Lebanon Abolishes the Death Penalty: HuMENA Calls on Countries Across the Region to Move from Moratorium to Abolition

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After more than two decades of a de facto moratorium on executions in Lebanon, this step offers a practical pathway for countries that continue to retain the death penalty in law, while HuMENA calls on states that still carry out executions to establish an immediate moratorium as a first step towards abolition.

HuMENA for Human Rights and Civic Engagement welcomes the Lebanese Parliament's adoption, on 11 August 2026, of legislation abolishing the death penalty for all crimes. This development comes after more than twenty-two years during which the Lebanese authorities carried out no executions, with the last execution dating back to January 2004. As of the end of January 2026, data from the Prisons Directorate at the Ministry of Justice indicated that 85 people were under sentence of death.

The significance of Lebanon's step lies in transforming a policy that had existed for years from a de facto moratorium on executions into abolition in law. A de facto moratorium prevents executions for as long as it remains in place, but leaves the death penalty on the statute books, allows courts to continue imposing death sentences, and remains reversible. Abolition removes this punishment from the penal system and provides more stable legal protection for the right to life. This transition, from a long-standing de facto moratorium to abolition, is the most significant aspect of Lebanon's experience for countries in the region that have refrained from carrying out executions for years or decades without abolishing the punishment.

The vote followed years of legislative and advocacy efforts involving Lebanese civil society, particularly the Lebanese Association for Civil Rights and the National Campaign for the Abolition of the Death Penalty, alongside human rights organizations and members of Parliament who pushed for reform. This background demonstrates that abolition was not a sudden shift in criminal justice policy, but rather the result of a prolonged moratorium followed by legislative and human rights efforts to transform established practice into a legal rule.

> **"Lebanon's experience shows that a moratorium on executions can serve as a transitional stage towards abolition, rather than becoming a permanent situation in which the death penalty remains on the statute books. More than two decades without executions in Lebanon paved the way for abolition in law, and the same path is available to countries that have suspended executions for years. States that continue to carry out executions, meanwhile, should begin with an immediate and formal moratorium, followed by the commutation of**

> **existing death sentences and legislative reform leading to full abolition."**
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> **Nissaf Slama – Research and Analysis Officer at HuMENA**

The right to life provides the legal foundation for this position. Article 6 of the International Covenant on Civil and Political Rights recognizes every human being's inherent right to life and requires that this right be protected by law. For states that have not abolished the death penalty, the Covenant subjects its use to the strictest limitations and prohibits reliance on Article 6 to delay or prevent abolition. In General Comment No. 36 (PDF), the Human Rights Committee affirmed that states that have not yet abolished the death penalty should be on an irrevocable path towards complete abolition, and that the threshold of the "most serious crimes" is limited to crimes of extreme gravity involving intentional killing. At the regional level, the Arab Charter on Human Rights (PDF) limits the death penalty to the most serious crimes and guarantees those sentenced to death the right to seek pardon or commutation.

The irreversible nature of the death penalty remains a decisive factor in its assessment from a human rights perspective. Every criminal justice system is vulnerable to error, and the consequences become final when an execution is carried out before errors in evidence, investigation, or trial proceedings are discovered. The Human Rights Committee has made clear that a death sentence imposed following proceedings that violate fair trial guarantees (PDF) may constitute an arbitrary deprivation of life. The risks are therefore particularly serious in cases involving confessions extracted under torture, denial of effective legal representation, mass trials, or proceedings before exceptional or military courts that fail to meet guarantees of independence, impartiality, and a fair trial.

Available evidence does not establish that the death penalty has any additional deterrent effect compared with other punishments. The Office of the United Nations High Commissioner for Human Rights has concluded that there is no evidence demonstrating its superiority in deterring crime. Effective prevention of serious crime depends instead on effective investigations, the likelihood that crimes will be detected and perpetrators prosecuted, judicial independence, fair trial guarantees, and the imposition of lawful and proportionate penalties.

