING COUNTRIES BY INTERNATIONAL GOVERNMENTAL ORGANIZATIONS

- **Organization of American States:** 1 out of 35 countries carried out executions – USA
- **Organization for Security and Co-operation in Europe:** 1 out of 57 countries executed people – USA
- **African Union:** 2 out of 55 countries carried out executions – Egypt and Somalia
- **League of Arab States:** 8 out of 22 countries executed people – Egypt, Iraq, Kuwait, Palestine (State of), Saudi Arabia, Syria, Somalia and Yemen
- **Association of Southeast Asian Nations:** 2 out of 10 countries carried out executions – Singapore and Viet Nam
- **Commonwealth:** 2 out of 56 countries executed people – Bangladesh and Singapore
- **Organisation Internationale de la Francophonie:** 2 out of 54 countries carried out executions – Egypt and Viet Nam
- **United Nations:** 15 out of 193 member states (8% of UN membership) were known to have executed people – Afghanistan, Bangladesh, China, Egypt, Iran, Iraq, Kuwait, North Korea, Saudi Arabia, Singapore, Somalia, Syria, USA, Viet Nam and Yemen.³

METHODS OF EXECUTIONS IN 2023⁴

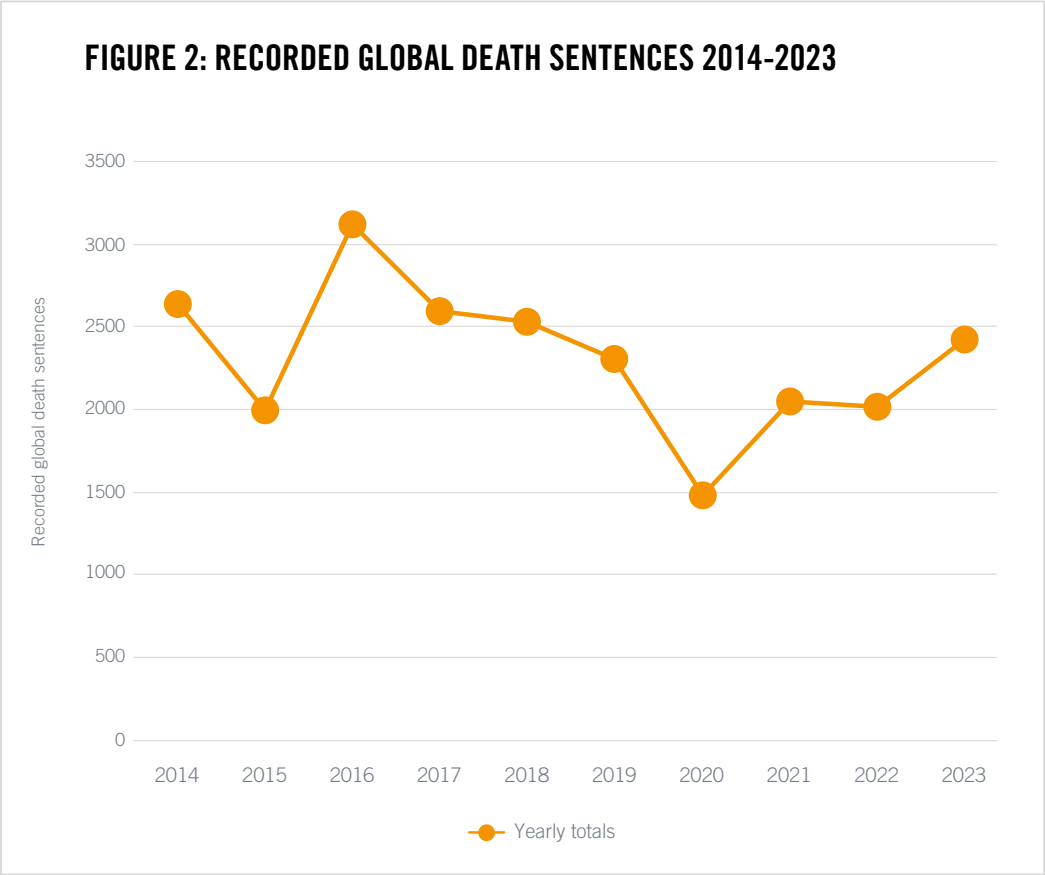
Beheading	Saudi Arabia						
Hanging	Bangladesh	Egypt	Iran	Iraq	Kuwait	Singapore	Syria
Lethal injection	China	USA	Viet Nam				
Shooting	Afghanistan	China	North Korea	Palestine (State of)	Somalia	Yemen	

³ The State of Palestine has the status of a non-member observer State at the United Nations.

⁴ In line with previous years, Amnesty International did not receive any reports of judicial executions by stoning in 2023.

DEATH SENTENCES

Amnesty International recorded 2,428 new death sentences in 2023, a 20% increase on the 2,016 known total of 2022. The 2023 total was the highest total on record since 2018, when 2,531 new death sentences were known to have been imposed. However, the greater variation in the availability of information on death sentences for some countries renders year-on-year comparisons of global totals methodologically challenging.



Amnesty International recorded new death sentences in 52 countries in 2023, the same number as in 2022. Courts in five countries – Bahrain, Comoros, South Sudan, Sudan and Zambia – were not known to have sentenced people to death in 2023, while they had done so in 2022. In five other countries – Belarus, Cameroon, Japan, Morocco/Western Sahara and Zimbabwe – people were known to have been sentenced to death in 2023, after a hiatus.



DEATH SENTENCES RECORDED GLOBALLY IN 2023

Afghanistan (+), Algeria (38+), Bangladesh (248+), Belarus (1), Botswana (2), Cameroon (1+), China (+), Democratic Republic of the Congo (33+), Egypt (590), Ethiopia (3+), Gambia (5), Ghana (10), Guyana (7), India (120), Indonesia (114+), Iran (+), Iraq (138+), Japan (1), Jordan (3+), Kenya (131), Kuwait (9+), Laos (4+), Lebanon (11+), Libya (29+), Malaysia (38+), Maldives (1), Mali (13+), Mauritania (5+), Morocco/Western Sahara (2+), Myanmar (19+), Niger (8+), Nigeria (246+), North Korea (+), Pakistan (102+), Palestine (State of, 27+), Qatar (8), Saudi Arabia (3+), Singapore (6+), Somalia (31+), South Korea (1), Sri Lanka (40+), Syria (+), Taiwan (3), Tanzania (3+), Thailand (123), Trinidad and Tobago (3), Tunisia (3+), United Arab Emirates (4+), USA (25), Viet Nam (122+), Yemen (81+), Zimbabwe (3).

Amnesty International recorded significant rises in the number of death sentences known to have been imposed in Bangladesh (from 169+ in 2022 to 248+ in 2023), Egypt (from 538 to 590), Iraq (from 41+ to 138+), Kenya (from 79 to 131), Lebanon (from 2+ to 11+), Malaysia (from 16+ to 38+), Nigeria (from 77+ to 246+), Somalia (from 10+ to 31+).

Significant decreases in the number of death sentences imposed were recorded in the following countries: Algeria (from 54 in 2022 to 38+ in 2023), Democratic Republic of the Congo (from 76+ to 33+), Gambia (9+ to 5+), India (from 165 to 120), Kuwait (from 16+ to 9+), Myanmar (from 37+ to 19+), Saudi Arabia (from 12+ to 3+), Tanzania (from 11 to 3+), Tunisia (from 26+ to 3+).

Globally, at least 27,687 people were under sentence of death at the end of 2023.⁵

COMMUTATIONS, PARDONS AND EXONERATIONS

Amnesty International recorded commutations or pardons of death sentences in 27 countries: Bahrain, Bangladesh, Barbados, Gambia, India, Indonesia, Iraq, Jordan, Kenya, Kuwait, Malaysia, Mali, Morocco/Western Sahara, Myanmar, Niger, Nigeria, Pakistan, Qatar, Somalia, South Korea, South Sudan, Taiwan, Trinidad and Tobago, United Arab Emirates, USA, Viet Nam, Zambia.⁶

Amnesty International recorded 9 exonerations of prisoners under sentence of death in three countries – Kenya (5), USA (3),⁷ Zimbabwe (1).⁸

⁵ For several countries where Amnesty International believed a high number of prisoners were under sentence of death, figures were not available or it was impossible to estimate a credible number. These included China, Egypt, Iran, Libya, North Korea, Saudi Arabia and Syria.

⁶ Commutation is the process by which a death sentence is exchanged for a less severe sentence such as a term of imprisonment, often by the judiciary on appeal but sometimes also by the executive. A pardon is granted when the convicted individual is completely exempted from further punishment.

⁷ Death Penalty Information Center, deathpenaltyinfo.org/policy-issues/innocence-database

⁸ Exoneration is the process whereby, after sentencing and the conclusion of the appeals process, the convicted person is later cleared from blame or acquitted of the criminal charge, and therefore is regarded as innocent in the eyes of the law.

THE DEATH PENALTY IN 2023: IN VIOLATION OF INTERNATIONAL LAW



The death penalty continued to be used in ways that violated international law and standards in 2023. Some examples included:

- At least 8 **public executions** in Afghanistan (1+) and Iran (7).
- At least 5 people – in Iran – were executed for crimes that occurred when they were **below 18 years of age**; Amnesty International believed that other people in this category remained on death row in Iran and Maldives.⁹
- People with **mental or intellectual disabilities** were under sentence of death in several countries, including Japan, Maldives and USA.
- Death sentences were known to have been imposed after proceedings that did not meet international **fair trial standards** in several countries, including Afghanistan, Bangladesh, China, Egypt, Iran, Iraq, Malaysia, Myanmar, North Korea, Pakistan, Saudi Arabia, Singapore, Yemen.
- **“Confessions”** that may have been extracted through **torture or other ill-treatment** were used to convict and sentence people to death in Egypt, Iran, Saudi Arabia.
- Death sentences were imposed **without the defendant being present (in absentia)** in Bangladesh and Tunisia.
- **Mandatory death sentences** were imposed in Afghanistan, Ghana, Iran, Malaysia, Myanmar, Nigeria, Pakistan, Saudi Arabia, Singapore and Trinidad and Tobago.¹⁰
- **Military courts** sentenced civilians to death in Myanmar. **Special Courts** imposed death sentences in Bangladesh, India, Iran, Pakistan, Saudi Arabia and Yemen.

⁹ Often the actual age of the prisoner is in dispute because no clear proof of age exists, such as a certificate of registration at birth. Governments should apply a full range of appropriate criteria in cases where age is in dispute. Good practice in assessing age includes drawing on knowledge of physical, psychological and social development. Each of these criteria should be applied in a way that gives the benefit of the doubt in disputed cases so that the individual is treated as a person who was below 18 years of age at the time of the crime, and accordingly should ensure that the death penalty is not applied. Such an approach is consistent with the principle that the best interests of the child shall be a primary consideration in all actions concerning children, as required by Article 3(1) of the UN Convention on the Rights of the Child.

¹⁰ The UN Human Rights Committee has stated that “mandatory death sentences that leave domestic courts with no discretion as to whether to designate the offence as a crime warranting the death penalty, and whether to issue the death sentence in the particular circumstances of the offender, are arbitrary in nature.” Human Rights Committee, General Comment No. 36 on Article 6: Right to Life, UN Doc. CCPR/C/GC/36 [3 September 2019], para. 37.

