

THE DEATH PENALTY FACTS AND FIGURES

Steering Committee members:

Amnesty International, Arab Coalition Against the Death Penalty, Collectif Unitaire National de Soutien à Mumia Abu-Jamal, Coalition nationale pour l'abolition de la peine de mort au Maroc, Community of Sant'Egidio, Death Penalty Focus, Culture pour la Paix et la Justice, Ensemble contre la peine de mort, International Federation of Human Rights Leagues, Fédération Syndicale Unitaire, International Federation of Action by Christians for the Abolition of Torture, Lawyers For Human Rights International, Murder Victims' Families for Human Rights, National Association of Criminal Defence Lawyers, Paris Bar, Penal Reform International, Puerto Rico Bar Association, Taiwan Alliance to End the Death Penalty, Texas Coalition to Abolish the Death Penalty, Tuscany Region.

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[1] ABOLITIONIST AND NON-ABOLITIONIST COUNTRIES

More than two thirds of the world's countries have abolished the death penalty in law or practice.

- **95 countries** have abolished the death penalty for all crimes;
- **9 countries** have abolished the death penalty for all crimes except extraordinary crimes such as those committed in times of war;
- **35 countries** are *de facto* abolitionists: the death penalty is still provided for in legislation but no executions have been carried out for at least ten years.

Therefore, **139 countries** have abolished the death penalty *de jure* or *de facto*. However, **58 countries** and territories still uphold the death penalty and use this punishment. That said, 'only' **18 countries** carried out executions in 2009.

[2] PROGRESS MADE TOWARDS WORLD ABOLITION OF THE DEATH PENALTY

Since 1990 more than **54 countries** have abolished capital punishment for all crimes: in **Africa** (recent examples include Togo and Burundi); the **Americas** (Canada, Mexico, Paraguay and Argentina); **Asia-Pacific** (Bhutan, the Philippines and Samoa); and **Europe and the South Caucasus** (Armenia, Bosnia-Herzegovina, Cyprus, Kazakhstan, Kyrgyzstan, Montenegro, Turkey and Uzbekistan).

In the Americas, the USA was the only nation to carry out executions in 2009. In sub-Saharan Africa only two countries executed prisoners: Botswana and Sudan. In Asia, there were no executions in Afghanistan, Indonesia, Mongolia and Pakistan in 2009, the first execution free year in those countries in recent times. In Europe, there were no executions in 2009 - however, in March 2010 Belarus executed 2 prisoners.

[3] DEATH SENTENCES AND EXECUTIONS

During 2009 at least **714 prisoners** (excluding China) were executed in **18 countries** and at least **2001 people** were sentenced to death in **56 countries**. These figures only reflect cases of which Amnesty International was aware and the actual number is certainly higher.

In 2009, the nations with the highest number of executions were China, Iran, Iraq, Saudi Arabia and the United States.

[China]

Amnesty International has not given any estimates on the number or executions in China. Official national statistics on the application of capital punishment remain a state secret. It is therefore very difficult to obtain real, reliable information on the situation of the death penalty in the country. It is believed that thousands of executions have taken place in 2009.

[Iran, Iraq and Saudi Arabia]

According to Amnesty International's information Iran executed at least **388 people**. Iraq carried out 120 executions in 2009, overwhelmingly for alleged terrorist offences. In Saudi Arabia there were at least **69 executions** - the true number could be higher.

[United States of America]

In the United States 11 States carried out executions in 2009, taking the lives of 52 people (compared to 37 in 2008, 42 in 2007, 53 in 2006 and 60 in 2005), therefore bringing the total number of people executed since capital punishment was reinstated in 1977 to 1,188.

The increase in 2009 (from previous years) is explained by the resumption of executions after the *de facto* moratorium between September 2007 and April 2008, when the Supreme Court was called to establish whether the practice of lethal injection, used by 36 federal States, complied with the Constitution or not. The Supreme Court decided that lethal injections did not break the 8th Amendment protecting citizens against “*cruel and unusual punishment*”. 37 executions then took place within 8 months, between May and December 2008.

On 18 May 2009, the State of New Mexico abolished the death penalty. It is the 15th abolitionist State in this country.

[4] METHODS OF EXECUTION

Since 2000 the following methods have been used:

- **decapitation** (Saudi Arabia);
- **electrocution** (United States);
- **hanging** (Egypt, Iran, Iraq, Japan, Jordan, Pakistan, Singapore, ...);
- **lethal injection** (China, United States, Guatemala, Thailand);
- **execution by firing squad** (Belarus, China, Somalia, Vietnam, ...);
- **stoning** (Afghanistan, Iran).

[5] USE OF THE DEATH PENALTY AGAINST JUVENILE OFFENDERS

International human rights treaties forbid the use of capital punishment for all those under 18 at the time of the crime of which they are accused. This ban is inscribed in the *International Covenant on Civil and Political Rights*, the *American Convention on Human Rights* and the *Convention on the Rights of the Child*.

The countries which still uphold capital punishment for some crimes are all party to at least one of these treaties which expressly forbid the execution of juvenile offenders. However, a small number of countries continue to execute juvenile offenders.

In 2007 a total of ten child offenders were executed: eight in Iran, one in Saudi Arabia and one in Yemen. In 2008, at least 8 juveniles were executed in Iran according to Amnesty International and at least 140 others were believed to be on death row. In 2009 at least 7 juveniles were executed in Iran (5) and Saudi Arabia (2). According to the UN Special Rapporteur in Sudan, two of the people arrested in connection to the Khartoum attacks were under 18 years of age when the attacks took place.

[6] INTERNATIONAL INSTRUMENTS SUPPORTING ABOLITION

One important aspect of the progress which has been made recently is the adoption of international treaties through which States pledge not to use capital punishment:

- **Second Optional Protocol to the International Covenant on Civil and Political Rights**, which aims to abolish the death penalty and has been ratified by 72 States. 3 other countries have signed the Protocol, thereby signalling their intention to become party to this instrument at a later date;
- **Protocol to the American Convention on Human Rights on the abolition of the death penalty**, has been ratified by 11 States on the American continent;
- **Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Human Rights Convention) on the abolition of the death penalty**, which has been ratified by 46 European States and signed by one other;
- **Protocol No. 13 to the European Human Rights Convention concerning the abolition of the death penalty in all circumstances**, which has been ratified by 42 European States and signed by 3 others.

The object of Protocol No. 6 to the European Human Rights Convention is the abolition of the death penalty in **peace time** whereas Protocol No. 13 provides for the **total abolition** of the death penalty in all circumstances.

The two other protocols provide for the **total abolition** of capital punishment but gives States the possibility, if they so wish, to use it exceptionally in times of war.