



**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  
for the  
63rd Session of the Human Rights Council  
September 2026**

**Submitted by The Advocates for Human Rights**  
a non-governmental organization in special consultative status with ECOSOC since 1996  
**Lembaga Bantuan Hukum Masyarakat**  
**Legal Awareness Watch**  
**The Maldivian Democracy Network**  
**The Taiwan Alliance to End the Death Penalty**  
**Avocats Sans Frontières France**  
**Center for Prisoners' Rights Japan**  
**The Coalition of Somali Human Rights Defenders**  
**Floridians for Alternatives to the Death Penalty**  
**Hope Behind Bars Africa**  
**Anti-Death Penalty Asia Network**  
**Center for Legal Support & Inmates' Rehabilitation**  
and  
**The World Coalition Against the Death Penalty**

Submitted 13 March 2026

**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.

**Lembaga Bantuan Hukum Masyarakat** (LBH Masyarakat/Community Legal Aid Institute) is a not-for-profit non-governmental organization that provides free legal services for the poor and victims of human rights abuses; undertakes community legal empowerment for marginalized groups; and advocates for law reform and human rights protection through campaigns, strategic litigation, policy advocacy, research, and analysis. LBH Masyarakat advocates for the abolition of the death penalty and defends the rights of people facing the death penalty or executions.

**Legal Awareness Watch** (LAW) is a volunteer-based nongovernmental organization that promotes and protects the rights of vulnerable individuals in Pakistan, particularly women and children facing life imprisonment or the death penalty. LAW provides pro bono legal defense, conducts awareness campaigns, and delivers training workshops on child justice to strengthen the capacity of key stakeholders. Through its advocacy and education initiatives, LAW works to end the use of the death penalty and life imprisonment for children and women and to advance fair and humane practices within Pakistan's justice system. LAW is a member of the World Coalition Against the Death Penalty.

**The European Saudi Organization for Human Rights** (ESOHR) is a nonprofit organization establishment, established by a group of activists aiming to strengthen the commitment of human rights principles in Saudi Arabia. ESOHR vision is to expand the area of human rights in all fields in full measure, by working to urge the concerned as legislative or executive to activate it, raise awareness and empower citizens of their rights through education.

**The Maldivian Democracy Network** (MDN) is a non-governmental, non-profit organisation advocating for human rights and democracy in the Maldives. MDN was formed in 2004, allowed to register in the Maldives in 2006, and arbitrarily shut down following blasphemy allegations by the Government of Maldives in 2019. MDN currently works in exile.

**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.

**Avocats Sans Frontières France** (Lawyers Without Borders France) is an international non-governmental organization dedicated to defending human rights and promoting access to justice for the most vulnerable populations. Since 2011, ASF France has been working for the abolition of the death penalty in Nigeria. Through legal aid, capacity building, and advocacy, ASF France works to strengthen the rule of law and reform in the use of the capital punishment in the country.

The **Center for Prisoners' Rights Japan** (CPR) was established in March 1995 as the first Japanese NGO specializing in prison reform. CPR's goal is to reform Japanese prison conditions in accordance with international human rights standards and to abolish the death penalty. CPR is

a member organization of the World Coalition Against the Death Penalty.

**The Coalition of Somali Human Rights Defenders (CSHRD)** is a civil society network dedicated to promoting and protecting human rights defenders and vulnerable communities in Somalia. Its work aligns with the principles of the Universal Declaration of Human Rights (UDHR) and contributes to the achievement of the Sustainable Development Goals (SDGs), particularly those related to gender equality, justice, peace, and inclusive societies. Through advocacy, documentation, protection initiatives, and partnerships, CSHRD strengthens civic space and supports accountability and human rights protection in Somalia.

**Floridians for Alternatives to the Death Penalty** works for restorative justice in the form of effective alternatives to the death penalty. FADP works to build and mobilize public and political support for abolition using a coordinated, strategic, and empowerment-oriented approach incorporating a broad network of individual Floridians, murder victims' family members and other survivors of violent crime, law enforcement professionals, families of the incarcerated, and death row exonerees.

**Hope Behind Bars Africa (HBBA)** is a women-led, human rights-focused social enterprise and non-governmental organisation based in Nigeria, operating in special consultative status with ECOSOC since 2021. Founded in 2018, HBBA works to close the justice gap for marginalised populations, with a particular focus on people from low socio-economic backgrounds who are at risk of or currently facing incarceration. HBBA conducts research, advocacy, and legal support, and develops evidence-based interventions to improve access to justice. HBBA provides direct representation to women on death row, ensuring that they have access to fair trials, legal counsel, and support during appeals and clemency processes. The organisation also offers psycho-social support, rehabilitation programs, and reintegration assistance to women in conflict with the law, addressing their specific needs and promoting holistic reformation.