THE DEATH PENALTY IN 2023: IN VIOLATION OF INTERNATIONAL LAW (CONTINUED)



- The death penalty was used for **crimes that did not involve intentional killing** and therefore did not meet the threshold of “most serious crimes” under international law:¹¹
 - **Drug-related offences:** Executions for drug-related offences were recorded in China (+),¹² Iran (481), Kuwait (1), Saudi Arabia (19) and Singapore (5); the total number of 508 constituted 44% of total executions recorded globally. Information on Viet Nam, which is very likely to have carried out such executions, was unavailable.
 - 249 new death sentences were known to have been imposed in 11 countries: Bangladesh (1), China (+),¹³ Egypt (6), Indonesia (99 or 86%), Iran (+), Kuwait (3 out of at least 9, 33%), Laos (4 out of at least 4, 100%), Malaysia (20 out of at least 38, 53%), Singapore (6 out of 6, 100%), Sri Lanka (6 out of at least 40, 15%) and Viet Nam (100 out of at least 122, 82%). In Thailand, of the 325 total number of people under sentence of death at the end of 2023, 199 including 26 women had been convicted of drug-related offences.
 - **Economic crimes, such as corruption:** China.
 - **Apostasy:** Iran
 - **Sexual relationship outside of marriage between consenting adults:** Iran.
 - **Kidnapping:** Saudi Arabia
 - **Rape:** Bangladesh, Egypt, Iran, Pakistan and Saudi Arabia.
 - Different forms of **“treason”, “acts against national security”, “collaboration”** with a foreign entity, **“espionage”, “questioning the leader’s policies”**, participation in **“insurrectional movement and terrorism”, “armed rebellion against the state/ruler”** and other **“crimes against the state”**, whether or not they led to a loss of life: Iran and Saudi Arabia.

¹¹ As prescribed by Article 6 of the International Covenant on Civil and Political Rights; Human Rights Committee, General Comment No. 36 on Article 6: Right to Life, UN Doc. CCPR/C/GC/36 [3 September 2019], para. 35.

¹² When calculating global and regional totals, “+” has been counted as two.

¹³ When calculating global and regional totals, “+” has been counted as two.

REGIONAL OVERVIEWS

AMERICAS

REGIONAL TRENDS

- Yearly totals of death sentences and executions in the USA were the highest since 2019 and 2018, respectively, but reflected historically low trends.
- Florida carried out its first executions and US federal authorities imposed their first death sentence since 2019.
- For the 15th consecutive year, the USA was the only country in the region to execute people.
- For the seventh consecutive year, Guyana, Trinidad and Tobago and the USA were the only three countries in the Americas known to have imposed new death sentences.

COUNTRY	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
Antigua and Barbuda	0	0	0
Bahamas	0	0	0
Barbados	0	0	4
Belize	0	0	0
Brazil (Abolitionist for ordinary crimes only)	0	0	0
Chile (Abolitionist for ordinary crimes only)	0	0	0
Cuba	0	0	0
Dominica	0	0	0
El Salvador (Abolitionist for ordinary crimes only)	0	0	0

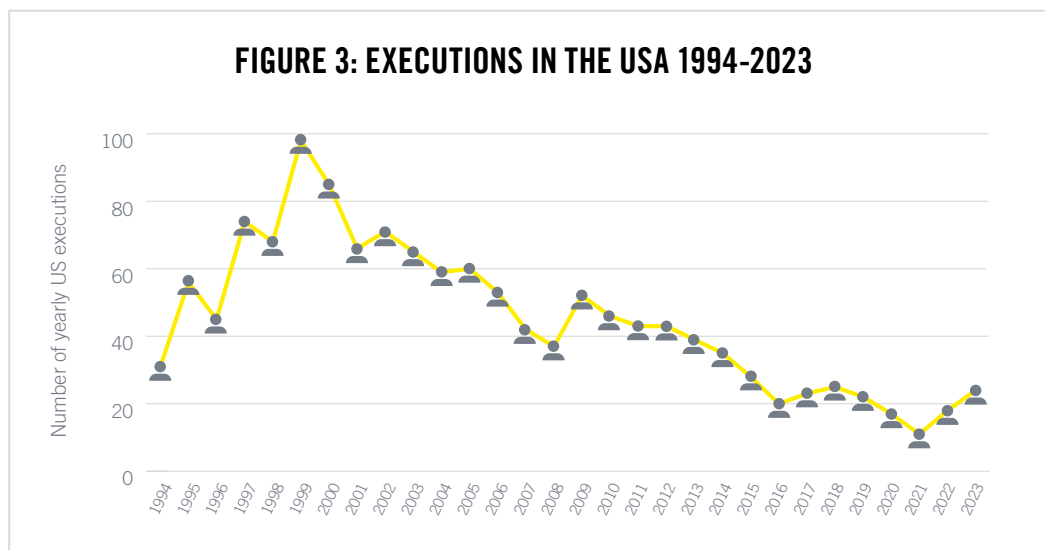
COUNTRY	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
Grenada	0	0	1
Guatemala (Abolitionist for ordinary crimes only)	0	0	0
Guyana	0	7	24
Jamaica	0	0	0
Peru (Abolitionist for ordinary crimes only)	0	0	0
Saint Kitts and Nevis	0	0	0
Saint Lucia	0	0	0
Saint Vincent and the Grenadines	0	0	1
Trinidad and Tobago	0	3	37
USA¹⁴	24 in 5 states Alabama (2) Florida (6) Missouri (4) Oklahoma (4) Texas (8)	25 in 10 jurisdictions Alabama (4) Arizona (3) California (4) Florida (5) Louisiana (1) North Carolina (2) Ohio (1) Pennsylvania (1) Texas (3) US Federal government (1)	2,198, including 46 women, in 28 jurisdictions. ¹⁵ Seven states held more than 100 people: California (651) Florida (279) Texas (179) Alabama (165) North Carolina (138) Ohio (122) Arizona (111)

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

¹⁵ The state of New Hampshire, where the death penalty was abolished in 2019, still held one person under sentence of death.

A minority of US states pursuing the death penalty continued to defy the 2023 trends for the Americas region, which otherwise remained largely death penalty-free. Despite increases in the use of this punishment in the USA, the number of sentences and executions remained in line with the historically low figures of the more recent decade.

For the second consecutive year, the number of executions in the USA increased, reaching the highest total recorded since 2018 (25; *Figure 3*). The 24 executions during 2023 constituted a rise of 33% on the 2022 total (18); and more than doubled that of 2021 (11), when proceedings were significantly affected by restrictions put in place in response to the Covid-19 pandemic. Despite the increase, the 2023 figure remained below 30, as recorded for all but one year of the decade 2014-2023. All executions recorded in 2023 were carried out by lethal injection, which ended the lives of 23 men and one transgender woman.



Five US states carried out executions in 2023, one fewer than in the previous year. Florida resumed executions for the first time since 2019, accounting for a quarter of all US executions. Its total was second only to Texas; the combined figures for these two states constituted more than half of the national total. Arizona and Mississippi, which executed people in 2022, reported a hiatus in 2023. Noticeably, Missouri's total number of executions in 2023 (4) doubled that of 2022. Alabama, Missouri and Texas were the only three states to have executed people every year in the five-year period 2019-2023 (*See table below*).

Ohio executions remained on hold, as Governor, Mike DeWine, continued to issue reprieves because of ongoing issues with the state method of lethal injection.¹⁶

¹⁶ AP News, "Ohio governor postpones 3 more executions scheduled in 2023", 14 April 2023, apnews.com/article/death-penalty-ohio-dewine-reprieves-11e26b260754386123cd1fd545463bf4

US jurisdictions with executions in 2019-2023	US jurisdictions with executions in more than one year in 2019-2023	US states that executed every year in 2019-2023
Alabama	Alabama	Alabama
Arizona	Florida	Missouri
Florida	Georgia	Texas
Georgia	Missouri	
Mississippi	Oklahoma	
Missouri	Tennessee	
Oklahoma	Texas	
South Dakota	US Federal	
Tennessee		
Texas		
US Federal		
	8	3
11		

Amnesty International recorded 25 new death sentences imposed in 10 US jurisdictions. As for executions, this figure represented an increase on previous years (21 in 2022 and 18 in 2021 and 2020) and was the highest recorded since 2019.

The number of states imposing death sentences (9) was lower by three compared to 2022 (12). Courts in Georgia, Mississippi, Missouri and Oklahoma did not sentence people to death in 2023, while they had done so in the previous year; one death sentence was imposed in Ohio after a two-year hiatus. The continued pursuit of the death penalty by federal prosecutors resulted in one death sentence being imposed in August, the first since 2019.¹⁷

THE DEATH PENALTY IN THE USA

As of the end of 2023, 23 US states had abolished this punishment for all crimes, including 11 since the beginning of the millennium.¹⁸ Of the 27 remaining states, California, Idaho, Indiana, Kansas, Kentucky, Louisiana, Montana, Nevada, North Carolina, Oregon, Pennsylvania, South Carolina, Utah and Wyoming (14, or 52% of all states that retained the death penalty in law) had not carried out executions for at least 10 years, with California, Oregon and Pennsylvania observing governor-ordered moratoriums on executions.

At the federal level, the US military authorities had not carried out any executions since 1961; the Biden administration continued to observe the temporary moratorium on executions of people convicted under ordinary federal capital laws put in place in July 2021. Under the previous Trump administration, executions resumed with 13 sentences carried out between July 2020 and January 2021, after a 17-year hiatus.

¹⁷ AP News, "Pittsburgh synagogue gunman has been sentenced to die in the nation's deadliest antisemitic attack", 4 August 2023, apnews.com/article/pittsburgh-synagogue-shooting-death-penalty-ccb447356b2cfe855875c329fb00f505

¹⁸ The states of Colorado, Connecticut, Delaware, Illinois, Maryland, New Hampshire, New Jersey, New Mexico, New York, Virginia and Washington. The District of Columbia has also abolished the death penalty.

During the year, authorities at the federal level and in several states made attempts to secure legislative amendments to abolish the death penalty or end its use. Bills to repeal this cruel punishment were introduced in the US Congress and legislative assemblies of states including Arizona, Kentucky, Louisiana, Missouri, Nebraska, North Carolina, Ohio, Oregon, Pennsylvania and South Carolina.¹⁹ Gavin Newsom, Governor of California, advanced plans to dismantle the country's largest death row.²⁰ John Bel Edwards, then outgoing Governor of Louisiana, made attempts to commute death sentences before leaving office, but met opposition by the Attorney General and the Pardons Board.²¹

At the opposite end, initiatives were launched to change execution protocols or circumvent landmark judicial decisions in order to facilitate the implementation of executions. Bills to carry out executions by firing squad were introduced in Idaho and Tennessee, while the state assembly of Montana considered a bill to expand the substances that can be used in lethal injection protocol.²² In South Carolina, the Governor signed into law a bill to conceal the identity of people or entities involved in the preparation or carrying out of executions.²³ Idaho sought once again to resume executions by scheduling the lethal injection of a man for the second time in three months, with the execution being stayed by a judge due to issues with the sourcing of lethal injection substances.²⁴ Florida governor Ron DeSantis signed into law a bill that would allow death sentences to be imposed when at least eight jurors vote in favour, making it the state with the lowest minimum voting required by juries to impose death sentences.²⁵

In July, Alabama resumed executions by lethal injection after Governor Kay Ivey lifted the short moratorium she had imposed in November 2022, following two failed execution attempts, in order to review lethal injection procedures.²⁶ The Governor later set the first execution by nitrogen asphyxiation for January 2024.²⁷

¹⁹ Pressley, "Durbin reintroduce bill to end the federal death penalty", 13 July 2023, pressley.house.gov/2023/07/13/pressley-durbin-reintroduce-bill-to-end-the-federal-death-penalty/; Death Penalty Information Center, "2023 Legislation Activity" (accessed on 28 March 2024), deathpenaltyinfo.org/stories/2023-legislation-activity

²⁰ *Los Angeles Times*, "Newsom's plan to transform San Quentin prison lacks details but is moving ahead", 27 July 2023, latimes.com/california/story/2023-07-27/newsom-san-quentin-prison-transformation-norwegian-model-rehabilitation-california

²¹ 5Kalb, "Agreement reached: Future of death row clemency cases decided in a settlement", 3 October 2023, kalb.com/2023/10/03/agreement-reached-future-death-row-clemency-cases-decided-settlement/

²² 68th Legislature of Montana, Senate Bill No.439, leg.mt.gov/bills/2023/SB0499/SB0439_1.pdf

²³ *The Clinton Chronicle*, "Lethal Injections accomplished with The Shield Statute," 19 September 2023, myclintonnews.com/stories/lethal-injections-accomplished-with-the-shield-statute.45011

²⁴ *Idaho Capital Sun*, "Judge grants stay of execution for Gerald Pizzuto Jr., Idaho man on death row", 10 March 2023, idahocapitalsun.com/2023/03/10/judge-grants-stay-of-execution-for-gerald-pizzuto-jr-idaho-man-on-death-row/

²⁵ CNN, "DeSantis signs bill eliminating unanimous jury decisions for death sentences", 20 April 2023, <https://edition.cnn.com/2023/04/20/politics/death-penalty-ron-desantis-florida-parkland-shooting/index.html> ; Supreme Court of the United States, *Hurst v. Florida*, 136 S.Ct. 616 (2016).

