Advance edited version

Distr.: General
17 August 2026

Original: English

Advance edited version

Human Rights Council
Sixty-third session
7 September–9 October 2026
Agenda items 2 and 3

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Question of the death penalty

Report of the Secretary-General*

Summary

The present report is submitted to the Human Rights Council pursuant to Council decision 18/117, to provide an update to previous reports on the question of the death penalty. In the report, the Secretary-General reaffirms the general trend towards universal abolition of the death penalty and highlights initiatives limiting its use and implementing safeguards guaranteeing the protection of the rights of those facing this severe penalty. Between July 2024 and June 2026, a minority of States continued to implement the death penalty, with some taking steps towards reintroducing it or considerably increasing its use.

* The present document was submitted to the conference services for processing after the deadline so as to include the most recent information.

Please recycle

I. Introduction

1. The present report is submitted to the Human Rights Council pursuant to Council decision 18/117, to provide an update to previous reports on the question of the death penalty, including the most recent quinquennial report of the Secretary-General.[1] Pursuant to Council resolution 22/11, the report also includes information on the human rights of the children of persons sentenced to death or executed.

2. The report covers the period July 2024–June 2026. It is based largely on a call for inputs circulated to States, national human rights institutions, United Nations entities, international and regional intergovernmental bodies and non-governmental organizations.[2] Attention is also drawn to the report on a moratorium on the use of the death penalty, submitted by the Secretary-General to the General Assembly at its eighty-first session, in which the Secretary-General outlines efforts made towards the implementation of General Assembly resolution 79/179.[3]

II. Changes in law and in practice

A. Abolition of the death penalty or initiatives towards its abolition, including establishing a moratorium on executions

3. The Human Rights Committee has stated that article 6 (6) of the International Covenant on Civil and Political Rights reaffirms that States Parties that are not yet totally abolitionist should be on an irrevocable path towards complete eradication of the death penalty, de facto and de jure, in the foreseeable future. According to the Committee, the death penalty cannot be reconciled with full respect for the right to life and abolition of the death penalty is both desirable and necessary for the enhancement of human dignity and the progressive development of human rights.[4]

4. Some 170 States have abolished or introduced a moratorium on the death penalty, either in law or in practice, or have ceased executions for more than 10 years. In their submissions for the present report, several States described their process of and support for abolition.

5. On 17 December 2024, the General Assembly adopted resolution 79/179, in which it called upon States to establish a moratorium on executions, with a view to abolishing the death penalty. The resolution received 130 votes in favour, marking the largest majority among Member States in favour of establishing a moratorium on executions since the resolution was first introduced.

6. Continued progress was made towards the formal abolition of the death penalty during the reporting period. Since July 2024, two States abolished the death penalty from their criminal legislation: in December 2024, Zimbabwe introduced the death penalty abolition bill, which abolished the death penalty for ordinary crimes and amended the Defence Act to allow for the reinstatement of the death penalty when any state of public emergency is declared; and, in March 2025, the Gambia adopted a new Criminal Offences Act, which removed the death penalty as a punishment for offences under its scope, including murder.

7. Other legislative steps were taken towards abolition: Guinea adopted a new Constitution in September 2025, which prohibits the death penalty, restoring its explicit constitutional ban after a period of absence since 2021; and, in February 2026, the

[1] E/2025/75.

[2] The submissions are available at https://www.ohchr.org/en/calls-for-input/2026/call-inputs-secretary-generals-report-question-death-penalty-63rd-session-hrc. Due to a lack of official data, the report also relies on open-source information, including from news outlets and non-governmental organizations.

[3] A/81/316.

[4] General comment No. 36 (2018), para. 50.

Advance edited version

Parliamentary Human Rights Committee in Lebanon approved a draft law that would replace the death penalty with life imprisonment under strict conditions.

8. In 2025, Viet Nam reduced the number of capital offences from 18 to 10, while Pakistan removed death penalty eligibility for two offences, replacing them with life imprisonment. As of 2 January 2026, Indonesia amended its Criminal Code, reclassifying the death penalty as a special last-resort punishment rather than a primary sentence.

9. Several States advanced domestic legal or policy processes aimed at reducing or abolishing the death penalty. In February 2025, Kenya established a parliamentary task force to review national legislation on the death penalty. In Liberia, a draft bill amending the penal code to remove all remaining provisions related to capital punishment has been finalized and, as of the end of February 2026, is awaiting cabinet approval.

10. Submissions also illustrated other initiatives towards abolition taken during the reporting period, such as in Ghana, where, in December 2025, the report of the Constitutional Review Committee was presented to the President recommending abolition of the death penalty for all offences under the Constitution.[5]

11. Domestic courts in several jurisdictions continued to play a role in restricting the application of the death penalty. For example, the Constitutional Court of Kyrgyzstan ruled on 10 December 2025 that proposed constitutional amendments to reintroduce the death penalty were unconstitutional.[6] In February 2025, Nyeri High Court in Kenya held that the mandatory imposition of the death penalty for robbery with violence was unconstitutional.[7]

12. During the universal periodic review, recommendations on the death penalty were made to retentionist States, including to accede or consider acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,[8] to take appropriate measures to abolish the death penalty,[9] to abolish the death penalty for drug-related offences,[10] to commute existing death penalty sentences to prison sentences,[11] to reduce the number of crimes punishable by death,[12] to restrict the death penalty to the most serious crimes,[13] to introduce an official moratorium on executions with a view to abolition,[14] to publish annual data on the death penalty as a first step towards abolition,[15] to conduct public consultations and inclusive national debates on the death penalty and the establishment of a moratorium on its use,[16] to guarantee a fair trial for individuals facing charges carrying the death penalty,[17] to abolish the death penalty for

