



Response to the Call for inputs for the Secretary-General’s report on a moratorium on the use of the death penalty:

Safeguards for persons facing the death penalty and death row detention conditions

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

Humans Remain

ACAT Liberia

The Taiwan Alliance to End the Death Penalty

Death Penalty Focus

in Special Consultative Status with the UN Economic and Social Council since 2017

Kurdistan without Genocide

and

The World Coalition Against the Death Penalty

for the 81st Session of the UN General Assembly

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

Humans Remain stands as an advocacy effort dedicated to supporting Death Row prisoners in Mississippi and amplifying their voices. Through educating, storytelling and campaigning we work towards the worldwide abolition of the death penalty seeking justice that is humane, equitable and compassionate.

Action by Christians for the Abolition of Torture (ACAT Liberia) is a national non-governmental organization founded in May 2004. It is a national human rights organization that works to promote, defend and protect human rights by advocating for reform in the criminal justice system (police, court and correction), the abolition of the death penalty, abolition of torture and

the rehabilitation of its victims. ACAT Liberia is a member of the International Federation of ACATs (FIACAT) based in France. FIACAT has member associations in 30 countries on 4 continents around the globe. ACAT Liberia is also a member of the World Coalition Against the Death Penalty.

The Taiwan Alliance to End the Death Penalty (TAEDP) is the first coalition in Taiwan dedicated to abolishing the death penalty and promoting reform of the criminal justice system. Established in 2003, it brings together abolitionist groups, NGOs, and research institutes. TAEDP works on individual capital cases, monitors trial procedures to safeguard fair trial rights, and campaigns to prevent wrongful executions. The organization also provides training and seminars for criminal defense lawyers. Beyond capital punishment, TAEDP advocates for victims' rights and stronger support systems for those affected by serious crimes. It engages the public through forums, seminars, and educational programs developed in collaboration with teachers.

Death Penalty Focus is committed to the abolition of the death penalty through public education, grassroots organizing, political advocacy, media outreach, and domestic and international coalition-building since 1988. Over the past 38 years, DPF has continued to raise awareness of how broken the death penalty system is.

Kurdistan without Genocide (KWG) is a non-governmental and non-profit organization working for human rights and against the genocide in the Kurdistan region of Iraq. KWG is working to achieve the goals of: getting international recognition for the crimes perpetrated against the Kurdish people; nationalization of events in Kurdistan to create a human-friendly awareness in the community in order to prevent recurrences; prosecution of criminals in domestic and international courts, including people responsible for planning and implementing genocide and ethnic cleansing and their accomplices; abolition of the death penalty in Kurdistan, Iraq, and the Middle East; working for a country without weapons and violence.

The World Coalition Against the Death Penalty is a membership-based global network committed to strengthening the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

EXECUTIVE SUMMARY

1. This report responds to a call for inputs to assist the UN Office of the High Commissioner for Human Rights in preparing the Secretary-General's report on a moratorium on the use of the death penalty for the 81st Session of the UN General Assembly, following up on resolution 79/179 calling for a global moratorium on the death penalty, adopted on 17 December 2024. The report incorporates responses to an April 2026 survey of members of the World Coalition Against the Death Penalty, focusing on developments since 17 December 2024. This report focuses on safeguards guaranteeing the rights of persons facing the death penalty and conditions of detention for people under sentence of death.

Safeguards guaranteeing the rights of persons facing the death penalty¹

2. Kurdistan without Genocide reports that in Iraq people charged with capital crimes do not receive fair trials, but adds that in Kurdistan, where authorities have suspended the use of the death penalty, people have the right to appeal their sentences.

