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Facts and Figures on the Death Penalty (1 January 2007)



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DEATH PENALTY STATISTICS 2006

April 2007

Summary

AI Index: ACT 50/012/2007

This document is a compilation of the annual death penalty statistics for 2006. It includes information under the following headings:

Death Sentences and Executions in 2006 (AI Index: ACT 50/004/2007),

Facts and Figures on the Death Penalty -1 January 2007 (AI Index: ACT 50/002/2007)

List of Abolitionist and Retentionist Countries -1 January 2007 (AI Index: ACT 50/001/2007).

Please refer also to a death penalty essay, released in April 2007, entitled **Stop the State Killing** - (AI Index: ACT 50/011/2007).

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Death sentences and executions in 2006

April 2007

AI Index: ACT 50/004/2007

During 2006, at least 1,591 people were executed in 25 countries.¹ At least 3,861 people were sentenced to death in 55 countries. These were only minimum figures; the true figures were certainly higher.

Executions are known to have been carried out in the following countries in 2006:

Country
BAHRAIN
BANGLADESH
BOTSWANA
CHINA
EGYPT
EQUATORIAL GUINEA
INDONESIA
IRAN
IRAQ
JAPAN
JORDAN
KOREA (North)
KUWAIT
MALAYSIA
MONGOLIA
PAKISTAN

¹ This information differs slightly from that shown in Amnesty International's Annual Report 2007 due to additional information on a further 47 executions in Sudan being received after the Annual Report had been finalised.

Country
SAUDI ARABIA
SINGAPORE
SOMALIA
SUDAN
SYRIA
UGANDA
USA
VIET NAM
YEMEN

Death sentences are known to have been imposed in the following countries in 2006:

Country
AFGHANISTAN
ALGERIA
BAHAMAS
BAHRAIN
BANGLADESH
BELARUS
BENIN
BOTSWANA
BRUNEI DARUSSALAM
BURKINA FASO
BURUNDI
CHINA
CONGO (Dem. Rep)
EGYPT
GUINEA
GUYANA
INDIA
INDONESIA
IRAN
IRAQ
JAPAN
JORDAN
KAZAKSTAN
KENYA
KOREA (North)
KOREA (South)
KUWAIT
KYRGYZSTAN
LAOS
LIBYA
MALAYSIA
MALI
MONGOLIA

Country
MOROCCO
MYANMAR
NIGERIA
PAKISTAN
QATAR
SAUDI ARABIA
SINGAPORE
SOMALIA
SRI LANKA
SUDAN
SYRIA
TAIWAN
TANZANIA
THAILAND
TOGO
TRINIDAD AND TOBAGO
UGANDA
USA
UZBEKISTAN
VIET NAM
YEMEN
ZAMBIA

As in previous years, the vast majority of executions worldwide were carried out in a small handful of countries. In 2006, 91 per cent of all known executions took place in six countries: China, Iran, Pakistan, Iraq, Sudan and the USA. Kuwait had the highest number of executions per capita of population, followed by Iran.

Based on public reports available, Amnesty International estimated that at least 1,010 people were executed in China during the year, although these figures are only the tip of the iceberg. Credible sources suggest that between 7,500 to 8,000 people were executed in 2006. The official statistics remain a state secret, making monitoring and analysis problematic.

Iran executed 177 people, Pakistan 82 and Iraq and Sudan each at least 65. There were 53 executions in 12 states in the USA.

The worldwide figure for those currently condemned to death and awaiting execution is difficult to assess. The estimated number at the end of 2006 was between 19,185 and 24,646 based on information from human rights groups, media reports and the limited official figures available.

Facts and Figures on the Death Penalty (1 January 2007)

The following document is regularly updated on the Amnesty International website, www.amnesty.org

1. Abolitionist and Retentionist Countries

Two-thirds of the countries in the world have now abolished the death penalty in law or practice.

Amnesty International's latest information shows that:

- ! **88** countries and territories have abolished the death penalty for **all crimes**
- ! **11** countries have abolished the death penalty for **all but exceptional crimes** such as wartime crimes
- ! **29** countries can be considered **abolitionist in practice**: they retain the death penalty in law but have not carried out any executions for the past 10 years or more

making a total of **128** countries which have abolished the death penalty in law or practice.

- ! **69** other countries **retain** and use the death penalty, but the number of countries which actually execute prisoners in any one year is much smaller.

2. Progress Towards Worldwide Abolition

Over **45** countries have abolished the death penalty for all crimes since 1990. They include countries in **Africa** (recent examples include Cote d'Ivoire and Liberia), the **Americas** (Canada, Mexico, Paraguay), **Asia and the Pacific** (Bhutan, Samoa, Philippines) and **Europe and the South Caucasus** (Armenia, Bosnia-Herzegovina, Cyprus, Montenegro, and Turkey).

