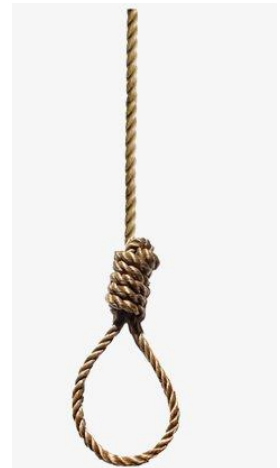




The Death Penalty in the Arab World



Annual Report of 2015/2016

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Table of content

I.	1. Introduction.....	3
	1.1 The Arab and Jordanian Coalition against the Death Penalty	3
II.	2. The Death Penalty in the Arab World	5
III.	3. The Death Penalty in Jordan	7
	3.1 The death penalty in the Jordanian law	7
	3.2 The death penalty in practice	7
	3.3 Changes in the Law regarding death penalty	9
	3.4 Expected legal changes	11
	3.5 Human Rights Attorney Nasreen Ziriqat's assessment of the death penalty in Jordan	12
IV.	4. The European Neighborhood Policy (ENP)	14
	4.1 The EU on the Death Penalty	15
V.	5. Country Profiles on the Death Penalty 2015/2016	16
	5.1. Algeria: Abolitionist in practice	16
	5.2. Bahrain: Retentionist	17
	5.3. Egypt: Retentionist	17
	5.4. Iraq: Retentionist.....	18
	5.5. Jordan: Retentionist.....	19
	5.6. Kuwait: Retentionist.....	19
	5.7. Lebanon: Retentionist	20
	5.8. Libya: Retentionist.....	20
	5.9. Mauritania: Abolitionist in practice.....	21
	5.10. Morocco: Abolitionist in practice	22
	5.11. Occupied Palestinian Territories: Retentionist	22
	5.12. Oman: Retentionist	23
	5.13. Qatar: Retentionist.....	24
	5.14. Saudi Arabia: Retentionist	24
	5.15. Somalia: Retentionist.....	25
	5.16. Sudan: Retentionist.....	26
	5.17. Syria: Retentionist	26
	5.18. Tunisia: Abolitionist in practice.....	27
	5.19. United Arab Emirates: Retentionist.....	27
	5.20. Yemen: Retentionist.....	28
VI.	6. Conclusion	30

VII. 7. References	31
7.1. Reports.....	31
7.2. Websites.....	31

1. Introduction

To abolish the death penalty is one of ACHRS' core aims, as the right to life is the foundation of all other personal freedoms and human rights. Not only is the death penalty preventing the Arab region from living up to universal human rights, but often the death penalty is the outcome of an unfair trial. This means that innocent people are being sentenced to death because they lack the resources for a fair trial. They simply do not have the economic capabilities or the right social background and network.

To spread knowledge and raise awareness, ACHRS has launched a web page (www.dp.achrs.org) dealing with the death penalty and held several seminars on the issue. Furthermore, ACHRS is a founding member of the Arab Coalition against Death Penalty and the founder of the Jordanian Coalition against Death Penalty, both founded in 2007 and still actively lobbying for change.

1.1 The Arab and Jordanian Coalition against the Death Penalty

The Arab Coalition against the Death Penalty (ACADP) is working on abolishing the death penalty by lobbying local and regional. Today, the organization is a member of the World Coalition against the Death Penalty (WCADP). The Jordanian Coalition is a sister-organization to the Arab Coalition, founded by ACHRS, in order to promote abolition and to raise awareness on the problems of the death penalty at a local level. The aim of both the Arab and Jordanian Coalition is to have a death penalty-free Arab world where human life is respected.

The agenda of the Arab and Jordanian Coalition is as follows:¹

- To ensure appropriation and the continuation of the program challenging the death penalty when the Penal Reform Internationals (PRI) program ends.
- To work towards enlarging the membership of the regional coalition by inviting other Arab countries to challenge death penalty.