Advance edited version

[5] Submission by the Death Penalty Project.
[6] Submission by the International Commission against the Death Penalty.
[7] See https://new.kenyalaw.org/akn/ke/judgment/kehc/2025/17161/eng%402025-11-19/source.
[8] For example, A/HRC/58/6, paras. 141.3–141.6; A/HRC/58/10, paras. 97.3–97.6; A/HRC/58/11, paras. 130.14–130.16; A/HRC/58/12, paras. 124.13 and 124.14; A/HRC/58/15, paras. 58.8 and 58.12–58.14; A/HRC/58/16, paras. 170.56–170.60; A/HRC/59/8, paras. 160.6–160.9; A/HRC/60/7, paras. 121.11, 121.13–121.18, 121.70, 121.79 and 121.83; and A/HRC/60/14, para. 131.5.
[9] For example, A/HRC/60/7, paras. 121.68–70; A/HRC/60/9, paras. 136.62–136.64, 136.68 and 136.69; A/HRC/60/10, paras. 56.51–56.67; A/HRC/60/14, paras. 131.53–131.60; A/HRC/60/16, paras. 103.44, 103.51 and 103.52; and A/HRC/60/17, paras. 31.53 and 31.54.
[10] A/HRC/59/12, paras. 38.101 and 38.104; and A/HRC/60/7, paras. 121.75 and 121.82.
[11] A/HRC/58/6, paras. 141.58 and 141.59; A/HRC/58/15, para. 58.82; A/HRC/59/12, para. 38.88; A/HRC/59/14, para. 117.47; A/HRC/59/16, para. 42.77; A/HRC/60/7, paras. 121.77 and 121.80; A/HRC/60/10, para. 56.55; A/HRC/60/14, para. 131.61; A/HRC/60/16, paras. 103.43 and 103.47; and A/HRC/60/17, para. 31.57.
[12] A/HRC/58/11, para. 130.65; A/HRC/59/16, paras. 42.72, 42.74 and 42.84; and A/HRC/60/7, paras. 121.71–121.76.
[13] A/HRC/58/11, para. 130.66; and A/HRC/58/12, para. 124.67.
[14] For example, A/HRC/59/12, paras. 38.85–38.103, 38.105, 38.108, 38.109 and 38.111; A/HRC/59/14, paras. 117.44, 117.46–146.51 and 117.55; A/HRC/59/16, paras. 42.76–42.85; A/HRC/60/14, paras. 131.61–131.64; and A/HRC/60/16, paras. 103.43 and 103.46–103.48.
[15] A/HRC/59/12, para. 38.107.
[16] A/HRC/58/12, para. 124.66; and A/HRC/59/16, para. 42.69.
[17] A/HRC/59/12, para. 38.139.

persons under the age of 18[18] and to abolish the death penalty for crimes committed by persons while they were under the age of 18.[19]

13. Among the current retentionist States receiving such recommendations, the Gambia accepted most of the recommendations addressing the death penalty and subsequently abolished the death penalty under its criminal legislation, as noted above.

14. On 25 February 2025, the Human Rights Council held its biennial high-level panel discussion on the question of the death penalty, addressing the contribution of the judiciary to the advancement of human rights and the question of the death penalty. During the discussion, the United Nations High Commissioner for Human Rights urged States that had not agreed to a moratorium on the death penalty to move irrevocably towards the complete eradication of the death penalty.[20]

B. Restrictions on the use and scope of the death penalty or limitations on its use

15. In the United States of America, the State of Georgia enacted a bill that provides for pretrial hearings for capital defendants to raise intellectual disability claims and implements a new standard of proof for those claims, bringing the state's legal standard in line with the 26 other states of the United States that retain the death penalty.[21]

C. International and regional instruments contributing to the abolition of the death penalty

16. As of 9 June 2026, 92 States had deposited their instruments of ratification or accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.[22] Zambia acceded to the Optional Protocol on 19 December 2024.

17. The treaty bodies recommended that States consider ratifying or acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty,[23] and to consider declaring or establishing a moratorium on the use of the death penalty, with a view to its abolition.[24]

18. Human rights regional bodies continued to advocate the abolition of the death penalty. For example, in November 2024, the African Commission on Human and Peoples' Rights adopted a resolution urging African States to vote in favour of the General Assembly

[18] A/HRC/59/16, para. 42.74.
[19] A/HRC/59/12, para. 38.102; and A/HRC/59/16, para. 42.73.
[20] A/HRC/60/48, para. 10.
[21] Submission by the Death Penalty Information Center.
[22] See https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-12&chapter=4&clang=_en.
[23] CAT/C/BHR/CO/4, para. 38 (a); CCPR/C/BFA/CO/2, para. 29; CERD/C/BDI/CO/11-19, para. 55; CAT/C/CMR/CO/5, para. 50 (b); E/C.12/COL/CO/7, para. 55; CEDAW/C/CUB/CO/9, para. 60; CRC/C/ERI/CO/5-6, para. 50 (c); CERD/C/GTM/CO/18-20, para. 46; CCPR/C/IND/CO/4, para. 32; CRC/C/IDN/CO/5-6, para. 47 (d); CRC/C/IRQ/CO/5-6, para. 54 (d); CAT/C/ISR/CO/6, para. 51; CEDAW/C/JPN/CO/9, para. 57; CAT/C/JOR/CO/4, para. 43; CAT/C/KWT/CO/4, para. 34 (a); E/C.12/LAO/CO/1, para. 61; CRPD/C/MDV/CO/1, para. 20 (a); CRC/C/MDV/CO/6-7, para. 51 (a); CCPR/C/MDV/CO/2, para. 28; CAT/C/MUS/CO/5, para. 48; CCPR/C/PAK/CO/2, para. 23; CRC/C/QAT/CO/5-6, para. 54 (a); CAT/C/KOR/CO/6, para. 21 (a); CCPR/C/SYR/CO/4, para. 25; CEDAW/C/THA/CO/8, para. 55; CAT/C/THA/CO/2, para. 27; CRPD/C/VNM/CO/1, para. 20; CCPR/C/VNM/CO/4, para. 23; and CCPR/C/ZWE/CO/2, para. 24 (b).
[24] CAT/C/BHR/CO/4, para. 38 (a); CEDAW/C/BWA/CO/5, para. 15 (f); CEDAW/C/COD/EP/CO/1, para. 30; CCPR/C/IND/CO/4, para. 32; CAT/C/ISR/CO/6, para. 51; CAT/C/JOR/CO/4, para. 43; CAT/C/KWT/CO/4, para. 34 (a); CCPR/C/PAK/CO/2, para. 23; CCPR/C/VNM/CO/4, para. 23; CERD/C/SAU/CO/10-11, para. 26 (a); CEDAW/C/SAU/CO/5, para. 16 (a); CEDAW/C/LKA/CO/9, para. 18 (a); CCPR/C/SYR/CO/4, para. 25; CEDAW/C/THA/CO/8, para. 18; and CAT/C/THA/CO/2, para. 27.

