



Death Penalty in the Arab World 2013/2014

Amman Center for Human Rights

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1 Introduction

Many countries in the MENA-region are still struggling in the aftermath of the Arabic Spring. Some transitional governments have developed a less-than-stellar reputation in regards to human rights, including the practice of the death penalty and following executions with problematic legal procedures and penal system.

Although the death penalty is still enacted and enforced in most countries in the region, there have been some mixed trends during the years 2013-14. While the number of countries that executed people in 2014 has gone up, the total numbers of executions has gone down noticeably, but at the same time the total number of death sentences has gone up quite drastically, mostly because of unfair mass sentences in Egypt.

1.1 Legal Framework

There has been several declarations, pleads, recommendations, and moratoriums proposed by the UN and other international organizations to end the use of death penalty in the world. The declaration of human rights, as well as the statutes of the ICCPR (International Covenant on Civil and Political Rights) reaffirms every person's right to life and to fair trials. If they are unable to persuade states to abolish the use of death penalty, then they try to at least limit it in scope, and make it as fair as possible, with limits on which crime should be included as a Capital Crime, and how the trials and treatment of the defendant are handled.

Most countries in the MENA-region have ratified the ICCPR statutes, which limits the use of the death penalty, but does not go as far as prohibit it. Only one country, Djibouti, has ratified the Second Optional Protocol that does just that.

The UN General Assembly has approved and reiterated its support for a resolution that would create a Moratorium on the use of death penalty for all states in the world. The resolution has only grown in popularity and has since its clearance

in 2007, and has been reiterated several times since then. The latest was in late 2014 and included such notions as increased protection of foreign nationals facing death penalty, including “persons with mental or intellectual disabilities” in the vulnerable group that previously only included pregnant women and minors.

The support for the Moratorium increased with 6 states, reaching a total of 117 supporting governments, and although the states in the MENA-region still largely uses the death penalty, there were some changes as well, both positive and negative.

1.2 ACHRS stance

Amman Center for Human Rights Studies complies with International Law by actively opposing all forms and cases of the death penalty. The death penalty violates the rights to life; it is the most inhuman and brutal punishment; and it has no proof of being effective in preventing crime. Moreover, the death penalty at all times risks sentencing and executing innocent people. ACHRS believes governments bear the responsibility to bring those who committed crimes to justice by obeying to international laws, which forbid the death penalty and all kinds of torture, and urges governments to do so. In 2014 the centre continued to; supervise, together with the International Organization for Penal Reform, the Arab Observatory of the Death Penalty; hold symposia on international justice and the right to life; and issue press releases and appeals. ACHRS advocates progressive restrictions on the use of the death penalty by pressing the Arab world to endorse International Law and the UN Moratorium on the Death Penalty.

1.3 Structure

This report is comparing the situation and status of the death penalty in the MENA-region for the years 2013 and 2014. It will focus mainly on the number of death sentences, executions, as well as any changes in the legal framework in the international community as well as in the countries included in this report.

After a brief introduction to the topic as well as some other basic points, each country will be presented and will be looked at more closely. Any notable events during these two years that affected the situation will be brought up.

A conclusion will hold a brief discussion on the situation regarding the death penalty, as well as covering any reasons why the changes occurred and some possible recommendations for the future. An appendix will briefly sum up the current situation by showing the relevant data points for the region and selected countries.

The data that shows the number of executions and death sentences is for many countries not exact, but the amount that has been able to be confirmed. In many cases, it is believed that the number is higher. In some other cases, like Syria for example, it is impossible to properly collect and confirm any number of death sentences and executions because of the turbulent political situation and subsequent conflict. But the numbers presented should still paint a generally accurate view on the situation in the relevant countries and region.