¹ <http://www.worldcoalition.org/Arab-Coalition-Against-the-Death-Penalty.html>

- To join the world movement against the death penalty in celebrating the World Day Against Death Penalty on October 10, 2017.
- To encourage the countries which are furthest on the path of abolishing the death penalty to host a regional gathering on the World Day Against Death Penalty.
- To establish an Arab observatory of the death penalty under the supervision of PRI (Amman Office) and ACHRS.
- To adopt the date of the first abolition in the Arab World as the Arab day against the death penalty.
- To facilitate the exchange of expertise and good practices among national coalitions.
- To promote research and studies on alternatives to the death penalty.

2. The Death Penalty in the Arab World

The crimes punishable by death are as follows²:

Murder

Clarification: Killings committed as felony murder, and the murder of ancestors is punishable by death. The death penalty also applies if acts of torture are committed during a robbery or assault.

Aggravated murder

Other offenses resulting in death

Clarification: Many dangerous felonies are punishable by death if a victim dies because of, or during, the offense. These offenses include arson, kidnapping with aggravating circumstances, intentionally causing a flood, or attempting to cause a flood, damaging, or sabotaging public structures, incest and rape, robbery, and armed robbery.

Terrorism offenses resulting in death

Terrorism offenses not resulting in death

Clarification: If the terror includes explosives, radioactive materials, or chemical, biological, or radioactive weapons, or if the terror destroys buildings where people are present.

Rape not resulting in death

Clarification: Rape or attempted rape of an abductee is punishable by death. Incestuous rape with a female relative to the third degree who is under 15 years of age is punishable by death.

Robbery not resulting in death

Clarification: Highway robbery where acts of torture or other barbaric acts are committed, is punishable by death.

² <https://www.deathpenaltyworldwide.org>

Drug trafficking not resulting in death

Clarification: Drug trafficking or dealing drugs in conjunction with arms or money smuggling is punishable by death.

Drug trafficking resulting in death

Clarification: Drug offenses for funding or abetting insurgency are punishable by death.

Treason

Clarification: Attempting to kill the King, Queen, or Regent, and working to change the constitution is punishable by death. Furthermore, entering places with restricted access, and accessing secrets of the state's security is punishable by death.

Espionage

Military offenses not resulting in death

Clarification: Espionage, treason or sabotage-related offenses are punishable by death (see Treason and Espionage). Furthermore, disarming oneself by not carrying out required duties is punishable by death.

War crimes, crimes against humanity, and genocide

Clarification: Participating in war crimes relating to arrest, detention, torture, and inhumane acts may be punishable by death.

Kidnapping not resulting in death

Country specific cases: homosexuality, adultery, blasphemy, and apostasy

Clarification: These cases are punishable by death in some countries, mainly Saudi Arabia, Yemen, United Arab Emirates, and Qatar.

Please also note that not all countries uphold the same death sentences. This is merely a short overview of crimes punishable by death in the Arab world.

3. The Death Penalty in Jordan

3.1 The death penalty in the Jordanian law³

The Constitution

The constitution in Jordan states that death sentences cannot be carried out until the King confirms the sentence that is presented to him by the council of ministers. But the King has the power to grant pardon and remit sentences.

International law

The Constitution states that ordinary criminals will be extradited in accordance with international laws. In a situation where national and international laws are incompatible, international laws will take precedence over national laws. By this, international conventions accepted by Jordan, become part of the national legislation.

Changes in the death penalty

Jordan may gradually become an abolitionist country in practice since no one has been executed since 2006. Jordan has already abolished the death penalty for specific crimes, such as arson, armed rebellion, and drug-related crimes, which happened in 2006 and 2010. In 2008, 2010, 2012, and 2014, Jordan abstained from voting on the U.N. Resolution for a universal moratorium on executions. But there is still evidence of the use of the death penalty in Jordan for specific crimes, and the Jordanian courts still hand down death sentences on a regular basis.

3.2 The death penalty in practice⁴

Where are death-sentenced prisoners incarcerated?

There is not a separate prison for inmates sentenced to death. Instead they are kept in solitary confinement within the larger prison complexes. Inmates sentenced to death for national security crimes are housed in Juwaida or Swaqa prisons. Women under sentence of death are held in the Women's Center for Correction and Rehabilitation in Juwaida prison.

³ <https://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Jordan>

⁴ <https://www.deathpenaltyworldwide.org/country-search-post.cfm?country=Jordan>

What are the prison conditions?