Advance edited version

resolution on a moratorium on the use of the death penalty and calling upon African States that retained the death penalty to establish or maintain an official moratorium and to consider the possibility of abolishing the death penalty.[25]

D. Reintroduction of the use of the death penalty, extension of its scope or resumption of executions

19. According to the Human Rights Committee, States Parties to the International Covenant on Civil and Political Rights that have abolished the death penalty are barred from reintroducing it. The Committee has noted that the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, like the Covenant, does not contain termination provisions and States Parties cannot denounce it, and that abolition of the death penalty is therefore legally irrevocable. The Committee has stated that it is contrary to the object and purpose of article 6 of the Covenant for States Parties to take steps to increase de facto the rate of use of and the extent to which they resort to the death penalty.[26]

20. During the reporting period, reported executions increased significantly worldwide. Amnesty International recorded 2,707 executions in 2025, marking an increase of more than two thirds compared with the total recorded in 2024. According to Amnesty International, the sharp hike was due to a significant rise in executions in a small number of retentionist States, primarily the Islamic Republic of Iran, where reportedly at least 2,159 executions took place, more than double the 2024 total.[27]

21. In March 2026, Israel adopted legislation effectively reintroducing the death penalty for offences that in practice may be applicable solely to Palestinians, including provisions for capital punishment following military trials. In May 2026, Israel passed a law creating a special military court to prosecute Palestinians accused of links to the 7 October 2023 attacks. The High Commissioner urged Israel to repeal those laws, highlighting that they raised serious due process and fair trial concerns, including through the introduction of mass trials,[28] and could further entrench the violation by Israel of the prohibition of racial segregation and apartheid by discriminatorily targeting Palestinians.[29] Similarly, special procedure mandate holders of the Human Rights Council stated that a death penalty regime that was discriminatory in purpose, design or effect was incompatible with the rights to life and equality before the law[30] and warned that differential application of criminal law between Palestinians and Israelis could further aggravate the risk of torture and ill-treatment.[31]

22. In December 2025, the Council of Ministers of Burkina Faso approved a draft bill reinstating the death penalty for a wide variety of offences, including high treason and terrorism, nearly a decade after the country had abolished it and almost four decades after the last known judicial execution. In June 2025, Chad established a commission tasked with considering the reinstatement of the death penalty, having abolished it in 2020.[32]

23. Several legislative initiatives were introduced across different States expanding the scope of application of the death penalty. As of March 2026, Maldives introduced the death penalty for drug trafficking.[33] Similar developments have taken place in Algeria, which

[25] See https://africanlii.org/pt/akn/aa-au/doc/resolution/2024-11-06/resolution-on-the-united-nations-general-assembly-biannual-vote-calling-for-a-moratorium-on-the-use-of-the-death-penalty/eng@2024-11-06.
[26] General comment No. 36 (2018), paras. 34 and 50.
[27] Amnesty International, “Death sentences and executions 2025” (London, 2026), p. 6.
[28] See https://www.ohchr.org/en/press-releases/2026/05/turk-urges-repeal-special-military-tribunal-law-passed-israeli-knesset.
[29] See https://www.un.org/unispal/document/ohchr-statement-death-penalty-israel/.
[30] See https://www.ohchr.org/en/press-releases/2026/04/israels-death-penalty-law-constitutes-discriminatory-regime-capital.
[31] See https://www.ohchr.org/en/press-releases/2026/04/new-israeli-death-penalty-law-risks-violating-absolute-prohibition-torture.
[32] Amnesty International, “Death sentences and executions 2025”, p. 36.
[33] See https://presidency.gov.mv/Press/Article/35837.

Advance edited version

expanded the scope of the death penalty to drug-related offences in July 2025.[34] In December 2025, Kuwait enacted an anti-drug law broadening the use of the capital punishment for multiple drug offences.[35]

24. In July 2025, a new law imposing the death penalty for election-related offences was enacted by the military authorities in Myanmar.[36] In the United States, in 2025, the States of Arkansas, Idaho and Oklahoma made sexual assault of children below a certain age death-eligible offences and the State of Florida created the capital offence of sex trafficking.[37]

25. In 2025, Japan and South Sudan reportedly carried out their first executions since 2022, the United Arab Emirates its first since 2021 and Taiwan Province of China its first since 2020.[38] On 21 June 2026, Jordan reportedly carried out six executions on the same day, marking the end of the informal moratorium that had been in place since 2017.[39] In its submission, the Death Penalty Information Center noted that, during the reporting period, the States of Indiana, Louisiana, South Carolina and Utah, United States, had carried out their first executions in over a decade.

26. The Democratic Republic of the Congo has handed down death sentences at an increasing rate since the de facto moratorium was lifted in March 2024. Figures reported by Amnesty International nearly tripled in 2025, with over 359 death sentences.[40] In October 2024, the High Commissioner expressed concern over the decision to lift the de facto moratorium in the Democratic Republic of the Congo, noting that it was a major step backwards.[41]

III. Transparency and the use of the death penalty

27. In its resolution 60/17, the Human Rights Council called upon States that had not yet abolished the death penalty to make available systematically and publicly full, accurate and relevant information, disaggregated by gender, age, nationality, race, ethnicity, disability and other applicable criteria, with regard to their use of the death penalty, given that access to reliable information on the imposition and application of the death penalty enabled national and international stakeholders to understand and assess the scope of those practices.