2 Country index

2.1 Algeria

Abolitionist in practice

Government: Republic

Constitution: 1963, amended several times

Execution method: shooting

2013 death sentences: 40

2014 death sentences: 16

2013 executions: 0

2014 executions: 0

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Yes

In 2013, a minimum of 40 death sentences were administered, most on the charges of terrorism and murder. More than half of the sentences were delivered in absentia, where the defendant was not present at the time. One sentence were given posthumously, where the defendant died in a police intervention. The majority of sentenced individuals were charged with terrorism and was believed to have connections to al-Qa'ida in the Islamic Maghreb (AQIM). Amongst the defendants, two men were sentenced for killing hundreds of civilians in terrorist attacks between the years 1996 and 2004.

The penal code was changed in order to enable giving the death sentence to the charges of kidnapping of children, if the victim dies. The expanding of the pe-

nal code is troubling, but since the crime in question related to a killing, it does not go against the ICCPR statutes.

In 2014 the number of death sentences passed out decreased drastically, with a minimum of 16 confirmed sentences. No executions took place in either year, which maintains Algeria's status *Abolitionist in Practice*.

In the vote on the reaffirming of the UN Moratorium in 2014, Algeria voted yes.

2.2 Bahrain

Retentionist

Government: Constitutional monarchy
Constitution: 2002, amended 2012
Execution method: shooting, firing squad
2013 death sentences: 0
2014 death sentences: 5
2013 executions: 0
2014 executions: 0
State of civil and political rights: Not Free
Party to ICCPR: Yes
Part to second protocol of ICCPR: No
UN Moratorium 2014 solution vote: Abstain

The year 2013 was the first time since 2009 where no death sentences or executions were being administered. Although the penal code was changed in order to include bomb attacks with result of casualties as an offence punishable by death. This is troubling, but since it involved deaths, it does not go against the ICCPR, which Bahrain is a party to. And despite no new death sentences, the sentence of one man was upheld by the High Criminal Court of Appeal.

In 2014, 5 death sentences were administered, as well as one old sentence being upheld, despite claims that the man was forced to confess under torture. No executions were reported.

Instead, Bahrain changed their stance on the UN Moratorium, from opposing it to abstaining the vote. This is a big step forward on the road to banning the death penalty. Even though it is not a no, the trend seems to show that the country is heading towards the right direction in terms of stop using the death penalty.

2.3 Djibouti

Abolitionist de facto

Government: Republic

Constitution: 1992, amended several times after

Execution method: Not applicable

2013 death sentences: 0

2014 death sentences: 0

2013 executions: 0

2014 executions: 0

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: Yes

UN Moratorium 2014 solution vote: Abstain

Djibouti is the only country in the MENA-region that has signed the Second Optional Protocol for the ICCPR, meaning that they are completely abolitionist. Despite this, Djibouti abstained during the voting on the Moratorium in 2014.

No death sentences or executions has taken place in the country during 2013 and 2014.

2.4 Egypt

Retentionist

Government: Republic

Constitution: 2013, approved by referendum 2014-15, ratified 2014

Execution method: Hanging

2013 death sentences: 109

2014 death sentences: 509

2013 executions: ?

2014 executions: 15

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

Egypt has had a very turbulent political climate recently with different governments and military coups. Although the number of executions for 2013 cannot be confirmed, the number of death sentences reached over three figures: at least 109 death sentences could be confirmed. A big portion of this (21) were connected to the Port Said football riots in 2012 that led to the death of 74 people. There were claims that defendants had been subjects to torture and ill-treatment while in custody.

The Constituent Assembly approved a new draft constitution that would replace Morsi's old one, but it did not bring up the prohibition of the death penalty. There was also a newly proposed counter-terrorism law that would expand on the use of the death penalty, and include crimes such as establishing a terrorism group, taking part in acts of terrorism, and leading a group to attack security forces or civilians. There has been some controversy surrounding this law, as it is unclear with some parts, as well as the fear of it being targeted specifically towards the Muslim Brotherhood.

The Course of Cassation accepted appeals for some former government officials, as well as Mubarak, leading to re-trials. Former heads of state and senior officials of previous governments faces trials that could potentially lead to the death penalty, including the trials of Morsi and Mubarak.

During this time, military courts kept administering death sentences to civilians.