**Anti-Death Penalty Asia Network (ADPAN)** is the peak regional body for organisations committed to the abolition of the death penalty across Asia-Pacific, with members from 20 countries within the region. As such, ADPAN maintains that the death penalty violates the right to life, that it is the ultimate form of cruel, inhuman, and degrading punishment and that the death penalty should be entirely abolished internationally.

**The Center for Legal Support and Inmates' Rehabilitation (CELSIR)** is a social enterprise organization dedicated to advancing access to justice for indigent persons and victims of human rights violations. Through legal aid, paralegal training, prison-based legal empowerment programs, and advocacy on sentencing reform and the death penalty, CELSIR works to strengthen fair trial rights, promote humane justice systems, and support the rehabilitation and reintegration of incarcerated and formerly incarcerated persons.

**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 focuses on the rights of people with mental or intellectual disabilities facing the death penalty, incorporating responses to a March 2026 survey of World Coalition Against the Death Penalty members.

### Mental/psychosocial disability

2. LBH Masyarakat reports that on 4 February 2026, an Indonesian court sentenced a man with schizophrenia to death for killing his girlfriend, after long trial delays due to his condition. His parents had told authorities he frequently experienced hallucinations, but there was no proper diagnosis of his disability.
3. Center for Legal Support and Inmates' Rehabilitation (CELSIR), reports that in Kenya, systemic concerns persist regarding the criminal justice system's treatment of persons with mental or intellectual disabilities. Many people on death row have mental conditions that authorities inadequately address, and the judiciary fails to provide sufficient procedural safeguards.
4. In 2025, the Maldivian Democracy Network (MDN) reported that 4 of 23 people on death row in the Maldives receive prescribed medication for psychological/psychiatric conditions, but authorities assert that none has a diagnosed disability.<sup>1</sup> There are credible reports that people with mental or intellectual disabilities were under sentence of death as recently as 2024.<sup>2</sup> Because the death penalty is discretionary, there are no safeguards against the decedent's heirs deciding to impose the death penalty out of discriminatory animus against people with disabilities, and heirs need not to take into account any disability-related mitigating factors.<sup>3</sup>
5. Hope Behind Bars Africa reports that there have been no documented cases of courts sentencing people with mental or intellectual disabilities to death in Nigeria, but authorities do not disaggregate data by disability. Due to these systemic gaps, the absence of documented cases does not necessarily mean that courts have not sentenced people with such disabilities to death.<sup>4</sup> Nigeria's criminal justice system violates the rights of persons with disabilities, including by failing to provide reasonable accommodations.<sup>5</sup>
6. The Coalition of Somali Human Rights Defenders reports that approximately one year ago, authorities in Kismayo, Somalia executed a man who had a significant psycho-social disability.
7. A member of the World Coalition reports that since 1 July 2024, there have been documented cases of Sri Lankan courts sentencing people with mental or intellectual disabilities to death.

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<sup>1</sup> The Advocates for Human Rights, The World Coalition Against the Death Penalty, and Maldivian Democracy Network, *Maldives' Compliance with the Convention on the Rights of Persons with Disabilities: The Death Penalty*, July 4, 2025, ¶ 8, [https://www.theadvocatesforhumanrights.org/International\\_Submissions/A/Index?id=630](https://www.theadvocatesforhumanrights.org/International_Submissions/A/Index?id=630).

<sup>2</sup> *Id.* ¶ 12.

<sup>3</sup> *Id.* ¶ 9.

<sup>4</sup> The Advocates for Human Rights, The World Coalition Against the Death Penalty, Avocats Sans Frontières France/Lawyers without Borders France, and Hope Behind Bars Africa, *The Federal Republic of Nigeria's Compliance with the Convention on the Rights of Persons with Disabilities Suggested List of Issues Relating to: The Death Penalty*, Jan. 24, 2025, ¶ 3, [https://www.theadvocatesforhumanrights.org/International\\_Submissions/A/Index?id=557](https://www.theadvocatesforhumanrights.org/International_Submissions/A/Index?id=557).

<sup>5</sup> *Id.* ¶ 4.