Abolition does not undermine the state's obligation to hold perpetrators of serious crimes accountable or the rights of victims. Authorities remain obligated to conduct effective investigations, prosecute alleged perpetrators before independent courts, impose proportionate penalties, and guarantee victims' rights to justice, remedy, and reparation where applicable. Abolition determines the type of punishment a state may impose; it does not erase a conviction or criminal responsibility. Any separate debate concerning general amnesty should be assessed according to its scope, the crimes it covers, and the state's obligations towards victims, without using it as a justification for retaining the death penalty.

Lebanon's development is consistent with the continuing global trend towards restricting and ending the death penalty, despite a sharp rise in executions in a limited number of countries during 2025. By the end of that year, 113 countries had abolished the death penalty for all crimes, while

145 had abolished it in law or practice. In December 2024, 130 states supported the United Nations General Assembly resolution calling for a moratorium on the use of the death penalty. These figures demonstrate that states that continue to carry out executions constitute an increasingly isolated minority internationally, even as serious increases in executions have been recorded within that minority.

The region requires two distinct pathways. The first concerns states with a long-standing de facto moratorium on executions that nevertheless retain the death penalty in law. The second concerns states that continue to carry out executions. For the first group, the necessary next step is to transform years of non-execution into full abolition in law. For the second, the priority should begin with an immediate and formal moratorium on executions, followed by the commutation of existing death sentences and legislative reform leading to abolition.

In Tunisia, the authorities have carried out no executions since 1991, yet courts have continued to impose new death sentences. In October 2025, HuMENA followed the death sentence imposed on Saber Chouchane over Facebook posts, a case illustrating that a moratorium on executions does not prevent the judicial use of the death penalty in cases that fall far short of the “most serious crimes” threshold. In Algeria and Morocco, the last executions were carried out in 1993 in Algeria and 1993 in Morocco, while courts have continued to impose death sentences. Amnesty International also recorded legislative efforts in Algeria in 2025 to expand the scope of the death penalty to drug-related offences. In Mauritania, the last known execution dates back to 1987. These countries have operated their criminal justice systems for decades without carrying out executions, providing a direct practical basis for moving towards abolition.

Other experiences demonstrate that a moratorium not protected by legislative abolition can come to an end. Jordan executed six men on 21 June 2026 after carrying out no executions since 2017. Bahrain had previously resumed executions in 2017 after years of suspension, with its most recent known executions carried out in 2019. Qatar ended a long-standing moratorium when it carried out an execution in 2020. Amnesty International also recorded new death sentences in Bahrain and Qatar during 2025 following periods in which no new death sentences had been recorded. These precedents provide both legal and practical reasons not to treat a de facto moratorium as a permanent substitute for abolition.

Among Arab states that continue to carry out executions, Amnesty International recorded executions in Egypt, Iraq, Kuwait, Saudi Arabia, the United Arab Emirates, and Yemen in 2025, while Jordan resumed executions in 2026. The United Arab Emirates also resumed executions in 2025 for the first time since 2021. The priority in these states should be an immediate moratorium on executions, particularly for offences that do not involve intentional killing and in cases marred by fair trial violations.

Saudi Arabia demonstrates the scale of the problem particularly clearly. In April 2026, HuMENA documented that the number of executions carried out since King Salman assumed power had surpassed 2,000, with extensive use of the death penalty for offences that do not involve intentional killing, particularly drug-related offences, as well as documented executions of individuals for acts

allegedly committed when they were under the age of eighteen. In 2025, Amnesty International recorded at least 356 executions in Saudi Arabia, including 240 for drug-related offences. This underscores the need for a moratorium on executions, restrictions on the range of offences punishable by death, and reviews of sentences imposed through proceedings that fail to meet international standards.

In Bahrain, HuMENA's report, "Bahrain's Death Penalty Cases: Judicial Complicity in Human Rights Violations", identified patterns of torture and unfair trials in cases resulting in death sentences. In a joint letter in May 2025, HuMENA and its partners noted that 26 people were on death row, including individuals convicted in trials that relied entirely or primarily on confessions alleged to have been extracted under torture. Such cases demonstrate that refraining from executions, while important, does not resolve the risks associated with the continued existence of death sentences or concerns regarding the integrity of the proceedings through which they were imposed.

