



THE DEATH PENALTY FOR TERRORISM

Detailed Fact Sheet

14th World Day Against the Death Penalty

INTRODUCTION AND METHODOLOGY

This Fact Sheet is divided into two sections. First, it presents a country by country review of executions and death sentences for terrorism, and the corresponding legislation. The second part shows how the international standards of human rights are violated by those laws, sentences and executions. This note was prepared by the World Coalition Against the Death Penalty thanks to data provided by the law firms Fredrikson & Byron, P.A. and Faegre Baker Daniels at the request of the Advocates for Human Rights. The Death Penalty Worldwide database and Amnesty International's reports have provided additional information.

Definition: Death penalty for terrorism

Offences relating to terrorism punishable by death under a country's legislation. Such offences are often defined by two components: *the act itself*, which covers a wide range of crimes (varying from state to state), such as causing death or injury to a person, taking hostages, using explosives, destroying infrastructure, or damaging the environment; and *the "terrorist" intent*, which also varies widely depending on each country's laws and is often ill-defined. It may for instance include the intent to disturb public order, endanger the safety of the community, or spread terror among the population.

Country by country review

65 countries retain the death penalty in law for terrorism-related offenses. Of these, 15 countries carried out executions for terrorism and 12 others sentenced terrorist suspects to death.

In 15 retentionist countries at least one person has been executed for crimes related to terrorism over the last 10 years (2006 – 2016):

Afghanistan

The death penalty for terrorism is part of Afghanistan's 1976 Penal Code.¹ Numerous state executions for terrorism have taken place in response to the perceived increase in the terrorist threat. In 2012, six members of the Taliban were sentenced to death and then executed for "terror," "carrying out bomb attacks" and "organising suicide attacks": three of these individuals were accused of committing suicide attacks causing the death of eight people in Kabul; two were accused of killing two Afghan UN employees; and the last was accused of killing three provincial education managers and eight members of the border police.² More recently, in May 2016, five members of the Taliban and one member of the Haqqani network, another branch of the militant Islamist group, were executed for various attacks conducted between 2009 and 2012 across the country, and for participating in the assassination in 2009 of Abdullah Laghmani, Head of the National Directorate of Security, and the assassination of the former Afghan President, Burhanuddin Rabbani, in 2011³.

Belarus

The death penalty for terrorism can be imposed under authority of the Criminal Code of the Republic of Belarus which dates from 2009.⁴ Subsequently, Vladislav Kovalyov and Dmitri Konovalov were sentenced to death for terrorism in November 2011 for the bomb attack in the metro in Minsk in April 2011, leading to the death of 15 people and injuring hundreds of others, and were executed in March 2012.⁵

Chad

After suspending executions for 12 years⁶ and voting in favour of the moratorium resolutions proposed by the UN in 2012 and 2014,⁷ Chad executed 10 people suspected of belonging to Boko Haram on 29 August 2015.⁸

China

In China, the death penalty for terrorism can be imposed under authority of the 1979 Penal Code (as amended in 2011)⁹ and under the anti-terrorist law passed in 2015.¹⁰ Recently, the country has applied the death penalty on a large scale for terrorism within the framework of the campaign to “get tough” on “terrorism and violent religious extremism” in reaction to acts perpetrated in the Uyghur region of Xinjiang and labelled as “terrorist” by the Chinese authorities. In 2014, 21 individuals were executed in this region for acts related to terrorism. These included 13 for “organising terrorist groups and participating in their activities as members, homicide, arson and theft, and the illegal manufacture, storage and transport of explosives”, and eight who were of Uyghur origin, for distinct terrorist attacks in Xinjiang and Beijing in the summer of 2013¹¹. At least three people were sentenced to death at a group public trial where 55 individuals were declared to be guilty of terrorism.¹² In 2015, three members of the Uyghur community were also executed in the region of Yunnan after being sentenced for their association with five people involved in the attack on Kunming station, which caused 31 deaths in 2014.¹³

Egypt

The death penalty for terrorism can be imposed in Egypt under authority of the 1937 Penal Code, amended in 2010¹⁴. In January 2016, it was also included in an anti-terrorist law.¹⁵ Egyptian courts recently imposed death sentences for terrorism and other charges, in connection with the outburst of political violence which followed the *coup d'état* against Mohamed Morsi in July 2013. At least seven men were executed for crimes related to political violence in 2015. One, who was an open supporter of the Muslim Brotherhood, was executed on 7 March 2015 for causing someone's death during a riot in 2013.¹⁶ Subsequently, six members of the jihadist group Ansar Beit al-Maqdis, connected to Daesh, were executed on 17 May 2015 following confessions obtained under duress, and after sentencing during secret trials which are known to be unfair, and where the individual responsibility of each person is often not fully established.¹⁷

Equatorial Guinea

The death penalty for terrorism can be imposed under authority of the 1963 Spanish Penal Code.¹⁸ The last known execution for terrorism took place in 2010: two former soldiers (José Abeso Nsue and Manuel Ndong Anseme), a customs officer (Jacinto Michà Obiang) and a civilian (Alipio Ndong Asumu) were sentenced to death by a military court and then executed on 21 August 2010, for organising an attack against the Head of State and the Government, as well as for treason and terrorism, in connection with a presumed attack against the Presidential Palace in February 2009.¹⁹

India

The death penalty for terrorism can be imposed under authority of the Terrorist and Disruptive Activities (Prevention) Act passed in 1987 (amended in 1993), and in the Prevention of Terrorism Act passed in 2002.²⁰ India has executed people for crimes related to terrorism on several occasions: the only survivor among those responsible for the attacks in Mumbai in 2008 was executed in 2012²¹ and the man sentenced for planning the attack in December 2001 against the Indian Parliament, causing nine deaths, was executed in 2013.²² In July 2015, India carried out the execution of Yakub Abdul Razak Memon, who was sentenced for participating in implementing several bomb attacks which caused 257 casualties in Mumbai in March 1993.²³ This man had been sentenced to death in 2007 under the Terrorist and Disruptive Activities (Prevention) Act which does not conform to the principles of international law relating to fair trials, particularly in terms of arbitrary detention, torture and obtaining evidence, and all legal avenues have been rejected since then.²⁴ In August 2015, the Law Commission of India, the executive body charged with reforming the law, recommended abolition of the death penalty, except for offences related to terrorism and any offences which attack the State.²⁵

Indonesia

The death penalty for terrorism can be imposed under authority of various legal texts, including the 1982 Penal Code, the 2003 Law on Terrorism and the 2008 Law on Chemical Weapons.²⁶ The last execution for terrorism took place in November 2008 when Imam Samudra, Amrozi Nurhasyim and Ali Ghufron²⁷, the three men known as the Bali Bombers, were put to death for their role in the bomb attack in October 2002 on the island of Bali (which killed 202 people and injured 209).²⁸

Iran

The death penalty for terrorism is applied in the Islamic Republic of Iran under authority of the 1991 Islamic Penal Code, amended in 2013.²⁹ It is described as “enmity against God” (*moharebeh*). It corresponds in principle to an armed insurrection aiming to sow panic among the population. However, people who have not carried out violent acts and who come from ethnic or religious minorities have also been executed for this offence. In 2015, reported executions for *moharebeh* involved Sunnis and a Kurd because of his supposed collaboration with the Party for a Free Life in Kurdistan (PJAK), one of the political organisations outlawed in Iran.³⁰

Iraq

Beset by war, political instability and terrorist threats for a number of years, Iraq regularly executes people for terrorism, the most common offence to result in death sentences. In October 2015, there were 160 people convicted of terrorism on death row, and 20 people executed for terrorism offences between January and October 2015.³¹ In January and February 2016, 92 people were sentenced to death for acts of terrorism, including 40 sentenced in a group trial for participating in the killing of 1,700 military recruits in Speicher by Daesh in June 2014.³² According to the current Iraqi Minister of Justice, 22 individuals have been executed in Iraq since the start of 2016, including some for terrorism.³³ Among them were Abdullah Mahmoud Sydat, executed on 6 March 2016,³⁴ and Abdullah Azzam Al-Qahtani, executed on 7 February 2016, for leaving a bomb in a shopping centre.³⁵ Al-Qahtani’s death sentence had been strongly contested by his family, who stated that he was already being detained by Iraqi security forces in the Anbar region at the time of the events, but the Iraqi authorities refused to quash the verdict or open a new investigation.³⁶

Jordan

The death penalty for terrorism can be imposed in Jordan under authority of the 1960 Penal Code³⁷ and the anti-terrorist law passed in 2014. The 2014 law hardened the sanctions and required the death penalty for any act causing death, destroying or damaging a building if someone was inside, using toxic or dangerous materials, or fatally attacking the King, the Queen or the Crown Prince.³⁸ However, Jordan has toughened its position on the death penalty since 2006, when a moratorium on executions began.³⁹ Jordan has abstained during the UNGA votes on a resolution for a moratorium since 2008, while they had previously voted against moratorium. Jordan resumed executions for murder in December 2014, and then for terrorism in February 2015. After the publication on 3 February 2015 by Daesh of a video showing the brutal killing of Muath al-Kasasbeh, a Jordanian fighter pilot, the Jordanian Government promised “punishment and vengeance” and, in retaliation, executed two Iraqis on 4 February 2015 for acts of terrorism. They were Sajida al-Rishawi, sentenced to death for her role in a suicide attack in 2005 which killed 60 people, and Ziyad al-Karbouli, suspected of being an Al-Qaeda operative and sentenced in 2008 for killing a Jordanian.⁴⁰ The conditions of their arrest and detention did not seem to correspond to international standards: notably, in 2006 Sajida al-Rishawi told the UN Special Rapporteur on Torture that she had been tortured during pre-trial detention.⁴¹

Pakistan

The death penalty for terrorism can be imposed in Pakistan under authority of the 1997 Anti-Terrorist Law.⁴² Shortly after the bloody terrorist attacks on a school in Peshawar on 16 December 2014, Pakistan partially lifted the 6-year moratorium on executions and began executing those convicted of terrorism. In December 2014, seven people sentenced to death for terrorist crimes were executed after President Hussain rejected their appeal⁴³: Aqeel and Arshad Meherban were executed on 19 December; Ikhlaq Ahmed, Ghulam Sarwar, Rashid Mehmood and Zubair Ahmed on 21 December; and Nias Mohammad on 31 December.⁴⁴ Although the re-established death penalty was initially only applied to terrorist offences, it was expanded in February

2015 to all murders. Since February 2015, Muhammad Riaz and Muhammad Fiaz, perhaps among others, have been executed for a murder not related to terrorism.⁴⁵ According to figures provided by the Pakistani authorities, 332 executions took place between December 2014 and January 2016⁴⁶. Only a minority of those involved crimes related to terrorism.⁴⁷ Of the 246 individuals executed in Pakistan between December 2014 and October 2015, only 62 had been sentenced to death for terrorism; 184 executions were for other offences.⁴⁸ In May 2016, new death sentences were imposed on 11 individuals for committing various attacks as members of the Islamic group Tehrik-e-Taliban Pakistan.⁴⁹ In March 2016, Mehmood s/o Khawaza and Rab Nawaz s/o Shahi Room, also members of the Pakistani Taliban, were executed for their involvement in attacks against security agents and civilians after being convicted by a military court.⁵⁰

Saudi Arabia

Saudi Arabia's legislation adheres to the precepts of Islamic law as interpreted by the Hanbali school. This leads jurists who specialize in Islamic law to pass *fatwas*, including one in 1988 which condemned terrorism.⁵¹ On 2 January 2016, the country provoked significant international outcry by executing 47 men (45 Saudis, an Egyptian and a Chad national⁵²) accused of terrorism, simultaneously in 12 different cities.⁵³ In reality, 43 of them, all Sunnis, including Faris al-Zahrani, an Al-Qaeda leader⁵⁴, were sentenced for their involvement in various terrorist acts carried out by Al-Qaeda at the beginning of the 2000s in Saudi Arabia. These attacks included one in May 2003 in Riyadh, one in May 2004 in Khobar, one in April 2004 in Riyadh, one in December 2004 in Riyadh and one in December 2004 in Jeddah.⁵⁵ But the four other individuals executed on the same day, all Shiites, including Sheikh Nimr al-Nimr, were sentenced for demanding political reform specifically for participating in demonstrations in 2011 in the majority Shiite Eastern province.⁵⁶ These demonstrations indirectly provoked the death of police officers.⁵⁷

Somalia

The death penalty for terrorism can be imposed under authority of the Somali Penal Code of 1962. It also exists in Xeer Law and the Shafi'i interpretation of Islamic law which prevails in Somalia.⁵⁸

Somalia, which has been beset by civil war, includes a number of territories which have unilaterally declared their independence, but whose independence is not recognised by the international community). such as Somaliland, Jubaland and Puntland. Legal executions recorded in these territories are therefore counted as taking place in Somalia. According to the UN, military courts based in Puntland and Somaliland continue to impose the death penalty "against people accused of a vast range of crimes provided for within the framework of the anti-terrorist laws".⁵⁹ Thus, in April 2013 the military authority of Puntland executed 13 individuals suspected of maintaining links with a terrorist organisation,⁶⁰ and in March 2015 the same territory put to death three individuals for crimes connected to terrorism committed as members of Al-Shabaab.⁶¹ More recently, in April 2016 Abdirisak Mohamed Barow and Hassan Nur Ali, also members of the militant Islamist group Al-Shabaab, were executed for assassinating a national television journalist at the end of 2015 with a bomb placed under a targeted car.⁶² The same month, Hassan Hanafi, a Somali journalist and supporter of Al-Shabaab, was also executed for assisting in the assassination of five of his colleagues between 2007 and 2010.⁶³

United Arab Emirates

In the United Arab Emirates the death penalty for terrorism is included in the 2004 Decree on Combating Terrorism Offences⁶⁴ and the anti-terrorist law promulgated in 2014.⁶⁵ On 29 June 2015, the State Security Chamber of the Federal Supreme Court sentenced Alaa al-Hashemi to death for a crime related to terrorism: she had stabbed a foreign primary school teacher, made a bomb that was placed outside the dwelling of an American/Egyptian doctor and had proven ties to a terrorist organisation, Al-Qaeda in Yemen, which she was funding.⁶⁶ She was executed on 13 July 2015 without having had an appeal.⁶⁷

In 12 countries, at least one person has been sentenced to death for crimes related to terrorism over the last 10 years (2006 – 2016) but no executions for terrorism have been recorded:

This list differs from the one in the World Day Leaflet. As a result of further research, three countries were added to the list: Bahrain, Kuwait and Tunisia.