8. The Taiwan Alliance to End the Death Penalty (TAEDP) reports that at least 12 of the 35 people under sentence of death in Taiwan have various degrees of mental health conditions, intellectual disabilities, or related disorders. TAEDP states that even though medical records and forensic psychiatric evaluations document these conditions, courts did not take them into account at sentencing or thereafter.
9. TAEDP also reports that the judiciary adopts a narrow interpretation of mental disability and does not reference comprehensive, internationally accepted definitions. Hence, people with mental disabilities who commit serious crimes still face a high risk of extreme sentences, including the death penalty. Courts recently sentenced to death three people with significant mental conditions.
10. On 16 January 2025, the Government of Taiwan declared that the execution of Huang Lin-kai was legal, stating that the review of his “competence for execution” complied with a Constitutional Court ruling.<sup>6</sup> TAEDP reports that even though the Court recognized a “competence for execution” requirement, there are no detailed implementation policies. Competence determination tends to be a mere formality, relying on the subjective judgment of government officials.
11. In Uganda, Penal Reform International (PRI) interviewed 32 women at Luzira Women’s Prison, including on death row. PRI found 53% of the women had a mental health disorder, including schizoaffective disorder (18%), and Bipolar 1 disorder (12%). PRI found many women had committed crimes against intimate partners, and such crimes often stem from traumatic experiences and can lead to anxiety disorders.<sup>7</sup>
12. Since September 2024, at least seven men in the USA have “volunteered” for execution, opting not to try to prevent their executions.<sup>8</sup> According to the Death Penalty Information Center (DPIC)’s October 2024 analysis, among 165 volunteers in the previous 19 years, “87% had mental illness, substance abuse, or both.”<sup>9</sup> DPIC found that on death row, rates of “volunteering” and suicide are nearly identical—about ten times higher than the suicide rate among the general public.<sup>10</sup>
  - On 24 September 2024, Texas executed Travis Mullis, who in his final statement said that he was seeking “assisted suicide.”<sup>11</sup>
  - On 18 December 2024, Indiana executed Joseph Corcoran, believed to have paranoid schizophrenia. DPIC reports that “no court conducted an execution

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<sup>6</sup> Ministry of Justice of Taiwan, Press Release, *Ministry of Justice Executes Death Sentence in Accordance with Law, Upholding Rule of Law and Demonstrating Judicial Justice*, <https://www.moj.gov.tw/2204/2795/2796/231525/post>.

<sup>7</sup> The report from Penal Reform International is forthcoming.

<sup>8</sup> Hayley Bedard, *18th Florida Death Row Prisoner Set for Execution in 2025 Waives Appeals, Fifth Volunteer of 2025*, Death Penalty Information Center, Nov. 24, 2025, <https://deathpenaltyinfo.org/18th-florida-death-row-prisoner-set-for-execution-in-2025-waives-appeals-fifth-volunteer-of-2025>.

<sup>9</sup> Ibid.

<sup>10</sup> Leah Romer, *Aaron Gunches Asks for February Execution Date, Raising New Concerns About Arizona’s Lethal Injection Protocol and the Execution of “Volunteers,”* Death Penalty Information Center, Jan. 7, 2025, <https://deathpenaltyinfo.org/news/aaron-gunches-asks-for-february-execution-date-raising-new-concerns-about-arizonas-lethal-injection-protocol-and-the-execution-of-volunteers>.

<sup>11</sup> Ibid.

competency hearing because Mr. Corcoran did not authorize his defense attorneys' efforts to request one."<sup>12</sup>

- On 19 March 2025, Arizona executed Aaron Gunches, who had “spent decades advocating for his own execution.”<sup>13</sup> He represented himself at trial, and the trial judge was concerned that Mr. Gunches was not trying to avoid a death sentence.<sup>14</sup>
- On April 24, 2025, Alabama executed James Osgood, who had been admitted to a psychiatric hospital as a teenager and who had attempted to die by suicide. He had experienced severe trauma, abuse, and neglect as a child. No court ever considered any of this evidence.<sup>15</sup>
- On 17 October 2025, Arizona executed Richard Djerf. In declining to seek clemency, he wrote a note asking “If I can’t find reason to spare my life, what reason would anyone else have?”<sup>16</sup>
- On October 28, 2025, Florida executed Norman Grim. Floridians for Alternatives to the Death Penalty (FADP) explained that Mr. Grim’s “entire life was shaped by the effects of multigenerational violence,” and that as a teenager he developed drug and alcohol addiction, which his service in the Navy did not ameliorate. He told his trial lawyers “not to present any mitigating evidence or give his jury any reason to spare his life.” As FADP explained, “Norman had no fight left.”<sup>17</sup>
- On 9 December 2025, Florida executed Mark Allen Geraldts, who, according to FADP, had “lost the will to fight” as Florida carried out the “deadliest year in [its] history.”<sup>18</sup> Medical professionals had diagnosed Mr. Geraldts with bipolar disorder, but at the hearing in which a judge determined whether his decision to “volunteer” was voluntary, “his mental state was barely addressed. No updated mental health evaluation was requested or performed.”<sup>19</sup>

13. On 26 November 2025, Ralph Menzies died from natural causes after spending more than three decades on Utah’s death row.<sup>20</sup> In September 2025, just days before his scheduled execution,

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<sup>12</sup> Ibid.