Prisoners sentenced to death are kept in solitary confinement. The U.S. Department of State has reported that prisoners in Jordan lack adequate food, water, healthcare, sanitation, and visitation facilities. Religious and exercise facilities may also be lacking, and prison officials may restrict prisoners' access to books and personal belongings. Allegations of torture and prisoner mistreatment by guards are widespread. Conditions for women were generally better than those for men.

What are the nationalities of the known foreign nationals on death row?

There is at least one Iraqi woman on death row.

Are there any known women currently under sentence of death?

As of February 2013, there were nine women under sentence of death in Jordan.

Are there any reports of individuals currently under sentence of death who may have been under the age of 18 at the time the crime was committed?

No. Jordan does not sentence individuals under 18 to death.

Are there lawyers available for indigent defendants facing capital trials?

Yes, indigent defendants facing the death penalty or life imprisonment are provided an attorney at the public expense.

Are there lawyers available for indigent prisoners on appeal?

The attorney initially assigned to the defendant will continue to represent him or her on appeal to the Court of Cassation.

Comments on quality of legal representation

There are a number of attorneys available to defendants. For instance, in Amman, two NGOs, the Justice Center for Legal Aid and Tamkeen. These NGO's provide legal representation services. Only 9 lawyers work at JCLA in a city of 6.5 million. However, a public defender program may soon be established, with funding from the European Union and the World Bank.

Other comments on the criminal justice system

A person under arrest has the right to have an attorney present during interrogation, but the detainee must appoint a lawyer and the lawyer must present him or herself within 24 hours, or the detainee can be interrogated without an attorney present. The detainee can also be interrogated without an attorney before the 24 hours if the police feel it is an especially urgent case or that evidence will be lost.

3.3 Changes in the Law regarding death penalty

The death penalty was abolished in 2006 for the following offenses:

First:

Article 138 of the Penal Code No. 16 of 1960, which states as follows:

An attack intended to prevent existing authorities from exercising their functions derived from the Constitution is punishable by hard labor.

Clarification: This article became amended after the abolition of the term "death" in the latest and replace it with the term (hard labor) under the amended law No. 41 of 2006 published in the Official Gazette No. 4785 dated 1/10/2006

Second:

Article 12 of the Crackers Law No. 13 of 1953, which stipulates the following:

Subject to the provisions of Article (11):

1. In contravention of the provisions of Articles 3-8 of this Law, temporary hard labor shall be punished for fifteen years.
2. In possession, transfer, sale or purchase of explosives without a license for the purpose of their unlawful use shall be punishable by hard labor.
3. Use explosives with the intent of terrorism or with the intention of causing damage to life or property, whether resulting in harm or not, shall be punishable by death.

Clarification: This article came to be after the amendment of paragraph (2) by abolishing the term "death" in the last and replacing it with the term "hard labor" under the amended law No. 43 of 2006 published in Official Gazette No. 4785 dated 1/10/2006.

Third:

Article 8 of the Narcotics Act No. 11 of 1988

- A. Shall be punished by hard labor for a period of not less than fifteen years and a fine of not less than ten thousand dinars and not more than twenty thousand dinars each of the oldest of any of the following acts for the purpose of trafficking:

1. Produce, manufacture, import, export, transfer or store any narcotic or psychotropic substances, other than those authorized by applicable legislation.
 2. Buy or sell any narcotic or psychotropic substances or plants of plants that produce such substances or substances or possess, produce or store such materials, effects and plants, or treat or trade in any form, including receipt, delivery or facilitation. Any such operation is not permitted by applicable legislation.
 3. Plant any plant that produces any narcotic or psychotropic substances, imports or exports such plants, or treats or trades them in any form, including possession, acquisition, purchase, sale, receipt, delivery, transfer or storage. At any stage of its growth or the state on which it is.
- B. The penalty shall be hard labor for the perpetrator if any of the offenses set out in paragraph (a) of this article is committed in any of the following cases:
1. In the case of repetition, the Court may rely on proving the repetition of any sentence issued by convicting the offender in any of the offenses set forth in this article, including foreign judicial rulings.
 2. If the offender is one of the employees assigned to combat crimes related to narcotic substances or psychotropic substances or to carry out acts of control and supervision of the dealing, circulation or possession thereof or any of the acts provided for in this Law.
 3. If the perpetrator commits any of these crimes in conjunction with a minor or uses a minor to commit them.

