

# DEATH SENTENCES AND EXECUTIONS 2013



AMNESTY  
INTERNATIONAL



# THE USE OF THE DEATH PENALTY IN 2013

**“While there is a clear trend towards the abolition of capital punishment worldwide, it is regrettable we still need to mark such a day.”**

Special Rapporteurs on extrajudicial, summary or arbitrary executions, Christof Heyns, and on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez, on 10 October 2013, World Day Against the Death Penalty

Developments in the worldwide use of the death penalty in 2013 confirmed that its application is confined to a small minority of countries. Although only nine countries have continuously executed in each of the past five years – Bangladesh, China, Iran, Iraq, North Korea, Saudi Arabia, Sudan, USA and Yemen – and there has been a consistent trend away from the death penalty, some severe setbacks have to be acknowledged. The resumption of executions in Indonesia, Kuwait, Nigeria and Viet Nam, as well as a marked increase in reported executions in Iran and Iraq, were recorded during the year.

Amnesty International recorded executions in 22 countries.<sup>1</sup> The number of confirmed executions was 778, an increase of 14% over the 2012 figure of 682 in 21 countries. The figure of 778 excludes the thousands of executions carried out in China, which accounts for more executions than the rest of the world combined. Apart from China, almost 80% of all known executions were recorded in only three countries: Iran, Iraq and Saudi Arabia.

Despite the setbacks, progress towards abolition was recorded in all regions of the world. Although the USA remained the only country in the Americas to carry out executions in 2013, with the state of Texas alone accounting for 41% of all executions in the region, the number of executions carried out in the US continued to decrease. Maryland became the 18th abolitionist US state in May. For the first time since Amnesty International began keeping records there were no prisoners on death row in Grenada, Guatemala and Saint Lucia after all remaining prisoners had their death sentences commuted.

No executions were reported in Europe and Central Asia in 2013, for the first time since 2009. Constitutional and legal review processes in Benin, Comoros, Ghana and Sierra Leone created real opportunities for the abolition of capital punishment.

Pakistan suspended once again its application of the death penalty, and for the second

## GLOBAL FIGURES

At least 22 countries were known to have carried out executions in 2013. However, it could not be confirmed if executions were carried out in countries experiencing conflict, such as Syria.<sup>4</sup> In 2012, 21 countries were reported to have implemented death sentences.

These figures represent a significant decrease over the past two decades: in 1994, 37 countries carried out executions; in 2004 the figure was 25.

### REPORTED EXECUTIONS IN 2013

Afghanistan (2), Bangladesh (2), Botswana (1), China (+), India (1), Indonesia (5), Iran (369+), Iraq (169+), Japan (8), Kuwait (5), Malaysia (2+), Nigeria (4), North Korea (+), Palestinian Authority<sup>5</sup> (3+, by the Hamas *de facto* administration in Gaza), Saudi Arabia (79+), Somalia (34+; 15+ by the Federal Government, and 19+ in Puntland), South Sudan (4+), Sudan (21+), Taiwan (6), USA (39), Viet Nam (7+), Yemen (13+).

At least 778 executions were known to have been carried out worldwide, 96 more than in 2012. A small number of countries – mainly Iraq and Iran – were responsible for the increase. In Iraq reported executions jumped by almost 30% with at least 169 people put to death. In Iran there were at least 369 officially acknowledged executions, but hundreds more were not officially acknowledged. Excluding China, almost 80% of all known executions worldwide were recorded in only three countries: Iran, Iraq and Saudi Arabia.

However, these figures do not include the thousands of people who were believed to have been executed in China. Since 2009 Amnesty International stopped publishing its estimates on the use of the death penalty in China, where such data is considered a state secret. Amnesty International renews its challenge to the Chinese authorities to publish figures for the number of people sentenced to death and executed each year, in order to confirm their claims that there has been a significant reduction in the use of the death penalty in the country since 2007.

