



Submission of the International Commission against the Death Penalty to the Office of the High Commissioner for Human Rights: UNSG's report to the 79th UN General Assembly session

- **Belarus:** The death penalty was expanded to apply for officials convicted on high treason in [March 2023](#).
- **Congo:** In [March 2024](#), the Ministry of Justice announced that it would lift a moratorium on the death penalty after two decades.
- **Ghana:** Abolished the death penalty for ordinary crimes in [July 2023](#). [See ICDP statement on Ghana Parliament's vote to abolish the death penalty.](#)
- **Guyana:** At the UNHRC in [March 2024](#), the country committed to maintaining the informal moratorium ongoing since 1997: "To further strengthen our argument, the government has put no heads of prison service, (...) of the Ministry of Home Affairs, put any investments of funds into developing any capacity to execute anyone."
- **India:** A man, who was sentenced to death when he was 12 years old due to a clerical error misspelling his name, was released in [April 2023](#), after 28 years under sentence of death.
- **Malaysia:**
 - The mandatory death penalty was abolished in [July 2023](#). [See ICDP's statement on this development.](#)
 - ICDP Mission to Malaysia led by ICDP Vice President Ruth Dreifuss and Commissioner Gloria Macapagal Arroyo and accompanied by ICDP Secretariat in [September 2023](#), during which delegates held meetings with Prime Minister Anwar Ibrahim, Minister of Law, Deputy Minister of Law, Minister of Health and Speaker of the House, MPs, the National Human Rights Commission of Malaysia, key NGOs and relatives of people facing the death penalty, key diplomats of ICDP's Support Group.
- **Indonesia:**
 - Promulgated in [January 2023](#), the new Criminal Code, as passed in December 2022, ultimately retains capital punishment as a discretionary judicial penalty and includes several new provisions regulating capital sentencing in articles 100 101 of the Criminal Code, which promise several changes. The first change, reportedly, will be the recategorisation of the death penalty as its own unique 'special punishment' to be applied 'alternatively, as a last resort' (in art 67 and 98) rather than as one of the 'principal punishments' or 'supplementary punishments' within Book 1 (art 65-66). The second major changes, of the 2023 Criminal Code, to the death penalty regulations are the creation of a new 'probationary' death sentence of ten years, in article 100, which the judge can impose by taking into account: a. the defendant's remorse and prospects of rehabilitation; or b. the role of the defendant in the crime and during which period, if the convict shows commendable attitude and behaviour, the death sentence may be changed to life imprisonment by Presidential Decision after obtaining an opinion from the Supreme Court. The third major change is seen in Article 101 of the 2023 Criminal Code, which provides the possibility for the death sentence to be changed to life imprisonment by Presidential Decision if the request for clemency for a death row convict is rejected and the death sentence has not been carried out for ten years after clemency was refused, other than if the convict has escaped. The Criminal Code will be implemented after regulations come into force in 2026.