Clarification: This article became amended after amended law No. 45 of 2006 published in the Official Gazette No. 4785 dated 1/10/2006

Article 9 of the Narcotics Act No. 11 of 1988

- A. Shall be punished by hard labor for a period of not less than ten years and a fine of not less than three thousand dinars and not more than fifteen thousand dinars each of the oldest in exchange for any of the following acts:
1. Provide any person with any of the narcotic or psychotropic substances or easily obtain them in other than the cases authorized or permitted by applicable legislation.
 2. Licenses to possess narcotic substances or psychotropic substances for use in a specific purpose or purposes and to treat those substances and effects in any form other than those purposes.
 3. Prepare a place or management for the use of narcotics or psychotropic substances, or to deal with or to trade in it or come to such place.
- B. If any of the crimes set forth in paragraph (a) of this article is committed without charge, the perpetrator shall be punished by hard labor for a period of not less than three years and a fine not less than three thousand dinars and not more than five thousand dinars.
- C. The penalty shall be the term of hard labor and a fine of not less than ten thousand dinars and not more than twenty thousand dinars if any of the crimes stipulated in paragraph (a) of this article are committed in any of the following cases:

1. In the case of repetition, the court may rely on proving the repetition any sentence issued by the offender's conviction, including foreign judicial rulings.
2. If the offender is one of the employees assigned to combat crimes related to narcotic substances or psychotropic substances or to carry out acts of control and supervision of the dealing, circulation or possession thereof or any of the acts provided for in this Law.
3. If the offender commits any such crime in conjunction with a minor or uses a minor to commit the crime, or the person to whom the narcotic or psychotropic substance is submitted is a minor.

Clarification: This article became amended after the amended law No. 45 of 2006 published in the Official Gazette No. 4785 dated 1/10/2006

3.4 Expected legal changes

The legal provisions contained in the Penal Code No. 16 of 1960 and expected to be presented to Parliament in the next session this year are:

- Article 112:** Every Jordanian who hides the enemy's plots or calls him to help him in any way on the victory of his forces against the state is punished with death
- Article 120** Anyone who is recruited in the kingdom without the consent of the government to fight for the benefit of a foreign country is punished with temporary detention. If the foreign country is an enemy, the penalty is death.
- Article 142** Heavy labor shall be punished by the perpetrator of the attack, which is aimed at either provoking civil war or sectarian fighting by arming the Jordanians or carrying them to arm each other against each other, or by inciting the killing and looting in a locality or shops and to be sentenced to death if attacked
- Article 372** If the fire results in the death of a person, the firefighter shall be punished by death in the cases provided for in articles 368 and 369 and for hard labor in the cases stipulated in articles 370 and 371.
- Article 381** The penalties mentioned in the preceding articles shall be increased by half, if one of the persons suffers permanent disability, and shall be sentenced to death if it leads to the death of a person.

3.5 Human Rights Attorney Nasreen Ziriqat's assessment of the death penalty in Jordan

AMMAN: Jordan abstained from voting during a general assembly meeting in New York last December to stop the execution of the death penalty, human rights activist Nasreen Ziriqat said. She said acknowledged the existence of several indicators that confirm the direction of Jordan towards the gradual abolition of the death penalty in Jordanian, among others, changes to legislation, which affected important laws, such as the the Jordanian Penal Code, as well as Jordan's moratorium on the implementation of this penalty since mid-May 2006.

These indications, however, are not enough to indicate that Jordan is moving away from the death penalty, even though it is applied to a minimum and limited amount of crimes and under strict conditions and the procedures connected to the death penalty cannot be accepted in accordance with fair trial procedures. Ziriqat called the death penalty a cruel, inhuman, and degrading punishment, and a violation of the right to life.

Despite all the pretexts advocated by the defenders of the death penalty to deter the criminals and protect society, the reality is that these arguments are not based on scientific standards, as the right to life is a genuine and self-evident right that cannot be affected by the actions and crimes of any person. No authority has the right to rob any person of this right, especially considering a judgment error cannot be remedied.