3. Moves to Reintroduce the Death Penalty

Once abolished, the death penalty is seldom reintroduced. Since 1985, **55** countries have abolished the death penalty in law or, having previously abolished it for ordinary crimes,

have gone on to abolish it for all crimes. During the same period only **four** abolitionist⁷ countries reintroduced the death penalty. **Two** of them, Nepal and Philippines have since abolished the death penalty again. There have been no executions in the other two (Gambia, Papua New Guinea).

4. Death Sentences and Executions

During 2006, at least 1591 prisoners were executed in 25 countries and 3,861 people were sentenced to death in 55 countries. These figures include only cases known to Amnesty International; the true figures are certainly higher.

In 2006 **91 per cent** of all known executions took place in China, Iran, Iraq, Sudan, Pakistan and the USA. Based on public reports available, Amnesty International estimated that at least 1,010 people were executed in China during the year, although these figures are only the tip of the iceberg. Credible sources suggest that between 7,500 to 8,000 people were executed in 2006. The official statistics remain a state secret, making monitoring and analysis problematic.

Iran executed at least 177 people, Pakistan at least 82, and Iraq and Sudan each 65 but the totals may have been higher. Fifty-three people were executed in 12 states in the USA.

The worldwide figure for those currently condemned to death and awaiting execution is difficult to assess. The estimated number at the end of 2006 was between 19,185 and 24,646 based on information from human rights groups, media reports and the limited official figures available.

5. Methods of Execution

Executions have been carried out by the following methods since 2000:

Beheading – (in Saudi Arabia, Iraq)

Electrocution – (in USA)

Hanging – (in Egypt, Iran, Japan, Jordan, Pakistan, Singapore and other countries)

Lethal injection – (in China, Guatemala, Philippines, Thailand, USA)

Shooting – (in Belarus, China, Somalia, Taiwan, Uzbekistan, Viet Nam and other countries)

Stoning – (in Afghanistan, Iran)

Stabbing – (in Somalia)

6. Use of the Death Penalty Against Child Offenders

International human rights treaties prohibit anyone under 18 years old at the time of the crime being sentenced to death. The International Covenant on Civil and Political Rights, the American Convention on Human Rights and the Convention on the Rights of the Child all have provisions to this effect. More than **100** countries whose laws still provide for the death penalty for at least some offences have laws specifically excluding the execution of child offenders or may be presumed to exclude such executions by being parties to one or another

⁸ of the above treaties. A small number of countries, however, continue to execute child offenders. In 2006 **Iran** executed four child offenders and **Pakistan** one.

Nine countries since 1990 are known to have executed prisoners who were under 18 years old at the time of the crime – China, Congo (Democratic Republic), Iran, Nigeria, Pakistan, Saudi Arabia, Sudan, USA and Yemen. China, Pakistan, USA and Yemen have now raised the minimum age to 18 in law. The USA and Iran each executed more child offenders than the other seven countries combined before the US Supreme Court ruled in March 2005 that the execution of children under the age of 18 was unconstitutional. Iran has now exceeded the USA's total since 1990 of 19 child executions.

7. The Deterrence Argument

Scientific studies have consistently failed to find convincing evidence that the death penalty deters crime more effectively than other punishments. The most recent survey of research findings on the relation between the death penalty and homicide rates, conducted for the United Nations in 1988 and updated in 2002, concluded: "... *it is not prudent to accept the hypothesis that capital punishment deters murder to a marginally greater extent than does the threat and application of the supposedly lesser punishment of life imprisonment.*"

(Reference: Roger Hood, *The Death Penalty: A World-wide Perspective*, Oxford, Clarendon Press, third edition, 2002, p. 230)

8. Effect of Abolition on Crime Rates

Reviewing the evidence on the relation between changes in the use of the death penalty and crime rates, the study conducted for the United Nations cited above stated: "The fact that all the evidence continues to point in the same direction is persuasive *a priori* evidence that countries need not fear sudden and serious changes in the curve of crime if they reduce their reliance upon the death penalty".

Recent crime figures from abolitionist countries fail to show that abolition has harmful effects. In Canada, for example, the homicide rate per 100,000 population fell from a peak of **3.09** in 1975, the year before the abolition of the death penalty for murder, to **2.41** in 1980, and since then it has declined further. In 2003, 27 years after abolition, the homicide rate was **1.73** per 100,000 population, **44** per cent lower than in 1975 and the lowest rate in three decades. Although this increased to **2.0** in 2005, it remains over one-third lower than when the death penalty was abolished.