Official figures on the use of the death penalty were available only in a small number of countries. In Belarus, China and Viet Nam, data on the use of the death penalty continued to be classified as a state secret. Little or no information was available in some countries - in particular Egypt, Eritrea, Malaysia, North Korea and Syria, due to restrictive state practice and/or political instability. It is possible that judicial executions did in fact take place in Syria, but none could be confirmed for the present report.

In India, Indonesia, Japan, Malaysia and South Sudan, as well as in some cases in Iran, neither prisoners nor their families or lawyers were informed of their forthcoming execution. In Botswana, India and Nigeria, and in some cases in Iran and Saudi Arabia, the bodies of executed prisoners were not returned to their families for burial, nor were the locations of their graves made known.

**REPORTED DEATH SENTENCES IN 2013**

Afghanistan (174), Algeria (40+), Bahamas (2), Bangladesh (220+), Barbados (2), Belarus (4+), Burkina Faso (1+), China (+), Democratic Republic of Congo (26+), Egypt (109+), Ethiopia (8+), Gambia (4), Ghana (14), Guyana (6+), India (72+), Indonesia (16+), Iran (91+), Iraq (35+), Japan (5), Jordan (7+), Kenya (11+), Kuwait (6+), Laos (3+), Lebanon (7+), Lesotho (1+), Liberia (1), Libya (18+), Maldives (13), Malaysia (76+), Mali (7+), Mauritania (2+), Morocco/Western Sahara (10), Niger (12), Nigeria (141+), North Korea (+), Pakistan (226+), Palestinian Authority (14+: 13+ by the Hamas authorities in Gaza; 1+ by the Palestinian Authority in West Bank), Qatar (6), Saudi Arabia (6+), Sierra Leone (1), Singapore (1+), Somalia (117+: 8+ by the Federal Government; 81+ in Puntland; 28+ in Somaliland), South Korea (2), South Sudan (16+), Sri Lanka (13+), Sudan (29+), Taiwan (7), Tanzania (7+), Thailand (50+), Trinidad and Tobago (5+), Tunisia (5+), UAE (16+), USA (80), Viet Nam (148+), Yemen (3+), Zambia (9+), Zimbabwe (16).

At least 1,925 people were known to have been sentenced to death in 57 countries in 2013. This represents an increase from the 2012 figure (at least 1,722 death sentences in 58 countries). A considerable rise in the number of reported death sentences compared to 2012 was recorded in Afghanistan, Bangladesh, Nigeria and Somalia.

At least 23,392 people were under sentence of death worldwide at the end of 2013.

The following methods of executions were used: beheading (Saudi Arabia), electrocution (USA), hanging (Afghanistan, Bangladesh, Botswana, India, Iran, Iraq, Japan, Kuwait, Malaysia, Nigeria, Palestinian Authority (Hamas authorities, Gaza), South Sudan, Sudan), lethal injection (China, Viet Nam, USA), and shooting (China, Indonesia, North Korea, Saudi Arabia, Somalia, Taiwan, Yemen).

As in previous years, there were no reports of judicial executions carried out by stoning.<sup>6</sup> Public executions were carried out in Iran, North Korea, Saudi Arabia and Somalia.

At least three people were executed in Saudi Arabia for crimes they allegedly committed when they were under 18 years of age; juvenile offenders were also possibly executed in Iran and Yemen. The execution of people aged under 18 at the time of the alleged crime is a violation of international law. Often the actual age of the offender is in dispute if no clear evidence exists, such as a certificate of registration at birth.<sup>7</sup> Amnesty International remained concerned that in Iran, Maldives, Nigeria, Pakistan and Yemen, people who were juveniles at the time of their alleged crimes remained in detention under sentence of death.

In the majority of countries where people were sentenced to death or executed, the death penalty was imposed after proceedings that did not meet international fair trial standards. In several countries sentences were based on “confessions” that were possibly extracted through torture or other ill-treatment. This was particularly the case in Afghanistan, China, Iran, Iraq, North Korea, Pakistan, the Palestinian Authority (Hamas authorities, Gaza) and Saudi Arabia. In Iran and Iraq, some of these “confessions” were broadcast on television before the trial took place, further breaching the defendants’ right to presumption of innocence.