Ziriqat said no official decision had been issued by the competent authorities to stop the execution of the death sentence or cancel it in the light of the latest Jordanian voting in the General Assembly. Contrary to earlier votes, Jordan did not vote against the resolution recommending the abolition of the death penalty, but merely abstained. She added that the curve of dealing with the death penalty in Jordan has taken a positive trajectory referring to the reduced number of crimes punishable by death in Jordan. The number of crimes punishable by death in Jordanian law is, after several amendments, most of which are based on the Jordanian Penal Code, estimated at to be 23.

Attorney Ziriqat supported limiting the application of the death penalty to serious crimes that affects and poses a threat to the security of the society. She also supported strengthening preventive means to reduce the crime rate in line with the reform process pursued by the Kingdom, especially in the field of human rights. The death penalty does not achieve special deterrence because it is a cruel punishment for the criminal himself and ends his life and is contrary to the goal of punishment in reform.

Seventy-five persons sentenced to death remain in death and rehabilitation centers, including five women, some of whom have been sentenced to death for 30 years.

Jordan has unofficially suspended the practice of executions since May 2006, where they had carried out 51 of the 108 sentences issued between 2000 and 2006. According to statistics issued by the International Organization for Criminal Reform and the Abolition of the Death Penalty, the statistics indicate the issuance of 465 judgments between the years of 1994 - 1998, between 1999-2003, the death sentences increased by 403 for the years mentioned and from 2004 to 2008 was issued 423 judgment Execution in Jordan. In April 2009, the Justice Ministry announced that the penal code would be amended to abolish the death penalty for a number of crimes, but premeditated murder would remain. According to the report of the organization article no. 12 of 2010 abolished the death penalty for three crimes and replaced it with other penalties in addition to lifting life imprisonment from 25 to 30 years.

In 2006, the Penal Code was amended to abolish the death penalty for one crime. In addition, the Law on Narcotic Drugs and Psychotropic Substances was amended to abolish the death penalty for a number of crimes and to keep them in articles 10 and 21 only. Jordan is a signatory to the Arab Charter on Human Rights, the International Covenant on Civil and Political Rights and all international agreements related to human rights.

4. The European Neighborhood Policy (ENP)

The aim of the European Neighborhood Policy is to build a commitment to common interests with countries from the East and South where the promotion of democracy, the rule of law, respect for human rights, and social cohesion are key areas.

The EU's relationship with Jordan was established in 2002 in order to create a free trade area between Jordan and the EU and to increase business and economic growth. Jordan was the first country of the neighborhood countries to establish a committee on human rights and governance with the EU. This has resulted in a strong commitment from both partners where Jordan has been involved actively. Hopefully, the developments between Jordan and the EU could reach its full potential on human rights issues, since the EU and its member states are against the death penalty and have abolished it years ago. The commitment between the two regions is based on political reforms and social and economic reforms. Below is an overview of how EU is supporting reforms in Jordan.⁵ This is done by:

- Helping to achieve universal and equal education for all segments of society, especially in underprivileged areas, through the provision of budgetary support for the reform of the education sector. With community assistance, Jordan is providing early childhood education in rural areas and supporting economically disadvantaged families. In 2007 additional support was given to help Jordan absorb the influx of Iraqi students.
- Promoting gender equality, democratization, and protection of human rights by strengthening the role of civil society organizations. The Commission is helping the government to consult civil society more effectively and provides direct support to organizations that promote women's participation in political and economic life, labor rights, awareness raising on human rights.
- Helping to improve good governance through technical assistance in support of the Jordanian anti-corruption strategy by setting-up an anti-corruption commission, as well as providing advice to improve its external audit capacity in line with international and EU standards.
- Building links between the Jordanian and European researchers, so they can work together in international research projects.

⁵ [http://europa.eu/rapid/press-release MEMO-08-209_en.htm?locale=en](http://europa.eu/rapid/press-release_MEMO-08-209_en.htm?locale=en)

- Helping Jordan in its efforts to stimulate local development and empowerment of governments at municipal and governorate levels.

4.1 The EU on the Death Penalty

The EU is firmly against the death penalty. In EU, it is considered a cruel and inhuman punishment. The EU considers the abolition of the death penalty essential for progressive development on human rights and for the foundation of well-functioning states. The union works steadily towards a universal abolition, if necessary, by lobbying.