Algeria

The death penalty for crimes related to terrorism can be imposed under authority of the Algeria's 1966 Penal Code, as amended in 2009.⁶⁸ In 2015, 62 death sentences, many imposed *in absentia*, were handed down for acts of terrorism.⁶⁹

Bahrain

The death penalty for crimes related to terrorism can be imposed under authority of the 2006 Anti-Terrorism Law.⁷⁰ Eight death sentences for acts of terrorism were handed down in 2015.⁷¹ Further, in December 2015 the 4th High Criminal Court of Bahrain sentenced Hussein Abdullah Khalil Ebrahim to death, *in absentia*, for forming a terrorist organisation, recruiting agents, participating in riots and installing bombs to disrupt the peace, and targeting police officers, one of whom died in 2014. On the day Hussein Ebrahim was sentenced, the Supreme Court of Appeal used the opportunity to reject an appeal from Salman Isa Ali who was sentenced to death by the Criminal Court in April 2015, for a bomb attack.⁷²

Cameroon

Crimes related to terrorism are punished under the Law on the Repression of Terrorism passed in 2014.⁷³ In 2015, 89 presumed members of Boko Haram were sentenced to death under this law by a military tribunal.⁷⁴

Ethiopia

The death penalty can be imposed under authority of the 2009 Anti-Terrorism Proclamation of the Federal Democratic Republic of Ethiopia.⁷⁵ In 2012, journalists and members of opposition political parties were convicted under this law for "criticising the Government, demanding reforms and discussing demonstrations and arrests".⁷⁶ Among them was the journalist Eskinder Nega who was convicted of crimes subject to the death penalty, but on 13 July 2012 he was sentenced to 18 years imprisonment for high treason and offences related to terrorism.⁷⁷

Kuwait

The death penalty for terrorism can be imposed under authority of the Kuwait's 1960 Penal Code and in the 1985 Law on Crimes Connected to Explosives.⁷⁸ The last death sentence for terrorism was passed in September 2015 against Abdulrahman Sabah Saud, who had driven the man carrying an explosive belt to a Shiite mosque in Kuwait City where the latter then blew himself up, causing the death of 26 people and injuring 226 others in June 2015.⁷⁹ Initially, Abdulrahman Sabah Saud had admitted most of the facts held against him but he then denied everything in appeal and before the Supreme Court; however, the Supreme Court confirmed the verdict in May 2016.⁸⁰

Lebanon

Offences related to terrorism are punished by death under Lebanon's Penal Code dating from 1975.⁸¹ In February 2015, death sentences for acts of terrorism were handed down by the High Judicial Council of Lebanon for 23 people⁸² for the attacks perpetrated by Fatah al-Islam in 2007 against the Lebanese army, which caused the death of 170 soldiers and 64 civilians.⁸³ In May 2016, the Military Judge Najat Abou Chakra imposed 106 death sentences against 73 Syrians, 32 Lebanese and one Palestinian suspected of belonging to terrorist organisations and attacking and attempting to kill and kidnap members of the Lebanese army and police in the town of Arsal in August 2014. Among them was Abu Malek al-Talli, leader of the al-Nusra Front in this region bordering Syria.⁸⁴

Mali

The death penalty for terrorism can be imposed under authority of the Mali's 2001 Penal Code.⁸⁵ The last death sentence for terrorism was handed down in November 2011 against a Tunisian national, Bachir Simoun, accused of carrying out an attack, probably on behalf of Al Qaeda in the Islamic Maghreb (AQIM), against the French embassy in January 2011, which caused the death of a Malian citizen. Following the intervention of the Tunisian President, however, Bachir Simoun was pardoned in December 2011.⁸⁶

Mauritania

The death penalty can be imposed under authority of the 2010 Anti-Terrorist Law.⁸⁷ The last death sentences for terrorism were handed down in 2012 against three people. On 15 May 2012, the Court of Appeal confirmed the death sentence imposed on a presumed member of AQIM, Mohamed Abdellahi Ould Ahmednah, in March 2011, for assassinating an American national in Nouakchott in 2009.⁸⁸

Morocco

The death penalty for terrorism can be imposed under authority of the Morocco's 1962 Penal Code, amended in 2007.⁸⁹ In March 2012, an appeals court confirmed the death sentence of Adil Al Atmani, originally imposed in October 2011, for organising a bomb attack in Marrakech in April 2011, and changed the sentence of life imprisonment for Hakim Daha, accused of complicity in the same attack, to a death sentence.⁹⁰

Sudan

The death penalty for terrorism can be imposed under authority of the 2001 Law on Terrorism⁹¹ as well as by the 2005 Anti-Terrorism Law. In 2008, at least 60 people were sentenced to death by the anti-terrorist "exceptional courts" created to judge those responsible for the attack in Khartoum by an armed opposition group based in Darfur. Between April 2009 and January 2010, 56 more people were sentenced to death as members of the armed group Justice and Equality Movement (JEM). In total, therefore, the number of people sentenced to death for their involvement in the Khartoum attacks, essentially judged to have "waged war against the State", was 106 at the beginning of 2010.⁹² In February 2010, thanks to an agreement between the JEM and the Sudanese Government, 50 of the 106 men were unconditionally released. But 55 men, including eight presumed juveniles, were still detained and a 56th person died in detention in October 2009. On 21 October 2010, an exceptional court based in Darfur sentenced 10 men to death for their involvement in an attack against a government convoy. Four of these were probably juveniles at the time of the events.⁹³ On 29 November 2011, seven of the 10 prisoners had their sentences confirmed by the Northern Darfur Special Court after a new trial required by the Supreme Court due to the presence of juveniles among the accused.⁹⁴

Tunisia

The death penalty for terrorism can be imposed under authority of the Counter-Terrorism and Money Laundering Law passed in July 2015.⁹⁵ In November 2015, three men belonging to a terrorist group were sentenced to death, including two *in absentia*, for the murder of a police officer in May 2013.⁹⁶ In December 2015, three men considered to be members of a terrorist group were also sentenced to death for "voluntary homicide with premeditation" and "belonging to a terrorist group and inciting terrorist crimes" after assassinating a police officer in January 2014.⁹⁷ According to the authorities, on 28 December the courts had handed down sentences in terrorism cases, including three capital sentences.⁹⁸ In March 2016, three death sentences for terrorism were made by the criminal division specializing in terrorism cases in the Tribunal of First Instance of Tunis against Khaled Chaïeb Mourad Gharsalli and Abu Baker Al Hakim, for the murder of national security officer Anis Jelassi in 2011 when fighting occurred in the mountain Bouchebka Kasserine between security forces and jihadi groups⁹⁹. On 15 June 2016, the main suspect in the case of arson at the mausoleum of Sidid Abdelkader Menzel Bouzelfa by a Salafist group in 2013, where the guard of the mausoleum was killed, was sentenced to death by the criminal division of the Tribunal of First Instance of Tunis, which specialised in terrorism cases¹⁰⁰.

United States of America

The death penalty for terrorism can be imposed under authority of the Antiterrorism and Effective Death Penalty Act (AEDPA) passed in 1996.¹⁰¹ The last federal death sentence for terrorism was rendered in 2015 against

one of those responsible for the Boston Marathon attack in April 2013: Dzhokhar Tsarnaev was sentenced to death by a jury on 15 May 2015 for participating in the attack, which caused the death of three people and injured hundreds of others.¹⁰²

38 countries have the death penalty for crimes related to terrorism in their legislation but have not imposed any sentences or carried out any executions for terrorism over the last 10 years:

This list differs from the one in the World Day Leaflet. As a result of further research, three countries were removed from the list: Bahrain, Kuwait and Tunisia.

Bahamas (2004 Bahamas Anti-Terrorism Law, amended in 2009¹⁰³)
Bangladesh (2009 Anti-Terrorism Law, amended in 2012 and 2013¹⁰⁴)
Barbados (2002 Barbados Anti-Terrorism Law¹⁰⁵)
Brunei (Law on the Internal Security of Brunei - 2008¹⁰⁶)
Burkina Faso (Penal Code of Burkina Faso - 1996¹⁰⁷)
Central African Republic (Penal Code of the Central African Republic - 2010¹⁰⁸)
Cuba (Cuba Penal Code - 1988¹⁰⁹)
Democratic Republic of Congo (DRC 2002 Military Code/Congolese Penal Code of 1940, amended in 2004¹¹⁰)
Eritrea (1957 Transitional Penal Code of Eritrea, amended in 1991¹¹¹)
Gambia (2003 Gambia Anti-Terrorism Law, amended in 2008¹¹²)
Guatemala (1973 Guatemala Penal Code, amended in 2010)¹¹³
Guinea (Penal Code of Guinea - 1998)¹¹⁴
Guyana (Law on Anti-Terrorism and Activities Linked to Terrorism - 2015)¹¹⁵
Japan (1907 Japanese Penal Code, amended in 2007)¹¹⁶
Kazakhstan (1997 Criminal Code of Kazakhstan, amended in 2014)¹¹⁷
Laos (Penal Law of the Lao People's Democratic Republic - 2005)¹¹⁸
Liberia (1976 Penal Law of Liberia, amended in 2008)¹¹⁹
Libya (Anti-Terrorist Law - 2014)¹²⁰
Malaysia (1960 Law on Internal Security, amended in 1972)¹²¹
Maldives (Prevention Law of the Maldives - 1990)¹²²
Niger (Law of Niger amending the Penal Code - 2008)¹²³
Nigeria (Anti-Terrorism (Prevention) Law - 2011)¹²⁴
North Korea (1950 North Korea Criminal Code, amended in 2009)¹²⁵
Oman (1974 Omani Penal Code, amended in 2000)¹²⁶
Palestine (Revolutionary Penal Code of the PLO - 1979)¹²⁷
Qatar (Qatar Anti-Terrorism Law and Penal Code - 2004)¹²⁸
Saint Lucia (Criminal Code of Saint Lucia - 2003)¹²⁹
Singapore (Law on Terrorism and the Penal Code of Singapore - 2008)¹³⁰
South Korea (1953 Criminal Law of South Korea, amended in 2013/Anti-Terrorism Law - 2016)¹³¹
South Sudan (Penal Code of South Sudan - 2008)¹³²
Syria (Syrian Penal Code - 1949)¹³³
Tajikistan (Criminal Code of the Republic of Tajikistan - 1998)¹³⁴
Thailand (1956 Thai Criminal Code, amended in 2003)¹³⁵
Trinidad and Tobago (2005 Anti-Terrorism Law of Trinidad-and-Tobago, amended in 2011)¹³⁶
Uganda (Anti-Terrorism Law of the Republic of Uganda - 2002)¹³⁷
Vietnam (1999 Penal Code of Vietnam, amended in 2009)¹³⁸
Yemen (Republican Decree of Yemen concerning Crimes and Punishments - 1994)¹³⁹
Zimbabwe (Criminal Law of Zimbabwe - 2004)¹⁴⁰

International standards for the death penalty and terrorism

Since the 1960s, the United Nations has produced 19 international legal instruments in the fight against terrorism. However, these do not provide any definition of terrorism itself. The international community has yet to reach a consensus on a global, legal definition of terrorism, despite attempts to do so. Terrorism is therefore an undefined term in international law.