²⁶ AL.com, "Executions back on in Alabama after brief moratorium", 24 February 2023, al.com/news/anniston-gadsden/2023/02/executions-back-on-in-alabama-after-brief-moratorium.html

²⁷ NPR, "Alabama sets January execution date using nitrogen gas", 9 November 2023, npr.org/2023/11/09/1211717767/alabama-sets-january-execution-date-using-nitrogen-gas

Violations of international human rights law and standards were documented in several cases of people executed in 2023, frequently made worse by procedural restrictions limiting admission of new evidence. Among others, a man was executed in Missouri on 1 August 2023, despite his long-standing diagnosis of severe mental disabilities. The courts allowed the execution to proceed without a hearing on whether he had a rational understanding of the reason for his punishment.²⁸ Florida executed a man on 3 October after the courts dismissed new appeals that his execution would be unconstitutional based on a new scientific consensus that Fetal Alcohol Syndrome is the functional equivalent of intellectual disability.²⁹

Six men continued to face capital prosecution before unfair military commissions at the US naval base at Guantánamo Bay, Cuba.

Outside the USA, Guyana and Trinidad and Tobago were the only two countries known to have sentenced people to death in 2023 (10 in total). Trinidad and Tobago – the only country in the region to retain the mandatory death penalty for murder – held more than half (55%) of the 67 people known to be under sentence of death in the region outside the USA.

Nine countries which still retained the death penalty for ordinary crimes, such as murder – Antigua and Barbuda, Bahamas, Belize, Cuba, Dominica, Guatemala, Jamaica, Saint Kitts and Nevis and Saint Lucia – did not hold anyone under sentence of death and did not impose any new death sentences. Grenada and Saint Vincent and the Grenadines each continued to hold one person formally under sentence of death, but neither death sentence can be implemented due to judicial standards prohibiting the implementation of a death sentence after five years since its imposition.³⁰ On this ground, the High Court of Trinidad and Tobago ordered resentencing in the cases of eight men who had been held on death row for more than five years.

²⁸ Amnesty International, *United States of America: Missouri executes man despite mental disability – Urgent Action* (AMR 51/7083/2023), 3 August 2023, <https://www.amnesty.org/en/documents/amr51/7083/2023/en/>

²⁹ Amnesty International, *USA: Florida carries out sixth execution of 2023 – Urgent Action* (AMR 51/7275/2023), 5 October 2023, [amnesty.org/en/documents/amr51/7275/2023/en/](https://www.amnesty.org/en/documents/amr51/7275/2023/en/)

³⁰ In line with the standard set by the Judicial Committee of the Privy Council in *Pratt and Morgan v. The Attorney General of Jamaica* (UKPC 37) (1993).

ASIA-PACIFIC

REGIONAL TRENDS

- On the evidence available, Amnesty International believes that China continued to execute and sentence to death thousands of people, although figures that could clarify the situation remained classified as a state secret. Similarly, available information pointed to executions being carried out in high numbers in North Korea and Viet Nam, where secrecy made an accurate determination impossible.
- No executions were recorded in Japan and Myanmar, countries which executed people in 2022. Drug-related offences continued to be punished by death in several countries.
- Malaysia repealed the mandatory death penalty for all offences and reduced the scope of this punishment; Pakistan abolished the death penalty for drug related offences; and the authorities of Sri Lanka affirmed their intention not to carry out executions.

COUNTRY	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
Afghanistan	+	+	+
Bangladesh	5	248+	2,400+
Brunei Darussalam	0	0	+
China	+	+	+
India³¹	0	120	561
Indonesia	0	114+	700+
Japan	0	1	115
Laos	0	4+	+
Malaysia	0	38+	1,275 ³²
Maldives	0	1	21
Myanmar	0	19+	100+

³¹ Project 39A, Death Penalty in India: Annual Statistics Report 2023, January 2023, <https://www.project39a.com/annual-statistics-report-2023>; Amnesty International gathered reports relating to 110 new death sentences imposed during 2023.

³² Oral answer to Parliament, Third meeting, Second term of the Fifteenth Parliament, 7 November 2023, Question no.11. This figure included 906 people who had exhausted their ordinary legal appeals. Official information presented to Parliament in 2024 indicated that as of 14 February 2024, 1,078 people were under sentence of death, including 437 foreign nationals. Of the total number, 358 (33.2%) had been convicted of murder; 705 (65.4%) of drug trafficking; 7 (0.6%) of waging war against the Ruler; 5 of offences related to kidnapping; and 3 of firearms-related offences. Parliament of Malaysia, First meeting, Third term of the Fifteenth Parliament, 26 February to 27 March 2024, written question no.557.

COUNTRY	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
North Korea	+	+	+
Pakistan	0	102+	3,900+ ³³
Singapore	5	6+	50+
South Korea	0	1	62 ³⁴
Sri Lanka	0	40+	1,000+
Taiwan	0	3	45 ³⁵
Thailand	0	123 ³⁶	325
Tonga	0	0	0
Viet Nam	+	122+	1200+

Asia-Pacific continued to be the region with the highest number of executions in the world. Based on its monitoring, Amnesty International believes that the authorities of China continued to carry out more executions than the rest of the world combined, with thousands of people sentenced to death and executed during the year. Figures on the use of the death penalty in this country remained classified as a state secret, but the limited reports available suggested that this cruel punishment continued to be used for a wide range of offences, including those that do not meet the threshold of the “most serious crimes” to which the death penalty must be restricted under international law and standards.

An announcement by the Supreme People’s Court of the People’s Republic of China (SPC) in December 2023 confirmed that its online database, first established in 2013, had no longer been publishing all judicial decisions: “Since July 2021, the SPC has modified the website by improving ruling disclosure standards, resulting in the number of judgments uploaded online dropping to 5.11 million this year from 19.2 million in 2020”; a new platform to access rulings would be accessible only to court staff, with a library of cases “with reference value” open to the public.³⁷

³³ Amnesty International did not receive a response to its request for information from the authorities of Pakistan and this figure is an estimate based on available information. Justice Project Pakistan calculated in October 2023 that 6,039 people were on death row. Justice Project Pakistan, “Death Penalty in Pakistan: Data Mapping Capital Punishment”, October 2023, https://jpp.org.pk/wp-content/uploads/2023/11/JPP_10_10_2023_Death-Penalty-in-Pakistan-Data-Mapping-Capital-Punishment.pdf

³⁴ Including 59 people with their death sentences upheld by the Supreme Court.

³⁵ Including 37 with their death sentences upheld by the Supreme Court.

³⁶ Including one death sentence imposed by the Central Military Court.

³⁷ Supreme People’s Court of the People’s Republic of China, “SPC reaffirms dedication to improving judicial transparency”, *China Daily*, 28 December 2023, [https://subsites.chinadaily.com.cn/supremepeoplescourt/2023-12/28/c_951574.htm#:~:text=Print%20Large%20Medium%20Small%20.&text=China's%20determination%20and%20efforts%20to,People's%20Court%20\(SPC\)%20said.](https://subsites.chinadaily.com.cn/supremepeoplescourt/2023-12/28/c_951574.htm#:~:text=Print%20Large%20Medium%20Small%20.&text=China's%20determination%20and%20efforts%20to,People's%20Court%20(SPC)%20said.)

It is Amnesty International's assessment that the partial disclosures recorded during the year on official websites and in state media suggested an intention on the part of the Chinese authorities to use the death penalty to send a message signaling that neither crime, nor dissent, would be tolerated.

Among other examples, state media in China accompanied several reports of death sentences and executions with commentary aimed at reminding the population that certain crimes would be harshly punished. For example, on 23 May media state agency Xinhua reported an official of the SPC as stating: "[T]he executions reflect the commitment of people's courts to resolutely punishing sexual assault crimes against minors in accordance with the law. They also serve as a reminder for minors to improve their awareness of self-protection, and for parents, schools and the society to enhance sex education for minors and the supervision of internet use to protect them from online crimes".³⁸ As executions for drug-related offences – in violation of international law and standards – continued, officials of the SPC confirmed at a press conference, marking the UN-backed World Drugs Day on 26 June, that the death penalty had been executed on some "exemplary" cases, "to demonstrate the People's Court's consistent position on severely punishing drug crimes in accordance with the law".³⁹

Death sentences with the possibility of commutation after two years, imposed in high-profile bribery cases, sometimes involving former state officials, gained widespread coverage during the year. The authorities appeared to show through these that those "abusing power" in the discharge of their duties and causing "heavy losses to public property and the interests of the state and the people" were harshly punished.⁴⁰

Secrecy in two other countries also significantly impaired Amnesty International's assessment of trends in the region. The organization believed that the authorities of the **Democratic People's Republic of Korea (North Korea)** continued to resort to the death penalty extensively, including to send a message to deter dissent. However, the lack of transparency and of independent media sources, as well as restricted access to the country, made it once again impossible for Amnesty International to verify reports and information it received on the use of the death penalty. Foreign media reported executions carried out, including for acts that either did not meet the threshold of the "most serious crimes" to which the use of the death penalty must be restricted under international law, or which did not constitute recognizable criminal offences complying with international human rights law.⁴¹ In January 2023 a new law was enacted to punish, including with the death penalty, those who do not use exclusively the Pyongyang Korean Language, with no foreign influences permitted.⁴²

Amnesty International believed that death sentences continued to be imposed and implemented at a sustained rate, including after summary trials.

³⁸ Xinhua, "3 men convicted of raping minors executed in China", 23 May 2023, english.news.cn/20230523/c4991d34c3f749ce88ac564526d56098/c.html

³⁹ China Court Network, "The Supreme People's Court held a press conference on the anti-drug work of the People's Court in 2023", 26 June 2023, chinacourt.org/article/detail/2023/06/id/7367307.shtml

⁴⁰ Among other examples, Xinhua news, "Former banking regulatory official sentenced to death with reprieve", 29 December 2023, english.news.cn/20231229/d93ef89e983b4d23a13e60f02749e3d3/c.html

⁴¹ Radio Free Asia, "Publicly executed for killing a woman while trying to steal beans", 23 December 2023, rfa.org/english/news/korea/public-execution-12222023162046.html

⁴² Daily NK, *Pyongyang Cultural Language Protection Act*, January 2023, dailynk.com/english/wp-content/uploads/sites/2/2023/03/Pyongyang-Cultural-Language-Protection-Act-English-and-Korean-Versions-Daily-NK.pdf

Figures on the use of the death penalty also remained classified as a state secret in **Viet Nam**. The limited information available to Amnesty International relates mostly to death sentences imposed and upheld, or shared by family members and lawyers. It paints a picture of a country where executions continued to be carried out at a sustained rate, in almost total secrecy and without public scrutiny. The impact of such secrecy on the families of those on death row came to light as Lê Văn Mạnh was executed on 22 September 2023, after he had been convicted and sentenced to death in unfair proceedings, at his third trial, in 2008.⁴³ His family received a letter from the authorities a few days earlier, informing them that Lê Văn Mạnh's execution had been confirmed and asking them to meet on 23 September to receive his remains. However, the letter did not indicate the date of the execution, nor did it give any indication of arrangements for last visits by the family. Cruelly, it was only when his family members reported to the court for the meeting on 23 September that they were told that Lê Văn Mạnh's execution had been carried out on the previous day.⁴⁴

Amnesty International recorded executions in three other countries in the region. The Taliban de facto authorities continue to carry judicial executions, including publicly, in **Afghanistan**.⁴⁵ In **Bangladesh**, five people were executed for murder, one more than Amnesty International recorded in 2022. Executions in **Singapore** decreased from 11 in 2022 to five in 2023, all for drug trafficking, and included the first woman known to be executed in 20 years.⁴⁶ All five were people who had been sentenced to the mandatory death penalty, including two who had been found by the judge to have met the "courier" requirement under the law, but were not entitled to sentencing discretion as the prosecution did not issue them a certificate of cooperation in disrupting further drug trafficking activities.⁴⁷ No executions were recorded in Japan, where one man was executed in 2022, or in Myanmar, where four men had been put to death by the military authorities in 2022.

