

10 April 2026

Recent Developments Regarding the Death Penalty: Progress Toward a Moratorium

Submission by Anti-Death Penalty Asia Network, Lembaga Bantuan Hukum Masyarakat, Maldivian Democracy Network, Taiwan Alliance to End the Death Penalty, Eleos Justice, Monash University, and Capital Punishment Justice Project.

This submission addresses the implementation of UN Resolution 79/179, focusing on key developments in countries in the Asia-Pacific region that retain the death penalty as of 17 December 2024.

I. TRENDS IN THE USE OF THE DEATH PENALTY

In 2025, at least 1,212 people were executed globally for drug-related offences – a 97% increase from 2024.¹ These figures exclude data from China, Vietnam and North Korea, due to state secrecy, and the increase is largely attributed to Iran.² Additionally, 331 people were sentenced to death for drug-related offending.³ Five Asian countries are considered ‘high application’: China, Indonesia, North Korea, Singapore and Vietnam.⁴

Singapore carried out 17 executions in 2025,⁵ including the only woman on death row in October 2025.⁶ Fifteen were for drug-related offences; two for murder.⁷ At least seven

¹ Giada Girelli, Marcela Jofré and Ajeng Larasati, *The Death Penalty for Drug Offences: Global Overview 2025* (Report, Harm Reduction International, 10 March 2026) 6
<<https://hri.global/wp-content/uploads/2026/03/HRI-GO-Death-penalty-drugs-2025-FINAL.pdf>> (‘Harm Reduction International 2025 Overview’).

² Ibid 13.

³ Ibid 9.

⁴ Ibid 11.

⁵ Singapore Prison Service, ‘SPS and YRSG Annual Statistics Release for 2025’ (Press Release, 9 February 2026) 15

<https://www.sps.gov.sg/files/media%20releases/Press_Release_SPS_YRSG_Annual_Statistics_Release_for_2025.pdf>.

⁶ Anti-Death Penalty Asia Network, *The Death Penalty in Law and Practice: Republic of Singapore* (Report, October 2025) 4 <https://www.ecpm.org/app/uploads/2025/10/Brochure_Singapore_2024_EN.pdf>.

⁷ Singapore Police Force, ‘Execution of a Convicted Murderer’ (Police News Release, 5 February 2025)

<https://www.police.gov.sg/Media-Hub/News/2025/02/20250205_execution_of_a_convicted_murderer>;

Singapore Police Force, ‘Execution of a Convicted Murderer’ (Police News Release, 16 April 2025)

<https://www.police.gov.sg/Media-Hub/News/2025/04/20250416_execution_of_a_convicted_murderer>.

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executions have taken place in early 2026.⁸ Currently everyone on death row has been convicted of drug offences.

Indonesia sentenced 164 individuals to death in 2025 compared to 85 in 2024⁹ – 65% of persons on death row were convicted of drug offending.¹⁰ Indonesia has not carried out executions since July 2016, placing it on the cusp of UN ‘abolitionist de facto status’. In 2025, President Prabowo Subianto repatriated four foreign nationals on death row, including Filipino mother Mary Jane Veloso, to their home countries.¹¹ Mary Jane Veloso continues to face indefinite arbitrary detention in the Philippines.¹²

Lack of transparency impedes accurate reporting of trends. China is estimated to be the world’s lead executioner and Vietnam a frequent executioner, but both classify execution data as state secrets.¹³ Notably, the Central Narcotics Bureau in Singapore has demonstrated regular reporting of executions the day they are carried out.¹⁴ This may reflect sustained advocacy by civil society organisations such as the Transformative Justice Collective (TJC), which documents executions and campaigns for full abolition.¹⁵

⁸ Central Narcotic Bureau (Singapore), ‘Execution of Two Convicted Drug Traffickers - 2 April 2026’, (Media Room News, 2 April 2026)

<<https://www.cnb.gov.sg/mediaroom/news/execution-of-two-convicted-drug-traffickers---2-april-2026>>.

⁹ *Harm Reduction International 2025 Overview* (n 1) 11.

¹⁰ *Ibid.*

¹¹ Lembaga Bantuan Hukum Masyarakat, *Colliding, Colliding, Yet Never Forming: Interests Eroding Reformasi* (Report, January 2026) 19

<https://lbhmasyarakat.org/files/Colliding_%20Colliding_%20Yet%20Never%20Forming%20-%202025%20Annual%20Report%20of%20LBHM.pdf>.