Due to this lack of clarity, many states have defined 'terrorism' in a way that allows violations of established norms of international human rights, including those related to the imposition of the death penalty.

Is anti-terrorism legislation in line with international human rights law and standards?

International Covenant on Civil and Political Rights

Under international human rights law, as prescribed in the International Covenant on Civil and Political Rights, the use of capital punishment is not absolutely prohibited. Its legal application, however, is restricted significantly. This limitation is found under article 6(2), which states that the death penalty may only be legally applied for what the treaty terms "most serious crimes"¹⁴¹. The UN Secretary General and Special Rapporteurs on Torture and on Extrajudicial Executions have stated that "most serious crimes" refers only to intentional killing.

UN Economic and Social Council (ECOSOC)

United Nations political bodies further endorsed the "most serious crimes" threshold in a 1984 resolution of the ECOSOC, which upheld nine safeguards on the application of the death penalty, affirming that capital punishment should be used "only for the most serious crimes".

This resolution, which held that such offences were limited to those "with lethal or other extremely grave consequences", was later endorsed by the UN General Assembly.

In 2006, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions further narrowed the interpretation of "most serious crimes" by defining them as "cases where it can be shown that there was an **intention to kill**, which resulted in the **loss of life**"¹⁴². This has been reiterated by the UN Special Rapporteur on torture and by the UN Secretary-General.

Inter-American Commission of Human Rights (IACHR)

The IACHR, in its "**Report on terrorism and human rights**"¹⁴³, comments on the protection of the right to life in the context of the "Norms and principles of International Human Rights and Humanitarian Law applicable in terrorist situations". It recalls Article 4 of the American Convention of Human Rights (ACHR), which states: "[i]n countries that have not abolished the death penalty, it may be imposed only for the **most serious crimes** and pursuant to a final judgment rendered by a competent court and in accordance with a law establishing such punishment, enacted prior to the commission of the crime"¹⁴⁴ and that "[i]n no case shall capital punishment be inflicted for political offences or related common crimes"¹⁴⁵.

African Commission on Human and Peoples' Rights (ACHPR)

In its General Comment No. 3 to the African Charter on Human and Peoples' Rights on the right to life, adopted in November 2015, the African Commission stated that "in those States which have not yet abolished the death penalty it is vital that it is used for only the most serious crimes – understood to be crimes involving intentional killing."¹⁴⁶

List of crimes that do not amount to 'most serious crimes' related to terrorism and punishable with death under national legislations¹⁴⁷

Committing vaguely defined terrorist acts in general

Bahrain¹⁴⁸, Benin¹⁴⁹, Cameroon¹⁵⁰, Chad¹⁵¹, Egypt¹⁵², Gambia¹⁵³, Iraq¹⁵⁴, Libya¹⁵⁵, Morocco¹⁵⁶, Qatar¹⁵⁷, Sudan¹⁵⁸, Syria¹⁵⁹, Uganda¹⁶⁰.

In **Qatar**, bearing arms for a “terrorist purpose”, broadly defined as acts ranging from interference with the legal or public order to acts aimed at causing terror or disunity to acts of eco-terrorism or causing other serious harm, carries the death penalty¹⁶¹.

In **Libya**, acts aimed at “vandalizing, looting or killing people” are punishable by death, as are other violent offences and membership in organizations formed to commit such offences. Notably, terrorism-related offences not resulting in death may be death eligible mainly when they are aimed at the security of the state¹⁶².

Leadership or organisation of and participation in criminal gangs and terrorist groups

Afghanistan¹⁶³, Bahrain¹⁶⁴, Congo¹⁶⁵, Egypt¹⁶⁶, Iraq (Kurdistan)¹⁶⁷, Mali¹⁶⁸, Mauritania¹⁶⁹, Qatar¹⁷⁰, Sudan¹⁷¹, UAE¹⁷², Viet Nam¹⁷³.

In **Bahrain**, forming or leading an armed gang which uses force to occupy or destroy a public or Government building, which has attacked the local population, which uses arms to resist public authority, or which aims to expropriate property or land, is punishable by death¹⁷⁴.

In **Egypt**, the death penalty may be imposed for founding an organization that opposes the state through use of violence aimed at causing harm, terror, ecological disaster or other social disruption; gang attacks on the people, armed resistance to authorities or seizure of government or public facilities, or leadership of a gang that would perform such activities; usurping military authority or leading armed gangs for criminal purposes (such as plundering) or other violent actions¹⁷⁵.

In **Sudan**, forming or attempting to form a criminal organization, or participating in such an organization or facilitating its activities, to stage attacks that may jeopardize life or property or tranquility, are punishable by death¹⁷⁶.

Interfering in the work or attempting at the life of public officials

In **Bahrain**, acts that “disrupt the provisions of the Constitution or laws, or prevent state enterprises or public authorities from exercising their duties” are punishable by death¹⁷⁷.

In **Viet Nam**, a person who intends to oppose the people’s administration and infringe upon the life of officials, public employees or citizens can be punished by death¹⁷⁸.

Treason and activities aimed at overthrowing the regime

Afghanistan¹⁷⁹, Barbados¹⁸⁰, Eritrea¹⁸¹, Guinea¹⁸², Iraq¹⁸³.

In **Eritrea**, offences against the constitutional order, national defense, internal or external security, or the territorial or political integrity of the State are death-eligible if they are accompanied by the use of bombs or other terrorist methods endangering the public¹⁸⁴.

In **Guinea**, disrupting the security of the State by inciting to civil war or by leading an armed group to cause devastation, massacres or looting is punishable by death¹⁸⁵.

Harm to buildings

Afghanistan¹⁸⁶, Guinea¹⁸⁷, Jordan¹⁸⁸, Kuwait¹⁸⁹, Lao People’s Democratic Republic¹⁹⁰, Lebanon¹⁹¹, Oman¹⁹².

In **Jordan** and **Lebanon** destroying or partially destroying a building in which one or more people are present is punishable by death¹⁹³.

Sabotage of transport, communication facilities, public services or special equipment

Central African Republic¹⁹⁴, China,¹⁹⁵ Congo¹⁹⁶, Ethiopia¹⁹⁷, Iran¹⁹⁸, Iraq¹⁹⁹, Mauritania²⁰⁰, Niger²⁰¹, Viet Nam²⁰².

In **Ethiopia**: preventing, disturbing, or interfering with the working of a public service or services intended for postal, telegraph, telephone communications, light, gas, power, or heat; paralyzing, sabotaging, or endangering lines of communication or public transport²⁰³.

In **Iran**, persons may be death-eligible for terrorism-related activities under the Law for Punishment of Disruptors of the Oil Industry; the Law for Punishment of Disruptors of Water, Electricity and Telecommunication Facilities; the Law for Punishment of Disruptors of Flight Security; the Law for Punishment of Offences Concerning Railways; and the Law for Increase of Punishment for Arms Smuggling²⁰⁴.

Taking of hostages and kidnappings

Cameroon²⁰⁵, Chad²⁰⁶, China²⁰⁷, Ethiopia²⁰⁸, Guatemala²⁰⁹, Morocco²¹⁰, DPRK²¹¹, Singapore²¹².

In **Morocco**, hostage-taking in furtherance of another crime and kidnapping a minor for a ransom are punishable by death²¹³.

In **Singapore**, hostage-taking, if harm is threatened, may be punishable by death²¹⁴.

Harm to the national economy or the state resources

Cuba²¹⁵, Ethiopia²¹⁶, Indonesia²¹⁷, Laos²¹⁸.

In **Cuba**, acts to sabotage or impair social, economic or military resources, when using dangerous methods or agents; causing serious injury to health or property or threatening public security are punishable by death. Aiding such acts or possessing the means of aiding such acts, when aimed at threatening the security of the state, is punishable by death as well.²¹⁹

In **Indonesia**, under Articles 6, 9 and 14 of Law No. 15 of 2003 on combating terrorism, creating (or planning or inciting others to create) a “widespread atmosphere of terror” by taking liberty or property or damaging state, environmental or public resources, or facilitating or attempting to facilitate terrorism, is punishable by death (Article 9, addressing facilitation, is “virtually a reproduction of Indonesia’s Emergency Law No. 12 of 1951 on the Possession of Firearms and Explosives.”)²²⁰.

Possession and/or use of chemical, biological and nuclear weapons

Cameroon²²¹, Chad²²², China²²³, Ethiopia²²⁴, Indonesia²²⁵, Jordan²²⁶, Mauritania²²⁷, Niger²²⁸, Tajikistan²²⁹, UAE²³⁰.

In **Niger**, exploding a bomb or releasing toxic substances and possessing, producing or using radioactive or nuclear equipment with the intent to cause substantial harm, are punishable by death when they cause “considerable economic losses”²³¹.

In the **UAE**, threatening to use nuclear, chemical or biological weapons, using explosives or nuclear, chemical or biological weapons in a hijacking or assault upon security forces is punishable by death²³².

Intention to kill without the actual loss of life or causing serious injury to a person

Bahamas²³³, Chad²³⁴, Ethiopia²³⁵, Mauritania²³⁶.

In **Bahamas**, a terrorist act resulting in “serious bodily harm” carries the death penalty if the act could be prosecuted as murder or treason²³⁷.

In **Mauritania**, endangering the lives, bodily integrity, or freedom of persons is punishable by death²³⁸.

Arson and possession and/or use of explosives and firearms and other arms

Afghanistan²³⁹, Brunei²⁴⁰, Central African Republic²⁴¹, China²⁴², Congo²⁴³, Guinea²⁴⁴, India²⁴⁵, Japan²⁴⁶, Jordan²⁴⁷, Kuwait²⁴⁸, Malaysia²⁴⁹, Mauritania²⁵⁰, Morocco²⁵¹, South Korea²⁵², Thailand²⁵³.

In **Japan**, destruction by explosives and the illegal use of explosives are punishable by death²⁵⁴.

In **South Korea**, a person who injures a person or damages property or disturbs the public peace by using explosives is punishable by death²⁵⁵.

Hijacking of and endangering aircrafts, ships or fixed platforms

Bahrain²⁵⁶, China²⁵⁷, Ethiopia²⁵⁸, Laos²⁵⁹, Mauritania²⁶⁰, Oman²⁶¹, Sudan²⁶², Syria²⁶³, US²⁶⁴

In **Ethiopia**, unlawfully seizing or controlling a fixed platform on a continental shelf, an aircraft or a ship, endangering a fixed platform on a continental shelf, an aircraft, or a ship, destroying or damaging a fixed platform on a continental shelf, an aircraft, or a ship, maliciously misusing a signal or an alarm to endanger the safety of an aircraft or a ship is punishable by death²⁶⁵.

Other

- Cyber-criminality²⁶⁶;
- Receiving stolen goods²⁶⁷;
- Providing or receiving training to commit a terrorist act²⁶⁸;
- Inciting to terrorism,²⁶⁹ failing to inform authorities of any information relating to the preparation of a terrorist act²⁷⁰;
- Armed robbery²⁷¹;
- Inciting a person to commit a death-eligible terrorism offence²⁷²;
- Receiving paramilitary training to commit a terrorist act (against Qatar)²⁷³;
- Terrorism by a dangerous recidivist²⁷⁴;
- “Corruption on earth”²⁷⁵
- Working with a foreign state or foreign or international terror group to commit terrorism, if the act is committed²⁷⁶;
- Money-laundering²⁷⁷;
- Counterfeiting money or public bonds²⁷⁸;
- Endangering the security of the state²⁷⁹;
- The financing of terrorism²⁸⁰.

Reintroduction of the death penalty for terrorism

UN Office of the High Commissioner for Human Rights (OHCHR)

Various documents issued by the High Commissioner for Human Rights have pointed out the incompatibility between International Human Rights Law and the use of the death penalty while countering terrorism.

In the “**Basic Human Rights Reference Guide: Conformity of National Counter-Terrorism Legislation with International Human Rights Law**” produced in October 2014 by the Counter-Terrorism Implementation Task Force (CTITF) of the OHCHR, it is clearly stated that

“the reintroduction of death penalty for crimes of terrorism would be considered as contrary to the spirit of the ICCPR and to the repeated calls by the General Assembly for all States that still maintain the death penalty to progressively restrict the use of the death penalty; to reduce the number of offences for which it may be imposed; to establish a moratorium on executions with a view to abolishing the death penalty; and, for those States which have abolished the death penalty, not to reintroduce it”²⁸¹.

Moreover, in the “**Human Rights, Terrorism and Counter-terrorism Factsheet**” of the OHCHR, it is stressed how “[u]nder international and regional human rights law, the protection against arbitrary deprivation of life is non-derogable even in a state of emergency threatening the life of the nation” and thus even in the context of countering terrorism²⁸².