(Reference: Roger Hood, *The Death Penalty: A World-wide Perspective*, Oxford, Clarendon Press, third edition, 2002, p. 214)

9. International Agreements to Abolish the Death Penalty

One of the most important developments in recent years has been the adoption of⁹ international treaties whereby states commit themselves to not having the death penalty. Four such treaties now exist:

- ! The **Second Optional Protocol to the International Covenant on Civil and Political Rights**, which has now been ratified by **60** states. **Eight** other states have signed the Protocol, indicating their intention to become parties to it at a later date.
- ! The **Protocol to the American Convention on Human Rights to Abolish the Death Penalty** which has been ratified by **eight** states and signed by **one** other in the Americas.
- ! **Protocol No. 6 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights)**, which has been ratified by **45** European states and signed by one other.
- ! **Protocol No. 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights)**, which has been ratified by **37** European states and signed by **7** others.

Protocol No. 6 to the European Convention on Human Rights is an agreement to abolish the death penalty in **peacetime**. The other two protocols provide for the **total abolition** of the death penalty but allow states wishing to do so to retain the death penalty in wartime as an exception. Protocol No. 13 to the European Convention on Human Rights provides for the **total abolition** of the death penalty in all circumstances.

10. Execution of the Innocent

As long as the death penalty is maintained, the risk of executing the innocent can never be eliminated. Since 1973 **123** US prisoners have been released from death row after evidence emerged of their innocence of the crimes for which they were sentenced to death. There were six such cases in 2004, two in 2005 and **one** in 2006. Some prisoners had come close to execution after spending many years under sentence of death. Recurring features in their cases include prosecutorial or police misconduct; the use of unreliable witness testimony, physical evidence, or confessions; and inadequate defence representation. Other US prisoners have gone to their deaths despite serious doubts over their guilt. The state of Florida has the highest number of exonerations: 22.

The then Governor of the US state of Illinois, George Ryan, declared a moratorium on executions in January 2000 which remains in force. His decision followed the exoneration of the **13th** death row prisoner found to have been wrongfully convicted in the state since the USA reinstated the death penalty in 1977. During the same period, **12** other Illinois prisoners had been executed. In January 2003 Governor Ryan pardoned four death row prisoners and commuted all 167 other death sentences in Illinois.

The problem of the potential execution of the innocent is not limited to the USA. In 2006, Tanzania released Hassan Mohamed Mtepeka from death row. He was condemned to death in 2004 for the rape and murder of his step daughter. The Appeal Court found that his conviction overwhelmingly rested on circumstantial evidence which “did not irresistibly point to his guilt”. In Jamaica, Carl McHargh was released from death row in June 2006 after being acquitted on appeal.

11. The Death Penalty in the USA

In 2004, New York's highest court found the state's death penalty statute unconstitutional. By early 2007, this law had not been replaced.

In 2006, the New Jersey legislature imposed a moratorium in that state, and established a commission to study all aspects of the death penalty in New Jersey. In its final report in January 2007, the commission recommended abolition of the death penalty.

During 2006 executions in a number of other states were effectively on hold because of legal challenges and concerns relating to the lethal injection process.

- ! **53** prisoners were executed in the USA in 2006, bringing to **1,057** the total number executed since the use of the death penalty was resumed in 1977.
- ! Around **3,350** prisoners were under sentence of death as of 1 January 2007.
- ! **38** of the 50 US states provide for the death penalty in law (but see reference to New York above). The death penalty is also provided under US military and federal law.

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LIST OF ABOLITIONIST AND RETENTIONIST COUNTRIES (1 JANUARY 2007)



LIST OF ABOLITIONIST AND RETENTIONIST COUNTRIES (1 January 2007)

One country abolished the death penalty for all crimes in 2006 (Philippines) and two countries removed provisions for the death penalty from their country's constitutions (Georgia and Moldova). One country (Montenegro) became an independent member state of the United Nations (previously Serbia and Montenegro). Nearly 130 countries in the world have now abolished the death penalty in law or practice.

Attached is a list of countries indicating whether or not their laws provide for the death penalty. For abolitionist countries, information is also given, where available, on the date of abolition and the date of the last execution carried out; and for countries which have abolished the death penalty for all crimes, the date when it was abolished for ordinary offences if this was done before. (The date given for abolition is normally the date when the decision to abolish the death penalty was taken, but if that decision only came into effect several years later, the latter date is given.)

Also attached is a list of countries which have abolished the death penalty since 1976. It shows that in the past decade, an average of three countries a year have abolished the death penalty or, having done so for ordinary offences, have gone on to abolish it for all offences.