Other initiatives by the EU is the encouragement of states to ratify and apply universal human rights declarations and treaties. The political commitment of the EU is matched by European Commission funding through the European Instrument for Democracy and Human Rights (EIDHR). EIDHR support is aimed at promoting the restrictive use of, and in the end abolition of, the death penalty and the establishment of a moratoriums on the death penalty. Other tasks that include raising awareness in retentionist countries through public education, outreach to influence public opinion, securing the access of death row inmates to appropriate levels of legal support and the training of lawyers, are supported by the EU.⁶

Therefore, the European Neighborhood Policy with Jordan and the region could be the beginning of a cooperation on the abolishment of the death penalty. As a partnership is already fully established, prospects of a future coalition against the penalty could be a possibility.

⁶ <http://www.eidhr.eu/highlights/death-penalty>

5. Country Profiles on the Death Penalty 2015/2016 ⁷

5.1. Algeria: Abolitionist in practice

Government: Republic

Constitution: 1963, amended more than one time

Execution method: Shooting

2015 death sentences: 62

2016 death sentences: 50

2015 executions: 0

2016 executions: 0

State of civil and political rights: Not free

Party to ICCPR: Yes

Part of second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Yes

*The term ‘abolitionist in practice’ refers to a country which retain the death penalty for ordinary crimes such as murder but can be considered abolitionist in practice in that they have not executed anyone during the past 10 years and are believed to have a policy or established practice of not carrying out executions.*⁸

⁷ <https://www.amnesty.org/en/latest/news/2016/04/death-penalty-2015-facts-and-figures/>
<https://www.amnesty.org/en/latest/news/2017/04/death-penalty-2016-facts-and-figures/>

⁸ Abolitionist and Retentionist Countries as of July 2017, Amnesty International, July 5, 2017 (<https://www.amnesty.org/en/documents/act50/6665/2017/en/>)

5.2. Bahrain: Retentionist

Government: Monarchy

Constitution: 2002, amended in 2012

Execution method: Shooting and firing squad

2015 death sentences: 8

2016 death sentences: 0

2015 executions: 0

2016 executions: 0

State of civil and political rights: Not free

Party to ICCPR: Yes

Part of second protocol of ICCPR: No

UN Moratorium 2014 solution vote: Abstained

The term ‘retentionist country’ refers to a country or territory that retains the death penalty for ordinary crimes.⁹

5.3. Egypt: Retentionist

Government: Republic

Constitution: 2013, approved by referendum in 2014-2015, and ratified in 2014

Execution method: Hanging

⁹ Ibid

2015 death sentences: 538

2016 death sentences: 237

2015 executions: 22

2016 executions: 44

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

5.4. Iraq: Retentionist

Government: Parliamentary democracy

Constitution: Adopted by referendum in 2005

Execution method: Hanging and shooting

2015 death sentences: 89

2016 death sentences: 145

2015 executions: 26

2016 executions: 88

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

5.5. Jordan: Retentionist

Government: Monarchy

Constitution: 1947, revised in 1952, and amended more than one time

Execution method: Hanging

2015 death sentences: 3

2016 death sentences: 13

2015 executions: 2

2016 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: Abstained

5.6. Kuwait: Retentionist

Government: Emirate

Constitution: 1962

Execution method: Hanging and shooting

2015 death sentences: 14

2016 death sentences: 49

2015 executions: 0

2016 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

5.7. Lebanon: Retentionist

Government: Republic

Constitution: 1926, amended more than one time

Execution method: Shooting and hanging

2015 death sentences: 5

2016 death sentences: 126

2015 executions: 0

2016 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: Abstained

5.8. Libya: Retentionist

Government: Transitional government

Constitution: 2011

Execution method: Shooting

2015 death sentences: 10

2016 death sentences: 1

2015 executions: 0

2016 executions: Unconfirmed

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

5.9. Mauritania: Abolitionist in practice

Government: Presidential republic

Constitution: 1991, amended in 2012

Execution method: Shooting and stoning

2015 death sentences: 5

2016 death sentences: 0

2015 executions: 0

2016 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: Abstained

5.10. Morocco: Abolitionist in practice

Government: Monarchy

Constitution: 2011

Execution method: Shooting

2015 death sentences: 9

2016 death sentences: 6

2015 executions: 0

2016 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: Abstained

5.11. Occupied Palestinian Territories: Retentionist

Government: Semi-presidential (provincial)