¹ See also The Advocates for Human Rights et al., *Conduct of capital punishment proceedings and conditions of detention for people under sentence of death* (responding to a Call for input by the Special Rapporteur on executions), 28 Feb. 2026, ¶¶ 2-6 (describing the psychological torture that people facing capital charges can experience, potentially prompting them to forfeit their right to a fair trial and sometimes resulting in wrongful convictions), <https://www.theadvocatesforhumanrights.org/Res/Report%20to%20UN%20Special%20Rapporteur%20on%20Executions%20re%20psychological%20effect%20of%20the%20death%20penalty%20TAHR%20WCADP%20AEDP%20LM.pdf>; The Advocates for Human Rights et al., *Response to the Call for Inputs for the Secretary-General's report on the question of the death penalty: The rights of persons under 18 years of age at the time of the offense who face the death penalty*, 13 March 2026, ¶ 2 (describing the case of a survivor of child marriage in Indonesia who had been sentenced to death for a crime she allegedly committed when she was under the age of 18), ¶ 3 (observing that authorities in Iraq sometimes limit access to counsel for child offenders and courts do not consistently make reliable age determinations), ¶ 6 (reporting that the Maldives allows courts to sentence juvenile offenders to death but then "commutes" their sentences, suggesting that the country has no categorical prohibition against the death penalty for child offenders), ¶ 7 (expressing concern that Nigerian authorities may sentence children to death for their involvement in protests), ¶ 8 (describing inadequate safeguards and lax implementation of Pakistan's law prohibiting the death penalty for people under age 18 at the time of the offense), ¶ 9 (describing complexities in Somalia's legal landscape that may lead to some courts sentencing people to death for crimes they committed when under age 18), <https://www.theadvocatesforhumanrights.org/Res/UNSG%20Call%20for%20Input%20DP%20children%20sentenced%20to%20death.pdf>; The Advocates for Human Rights et al., *Response to the Call for Inputs for the Secretary-General's report on the question of the death penalty: People with mental or intellectual disabilities sentenced to death*, 13 March 2026, ¶¶ 2-14 (describing fair trial concerns in multiple countries for people charged with capital crimes who have psychosocial disabilities), ¶¶ 15-21 (describing fair trial concerns in the USA for people with intellectual disabilities), <https://www.theadvocatesforhumanrights.org/Res/UNSG%20Call%20for%20Input%20DP%20disabilities.pdf>; The Advocates for Human Rights et al., *Response to the Call for Inputs for the Secretary-General's report on the question of the death penalty: General developments since 1 July 2024*, 13 March 2026, ¶ 2 (reporting on a 2025 decision of the Supreme Court of India recognizing that the right to a fair trial includes the sentencing hearing as a procedural safeguard), ¶ 6 (reporting on a 2025 high court decision concluding that the mandatory death penalty for robbery violates Kenya's constitution), ¶ 9 (reporting that in March 2025, the Supreme Court of Nigeria narrowed the plea of self-defense in a capital case), ¶ 11 (describing fair trial concerns in capital cases in Somalia), ¶ 16 (describing fair trial concerns in several capital cases in the USA), <https://www.theadvocatesforhumanrights.org/Res/UNSG%20Call%20for%20Input%20DP%20general.pdf>; The

3. ACAT Liberia, a member of the World Coalition Against the Death Penalty and the International Federation of Actions by Christians Against Torture (FIACAT), reports that safeguards remain in place in Liberia but remain largely untested in practice, noting that the criminal legal system faces ongoing structural challenges.
4. A World Coalition member in Pakistan observes that “longstanding fair trial concerns persist in practice” and the country has seen no significant structural reforms to strengthen safeguards for people facing the death penalty. The organization reports that despite prohibitions against torture in Article 14(2) of the Constitution and the Torture and Custodial Death (Prevention and Punishment) Act 2022,² “[c]ourts continue to rely heavily on confessional evidence, including statements recorded in police custody, despite well-documented risks of coercion and torture.” Even though the Supreme Court of Pakistan’s jurisprudence has emphasized the need for the highest standard of proof in capital cases, lower courts inconsistently apply such safeguards. Moreover, the quality of defense in capital proceedings can vary depending on the defendant’s socioeconomic background, and people from marginalized background often have inadequate legal representation.
5. The Coalition member in Pakistan also reports concerns about the Pakistan Army Act, which authorizes military courts to try civilians, including for capital offenses. These proceedings “are generally characterized by limited transparency, restricted access to public hearings, and constraints on the disclosure of detailed judgments.” Appellate review of military court judgments is primarily internal to the military justice system and the independent judiciary has limited scope of review. These structural constraints raise fair trial concerns, including the right to be heard by a competent, independent, and impartial tribunal and the right to a meaningful appeal.³