Furthermore, in the resolution adopted by the human Rights Council on the **High-level panel discussion on the question of the death penalty** held at the Human Rights Council 30th session, it is mentioned that

“several delegates observed that capital punishment did not serve any deterrent purpose in combating terrorism, and deplored that some States expanded the use of the death penalty for crimes relating to terrorism. Expressing deep concern about atrocities committed by the Islamic State in Iraq and the Levant or by other terrorist groups in different parts of the world, they emphasized that all efforts must be made to counter terrorism and hold perpetrators accountable, but any measures to counter those threats needed to be consistent with the common values of justice and human rights. Legislation that included a vague definition of

terrorism contravened human rights. They also said the death penalty clearly did not deter persons from committing terrorist acts as being executed transformed them into martyrs²⁸³.

Does the imposition of death penalty for terrorism occur in proceedings that meet fair trial standards?

The right to a fair trial is established through the main international and regional treaties about civil rights. The importance of taking it into account and respecting the conditions that guarantee its protection while countering terrorism, has been highlighted by the OHCHR in the report “**Basic Human Rights Reference Guide: Right to a Fair Trial and Due Process in the Context of Countering Terrorism**” produced in October 2014 by the Counter-Terrorism Implementation Task Force (CTITF) that points out twelve guiding principles and guidelines concerning the right to a fair trial while countering terrorism²⁸⁴.

“The protection and promotion of human rights while countering terrorism is both an obligation of States and a condition for an effective and sustainable counter-terrorism strategy. All counter-terrorism measures must comply fully with States’ international human rights obligations, including the right to a fair trial. Despite this, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism has several times noted with concern that fair trial rights have not always been respected in the fight against terrorism.”²⁸⁵

International Covenant on civil and Political Rights (ICCPR)

The guarantees that must be respected in order not to violate the right to a fair trial are listed in Article 14 and Article 15 of the ICCPR.

Among these are the right to a fair and public hearing by a competent, independent and impartial court²⁸⁶, the right to be presumed innocent until proved guilty²⁸⁷, the right to be informed promptly of the charges²⁸⁸, the right to legal defence and to be tried without delay²⁸⁹ and the right to have one’s sentence reviewed²⁹⁰.

European Convention on Human Rights (ECHR)

Guarantees similar to those listed in the ICCPR are stated in Article 6 of the ECHR²⁹¹.

African Commission on Human and Peoples’ Rights (ACHPR)

The ACHPR recently adopted the “**Principles and Guidelines on Human and Peoples’ Rights while Countering Terrorism in Africa**” a document produced to clarify the human rights standards that the African states must comply with in the context of countering terrorism.

A group of eighteen UN independent experts²⁹² welcomed the document pointing out that “[i]t also remains a priority that the death penalty is not used for terrorism-related cases”²⁹³.

Violations to the right to a fair trial

Under articles 7, 10 and 14 (paragraph 3) of the **ICCPR** stating that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”, “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”, and “in the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality: (...) (g) not to be compelled to testify against himself or to confess guilt”, inflicting any act of torture to somebody in order to make that person confess to a crime is a gross violation of international human rights.

In **Belarus**, Vladislav Kovalyov and Dmitri Konovalov were sentenced to death in November 2011 for the bomb attack in the metro in Minsk in April 2011 (leading to the death of 15 people and injuring hundreds of others). The procedure leading to their arrest and their sentence were tarnished with suspicions of irregularities as the two men, who were arrested the day after the attack, immediately confessed. However, one of them, Vladislav Kovalyov, retracted his confession, arguing that it had been obtained under torture²⁹⁴ and submitted a petition to the UN Human Rights Committee, which then asked the Belarus not to proceed to carry out the execution

until it had reviewed these torture allegations. However, both men were executed in March 2012, before the Human Rights Committee was even able to issue a decision on that case²⁹⁵. Further, the extremely short time between the sentencing and execution of the two men was also strongly criticised by several NGOs, including Human Rights Watch which had called for a new trial to be opened before their execution.²⁹⁶

Article 14, paragraph 3 of the **ICCPR**, lists among the minimum guarantees for a fair trial the right “(a) to be informed *promptly* and in detail in a language which he understands of the nature and cause of the charge against him”.

On 2 January 2016, **Saudi Arabia** held a mass execution of 47 men convicted of terrorism charges²⁹⁷. Among them, four Shiites, including Sheikh Nimr al-Nimr, were sentenced for demanding political reform and, in particular, participating in demonstrations in the Eastern province, which is majority Shiite, in 2011²⁹⁸, demonstrations which indirectly provoked the death of police officers.²⁹⁹ These individuals represented the likely non-violent face of protest from a religious minority towards a manifestly authoritarian regime, which partly explains the international indignation caused by these executions. The trial of the emblematic Sheikh al-Nimr also raised some questions as to the few safeguards it offered: he was allegedly held without his lawyer being informed.³⁰⁰ Further, of the 47 sentences four were passed in the name of a *hadd* (i.e. a crime considered to be committed directly against God and where the sentence is invariably death) but the 43 others were passed at the discretion of the judges who did not give any further explanation for their decision³⁰¹, something which does not correspond to the safeguards required by international law to ensure a fair trial.

In **Egypt** mass trials that did not establish the individual responsibility of each presumed terrorist were held. Indeed, according to Amnesty International, in 2015, “At least 3,000 civilians stood trial before unfair military courts on “terrorism” and other charges alleging political violence. Many, including leaders of the Muslim Brotherhood, were tried in mass trials. Military trials of civilians are fundamentally unfair” and “courts handed down hundreds of death sentences on defendants convicted on ‘terrorism’”³⁰².

Moreover, and also regarding the right to defense, article 14 paragraph 3 of the **ICCPR** states that “in the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality: (...) (e) to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him”.

In **Bahrain**, Abbas Jamil al Samea and two other individuals who were found to be responsible for a bomb attack perpetrated in March 2014. These individuals were sentenced to death in February 2015. Their trial appeared unfair as they claimed that, on the one hand, they were victims of torture and other inhuman treatment during their interrogation by the Criminal Investigations Department (allegations the Court did not want to investigate) and, on the other hand, they had not been authorised to access the whole file or cross examine the witnesses cited in the accusation.³⁰³

In **Chad**, the trial of ten suspected Boko Haram members was expeditious and violated their right to effective representation. Three legal aid lawyers were assigned to them on the eve of the trial and they were not able to meet even once with their clients in order to prepare their defense.

Article 15 of the **ICCPR**, establishes that “[n]o one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed”³⁰⁴.

Indonesia executed the so-called “Bali bombers” on 8 November 2008³⁰⁵. Amrozi bin H Nurhasyim, Ali Ghufron and Imam Samudera were sentenced to death following the conviction for their involvement in the 2002 Bali nightclub bombings under the *Law on Combating Criminal Acts of Terrorism*, providing for the death penalty, but which entered into force when the bombings had already been committed, earlier in 2002. Their sentences were therefore in clear violation of Article 15 of the **ICCPR** on the non-retroactivity of laws³⁰⁶. However, the three men’s appeals had been rejected in 2007 by the Indonesian Supreme Court.³⁰⁷

Were executions carried out after all remedies were exhausted?

Right to appeal

The right to appeal is an element of the right to a fair trial; as such it is included in the guarantees prescribed by Article 14 of the **ICCPR**, stating that “Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law”³⁰⁸.

In the **United Arab Emirates**, on 29 June 2016 Alaa al-Hashemi was sentenced to death on terrorism charges. Alaa was executed just two weeks later, on 13 July, without having been granted the right to appeal³⁰⁹.

Right to seek pardon or commutation

Regarding the right to seek pardon, the article 6 of the **ICCPR** states that “Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.”

Chad did not abide by that principle, or by the standard provided by its own legislation on that specific matter³¹⁰, when it prevented ten suspected Boko Haram members to seek pardon, since they were executed three days after their death sentence³¹¹. No reliable information as to their right of final appeal is available because the hearings were moved to a secret location on the last day.

In **Iraq**, this type of international human rights law violation goes even further, as article 73.1 of the Iraqi Constitution clearly states the granting of clemency or pardon by the President of the Republic (on a recommendation of the Prime Minister) for terrorism crimes included in the Anti-Terrorism Law of 2005 is prohibited³¹². Additionally, Iraq is criticized by the OHCHR for its lack of compliance with the international fair trial standards while countering terrorism, regarding “alleged cases of corruption within the criminal justice system” or “allegations that (...) confessions had been extracted under torture or ill-treatment”³¹³. According to James Lynch, Deputy Director of Amnesty International’s Middle East and North Africa Programme, these trials were “in the large majority...flagrantly unfair, a large number of the accused having in particular stated that they had been tortured so that they would ‘confess’ to the crimes of which they were accused.”³¹⁴

END NOTES

¹ Death Penalty Worldwide, Death Penalty Database, Afghanistan, Crimes and Offenders Punishable By Death, Notes 21 to 28

² Death Penalty Worldwide, Death Penalty Database, Afghanistan, note 107: Alissa Rubin, New York Times, Afghanistan Executes Six in Gesture on Taliban, 21 November 2012, <http://www.nytimes.com/2012/11/22/world/asia/afghan-suicide-bomber-kills-3-near-us-embassy.html>, (consulted on 2 June 2016)

³ CBS News, In unusual move, Afghanistan executes 6 militants, 8 May 2016, <http://www.cbsnews.com/news/in-unusual-move-afghanistan-executes-6-militants/>. Human Rights Watch, Afghanistan: Halt Further Executions, 10 May 2016, <https://www.hrw.org/news/2016/05/10/afghanistan-halt-further-executions>, (consulted on 2 June 2016)

⁴ Death Penalty Worldwide, Death Penalty Database, Belarus, Crimes and Offenders Punishable By Death, Notes 5 to 9

⁵ Amnesty International, Death Sentences and Executions in 2011, ACT 50/001/2012, p. 27-28, 27 March 2012; Telegraf.by, Konovalov Shot Down as Well, <http://telegraf.by/en/2012/03/konovalova-toje-rasstrelyali>, 17 March 2012 (consulted on 2 June 2016)

⁶ Death Penalty Worldwide, Death Penalty Database, Chad, Country Details, Notes 14 to 21 and Note 24.

⁷ Death Penalty Worldwide, Death Penalty Database, Chad, International Commitments, Notes 21 and 24.

⁸ Jeune Afrique, Tchad : exécution des 10 membres présumés de Boko Haram condamnés à mort (Execution of 10 suspected members of Boko Haram previously sentenced to death), 29 August 2015, <http://www.jeuneafrique.com/depeches/260731/politique/tchad-execution-des-10-membres-presumes-de-boko-haram-condamnes-a-mort/> (consulted on 3 June 2016)

⁹ Death Penalty Worldwide, Death Penalty Database, China, Crimes and Offenders Punishable By Death, Notes 14 to 24.

¹⁰ Amnesty International, Annual Report, China, <https://www.amnesty.org/en/countries/asia-and-the-pacific/china/report-china/> (consulted on 2 June 2016)

¹¹ CCTV, 8 terrorists executed in Northwest China, 24 August 2014, <http://english.cntv.cn/2014/08/24/VIDE1408855081898103.shtml>, (consulted on 2 June 2016)

¹² Amnesty International, Death Sentences and Executions in 2014, ACT 50/001/2015, p. 37-38, April 2015.

¹³ Amnesty International, Death Sentences and Executions in 2015, ACT 50/001/2016, p. 38, 6 April 2016.

¹⁴ Death Penalty Worldwide, Death Penalty Database, Egypt, Crimes and Offenders Punishable By Death, Notes 6 to 9.