In Egypt, death sentences and executions have continued, while HuMENA has previously contributed to documenting death sentences imposed following mass trials that lacked fair trial guarantees. In July 2026, Human Rights Watch documented the case of a death-row prisoner following enforced disappearance, a mass trial, and allegations of torture. In Iraq, Human Rights Watch documented a surge in executions amid concerns over torture and unfair trials. In Yemen, HuMENA joined more than 150 organizations in calling for the reversal of death sentences against four journalists following proceedings that lacked basic safeguards. These cases demonstrate that the use of the death penalty across the region intersects, in a number of contexts, with torture, counterterrorism measures, freedom of expression, and weak fair trial guarantees.

Abolition also has practical implications for international judicial cooperation. Article 19(2) of the Charter of Fundamental Rights of the European Union prohibits the removal, expulsion, or extradition of a person to a state where there is a serious risk that they would be subjected to the death penalty. Similarly, Article 11 of the European Convention on Extradition permits extradition to be refused when the offence is punishable by death in the requesting state unless sufficient assurances are provided that the death penalty will not be carried out. Lebanon's abolition of the death penalty therefore removes one independent legal obstacle that may arise in extradition requests and judicial cooperation with abolitionist states. This does not make extradition automatic, as safeguards relating to non-refoulement, the prohibition of torture, fair trial rights, and detention conditions must still be assessed in each case. HuMENA has previously addressed such risks in the case of Hassan Al-Rabea's extradition from Morocco to Saudi Arabia.

HuMENA also raises a specific concern regarding the alternative punishment adopted under the Lebanese law. Replacing the death penalty with life imprisonment with hard labour does not relieve the state of its obligations regarding human dignity, proportionality, and individualized sentencing. The National Human Rights Commission of Lebanon has also called for the abolition of hard labour and for custodial sentences that respect the rehabilitative purpose of punishment. This issue should be addressed through a separate review of penal policy without detracting from the significance of abolishing the death penalty itself.

People currently under sentence of death must also benefit from the more lenient criminal law. Article 15(1) of the International Covenant on Civil and Political Rights provides that if, after the commission of an offence, the law provides for a lighter penalty, the offender shall benefit from it. According to General Comment No. 36 (PDF), abolition of the death penalty should benefit individuals accused or convicted of offences previously punishable by death. Existing death sentences should therefore be removed, and fair, individualized reviews of alternative sentences should be guaranteed, with respect for appeal rights, judicial review, and time already spent in detention.

HuMENA further calls on Lebanon to complete this process by acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Accession would entrench abolition as an international treaty obligation and strengthen legal safeguards against the future reintroduction of capital punishment.

For Tunisia, Algeria, Morocco, Mauritania, and other states with long-standing de facto moratoriums on executions, HuMENA calls on governments and parliaments to abolish the death penalty from penal codes, military justice systems, counterterrorism and drug legislation, and other special laws; commute existing death sentences; and accede to the Second Optional Protocol where applicable. Decades without executions in these states have demonstrated in practice that the administration of criminal justice does not depend on carrying out the death penalty.

HuMENA calls on Egypt, Iraq, Kuwait, Saudi Arabia, the United Arab Emirates, and Yemen, together with Jordan following its resumption of executions in 2026, to establish an immediate and formal moratorium on executions as a step towards abolition; commute existing death sentences; refrain from imposing or carrying out the death penalty for offences that do not involve intentional killing; and provide retrials or effective judicial review in cases involving credible allegations of torture, enforced disappearance, denial of legal representation, or other serious violations. Authorities should also regularly publish detailed data on death sentences, executions, pardons, and commutations to enable public and judicial scrutiny of the use of capital punishment.

Lebanon’s path provides a practical foundation for a clearer regional policy on the death penalty: in states that have stopped carrying out executions, the next objective should be abolition in law; in states that continue to execute, the path should begin with an immediate and formal moratorium leading towards abolition. In all cases, this process must be accompanied by fair trial guarantees, the prohibition of torture, reviews of existing sentences, and penal policies grounded in the principles of legality, proportionality, and human dignity.

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