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Mongolia: death penalty confined to history as new Criminal Code comes into effect

Amnesty International welcomes the coming into force of the new Criminal Code and Code of Criminal Procedure in Mongolia as an historic milestone in the country's journey towards full enjoyment and protection of human rights. The new Criminal Code, which abolishes the death penalty for all crimes, became effective on 1 July 2017 after it was [adopted](#) by the Mongolian Parliament on 3 December 2015.

Today's development brings to completion a seven year process towards abolition which formally began in January 2010, when the country's President, Tsakhiagiin Elbegdorj, commuted all death sentences and announced an official moratorium on executions. The move was followed two years later by the ratification of an international treaty committing the country to the abolition of the death penalty. Amnesty International Mongolia has relentlessly [campaigned](#) for abolition since the national human rights group was first established in 1994.

The new legal text also contains advances on other human rights issues. For example, it includes for the first time a definition of torture that broadly reflects the one outlined in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Regrettably however, Mongolia has failed to take the opportunity of the new legislation to put in place and implement protective mechanisms to prevent and punish torture, such as establishing an independent and effective mechanism to investigate torture allegations.

Mongolia and the death penalty

The last execution in Mongolia was carried out in 2008 and death sentences imposed since the moratorium was established in 2010 have been routinely

commuted. However, figures on the use of the death penalty in the country remained classified as a state secret.

Today Mongolia becomes the 105th country to have freed itself from the ultimate cruel, inhuman and degrading punishment. It is the eighth country to have done so in the past five years, alongside Benin, Congo (Republic of), Fiji, Latvia, Madagascar, Nauru and Suriname. During the same period, Guinea also abolished the death penalty for ordinary crimes only.

As other countries in the Asia Pacific region continue to execute or even contemplate reinstating the death penalty, in clear violation of their international law obligations, Mongolia's journey over the past decade is not only illustrative of the overwhelming global trend in favour of the abolition of the death penalty, but also of the critical importance that political leadership plays in driving human rights change.

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution. The organization renews its call on the authorities of countries that still retain this punishment to follow Mongolia's example and immediately abolish the death penalty once and for all.

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