Amnesty International recorded 948 new death sentences imposed in the region, based on available information. This represented a 10% rise compared to 2022, when at least 861 people were known to have been sentenced to death. The increase was mostly linked to the higher number of death sentences that Amnesty International recorded for Bangladesh (at least 248 in 2023, compared to at least 169 in 2022); Sri Lanka (at least 40 in 2023 compared to at least eight in 2022); and Thailand, where official figures received by the organization pointed to an increase by 18%, from 104 in 2022 to 123 in 2023.⁴⁸

⁴³ Amnesty International, *Viet Nam: Halt imminent execution of Le Van Manh and order investigation into allegations of torture* (Public statement, ASA 41/2737/2015), 25 October 2015, [amnesty.org/en/documents/asa41/2737/2015/en/](https://www.amnesty.org/en/documents/asa41/2737/2015/en/)

⁴⁴ Radio Free Asia, "Vietnam executes death row prisoner Le Van Manh", 23 September 2023, rfa.org/english/news/vietnam/manh-executed-09232023053849.html

⁴⁵ By shooting. In May 2023, the Taliban authorities further announced that they would start carrying out executions of women by stoning. UN Office of the High Commissioner for Human Rights, "Afghanistan: UN experts appalled by Taliban announcement on capital punishment", 11 May 2023, [ohchr.org/en/press-releases/2023/05/afghanistan-un-experts-appalled-taliban-announcement-capital-punishment](https://www.ohchr.org/en/press-releases/2023/05/afghanistan-un-experts-appalled-taliban-announcement-capital-punishment)

⁴⁶ Amnesty International, "Singapore: Unlawful and shameful drug executions continue, including of first known woman in 20 years", 28 July 2023, [amnesty.org/en/latest/news/2023/07/singapore-unlawful-and-shameful-drug-executions-continue-including-of-first-known-woman-in-20-years/](https://www.amnesty.org/en/latest/news/2023/07/singapore-unlawful-and-shameful-drug-executions-continue-including-of-first-known-woman-in-20-years/)

⁴⁷ For more information on the requirements needed to avoid the mandatory death penalty in Singapore, see Amnesty International, *Singapore: Cooperate or die: Singapore's flawed reforms to the mandatory death penalty* (ACT 50/7158/2017), October 2017, [amnesty.org/en/documents/act50/7158/2017/en/](https://www.amnesty.org/en/documents/act50/7158/2017/en/)

⁴⁸ This figure referred to death sentences imposed by courts of first instance, including one death sentence imposed by a military court.

A decrease in new death sentences imposed by the sessions court was recorded in India. Figures by Project 39A indicated that district sessions imposed 120 death sentences in 2023, down from 165 in 2022 (27% decrease). Of these, more than half (64) related to murder involving sexual offences; 42 to murder; and 10 to terrorism-related offences. Recorded death sentences in 2023 were also significantly lower in Myanmar (at least 19 compared to at least 37 the previous year) – 14 of these were imposed by military-controlled courts in secretive and grossly unfair proceedings, without a right to appeal. Following the issuing of Martial Law Order 3/2021, the military had transferred authority from civilian courts to special or existing military tribunals to try cases of civilians in some townships.

In Malaysia, at least 18 new death sentences were known to have been imposed before legislative amendments abolishing the mandatory death penalty came into force on 4 July, and 20 after. Remarkably, 14 new death sentences were recorded for drug-related offences before July and six for the remainder of the year.

The death penalty was extensively used in the region for offences that did not meet the threshold of the “most serious crimes” to which the use of the death penalty must be restricted under international law.⁴⁹

New drug-related death sentences were known to have been imposed in: Bangladesh (1); Indonesia (99 or 86% of the recorded death sentences); Laos (4 or 100%); Malaysia (20 or 53%);⁵⁰ Singapore (6 or 100%);⁵¹ Sri Lanka (6 or 15%) and Viet Nam (100 or 82%). Although the breakdown by specific offences was not shared for death sentences, official information received for the number of people under sentence of death in Thailand indicated a rise in its total (325) by 67% compared to 2022 (195), with a significant 64% increase linked to those on death row convicted of drug-related offences (199, including 26 women, in 2023, compared to 121, including 14 women, in 2022).

Courts in China punished by death economic crimes, such as corruption, which also do not meet the threshold of the “most serious crimes” under international law and standards. Amnesty International recorded five cases involving former officials who were convicted of corruption in China and received a “suspended” death sentence – with the possibility of commutation after two years – in line with the apparent increase recorded in recent years.

Sentences related to sexual offences not resulting in death, which also do not meet the threshold of the “most serious crimes”, were recorded in several countries including Bangladesh and Pakistan.

Amnesty International recorded nine new death sentences imposed in Pakistan for “blasphemy”, an act that does not constitute a recognizable criminal offence complying with requirements under international human rights law.

People who were below 18 years of age at the time of the offence for which they had been convicted remained under sentence of death in Maldives.

⁴⁹ See p. 13 in the global overview for more detailed information.

⁵⁰ Importantly, no known confirmations of death sentences for drug-related offences by the Federal Court were recorded after full judicial discretion for the offence of drug trafficking was introduced.

⁵¹ All six were mandatory death sentences. In one case, the judge found that the defendant had met the “courier” requirement but the prosecution did not issue the certificate of substantive assistance.

Amnesty International remained concerned that proceedings did not meet international standards for a fair trial in several countries in the region. Death sentences were imposed by courts established under emergency legislation or to try specific offences instead of ordinary courts, including through expedited proceedings in Bangladesh and Pakistan.⁵²

In Bangladesh, 21 death sentences were imposed on people convicted and sentenced by the controversial International Crimes Tribunal, a court established to investigate mass-scale human rights violations committed during Bangladesh's 1971 War of Independence;⁵³ and a further 30 by special courts, such as the Women and Children Repression Prevention Tribunals.

The UN Special Rapporteur on the situation of human rights in Afghanistan noted serious concerns "about the fairness of trials preceding death sentences. There are no indications that these individuals had access to defence lawyers and if their due process rights were upheld during court proceedings" in Afghanistan.⁵⁴

In Japan, the Tokyo High Court ruled on 13 March that then 87-year-old Hakamada Iwao should be granted a retrial – nine years after the Shizuoka district court first reached this decision.⁵⁵ Hakamada Iwao was convicted in an unfair trial and sentenced to death in 1968. He spent over 45 years on death row, predominantly in solitary confinement. The retrial began on 27 October 2023.⁵⁶

In several countries, legislation was adopted to expand the scope of the death penalty or facilitate its use:

- In India, on 20 December the Parliament adopted a new criminal code expanding the number of offences punishable by death from 12 to 18.⁵⁷
- On 11 May, the State Administration Council of Myanmar adopted the Arms Act, which makes the unlawful possession of a weapon belonging to the state punishable by death.⁵⁸
- On 25 September, the National Assembly of the Republic of Korea (South Korea) adopted legislative amendments to the Criminal Act to increase the punishment for the murder or abandonment of a baby to include the death penalty as maximum punishment.⁵⁹

⁵² The UN Special Rapporteur on extrajudicial, summary or arbitrary executions stated that military and other special courts "are ill suited to ensuring full compliance with fair trial standards as required in capital cases" and "should not have the power to impose sentences of death." *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions*, UN Doc. A/67/275, 9 August 2012, para. 33.

⁵³ Amnesty International did not monitor the trials in these cases specifically, but it has long raised concern on the set-up of the Court and the fairness of its proceedings. See for example Amnesty International, "Bangladesh: Two opposition leaders face imminent execution after serious flaws in their trials and appeals", 27 October 2015, available at [amnesty.org/en/latest/news/2015/10/bangladesh-imminent-executions/](https://www.amnesty.org/en/latest/news/2015/10/bangladesh-imminent-executions/); "Bangladesh: Nizami execution will not deliver justice", 10 May 2016, [amnesty.org/en/latest/press-release/2016/05/bangladesh-nizami-execution-will-not-deliver-justice/](https://www.amnesty.org/en/latest/press-release/2016/05/bangladesh-nizami-execution-will-not-deliver-justice/)

⁵⁴ UN General Assembly, *Situation of human rights in Afghanistan – Report of the Special Rapporteur on the situation of human rights in Afghanistan*, Richard Bennett, UN Doc. A/78/338, 1 September 2023, para. 33

⁵⁵ Amnesty International, "Japan: Retrial ruling is step towards justice for world's 'longest-serving' death row prisoner", 13 March 2023, [amnesty.org/en/latest/news/2023/03/japan-retrial-ruling-is-step-towards-justice-for-worlds-longest-serving-death-row-prisoner/](https://www.amnesty.org/en/latest/news/2023/03/japan-retrial-ruling-is-step-towards-justice-for-worlds-longest-serving-death-row-prisoner/)

⁵⁶ Asahi Shimbun, "Retrial starts for former death row inmate Hakamada", 27 October 2023, [asahi.com/ajw/articles/15040093](https://www.asahi.com/ajw/articles/15040093)

⁵⁷ Project 39A, Bharatiya Nyaya Sanhita Bill - A Substantive Analysis, 2023, pg. 18, <https://p39ablog.com/2023/08/bharatiya-nyaya-sanhita-bill-2023-a-substantive-analysis/>

⁵⁸ Burma News International, Military council adopts Arms Act that carries death penalty, 15 May 2023, bionline.net/en/news/military-council-adopts-arms-act-carries-death-penalty

⁵⁹ The National Assembly of the Republic of Korea, "Plenary Results – Plenary passes 51 bills including amendment to the Criminal Act", 25 September 2023, korea.assembly.go.kr:447/portalEn/bbs/B0000170/view.do?nttId=25833361&menuNo=1500099&sdate=&edate=&searchDtGbn=c0&pageUnit=10&pdCndCd=A&pageIndex=1

The amendments in South Korea followed the announcement on 30 August by Minister of Justice, Han Dong-hoon, that he had ordered authorities of correctional facilities around the country to carry out inspections of execution chambers to ensure they were properly maintained;⁶⁰ and the approval by the Cabinet of a bill to remove a clause in the Criminal Act providing that a death sentence could not be implemented after 30 years since its imposition.⁶¹

Significant developments towards abolition of the death penalty were also recorded in the Asia-Pacific region during the year. The repeal of the death penalty for drug-related offences came into effect in Pakistan in July.⁶²

On 4 July 2023, the Abolition of Mandatory Death Penalty Act 2023 (Act 846) came into effect in Malaysia, repealing the mandatory death penalty and introducing sentencing discretion for all offences for which it was applicable. Since then, defendants convicted by High Courts of capital offences had the possibility of being sentenced to death or to the alternative punishment of terms of imprisonment between 30 and 40 years and whipping;⁶³ or of having their existing death sentence commuted as part of their ordinary appeals before the Court of Appeal or Federal Court. A law that came into effect on 12 September 2023 also gave special jurisdiction to the Federal Court to resentence 1,020 individuals under sentence of death or imprisonment for natural life who had already exhausted their ordinary judicial proceedings.⁶⁴ An initial assessment by Amnesty International during the first six months since Malaysian courts were granted sentencing discretion depicted a significant decrease in the number of death sentences imposed or upheld.⁶⁵

In February, the Attorney General of Sri Lanka informed the Supreme Court that President Ranil Wickremesinghe had decided not to authorize the implementation of the death penalty.⁶⁶

⁶⁰ Yonhap News, "Justice minister orders proper maintenance of execution facilities", 30 August 2023, <https://en.yna.co.kr/view/AEN20230830007200315>

⁶¹ Korea Herald, "Cabinet approves bill to remove sunset clause for death sentence", 5 June 2023, <https://www.koreaherald.com/view.php?ud=20230605000586>

⁶² Pakistan today, "Pakistan ends capital punishment for drug trafficking convicts", 26 July 2023, pakistantoday.com.pk/2023/07/26/pakistan-ends-capital-punishment-for-drug-trafficking-convicts/

⁶³ Under section 289 of the Criminal Procedure Code, men above the age of 50 and women are exempted from whipping.

