

Joint Declaration on the Death Penalty and Women's Rights

19th World Day Against the Death Penalty- 10 October 2021

As we mark the 19th World Day Against the Death Penalty dedicated to women facing capital punishment, who have been sentenced to death, who have been executed or who have been pardoned or found not guilty, the members of the World Coalition Against the Death Penalty and allies of women sentenced to death take this opportunity to:

- Draw attention to the gender-based discrimination that confront women facing the death penalty during in the lead-up to the offense, investigation, trial, sentencing and appeal phases. Gender-based discrimination can occur against women facing capital punishment and in many cases mitigating circumstances that might benefit women sentenced to death are not considered. For instance, this is particularly true in cases of sexual and gender-based violence.
- Emphasize that gender-based discrimination does not operate in isolation but combines with other forms of discrimination, including those based on age, race, ethnicity, nationality, sexual orientation, gender identity, economic status, disability amongst others, that expose women on death row to multiple and intersecting forms of inequality.
- Note that there are gaps in the information available on the number and status of women who have been sentenced to death, executed, had their death sentences commuted or pardoned, due to a lack of accurate and disaggregated figures in many countries.
- Recall that in many countries conditions of detention threaten the physical, and psychological integrity and even the lives of all prisoners, and that women on death row face unique challenges due to their specific needs, such as lack of gender-sensitive medical care and hygiene products, and threats of gender-based violence.

We recommend that governments in countries that have yet to abolish the death penalty/ still retain the death penalty:

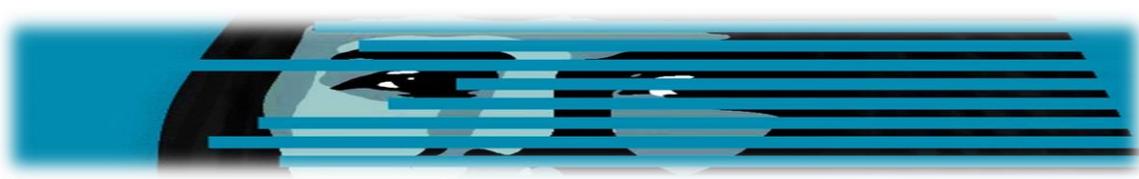
1. Abolish the death penalty for all offences, regardless of gender;
2. Pending full abolition, we call on governments to:
 - a. Eliminate the death penalty for offenses that do not meet the threshold of "most serious crimes" under international law and standards;
 - b. Repeal provisions that allow for the mandatory imposition of the death penalty, which does not allow judges to consider the circumstances of the offense for the defendant at sentencing;
 - c. Acknowledge the compounding forms of violence and discrimination experienced by girls and women - including gender-based violence, early and forced marriage; review laws, criminal procedures, and judicial practices and implement policies and legislative reforms to protect women from these abuses;
 - d. Ensure that the criminal justice system takes full account of any mitigating factors linked to women's backgrounds, including accounts of prior abuse, mental and intellectual disabilities;



- e. Prevent the disproportionate prosecution and detention of women for "moral/sexual" crimes, and consider decriminalizing these types of offenses;
- f. Promote the training of all those involved in the investigation, representation and prosecution of crimes involving women on gender-based discrimination and violence, pathways to crime, and gender-sensitive mitigations;
- g. Ensure that all those facing the death penalty have access to free and effective legal counsel experienced in capital representation, and that are trained to recognize and bring forward claims mitigating factors, including those linked to gender-based discrimination;
- h. Develop and implement programs to prevent gender-based violence and discrimination, and promote women and girls' human rights.

Signatory organizations:

1. ACAT-France
2. The Advocates for Human Rights
3. Amnesty International
4. Anti-Death Penalty Asia Network (ADPAN)
5. Asia Catalyst
6. Association de Jeunes pour la Paix et la Démocratie
7. Association française des femmes des Carrières Juridiques
8. The Autonomous Women's Center
9. Avocats sans frontières France
10. Bangladesh Institute of Human Rights
11. Capital Punishment Justice Project
12. Center for Prisoners' Rights Japan
13. Centre d'Information et de Documentation sur les Droits de l'Enfants et de la Femme
14. Colegio de Abogados y Abogagas de Puerto Rico
15. Collectif Libérons Mumia
16. Cornell Center on the Death Penalty Worldwide
17. Defense of Human Rights and Dignity Movement (iDefend)
18. Demir Leblebi Kadın Derneği
19. Eleos Justice, Monash University
20. Families of Victims of Involuntary Disappearance (FIND)
21. Federation of Women Lawyers FIDA Cameroon
22. Femmes for Freedom Algemeen
23. Focal Commissioner for Women's Human Rights and the Anti-Death Penalty Campaign Commission on Human Rights of the Philippines
24. Foundation for Elimination of Violence Against Women – Mitra Perempuan
25. Gender Violence Clinic – University of Maryland Carey School of Law
26. German Coalition to Abolish the Death Penalty
27. Girl Concern
28. Human Rights & Democracy Media Center SHAMS/Palestine
29. International Commission of Jurists
30. Italian Federation for Human Rights (FIDU)
31. Japan Innocence and Death Penalty Information Center
32. Karapatan Alliance
33. Kenya Human Rights Commission
34. lifespark
35. Magistrats Européens pour la Démocratie et les Libertés
36. Maldivian Democracy Network (MDN)
37. Mamas for Burundi Association
38. Medical Action Group
39. Nederlandstalige Vrouwenraad
40. Parliamentarians for Global Action (PGA)
41. Pax Christi Uvira asbl
42. Persatuan Sahabat Wanita Selangor

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43. Philippine Alliance of Human Rights Advocates (PAHRA)
 44. Philippine Coalition for the International Criminal Court
 45. Planète Réfugiés – Droits de l’Homme
 46. Punjab Women Collective
 47. REPECAP – International Academic Network for the Abolition of Capital Punishment
 48. Réseau des Femmes Leaders pour la Développement
 49. Salam for Democracy and Human Rights
 50. The Sentencing Project
 51. Serve
 52. Sosyal Yardımlaşma Rehabilitasyon ve Adaptasyon Merkezi (SOHRAM-CASRA)
 53. Southern Methodist University (SMU) Human Rights Program
 54. Task Force Detainees of the Philippines
 55. Texas After Violence Project
 56. UIA-IROL (Institute for the Rule of Law of the International Association of Lawyers)
 57. Vision des Filles Leaders pour le Développement
 58. Women and Child
 59. Women and Harm Reduction International
 60. Women Information Network
 61. Women’s Committee - UIA (International Association of Lawyers)
 62. World Coalition Against the Death Penalty