The numbers for 2014 looks more dire, as there was at least 15 executions recorded, and an entire 509 sentences imposed. This is a huge increase since the year before, and can be attributed to the use of mass sentencing, sometimes hundreds of people at once. This practice is grossly unfair and must be looked over.

The prospects of Egypt changing its stance on the use of death sentence seems very far away, with the increase in sentences and the fact that they retained their stance and voted no on the UN Moratorium in the General Assembly vote in 2014.

2.5 Iraq

Retentionist

Government: Parliamentary Democracy

Constitution: latest adopted by referendum 2005

Execution method: Hanging, Shooting

2013 death sentences: 35

2014 death sentences: 38

2013 executions: 169

2014 executions: 61

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

In 2013 the number of executions rose for the third year in a row. With at least 169 confirmed executions, it was the highest number since 2003. At least 35 confirmed sentences were dealt out, but it is hard to be precise, since there is a lack of comprehensive data on the topic available.

The majority of those convicted and executed has been under the anti-terrorism law that has been criticized for being very vague and unclear. There has also been claims that defendants has been forced to confess under torture and duress, as well as having a proper appeals procedure denied to them. Further criticisms facing the legal system in terms of death penalty is unfair trials without proper legal representation for the defendant, mass executions, as well as handing out death sentences for non-lethal crimes, something that is in violation with the ICCPR statutes, which Iraq has signed.

2014 showed a drastic decrease of executions, with a significant drop down to 61. At least 38 death sentences were administered but yet again there is the problem of getting reliable data regarding the matter.

There were reports of mass executions taking place, giving reason to question how the procedure followed the human rights and other international regulations and agreements regarding death penalty.

During both 2013 and 2014, there were no executions taking place in the Kurdistan parts of Iraq. A Moratorium has been in place in the region for quite some time.

2.6 Jordan

Retentionist

Government: Constitutional Monarchy

Constitution: 1947, revised 1952, amended several times

Execution method: Hanging

2013 death sentences: 7

2014 death sentences: 5

2013 executions: 0

2014 executions: 11

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Abstain

Jordan kept up its 8 year pause on executions in 2013, and sentenced 7 people. All sentenced were Jordanian nationals, and some of the sentences were carried out in absentia, with the defendant not being present at the time.

During the Universal Periodic Review at the UNHRC, Jordan rejected any recommendations to abolish the death penalty and to ratify the Second Optional Protocol for ICCPR.

The pause on executions was broken in 2014, with 11 executions and 5 sentences. The decision to carry out the executions came the night before, which brings up questions regarding the standards of human rights, as convict and family has the right to be notified ahead of time.

The argument to carry on with the use of death penalty is that is supposedly function as a deterrent to serious crime, and that it is a response to increased levels of violent crimes in Jordan. This argument is however in serious doubt, and has been debunked through several reports and research projects.

During the Moratorium vote in the General Assembly in 2014, Jordan abstained from voting.

2.7 Kuwait

Retentionist

Government: Constitutional Emirate

Constitution: 1962

Execution method: Hanging, Shooting

2013 death sentences: 6

2014 death sentences: 7

2013 executions: 5

2014 executions: 0

State of civil and political rights: Partly Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

In 2013 Kuwait resumed carrying out the death penalty by executing 5 people, none of who were Kuwaiti nationals, and sentencing at least 6 more to death. Most of the executed were charged with murder, but one was for raping children.

As the numbers show, foreign nationals, mostly migrant workers, have a higher risk of being sentenced to death than nationals.

In 2014 there were no executions, and 7 sentences. During the General Assembly vote on the Moratorium, Kuwait voted no.

2.8 Lebanon

Retentionist

Government: Republic

Constitution: 1926, amended several times

Execution method: Shooting, Hanging

2013 death sentences: 7

2014 death sentences: 11

2013 executions: 0

2014 executions: 0

State of civil and political rights: Partly Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Abstain

Lebanon has not carried out any executions since 2004, and the streak continues. Although sentences are still carried out. In 2013 there were 7 confirmed sentences, where people were charged with crimes such as ‘collaboration with Israel’, as well as being defendants being charged in absentia and even posthumously. As military courts were still imposing death sentences on civilians, all of the above mentioned problems paints a picture that seriously questions the human rights standard being upheld in terms of death penalty.