⁶⁴ According to figures released by Datuk Seri Azalina Othman Said, Minister in the Prime Minister's Department (Law and Institutional Reform), all 1,020 eligible individuals had applied for resentencing by 17 November 2023. The Star, "1,020 applications to review death penalty and life imprisonment cases filed", 17 November 2023, [thestar.com.my/news/nation/2023/11/17/1020-applications-to-review-death-penalty-and-life-imprisonment-cases-filed-says-ramkarpal](https://www.thestar.com.my/news/nation/2023/11/17/1020-applications-to-review-death-penalty-and-life-imprisonment-cases-filed-says-ramkarpal)

⁶⁵ Amnesty International, "Malaysia: First six months of sentencing discretion underscore urgent need for indefinite extension of moratorium on executions" (ACT 50/7750/2024), 26 February 2024, [amnesty.org/en/documents/act50/7750/2024/en/](https://www.amnesty.org/en/documents/act50/7750/2024/en/)

⁶⁶ Adaderana.lk, "Supreme Court informed of President's decision on death penalty", 23 February 2023, adaderana.lk/news.php?nid=88603

EUROPE AND CENTRAL ASIA

REGIONAL TRENDS

- Belarus remained the only country in Europe to use the death penalty.
- Russia and Tajikistan continued to observe moratoriums on executions.
- Armenia ratified and Azerbaijan signed Protocol No. 13 to the European Convention on Human Rights, concerning the abolition of the death penalty in all circumstances.

Country ⁶⁷	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
Belarus	0	1	1+
Russia	0	0	0
Tajikistan	0	0	0

In Belarus, one man was convicted of murder and sentenced to death.⁶⁸ At least one person remained on death row at the end of 2023.⁶⁹ On 9 March, President Alexander Lukashenka signed into law a bill that subjects state officials and military personnel found guilty of committing acts of high treason to the death penalty.⁷⁰ This law violates the restriction under international law to limit the use of the death penalty to “the most serious crimes”,⁷¹ and the requirement not to introduce the death penalty for an offence that was not punishable by death upon ratification of the International Covenant on Civil and Political Rights,⁷² to which Belarus is a state party.⁷³

On 19 October, Armenia completed the process of ratification of Protocol No. 13 to the European Convention on Human Rights by depositing its ratification instrument.⁷⁴

On 8 March, Azerbaijan became the last member of the Council of Europe to sign Protocol No. 13 to the European Convention on Human Rights, concerning the abolition of the death penalty in all circumstances. This paves the way for Azerbaijan to ratify the Protocol for it to become legally binding in the country.⁷⁵

⁶⁷ Although the law that abolished the death penalty in Kazakhstan became effective in January 2022, Amnesty International indicated in its report “Death sentences and executions in 2022” (ACT 50/6548/2023) that it could not verify the status of the death sentence imposed on the last remaining person on death row in the country. However, the authorities of Kazakhstan confirmed to Amnesty International in March 2024 that the last death sentence was commuted to life imprisonment by the Arkalyk City Court of Kostanay region on 4 February 2022. Thus, Kazakhstan is removed from the list of monitored countries in this 2023 report.

⁶⁸ Human Rights Center Viasna, “Death sentence passed in Sluck”, 19 October 2023, <https://dp.spring96.org/en/news/113117>

⁶⁹ Amnesty International can confirm that one person was under sentence of death in Belarus at the end of 2023. However, Amnesty International has not been able to ascertain the status of Viktor Serhel, who was sentenced to death on 25 October 2019. After Viktor Serhel’s appeal was turned down by the Supreme Court on 31 January 2020, his status has since remained shrouded in secrecy, <https://spring96.org/en/news/110810>

⁷⁰ Global Voices, “Ways of punishing dissent in Lukashenka’s Belarus”, 2 May 2023, <https://globalvoices.org/2023/05/02/ways-of-punishing-dissent-in-lukashenkas-belarus/>

⁷¹ UN Human Rights Committee, General Comment 36 on Article 6 of the International Covenant on Civil and Political Rights, on the right to life, 3 September 2019, UN Doc. CCPR/C/GC/36, para 35.

⁷² UN Human Rights Committee, General Comment 36 on Article 6 of the International Covenant on Civil and Political Rights, on the right to life, 3 September 2019, UN Doc. CCPR/C/GC/36, para 35.

⁷³ UN, “Ratification Status for CCPR - International Covenant on Civil and Political Rights”, 16 December 1966, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=en

⁷⁴ Council of Europe, “Armenia becomes 45th member state to abolish the death penalty in all circumstances”, 19 October 2023, <https://www.coe.int/en/web/portal/-/armenia-becomes-45th-member-state-to-abolish-the-death-penalty-in-all-circumstances>

⁷⁵ Council of Europe, “Azerbaijan signed Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances”, 8 March 2023, <https://www.coe.int/en/web/abolition-death-penalty/-/azerbaijan-signed-protocol-no-13-to-the-convention-for-the-protection-of-human-rights-and-fundamental-freedoms-concerning-the-abolition-of-the-death-penalty-in-all-circumstances>

MIDDLE EAST AND NORTH AFRICA

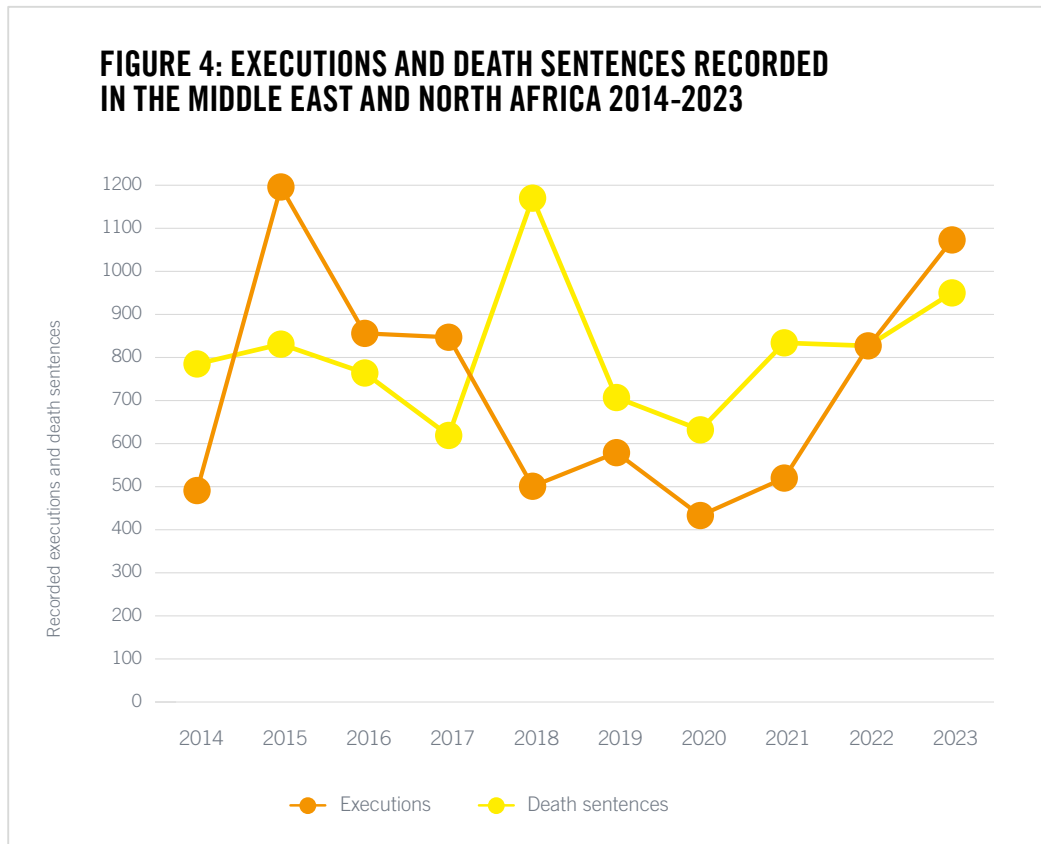
REGIONAL TRENDS

- The use of the death penalty increased in the region.
- Recorded executions increased by 30% and recorded death sentences increased by 15%.
- Known executions rose above 1,000 for the second time in a decade.
- Iran carried out 80% of known executions in the region.

COUNTRY	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
Algeria	0	38	+
Bahrain	0	0	40+
Egypt	8	590	+
Iran	853+	+	+
Iraq	16+	138+	8,421+
Israel ⁷⁶	0	0	0
Jordan	0	3+	222+
Kuwait	5	9+	30+
Lebanon	0	11+	+
Libya	0	29+	+
Morocco/Western Sahara	0	2+	+
Oman	0	0	+
Palestine (State of)	+	27+	+
Qatar	0	8	+
Saudi Arabia	172	3+	31+
Syria	+	+	+
Tunisia	0	3+	+
United Arab Emirates	0	4+	20+
Yemen	15+	81+	161+

⁷⁶ Amnesty International classifies Israel as abolitionist for ordinary crimes because its laws provide for the death penalty only for exceptional crimes such as crimes under military law or crimes committed in exceptional circumstances. The last execution took place in 1962.

Amnesty International recorded an increase in the use of the death penalty in the Middle East and North Africa region in 2023. Recorded executions in the region increased by 30% from 825 in 2022 to 1,073 in 2023. Recorded death sentences also increased, from 827 in 2022 to 950 in 2023.



Eight countries, the same ones as the previous year, are known to have carried out executions in the region in 2023 – Egypt, Iran, Iraq, Kuwait, Palestine (State of), Saudi Arabia, Syria and Yemen.

Compared to 2022, recorded executions reduced in the following countries: Egypt (24 to 8); Kuwait (7 to 5) and Saudi Arabia (196 to 172). However, recorded executions increased in the following countries: Iran (576 to 853); Iraq (11 to 16) and Yemen (4 to 15). The 1,073 executions recorded in the region in 2023 marked the first time since 2015 that known executions have risen above 1,000 – the second time in a decade.

Amnesty International recorded the imposition of death sentences in all countries in the region except Bahrain, Israel and Oman, a total number of 17 countries (an increase from 16 in 2022). Of the 950 death sentences recorded in 2023, 590 (62%) were imposed in Egypt.⁷⁷ Of those recorded in Egypt, 577 were for murder; 6 for drug-related offences; 4 for rape; and 3 for unknown offences. At least 62 death sentences were imposed on women in Egypt. Amnesty International confirmed that death sentences were imposed in Iran but the organization was unable to provide a credible minimum figure. At least 22 commutations and at least 6 pardons were granted in the region.

⁷⁷ Many of the death sentences were imposed following grossly unfair trials, including by emergency courts, marred by credible reports of torture and enforced disappearances.

Iran, Saudi Arabia and Iraq were the top three executing countries in the region in 2023. They accounted for 97% of all recorded executions in the region: Iran (80%), Saudi Arabia (16%) and Iraq (1%).

In **Iraq**, the authorities carried out the mass execution of 13 people in Nasiriyah Central Prison, without prior notice, in December.⁷⁸ These marked a resumption of mass executions in the country.⁷⁹ Of the 16 executions recorded by Amnesty International, none was carried out in the Kurdistan Region of Iraq.