Mandatory death sentences continued to be imposed in Iran, Kenya, Malaysia, Nigeria, Pakistan and Singapore. Mandatory death sentences are inconsistent with human rights protections because they do not allow any possibility of taking into account the defendant’s

personal circumstances or the circumstances of the particular offence.

People continued to be sentenced to death or executed for crimes that did not involve intentional killing, thereby not meeting the threshold of “most serious crimes” as prescribed by Article 6 of the ICCPR. The death penalty was used for drug-related offences in a number of countries, including China, Indonesia, Iran, Laos, Malaysia, Pakistan, Qatar, Saudi Arabia, Singapore, Thailand, UAE, Viet Nam and Yemen.

Other capital crimes which did not meet the standard of “most serious crimes” punished in 2013 included “adultery” (Saudi Arabia) and “blasphemy” (Pakistan), economic crimes (China, North Korea, Viet Nam), rape (Iran, Kuwait, Somalia, UAE) and forms of “aggravated” robbery (Kenya, Nigeria, Saudi Arabia, Sudan). Finally, different forms of “treason”, “acts against national security”, “collaboration” with a foreign entity and other “crimes against the state” (such as “*moharebeh*” – enmity against God – in Iran), whether or not they led to a loss of life, were punished with death sentences in Lebanon, North Korea and Palestinian Authority (PA, West Bank; Hamas authorities, Gaza). In North Korea death sentences are often imposed even though the alleged crime is not subject to a death sentence under domestic law.

The scope of the death penalty was known to have been expanded, in contravention of international human rights standards, in Algeria, Bahrain, Bangladesh, India, Nigeria, Papua New Guinea, Sudan and the USA (Mississippi).

Of continuing concern was the use of the death penalty by military and special courts and tribunals, sometimes against civilians, in countries such as the Democratic Republic of the Congo (DRC), Egypt, Lebanon, Libya, Palestinian Authority (PA, West Bank; Hamas authorities, Gaza) and Somalia. In Algeria, Bangladesh, Burkina Faso, Jordan, Lebanon, Libya, Palestinian Authority (Hamas authorities, Gaza) and Somalia, people were sentenced to death after trials in their absence.

claims should have been raised earlier. Kimberly McCarthy was executed by lethal injection on 26 June.

Mississippi expanded the scope of the death penalty to include acts of terrorism resulting in death in April. Following a shortage in the availability of drugs normally used in lethal injection protocols, the states of Arkansas, California, Florida, Louisiana, Montana, North Carolina and Ohio amended their executions procedures to include a one-drug protocol and/or allow to change the chemicals used.

In February the US federal government sought the death penalty in **Puerto Rico** in the on-going case of Lashaun Casey, charged in relation to a murder committed in 2005. The death penalty in Puerto Rico was abolished in 1929 but can be imposed under US Federal laws. In a separate federal trial, Alexis Candelario Santana was spared the death penalty by the Puerto Rican jury in March.

On 9 October, on the occasion of the World Day against the Death Penalty, the **Inter-American Commission on Human Rights** (IACHR) urged the Member States of the Organization of American States that still have the death penalty to abolish it or at least to impose a moratorium on its application. The IACHR stated it was “concerned about the persistence of significant and worrisome challenges regarding the application of the death penalty in the region. In particular, the IACHR notes that OAS Member States have executed individuals sentenced to death in defiance of precautionary measures granted by the Commission or provisional measures granted by the Inter-American Court of Human Rights in the context of cases or petitions alleging serious violations to due process, among other violations”.<sup>26</sup>

## ASIA-PACIFIC

While some setbacks were recorded in the Asia-Pacific region last year, positive steps in a number of countries showed that, even among traditional supporters of the death penalty, progress towards abolition is tangible.