28. It remains difficult to obtain accurate global figures on the application of the death penalty. China and Viet Nam, for example, continue to classify data on the use of the death penalty as State secrets, while some other retentionist States exercise restrictive practices regarding death penalty data. In their submissions, several civil society stakeholders described transparency issues in several States, including Algeria, Cameroon, the Democratic Republic of the Congo, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, Lebanon, Liberia, Maldives, Mauritania, Nigeria, Somalia, Sri Lanka and Tunisia.[42]

29. Noting that persons who experienced intersecting discrimination based on gender, language, ethnicity, national origin and class were sentenced to death without consideration of gender-related factors during criminal proceedings, the Committee on the Elimination of Racial Discrimination recommended that Saudi Arabia collect and publish disaggregated statistics on death sentences and executions, including demographic data on convicted persons. [43] The Committee on the Elimination of Discrimination against Women

[34] Submission by Harm Reduction International.
[35] Amnesty International, “Death sentences and executions 2025”, p. 30.
[36] See https://iimm.un.org/en/serious-international-crimes-may-be-committed-ahead-myanmar-elections-warns-myanmar-mechanism.
[37] See https://deathpenaltyinfo.org/research/analysis/reports/year-end-reports/the-death-penalty-in-2025/legislation.
[38] Amnesty International, “Death sentences and executions 2025”, p. 8.
[39] See https://www.hrw.org/news/2026/06/23/6-executed-as-jordan-resumes-death-penalty.
[40] Amnesty International, “Death sentences and executions 2025”, p. 10.
[41] See https://www.ohchr.org/en/statements-and-speeches/2024/10/high-commissioner-turk-democratic-republic-congo-make-space-peace.
[42] Submissions by Together Against the Death Penalty, Advocates for Human Rights and the Amman Center for Human Rights Studies.
[43] CERD/C/SAU/CO/10-11, paras. 25 (c) and 26 (e).

Advance edited version

recommended that Sri Lanka collect and analyse data on the application of the death penalty to women, disaggregated by factors such as age, socioeconomic status and history of gender-based violence.[44]

IV. Safeguards guaranteeing protection of the rights of those facing the death penalty

30. In its resolution 60/17, the Human Rights Council reaffirmed the safeguards guaranteeing protection of the rights of those facing the death penalty, which had been endorsed by the General Assembly in its resolution 39/118.

A. Restriction of the use of the death penalty to "the most serious crimes"

31. Article 6 (2) of the International Covenant on Civil and Political Rights provides that States should impose the death penalty only for the "most serious crimes". The Human Rights Committee has stated that crimes not resulting directly and intentionally in death, such as drug-related offences, although serious in nature, can never serve as the basis for the imposition of the death penalty within the framework of the right to life.[45]

32. In January 2026, the High Commissioner expressed alarm over the rising proportion of executions for drug-related offences, particularly in a handful of States.[46] In its submission, Harm Reduction International noted that the Islamic Republic of Iran was reportedly responsible for the majority of all known drug-related executions, with 955 out of the global total of at least 1,212 executions for drug-related offences recorded in 2025 and 485 out of the global total of 615 known executions for drug-related offences in 2024. Harm Reduction International also referred to a continued rise in drug-related executions in Saudi Arabia, reporting that executions for drug-related crimes had allegedly increased to 240 in 2025, nearly double the number compared to the previous year. In 2025, 15 out of the 17 executions reportedly carried out in Singapore were for drug-related offences,[47] as were all of the 12 executions recorded in the first half 2026.[48] Harm Reduction International also recorded drug-related executions in China and Kuwait in 2025.

33. During the reporting period, several special procedure mandate holders repeatedly addressed the issue of drug-related executions, consistently emphasizing that the death penalty for such offences failed to meet the "most serious crimes" threshold under international human rights law and lacked conclusive evidence of serving as an effective deterrent.[49]

34. During the reporting period, the death penalty was also imposed for other types of crimes not meeting the "most serious crimes" threshold, including for non-violent crimes, with the presumed aim of silencing dissent. The Independent International Fact-Finding Mission on the Islamic Republic of Iran concluded that, while the majority of persons executed in mid-2024 had been convicted of drug-related offences, the sharp increase in executions taking place right after the 2022 protests appeared to indicate a nexus with the overall repression of dissent in that period.[50] In 2025, according to Amnesty International, Tunisia handed down the death sentence for an individual – who was later pardoned –

[44] CEDAW/C/LKA/CO/9, para. 18 (f).
[45] General comment No. 36 (2018), para. 35.
[46] See https://www.ohchr.org/en/press-releases/2026/01/alarming-trends-executions-2025-raise-serious-human-rights-concerns-un-human.
[47] See https://www.ohchr.org/en/press-releases/2026/04/singapore-turk-alarmed-increase-drug-related-executions-calls-moratorium.
[48] See https://www.amnesty.org/en/documents/act50/1341/2026/en/.
[49] See https://www.ohchr.org/en/press-releases/2025/06/un-expert-urges-saudi-arabia-halt-imminent-execution-26-egyptian-nationals; https://www.ohchr.org/en/press-releases/2024/12/saudi-arabia-un-experts-voice-alarm-executions-foreign-nationals; and https://www.ohchr.org/en/press-releases/2025/09/un-experts-appalled-unprecedented-execution-spree-iran-over-1000-killed-nine.
[50] A/HRC/58/63, para. 30.