In **Saudi Arabia**, 172 people – six women and 166 men – were executed.⁸⁰ They were nationals of the following countries: Saudi Arabia (134); Bangladesh (8); Yemen (8); India (4); Pakistan (4); Bahrain (2); Egypt (2); Sudan (2); Ethiopia (1); Ghana (1); Jordan (1); Palestine (State of) (1); Philippines (1); Nepal (1); Unknown Nationality (1); and USA (1). Of these, 105 were for murder; 25 for terrorism-related offences; 10 for murder and drug-related offences; six for murder and robbery; four for kidnapping/abduction and rape; three for murder and terrorism-related offences; three for murder, robbery and drug-related offences; two for drug-related offences; two for murder attempt, drug-related offences and driving under the effect of alcohol; two for terrorism-related offences and rape; two for rape; one for armed robbery, rape and murder attempt; one for armed robbery, shooting and murder attempt; one for kidnapping and murder; one for high, national and military treason; one for military treason; one for murder attempt, robbery, and drug-related offences; one for murder and illegal relationship with minor; and one for terrorism-related and drug-related offences. Of the 172 executions, 68 were for *qisas* crimes; 52 for *ta'zir* crimes; 50 for *hadd* crimes and the category of two were unknown.⁸¹

In March, the authorities executed Hussein Abo al-Kheir, a Jordanian man, who had been on death row in Saudi Arabia since 2015 following an unfair trial in which he was convicted of a drug-related offence.⁸² In July, Saudi Arabia's Specialized Criminal Court sentenced Mohammad al-Ghamdi to death solely for tweets in which he criticized the Saudi authorities.⁸³

In Iran,⁸⁴ the authorities intensified their use of the death penalty to instil fear in the population and tighten their grip on power in the aftermath of the “Women Life Freedom” uprising of September–December 2022. The 853 recorded executions were carried out across 30 of Iran's 31 provinces: Alborz (177), Sistan and Baluchestan (67), Kerman (66), Fars (57), Esfahan (49), West Azerbaijan (46), Lorestan (42), South Khorasan (42), Hormozgān (35), Khorasan-e Razavi (32), Markazi (28), Hamedan (25), East Azerbaijan (21), Gilan (19), Kurdistan (18), Kermanshah (18), Ardabil (17), Khuzestan (16),

⁷⁸ “13 Men Suddenly Executed in Iraq as the Country Resumes Mass Executions”, *Time*, 26 January 2024, <https://time.com/6589057/iraq-mass-executions-capital-punishment/>

⁷⁹ This was the first mass execution recorded by Amnesty International in Iraq since November 2020 when 21 people were executed.

⁸⁰ The number of executions for Saudi Arabia is based on the official announcement by the Ministry of Interior through the Saudi Press Agency, the official news agency of the Saudi Arabia government.

⁸¹ In Saudi Arabia, under sharia, there are two categories of crimes: those for which there are fixed punishments, *hadd* and *qisas*, and crimes for which there are no fixed punishments, *ta'zir*. *Hadd* (plural: *hudud*) are considered to be offences against God, and they have divinely ordained and fixed punishments. For example, under sharia, the death penalty is prescribed as a punishment for several *hadd* crimes, such as adultery, highway robbery when it results in loss of life and apostasy. *Qisas* are crimes against an individual or family. Punishments are equivalent to the crime committed (retribution in kind). In cases of murder, relatives of the victim can authorize the death penalty or pardon the offender and accept financial compensation, known as “blood money” (*diyah*). Crimes that have no fixed punishments under sharia are referred to as *ta'zir* crimes. Their punishments are determined by judges who use their discretion to determine the sentences; judges are not bound by judicial precedent. For example, judges can use their discretion to sentence to death individuals accused of adultery, even when the evidentiary standards for classifying the crime as *hadd* are not met.

⁸² Amnesty International, “Saudi Arabia: Execution of Jordanian man reveals ‘callous disregard for human life’” (News story, 13 March 2023), <https://www.amnesty.org/en/latest/news/2023/03/saudi-arabia-execution-of-jordanian-man-reveals-callous-disregard-for-human-life/>

⁸³ Amnesty International, “Saudi Arabia: Drop ‘ludicrous’ conviction and death sentence against man convicted over social media posts” (News story, 31 August 2023), <https://www.amnesty.org/en/latest/news/2023/08/saudi-arabia-drop-ludicrous-conviction-and-death-sentence-against-man-convicted-over-social-media-posts/>

⁸⁴ For further information and analysis on the use of the death penalty in Iran in 2023 see: Amnesty International, “Don’t let them kill us”: Iran’s relentless execution crisis since the 2022 uprising (Index: MDE 13/7869/2024), April 2024, <https://www.amnesty.org/en/documents/mde13/7869/2024/en/>

Qazvin (12), Zanjan (12), Golestan (11), Qom (11), Kohgiluyeh and Boyer-Ahmad (7), Ilam (7), Yazd (6), Mazandaran (5), Tehran (3), Semnan (2), North Khorasan (1) and Bushehr (1).

Among the 853 people executed in Iran were 821 men, 24 women and eight people whose gender was unknown. Of the executions recorded by Amnesty International, 481 were for drug-related offences; 292 for murder;⁸⁵ 38 for the overly broad and vaguely worded charges of “enmity against God” (*moharebeh*) and/or “corruption on earth” (*efsad-e fel-arz*) and one for “armed rebellion against the state” (*baghi*); 22 for rape; two for “apostasy” and “insulting the Prophet of Islam” (*sabbo al-nabi*); one for “adultery”; and 16 for offences unknown to the organization.

The executions disproportionately impacted Iran’s Baluchi ethnic minority. The authorities executed at least 172 people – 166 men and six women – from the Baluchi minority, accounting for 20% of all executions even though they make up around 5% of Iran’s population. Baluchi people were executed across the country: 59 in Sistan and Baluchestan province, 31 in Kerman province, 24 in South Khorasan province, 16 in Khorasan-e Razavi province, 15 in Hormozgān province, eight in Esfahan province, five in Fars province, three in Yazd province, two in Alborz province, two in Golestan province, two in Hamedan province, two in Semnan province, one in Ardabil, one in Mazandaran province, and one in Qom province.

Of the 853 recorded executions, at least 520 (61%) followed verdicts by Revolutionary Courts, and at least 317 (37%) followed verdicts by criminal courts. In 16 cases, the specific courts issuing the death sentences were unknown. In November, the authorities executed Ghasem Abesteh and Ayoub Karimi, two men from Iran’s Kurdish Sunni minority, in Ghezel Hesar prison, Karaj, Alborz province. Branch 15 of the Revolutionary Court of Tehran had convicted and sentenced the men to death for “corruption on earth” (*efsad-e fel-arz*) and national security offences after a grossly unfair trial.⁸⁶

Amnesty International recorded the executions of five people who were children at the time of the crime: Adel Damani, Ali Najafi, Abdolsamad Shahuzehi, Hamidreza Azari and Mahmoud Rigi. Hamidreza Azari was still a child (17 years old) at the time of his execution.

The authorities executed seven men in public, including two Afghan nationals who had been sentenced to death for “enmity against God” (*moharebeh*) and “corruption on earth” (*efsad-e fel arz*).⁸⁷ In one public execution that took place for rape in May 2023, videos broadcasting the execution on state media showed children present among the watching public.⁸⁸

In December, the authorities executed a young woman – Samira Sabzian Fard – who was sentenced to death by a court in Tehran under the principle of *qisas* (“retribution in kind”) in relation to the murder of the man she was forced to marry as a 15-year-old child.⁸⁹

⁸⁵ One of the 292 individuals recorded as having been executed for murder had also been convicted of rape, but to avoid double counting, Amnesty International included the execution under the category of murder.

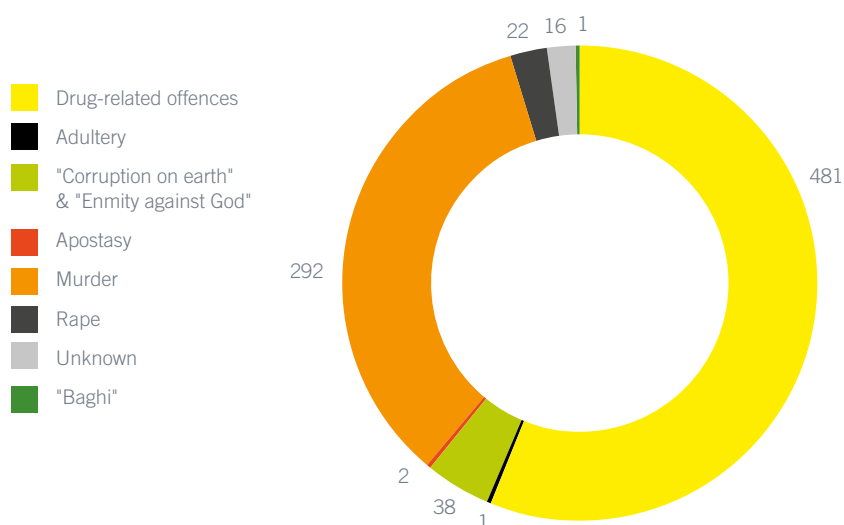
⁸⁶ Amnesty International, “Four Kurdish men at grave risk” (Index: MDE 13/7580/2024), 12 January 2024, <https://www.amnesty.org/en/documents/mde13/7580/2024/en/>

⁸⁷ Mizan Online News Agency, “دو دُش متخیوآ تازاجم راد هب ماعالم رد (ع) غلج هاش مرح هب هلمج ی تسی رورت تی انچ نالماع زا رفن ۲” [“Two perpetrators of the terrorist attack against Shahcheragh holy shrine were executed in public”], 8 July 2023, <https://www.mizanonline.ir/fa/news/4722173> (in Persian).

⁸⁸ Voice of America, “دوب زواج تم و تفص ناطیش ن اتسداد ن اکدوک مشچ ل باقم مغارم رد درم کی مدعا” [“The execution of a man in Meragheh in front of children; Prosecutor: he was evil and a rapist”], 25 May 2023, <https://ir.voanews.com/a/maraghe-execution-iran-rape/7108897.html> (in Persian).

⁸⁹ Iran Human Rights, “Samira Sabzian Executed in Ghezelhesar Prison”, 20 December 2023, <https://iranhr.net/en/articles/6415/>

FIGURE 5: BREAKDOWN OF EXECUTIONS BY OFFENCES IN IRAN



Of the 853 recorded executions in Iran, at least 545 were unlawfully carried out for acts that should not result in the death penalty under international law, which prohibits the use of the death penalty for offences that do not meet the threshold of the “most serious crimes” involving intentional killing.⁹⁰ This includes the 481 executions for drug-related offences which constituted 56% of the total executions recorded in 2023, an increase of 89% from 255 executions recorded in 2022 and more than tripled from 132 executions recorded in 2021. The surge reflects a lethal shift in Iran’s anti-narcotics policy since 2021 when Ebrahim Raisi became President and Gholamhossein Eje’i was appointed as Head of the Judiciary.

Of the 38 people recorded as having been executed for “enmity against God” (*moharebeh*) and/or “corruption on earth” (*efsad-e fel arz*) in 2023, over half were in connection with acts that should not result in the death penalty (because they did not involve intentional killing), including robbery, espionage, possession of arms, drawing weapons, and membership in Kurdish opposition groups. In nine other cases, these vague and broadly worded charges were brought in connection with incidents involving the death of an official.

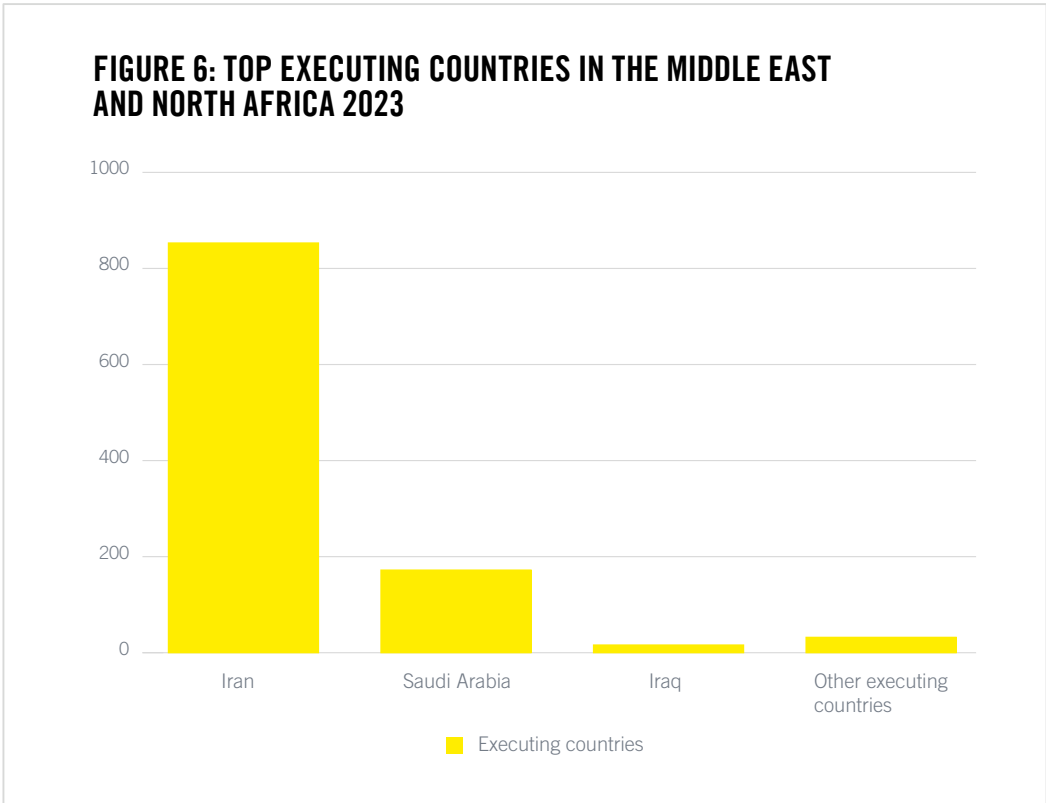
Among those executed for “corruption on earth” (*efsad-e fel arz*) was Hassan Abyat, from Iran’s Ahwazi Arab ethnic minority.⁹¹ He had been sentenced to death in relation to the death of an agent from the paramilitary Basij force in 2011 and following an accusation of being a member of an “opposition group”. Hassan Abyat had denied any involvement in the agent’s death. The authorities executed him in secret in Sepidar prison, Khuzestan province, on 20 February 2023 without prior notice or final visit by his family. A Revolutionary Court used his forced “confessions”, believed to have been obtained under torture, to convict him and sentence him to death.