¹² Sam Beltran, ‘Why is Mary Jane Veloso still in Philippine prison a year after Indonesia let her go?’, *South China Morning Post* (online, 18 November 2025)

<<https://www.scmp.com/week-asia/politics/article/3333226/why-mary-jane-veloso-still-philippine-prison-year-after-indonesia-let-her-go>>.

¹³ Amnesty International, *Death Sentences and Executions 2024* (Report, ACT 50/8976/2025, April 2025) 6

<<https://www.amnesty.org.au/wp-content/uploads/2025/04/Amnesty-Death-Sentences-and-Executions-2024.pdf>.

¹⁴ Central Narcotics Bureau has reported on 18 occasions between 23 January 2025 and 2 April 2026; eg. Central Narcotics Bureau (Singapore), ‘Execution of a Convicted Drug Trafficker - 23 January 2025’, (Media Release, 23 January 2025)

<<https://www.cnb.gov.sg/NewsAndEvents/News/Index/execution-of-a-convicted-drug-trafficker---23-january-2025>

>; ‘Execution of Two Convicted Drug Traffickers - 2 April 2026’ (n 8).

¹⁵ Stephen Ortmann, ‘The Anti-Death Penalty Movement in Singapore: Structural and Situational Opportunities in an Illiberal Regime’ (2025) 55(4) *Journal of Contemporary Asia* 598, 607

<<https://www.tandfonline.com/doi/epdf/10.1080/00472336.2024.2396329?needAccess=true>>.



The Government of Malaysia also reported on the composition of its death row in Parliament in January 2025¹⁶ and September 2025.¹⁷

On 16 January 2025, Taiwan undertook its first execution in five years. Huang Li-Kai was executed whilst an appeal was pending.¹⁸ His execution warrant was signed hours before the execution so his family were unable to visit him.¹⁹ This took place four months after the Constitutional Court of Taiwan found the death penalty to be constitutional, while recognising fundamental flaws in relation to key due process protections and compelling the prosecution to review the cases of all 37 persons on death row, including Huang.²⁰

On 27 June 2025, after a three-year hiatus, Japan executed Takahiro Shiraishi.²¹ Amnesty International condemned this: “Last year’s acquittal of Hakamada Iwao, formerly the world’s longest-serving death row prisoner, laid bare the unfairness of Japan’s criminal justice system and use of the death penalty and was an ideal opportunity to change course”.²²

II. EXPANSIONS AND RESTRICTIONS TO THE USE OF THE DEATH PENALTY

A. Malaysia

In April 2023, the Abolition of Mandatory Death Penalty Act 2023 and Revision of Sentence of Death and Imprisonment for Natural Life Act 2023 repealed mandatory sentencing laws and allowed those sentenced to death and natural life imprisonment the opportunity to be resentenced.²³ Federal Court judges could impose life imprisonment (30-40 years) and

¹⁶ Anti-Death Penalty Asia Network, *ADPAN Statement on Malaysia’s Progress in Death Penalty Reform and Indefinite Juvenile Detention* (Statement, March 13 2025) <<https://adpan.org/malaysiasprogress/>> (‘ADPAN Statement on Malaysia’).

¹⁷ Malaysia, Dewan Rakyat Malaysia, *Penyata Rasmi (Hansard)*, *Written Question No 592*, Third Meeting, Fourth Session, Fifteenth Parliament (2025), question by Teresa Kok Suh Sim, answered by Ministry of Home Affairs Malaysia, 30 September 2025, (‘Written Question No 592’).

¹⁸ Saul Lehrfreund and Carolyn Hoyle, ‘Taiwan: The execution of Huang Lin-kai - a cruel and illegal killing’, *Death Penalty Research Unit* (Blog, 21 January 2025) <<https://blogs.law.ox.ac.uk/death-penalty-research-unit-blog/blog-post/2025/01/taiwan-execution-huang-lin-kai-cruel-and-illegal/>>.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Amnesty International, ‘Japan: Cruel execution a stain on country’s human rights record’, (Statement, 27 June 2025) <<https://www.amnesty.org/en/latest/news/2025/06/japan-cruel-execution-a-stain-on-countrys-human-rights-record/>>.

²² Ibid.