The pause on executions remained intact in 2014 as well, as there were no executions, but 11 sentences.

Although the above mentioned problems with the due process of the trials and subsequent sentences, the fact that there has not been an execution since 2004 is impressive and applauded.

2.9 Libya

Retentionist

Government: Transitional Government

Constitution: 2011, constitutional assembly meeting since 2014

Execution method: Shooting

2013 death sentences: 18

2014 death sentences: 1

2013 executions: 0

2014 executions: 0

State of civil and political rights: Partly Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

Libya is still struggling to get back on stable feet after the conflict in 2011 when Gaddafi was ousted from power.

In 2013, the trials against former senior officials and heads of state had started, and the defendants could potentially face the death penalty.

At least 18 sentences were administered (an increase from the year before), and no executions were reported in 2013. Most of the sentences related back to the conflict, and the result of the aforementioned most likely affects the numbers of executions and sentences as well, as militant groups still take the law into their own hands and act as judge, jury, and executioner without regard for any central government or due process.

That said, there are problems with the judicial process, such as concerns about fair trials. Intimidation of lawyers, and death sentences being administered in absentia are examples of such.

In 2014 the trials of high officials in the previous Gaddafi government continued. These officials face charges connected to the 2011 conflict, and are in great risk of facing unfair trials that will lead to the death penalty.

One additional death sentence was handed down, but no executions were reported. Libya voted no in the General Assembly vote for the Moratorium on death penalty.

2.10 Mauritania

Abolitionist in Practice

Government: Presidential Republic

Constitution: 1991, amended 2018, 2012

Execution method: Shooting, Stoning

2013 death sentences: 2

2014 death sentences: 3

2013 executions: 0

2014 executions: 0

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Abstain

In 2013 and 2014, Mauritania had no executions and 2 and 3 sentences respectively. Crimes that deemed punishable by death included for example apostasy, as well as homosexuality. This is very troubling, as it breaks several international agreements and human rights. People should be free to practice any religion they want, and be able to be open with their sexuality without the fear of discrimination or persecution.

Mauritania abstained from voting in the General Assembly Moratorium vote in 2014, but has decided to study the Second Optional Protocol to ICCPR, in order to see if it is possible to sign and implement it.

The fact that the second protocol is being researched is a big step towards abolishing the death penalty in Mauritania. The fact that it is even considered is to be applauded, and hopes are high that the study will reach a positive conclusion and lead to an implementation.

2.11 Morocco

Abolitionist in Practice

Government: Constitutional Monarchy

Constitution: 2011

Execution method: Shooting

2013 death sentences: 10

2014 death sentences: 9

2013 executions: 0

2014 executions: 0

State of civil and political rights: Partly Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Abstain

No executions took place in Morocco in 2013 and 2014. 10 new sentences were administered in 2013 and 9 in 2014. But as the UN Special Rapporteur on Torture commented on the conditions for prisoners currently sitting death row, the conditions were extra harsh, including limited family visits and poor physical conditions.

There is currently a force within the Moroccan Parliament that work towards abolishing the death penalty. A bill has been introduced by the opposition that would replace the death penalty with a life sentence without a chance for clemency. During the Moratorium vote in 2014, Morocco abstained from voting.

The fact that there is a cross-party network within the parliament that are against the death penalty is great news and is cause of hope for Morocco and a future that contains no death penalty.

2.12 Occupied Palestinian Territories

Government: Provisional semi-presidential

Constitution: 2003

Execution method: Hanging, Shooting

2013 death sentences: 14

2014 death sentences: 4

2013 executions: 3

2014 executions: 2

State of civil and political rights: Not Free

Party to ICCPR: Not applicable

Part to second protocol of ICCPR: Not applicable

UN Moratorium 2014 solution vote: Not applicable

There has been no death sentences and executions in the areas controlled by the Palestinian Authority, since an official Moratorium was put in place in 2009. On the other hand, there was at least 3 executions and 14 sentences in Gaza in 2013, and 2 executions and 4 sentences in 2014.