⁹⁰ “Most serious crimes” are the only category of crimes for which international law allows the death penalty. International bodies have interpreted this as being limited to crimes involving intentional killing.

⁹¹ Amnesty International, “Iran: Chilling execution spree with escalating use of death penalty against persecuted ethnic minorities”, 2 March 2023, <https://www.amnesty.org/en/latest/news/2023/03/iran-chilling-execution-spree-with-escalating-use-of-death-penalty-against-persecuted-ethnic-minorities/>

At least one man – Ahmad Nikoui – was executed for “adultery” on 29 April 2023 in Karaj central prison (Nedamatgah-e Karaj), Alborz province, for having consensual sexual relations with a married woman. The fate of the woman is unknown. Under Iran’s Islamic Penal Code, the punishment for engaging in consensual extra-marital sexual relations is punishable by sanctions ranging from a flogging sentence of 31 lashes to the death penalty, applicable to adults and children including boys over 15 lunar years and girls over 9 lunar years.

The authorities also used the death penalty to punish people who had challenged or were perceived as having challenged the Islamic Republic establishment and its ideologies. The authorities executed at least seven people in connection with nationwide protests – six in connection with the “Woman Life Freedom” protests of September-December 2022 and one in connection with the nationwide protests of November 2019.



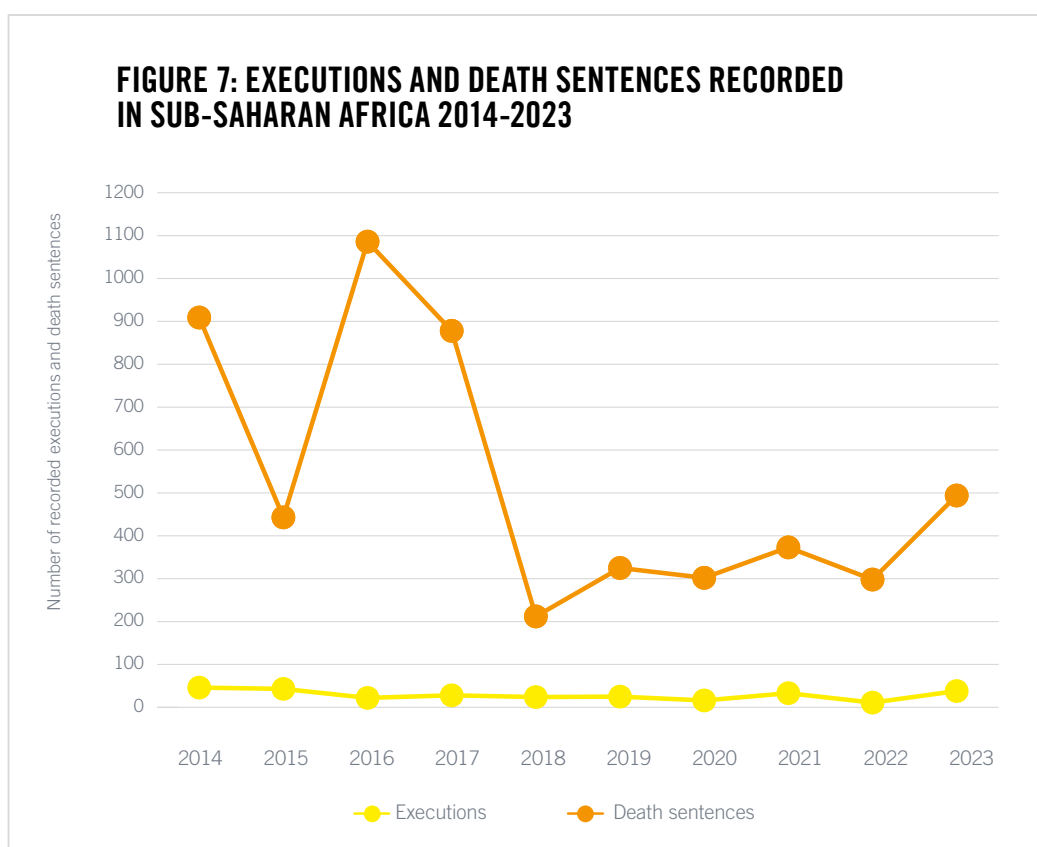
SUB-SAHARAN AFRICA

REGIONAL TRENDS

- There was a sharp increase in the use of the death penalty in the region; recorded executions more than tripled and recorded death sentences increased significantly by 66%.
- Somalia was the only country known to have carried out executions.
- Death sentences were recorded in 14 countries, a decrease of 2 compared to 2022.
- Four countries took positive legislative steps towards the abolition of the death penalty.

COUNTRY	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
Botswana	0	2	15+
Burkina Faso	0	0	0
Cameroon	0	1+	+
Comoros	0	0	+
Democratic Republic of the Congo	0	33+	+
Equatorial Guinea	0	0	0
Eritrea	0	0	
Eswatini	0	0	1
Ethiopia	0	3+	+
Gambia	0	5	18
Ghana	0	10	180
Kenya	0	131	120
Lesotho	0	0	0
Liberia	0	0	15+
Malawi	0	0	+
Mali	0	13+	+
Mauritania	0	5+	170+
Niger	0	8+	8+
Nigeria	0	246+	3,413+

COUNTRY	2023 RECORDED EXECUTIONS	2023 RECORDED DEATH SENTENCES	PEOPLE KNOWN TO BE UNDER SENTENCE OF DEATH AT THE END OF 2023
Somalia	38+	31+	+
South Sudan	0	0	+
Sudan	0	0	+
Tanzania	0	3+	691
Uganda	0	0	+
Zambia	0	0	
Zimbabwe	0	3	59+



In 2023, the sub-Saharan Africa region experienced a setback following progress made against the death penalty in the previous year. There was a surge in both recorded executions and recorded death sentences in 2023; and no country abolished the death penalty since 2022.

Recorded executions in the region more than tripled from 11 in 2022 to 38 in 2023, although all of them were recorded in one single country – Somalia – where, compared to 2022, executions increased significantly from 6 to 38. Despite a reduction in executing countries – from two in 2022 to one in 2023 – the 38 executions recorded was the highest total recorded in the region since 2015.

Recorded death sentences increased sharply by 66%, from 298 in 2022 to 494 in 2023. Amnesty International recorded death sentences in 14 countries, two countries fewer than recorded in the previous year. Compared to 2022, there were increases in recorded death sentences in the following countries: Cameroon (0 to 1); Ethiopia (2 to 3); Ghana (7 to 10); Kenya (79 to 131); Mali (8 to 13); Niger (4 to 8); Nigeria (77 to 246); Somalia (10 to 31); and Zimbabwe (0 to 3).

No country in the region abolished the death penalty during the year, although the legislature of four countries took positive steps towards abolition. In July, the Parliament of **Ghana** voted in favour of two bills that removed the death penalty from the Criminal and Other Offences Act 1960 and the Armed Forces Act 1962. In November, President Nana Akufo-Addo wrote to the Parliament of Ghana to convey his refusal to assent to the Criminal Offences (Amendment) (No. 2) Bill, 2023 and the Armed Forces (Amendment) Bill, 2023 (“the Bills”). President Akufo-Addo had informed Parliament that he refused his assent because the Bills were introduced in Parliament as private member’s bills contrary to Article 108 of the Constitution of Ghana which requires bills of such scope to be introduced by or on behalf of the President in Parliament.⁹² By the end of the year the Bills had not become law. The last known execution in Ghana was carried out in 1993.

In **Kenya**, four bills to abolish the death penalty were introduced in Parliament between August and September. First, the Preservation of Public Security (Amendment) Bill, 2023, introduced in August, seeks to abolish the death penalty for offences related to the preservation of public security. Second, the Legal Aid (Amendment) Bill, 2023, introduced in September, seeks to delete references to the death penalty in the Legal Aid Act (No. 6 of 2016). Third, the Prisons (Amendment) Bill, 2023, introduced in September, seeks to amend the Prisons Act, CAP 90 Laws of Kenya, in order to abolish the death penalty and the manner of its execution. Fourth, the Penal Code (Amendment) Bill, 2023, introduced in September, seeks to amend the Penal Code, Cap 63 Laws of Kenya, in order to abolish the death penalty. The last known execution in Kenya was carried out in 1987.