-
- ¹⁵ Reuters, Egypt's parliament endorses controversial anti-terrorism law, 17 January 2016, <http://www.reuters.com/article/us-egypt-security-parliament-idUSKCN0UV0UG> (consulted on 2 June 2016)
- ¹⁶ Al Jazeera, Egypt executes 'supporter' of Muslim Brotherhood, 7 March 2015, <http://www.aljazeera.com/news/2015/03/egypt-executes-supporter-muslim-brotherhood-150307093231041.html> (consulted on 2 June 2016)
- ¹⁷ Amnesty International, Annual Report 2015/2016, Egypt, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/egypt/report-egypt/>
- ¹⁸ Death Penalty Worldwide, Death Penalty Database, Equatorial Guinea, Crimes and Offenders Punishable By Death, Notes 3 to 28?
- ¹⁹ Amnesty International, Death Sentences and Executions in 2010, p. 33, ACT 50/001/2011, 28 March 2011.
- ²⁰ Death Penalty Worldwide, Death Penalty Database, India, Notes 13 and 14.
- ²¹ BBC, Mumbai Attack Gunman Ajmal Qasab Executed, 21 November 2012, <http://www.bbc.co.uk/news/world-asia-india-20422265>.
- ²² Amnesty International, Death Sentences and Executions in 2012, ACT 50/001/2012, p. 22-23, 9 April 2013.
- ²³ Amnesty International, Death Sentences and Executions in 2013, p. 50, ACT 50/001/2014, p. 41-43, 26 March 2014. Neha Thirani Bagri, Amid Protests, India Executes Man in '01 Parliament Attack, The New York Times, 9 February 2013 http://www.nytimes.com/2013/02/10/world/asia/india-executes-man-tied-to-2001-attack-on-parliament.html?_r=0.
- ²⁴ Amnesty International, India: Execution of Yakub Memon cruel and inhuman, 30 July 2015, <https://www.amnesty.org/en/latest/news/2015/07/india-execution-of-yakub-memon-cruel-and-inhuman/> (consulted on 3 June 2016)
- ²⁵ Amnesty International, India: Execution of Yakub Memon cruel and inhuman, 30 July 2015, <https://www.amnesty.org/en/latest/news/2015/07/india-execution-of-yakub-memon-cruel-and-inhuman/> (consulted on 3 June 2016)
- ²⁶ Law Commission of India, Report No. 262, The Death Penalty, August 2015, <http://lawcommissionofindia.nic.in/reports/Report262.pdf> (consulted on 3 June 2016)
- ²⁷ Death Penalty Worldwide, Death Penalty Database, Indonesia, Crimes and Offenders Punishable By Death, Notes 6 to 9.
- ²⁸ Amnesty International, Indonesia: Make today's executions the last, 8 November 2008, <https://www.amnesty.org/en/press-releases/2008/11/indonesia-make-today039s-executions-last-20081108/> (consulted on 3 June 2016)
- ²⁹ Amnesty International, Death Sentences and Executions in 2008, ACT 50/003/2009, p. 8, 24 March 2009.
- ³⁰ Death Penalty Worldwide, Death Penalty Database, Iran, Crimes and Offenders Punishable By Death, Notes 7 to 11.
- ³¹ Amnesty International, Death Sentences and Executions in 2015, ACT 50/3487/2016, p 50, April 2016.
- ³² Basnews, 160 Terrorists Sentenced to Death in Iraq, 26 October 2015, <http://www.basnews.com/index.php/en/news/240307> (consulted on 3 June 2016)
- ³³ Amnesty International, Plus de 90 personnes condamnées à mort à l'issue d'un procès pour terrorisme (More than 90 people sentenced to death after a trial for terrorism), 19 February 2016, <https://www.amnesty.ch/fr/pays/moyen-orient-afrique-du-nord/irak/docs/2016/90-peines-de-mort-prononcees-en-2016vproces-pour-terrorisme> (consulted on 3 June 2016)
- ³⁴ Middle East Eye, Iraq justice ministry announces execution of 22 convicts, 24 May 2016, <http://www.middleeasteye.net/news/iraq-justice-ministry-announces-execution-22-convicts-353458936> (consulted on 3 June 2016)
- ³⁵ Arab News, Iraq executes Saudi prisoner 'for terrorism', 13 March 2016, <http://www.arabnews.com/saudi-arabia/news/894371> (consulted on 3 June 2016)
- ³⁶ Arab News, Iraqi authorities execute Saudi on concocted charges, 9 February 2016, <http://www.arabnews.com/saudi-arabia/news/877616> (consulted on 3 June 2016)
- ³⁷ Arab News, Iraqi authorities execute Saudi on concocted charges, 9 February 2016, <http://www.arabnews.com/saudi-arabia/news/877616> (consulted on 3 June 2016)
- ³⁸ Death Penalty Worldwide, Death Penalty Database, Jordan, Crimes and Offenders Punishable By Death, Notes 5 to 6.
- ³⁹ Human Rights Watch, Jordan: Terrorism Amendments Threaten Rights, 17 May 2014, <https://www.hrw.org/news/2014/05/17/jordan-terrorism-amendments-threaten-rights> (consulted on 3 June 2016)
- ⁴⁰ Death Penalty Worldwide, Death Penalty Database, Jordan, Country Details, Notes 9 to 15.
- ⁴¹ I24news, La Jordanie réagit après la vague d'indignation mondiale suscitée par la mort de son pilote brûlé vif par l'EI (Jordan reacts after the wave of indignation following the death by burning of its pilote by ISIS), 4 February 2015, <http://www.i24news.tv/fr/actu/international/moyen-orient/59926-150203-l-ei-affirme-avoir-brule-vif-le-pilote-jordanien-video>
- ⁴² Amnesty International, Annual Report 2015/2016, Jordan, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/jordan/report-jordan/> (consulted on 3 June 2016)
- ⁴³ Death Penalty Worldwide, Death Penalty Database, Pakistan, Crimes and Offenders Punishable By Death, Notes 9 to 12
- ⁴⁴ Refworld, Amnesty International, Report 2014/15 – Pakistan, 25 February 2015, <http://www.refworld.org/docid/54f07db215.html> (consulted on 3 June 2016)
- ⁴⁵ Amnesty International, Death Sentences and Executions in 2014, ACT 50/001/2015, p. 48, April 2015
- ⁴⁶ Amnesty International, Pakistan. Deux exécutions pour des charges non liées au terrorisme traduisent une progression « préoccupante et dangereuse », 13 February 2015, <http://www.amnesty.fr/Presse/Communiqués-de-presse/Pakistan-Deux-executions-pour-des-charges-non-liees-au-terrorisme-traduisent-une-progression-preoccu-14220> (consulted on 3 June 2016)
- ⁴⁷ The Express Tribune, Pakistan executed 332 after reinstating death penalty: report, 16 January 2016, <http://tribune.com.pk/story/1028511/pakistan-executed-332-after-reinstating-death-penalty-report/> (consulted on 3 June 2016)
- ⁴⁸ The Big Story, Pakistan among world's top executioners after terror attack, 9 September 2015, <http://bigstory.ap.org/article/8d8ffbc4d4dc49e79a584aee96b344eb/pakistan-among-worlds-top-executioners-after-terror-attack>
- ⁴⁹ Dunya News, 131 cases of terrorism sent to military courts, 21 October 2015, <http://dunya.com.pk/News/131-cases-of-terror-sent-to-military-courts> (consulted on 3 June 2016)
- ⁵⁰ The Daily Star, Pak army courts sentence 11 Taliban militants to death, 4 May 2016, <http://www.thedailystar.net/backpage/pak-army-courts-sentence-11-taliban-militants-death-1218313> (consulted on 3 June 2016)
- ⁵¹ Dawn, Two convicted by military courts hanged in Kohat, 30 mars 2015, <http://www.dawn.com/news/1248871> (consulted on 3 June 2016)
- ⁵² Death Penalty Worldwide, Death Penalty Database, Saudi Arabia, Crimes and Offenders Punishable By Death, Notes 9 to 14.
- ⁵³ Reuters, Shiite cleric among 47 executed in Saudi Arabia, stirring anger in region, 2 January 2016, <http://www.reuters.com/article/us-saudi-security-idUSKBN0UG03B20160102>, (consulted on 2 June 2016)
- ⁵⁴ Al Jazeera, Saudi Arabia executes 47 on terrorism charges, 3 January 2016, <http://www.aljazeera.com/news/2016/01/saudi-announces-execution-47-terrorists-160102072458873.html> (consulted on 2 June 2016)

-
- ⁵⁴ Al Jazeera, Saudi Arabia executes 47 on terrorism charges, 3 January 2016, <http://www.aljazeera.com/news/2016/01/saudi-announces-execution-47-terrorists-160102072458873.html> (consulted on 2 June 2016)
- ⁵⁵ Human Rights Watch, Saudi Arabia: Mass Execution Largest Since 1980, 4 January 2016, <https://www.hrw.org/news/2016/01/04/saudi-arabia-mass-execution-largest-1980>, (consulted on 2 June 2016)
- ⁵⁶ Amnesty International, A Shiite dignitary was part of 47 people executed by Saudi Arabia in a single day, 2 January 2016, <https://www.amnesty.org/fr/latest/news/2016/01/shia-cleric-among-47-executed-by-saudi-arabia-in-a-single-day/>, (consulted on 2 June 2016)
- ⁵⁷ Reuters, Shiite cleric among 47 executed in Saudi Arabia, stirring anger in region, 2 January 2016, <http://www.reuters.com/article/us-saudi-security-idUSKBN0UG03B20160102>, (consulted on 2 June 2016)
- ⁵⁸ Death Penalty Worldwide, Death Penalty Database, Somalia, Crimes and Offenders Punishable By Death, Notes 10 to 17.
- ⁵⁹ UN General Assembly, Issue of the Death Penalty: Secretary General's Report, No. A/HRC/24/18, 1 July 2013.
- ⁶⁰ UN General Assembly, Issue of the Death Penalty: Secretary General's Report, No. A/HRC/24/18, 1 July 2013.
- ⁶¹ Amnesty International, Death Sentences and Executions in 2015, ACT 50/3487/2016, p. 22, 6 April 2016. Garowe, Somalia: Puntland military court executes 3 alleged Al Shabaab members, 16 March 2015, <http://www.garoweonline.com/en/news/puntland/somalia-puntland-military-court-executes-3-alleged-al-shabaab-members#sthash.zHb866RT.dpuf> (consulted on 3 June 2016)
- ⁶² Jeune Afrique, Somalie : deux shebab exécutés pour l'assassinat d'une journaliste, 9 April 2016, <http://www.jeuneafrique.com/depeches/316913/politique/somalie-deux-shebab-executes-lassassinat-dune-journaliste/> (consulted on 3 June 2016)
- ⁶³ Jeune Afrique, Somalie : un journaliste shebab exécuté, 11 April 2016, http://www.bbc.com/afrique/region/2016/04/160411_somali (consulted on 3 June 2016)
- ⁶⁴ Death Penalty Worldwide, Death Penalty Database, United Arab Emirates, Crimes and Offenders Punishable By Death, Notes 16 and 17.
- ⁶⁵ Library of Congress, Global Legal Monitor, United Arab Emirates: Anti-Terrorism Law approved; 27 August 2014, <http://www.loc.gov/law/foreign-news/article/united-arab-emirates-anti-terrorism-law-approved/> (consulted on 2 June 2016)
- ⁶⁶ The National, Reem Island killer executed at dawn, <http://www.thenational.ae/uae/courts/reem-island-killer-executed-at-dawn>, 13 July 2015.
- ⁶⁷ Amnesty International, Annual Report 2015/2016, United Arab Emirates, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/united-arab-emirates/report-united-arab-emirates/> (consulted on 2 June 2016)
- ⁶⁸ Death Penalty Worldwide, Death Penalty Database, Algeria, Crimes and Offenders Punishable By Death, Notes 13 to 25.
- ⁶⁹ Amnesty International, Death Sentences and Executions in 2015, ACT 50/001/2016, p. 59, 6 April 2016 (consulted on 6 June 2016)
- ⁷⁰ Death Penalty Worldwide, Death Penalty Database, Bahrain, Crimes and Offenders Punishable By Death, Notes 12 to 17
- ⁷¹ Amnesty International, 2015/2016 Annual Report, Bahrain, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/bahrain/report-bahrain/> (consulted on 6 June 2016)
- ⁷² FIDH, NGOs condemn death sentences in Bahrain after record year, 13 January 2016, <https://www.fidh.org/en/region/north-africa-middle-east/bahrain/ngos-condemn-death-sentences-in-bahrain-after-record-year> (consulted on 6 June 2016)
- ⁷³ Jeune Afrique, Cameroun: Paul Biya accusé d'instrumentaliser une loi antiterroriste à des fins politiques, 16 January 2015, <http://www.jeuneafrique.com/35267/politique/cameroun-paul-biya-accus-d-instrumentaliser-une-loi-antiterroriste-des-fins-politiques/> (consulted on 6 June 2016)
- ⁷⁴ Amnesty International, Death Sentences and Executions in 2015, ACT 50/001/2016, p. 16, 6 April 2016 (consulted on 6 June 2016)
- ⁷⁵ Death Penalty Worldwide, Death Penalty Database, Ethiopia, Crimes and Offenders Punishable By Death, Notes 6 to 26.
- ⁷⁶ Amnesty International, Death Sentences and Executions in 2012, ACT 50/001/2012, p. 45, 9 April 2013 (consulted on 6 June 2016)
- ⁷⁷ Amnesty International, Death Sentences and Executions in 2012, ACT 50/001/2012, p. 45, 9 April 2013 (consulted on 6 June 2016)
- ⁷⁸ Death Penalty Worldwide, Death Penalty Database, Kuwait, Crimes and Offenders Punishable By Death, Notes 6 to 8.
- ⁷⁹ Arab News, Kuwait mosque blast: Death for terrorist upheld, 14 December 2015, <http://www.arabnews.com/middle-east/news/850031>. (consulted on 6 June 2016)
- ⁸⁰ Huffington Post Maghreb, Koweït : Peine de mort confirmée contre le principal accusé dans un attentat antichite, 30 May 2016, http://www.huffpostmaghreb.com/2016/05/30/koweit-peine-mort-terrori_n_10203606.html (consulted on 6 June 2016)
- ⁸¹ Death Penalty Worldwide, Death Penalty Database, Lebanon, Crimes and Offenders Punishable By Death, Notes 5 and 6.
- ⁸² Amnesty International, Death Sentences and Executions in 2015, ACT 50/001/2016, p.65, 6 April 2016. (consulted on 6 June 2016)
The 23 people were Mahmoud Mansour, Bilal al-Khodor, Ali Mustapha, Abdel-Aziz al-Masri, Ahmad Shawat, Bilal Badr, Mohammad Qaddour, Abdel-Karim al-Batal, Mohammad Mustapha, Wafiq Aql, Youssef Khalil, Youssef Shedid, Ibrahim al-Tarman, Moussa al-Amleh, Mahmoud Basyouni, Raafat Khalil, Nader Halwani, Ahmad al-Daqs, Haitham Mustapha, Shadi Makkawi, Adel Ouwayed, Ali Ibrahim and Dahham Ibrahim
- ⁸³ Hands Off Cain, LEBANON : 23 SENTENCED TO DEATH OVER 2007 FATAH AL-ISLAM BATTLE, 6 February 2015, http://www.handsoffcain.info/archivio_news/201502.php?iddocumento=19300951&mover=2 (consulted on 6 June 2016)
- ⁸⁴ Al Arabiya, 106 sentenced to death over clashes with Lebanon army, 18 May 2016, <http://english.alarabiya.net/en/News/middle-east/2016/05/18/106-sentenced-to-death-over-clashes-with-Lebanese-army-.html> (consulted on 6 June 2016)
- ⁸⁵ Death Penalty Worldwide, Death Penalty Database, Mali, Crimes and Offenders Punishable By Death, Notes 8 to 13.
- ⁸⁶ Amnesty International, Death Sentences and Executions in 2011, ACT 50/001/2012, p. 45, 27 March 2012, (consulted on 6 June 2016)
- ⁸⁷ Death Penalty Worldwide, Death Penalty Database, Mauritania, Notes 16 to 34.
- ⁸⁸ Amnesty International, Death Sentences and Executions in 2012, ACT 50/001/2012, p. 48, 9 April 2013 (consulted on 6 June 2016)
- ⁸⁹ Death Penalty Worldwide, Death Penalty Database, Morocco, Crimes and Offenders Punishable By Death, Notes 14 to 23.
- ⁹⁰ Amnesty International, Death Sentences and Executions in 2012, ACT 50/001/2012, p. 42, 9 April 2013 (consulted on 6 June 2016)
- ⁹¹ Death Penalty Worldwide, Death Penalty Database, Sudan, Crimes and Offenders Punishable By Death, Notes 5 to 12.
- ⁹² Amnesty International, Death Sentences and Executions in 2009, ACT 50/001/2010, p. 25, 30 March 2010 (consulted on 6 June 2016)
- ⁹³ Amnesty International, Death Sentences and Executions in 2010, ACT 50/001/2011, p. 36, March 2011 (consulted on 6 June 2016)
- ⁹⁴ Amnesty International, Death Sentences and Executions in 2011, ACT 50/001/2012, p.48, 27 March 2012 (consulted on 6 June 2016)