Advance edited version

convicted of attempting to overthrow the State, on the basis of his social media posts.[51] As noted above, in 2025, the military authorities in Myanmar enacted a new law imposing the death penalty for crimes related to opposing or disrupting the elections.[52]

B. Prohibition of the mandatory use of the death penalty

35. According to the Human Rights Committee, in all cases involving the application of the death penalty, the personal circumstances of the offender and the particular circumstances of the offence must be considered by the sentencing court. Hence, mandatory death sentences that leave domestic courts with no discretion are arbitrary in nature.[53] Such mandatory death sentences would also be incompatible with the limitation of capital punishment to the "most serious crimes".[54]

36. In November 2025, the Committee against Torture expressed concern about draft legislation, subsequently enacted with amendments, before the Israeli Knesset that contemplated a mandatory death penalty, while potentially lowering the threshold at which the death penalty could be handed down in military courts and prohibit its commutation. The Committee recalled that the mandatory imposition of the death penalty, without consideration of the defendant's personal circumstances or the circumstances of the offence, constituted an arbitrary deprivation of life.[55]

37. Regressive developments also took place at the subnational level. In September 2024, the State of West Bengal in India introduced the mandatory death penalty for the offence of rape when it results in the death or vegetative state of the victim.[56] In February 2025, the State of Florida in the United States passed a bill mandating the automatic imposition of the death penalty for "unauthorized aliens" convicted of a capital offence.[57]

38. According to Amnesty International, mandatory death sentences were reportedly imposed in 2025 in Iran (Islamic Republic of), Nigeria, Pakistan, Saudi Arabia, Singapore, Trinidad and Tobago and Yemen.[58] In a decision of 5 February 2025, the African Court on Human and Peoples' Rights reiterated that the mandatory death penalty for murder in the United Republic of Tanzania violated the right to life. [59]

C. Fair trial guarantees

39. According to the Human Rights Committee, violations of the fair trial guarantees provided for in article 14 of the International Covenant on Civil and Political Rights in proceedings resulting in the imposition of the death penalty would render the sentence arbitrary in nature and would constitute a violation of the right to life. Such violations include the use of forced confessions, lack of effective representation, excessive and unjustified delays, general lack of fairness of the criminal process and lack of independence or impartiality of the trial or appeal court.[60]

40. Submissions from some States provided information regarding limitations and/or safeguards in their jurisdictions,[61] as well as consular and legal assistance provided to nationals facing death sentences in foreign jurisdictions.[62] In August 2025, the Supreme

[51] Amnesty International, "Death sentences and executions 2025", p. 32.
[52] See https://thediplomat.com/2025/07/myanmar-junta-introduces-severe-punishments-for-those-obstructing-controversial-election/.
[53] General comment No. 36 (2018), para. 37.
[54] E/2015/49, para. 63.
[55] CAT/C/ISR/CO/6, paras. 50 and 51.
[56] See https://prsindia.org/files/bills_acts/bills_states/west-bengal/2024/Bill14of2024WB.pdf.
[57] See https://www.flsenate.gov/Session/Bill/2025C/4C/BillText/er/PDF.
[58] "Death sentences and executions 2025", p. 11.
[59] See http://www.african-court.org/ajudata/download-file/3224/67a607496e525306962831.pdf.
[60] General comment No. 36 (2018), para. 41. See also Human Rights Committee, general comment No. 32 (2007), para. 59.
[61] Submissions by Chile, El Salvador, the Niger, Pakistan and Singapore.
[62] Submission by Mexico.

Advance edited version

Court of India held that sentencing hearings were constitutionally required procedural safeguards in capital cases.[63]

41. In 2025, several special procedure mandate holders expressed concern about Belarus conducting trials that could result in the death penalty in absentia and without basic fair trial guarantees.[64] The Committee against Torture expressed concern over death sentences accompanied by a lack of due process and fair trial guarantees in Bahrain,[65] Cameroon[66] and Kuwait.[67]

D. Right to seek pardon or commutation

42. Article 6 (4) of the International Covenant on Civil and Political Rights requires States Parties to allow anyone sentenced to death to seek pardon or commutation of the sentence and provides that amnesty, pardon or commutation may be granted in all death penalty cases. According to the Human Rights Committee, States Parties are required to ensure that amnesties, pardons and commutations can be granted in appropriate circumstances and that sentences are not carried out before requests for pardon or commutation have been meaningfully considered and conclusively decided upon according to applicable procedures.[68]

43. Several commutations and pardons were granted during the reporting period. In its submission, Together Against the Death Penalty noted that, since July 2024, 24 people had had their death sentences commuted following royal pardons in Morocco. In August 2025, for the first time in 27 years, clemency was granted by the President to a prisoner in Singapore who had been sentenced to death for drug trafficking.[69] The International Commission against the Death Penalty reported that, in December 2024, the sentences of 37 individuals on federal death row in the United States had been commuted[70] and the Governor of the State of North Carolina had reportedly commuted 15 death sentences.[71] In its submission, the Death Penalty Project noted that, in August 2025, the President of Ghana had commuted the death sentences of 87 people who had been on death row at the time of abolition of the death penalty for ordinary crimes in 2023. During the reporting period, Indonesia reportedly repatriated eight foreign nationals on death row for drug offences.[72]

44. Following the abolition of the mandatory death penalty in 2023,[73] Amnesty International reported that the death row population in Malaysia had reduced significantly during the reporting period: more than 1,000 death sentences had been commuted, with 97 individuals remaining on death row as of November 2025.[74] As a result, the proportion of women on death row reportedly fell from 9.65 per cent in 2022 to 1.43 per cent as of January 2025.[75] In its submission, the Death Penalty Project reported that, in September 2024 in Japan, a person who had spent 46 years on death row, the longest in the world, had been

[63] See https://api.sci.gov.in/supremecourt/2023/28995/28995_2023_3_1501_63740_Judgement_25-Aug-2025.pdf.
[64] See https://www.ohchr.org/en/press-releases/2025/01/belarus-un-experts-alarmed-about-widespread-absentia-trials.
[65] CAT/C/BHR/CO/4, para. 37.
[66] CAT/C/CMR/CO/6, para. 38.
[67] CAT/C/KWT/CO/4, para. 33.
[68] General comment No. 36 (2018), para. 47.
[69] See https://www.ecpm.org/app/uploads/2025/10/Brochure_Singapour_2024_EN.pdf, p. 6.
[70] See https://icomdp.org/wp-content/uploads/2024/12/ICDP-Public-Statement-Welcoming-President-Biden-commutations.pdf.
[71] See https://icomdp.org/wp-content/uploads/2025/03/Statement-North-Carolina-Governor-commutations.pdf.
[72] Submission by Harm Reduction International.
[73] See https://lom.agc.gov.my/ilims/upload/portal/akta/outputaktap/1826840_BI/Akta%20846%20BI.pdf.
[74] See https://www.amnesty.org.uk/latest/malaysia-death-penalty-review-must-be-first-step-towards-abolition-once-and-all/.
[75] See https://adpan.org/2025/03/.