As of 1 January 2007, the number of abolitionist and retentionist countries was as follows:

Abolitionist for all crimes	88	
Abolitionist for ordinary crimes only	11	
Abolitionist in practice	29	
Total abolitionist in law or practice		128
Retentionist		69

1. ABOLITIONIST FOR ALL CRIMES

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

Abbreviations: **Date (A)** = date of abolition for all crimes; **Date (AO)** = date of abolition for ordinary crimes; **Date (last ex.)** = date of last execution; **K** = date of last known execution; **NK** = date of last execution not known; **Ind.** = no executions since independence

Country	Date(A)	Date(AO)	Date(last ex.)
ANDORRA	1990		1943
ANGOLA	1992		NK
ARMENIA	2003		NK
AUSTRALIA	1985	1984	1967
AUSTRIA	1968	1950	1950
AZERBAIJAN	1998		1993
BELGIUM	1996		1950
BHUTAN	2004		1964K
BOSNIA-HERZEGOVINA	2001	1997	NK
BULGARIA	1998		1989
CAMBODIA	1989		NK
CANADA	1998	1976	1962
CAPE VERDE	1981		1835
COLOMBIA	1910		1909
COSTA RICA	1877		NK
COTE D'IVOIRE	2000		NK
CROATIA	1990		NK
CYPRUS	2002	1983	1962
CZECH REPUBLIC	1990		NK
DENMARK	1978	1933	1950
DJIBOUTI	1995		Ind.
DOMINICAN REPUBLIC	1966		NK
ECUADOR	1906		NK
ESTONIA	1998		1991
FINLAND	1972	1949	1944
FRANCE	1981		1977
GEORGIA	1997		1994K
GERMANY	1987		NK
GREECE	2004	1993	1972
GUINEA-BISSAU	1993		1986K
HAITI	1987		1972K
HONDURAS	1956		1940
HUNGARY	1990		1988
ICELAND	1928		1830
IRELAND	1990		1954

Country	Date(A)	Date(AO)	Date(last ex.)
ITALY	1994	1947	1947
KIRIBATI			Ind.
LIBERIA	2005		NK
LIECHTENSTEIN	1987		1785
LITHUANIA	1998		1995
LUXEMBOURG	1979		1949
MACEDONIA (former Yug. Rep.)	1991		NK
MALTA	2000	1971	1943
MARSHALL ISLANDS			Ind.
MAURITIUS	1995		1987
MEXICO	2005		1937
MICRONESIA (Federated States)			Ind.
MOLDOVA	1995		NK
MONACO	1962		1847
MONTENEGRO	2002		NK
MOZAMBIQUE	1990		1986
NAMIBIA	1990		1988K
NEPAL	1997	1990	1979
NETHERLANDS	1982	1870	1952
NEW ZEALAND	1989	1961	1957
NICARAGUA	1979		1930
NIUE			NK
NORWAY	1979	1905	1948
PALAU			NK
PANAMA			1903K
PARAGUAY	1992		1928
PHILIPPINES	2006		1999
POLAND	1997		1988
PORTUGAL	1976	1867	1849K
ROMANIA	1989		1989
SAMOA	2004		Ind.
SAN MARINO	1865	1848	1468K
SAO TOME AND PRINCIPE	1990		Ind.
SENEGAL	2004		1967
SERBIA	2002		NK
SEYCHELLES	1993		Ind.
SLOVAK REPUBLIC	1990		NK
SLOVENIA	1989		NK
SOLOMON ISLANDS		1966	Ind.
SOUTH AFRICA	1997	1995	1991
SPAIN	1995	1978	1975
SWEDEN	1972	1921	1910
SWITZERLAND	1992	1942	1944
TIMOR-LESTE	1999		NK

Country	Date(A)	Date(AO)	Date(last ex.)
TURKEY	2004	2002	1984
TURKMENISTAN	1999		NK
TUVALU			Ind.
UKRAINE	1999		NK
UNITED KINGDOM	1998	1973	1964
URUGUAY	1907		NK
VANUATU			Ind.
VATICAN CITY STATE	1969		NK
VENEZUELA	1863		NK

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, such as wartime crimes

Abbreviations: **Date (AO)** = date of abolition for ordinary crimes; **Date (last ex.)** = date of last execution; **K** = date of last known execution; **NK** = date of last execution not known; **Ind.** = no executions since independence

Country	Date(AO)	Date(last ex.)
ALBANIA	2000	NK
ARGENTINA	1984	NK
BOLIVIA	1997	1974
BRAZIL	1979	1855
CHILE	2001	1985
COOK ISLANDS		NK
EL SALVADOR	1983	1973K
FIJI	1979	1964
ISRAEL	1954	1962
LATVIA	1999	1996
PERU	1979	1979

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 past 10 years and are believed to have a policy or established practice of not carrying out executions. The list also includes countries which have made an international commitment not to use the death penalty.