- ⁹⁵ Al Jazeera, Tunisia passes anti-terror laws after deadly attacks, 25 July 2015, <http://www.aljazeera.com/news/2015/07/tunisia-passes-anti-terror-laws-deadly-attacks-isil-150725001430938.html> (consulted on 6 June 2016)
- ⁹⁶ Huffington Post Maghreb, Tunisie : trois extrémistes condamnés à mort pour le meurtre d'un policier, 19 November 2015, http://www.huffpostmaghreb.com/2015/11/19/extremistes-condamnes-a-m_n_8601632.html
- ⁹⁷ Huffington Post Maghreb, Tunisie: Trois hommes condamnés à mort pour le meurtre d'un policier, 30 December 2015, http://www.huffpostmaghreb.com/2015/12/30/tunisie-condamnes-meurtre_n_8893984.html (consulted on 6 June 2016)
- ⁹⁸ Amnesty International, 2015/2016 Annual Report, Tunisia, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/tunisia/report-tunisia/> (consulted on 6 June 2016)
- ⁹⁹ Tunisie numérique, Affaire Anis Jelassi: la peine capitale prononcée (Anis Jelassi case: death sentence), 2 March 2016, <http://www.tunisienumerique.com/tunisie-affaire-anis-jelassi-la-peine-capitale-prononcee/284463> (consulted on 13 June 2016)
- ¹⁰⁰ Shemsfm, L'assassin du gestionnaire du mausolée de Sidi Abdelkader à Menzel Bouzelfa condamné à mort (The murderer of the manager of the mausoleum of Sidi Abdelkader Menzel Bouzelfa was sentenced to death), 15 June 2016, <http://www.shemsfm.net/fr/actualite/l-assassin-du-gestionnaire-du-mausolee-de-sidi-abdelkader-a-menzel-bouzelfa-condamne-a-mort-143021>
- ¹⁰¹ Cornell University Law School, Legal Information Institute, Wex, Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), https://www.law.cornell.edu/wex/antiterrorism_and_effective_death_penalty_act_of_1996_aedpa (consulted on 6 June 2016)
- ¹⁰² New York Times, Dzhokhar Tsarnaev Given Death Penalty in Boston Marathon Bombing, 15 May 2015, http://www.nytimes.com/2015/05/16/us/dzhokhar-tsarnaev-death-sentence.html?_r=0. CNN, Boston Marathon bomber Dzhokhar Tsarnaev sentenced to death, 17 May 2015, <http://edition.cnn.com/2015/05/15/us/boston-bombing-tsarnaev-sentence/> (consulted on 6 June 2016)
- ¹⁰³ Death Penalty Worldwide, Death Penalty Database, Bahamas, Crimes and Offenders Punishable By Death, Notes 7 to 8.
- ¹⁰⁴ FIDH, Bangladesh: New Amendment to Anti-Terrorism Act gags Freedom of Expression, 14 June 2013, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Bangladesh> (consulted on 6 June 2016)
- ¹⁰⁵ Death Penalty Worldwide, Death Penalty Database, Barbados, Crimes and Offenders Punishable By Death, Notes 2 to 3.
- ¹⁰⁶ Death Penalty Worldwide, Death Penalty Database, Brunei, Crimes and Offenders Punishable By Death, Notes 5 to 6.
- ¹⁰⁷ Death Penalty Worldwide, Death Penalty Database, Burkina Faso, Crimes and Offenders Punishable By Death, Note 12.
- ¹⁰⁸ Death Penalty Worldwide, Death Penalty Database, Central African Republic, Crimes and Offenders Punishable By Death, Notes 10 to 14.
- ¹⁰⁹ Death Penalty Worldwide, Death Penalty Database, Cuba, Crimes and Offenders Punishable By Death, Notes 2 to 3.
- ¹¹⁰ Death Penalty Worldwide, Death Penalty Database, Democratic Republic of the Congo, Crimes and Offenders Punishable By Death, Notes 11 to 13.
- ¹¹¹ Death Penalty Worldwide, Death Penalty Database, Eritrea, Crimes and Offenders Punishable By Death, Note 5.
- ¹¹² Death Penalty Worldwide, Death Penalty Database, Gambia, Crimes and Offenders Punishable By Death, Notes 6 to 15.
- ¹¹³ Death Penalty Worldwide, Death Penalty Database, Guatemala, Crimes and Offenders Punishable By Death, Notes 7 to 10.
- ¹¹⁴ Death Penalty Worldwide, Death Penalty Database, Guinea, Crimes and Offenders Punishable By Death Notes 14 to 19.
- ¹¹⁵ Parliament of the Co-Operative Republic of Guyana, Acts of Parliament, Anti-Terrorism and Terrorist Related Activities Act 2015, <http://parliament.gov.gy/publications/acts-of-parliament/anti-terrorism-and-terrorist-related-activities-act-2015/> (consulted on 6 June 2016)
- ¹¹⁶ Death Penalty Worldwide, Death Penalty Database, Japan, Crimes and Offenders Punishable By Death, Notes 8 to 12.
- ¹¹⁷ Penal Reform International, Counter-terrorism in Kazakhstan: Why the death penalty is no solution, 2013, <http://www.penalreform.org/wp-content/uploads/2013/10/New-Counter-terrorism-in-Kazakhstan-final.pdf> (consulted on 6 June 2016)
- ¹¹⁸ Death Penalty Worldwide, Death Penalty Database, Laos, Crimes and Offenders Punishable By Death, Notes 7 to 15.
- ¹¹⁹ Death Penalty Worldwide, Death Penalty Database, Liberia, Crimes and Offenders Punishable By Death, Notes 11 to 16.
- ¹²⁰ Human Rights Watch, 2015 World Report: Libya, <https://www.hrw.org/fr/world-report/2015/country-chapters/268158> (consulted on 6 June 2016)
- ¹²¹ Death Penalty Worldwide, Death Penalty Database, Malaysia, Crimes and Offenders Punishable By Death, Notes 6 to 8.
- ¹²² Death Penalty Worldwide, Death Penalty Database, Maldives, Crimes and Offenders Punishable By Death, Note 14.
- ¹²³ Death Penalty Worldwide, Death Penalty Database, Niger, Crimes and Offenders Punishable By Death, Notes 9 to 14.
- ¹²⁴ Death Penalty Worldwide, Death Penalty Database, Nigeria, Crimes and Offenders Punishable By Death, Notes 14 to 17.
- ¹²⁵ Death Penalty Worldwide, Death Penalty Database, North Korea, Crimes and Offenders Punishable By Death, Notes 3 to 4.
- ¹²⁶ Death Penalty Worldwide, Death Penalty Database, Oman, Crimes and Offenders Punishable By Death, Notes 8 to 14.
- ¹²⁷ Death Penalty Worldwide, Death Penalty Database, Palestine, Crimes and Offenders Punishable By Death, Notes 11 to 12.
- ¹²⁸ Death Penalty Worldwide, Death Penalty Database, Qatar, Crimes and Offenders Punishable By Death, Notes 10 to 14.
- ¹²⁹ Death Penalty Worldwide, Death Penalty Database, Saint Lucia, Crimes and Offenders Punishable By Death, Note 3.
- ¹³⁰ Death Penalty Worldwide, Death Penalty Database, Singapore, Crimes and Offenders Punishable By Death, Notes 4 to 6.
- ¹³¹ AJU Business Daily, Anti-terrorism bill passed through South Korean parliament, 3 March 2016, <http://eng.ajunews.com/view/20160303092045849> (consulted on 6 June 2016)
- ¹³² Death Penalty Worldwide, Death Penalty Database, South Sudan, Crimes and Offenders Punishable By Death, Note 8.
- ¹³³ Death Penalty Worldwide, Death Penalty Database, Syria, Crimes and Offenders Punishable By Death, Notes 7 to 10.
- ¹³⁴ Death Penalty Worldwide, Death Penalty Database, Tajikistan, Crimes and Offenders Punishable By Death, Notes 2 to 3.
- ¹³⁵ Death Penalty Worldwide, Death Penalty Database, Thailand, Crimes and Offenders Punishable By Death, Notes 21 to 22.
- ¹³⁶ Death Penalty Worldwide, Death Penalty Database, Trinidad and Tobago, Crimes and Offenders Punishable By Death, Note 8.
- ¹³⁷ Death Penalty Worldwide, Death Penalty Database, Uganda, Crimes and Offenders Punishable By Death, Notes 5 to 9.
- ¹³⁸ Death Penalty Worldwide, Death Penalty Database, Vietnam, Crimes and Offenders Punishable By Death, Notes 7 to 9.
- ¹³⁹ Death Penalty Worldwide, Death Penalty Database, Yemen, Crimes and Offenders Punishable By Death, Note 9.
- ¹⁴⁰ Death Penalty Worldwide, Death Penalty Database, Zimbabwe, Crimes and Offenders Punishable By Death, Note 3.
- ¹⁴¹ Harm Reduction International, *The Death Penalty for Drug Offenses: Global Overview 2011*, p17
- ¹⁴² Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, UN Doc. A/HRC/4/20, 29 January 2007, paragraphs 39-53 and 65.
- ¹⁴³ Report on terrorism and human rights, OEA/Ser.LV/II.116, Doc. 5 rev. 1 corr., 22 October 2002.
- ¹⁴⁴ American Convention on Human Rights, Art.4 para 2.

