



## Committee of Ministers of the Council of Europe – Abolition of the death penalty

12 March 2025

I would like to thank the Presidency of Luxembourg for the invitation to participate in this important debate on behalf of the International Commission against the Death Penalty.

Our Commission is strongly committed to the universal abolition of capital punishment. We collaborate closely with the Council of Europe and find renewed inspiration in the political leadership of the organization and in the sound normative framework it has established to create a death penalty free zone, in Europe and beyond.

Our Commission (ICDP) is led by Navi Pillay, former UN High Commissioner for Human Rights and promotes its mission with the leading engagement of high-profile Commissioners and a Support Group of Member States from the Council of Europe and all other regions of the world.

ICDP promotes **worldwide advocacy and policy dialogue**: to strengthen global support for the abolition of the death penalty, to prevent the risk of its reintroduction, and to introduce a moratorium on executions in retentionist countries. At the multilateral level, we have helped to mobilize growing support for the UN General Assembly resolution on a moratorium - in 2024, adopted by an unprecedented majority. Through **high level country missions**,<sup>1</sup> we have contributed to positive change in Central Asia, Africa, East Asia and the Pacific<sup>2</sup>, as well as in the United States, Observer State of the Council of Europe.<sup>3</sup>

**Research is central to our mission.** It is key to document and disseminate positive experiences, to mobilize public opinion, to inform legal and policy reforms, and to advocate for the ratification of international human rights standards.

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<sup>1</sup> Including in Kazakhstan, Mongolia, Malaysia, Malawi, Zambia (e.g. in Malaysia and Malawi to abolish mandatory death sentencing; in Zambia to enact legislation and achieve ratification of OP2 to ICCPR)

<sup>2</sup> Leading to Zambia abolition and ratification OP2; in Malawi and Malasia to an end of mandatory death penalty

<sup>3</sup> December 2024 ICDP mission to North Carolina to encourage commutation of 15 death sentences

Research is also key to address pressing concerns. **Protection from discrimination lies at the heart of our efforts.** Racial<sup>4</sup>, religious<sup>5</sup> and socio-economic bias impact death penalty decisions. So does gender.

We remain shocked by the number of **women** subject to death sentences and executed<sup>6</sup>, often for betraying traditional gender roles or for acting in self-defense against unduly recognized gender-based crimes.<sup>7</sup>

We are deeply worried by the barriers faced by persons with **psychosocial and intellectual disabilities**. They are victims of stigma and misconceptions, often deprived of legal capacity and face serious risks in the criminal justice system: risk of false confessions, forced seclusion and wrongful sentencing; risk of weak protection in their access to justice and to a fair trial; and certainly also, risk of enduring capital punishment. We are working on a study on this topic and would welcome the opportunity of enriching it with lessons and positive practices from the Council of Europe Member States.

We are equally seriously concerned by the **severe risks faced by children**. Although there is a clear international legal ban on the imposition of the death penalty on persons below the age of 18, in some countries they are sentenced to death and executed.<sup>8</sup> These children are denied fundamental legal safeguards and protection from discrimination. In countries such as Belarus, their situation is considered state secret.

The imposition of the death penalty on children is often justified by the difficulty of confirming their age, especially when there is no universal system of civil registration, and they lack a birth certificate. But this is no excuse. There are well-established alternative methods to determine the child's age.

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<sup>4</sup> "Even under the most sophisticated death penalty statutes, race continues to play a major role in determining who shall live and who shall die." – US Supreme Court Justice Harry Blackmun (1994)

<sup>5</sup> For instance, death sentence for blasphemy in Pakistan

<sup>6</sup> Including in **China, Iran, Saudi Arabia and Singapore**. In the **US, 52 women were on death row in March 2024** (2.12% of the total death row population); **since 1976, 18 have been executed**. In Iran, December 2024 the "Law on Protecting the Family through the Promotion of the Culture of Chastity and Hijab" permits the imposition of the death penalty for peaceful activism against Iran's compulsory veiling laws. Reports reaching ICDP suggest that at **least 31 women were executed by Iranian authorities in 2024**

<sup>7</sup> According to WHO, globally almost **1 in 3 women experience physical and/or sexual violence** in their lifetime, mostly by an intimate partner.

<sup>8</sup> Including in **Iran, Saudi Arabia, Somalia**

As stressed by the CRC, the child’s best interests must always prevail. When age is unclear, the child must be given the benefit of doubt and exempted from capital punishment.

There are also risks for **children whose parents face the death penalty**. This is a largely neglected reality. As documented by our latest report “Children, Youth and the Death Penalty”<sup>9</sup>, these children face agonizing moments of fear, pain and uncertainty. Alongside their long-lasting trauma, they feel blamed and socially excluded, encircled by stigma, prejudice and discrimination, including in their school, in their community and in their efforts to access psychosocial support and state care and assistance. For these children, the death penalty ends up having an intergenerational impact.

The abolitionist movement remains as urgent as ever. Most of the world’s population live in countries that retain capital punishment. In some states, executions, including public executions, are used to challenge public unrest and punish political opponents. Cruel and inhuman killing methods, including the use of untested nitrogen asphyxiation and execution by firing squads, find support even in well-established democracies.

These are serious challenges we must vigorously address. Fortunately, there is sound progress to build upon.

More than two thirds of the world’s countries have abolished the death penalty, in law or in practice. There is growing adherence to regional and international standards banning capital punishment. Multistakeholder cooperation to prevent the trade in goods used for the death penalty is expanding. And across borders, we witness widening public support for abolition, especially among younger generations.

Clearly, the universal abolition of the death penalty is within reach. The Council of Europe has been at the forefront of these efforts and our Commission remains strongly committed to enhancing cooperation to make it a worldwide reality.

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<sup>9</sup> The ICDP report was launched in June 2023