Advance edited version

acquitted after his case was retried and a court determined that he had been wrongly convicted. In January 2025, India commuted the death sentences of nine people to life imprisonment.[76]

45. The new Criminal Code of Indonesia, effective as of 2 January 2026, reportedly introduced a probation period of 10 years for people sentenced to death under the new law, after which the death penalty can be commuted to life imprisonment if the convict demonstrates rehabilitation and good conduct.[77]

46. In some instances, when a State applies a de facto moratorium or has abolished the death penalty but lacks a formal commutation, individuals are left in a situation that is inconsistent with current legislation and constitutional guarantees. While Malaysian law prohibits imposing the death penalty for offences committed by children,[78] Advocates for Human Rights reported in its submission that those convicted of death-eligible offences could be subject to indefinite detention and that, as that sentence fell outside both death and life imprisonment, such individuals appeared to be excluded from resentencing under the 2023 reforms abolishing the mandatory death sentence.

47. Treaty bodies recommended commuting or taking steps towards commuting death sentences, for example in Kuwait[79] and the Republic of Korea,[80] and stressed that commutation of a death sentence should not depend on the decision of the victim's heirs.[81]

E. Methods of execution and prohibition of public executions

48. According to the Human Rights Committee, States Parties that have not abolished the death penalty must carry it out in such a way as to respect article 7 of the International Covenant on Civil and Political Rights, prohibiting painful and humiliating methods of execution, as well as public executions. The Committee has stated that failure to respect article 7 would inevitably render the execution arbitrary in nature and thus also in violation of article 6.[82]

49. Methods of execution continued to raise concerns in the United States: the Death Penalty Information Centre reported that a number of states had authorized execution by lethal gas.[83] In March 2025, the State of Louisiana became the second state to carry out an execution using nitrogen gas,[84] after Alabama, which conducted the first such execution in January 2024 and has since continued to use the method. The High Commissioner and several special procedure mandate holders have called for an urgent ban on this method, noting that it may amount to torture.[85] The State of South Carolina performed three firing squad executions, the first ones nationally in 15 years,[86] while the State of Idaho signed a bill in 2025 making firing squad the primary method of execution.[87]

Advance edited version

[76] A/HRC/60/47, para. 11.
[77] See https://www.dw.com/en/death-penalty-on-the-decline-in-southeast-asia/a-75911721.
[78] See https://lom.agc.gov.my/ilims/upload/portal/akta/outputaktap/1704249_BI/ACT%20611%20AS%20AT%2001.07.2023.pdf.
[79] CAT/C/KWT/CO/4, para. 34 (a).
[80] CAT/C/KOR/CO/6, para. 21 (b).
[81] CCPR/C/MDV/CO/2, para. 28 (c).
[82] General comment No. 36 (2018), para. 40.
[83] See https://deathpenaltyinfo.org/executions/methods-of-execution.
[84] See https://deathpenaltyinfo.org/louisiana-resumes-executions-after-15-year-hiatus-with-first-nitrogen-gas-execution.
[85] See https://www.ohchr.org/en/press-releases/2024/11/united-states-experts-call-urgent-ban-executions-nitrogen-gas-alabama; and https://www.ohchr.org/en/press-releases/2026/01/alarming-trends-executions-2025-raise-serious-human-rights-concerns-un-human.
[86] Submission by Death Penalty Information Center.
[87] See https://deathpenaltyinfo.org/idaho-governor-signs-legislation-authorizing-firing-squad-as-states-primary-execution-method.

50. In February 2025, the African Court on Human and People's Rights reaffirmed its opposition to hanging as a means of enforcing the death penalty.[88]

51. In Afghanistan, on 11 April 2025, five individuals were reportedly executed in sports stadiums, most of them by the victims' relatives,[89] and one more was executed on 16 October 2025, following which the Special Rapporteur on the situation of human rights in Afghanistan stated that public executions not only dehumanized the convicted individual but were used as a deliberate tool to control the population and instil fear.[90] Public executions reportedly continued to be carried out in the Islamic Republic of Iran, according to Iran Human Rights.[91]

V. Use of the death penalty against children and persons with psychosocial or intellectual disabilities

A. Children

52. Article 6 (5) of the International Covenant on Civil and Political Rights and article 37 (a) of the Convention on the Rights of the Child prohibit imposing the death penalty for crimes committed by persons aged under 18 at the time of the offence. The Committee on the Rights of the Child has stated that article 37 (a) reflects the customary international law prohibition of the imposition of the death penalty for a crime committed by a person who is under 18 years of age and that the explicit and decisive criterion is the age at the time of the commission of the offence.[92] If there is no reliable and conclusive proof that the person was below the age of 18 at the time the offence was committed, the individual has the right to the benefit of the doubt and the death penalty cannot be imposed.[93]

53. Some States continue to impose the death penalty for offences committed while the individual was under 18. On 17 August 2024, Somalia executed four convicted individuals who were under 18 years of age at the time they committed offences.[94]

54. Following the execution in Saudi Arabia in August 2025 of a person convicted of offences committed when he was under 18 years old, several special procedure mandate holders raised alarm over four more convicted persons remaining at risk of execution for offences committed while they were children.[95] In relation to the case of the five individuals, the Working Group on Arbitrary Detention emphasized that imposing the death penalty was a serious violation of the Convention on the Rights of the Child.[96]

55. The Committee on the Rights of the Child called upon Iraq,[97] Malaysia[98] and Pakistan[99] to strengthen safeguards against the imposition of the death penalty on children, including through effective and independent age-determination procedures and application of the presumption of minority.