Abbreviations: **Date (last ex.)** = date of last execution; **K** = date of last known execution; **Ind.** = no executions since independence

Country	Date(last ex.)
ALGERIA	1993
BENIN	1987
BRUNEI DARUSSALAM	1957K
BURKINA FASO	1988
CENTRAL AFRICAN REPUBLIC	1981
CONGO (Republic)	1982
GABON	NK
GAMBIA	1981
GHANA	NK
GRENADA	1978
KENYA	1987
KYRGYZSTAN	1998
MADAGASCAR	1958K
MALAWI	1992
MALDIVES	1952K
MALI	1980
MAURITANIA	1987
MOROCCO	1993
MYANMAR	NK
NAURU	Ind.
NIGER	1976K
PAPUA NEW GUINEA	1950
RUSSIAN FEDERATION	1999
SRI LANKA	1976
SURINAME	1982
SWAZILAND	NK
TOGO	NK
TONGA	1982
TUNISIA	1991

4. RETENTIONIST

Countries and territories that retain the death penalty for ordinary crimes

AFGHANISTAN	LAOS
ANTIGUA AND BARBUDA	LEBANON
BAHAMAS	LESOTHO
BAHRAIN	LIBYA
BANGLADESH	MALAYSIA
BARBADOS	MONGOLIA
BELARUS	NIGERIA
BELIZE	OMAN
BOTSWANA	PAKISTAN
BURUNDI	PALESTINIAN AUTHORITY
CAMEROON	QATAR
CHAD	RWANDA
CHINA	SAINT CHRISTOPHER & NEVIS
COMOROS	SAINT LUCIA
CONGO (Democratic Republic)	SAINT VINCENT & GRENADINES
CUBA	SAUDI ARABIA
DOMINICA	SIERRA LEONE
EGYPT	SINGAPORE
EQUATORIAL GUINEA	SOMALIA
ERITREA	SUDAN
ETHIOPIA	SYRIA
GUATEMALA	TAIWAN
GUINEA	TAJKISTAN
GUYANA	TANZANIA
INDIA	THAILAND
INDONESIA	TRINIDAD AND TOBAGO
IRAN	UGANDA
IRAQ	UNITED ARAB EMIRATES
JAMAICA	UNITED STATES OF AMERICA
JAPAN	UZBEKISTAN
JORDAN	VIET NAM
KAZAKSTAN	YEMEN
KOREA (North)	ZAMBIA
KOREA (South)	ZIMBABWE
KUWAIT	

COUNTRIES WHICH HAVE ABOLISHED THE DEATH PENALTY SINCE 1976

1976: **PORTUGAL** abolished the death penalty for all crimes.

1978: **DENMARK** abolished the death penalty for all crimes.

1979: **LUXEMBOURG, NICARAGUA** and **NORWAY** abolished the death penalty for all crimes. **BRAZIL, FIJI** and **PERU** abolished the death penalty for ordinary crimes.

1981: **FRANCE** and **CAPE VERDE** abolished the death penalty for all crimes.

1982: The **NETHERLANDS** abolished the death penalty for all crimes.

1983: **CYPRUS** and **EL SALVADOR** abolished the death penalty for ordinary crimes.

1984: **ARGENTINA** abolished the death penalty for ordinary crimes.

1985: **AUSTRALIA** abolished the death penalty for all crimes.

1987: **HAITI, LIECHTENSTEIN** and the **GERMAN DEMOCRATIC REPUBLIC** (1) abolished the death penalty for all crimes.

1989: **CAMBODIA, NEW ZEALAND, ROMANIA** and **SLOVENIA** (2) abolished the death penalty for all crimes.

1990: **ANDORRA, CROATIA** (2), the **CZECH AND SLOVAK FEDERAL REPUBLIC** (3), **HUNGARY, IRELAND, MOZAMBIQUE, NAMIBIA** and **SAO TOMÉ AND PRÍNCIPE** abolished the death penalty for all crimes.

1992: **ANGOLA, PARAGUAY** and **SWITZERLAND** abolished the death penalty for all crimes.

1993: **GUINEA-BISSAU, HONG KONG** (4) and **SEYCHELLES** abolished the death penalty for all crimes.

1994: **ITALY** abolished the death penalty for all crimes.

1995: **DJIBOUTI, MAURITIUS, MOLDOVA** and **SPAIN** abolished the death penalty for all crimes.

1996: **BELGIUM** abolished the death penalty for all crimes.

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1997: **GEORGIA, NEPAL, POLAND** and **SOUTH AFRICA** abolished the death penalty for all crimes. **BOLIVIA** abolished the death penalty for ordinary crimes.

1998: **AZERBAIJAN, BULGARIA, CANADA, ESTONIA, LITHUANIA** and the **UNITED KINGDOM** abolished the death penalty for all crimes.