²³ Anti-Death Penalty Asia Network, Submission to the Committee on the Elimination of All Forms of Discrimination Against Women, *Malaysia’s Compliance with the Convention on the Elimination of All Forms of*

whipping.²⁴ The impact was dramatic: from 1,275 people on death row in November 2023 - to 140 by January 2025. Women on death row fell from 9.65% in 2022 to around 1.43% in 2025.²⁵ There was also a decline in foreign nationals on death row: from 44% in 2019²⁶ to 19% in 2025.²⁷ By September 2025, this had fallen further to 98²⁸ and by November 2025 there were 97 individuals on death row²⁹.

In November 2025, the Malaysian Government announced a comprehensive abolition study commencing January 2026³⁰ – this has yet to commence.

B. Indonesia

Indonesia's Criminal Code (Law No. 1/2023) came into force in January 2026, relegating the death penalty to “a secondary option, applicable solely to exceptional offences”.³¹ The Code introduced avenues for commutation: a 10-year probation period after sentencing, after which a death sentence may convert to life imprisonment upon demonstrated good behaviour; and Article 101, mandating the President to commute a sentence by decree if a

Discrimination Against Women in Relation to the Death Penalty (15 April 2024)

<<https://adpan.org/wp-content/uploads/2024/05/ADPAN-Malaysia-CEDAW-Report-.pdf>>.

²⁴ Amnesty International, 'Malaysia: Two Years Since Mandatory Sentencing Repeal, Government Urged To Fully Abolish the Death Penalty', (Public Statement, ACT 50/9557/2025, 4 July 2025)

<<https://www.amnesty.org/en/documents/act50/9557/2025/en/>>.

²⁵ Well below the global average of 5%, as per the Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime* (Report, September 2018)

<<https://dpw.lawschool.cornell.edu/publication/judged-more-than-her-crime/>> 9; World Coalition Against the Death Penalty, *Mapping of Women on Death Row* (Report, August 2023) 16

<https://worldcoalition.org/wp-content/uploads/2023/08/ENG_Country-Mapping-report_Women-on-Death-Row.pdf>; ADPAN Statement on Malaysia (n 16) 1.

²⁶ Amnesty International, *Fatally flawed: Why Malaysia must abolish the death penalty* (Report, 10 October 2019) <<https://www.amnesty.org/en/documents/act50/1078/2019/en/>> 19.

²⁷ ADPAN Statement on Malaysia (n 16) 1.

²⁸ The 98 people on death row includes 19 male foreign nationals, 78 male Malaysian citizens and 1 female Malaysian citizen per Teresa Kok Suh Sim, 'Jawapan Bertulis KDN: Bilangan Banduan Akhir Warga Malaysia & Bukan Warganegara setakat 30 Sep 2025' (Facebook Post, 31 December 2025)

<<https://www.facebook.com/TeresaKokSuhSim/posts/pfbid02ZVhU6HGzCm7hxpKAPw9vA6Cx7GwWc5654Gk7TGrEvzHgJiFpTZsZLQxGWjFFQY7>>; *Written Question No 592* (n 17).

²⁹ Amnesty International, 'Malaysia: Announced review of death penalty must be first step to abolish it once and for all', (Web Page, 17 November 2025)

<<https://www.amnesty.org.au/malaysia-announced-review-of-death-penalty-must-be-first-step-to-abolish-it-once-and-for-all/>>

³⁰ Ibid.

³¹ Law of the Republic of Indonesia Number 1 of 2023 concerning the Criminal Code, art 67; 98

<[2023-Indonesia-Penal-Code.pdf](https://the-world-is-watching.org/wp-content/uploads/2023/02/2023-Indonesia-Penal-Code.pdf)>; Mahfud et al., 'The Death Penalty in the Latest Indonesian Criminal Code' (2005) 5(6) *International Journal of Advanced Multidisciplinary Research and Studies*, 1928, 1928.



pardon application is rejected and the execution has not been carried out within ten years (other than due to escape)³² Whether these mechanisms apply retroactively remains unclear.

The three-year transitional period (2023-2026) serves as a time to prepare all derivative regulations mandated by the new Criminal Code, including the procedure of commutation. However, to date there has yet to be a government regulation issued that explains the step-by-step process of commutation, leaving hundreds of people on death row living in prolonged legal uncertainty.