Advocates for Human Rights et al., *Response to the Call for Inputs for the Secretary-General’s report on the question of the death penalty: Women and the gender dimension of the death penalty*, 13 March 2026, ¶ 2 (courts in India frequently issue sentences soon after conviction, raising fair trial concerns for women charged with capital crimes who may not have sufficient time to gather gender-related mitigation evidence), ¶¶ (describing a 2026 report detailing the vulnerabilities women in Indonesia face in the criminal legal system, particularly when charged with capital crimes), ¶ 5 (describing violations of fair trial rights of women on death row in Japan, including that courts do not have separate guilt and sentencing phases, disincentivizing defense attorneys from presenting gender-based mitigation out of concern the court will interpret such evidence as an admission of guilt), ¶¶ 8-10 describing the vulnerabilities of women in conflict with the law in Jordan, including low-quality legal representation and lack of access to tribal reconciliation as a means of avoiding the death penalty, courts’ failure to consider gender-based violence and other social factors when women come into conflict with the law, and gender stereotypes that affect women’s right to a fair trial), ¶ 12 (reporting on a 2025 decision from the Supreme Court of the Maldives rejecting a woman’s “battered woman syndrome” plea to challenge her conviction and potential death sentence), ¶ 15 (describing the 2026 execution of a woman in Somalia after the media sensationalized the case and potential fair trial violations during her proceedings), ¶ 17 (describing the outcome of a December 2024 country visit to Thailand by the Working Group on Discrimination Against Women and Girls, concluding that legal proceedings fail to address the trauma or coercion that women in conflict with the law can experience, violating fair trial rights), ¶ 18 (highlighting Viet Nam’s July 2025 commutation of a Kenyan woman’s death sentence and the importance of gender-responsive consular protection and legal support for women in conflict with the law), <https://www.theadvocatesforhumanrights.org/Res/UNSG%20Call%20for%20Input%20DP%20women%20and%20gender.pdf>.

² Constitution of the Islamic Republic of Pakistan, Article 14(2), 1973; Government of Pakistan, Torture and Custodial Death (Prevention and Punishment) Act, 2022.

³ M. A. Khan, *Legalising Authoritarianism through Pakistan’s Supreme Court*, Verfassungsblog, 18 June 2025, <https://verfassungsblog.de/legalising-authoritarianism-through-pakistans-supreme-court/>.

6. The Coalition member in Pakistan raises additional concerns about lack of transparency, clear criteria, and procedural safeguards for post-conviction remedies, including the constitutional right to seek a presidential pardon or commutation. Such relief, while still formally available, does not offer meaningful protection in practice. Since December 2024, authorities have not taken any steps to standardize or strengthen the process.
7. The Coalition member in Pakistan expresses additional concerns about the lack of safeguards in cases involving juvenile offenders and people with psychosocial or intellectual disabilities. People who were under the age of 18 at the time of the offense are at risk of being sentenced to death, despite an express prohibition in Section 16 of the Juvenile Justice System Act,⁴ due to the absence of reliable documentation and inadequate age determination procedures. And despite the Supreme Court’s 2021 *Safia Bano* judgment, recognizing protections against the execution of people with severe psychosocial disabilities,⁵ the member reports that “deficiencies in mental health assessment mechanisms and inconsistent implementation continue to expose such individuals to the risk of capital sentencing.”
8. The Coalition member in Pakistan also reports concerns about application of blasphemy laws. The nature of the offense can increase security risks in detention for the person charged or sentenced. Other detained persons or even external actors may pose threats. Detention facilities therefore frequently hold people in protective custody or in conditions akin to solitary confinement, both during trial and after conviction. Such prolonged isolation, especially during lengthy judicial proceedings, may amount to cruel, inhuman, or degrading treatment and “can adversely affect the mental and psychological wellbeing of detainees.”
9. The Taiwan Alliance to End the Death Penalty (TAEDP) reports that authorities in Taiwan have adopted many safeguards since 2000, when authorities issued a policy declaration to gradually abolish the death penalty. Authorities have identified several safeguards subsequent to the 2024 judgment of the Constitutional Court, including the requirement that a panel of professional judges issue a unanimous decision in order to sentence a person to death, the requirement that legal counsel be present during police interrogations, and the prohibition against sentencing to death or executing people with mental disabilities or other mental impairments. Lawmakers have adopted legislation to implement the unanimous professional judge requirement, but they have not yet passed corresponding legislation to implement the other safeguards.
10. Humans Remain, a member of the World Coalition based in the United Kingdom but focusing on death penalty practices in the state of Mississippi in the USA, reports that safeguards have not been applied in Mississippi, observing that “[t]he system is appalling and violates the [rights of] the most vulnerable.”
11. Prisoners’ Future Foundation (PFF) reports that it has continued to use the courts to pressure the Zambian government to expedite the cases of the ten people who remain under sentence of death since abolition in 2022.

⁴ Government of Pakistan, Juvenile Justice System Act, 2018.

⁵ Supreme Court of Pakistan, *Safia Bano v. Home Department*, Government of Punjab, PLD 2021 SC 488.