1999: **EAST TIMOR** (now **TIMOR-LESTE**), **TURKMENISTAN** and **UKRAINE** abolished the death penalty for all crimes. **LATVIA** (5) abolished the death penalty for ordinary crimes.

2000: **ALBANIA** (6) abolished the death penalty for ordinary crimes. **COTE D=IVOIRE** and **MALTA** abolished the death penalty for all crimes.

2001: **BOSNIA-HERZEGOVINA** (7) abolished the death penalty for all crimes. **CHILE** abolished the death penalty for ordinary crimes.

2002: **CYPRUS** and **YUGOSLAVIA** (now separate states of **SERBIA** and **MONTENEGRO**(9)) abolished the death penalty for all crimes.

2003: **ARMENIA** abolished the death penalty for all crimes.

2004: **BHUTAN, GREECE** (8), **SAMOA, SENEGAL** and **TURKEY** abolished the death penalty for all crimes.

2005: **LIBERIA** (10) and **MEXICO** abolished the death penalty for all crimes.

2006: **PHILIPPINES** abolished the death penalty for all crimes.

Notes

(1) In 1990 the German Democratic Republic became unified with the Federal Republic of Germany, where the death penalty had been abolished in 1949.

(2) Slovenia and Croatia abolished the death penalty while they were still republics of the Socialist Federal Republic of Yugoslavia. The two republics became independent in 1991.

(3) In 1993 the Czech and Slovak Federal Republic divided into two states, the Czech Republic and Slovakia.

(4) In 1997 Hong Kong was returned to Chinese rule as a special administrative region of China. Since then Hong Kong has remained abolitionist.

(5) In 1999 the Latvian parliament voted to ratify Protocol No. 6 to the European Convention on Human Rights, abolishing the death penalty for peacetime offences.

(6) In 2000 Albania ratified Protocol No. 6 to the European Convention on Human Rights, abolishing the death penalty for peacetime offences.

(7) In 2001 Bosnia-Herzegovina ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, abolishing the death penalty for all crimes.

(8) In November 2004 the Greek parliament approved the ratification of Protocol No. 13 to the European Convention on Human Rights, thereby abolishing the death penalty for all crimes.

(9) Montenegro had already abolished the death penalty in 2002 when it was part of a state union with Serbia. It became an independent member state of the United Nations on 28 June 2006. It ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights on 23 October 2006.

(10) Liberia ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights without reservation on 16 September 2005.

STOP THE STATE KILLING

Two weeks after his 18th birthday in 2006, Sina Paymard was taken to the gallows to be executed in Iran. As he stood there with a noose around his neck, he was asked for his final request. He said that he would like to play the *ney* – a Middle Eastern flute. Relatives of the murder victim, who were there to witness the execution, were so moved by his music that they agreed to accept the payment of *diyeh* (blood money) instead of retribution by death, as is allowed under Iranian law. The noose was removed, he was taken down from the gallows.

Sina Paymard was granted a stay of execution while his family and his victim's family negotiated payment of *diyeh*. Although Sina Paymard remains today under sentence of death in Reja'i Shahr prison in Karaj, his story offers a rare glimmer of humanity in the brutal world of state killings.

2006 at a glance

2006 saw significant developments and events – both positive and negative – in the struggle against the death penalty. In June, the Philippines abolished the death penalty for all crimes. However, in December, Bahrain carried out its first execution in over 10 years, leaving Israel as the sole abolitionist country in the region.

Statistics show that the use of the death penalty increased slightly in geographical terms but decreased in the number of actual executions. Twenty-five countries carried out executions in 2006, an increase from 22 in the previous year. The worldwide total of reported executions dropped from 2,148 in 2005 to 1,544 in 2006.

The vast majority of the world's executions occur in China. Death penalty statistics are not released by the government. Based on its monitoring of public reports available, Amnesty International calculated that at least 1,010 people were executed during 2006, although the true figures were believed to be around 7,000 to 8,000.

The trend towards abolition of the death penalty is clear. While each one must be opposed, outside China, an execution is becoming an increasingly rare event. Amnesty International recorded around 500 executions worldwide during 2006 outside China and believes that the total figure does not exceed 1,000. Vast swathes of the world are now execution-free. In Africa only four countries executed in 2006; Belarus is the only European country that continues to use the death penalty; and the USA is the sole state in the whole of the Americas to have carried out any executions since 2003. Only Asia and the Middle East remain largely unmoved by the worldwide trend away from the use of the death penalty.

Behind the numbers are the people under sentence of death. It is estimated that the number of individuals currently waiting for the state to end their lives – often living in the appalling prison conditions reserved for those on death row – at between 19,000 and 24,000 at the end of 2006.