Ten countries were known to have carried out executions, two more than in 2012. China once again executed more people than the rest of the world put together, but it was not possible to obtain an accurate picture of the reality of capital punishment there. Amnesty International also could not confirm reliable figures for Malaysia and North Korea. In Viet Nam, publishing statistics on the use of capital punishment was still prohibited in law. A new secretive trend also surrounded the use of the death penalty in India and Indonesia, where executions were not announced prior to being carried out, neither to the public nor to the families and lawyers of the prisoners.

Excluding China and despite the resumption of executions in Indonesia and Viet Nam, thirty-seven executions were confirmed in 2013, one less than 2012. Pakistan once again suspended its application of the death penalty and no death sentences were implemented in

Singapore, where six people had their cases commuted following a review of the country's mandatory death penalty laws in 2012. In China, the Supreme People's Court issued further legal guidelines for greater procedural protections in death penalty cases and the former Minister of Health, Huang Jiefu, said the goal was to end organ transplants from executed prisoners by mid-2014. Brunei Darussalam, Laos, the Maldives, Mongolia, Myanmar, South Korea, Sri Lanka and Thailand did not carry out executions. The Pacific sub-region continued to be a virtually death penalty-free area, despite threats from Papua New Guinea to resume executions.

#### EXECUTIONS AND DEATH SENTENCES IN THE ASIA-PACIFIC

At least 37 executions were reported to have been carried out in 10 countries in the Asia-Pacific region: Afghanistan (2), Bangladesh (2), China (+), India (1), Indonesia (5), Japan (8), Malaysia (2+), North Korea (+), Taiwan (6), Viet Nam (7+). This figure does not include thousands of executions believed to have taken place in China.

At least 1,030 new death sentences were known to have been imposed in 17 countries in the region in 2013: Afghanistan (174), Bangladesh (220+), China (+), India (72+), Indonesia (16+), Japan (5), Laos (3+), Malaysia (76+), Maldives (13), North Korea (+), Pakistan (226+), Singapore (1+), South Korea (2), Sri Lanka (13+), Taiwan (7), Thailand (50+), Viet Nam (148+).

The scope of the death penalty was expanded in Bangladesh, India and Papua New Guinea. In several countries in the region, trials for offences punishable by death continued to violate international law and standards on the use of the death penalty, including through the imposition of capital punishment as the mandatory punishment. Some individuals were sentenced to death on the basis of evidence extracted through torture and other ill-treatment. Foreign nationals remained disproportionately affected by the death penalty in the region, which continued to be used for offences that did not meet the threshold of the "most serious crimes" under Article 6 of the ICCPR.

The death penalty continued to be imposed for drug-related offences in China, Indonesia, Laos, Malaysia, Pakistan, Singapore, Thailand and Viet Nam. Executions for these crimes were carried out in China, Indonesia, Malaysia and Viet Nam. Economic crimes were punished by death in China and Viet Nam. Such death sentences were implemented in China.

Two executions were carried out in **Afghanistan**, and 174 new death sentences were imposed for murder and terrorism. Approximately 300 people were under sentence of death at the end of the year. Two men were exonerated in the Western province of Herat after they had been sentenced to death in relation to the kidnapping and killing of a child.

In November the Ministry of Justice and the Ministerial Committee of Shari'a and Traditional Penalty and Investigating Crimes proposed at least 26 amendments to the country's Penal Code. The proposed changes included the reinstatement of punishments dating to the Taliban era and reflecting their interpretation of Shari'a law, including public stoning to death for "adultery" by married people, amputation of hands and feet for theft and robbery, and flogging of up to 100 lashes for unmarried people found guilty of "adultery". Following international criticism, the President stated in an interview on 28 November<sup>27</sup> that the

While reliable reports indicate that at least 70 executions were carried out in **North Korea**, Amnesty International believes the true figure to be much higher. Further reports about numerous public executions and executions of political opponents of North Korea's leader Kim Jong-un, including his uncle Jang Seong-taek, were also recorded, but such information could not be independently verified. Other crimes for which people were reportedly executed included murder and cannibalism, embezzlement, pornography, escaping to China, corruption, activities that countered the goals of the Korean Workers' Party and watching banned videos from South Korea.