Advance edited version

[88] See https://www.african-court.org/cpmt/storage/app/uploads/public/67a/38d/e6e/67a38de6eb8da551493008.pdf.
[89] A/HRC/60/23, para. 32.
[90] See https://www.ohchr.org/en/press-releases/2025/10/un-expert-condemns-latest-execution-afghanistan.
[91] See https://iranhr.net/media/files/2025_Annual_Report_on_the_Death_Penalty.pdf, pp. 82 and 83.
[92] General comment No. 24 (2019), para. 79. See also Commission on Human Rights resolution 2003/67.
[93] Committee on the Rights of the Child, general comment No. 24 (2019), para. 79; and Human Rights Committee, general comment No. 36 (2018), para. 48.
[94] S/2025/735, para. 42.
[95] See https://www.ohchr.org/en/press-releases/2025/09/saudi-arabia-must-halt-executions-persons-convicted-offences-committed.
[96] A/HRC/WGAD/2024/71, para. 143.
[97] CRC/C/IRQ/CO/5-6, para. 22 (b).
[98] CRC/C/MYS/CO/2-4, para. 29
[99] CRC/C/PAK/CO/6-7, para. 18 (c).

56. In its submission, Advocates for Human Rights reported that, on 24 October 2024, the Indonesian Supreme Court had commuted the death sentence of a convicted woman who had been under 18 at the time of the offence to 10 years' imprisonment.

B. Persons with psychosocial or intellectual disabilities

57. The Human Rights Committee has indicated that States must refrain from imposing the death penalty on individuals who face special barriers in defending themselves on an equal basis with others,[100] such as persons with psychosocial or intellectual disabilities who require procedural accommodations for their effective defence and to understand the reasons for their sentence. It has noted that violations of fair trial guarantees, such as failure to provide procedural accommodation for persons with disabilities, resulting in the imposition of the death penalty, would render the sentence arbitrary in nature, in violation of article 6 of the International Covenant on Civil and Political Rights.[101] In its resolution 79/179, the General Assembly called upon all States to progressively restrict the use of the death penalty and not to impose it on persons with psychosocial or intellectual disabilities.

58. Persons with psychosocial or intellectual disabilities were reportedly executed in some countries. The Death Penalty Information Center indicated that 39 executed prisoners, or 83 per cent of persons executed in the United States in 2025, had a significant vulnerability, such as severe mental illness or brain injury.[102] Several special procedure mandate holders urged Singapore to halt the execution of a person with a record of psychosocial disabilities;[103] his execution was carried out nevertheless. In its submission, Advocates for Human Rights noted that Somalia had reportedly executed a man with a significant psychosocial disability.

59. The Committee on the Rights of Persons with Disabilities called upon Belarus to enforce an immediate moratorium on executions of persons with disabilities.[104] It recommended that the Democratic People's Republic of Korea[105] and Viet Nam[106] abolish the death penalty for persons with psychosocial and intellectual disabilities. The Committee also recommended that Maldives release, without delay, all the persons with disabilities currently on death row.[107] In addition, the Human Rights Committee recommended that Pakistan enact legislation prohibiting persons with psychosocial or intellectual disabilities from being sentenced to death and executed.[108]

VI. Gender dimensions of the death penalty

60. Article 6 (5) of the International Covenant on Civil and Political Rights prohibits States Parties from carrying out the death penalty on pregnant women. The safeguards guaranteeing protection of the rights of those facing the death penalty (see para. 30 above) extend the prohibition to new mothers.[109] According to a study by the Cornell Center on the Death Penalty Worldwide, women on death row are often sentenced without courts adequately considering their history as survivors of different forms of gender-based violence and other trauma, while gender stereotypes and gender-based discrimination shape how their cases are judged.[110]

---

[100] General comment No. 36 (2018), para. 49. See also Economic and Social Council resolutions 1984/50 and 1989/64.

[101] General comment No. 36 (2018), para. 41.

[102] Submission by the Death Penalty Information Center; and see https://deathpenaltyinfo.org/what-to-know-mentally-ill-prisoners-and-the-death-penalty.

[103] See https://www.ohchr.org/en/press-releases/2024/11/singapore-must-urgently-halt-execution-drug-offender-un-experts.

[104] CRPD/C/BLR/CO/1, para. 20.

[105] CRPD/C/PRK/CO/1, para. 18 (d).

[106] CRPD/C/VNM/CO/1, para. 20.

[107] CRPD/C/MDV/CO/1, para. 20 (b).

[108] CCPR/C/PAK/CO/2, para. 23 (d).

[109] Economic and Social Council resolution 1984/50, annex, para. 3.

[110] See https://dpw.lawschool.cornell.edu/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf.

Advance edited version

61. According to Iran Human Rights and Together Against the Death Penalty, the Islamic Republic of Iran reportedly executed 48 convicted women in 2025, an increase of 55 per cent compared to 2024.[111] According to Iran Human Rights, the absence of effective laws to protect women against coercive control leaves women in abusive relationships, and when women act in self-defence, their actions are rarely viewed in the context of prolonged abuse.[112]

62. In July 2025, following the earlier announcement of the resumption in Afghanistan of public stoning to death of women for offences, in particular adultery, the Committee on the Elimination of Discrimination against Women urged the de facto authorities to revoke it.[113] Noting the high number of women on death row in Thailand, the same Committee expressed concern over the lack of consideration of mitigating gender factors in capital trials, other than domestic violence, and recommended that the State codify gender-specific defences and mitigation in capital trials that included all forms of gender-based violence, mental health concerns, disabilities, poverty, economic pressure and caretaking responsibilities in clemency appeals.[114] The same Committee noted that women continued to be sentenced to death in Sri Lanka.[115]

VII. Human rights of children of parents sentenced to the death penalty or executed

63. According to the Human Rights Committee, States should refrain from executing persons whose execution would lead to exceptionally harsh results for them and their families, such as parents of very young or dependent children.[116] In its resolution 48/9, the Human Rights Council called upon States to ensure that children whose parents or parental caregivers were on death row were provided, in advance, with adequate information about a pending execution and to allow a last visit or communication with the convicted individual and the return of the body to the family for burial, or to provide information about where the body was located, unless that was not in the best interests of the child.