In 2013 executions in Gaza dropped by half compared to the previous year, and dropped further in 2014. On the other hand, the number of sentences increased from 2012, but dropped again by quite a bit in 2014.

People were being sentenced for crimes such as ‘collaborating with Israel’ and there are fears that confessions are being forced by the use of torture. Death sentences are being imposed on civilians by military courts, and people are being judged in absentia.

In 2013, one man was executed for a crime he committed when he was underage, and was being forced to confess under torture. This breaks several international statutes and agreements, and must stop.

2.13 Oman

Retentionist

Government: Monarchy

Constitution: 1996, amended 2011

Execution method: Hanging, Shooting,

2013 death sentences: 0

2014 death sentences: 0

2013 executions: 0

2014 executions: 0

State of civil and political rights: Not Free

Party to ICCPR: No

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

There were neither any new confirmed death sentences nor executions carried out in 2013 as well as 2014. The last execution in Oman occurred in 2001. Despite the long period without any executions, Oman remains retentionist towards the use of the death penalty. The country is not a party to ICCPR, and voted no on the Official UN Moratorium in 2014. Although the continuation of no new sentences and executions is welcome and well received, it is troubling that the country retains its position in favor of the death penalty.

2.14 Qatar

Retentionist:

Government: Emirate

Constitution: 2005

Execution method: Shooting, Hanging

2013 death sentences: 6

2014 death sentences: 2

2013 executions: 0

2014 executions: 0

State of civil and political rights: Not Free

Party to ICCPR: No

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

Qatar has ratified neither ICCPR, its second protocol, and is a staunch opponent of the UN Moratorium.

In 2013 6 sentences were carried out, but no executions took place. 2 of those sentences were for drug offences, and the rest was for murders.

In 2014 no executions took place, and at least 2 sentences were carried out. Qatar firmly rejected the recommendations made by the UNHRC Universal Periodic Review, as well as voted no on the UN Moratorium, showing that the country has no plans to change its stance on the death penalty.

2.15 Saudi Arabia

Retentionist

Government: Monarchy
Constitution: 1992
Execution method: Beheading, Stoning
2013 death sentences: 6
2014 death sentences: 44
2013 executions: 79
2014 executions: 90
State of civil and political rights: Not Free
Party to ICCPR: No
Part to second protocol of ICCPR: No
UN Moratorium 2014 solution vote: No

Saudi Arabia has neither ratified ICCPR, its second protocol, or shown any interest in supporting a UN Moratorium. The country counts itself amongst the top countries in the world when it comes to the number of executions.

In 2013 there were at least 79 executions and 6 sentences, although that number is believed to be much higher as there is a lack of comprehensive data on sentences.

Sentences are handed out for crimes such as robbery, adultery, and drug-related offences. Around half of all the executions were for non-killing crimes like the above mentioned. These are all non-lethal crimes and should not be punished by death, least of all adultery. Consensual relations between two people should never be criminalized.

Minors were also reported to be put to death, as well as foreign nationals that have had little to no help in the proceedings. Translation from Arabic to their native tongue has consistently been denied. Confessions are being forced through torture, and the trials themselves are often held in secret, without the defendant's knowledge, and short, without proper representation for the defendants.

The executions are generally announced and performed publicly, but secret executions do occur. The most common forms of execution are either beheading or firing squad. In 2013, five Yemeni nationals were beheaded and crucified in front of a university.

Around half of the executions in both 2013 and 2014 were from non-lethal crimes.

The numbers in 2014 increased on both fronts, with at least 90 executions and 44 sentences. Again, it is difficult to get a full grasp on the true scope of the number of people being sentenced to death. People were being executed for crimes such as drug trafficking, kidnapping, torture, rape, witchcraft, and sorcery.