Death sentences continued to be handed down, including for crimes that do not meet the threshold of "most serious crimes" under international law and for crimes which do not carry the death penalty under North Korean law.

#### **UN COMMISSION OF ENQUIRY ON NORTH KOREA**

On 21 March 2013, the UN Human Rights Council established the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea, which is mandated to investigate the systematic, widespread and grave violations of human rights in the country, with a view to ensuring full accountability, in particular for violations which may amount to crimes against humanity.

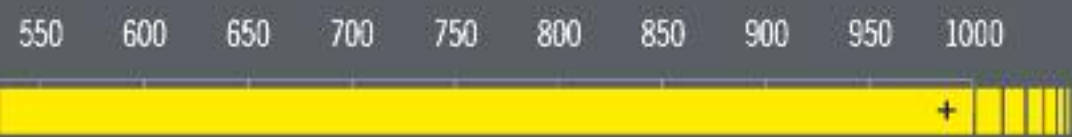
On 20 August the UN Commission of Inquiry began hearings in South Korea on North Korea's human rights record. Among other witnesses, Shin Dong-hyuk spoke of the regular public executions in the prison camp where he was detained, camp 14 Bowiso Pyong-an Nam-do, in Southern Pyong-an province:

"In the camp, twice a year, there was a public execution. I don't know exact meaning of that, but I think that in order to keep the prisoners on their toes and to scare them. I think that's why they held this public execution twice a year. In front of many inmates, the prisoners, they would tie this one person against the wooden column they would shoot or they would strangle them [...] The first time I witnessed such an execution was when I was five. [...] In 1996 [I overheard] my Mum and my brother were talking in the corner where we were preparing meal. [...] I think they were planning to climb over the mountain and escape. At that time, that thought that passed in my mind was that I thought I was very certain they were planning to escape from the camp. And, I went to the school and I reported to my teacher about their conversation. [...] And, because of the plans of my mother and brother, I learned, I was questioned about any further planning that might be happening in my family. And, in front of all the inmates, political prisoners, and in front of my father and myself, my mother and older brother [were] publicly executed. My older brother was publicly executed. My mother was hanged in front of me and my father."<sup>36</sup>

The hiatus in executions that had been interrupted in **Pakistan** in 2012 when the military authorities executed a soldier, continued in 2013, despite attempts to resume executions in August. At least 226 new death sentences were imposed and at least 8,526 people were on death row at the end of the year. Of these, according to the Minister of Interior, the legal appeals of at least 450 people were finalized and they were facing execution. Amnesty International was aware of at least seven prisoners under sentence of death who were juveniles at the time the offences were committed and who had exhausted their legal remedies.

In December 2013, the Federal Shariat Court ordered the enforcement of its 1991 ruling that the death penalty should be applied for the blasphemy offence, under Section 295-C of