- The 2023 Criminal Code's death penalty regulations appear to be a compromise between abolitionist and retentionist calls and it . and reports suggest that while it will not make Indonesia an abolitionist *de jure* state, it will make it difficult for the Attorney General to carry out the death penalty and render the death penalty a dormant criminal punishment.
- An ICDP delegation led by Commissioners Marzuki Darusman, Ruth Dreifuss, Gloria Macapagal-Arroyo and accompanied by ICDP's Secretariat visited Indonesia in [September 2023](#), and met with the Minister of Law, to understand the implications of the 2023 Criminal Code. Noting that the country was gearing up for elections in February 2023 and noting also that executions had been carried out in the early years of the last two presidencies, the delegates met with leaders of key political parties as well as key stakeholders including the National Human Rights Commission and NGOs.
- **Iran:**
 - A man convicted for a crime committed at 17 years old was scheduled for execution on [28 May 2023](#). His four previously scheduled executions were postponed and ICDP has not been able to confirm whether this execution was carried out.
 - At least 791 individuals were executed [in 2023](#), including 25 women and two juvenile offenders.
 - A pregnant Kurdish woman was sentenced to death [in January 2023](#) for allegedly setting fire to a portrait of former Iranian supreme leader Khomeini.
- **Japan:** In [January 2024](#), a man who was 19 years old at the time of the crime was sentenced to death, a "specified juvenile" under Japanese juvenile law.
- **Malawi:**
 - ICDP mission to Zambia and Malawi, which facilitated in [October-November 2023](#):
 - (a) the visit to Malawi of a Zambian delegation led by its Attorney General and two leading parliamentarians who had played important roles in the abolition of the death penalty in Zambia to exchange its experiences of abolishing the death penalty to key stakeholders in Malawi including Minister of Justice, Solicitor General, Attorney General, Leader of the ruling party, then-leader of the Opposition Party, parliamentarians of the Parliamentary Legal Affairs Committee, National Human Rights Commission of Malawi, key NGOs;
 - (b) the visit to Zambia of six parliamentarians of the Parliamentary Legal Affairs to Committee and the Attorney General to meet key stakeholders including the Minister of Justice, parliamentarians of the Parliamentary Committee on Legal Affairs and Human Rights, National Human Rights Commission of Zambia, the Chief Justice and key judges and a visit to the correctional facility where the last execution was carried out in Zambia.
- **Saudi Arabia:**
 - Juvenile offenders are [still being sentenced to death](#) despite a [2020 royal decree](#) abolishing the death penalty for juvenile offenders.
- **South Korea:** ICDP mission led by Commissioner Elbegdorj and accompanied by ICDP's Secretariat where the delegation held meetings with the then-Minister of Justice, the



then-Minister of Foreign Affairs, the then-Speaker of the House, MPs, the National Human Rights Commission of Korea, key NGOs in [May 2023](#).

- **Sri Lanka:** The State Minister of Justice and Prison Affairs confirmed in [March 2024](#) the President’s “commitment that an execution shouldn’t happen”.
- **Thailand:** ICDP mission led by Commissioners Gloria Macapagal Arroyo and Tsakhia Elbegdorj, during which the ICDP delegation met with former Prime Minister of Thailand, Minister of Justice, Deputy Permanent Secretary for Foreign Affairs, MPs and the Chairperson of the National Human Rights Commission in [March 2024](#).
- **Uganda:** A 20-year-old became the first person charged with “aggravated homosexuality” in [August 2023](#), an offence punishable by death since the enactment of the 2023 Anti-Homosexuality Act, signed in [May 2023](#).
- **USA:**
 - In [January 2024](#), the Department of Justice reached a plea deal in the case of the **Colorado** mass shooting days after announcing that it would seek the death sentence in the case of the Buffalo mass shooting, despite an ongoing moratorium imposed by the DoJ in July 2021.
 - **Alabama** used nitrogen gas hypoxia as a method of execution for the first time in [January 2024](#).
 - The **California** Supreme Court overturned a 1992 death sentence on [2 February 2023](#) on the basis that he had been allowed to represent himself despite a psychiatrist concluding that he was not able to do so due to mental illness.
 - **Georgia** resumed executions in March 2024, after a [4-year pause](#).
 - The **Kentucky** Attorney General filed a motion in [March 2024](#) to resume execution after almost 15 years of moratorium.
 - **Louisiana** is set to resume executions, after a 14-year pause, with the expansion of execution methods in [February 2024](#) and a public commitment of its Governor to follow through on “[contractual obligations to victims](#)”.
 - An **Oklahoma** House Committee advanced a proposal to stay executions until an independent task force evaluates death penalty procedures in [March 2024](#).
 - Prosecutors dropped death penalty in **Tennessee** after brain scans showed impaired ability of defendant in [August 2023](#).
 - The **Texas** House passed bill barring the death penalty for mentally ill defendants in [April 2023](#).