People were sentenced for ‘disobeying and breaking allegiance to the ruler’, using the death penalty as a way to silence oppositions and protesters.

This is a troubling trend, and Saudi Arabia has shown no signs to change their stance. They firmly rejected the recommendations made after the UNHRC Universal Periodic Review (although accepted increased openness and transparency of legal proceedings) and voted no on the UN Moratorium vote in 2014.

2.16 Somalia

Retentionist

Government: Federal Parliamentary Republic

Constitution: 2012 (provisional)

Execution method: Shooting

2013 death sentences: 117

2014 death sentences: 52

2013 executions: 34

2014 executions: 14

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Yes

In 2013 at least 34 executions were performed and 117 sentences were passed out in Somalia. Military courts sentenced civilians, and some sentences occurred while the defendant was not present. Despite the ratification of the ICCPR, sentences for non-lethal crimes such as rape still occurred. The most common form of execution was by firing squad, and in 2013, one soldier reportedly died from a stray bullet during one such execution.

2014 showed a decrease in both executions and sentences. At least 14 executions took place, and 52 sentences were administered. They were spread out over the different regions in Somalia, some of whom are semi-autonomous and even self-declared republics.

Somalia voted yes for the UN Moratorium in 2014.

2.17 Sudan

Retentionist

Government: Federal Republic

Constitution: 2005, in the process of drafting a new constitution since 2011

Execution method: Hanging, Stoning

2013 death sentences: 29

2014 death sentences: 14

2013 executions: 21

2014 executions: 23

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

Sudan saw 21 executions and 29 sentences in 2014, even for non-lethal crimes such as armed robbery and apostasy. Military courts still sentenced civilians to death, and it was wielded as a way to oppress and silence members of the opposition and activists.

There were discussions on a draft law that would expand the penal code to include the crime trafficking if the victim dies, to the list of crimes punishable by death. The results of these discussions are unclear.

In 2014 Sudan executed 23 people and sentenced 14. They voted no in the official UN Moratorium vote. Despite having ratified the ICCPR, non-lethal crimes are still punished by death. Especially outrageous is the death sentence on apostasy. People have the right to practice and express whichever religion they so choose. To make that criminal is a violation of several international statutes and agreements.

2.18 Syria

Retentionist

Government: Republic

Constitution: 2012

Execution method: Hanging, Shooting

2013 death sentences: ?

2014 death sentences: ?

2013 executions: ?

2014 executions: ?

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

Because of the current conflict in Syria, it is nearly impossible to confirm any death sentences and executions. It is extremely likely that the government is conducting extrajudicial killings of civilians as well as its armed opponents. Central government has seemingly broken down, and is no longer capable of enforcing the necessary steps to ensure a fair trial and treatment of the defendants that are risking and have been sentenced to death. Several death sentences and following executions has been reported being handed down by opposition groups and ‘rebel courts’. It is unclear what kind of judicial proceedings that led to the death sentence, and the legitimacy of these courts are highly questionable.

2.19 Tunisia

Abolitionist in Practice

Government: Republic

Constitution: 2014

Execution method: Hanging, Shooting

2013 death sentences: 5

2014 death sentences: 2

2013 executions: 0

2014 executions: 0

State of civil and political rights: Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Yes

A new constitution was drafted in 2013, but there is nothing in it regarding the prohibition on the death penalty, despite the president's statements against the use of the death penalty, and the advocating of a prohibition. Tunisia has ratified the ICCPR, but not the second optional protocol.

In 2013 at least 5 death sentences were administered, although no executions took place.

Although in 2014 Tunisia voted yes on the UN General Assembly vote on an official Moratorium, reaffirming its positive stance from 2012.

Yet at least 2 new death sentences were handed down. If one votes in favor of a moratorium, it would be expected that one would implement it, regardless of the outcome in the general vote. Yet this is not the case, and death penalties still occur in Tunisia.