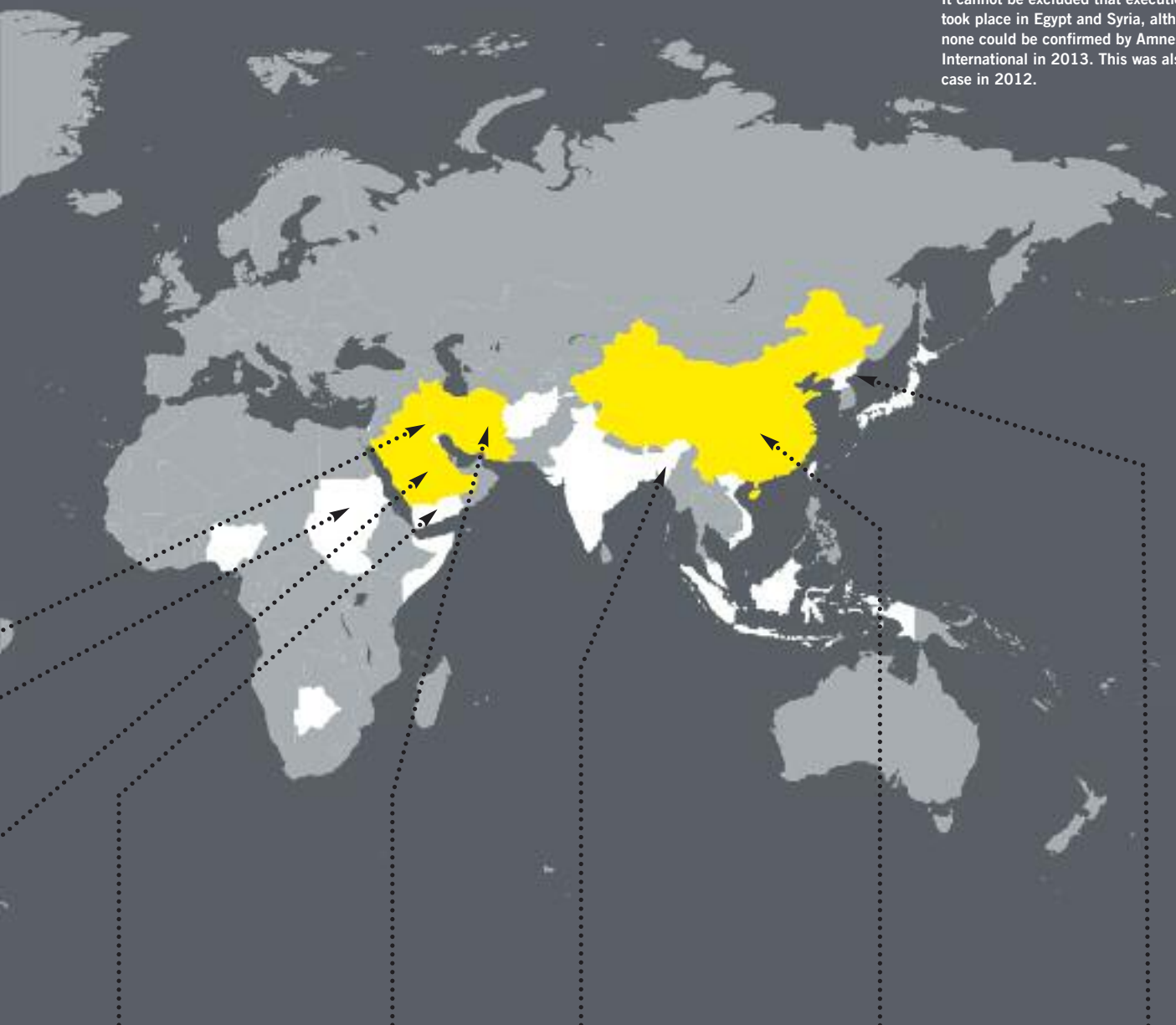




+ indicates that the figure Amnesty International has calculated is a minimum. Where + is not preceded by a number, it indicates that there were executions but that it was not possible to specify a figure.

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

It cannot be excluded that executions took place in Egypt and Syria, although none could be confirmed by Amnesty International in 2013. This was also the case in 2012.



**YEMEN**  
President ordered stay of executions of possible juvenile offenders

**IRAQ**  
Stark rise in executions for third year in a row

**BANGLADESH**  
152 new death sentences handed down in a single case

**CHINA**  
Thousands executed every year but figures are a state secret

**NORTH KOREA**  
Many public executions and executions of political opponents

# ANNEX I: DEATH SENTENCES AND EXECUTIONS IN 2013

This report only covers the judicial use of the death penalty. The figures presented are the largest that can safely be drawn from Amnesty International's research, although we emphasize that the true figures in relation to some countries are significantly higher. Some states intentionally conceal death penalty proceedings; others do not keep or make available data on the numbers of death sentences and executions.