64. In their submissions, civil society organizations outlined the scale of the issue, including estimates of affected children in various countries, and underscored the hardships they faced and the cumulative impact of emotional trauma, economic distress, stigma and social exclusion, as well as obstacles to social development, due to having a parent on death row, raising concerns regarding the rights of the child. In its submission, Advocates for Human Rights reported that communication and visits by children to their parents on death row could be hindered by costly travel and lack of specific policies for family visitation.

65. In its submission, Harm Reduction International reported that drug-related executions in the Islamic Republic of Iran had left at least 222 children without a parent in 2025.

66. In his annual thematic report in 2025, the Special Rapporteur on extrajudicial, summary or arbitrary executions explained that secrecy surrounding the death penalty deprived families of information about the imminent execution of their loved one and therefore of any opportunity to prepare for it. He reported that the suffering endured by families was often described by them as insurmountable, and would amount to cruel, inhuman or degrading treatment or punishment under international law.[117]

VIII. Conclusions and recommendations

67. **I welcome the steady progress towards universal abolition of the death penalty within the reporting period. Encouraging steps include the accession of a State to the Second Optional Protocol to the International Covenant on Civil and Political Rights,**

[111] Annual Report on the Death Penalty in Iran: 2025 (Oslo and Paris, 2026), p. 93.
[112] "Women and the death penalty in Iran: a gendered perspective" (2025), p. 7.
[113] CEDAW/C/AFG/CO/4, paras. 11 and 12.
[114] CEDAW/C/THA/CO/8, paras. 17 and 18.
[115] CEDAW/C/LKA/CO/9, para. 17.
[116] General comment No. 36 (2018), para. 49.
[117] A/HRC/59/54, para. 48.

Advance edited version

aiming at the abolition of the death penalty, and, in other States, the adoption of national laws abolishing the death penalty from criminal legislation or reducing the scope of its application. I encourage States to redouble their work towards abolition, including through the passage of legislation abolishing the death penalty and the use of judicial discretion to apply alternative sentences.

68. **With respect to States that have not yet abolished the death penalty, I remain concerned that the imposition and application of the death penalty have resumed and, in some instances, significantly increased. In some States, the death penalty has been reinstated or its reintroduction is under consideration. I once again recommend that States that continue to use the death penalty adopt a moratorium on executions with a view to abolition. Where a long de jure or de facto moratorium on the use of the death penalty has been observed, resuming its use could be contrary to the object and purpose of article 6 of the International Covenant on Civil and Political Rights.**

69. **Under international human rights law, the death penalty may be imposed only for the "most serious crimes". The Human Rights Committee has consistently interpreted that term to refer to crimes of extreme gravity involving intentional killing. States should therefore refrain from using the death penalty for crimes not involving intentional killing, such as drug-related offences.**

70. **I urge States to abolish the mandatory death penalty. Until that has been done, a process that takes into account the personal situation of the offender and the particular circumstances of the offence, including its specific aggravating or attenuating elements, should be put in place to review all cases in which the death sentence was mandatorily imposed.**

71. **Pending abolition, I encourage States to ensure that legal guarantees and safeguards are effectively put in place and implemented, including the right to seek pardon and commutation through procedures that offer essential guarantees.**

72. **I urge States to ensure transparency in the imposition and application of the death penalty and to systematically and publicly provide full, accurate and disaggregated data on death sentences to facilitate a fully informed public debate on the scope of the use of the death penalty and its impact on human rights.**

73. **International human rights law prohibits the imposition of the death penalty for crimes committed by persons under the age of 18 at the time of the offence. I call upon States to ensure that this prohibition is clearly reflected in national legislation. As stated by the Human Rights Committee, in the absence of reliable and conclusive proof that a person was not below the age of 18 at the time that the crime was committed, States must grant the individual concerned the benefit of the doubt and ensure that the death penalty will not be imposed. States should immediately halt executions of juvenile offenders and resentence them to appropriate custodial terms, rather than automatic life sentences.**

74. **States should also prohibit the imposition of the death penalty on persons with psychosocial or intellectual disabilities. States should ensure that those persons have equal access to justice without discrimination by adopting procedural accommodations, including clear procedures and criteria for conducting independent expert assessments of disability and criminal responsibility.**

75. **Pending abolition, States must respect article 7 of the International Covenant on Civil and Political Rights to avoid executions that are cruel, inhuman or degrading, including through the infliction of unnecessary pain or of humiliating methods of execution. Failure to respect this prohibition renders an execution arbitrary in nature and thus in violation of the right to life.**

76. **I call upon States to pay greater attention to the gender dimension of the death penalty, including by addressing intersectional gender biases and discrimination facing women sentenced to death and by taking full account of gender-related mitigating factors during sentencing, such as a history of surviving gender-based violence. States should offer gender-sensitive healthcare to women on death row and provide for the needs of women on death row and for women who are incarcerated with their children.**

Advance edited version

77. **States that still resort to the death penalty should urgently ensure a protective environment for the children of parents sentenced to death or executed, preventing discrimination, stigmatization and distress and providing them with assistance based on the principle of the best interests of the child.**

78. **As stated by the Human Rights Committee, the death penalty cannot be reconciled with full respect for the right to life. The abolition of the death penalty is necessary for the enhancement of human dignity and the progressive development of human rights. There is no conclusive evidence to support the theory that the death penalty deters crime more effectively than any other punishment.**

79. **In order to accelerate progress towards universal abolition and ensure full respect for the fundamental right to life, I encourage States to adopt further measures to limit the application of, or abolish, the death penalty.**

Advance edited version