Civil society organisations have cautioned that the reforms require amendments to the Code to ensure fair trial principles and comprehensive protection of the rights of those on death row.³³

C. Singapore

Since the Post-appeal Applications in Capital Cases Act (PACC Act) was introduced on 28 June 2024, avenues for a person on death row to challenge their conviction and sentence are extremely limited.³⁴ As of October 2025, of the at least 10 post-appeal applications made, only one was not dismissed summarily and only one application was made by a legally represented applicant.³⁵ The difficulty persons in obtaining legal representation is compounded by s60M of the PACC Act, which enables the Court of Appeal, on its own motion or at the request of the Attorney-General or Public Prosecutor, to find that a lawyer has committed an abuse of process.³⁶

On 13 November 2024, the Administration of Justice (Protection) (Amendment) Act was passed, broadening the category of those in contempt of court to include *anyone* who

³² Mahfud et al. (n 30) 1930.

³³ Imparsial, *Policy Brief: Reform of the Death Penalty Regulations in the Draft Criminal Procedure Code*, (Policy Brief, November 13 2025) <<https://imparsial.org/policy-brief-reform-of-the-death-penalty-regulations-in-the-draft-criminal-procedure-code/>>.

³⁴ Capital Punishment Justice Projects and Ors et al, *Singapore Stakeholder Report for the United Nations Human Rights Council Universal Periodic Review* (Submission to United Nations Human Rights Council, Universal Periodic Review, Singapore, 52nd Session, 10 October 2025) [6.6] <<https://static1.squarespace.com/static/62b3d463803e7d05f6d5c132/t/68e8dc17eaa38d6e42c065ed/1760091159566/Singapore%27s+4th+UPR+-+Stakeholder+submission+-+CPJP+ADPAN+and+Others+FINAL.pdf>> (*'Singapore Stakeholder Report'*).

³⁵ Ibid.

³⁶ S 60M(1), Supreme Court of Judicature Act 1969 (Singapore), as amended by s 2, Post-appeal Applications in Capital Cases Act 2022.

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knowingly files a court proceeding that is ‘manifestly groundless’ or ‘without foundation’ and uses court processes ‘for some ulterior or improper purpose’.³⁷ This means family members or civil society organisations assisting a person on death row to challenge their sentence risks prosecution for contempt of court.³⁸

On 20 December 2024, the Singaporean Government used the Protection from Online Falsehoods and Manipulation Act 2019 (POFMA) to issue a two-year ‘declared online location’ order against the Transformative Justice Collective (TJC), following seven POFMA notices to TJC since 2023; individual TJC members also received such notices.³⁹ This classification has been condemned as unduly restricting freedom of expression, creating a climate of fear, and stifling debate on Singapore’s use of the death penalty.⁴⁰ POFMA has also been applied extraterritorially: in October 2024, ADPAN (then based in Malaysia) received a correction direction for posts about Singapore’s death penalty on three social media platforms.⁴¹

In December 2025, the High Court dismissed the first constitutional challenge to the mandatory death penalty for drug offences in 15 years.⁴²

D. Maldives

In December 2025, the Maldives Parliament passed amendments to the Drugs Act, ratified by President Mohamed Muizzu and entering into force in March 2026.⁴³

Under the new provisions, the death penalty – subject to a unanimous Supreme Court ruling – applies to the importation of over 350 grams of cannabis, 250 grams of diamorphine

³⁷ S 3(db), Administration of Justice Protection Act 2016 (Singapore) as amended by Administration of Justice (Protection) (Amendment) Act 2024.

³⁸ *Singapore Stakeholder Report* (n 33) [6.14]-[6.16].

³⁹ *Singapore Stakeholder Report* (n 33) [8.9].

⁴⁰ Amnesty International et al., ‘Singapore: End harassment and intimidation of the Transformative Justice Collective’ (Joint Statement, 16 January 2025) <https://www.hrw.org/sites/default/files/media_2025/01/Singapore%20POFMA%20statement%2016012025%20FINAL%20with%20logos.pdf>.

⁴¹ ‘POFMA order for anti-death penalty group over false claims about treatment of activists’ *Channel News Asia* (online, 10 October 2024) <<https://www.channelnewsasia.com/singapore/pofma-anti-death-penalty-activists-adpan-transformative-justice-collective-4668456>>.