Conditions of detention for people on death row⁶

12. ACAT Liberia reports that civil society in Liberia has limited direct information about detention conditions for people on death row. The organization reports that general prison conditions suggest that people on death row also experience overcrowding, inadequate services, and limited prison oversight. There is no evidence of any systematic improvements in detention conditions for people on death row during the reporting period. Rescue Alternatives Liberia describes detention conditions as “deplorable.”
13. The Coalition member in Pakistan reports only limited new official information about detention conditions on death row. Assessments “rely primarily on civil society reporting and prior documentation.” People on death row generally live in high-security or segregation units that amount to prolonged solitary confinement, characterized by “restricted movement, limited access to meaningful activities, and minimal interaction with other prisoners. Reports indicate overcrowding, inadequate healthcare, and poor sanitation across detention facilities, which disproportionately affect those on death row.”
14. The Coalition member in Pakistan expresses concern about access to legal counsel and family contact for people under sentence of death, “as well as the psychological impact of extended periods of uncertainty due to prolonged stays on death row.” Some people in Pakistan have been on death row for “years or decades, raising issues related to the so-called ‘death row phenomenon,’ recognized under international human rights law as a potential form of cruel, inhuman, or degrading treatment.” Authorities in Pakistan have not taken any significant policy reforms or transparency measures since December 2024 to improve detention conditions or to facilitate independent monitoring of death row facilities.
15. The Coalition member in Pakistan expresses particular concern about detention conditions for people charged with or convicted of blasphemy. Other people in detention or outside forces may express threats toward such people, and as a result officials may subject them to prolonged solitary confinement or segregation, typically justified on security grounds. Such prolonged isolation, paired with the stress of capital proceedings, can “exacerbate the already severe mental burden experienced by persons on death row.”
16. The Coalition member in Pakistan also expresses concern about Pakistan’s method of execution, which is primarily hanging. The organization notes that the method has “the

⁶ See also The Advocates for Human Rights et al., *Conduct of capital punishment proceedings and conditions of detention for people under sentence of death* (responding to a Call for input by the Special Rapporteur on executions), 28 Feb. 2026, ¶¶ 7-11 (describing conditions of detention for people under sentence of death), <https://www.theadvocatesforhumanrights.org/Res/Report%20to%20UN%20Special%20Rapporteur%20on%20Executions%20re%20psychological%20effect%20of%20the%20death%20penalty%20TAHR%20WCADP%20AEDP%20LM.pdf>; The Advocates for Human Rights et al., *Response to the Call for Inputs for the Secretary-General’s report on the question of the death penalty: General developments since 1 July 2024*, 13 March 2026, ¶ 14 (outlining concerns about detention conditions for people under sentence of death in Taiwan), <https://www.theadvocatesforhumanrights.org/Res/UNSG%20Call%20for%20Input%20DP%20general.pdf>; The Advocates for Human Rights et al., *Response to the Call for Inputs for the Secretary-General’s report on the question of the death penalty: Women and the gender dimension of the death penalty*, 13 March 2026, ¶¶ 6-7 (describing detention conditions for women on death row in Japan), ¶11 (describing detention conditions for women in Jordan), <https://www.theadvocatesforhumanrights.org/Res/UNSG%20Call%20for%20Input%20DP%20women%20and%20gender.pdf>.

potential risk of causing prolonged suffering if not carried out with strict procedural safeguards.”

17. In 2025, TAEDP conducted research into detention conditions for people on death row in Taiwan.⁷ TAEDP found that people on death row live in pairs in cells that are approximately 6.6 square meters in area. Prison authorities confine them to these cells most of the time and do not permit them to work in prison workshops. On average, people have spent approximately 16 years on death row. According to TAEDP’s research, this prolonged incarceration paired with the constant uncertainty about when they will be executed results in people on death row experiencing physical and mental suffering that is sufficient to constitute “death row phenomenon.”
18. Humans Remain reports that conditions for men on death row in Mississippi, USA are “[m]uch improved” because authorities have relocated them to a refurbished detention unit with air conditioning, a dedicated kitchen, and staff. There is one woman on death row in Mississippi, however, and she does not receive the same treatment “and is fighting for equality.”
19. PFF reports that Zambia’s death row has a capacity of 48 and a population of 10 people, so there is adequate space. The facilities, however, lack indoor toilets.

⁷ Taiwan Alliance to End the Death Penalty, *Interview Project: The Experiences of Prisoners Serving Death and Life Sentences – Executive Summary* (2025), <https://www.taedp.org.tw/topic/11471>.