Constitution: 2003

Execution method: Hanging and shooting

2015 death sentences: 12

2016 death sentences: 21

2015 executions: 0

2016 executions: 3

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

5.12. Oman: Retentionist

Government: Monarchy

Constitution: 1996, amended in 2011

Execution method: Hanging and shooting

2015 death sentences: 0

2016 death sentences: 0

2015 executions: 2

2016 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

5.13. Qatar: Retentionist

Government: Emirate

Constitution: 2005

Execution method: Shooting and hanging

2015 death sentences: 9

2016 death sentences: 4

2015 executions: 0

2016 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

5.14. Saudi Arabia: Retentionist

Government: Monarchy

Constitution: 1992

Execution method: Beheading and stoning

2015 death sentences: 6

2016 death sentences: 40

2015 executions: 158

2016 executions: 154

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

5.15. Somalia: Retentionist

Government: Federal parliamentary republic

Constitution: 2012 (provisional)

Execution method: Shooting

2015 death sentences: 5

2016 death sentences: 60

2015 executions: 25

2016 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

5.16. Sudan: Retentionist

Government: Federal republic

Constitution: 2005 (in process of drafting a new constitution)

Execution method: Hanging and stoning

2015 death sentences: 35

2016 death sentences: 21

2015 executions: 8

2016 executions: 2

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

5.17. Syria: Retentionist

Government: Republic

Constitution: 2012

Execution method: Hanging and shooting

2015 death sentences: Unconfirmed

2016 death sentences: Unconfirmed

2015 executions: Unconfirmed

2016 executions: Unconfirmed

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

5.18. Tunisia: Abolitionist in practice

Government: Republic

Constitution: 2014

Execution method: Hanging and shooting

2015 death sentences: 11

2016 death sentences: 44

2015 executions: 0

2016 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

5.19. United Arab Emirates: Retentionist

Government: Federation

Constitution: 1996, amended in 2009

Execution method: Shooting and stoning

2015 death sentences: 8

2016 death sentences: 26

2015 executions: 1

2016 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: Abstained

5.20. Yemen: Retentionist

Government: Republic

Constitution: 1991, amended in 2009 (in process of drafting a new constitution)

Execution method: Shooting and stoning

2015 death sentences: Unconfirmed

2016 death sentences: Unconfirmed

2015 executions: 8

2016 executions: Unconfirmed

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

6. Conclusion

1,634 people were executed in 2015. Compared to 2013/2014, the number of executions have increased by 50%.

Amnesty International recorded 3,117 death sentences in 55 countries in 2016, a significant increase compared to the total for 2015 (1,998 sentences in 61 countries). Significant increases were recorded in 12 countries, but for some, the increase is due to the authorities provided Amnesty International with detailed information. The following methods of execution were used across the world: beheading, hanging, lethal injection, and shooting.¹⁰

Some Arab countries started the process of turning from retentionists into abolitionists, which is very positive, but more progress is needed. Hard work is essential to reach moratorium status in the region. The voting pattern by the Arab states in the General Assembly over the Moratorium Resolution also reflects a certain degree of progress, but the goal is a positive voting pattern, rather than an abstaining voting pattern.

Judges and lawyers play important roles when it comes to changes since death sentences often are outcomes of unjust and unfair trials. This means that they must take a close look at every single case and not impose death sentences whenever it is convenient.

Finally, the populations in the Arab countries must take part in the matter actively. It is important to raise awareness and show support to the abolition and the abolitionists. In cooperation with the Arab and Jordanian Coalition against the Death Penalty, ACHRS will continually work on the abolition of the death penalty in Jordan and the Arab world.

¹⁰ <https://www.amnesty.org/en/latest/news/2017/04/death-penalty-2016-facts-and-figures/>

7. References

7.1. Reports

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7.2. Websites

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www.worldcoalition.org

www.deathpenaltyworldwide.org

www.euintheus.org

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