<sup>13</sup> Emily Holshouser and Michael Kiefer, *Arizona executes Aaron Gunches for 2002 murder after lengthy legal battle*, Arizona Mirror, Mar. 19, 2025, <https://azmirror.com/2025/03/19/arizona-executes-aaron-gunches-for-2002-murder-after-lengthy-legal-battle/>.

<sup>14</sup> Leah Romer, *Aaron Gunches Asks for February Execution Date, Raising New Concerns About Arizona’s Lethal Injection Protocol and the Execution of “Volunteers,”* Death Penalty Information Center, Jan. 7, 2025, <https://deathpenaltyinfo.org/news/aaron-gunches-asks-for-february-execution-date-raising-new-concerns-about-arizonas-lethal-injection-protocol-and-the-execution-of-volunteers>.

<sup>15</sup> Equal Justice Initiative, *Alabama Executes James Osgood*, Apr. 24, 2025, <https://eji.org/news/james-osgood-alabama-execution/>.

<sup>16</sup> Jacques Billeaud, *Arizona prisoner set to be executed apologizes, says he won’t seek clemency*, Associated Press, Sept. 18, 2025, <https://apnews.com/article/arizona-execution-richard-djerf-bb1cb163898fcb3163092448b24f9e9f>.

<sup>17</sup> Floridians for Alternatives to the Death Penalty, *Statement on the Execution of Norman Mearle Grim, Jr.*, Oct. 28, 2025, <https://www.fadp.org/statement-on-the-execution-of-norman-mearle-grim-jr/>.

<sup>18</sup> Floridians for Alternatives to the Death Penalty, *Statement on the Execution of Mark Allen Geraldts*, Dec. 9, 2025, <https://www.fadp.org/statement-on-the-execution-of-mark-allen-geraldts/>.

<sup>19</sup> Ibid.

<sup>20</sup> Utah Department of Corrections, *Inmate Ralph L. Menzies Passes Away*, Nov. 26, 2025, <https://corrections.utah.gov/inmate-ralph-l-menzies-passes-away/>.

the Utah Supreme Court stayed his execution and authorized a new mental competency hearing to determine whether his vascular dementia rendered him incompetent to be executed.<sup>21</sup>

14. Texas plans to execute Andre Thomas, but a medical expert has testified that his “mental illness is so profound that he experiences ‘bizarre and grandiose delusions,’” and authorities cannot safely transport him from the prison to the courthouse for a competency hearing.<sup>22</sup>

#### Intellectual disability

15. On 4 November 2024, the U.S. Supreme Court vacated an appellate court’s decision regarding intellectual disability.<sup>23</sup> The appellate court subsequently clarified its decision, but Alabama, with the support of other retentionist states, successfully petitioned the Supreme Court to revisit its overall framework for determining whether courts may sentence people with intellectual disabilities to death, placing a previous precedent on “precarious footing.”<sup>24</sup> The Court will issue a decision in 2026.
16. On 13 February 2025, Florida executed James Ford, who, according to FADP, “had the emotional and intellectual capacity of a teenager.”<sup>25</sup> No federal court ever reviewed his claim of intellectual disability because of the court’s delay in appointing him a replacement lawyer until after a filing deadline had passed.<sup>26</sup>
17. On 5 August 2025, Tennessee executed Byron Black, who indisputably had an intellectual disability.<sup>27</sup> Courts refused on procedural grounds to consider his disability.<sup>28</sup>
18. On 17 September 2025, Florida executed David Pittman, a man who, according to FADP, had a well-documented and life-long history of intellectual disability. Courts allowed authorities to execute Mr. Pittman because his defense did not raise the issue during the procedurally appropriate time.<sup>29</sup>

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<sup>21</sup> Hayley Bedard, *New Evaluation Finds Utah Prisoner Ralph Menzies Incompetent for Execution, State Court to Hear More Evidence in December*, Death Penalty Information Center, Nov. 25, 2025, <https://deathpenaltyinfo.org/new-evaluation-finds-utah-prisoner-ralph-menzies-incompetent-for-execution-state-court-to-hear-more-evidence-in-december>.