The irony of the death penalty is that the majority of condemned prisoners will never be executed – and a lifetime spent on death row is another example of the particular cruelty of this punishment. The death penalty results in thousands of people living in fear – often for decades – of being judicially murdered. The solution is not faster and increased executions, but rather the abolition of the death penalty.

Steps towards abolition

There can be little doubt that our world is moving towards being execution-free. The question is when this will be achieved and how many more will have to die until then. Some of the leaders of countries that continue to execute talk about their desire to abolish capital punishment. In March 2007 a member of the Iraq government told the media, “We are working at the present moment in order to pave the way to eliminate capital punishment in Iraq, after restricting it to the largest possible extent.”

Even in China, progress is being made. On 1 January 2007 an amendment to the court system came into effect requiring all death sentences to be approved by the Supreme People’s Court. Speaking in the Human Rights Council of the UN in March 2007, a Chinese delegate, La Yifan, said, “I am confident that with the development and the progress in my country the application of the death penalty will be further reduced and it will be finally abolished.”

Cruel, inhuman and degrading

There is no acceptable execution but 2006 witnessed many particularly horrific state killings:

- Somalia: Omar Hussein was publicly executed in May. He was hooded, tied to a stake, and stabbed to death by the 16-year-old son of the man whom he had admitted stabbing to death in February. Omar Hussein had been sentenced to death hours earlier by a Shari'a court which does not allow the right to legal representation or appeal.
- Kuwait : Sri Lankan national Sanjaya Rowan Kumara was executed in November. Initially declared dead immediately after the hanging, Kumara was taken to the morgue where medical staff noticed he was still moving. According to newspaper reports, further examinations found a weak heartbeat. He was eventually pronounced dead five hours after the execution had begun.
- Florida, USA: Angel Diaz was executed by lethal injection in December. After the first injection was administered, Diaz continued to move, squinting

and grimacing as he tried to mouth words. A second dose was administered, and 34 minutes passed before death was declared. At first a spokesperson for the Florida Department of Corrections claimed that this was because Diaz had a liver disease, a statement refuted by the Medical Examiner after performing an autopsy. The needle had gone through a vein and out the other side, with the effect that the deadly chemicals had been injected into soft tissue rather than the vein. Two days later Governor Jeb Bush suspended all executions in the state and appointed a commission “to consider the humanity and constitutionality of lethal injections”.

- Iran: women continue to be stoned to death for consensual sexual activity outside of marriage – a crime in Iran which carries the death penalty. Amnesty International received reports that two women were stoned to death in May, despite a moratorium being declared by the Head of the Judiciary in 2002. Stoning itself is calculated to cause maximum distress: the size of the stones are selected so as to cause a slow and painful, rather than instant, death.

Selecting who will die: the death penalty is an arbitrary punishment

Some proponents of the death penalty argue it must be maintained for the “worst of the worst” criminals. The reality is that this criteria is rarely used for selecting who will be sentenced to death and who will live – on the contrary it is an arbitrary process, both in terms of who is condemned by the judicial process and who on death row is chosen for execution.

In the USA, approximately 3,250 men and 50 women live on death row. In 2006, 53 were put to death. At this rate, the USA will take more than 60 years to execute every condemned prisoner – not including those who will be sentenced in the future. In Pakistan, over 7,000 men and women await execution; at the current rate of executions it will take over 85 years to execute everyone.

Japan would take approximately 25 years – and given that many of the condemned are already elderly, the majority will not survive to see their day of execution. Okunishi Masaru, sentenced to death in 1969, is now 81 years old. Oohama Shouzou, sentenced in 1975, is 79. Both have spent decades under sentence of death, living in almost complete isolation from other prisoners or the outside world and, as they are given no warning of their execution – living in constant fear that every day would be their last. Who is eventually executed has the appearance of being a random selection: Hidaka Hiroaki, 44; Fukuoka Michio, 64; Akiyama Yoshimitsu, 77; and Fujinami Yoshio, 75; all lived under these conditions for decades before being executed on 25 December 2006. Fujinami was taken to the gallows in the Tokyo Detention Center in a wheelchair while partially blind Akiyama, who also could not walk, had to be helped to the execution chamber by prison guards. Both had been appealing against their death sentence.