- ¹⁴⁵ American Convention on Human Rights, Art.4 para 4.
- ¹⁴⁶ General Comment No. 3 On The African Charter On Human And Peoples' Rights: The Right To Life (Article 4) §24. <http://www.achpr.org/instruments/general-comments-right-to-life>
- ¹⁴⁷ All the references to national legislation contained in this section has been taken from Death Penalty Worldwide, *Death Penalty Database*, <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=®ion=&method=>
- ¹⁴⁸ Bahrain Penal Code 1976, arts. 411, 414, translation: Gulf Translations W.L.L., 1976.
- ¹⁴⁹ U.N. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Committee Against Torture, Written replies from the Government of Benin to the list of issues (CAT/C/BEN/Q/2) to be considered during the examination of the second periodic report of Benin (CAT/C/BEN/2), p. 5, para. 27, U.N. Doc. CAT/C/BEN/Q/2/Add.1, Sep. 17, 2007.
- ¹⁵⁰ Cameroon Anti-Terrorism Law N° 2014/028, 23 December 2014, art.2.
- ¹⁵¹ Anti-Terrorism Law of the Republic of Chad, Law N° 035/PR/2015, 30 July 2015.
- ¹⁵² Egypt Penal Code of 1937, as amended by Law No. 5 of 2010 + anti-terror law of 2016.
- ¹⁵³ Gambia Anti-Terrorism Act of 2003, as amended by the Anti-Terrorism (Amendment) Act of 2008.
- ¹⁵⁴ Iraq Anti-Terrorism Law, arts. 1-4, Law No. 14 of 2005, Nov. 7, 2005.
- ¹⁵⁵ Libya Penal Code, arts. 202, 197, 211, Law No. ___ of 1953, translation posted by: United Nations, 2007.
- ¹⁵⁶ Penal Code of Morocco, art. 218.5, promulgated by Dahir No. 1-59-413, Nov. 26, 1962, as amended through 2007.
- ¹⁵⁷ Qatar Law On Combating Terrorism, arts. 1-2, No. 3 of 2004.
- ¹⁵⁸ Terrorism Combating Act of 2000 of Sudan, art. 5.
- ¹⁵⁹ Interpol, Bioterrorism: National Laws and Measures: Counter-Terrorism Regulation of Biology, www.interpol.int/Public/BioTerrorism/NationalLaws/Syria.pdf, last accessed Apr. 6, 2011. Penal Code of Syria, arts. 581-585, Law No. 148, Jun. 22, 1949, translated into French, private translation, 1979 edition.
- ¹⁶⁰ The Anti-Terrorism Act of the Republic of Uganda of 2002
- ¹⁶¹ See *supra* note.
- ¹⁶² See *supra* note.
- ¹⁶³ Afghanistan Penal Code 1976, art. 213(1),(2).
- ¹⁶⁴ Bahrain Penal Code 1976, arts. 409, 414, translation: Gulf Translations W.L.L., 1976.
- ¹⁶⁵ Congolese Penal Code, arts. 156-158, Jan. 30, 1940, as amended by Nov. 30, 2004.
- ¹⁶⁶ Egypt Penal Code of 1937, as amended by Law No. 5 of 2010 + anti-terror law of 2016.
- ¹⁶⁷ Kurdistan Region Anti-Terrorism Law, Law No. 3 of 2006, 2006, cited in Amnesty Intl., Iraq: A Decade of Abuses, p. 52, MDE 14/001/2013, Mar. 11, 2013.
- ¹⁶⁸ Penal Code of Mali, arts. 47, 52, Law No. 01-079, Aug. 20, 2001.
- ¹⁶⁹ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, arts. 6.5, 6.6, 6.8, 6.9, Jul. 21, 2010.
- ¹⁷⁰ Qatar Law On Combating Terrorism, arts. 3, 6, No. 3 of 2004.
- ¹⁷¹ Terrorism Combating Act of 2000 of Sudan, art. 6.
- ¹⁷² UAE Decree on Combating Terrorism Offenses of 2004 + Antiterrorism law of 2014
- ¹⁷³ Vietnam Penal Code, art. 83(1), Law No. 15/1999/QH10, Dec. 21, 1999, as amended through to Jun. 19, 2009.
- ¹⁷⁴ See *supra* note.
- ¹⁷⁵ See *supra* note.
- ¹⁷⁶ See *supra* note.
- ¹⁷⁷ Bahrain Penal Code 1976, arts. 410, 414, translation: Gulf Translations W.L.L., 1976.
- ¹⁷⁸ Vietnam Penal Code, art. 84(1), Law No. 15/1999/QH10, Dec. 21, 1999, as amended through to Jun. 19, 2009.
- ¹⁷⁹ Afghanistan Penal Code 1976, art. 204.
- ¹⁸⁰ Barbados Anti-Terrorism Act, art. 3(1)(c), No. 6 of 2002. Barbados Treason Act, arts. 2, 7, No. 1 of 1980.
- ¹⁸¹ Eritrean Transitional Penal Code, art. 270, Jul. 23, 1957. This Code was amended by Proclamation No. 4/1991, which we have not accessed.
- ¹⁸² Penal Code of Guinea, art. 93, Law No. 98/036, Dec. 31, 1998.
- ¹⁸³ Annex 1: Decree: The reintroduction of the death penalty, Decree No. 3 of 2004, sec. 2, Aug. 8, 2004 (partially reinstating the death penalty suspended by Coalition Provisional Authority Order No. 7, Jun. 10, 2003), reprinted in: Amnesty Intl., Unjust and Unfair: The Death Penalty in Iraq, pp. 43-45, MDE 14/014/2007, Apr. 20, 2007. Iraq Narcotic Drugs Law, art. 14, Law no. 68 of 1965, 1965, translation: U.N.. Iraq Penal Code, art. 190, STS 251/88, Law no. 111, 1969.
- ¹⁸⁴ See *supra* note.
- ¹⁸⁵ See *supra* note.
- ¹⁸⁶ Afghanistan Penal Code 1976, art. 216.
- ¹⁸⁷ Penal Code of Guinea, art. 98, Law No. 98/036, Dec. 31, 1998.
- ¹⁸⁸ Jordan Penal Code, art. 148(4)(b&c), Law No. 16 of 1960, 1960.
- ¹⁸⁹ Kuwait Law Regarding Explosives Offenses, art. 1, No. 35 of 1985.
- ¹⁹⁰ Lao People's Democratic Republic, Penal Law, art. 68, Law No. 12/NA, Nov. 9, 2005
- ¹⁹¹ Lebanon Penal Code, art. 599, 1975
- ¹⁹² Omani Penal Code, art. 132, Royal Decree No. 7174 of 1974, as amended by Royal Decree No. 4 of 2000.
- ¹⁹³ See *supra* note.
- ¹⁹⁴ Penal Code of CAR, art. 414, Law No. 10.001, Jan. 6, 2010.
- ¹⁹⁵ Criminal Law of the People's Republic of China, art. 119, Jul. 1, 1979, as amended through to Feb. 25, 2011.
- ¹⁹⁶ Law Repressing Crimes Against The Safety of Civil Aviation of Congo (Loi relative à la répression des infractions contre la sûreté de l'aviation civile), art. 2, Law No. 006/91, May 16, 1991, updated through to 2001.
- ¹⁹⁷ The Criminal Code of the Federal Democratic Republic of Ethiopia, art. 512, Proclamation No. 414/2004, May 9, 2005.
- ¹⁹⁸ Intl. Fed. for Human Rights, Iran—Death Penalty: A State Terror Policy, p. 16, Apr. 28, 2009
- ¹⁹⁹ Decree: The reintroduction of the death penalty, Decree No. 3 of 2004, sec. 3, Aug. 8, 2004 (partially reinstating the death penalty suspended by Coalition Provisional Authority Order No. 7, Jun. 10, 2003), reprinted in: Amnesty Intl., Unjust and Unfair: The Death Penalty in Iraq, pp. 43-45, MDE 14/014/2007, Apr. 20, 2007. Iraq Penal Code, arts. 354, 355, STS 251/88, Law no. 111, 1969.

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- ²⁰⁰ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 5.3, Jul. 21, 2010.
- ²⁰¹ Niger Law amending the Penal Code, art. 399.4, Law No. 2008-18, Jun. 23, 2008.
- ²⁰² Vietnam Penal Code, art. 231(2), Law No. 15/1999/QH10, Dec. 21, 1999, as amended through to Jun. 19, 2009.
- ²⁰³ See *supra* note.
- ²⁰⁴ See *supra* note.
- ²⁰⁵ Cameroon Anti-Terrorism Law N° 2014/028, 23 December 2014, art.2.
- ²⁰⁶ Anti-Terrorism Law of the Republic of Chad, Law N° 035/PR/2015, 30 July 2015.
- ²⁰⁷ Criminal Law of the People's Republic of China, art. 120, Jul. 1, 1979, as amended through to Feb. 25, 2011.
- ²⁰⁸ Anti-Terrorism Proclamation of the Federal Democratic Republic of Ethiopia, art. 3, Proclamation No. 652/2009, Aug. 28, 2009.
- ²⁰⁹ Penal Code of Guatemala, art. 201 Bis, Decree No. 17-73, amended by the Legislative Decree No. 4-2010 of 2010, 1973.
- ²¹⁰ Penal Code of Morocco, arts. 437, 218-1, 218-7, promulgated by Dahir No. 1-59-413, Nov. 26, 1962, as amended through 2007.
- ²¹¹ North Korea Criminal Code, art. 60, Mar. 3, 1950, last amended Oct. 19, 2009.
- ²¹² Penal Code of Singapore, ch. XVI, art. 364(A), Cap. 224, 2008 Rev. Ed., 2008.
- ²¹³ See *supra* note.
- ²¹⁴ See *supra* note.
- ²¹⁵ Cuba Penal Code, arts. 104, 105, 106, 108, Law No. 62, 1988.
- ²¹⁶ Anti-Terrorism Proclamation of the Federal Democratic Republic of Ethiopia, art. 3, Proclamation No. 652/2009, Aug. 28, 2009.
- ²¹⁷ Dr. Simon Butt, ARC Federation Fellowship, Islam, Syari'ah and Governance, Background Paper Series: Anti-Terrorism Law and Criminal Process in Indonesia, p. 9, The University of Melbourne, <http://www.law.unimelb.edu.au/files/dmfile/AntiTerrorismLawandProcessInIndonesia2.pdf>, Aug. 2008.
- ²¹⁸ Lao People's Democratic Republic, Penal Law, art. 62, Law No. 12/NA, Nov. 9, 2005.
- ²¹⁹ See *supra* note.
- ²²⁰ See *supra* note.
- ²²¹ Cameroon Anti-Terrorism Law N° 2014/028, 23 December 2014, art.2.
- ²²² Anti-Terrorism Law of the Republic of Chad, Law N° 035/PR/2015, 30 July 2015.
- ²²³ Criminal Law of the People's Republic of China, arts. 125, 127, 151, Jul. 1, 1979, as amended through to Feb. 25, 2011.
- ²²⁴ The Criminal Code of the Federal Democratic Republic of Ethiopia, art. 511, Proclamation No. 414/2004, May 9, 2005.
- ²²⁵ Penal Code of Indonesia, arts. 438-441, 444, 479, 1915, as amended through to Feb. 27, 1982, translated by: Ministry of Justice. For current status and the 2003 law on terrorism and the 2008 law on chemical weapons, see Imparsial, Inveighing Against the Death Penalty in Indonesia, p. 21, 26, 27, 2010.
- ²²⁶ Jordan Penal Code, art. 148(4)(b&c), Law No. 16 of 1960, 1960.
- ²²⁷ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, arts. 5.2, 5.4, Jul. 21, 2010.
- ²²⁸ Niger Law amending the Penal Code, arts. 399.15, 399.16, Law No. 2008-18, Jun. 23, 2008.
- ²²⁹ Criminal Code of the Republic of Tajikistan, art. 179(4)(a-c), May 21, 1998.
- ²³⁰ UAE Decree on Combating Terrorism Offenses, arts. 3, 9, 14, 15-17 cum. 19, Federal Law No. 1 of 2004.
- ²³¹ See *supra* note.
- ²³² See *supra* note.
- ²³³ Bahamas Anti-Terrorism Act, art. 3(1), Act No. 25 of 2004, Dec. 31, 2004, as updated through to Dec. 31, 2009.
- ²³⁴ Chad Penal Code, art. 87, Ordinance No. 67-012/PR/MJ, Jun. 9, 1967, as amended through to Jul. 10, 1970.
- ²³⁵ Anti-Terrorism Proclamation of the Federal Democratic Republic of Ethiopia, art. 3, Proclamation No. 652/2009, Aug. 28, 2009.
- ²³⁶ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 4.2, Jul. 21, 2010.
- ²³⁷ See *supra* note.
- ²³⁸ See *supra* note.
- ²³⁹ Ben Farmer, Afghanistan Resumes Executions, Telegraph, <http://www.telegraph.co.uk/news/worldnews/asia/afghanistan/3446043/Afghanistan-resumes-executions.html>, Nov. 12, 2008.
- ²⁴⁰ Brunei Internal Security Act, arts. 40-41, Rev. Ed. 2008; Brunei Public Order Act, art. 28, Laws of Brunei Ch. 133, Rev. Ed. 2002.
- ²⁴¹ Penal Code of CAR, art. 415, Law No. 10.001, Jan. 6, 2010.
- ²⁴² Criminal Law of the People's Republic of China, art. 115, Jul. 1, 1979, as amended through to Feb. 25, 2011.
- ²⁴³ Law Repressing Crimes Against The Safety of Civil Aviation of Congo (Loi relative à la répression des infractions contre la sûreté de l'aviation civile), art. 2, Law No. 006/91, May 16, 1991, updated through to 2001.
- ²⁴⁴ Penal Code of Guinea, art. 479, Law No. 98/036, Dec. 31, 1998.
- ²⁴⁵ Explosive Substances (Amendment) Act 2001 of India, sec. 3 (b), Act no. 54 of 2001, 2001.
- ²⁴⁶ Penal Code of Japan, art. 117, Act No. 45 of 1907, as last amended by Act No. 54 of 2007, Apr. 24, 1907. Japan Explosives Control Act, art. 1, Act No. 149 of 1950. Petra Schmidt, Capital Punishment in Japan, p. 31, Koninklijke Brill, 2002.
- ²⁴⁷ Jordan Penal Code, art. 148(4)(b&c), Law No. 16 of 1960, 1960.
- ²⁴⁸ Kuwait Law Regarding Explosives Offenses, art. 1, No. 35 of 1985.
- ²⁴⁹ Internal Security Act of Malaysia, arts. 57(1), 58(1), 59(1), 59(2), 1960, revised 1972.
- ²⁵⁰ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, arts. 4.5, 4.6, Jul. 21, 2010.
- ²⁵¹ Penal Code of Morocco, arts. 584, 588, 218-1, 218-7, promulgated by Dahir No. 1-59-413, Nov. 26, 1962, as amended through 2007.
- ²⁵² South Korea Criminal Act, art. 119, Law No. 293, Sep. 18, 1953, last amended by Law No. 11731 of Apr. 5, 2013.
- ²⁵³ Thailand Criminal Code, sec. 218, B.E. 2499 (1956), as amended through to Criminal Code No. 17, B.E. 2547 (2003).
- ²⁵⁴ See *supra* note.
- ²⁵⁵ See *supra* note.
- ²⁵⁶ Roger Hood & Carolyn Hoyle, The Death Penalty: A Worldwide Perspective, p. 136, Oxford University Press, 4th ed., 2008. Amnesty Intl., When the State Kills, p. 215, Amnesty International Publications, 1989.
- ²⁵⁷ Criminal Law of the People's Republic of China, art. 121, Jul. 1, 1979, as amended through to Feb. 25, 2011.
- ²⁵⁸ The Criminal Code of the Federal Democratic Republic of Ethiopia, art. 507, Proclamation No. 414/2004, May 9, 2005.