2.20 United Arab Emirates

Retentionist

Government: Federation with specified powers delegated to the UAE federal government and other powers reserved to member emirates

Constitution: 1996, amended 2009

Execution method: Shooting, Stoning

2013 death sentences: 16

2014 death sentences: 25

2013 executions: 0

2014 executions: 1

State of civil and political rights: Not Free

Party to ICCPR: No

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Abstain

The United Arab Emirates has still not ratified the ICCPR, and has therefore certainly not ratified the second optional protocol.

2013 was a year where no executions were reported in the country, and the number of death sentences was the lowest since 2009 with at least 16.

Some of the sentences were for non-lethal crimes such as drug offences and rape, and foreign internationals were seen to be more at risk of getting the death penalty than United Arab Emirate nationals. Compared to previous years, there has been a visibly drop in the number of drug-related offences punishable by death. This progress is very welcome, and will hopefully continue.

After the Universal Periodic Review, the United Arab Emirates accepted the recommendations made by the UN to respect minimum Human rights and reduce the number of crimes punishable by death.

In 2014, executions resumed with one execution, this despite the president having ordered a stay on executions after the passing of UN General Assembly Resolution 67/176. 25 sentences were recorded, an increase from the previous

year. Sentences were handed down to mostly foreign internationals for crimes such as those related to drugs, and rape. One woman was sentenced to be stoned to death for adultery. Despite the promises to follow the UN recommendations, a new anti-terror law has been introduced that increases the scope of the death penalty to include more offences. This is regrettable, and it is hoped that United Arab Emirates decides to actually follow the recommendations they have already accepted. During the vote for the UN Moratorium, the United Arab Emirates abstained from voting.

2.21 Yemen

Retentionist

Government: Republic

Constitution: 1991, amended 2009, in progress of drafting new constitution since 2014

Execution method: Shooting, Stoning

2013 death sentences: 3

2014 death sentences: 26

2013 executions: 13

2014 executions: 22

State of civil and political rights: Not Free

Party to ICCPR: Yes

Part to second protocol of ICCPR: No

UN Moratorium 2014 solution vote: No

In 2013, Yemen had the lowest amount of executions since 2008, with at least 13 confirmed deaths. This is the second year in a row that executions have decreased. Death sentences were recorded to at least 3 confirmed, although there is a problem with collecting data, since there is a lack of comprehensive statistics regarding sentences.

There was an instance where a minor might have been executed, when his age was under suspicion. After that, authorities wanted to reduce the scope of the application of the death penalty and reinstated an expert committee of forensic medicine, in order to assess potential minors when their age is doubted, in order to prevent such a thing from happening again. The president also stopped executions where the age of the sentenced were under doubt.

This comprehensible motion to prevent minors from being executed is welcome, as Yemen has ratified the ICCPR and is therefore bound by its statutes.

Furthermore, Yemen accepted the UN recommendations to review the death penalty legislation in order to ensure full compliance with the ICCPR, and pro-

hibit death by stoning, as well as reduce the number of crimes punishable by death.

In 2014 there was a drastic increase in executions, with at least 22 confirmed. Compare this with the situation the previous year, and this paints a grim picture.

Executions and sentences are on the rise, and the promises from 2013 have seemed to yet take effect.

Yemen voted no on the official UN Moratorium.

3 Conclusions

3.1 Prospects for the future

The trends for 2014 and the future have been quite mixed. While the number of countries that performed executions as well as the overall number of death sentences being handed down as both gone up, the number of executions in the region has gone down noticeably.

The numbers can partially be explained by some outliers, namely Egypt and Saudi Arabia, and Iraq. These three countries have numbers that spike up quite noticeably compared to the other countries. Especially Egypt's effect on the number of death sentences is something that should be noted. With its over 500 sentences, it is responsible of 65% of all sentences in the region. These sentences are handed down en masse, and are often the result of very unfair trials. While many of the sentences has been repealed and reduced, it is still a very worrying trend. If it is an attempt to create stability in the country, it is misguided and futile, as the death penalty does not actually work as a deterrent.