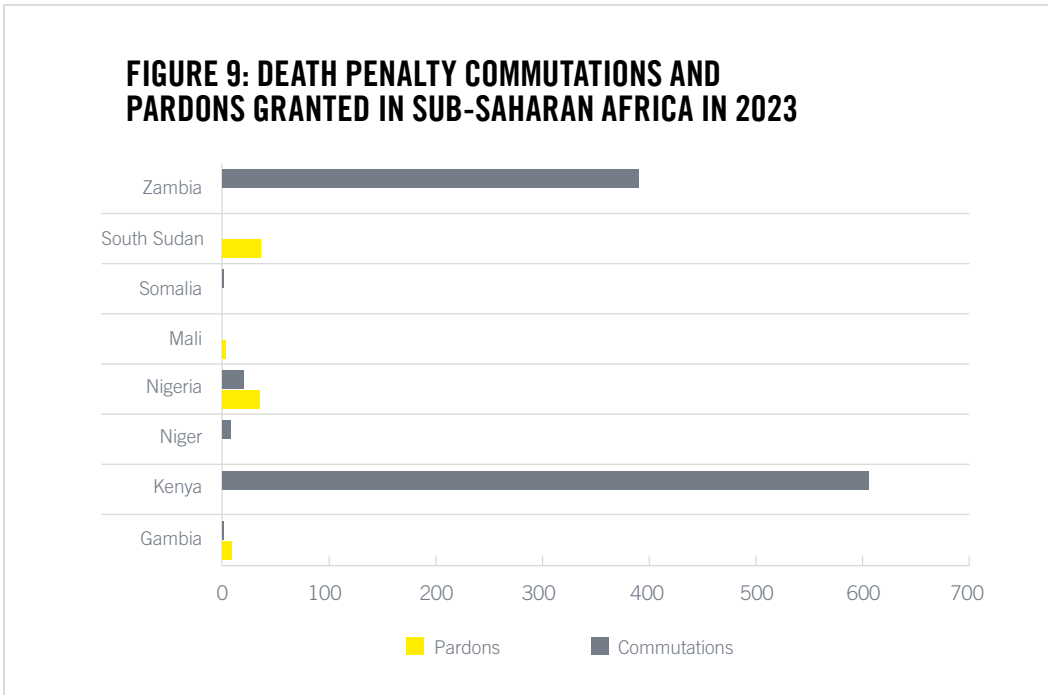
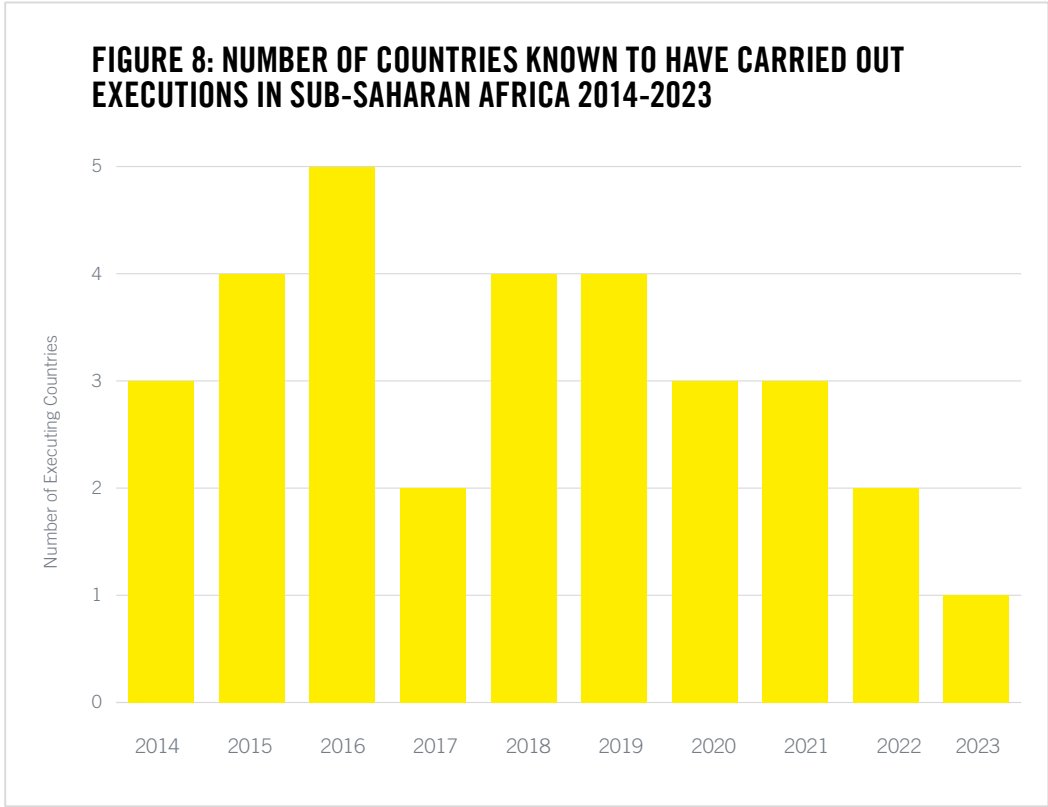
In **Zimbabwe**, a bill to abolish the death penalty in the country was gazetted in December.⁹³ The bill seeks to prohibit the imposition of death sentences by the courts; empower the Supreme Court to replace the death penalty with another appropriate sentence when hearing appeals against the death penalty; prohibit anyone from carrying out a death sentence that has previously been imposed; and remove death penalty provisions from existing legislation. The last known execution in Zimbabwe was carried out in 2005.

In **Liberia**, a bill to abolish the death penalty in the country was still pending before the House of Representatives at the end of the year. The bill had been unanimously passed by the Senate in 2022. The last known execution in Liberia was carried out in 2000.

⁹² The signing of the Bills into law would have been a crucial step towards the abolition of the death penalty in Ghana. Nevertheless, in addition to the Bills becoming law, as Article 3(3) of the Constitution of Ghana 1992 provides for the death penalty as punishment for high treason, the removal of that death penalty provision from the Constitution will be required for Ghana to become abolitionist for all crimes.

⁹³ “Bill to abolish the death penalty gazetted”, *The Herald*, 15 December 2023, <https://www.herald.co.zw/bill-to-abolish-death-penalty-gazetted/>

Across several countries in the region, at least 1,026 commutations and at least 83 pardons were granted in 2023, and at least 5 exonerations were recorded. Commutations were granted in Gambia (1); Kenya (606); Niger (8); Nigeria (20); Somalia (1); and Zambia (390). The authorities granted pardons in the following countries: Gambia (9); Mali (3); Nigeria (35); and South Sudan (36). In Kenya, five people were exonerated by the courts having been previously sentenced to death.



ANNEX I: RECORDED EXECUTIONS AND DEATH SENTENCES IN 2023

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

Where “+” appears after a figure next to the name of a country – for example, Iraq (16+) – it means that Amnesty International confirmed 16 executions or death sentences in Iraq but believes there were more than 16. Where “+” appears after a country name without a figure – for instance, Viet Nam (+) – it means that Amnesty International has corroborated executions or death sentences (more than one) in that country but had insufficient information to provide a credible minimum figure. When calculating global and regional totals, “+” has been counted as two including for China.

RECORDED EXECUTIONS IN 2023

China +	Yemen 15+	North Korea +
Iran 853+	Egypt 8	Palestine (State of) +
Saudi Arabia 172	Bangladesh 5	Syria +
Somalia 38+	Kuwait 5	Viet Nam +
USA 24	Singapore 5	
Iraq 16+	Afghanistan +	

RECORDED DEATH SENTENCES IN 2023

China 1,000s	Libya 29+	Saudi Arabia 3+
Egypt 590	Palestine (State of) 27+	Tanzania 3+
Bangladesh 248+	USA 25	Tunisia 3+
Nigeria 246+	Myanmar 19+	Taiwan 3
Iraq 138+	Mali 13+	Trinidad and Tobago 3
Kenya 131	Lebanon 11+	Zimbabwe 3
Thailand 123	Ghana 10	Morocco 2+
Viet Nam 122+	Kuwait 9+	Botswana 2
India 120	Niger 8+	Cameroon 1+
Indonesia 114+	Qatar 8	Belarus 1
Pakistan 102+	Guyana 7	Japan 1
Yemen 81+	Singapore 6+	Maldives 1
Sri Lanka 40+	Mauritania 5+	South Korea 1
Algeria 38+	Gambia 5	Afghanistan +
Malaysia 38+	Laos 4+	Iran +
Democratic Republic of the Congo 33+	United Arab Emirates 4+	North Korea +
Somalia 31+	Ethiopia 3+	Syria +
	Jordan 3+	

ANNEX II: ABOLITIONIST AND RETENTIONIST COUNTRIES

AS OF 31 DECEMBER 2023

Close to three quarters of the countries in the world have now abolished the death penalty in law or practice. As of 31 December 2023, the numbers were as follows:

Abolitionist for all crimes: 112

Abolitionist for ordinary crimes only: 9

Abolitionist in practice: 23

Total abolitionist in law or practice: 144

Retentionist: 55

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

1. ABOLITIONIST FOR ALL CRIMES

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

Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Bulgaria, Burundi, Cabo Verde, Cambodia, Canada, Chad, Central African Republic, Colombia, Congo, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kiribati, Kosovo, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Marshall Islands, Mauritius, Mexico, Micronesia, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niue, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, Switzerland, Timor-Leste, Togo, Türkiye, Turkmenistan, Tuvalu, Ukraine, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Vatican City, Venezuela.

2. ABOLITIONIST FOR ORDINARY CRIMES ONLY

Countries whose laws provide for the death penalty only for exceptional crimes such as crimes under military law or crimes committed in exceptional circumstances:⁹⁴

Brazil, Burkina Faso, Chile, El Salvador, Equatorial Guinea, Guatemala, Israel, Peru, Zambia.

3. ABOLITIONIST IN PRACTICE

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

Algeria, Brunei Darussalam, Cameroon, Eritrea, Eswatini, Ghana, Grenada, Kenya, Laos, Liberia, Malawi, Maldives, Mali, Mauritania, Morocco/Western Sahara, Niger, Russia,⁹⁵ South Korea, Sri Lanka, Tajikistan, Tanzania, Tonga, Tunisia.

4. RETENTIONIST

Countries that retain the death penalty for ordinary crimes:

Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Botswana, China, Comoros, Cuba, Democratic Republic of the Congo, Dominica, Egypt, Ethiopia, Gambia, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libya, Malaysia, Myanmar, 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, United States of America, Viet Nam, Yemen, Zimbabwe.

⁹⁴ No executions were recorded in these countries in more than 10 years.

⁹⁵ Russia 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 2023

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

Below are short descriptions of the four treaties, a list of states parties to the treaties and lists of countries which have signed but not ratified the treaties, as of 31 December 2023. States may become states parties to international treaties either by acceding to them or by ratifying them. Signature indicates an intention to become a party at a later date through ratification. States are bound under international law to respect the provisions of treaties to which they are a party, and to do nothing to defeat the object and purpose of treaties which they have signed.

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

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

States parties: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Palestine (State of), Panama, Paraguay, Philippines, Poland, Portugal, Romania, Rwanda, San Marino, Sao Tome and Principe, Serbia, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Timor-Leste, Togo, Türkiye, Turkmenistan, Ukraine, United Kingdom, Uruguay, Uzbekistan, Venezuela (total: 90).

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

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

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

PROTOCOL NO. 6 TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS, CONCERNING THE ABOLITION OF THE DEATH PENALTY⁹⁶

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

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

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

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

States parties: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine, United Kingdom (total: 45).

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

⁹⁶ Russia ceased to be a signatory to the treaty on 16 September 2022.

ANNEX IV: VOTING RESULTS OF HUMAN RIGHTS COUNCIL RESOLUTION 54/35

ADOPTED ON 13 OCTOBER 2023

On 13 October 2023, the Human Rights Council (HRC) concluded its 54th session. Resolution A/HRC/RES/54/35 was adopted as orally revised by a recorded vote during the 49th meeting, as follows:⁹⁷

Votes in favour – Argentina, Belgium, Benin, Bolivia (Plurinational State of), Chile, Costa Rica, Côte d'Ivoire, Czechia, Finland, France, Gabon, Georgia, Germany, Honduras, Kazakhstan, Kyrgyzstan, Lithuania, Luxembourg, Malaysia, Mexico, Montenegro, Nepal, Paraguay, Romania, South Africa, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uzbekistan (total: 28).

Votes against – Bangladesh, Cameroon, China, India, Maldives, Pakistan, Qatar, Somalia, Sudan, United Arab Emirates and United States of America (total: 11).

Abstentions – Algeria, Eritrea, Gambia, Malawi, Morocco, Senegal, and Viet Nam (total: 7).

⁹⁷ Human Rights Council, Question of the death penalty, UN Doc. A/HRC/54/35, 13 October 2023, https://documents.un.org/symbol-explorer?s=A/HRC/RES/54/35&i=A/HRC/RES/54/35_6088644



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DEATH SENTENCES AND EXECUTIONS

2023

Amnesty International's monitoring of the global use of the death penalty recorded 1,153 known executions in 2023, an increase by 31% from 883 in 2022. However, there was a significant decrease in executing countries, from 20 in 2022 to 16 in 2023.

This global spike in known executions was due to a considerable rise in the numbers recorded in Iran, where executions increased by 48% from 576 in 2022 to 853 in 2023. This constitutes approximately 74% of all known global executions. Notably, recorded executions in Saudi Arabia decreased by more than 12%, from 196 in 2022 to 172 in 2023.

Compared to 2022, significant increases in executions were recorded in Iran, Somalia, Yemen and the USA, while decreases were recorded in Egypt, Saudi Arabia and Singapore. The use of state secrecy and other restrictive practices in China, North Korea and Viet Nam, among other states, continued to impair accurate assessments of the use of the death penalty.

While international human rights law prohibits the use of the death penalty for crimes that do not meet the threshold of "most serious crimes" (crimes involving intentional killing), at least five countries – China, Iran, Kuwait, Saudi Arabia and Singapore – carried out executions for drug-related offences. A total of 508 such executions was recorded, marking more than a 56% increase in the number recorded in 2022. In Iran, drug-related offences represent more than 56% (481 people) of all known executions.

However, the world made some progress towards abolition. In Pakistan and Malaysia, the death penalty for drug related offences and the mandatory death penalty were repealed, respectively. In sub-Saharan Africa, the legislatures of four countries – Ghana, Kenya, Liberia and Zimbabwe – took positive steps towards the abolition of the death penalty.

Amnesty International opposes the death penalty in all cases without exception.

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