-
- ²⁵⁹ Lao People's Democratic Republic, Penal Law, art. 175, Law No. 12/NA, Nov. 9, 2005.
- ²⁶⁰ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 6.11, Jul. 21, 2010.
- ²⁶¹ Omani Penal Code, art. 136, Royal Decree No. 7174 of 1974, as amended by Royal Decree No. 4 of 2000.
- ²⁶² Terrorism Combating Act of 2000 of Sudan, art. 8.
- ²⁶³ Dr. Simon Butt, ARC Federation Fellowship, Islam, Syari'ah and Governance, Background Paper Series: Anti-Terrorism Law and Criminal Process in Indonesia, p. 9, The University of Melbourne, <http://www.law.unimelb.edu.au/files/dmfile/AntiTerrorismLawandProcessInIndonesia2.pdf>, Aug. 2008.
- ²⁶⁴ Tracy L. Snell, Capital Punishment, 2011—Statistical Tables, p. 5, U.S. Dept. of Justice, Bureau of Justice Statistics, NCJ 242185, Jul. 2013.
- ²⁶⁵ See *supra* note.
- ²⁶⁶ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 4.3, Jul. 21, 2010.
- ²⁶⁷ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 4.7, Jul. 21, 2010.
- ²⁶⁸ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, arts. 6.2, 6.3, Jul. 21, 2010.
- ²⁶⁹ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 6.7, Jul. 21, 2010.
- ²⁷⁰ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 6.10, Jul. 21, 2010.
- ²⁷¹ Penal Code of Morocco, arts. 507, 218-1, 218-7, promulgated by Dahir No. 1-59-413, Nov. 26, 1962, as amended through 2007.
- ²⁷² Penal Code of Morocco, art. 218.5, promulgated by Dahir No. 1-59-413, Nov. 26, 1962, as amended through 2007.
- ²⁷³ Qatar Law On Combating Terrorism, art. 7, No. 3 of 2004.
- ²⁷⁴ Criminal Code of the Republic of Tajikistan, art. 179(4)(a-c), May 21, 1998.
- ²⁷⁵ Intl. Fed. For Human Rights, Death Penalty in Iran: A State Terror Policy- Special Update for 11th World Day Against the Death Penalty, p. 6, Oct. 2013.
- ²⁷⁶ UAE Decree on Combating Terrorism Offenses of 2004 and Antiterrorism law of 2014
- ²⁷⁷ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 4.8, Jul. 21, 2010.
- ²⁷⁸ Penal Code of Morocco, arts. 334, 218-1, 218-7, promulgated by Dahir No. 1-59-413, Nov. 26, 1962, as amended through 2007.
- ²⁷⁹ Anti-Terrorism Law Abrogating and Replacing Law No. 2005-047 of Mauritania, dated Jul. 26, 2005, Law No. 2010-035, art. 4.1, Jul. 21, 2010.
- ²⁸⁰ Interpol, Bioterrorism: National Laws and Measures: Counter-Terrorism Regulation of Biology, www.interpol.int/Public/BioTerrorism/NationalLaws/Syria.pdf, last accessed Apr. 6, 2011.
- ²⁸¹ *Basic Human Rights Reference Guide: Conformity of National Counter-Terrorism Legislation with International Human Rights Law*, produced by the Counter-Terrorism Implementation Task Force (CTITF), OHCHR, October 2014.
- ²⁸² Human Rights, Terrorism and Counter-terrorism Factsheet, Fact Sheet No 32, OHCHR.
- ²⁸³ A/HRC/30/21
- ²⁸⁴ See *Basic Human Rights Reference Guide: Right to a Fair Trial and Due Process in the Context of Countering Terrorism*, produced by the Counter-Terrorism Implementation Task Force (CTITF), OHCHR, October 2014.
- ²⁸⁵ *Basic Human Rights Reference Guide: Right to a Fair Trial and Due Process in the Context of Countering Terrorism*, produced by the Counter-Terrorism Implementation Task Force (CTITF), OHCHR, October 2014, pp.4-5.
- ²⁸⁶ *International Covenant on Civil and Political Rights*, Article 14, para 1.
- ²⁸⁷ *International Covenant on Civil and Political Rights*, Article 14, para 2.
- ²⁸⁸ *International Covenant on Civil and Political Rights*, Article 14, para 3.
- ²⁸⁹ *International Covenant on Civil and Political Rights*, Article 14, para 3.
- ²⁹⁰ *International Covenant on Civil and Political Rights*, Article 14, para 5.
- ²⁹¹ See *European Convention on Human Rights*, Article 6.
- ²⁹² Mr. Ben Emmerson, UN Special Rapporteur on human rights and counterterrorism; Mr. Juan E. Méndez, UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Mr. Christof Heyns, UN Special Rapporteur on extrajudicial, summary or arbitrary executions; Ms. Mónica Pinto, UN Special Rapporteur on independence of the judiciary; the UN Working Group on Enforced or Involuntary Disappearances; Mr. Seong-Phil Hong, Chair-Rapporteur of the UN Working Group on Arbitrary Detention; Mr. David Kaye, UN Special Rapporteur on freedom of opinion and expression; Mr. Joseph Cannataci, UN Special Rapporteur on the right to privacy; Mr. Heiner Bielefeldt, UN Special Rapporteur on freedom of religion or belief; Mr. Maina Kiai, UN Special Rapporteur on the rights to freedom of peaceful assembly and of association; Mr. Michel Forst, UN Special Rapporteur on the situation of human rights defenders; Mr. Pablo de Greiff, UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; Mr. Chaloka Beyani, UN Special Rapporteur on the human rights of internally displaced persons; Mr. François Crepeau, UN Special Rapporteur on the human rights of migrants; Mr. Mutuma Ruteere, UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; Ms. Rita Izsák-Ndiaye, UN Special Rapporteur on minority issues; Ms. Elzbieta Karska, Chairperson-Rapporteur of the UN Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination; and Mr. Alfred De Zayas, UN Independent Expert on the promotion of a democratic and equitable international order.
- ²⁹³ What is permissible and what is not when countering terrorism? UN experts welcome new African guidelines, Geneva, 7 April 2016, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19790&LangID=E>
- ²⁹⁴ Michael Schwartz, Belarus Censured for Executing 2 in Subway Bombing, p. A3, The New York Times, 19 March 2012 (consulted on 2 June 2016)
- ²⁹⁵ Human Rights Watch, Belarus: Abolish the Death Penalty, March 19th, 2012, <https://www.hrw.org/news/2012/03/19/belarus-abolish-death-penalty> (last accessed June 2nd, 2016)
- ²⁹⁶ Human Rights Watch, Belarus: Abolish the Death Penalty, 19 March 2012, <https://www.hrw.org/news/2012/03/19/belarus-abolish-death-penalty> (consulted on 2 June 2016)

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- ²⁹⁷ All the information on these executions have been taken from Human Rights Watch, *Saudi Arabia: Mass Execution Largest Since 1980*, 4 January 2016, <https://www.hrw.org/news/2016/01/04/saudi-arabia-mass-execution-largest-1980>.
- ²⁹⁸ Amnesty International, A Shiite dignitary was part of 47 people executed by Saudi Arabia in a single day, 2 January 2016, <https://www.amnesty.org/fr/latest/news/2016/01/shia-cleric-among-47-executed-by-saudi-arabia-in-a-single-day/>, (consulted on 2 June 2016)
- ²⁹⁹ Reuters, Shiite cleric among 47 executed in Saudi Arabia, stirring anger in region, 2 January 2016, <http://www.reuters.com/article/us-saudi-security-idUSKBN0UG03B20160102>, (consulted on 2 June 2016)
- ³⁰⁰ Human Rights Watch, *Saudi Arabia: Mass Execution Largest Since 1980*, 4 January 2016, <https://www.hrw.org/news/2016/01/04/saudi-arabia-mass-execution-largest-1980>, (consulted on 2 June 2016)
- ³⁰¹ Human Rights Watch, *Saudi Arabia: Mass Execution Largest Since 1980*, 4 January 2016, <https://www.hrw.org/news/2016/01/04/saudi-arabia-mass-execution-largest-1980>, (consulted on 2 June 2016)
- ³⁰² Amnesty International, Annual Report 2015/2016, Egypt, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/egypt/report-egypt/>
- ³⁰³ Amnesty International, 2015/2016 Annual Report, Bahrain, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/bahrain/report-bahrain/> (consulted on 6 June 2016)
- ³⁰⁴ *International Covenant on Civil and Political Rights*, Article 15, para 1.
- ³⁰⁵ Amnesty International, *Bali bombers to face firing squad*, 31 October 2008, <https://www.amnesty.org/en/latest/news/2008/10/bali-bombers-face-firing-squad-20081031/>
- ³⁰⁶ *International Covenant on Civil and Political Rights*, Article 15, para 1.
- ³⁰⁷ Amnesty International, *Bali bombers to face firing squad*, 31 October 2008, <https://www.amnesty.org/en/latest/news/2008/10/bali-bombers-face-firing-squad-20081031/> (consulted on 3 June 2016)
- ³⁰⁸ *International Covenant on Civil and Political Rights*, Article 14, para 5.
- ³⁰⁹ See *Amnesty International 2015-16 Annual Report*, United Arab Emirates, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/ united-arab-emirates/report-united-arab-emirates/>
- ³¹⁰ Constitution of the Republic of Chad, art. 89, Mar. 31, 1996, as amended by Constitutional Act 08/PR/2005, dated Jul. 15, 2005. Decree on the Regulation of the Right to Clemency, art. 3-5, No. 230/PR-MJ, Oct. 19, 1970. Chad Code of Penal Procedure (Ordonnance portant code de procédure pénale), art. 476, Ordonnance No. 63-013, Jun. 9, 1967.
- ³¹¹ Jeune Afrique, Tchad : exécution des 10 membres présumés de Boko Haram condamnés à mort, August 29th, 2015, <http://www.jeuneafrique.com/depeches/260731/politique/tchad-execution-des-10-membres-presumes-de-boko-haram-condamnes-a-mort/> (last accessed June 3rd, 2016)
- ³¹² UNAMI/OHCR, Report on the death penalty in Iraq, p.2, October 2014.
- ³¹³ UNAMI/OHCR, Report on the death penalty in Iraq, p.22-23, October 2014.
- ³¹⁴ Amnesty International, Plus de 90 personnes condamnées à mort à l'issue d'un procès pour terrorisme, 19 February 2016, <https://www.amnesty.ch/fr/pays/moyen-orient-afrique-du-nord/irak/docs/2016/90-peines-de-mort-prononcees-en-2016vproces-pour-terrorisme> (consulted on 3 June 2016)