The number of executions in Iraq and Saudi Arabia are similarly futile. Stability and security is not created by executions. The true number of executions can only be guessed and assumed, but the number presented here is the minimum that could be confirmed, and that enough is worrying and disconcerting.

It is regrettably that the number of countries that resumed executions has gone up, with Jordan amongst them.

On a more positive note, the total number of executions has gone down by approximately 26%. This can largely be accredited to Iraq, which by itself decreased the number of executions with around 100 people. Another noticeable case is Somalia, which has 20 less executions in 2014 compared to 2013.

3.2 Recommendations

ACHRS reiterates the following recommendations from previous years, and reinforces the need for organizations and countries to get involved in the issue and push for advancement in abolishing the death penalty.

1. Continue to support the creations of Coalitions Against the Death Penalty in every country of the MENA-region.
2. Strengthen the existing Arab Observatory Against the Death Penalty by choosing representatives of each country who all together and continuously pressure the governments of country in the MENA-region to adhere to International Law and to look for alternative sanctions.
3. Urge every Coalition Against the Death Penalty to stir a public debate regarding the death penalty by organizing annual campaigns, including symposia, roundtables and workshops.
4. Assist the National Coalitions in creating a virtual platform which discusses the problems, weaknesses and consequences of the death penalty in order to engage the populations and in particular the younger generation in the debate on the need of abolishing the death penalty.
5. Approach public figures such as politicians, businessmen and journalists, and persuade them to join the National Coalitions Against the Death Penalty in order to enlarge the reach of the public debate.
6. Create committees within the National Coalitions Against the Death Penalty which monitor the judiciary system by conducting visits to the prisons where people are on death row and by pressuring the civil servants who are part of the judiciary to be transparent by providing the National Coalitions with the up-to-date information on the death penalty and the related cases.
7. Urge the National Coalitions against the Death Penalty to write an annual report on the events regarding the death penalty which will be spread via the conventional and social media and to announce press re-

leases and write appeals every time someone is sentenced to death or executed in the MENA-region.

4 Appendix

	2013		2014	
Country	executions	sentences	executions	sentences
Algeria	0	40	0	16
Bahrain	0	0	0	5
Djibouti	0	0	0	0
Egypt	Unknown	109	15	509
Iraq	169	35	61	38
Jordan	0	7	11	5
Kuwait	4	6	0	7
Lebanon	0	7	0	11
Libya	0	18	0	1
Mauritania	0	2	0	3
Morocco	0	10	0	9
Palestine	3	14	2	4
Oman	Unknown	Unknown	Unknown	Unknown
Qatar	0	6	0	2
Saudi Arabia	79	6	90	44
Somalia	34	117	14	52
Sudan	21	29	23	14
Syria	Unknown	Unknown	Unknown	Unknown
Tunisia	0	5	0	2
UAE	0	16	1	25
Yemen	13	3	22	26
TOTAL	323	430	239	773

5 References

5.1 Reports

- Amnesty International Death Sentences and Executions 2014
- Amnesty International Death Sentences and Executions 2013
- ACHRS 7th Annual Report “The Death Penalty in the Arab World 2012”
- United Nations General Assembly Resolution 67/176 *Moratorium on the use of the death penalty*, 20 December 2012
- United Nations General Assembly Report 69/288, *Moratorium on the use of the death penalty*, 8 August 2014
- United Nations Human Rights Council Report HRC/27/23, *Question of the death penalty*, 30 June 2014
- International Covenant on Civil and Political Rights, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, adopted and proclaimed by General Assembly resolution 44/128 of 15 December 1989.

5.2 Websites

- <http://www.hrdreport.fco.gov.uk/>
- <http://www.sudantribune.com/spip.php?article51188> (2015-09-23)
- <http://www.deathpenaltyworldwide.org/> (*Center for International Human Rights at Northwestern University School of Law*)
- <https://www.cia.gov/library/publications/resources/the-world-factbook/> (*CIA world factbook*)