Where “+” appears after a figure next to the name of a country – for instance, Yemen (13+) – it means that this is the minimum figure calculated by Amnesty International. Where “+” appears after a country name without a figure – for instance, death sentences in Myanmar (+) – it means that there were executions or death sentences (more than one) in that country but insufficient information to provide a credible minimum figure. When calculating global and regional totals, “+” has been counted as 2, including for China.

## REPORTED EXECUTIONS IN 2013

China +	Indonesia 5
Iran 369+	Kuwait 5
Iraq 169+	South Sudan 4+
Saudi Arabia 79+	Nigeria 4
USA 39	Palestinian Authority 3+ (by the Hamas de facto administration in Gaza)
Somalia 34+ (15+ by the Federal Government, and 19+ in Puntland)	Malaysia 2+
Sudan 21+	Afghanistan 2
Yemen 13+	Bangladesh 2
Japan 8	Botswana 1
Viet Nam 7+	India 1
Taiwan 6	North Korea +

## REPORTED DEATH SENTENCES IN 2013

China +	South Sudan 16+	Kuwait 6+
Pakistan 226+	UAE 16+	Saudi Arabia 6+
Bangladesh 220+	Zimbabwe 16	Qatar 6
Afghanistan 174	Palestinian Authority 14+ (13+ by the Hamas authorities in Gaza; 1+ by the Palestinian Authority in West Bank)	Trinidad and Tobago 5+
Viet Nam 148+		Tunisia 5+
Nigeria 141+		Japan 5
Somalia 117+ (8+ by the Federal Government; 81+ in Puntland; 28+ in Somaliland)	Ghana 14	Belarus 4+
	Sri Lanka 13+	Gambia 4
	Maldives 13	Laos 3+
Egypt 109+	Niger 12	Yemen 3+
Iran 91+	Kenya 11+	Mauritania 2+
USA 80	Morocco/Western Sahara 10	Bahamas 2
Malaysia 76+		Barbados 2
India 72+	Zambia 9+	South Korea 2
Thailand 50+	Ethiopia 8+	Burkina Faso 1+
Algeria 40+	Jordan 7+	Lesotho 1+
Iraq 35+	Lebanon 7+	Singapore 1+
Sudan 29+	Mali 7+	Liberia 1
Democratic Republic of Congo 26+	Tanzania 7+	Sierra Leone 1
Libya 18+	Taiwan 7	North Korea +
Indonesia 16+	Guyana 6+	

## **2. ABOLITIONIST FOR ORDINARY CRIMES ONLY**

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

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

## **3. ABOLITIONIST IN PRACTICE**

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

Algeria, Benin, Brunei Darussalam, Burkina Faso, Cameroon, Central African Republic, Congo (Republic of), Eritrea, Ghana, Grenada, Kenya, Laos, Liberia, Madagascar, Malawi, Maldives, Mali, Mauritania, Mongolia, Morocco, Myanmar, Nauru, Niger, Papua New Guinea, Russian Federation<sup>96</sup>, Sierra Leone, South Korea, Sri Lanka, Suriname, Swaziland, Tajikistan, Tanzania, Tonga, Tunisia, Zambia.

## **4. RETENTIONIST**

Countries that retain the death penalty for ordinary crimes:

Afghanistan, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Botswana, Chad, China, Comoros, Democratic Republic of the Congo, Cuba, Dominica, Egypt, Equatorial Guinea, Ethiopia, Gambia, Guatemala, Guinea, Guyana, India, Indonesia, Iran, Iraq, Jamaica, Japan, Jordan, Kuwait, Lebanon, Lesotho, Libya, Malaysia, Nigeria, North Korea, Oman, Pakistan, Palestinian Authority, 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.