⁴² *Howe Wen Khong Rocky and others v Attorney General* [2025] SGHC 253 (High Court) <https://www.elitigation.sg/gd/s/2025_SGHC_253253>.

⁴³ ‘Maldives introduces death penalty for major drug trafficking’, *Muslim Network TV* (online, 9 March 2026) <<https://www.muslimnetwork.tv/maldives-introduces-death-penalty-for-major-drug-trafficking/>>.

(heroin), or 100 grams of other Category 1 controlled substances.⁴⁴ The amendments also removed the option of commutation and barred plea agreements.⁴⁵ The Maldives has not carried out executions in decades, but in March the President confirmed the Government's intention to resume executions imminently.⁴⁶

E. Bangladesh

In November 2025, Bangladesh's Interim Government passed "The Prevention, Remedy, and Protection against Enforced Disappearance Ordinance", establishing special tribunals with a 120-day trial deadline and including the death penalty as an available punishment.⁴⁷ The tight timeframe raises fair trial concerns, compromising defendants' rights to adequate legal defence. Civil society organisations called on the Interim Government to repeal the capital punishment provisions and pursue accountability through means consistent with its international human rights obligations.⁴⁸

III. CONDITIONS ON DEATH ROW

Amnesty International reported 11,667 people were on death row in the Asia-Pacific at the end of 2024 – 42% of the global death row population.⁴⁹

Chronic prison overcrowding remains an issue in Sri Lanka: 32,747 people are imprisoned 'in inhumane conditions', with capacity for only 13,241 people. This includes 806 people on death row.⁵⁰

⁴⁴ Anti-Death Penalty Asia Network, 'ADPAN And Partner Human Rights Organizations Denounce The Expansion Of The Death Penalty For Drug Offenses In The Maldives' (Joint Press Statement, 9 December 2025) <<https://adpan.org/adpan-and-partner-human-rights-organizations-denounce-the-expansion-of-the-death-penalty-for-drug-offenses-in-the-maldives/>>.

⁴⁵ Ibid.

⁴⁶ 'President proposes new law to implement death penalty', *PSM News* (online, 23 March 2026) <<https://psmnews.mv/en/176807>>.

⁴⁷ Anti-Death Penalty Asia Network, 'ADPAN Urges Bangladesh to Reconsider Death Penalty Clause in New Enforced Disappearance Ordinance', (Joint Press Statement, 18 November 2025) <<https://adpan.org/wp-content/uploads/2025/11/ADPAN-Urges-Bangladesh-to-Reconsider-Death-Penalty-Clause-in-New-Enforced-Disappearance-Ordinance%E2%80%8B.pdf>>.

⁴⁸ Ibid.

⁴⁹ Amnesty International, *Death sentences and executions in 2024* (Report, 8 April 2025) 12 <<https://www.amnesty.org/en/documents/act50/8976/2025/en/>>.

⁵⁰ Arundathie Abeysinghe, 'Colombo: Alarm over prison overcrowding (and corruption)', *Asia News* (Web Page, 16 February 2026) <<https://www.asianews.it/news-en/Colombo%3A-alarm-over-prison-overcrowding-%28and-corruption%29-64853.html>>.



Prior to June 2024, persons on death row in Singapore were entitled to at least seven days' notice before execution which allowed them to settle personal affairs, spend time with family, and file legal challenges.⁵¹ This has since been reduced for those who previously received an execution notice but were subsequently granted a stay – their notification period is now approximately four to five days. The Ministry of Home Affairs maintains that time accrued under the original notice counts toward the total,⁵² despite leaving insufficient time to access legal advice or challenge their execution warrant.⁵³

In Indonesia, people on death row suffer from lack of health services and activities. Regular transfers to different prisons make them lose the connection and support system that they have built for years. Death sentences, particularly for women, also constitute relational punishments, as the suffering does not stop at the individual, but extends to their families who experience societal marginalisation, whilst having to provide financially for their loved one on death row, and experience trauma due to the loss of their significant others.⁵⁴

⁵¹ *Singapore Stakeholder Report* (n 33) [7.1].

⁵² *Ibid* [7.2].

⁵³ *Ibid* [7.3].

⁵⁴ Aisya Humaida and Risty Nabila, *Accumulated Suffering Under Relational Punishment: A Portrait of The Lives of Six Women on Death Row and Their Families*, (Report, Lembaga Bantuan Hukum Masyarakat Jakarta, 2026).