<sup>22</sup> Austin Sarat, *Not even Texas should want to execute this death row inmate*, The Hill, Mar. 9, 2026, <https://thehill.com/opinion/judiciary/5771966-texas-andre-thomas-execution/>.

<sup>23</sup> Hamm v. Smith, 604 U.S. \_ (per curiam) (2024), [https://www.supremecourt.gov/opinions/24pdf/23-167\\_heim.pdf](https://www.supremecourt.gov/opinions/24pdf/23-167_heim.pdf).

<sup>24</sup> Jordan Steiker, *Hamm v. Smith and the future of capital punishment*, ScotusBlog, Dec. 30, 2025, <https://www.scotusblog.com/2025/12/hamm-v-smith-and-the-future-of-capital-punishment/>.

<sup>25</sup> Floridians for Alternatives to the Death Penalty, *Statement on the Execution of James Ford*, Press Release, Feb. 13, 2025, <https://drive.google.com/file/d/1IcxcoW7nhW7H11YbYWLKDEzzzufeWhqW/view>.

<sup>26</sup> Leah Roemer, *The “Fiction of Agency”: Jeffrey Hutchinson Is the Latest of Many Executed After Attorneys Missed Deadlines to File Federal Appeals*, Death Penalty Information Center, May 28, 2025, <https://deathpenaltyinfo.org/news/the-fiction-of-agency-jeffrey-hutchinson-is-the-latest-of-many-executed-after-attorneys-missed-deadlines-to-file-federal-appeals>.

<sup>27</sup> Hayley Bedard, *Unless Governor Lee Intervenes, Tennessee Will Execute Byron Black, A Man with Intellectual Disability, and Risk a Torturous Execution Due to His Heart Defibrillator*, Death Penalty Information Center, Aug. 5, 2025, <https://deathpenaltyinfo.org/unless-governor-lee-intervenes-tennessee-will-execute-byron-byron-black-a-man-with-intellectual-disability-and-risk>.

<sup>28</sup> Ibid.

<sup>29</sup> Floridians for Alternatives to the Death Penalty, *Statement on the Execution of David Pittman*, 17 September 2025, <https://www.fadp.org/statement-on-the-execution-of-david-pittman/>. See also Hayley Bedard, *Two Scheduled*

19. On 30 September 2025, Florida executed Victor Jones, who had an intellectual disability marked by an IQ of under 75. FADP reports that in January 2025, Florida formally recognized Mr. Jones as a survivor of abuse at a state-run boys school, yet the jury that sentenced him to death did not learn of the schools' history in "brutaliz[ing] its young charges and caus[ing] them permanent and irreparable harm."<sup>30</sup> As a result of these experiences, Mr. Jones developed post-traumatic stress disorder, suicidal ideations, and drug dependency, yet Florida argued such evidence is not credible.<sup>31</sup>
20. On 18 December 2025, Florida executed Frank Athen Walls. FADP reports Mr. Walls was hypoxic at birth and had mental deficits and brain damage. At trial prosecutors did not contest that he had significant disabilities, but after the Supreme Court held that states could not execute people with intellectual disability, Florida argued he had no disability.
21. In positive news, the State of Georgia in 2025 amended its law to provide for pretrial proceedings in capital cases involving intellectual disability and replace the "beyond a reasonable doubt" evidentiary burden with a "preponderance of the evidence."<sup>32</sup>

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*Executions of People with Intellectual Disability in Florida Raise Serious Concerns*, Death Penalty Information Center, Sept. 16, 2025, <https://deathpenaltyinfo.org/two-scheduled-executions-of-people-with-intellectual-disability-in-florida-raise-serious-concerns>.

<sup>30</sup> Floridians for Alternatives to the Death Penalty, *Statement on the Execution of Victor Jones*, 30 September 2025, <https://www.fadp.org/statement-on-the-execution-of-victor-jones/>.

<sup>31</sup> Hayley Bedard, *Two Scheduled Executions of People with Intellectual Disability in Florida Raise Serious Concerns*, Death Penalty Information Center, Sept. 16, 2025, <https://deathpenaltyinfo.org/two-scheduled-executions-of-people-with-intellectual-disability-in-florida-raise-serious-concerns>.

<sup>32</sup> Georgia House Bill 123, <https://www.legis.ga.gov/legislation/69497>. See also Nina Motazed, *2025 Roundup of Death Penalty Related Legislation*, Death Penalty Information Center, June 4, 2025, <https://deathpenaltyinfo.org/news/2025-roundup-of-death-penalty-related-legislation>.