Executions after unfair trials

The UN High Commissioner for Human Rights has called for the “complete abolition of the death penalty”. Until that is achieved, the UN has agreed that the infliction of the death penalty is sufficiently grave that it can only be carried out after application of the very highest standards of justice. Yet numerous governments continue to execute their citizens after grossly unfair trials. 2006 again produced examples of gross violations of fair trial rights in death penalty cases:

- In Jordan many prisoners have been executed following convictions obtained through confessions extracted under torture. In March Salem Sa’ad Bin Sweid and Yasser Fathi Ibrahim Freihat were executed after unfair trials. Both defendants claimed in court that they had been tortured to extract “confessions” while they were held without contact with anyone from the outside world for more than a month. Despite evidence that they had been tortured, the executions of both men went ahead.
- In Saudi Arabia, death sentences are imposed and carried out after secret and summary trials with disregard for all international standards relating to trials and the use of capital offences. Foreign migrant workers from Africa have been executed after legal proceedings carried out in a language they did not understand – in some cases without even knowing they had been sentenced to death.

Executing the innocent

All criminal justice systems are vulnerable to error. Numerous countries have released prisoners from death row after newly discovered information exonerated them. For others, the information came too late and the execution proceeded despite doubts about the guilt of the person being put to death.

In 2006, Tanzania released Hassan Mohamed Mtepeka from death row. He was condemned to death in 2004 for the rape and murder of his stepdaughter. The Appeal Court found that his conviction overwhelmingly rested on circumstantial evidence which “did not irresistibly point to his guilt”. In Jamaica, Carl McHargh was released from death row in June after being acquitted on appeal. In the USA John Ballard became the 123rd person to be released from death row since executions resumed in 1977 after the appeal court overturned his conviction. It stated that the original judge should have dismissed the case because the evidence against John Ballard was so weak.

In some cases official acknowledgement that a state has executed an innocent person takes decades. In January 2007 eight pro-democracy activists in South Korea were posthumously acquitted of treason charges, more than 30 years after they were hanged in 1975. The Seoul Central District Court found they were not guilty of forming an

underground party aiming to overthrow the authoritarian government of then President Park Chung-hee.

Taking the world into the execution chamber

In December, the highest profile execution of the year took place when Saddam Hussein went to the gallows in Iraq after an unfair trial. Silent film of the execution up to the moment before the hanging took place was officially released by the Iraqi authorities and shown worldwide. However, further images, illicitly recorded by mobile phone were then made available via the internet. This film – which included sound – showed prison guards taunting Saddam Hussein and details of the execution until the moment the trap door opened.

This spectacle had a profound effect upon world public opinion. Many people who were supporters of the death penalty reacted with revulsion. Others were angry that the brutal film caused them to feel sympathy for a man held responsible for so many victims that their true total will never be known. Still others believed that Saddam Hussein should have been hanged – but were distressed at the manner in which the execution took place. For Amnesty International members worldwide, it underlined the importance of the abolition message: that under no circumstances should anyone be executed by the state. Its practice is antithetical to human rights principles, and is too arbitrary and too prone to manipulation for it to continue. For many, the execution of Saddam Hussein galvanized their opposition to the death penalty.

The growing global campaign for abolition

More than 600 activists against the death penalty from every part of the globe gathered in Paris in February 2007 for the third World Congress Against the Death Penalty. The Congress addressed obstacles that need to be overcome if global abolition of the death penalty is to be achieved

The Congress also heard from some of the relatives of those who have been murdered – and those put to death – both of whose profound suffering is often ignored. All those involved in an execution may be deeply affected, including the firing squad, the hangman or the lethal injection strap-down team, but the loved ones of the condemned prisoner are rarely heard when the death penalty is being debated. A new organization has been formed in the USA – No Silence, No Shame – to help give a voice to those suffering the trauma of having their relatives executed by their government.

Amnesty International believes every execution increases the suffering in society and multiplies the victims of violence. The chain reaction of lives lost must be stopped. As the 10-year-old daughter of a man executed in Texas, USA, put it: “They’re going to kill him because he killed somebody, so when they kill him, who do we get to kill?”

A new, growing and dynamic network was also represented at the World Congress. The Anti-Death Penalty Asia Network (ADPAN) was established in 2006. ADPAN is made up of lawyers, parliamentarians and abolitionist activists from numerous countries including: Australia, Hong Kong, India, Indonesia, Japan, South Korea, Malaysia, Mongolia, Pakistan, Papua New Guinea, Singapore, Taiwan and Thailand.

Political courage needed to rid the world of judicial state killing

The world is moving towards abolition of the death penalty. In the past 10 years, over 30 nations have put an end to this cruel and inhuman practice. Time has shown that public opinion in many countries will accept the removal of capital punishment from the lawbooks. In other countries many still believe that the death penalty is required for law and order – but these numbers are decreasing and more and more are looking forward to the day when their own country becomes execution-free.

Will politicians lead their populations and stop executions? The time has come for those governments in favour of abolishing the death penalty to have the courage of their convictions and lead by example. Amnesty International believes that the next few years hold great promise, with the number of executions predicted to drop, the number of men and women on death row to decrease, and ultimately the number of governments prepared to declare their countries execution-free to increase.