



Union Internationale des Avocats  
International Association of Lawyers  
Unión Internacional de Abogados



# RULE OF LAW

## AN OVERVIEW OF THE DEATH PENALTY

2023

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## INTRODUCTION

The year 2023 saw a drastic upsurge in the application of the death penalty worldwide. In 2023, 1,153 executions were recorded, representing a 31% increase from the 883 recorded in 2022. The number of executions thus reached the highest level since 2016.

According to an [Amnesty International report](#) published in May 2024, at least 27,686 people worldwide were under sentence of death at the end of 2023.

## AN OVERVIEW OF THE DEATH PENALTY BY STATE

The countries with the highest death penalty use in 2023 were Iran, China, Saudi Arabia, Somalia and the United States.

### **IRAN**

Iran is one of the most active countries in terms of executions, accounting for 74% of all recorded executions. According to the Amnesty International report, at least 853 people were executed in 2023, an increase of 48% on the previous year. The death penalty is applied for a wide range of non-violent offenses, including drug trafficking, theft, adultery and apostasy.

Death sentences are handed down following unfair trials and confessions frequently obtained under torture. In 2023, Iran continued to execute juvenile offenders, in total disregard of international human rights law.

### **CHINA**

The number of executions in China is kept secret. According to Amnesty International, the state will have executed thousands of people in 2023, both for crimes against persons and for crimes against property, including corruption and other economic crimes, that do not meet the criteria of the “most serious crimes” under the international law standards.

As in Iran, death sentences are handed down mostly after unfair trials in which the rights of the defense are flouted.

### **SAUDI ARABIA**

In Saudi Arabia, public executions, often by beheading, are still practiced. In 2023, 172 people were executed. The death penalty is applied for a multitude of offenses, including adultery, highway robbery and apostasy.

Non-governmental organisations denounce systematic acts of torture and ill-treatment during detentions.



## **UNITED STATES**

In the United States, the death penalty is on the decline but is still applied in 27 states. In 2023, 18 executions were carried out in six states: Texas, Oklahoma, Arizona, Missouri, Alabama and Mississippi. Execution methods are mainly lethal injection and electrocution, and in early 2024 the USA experimented with [nitrogen asphyxiation](#), despite recommendations from the United Nations and non-governmental organizations.

## **ABOLITIONIST COUNTRIES**

In 2023, 112 States were abolitionist for all crimes and 23 States were abolitionist in practice, i.e., if their current legislation provided for capital punishment, they had not carried out any death sentences for at least ten years and had an established policy or practice of not carrying out executions.

However, on 13 March 2024, the government of the [Democratic Republic of Congo](#), which had been applying a moratorium since 2003, decided to resume executions.

## **THE UIA-IROL COMMITMENT**

UIA-IROL reaffirms its commitment to the universal abolition of the death penalty and contributes to the development of a support network for lawyers sentenced to death for their human rights work.

It points out in this respect that 'death row syndrome' is an extreme form of torture, described as '[irreversible torture](#)', while it has been demonstrated on countless occasions <sup>1</sup> that the death penalty has no deterrent effect on crime.

## **DISCRIMINATION AND INEQUALITY**

The death penalty often remains the result of deep-rooted discrimination. People from the poorest communities and socio-economically disadvantaged backgrounds, as well as ethnic and racial minorities, are [still disproportionately affected by the death penalty](#).

A large majority of the women on death row belong to [ethnic and racial minorities](#) and have suffered gender-based violence. In 2023, LGBTQIA+ people are still discriminated

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<sup>1</sup> See Amnesty International, [The death penalty does not deter crime](#), aout 2021 ; United Nations, [Human Rights Council holds Biennial High-Level Panel Discussion on the Question of the Death Penalty](#), 23 February 2021 ; World Coalition against the Death Penalty, [The Flaws of deterrence Theory for Capital punishment](#) 23 février 2021.



against in the application of the death penalty, as twelve states apply it for consensual same-sex relationships, illustrating the persistence of systemic prejudice.<sup>2</sup>

Lawyers play a crucial role in defending human rights and ensuring fair trials. However, in some regimes, they are persecuted and sentenced to death for daring to defend their clients or criticising the judicial system. This situation is particularly alarming and requires a strong international response to protect lawyers and ensure that they can practise their profession without fear of reprisals.

UIA-IROL is calling for global action to ensure that lawyers, as guardians of human rights, do not fall victim to the death penalty.

### **UIA-IROL RECOMMENDATIONS**

No lawyer should be sentenced to death for the mere exercise of his or her profession.

UIA-IROL calls for international mobilisation and urges States to:

**STOP** applying the death penalty in all circumstances, in order to comply with human rights as recognised by international law;

**TAKE** all legislative and political measures to abolish the death penalty;

**PROMOTE** penal alternatives that comply with the principle of human dignity;

**COMPLY** fully with international human rights standards, as defined in the Universal Declaration of Human Rights (1948) and the International Covenants on Civil and Political Rights (1966);

**ENSURE** that lawyers, as defenders of human rights, can exercise their profession without fear of reprisals;

**GUARANTEE** specific legal protections for lawyers so that they can defend their clients freely and effectively in accordance with the United Nations Basic Principles on the Role of Lawyers (1990).

UIA-IROL is calling for international mobilisation to strengthen human rights protection mechanisms and ensure that the death penalty is abolished throughout the world. The organisation undertakes to continue its efforts to support lawyers, promote justice and defend human dignity against capital punishment.

In this respect, it denounces the persecution of lawyers and human rights defenders and calls for greater protection for these professionals, by putting in place support

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<sup>2</sup> Afghanistan, Saudi Arabia, United Arab Emirates, Iran, Mauritania, Qatar, Nigeria, Pakistan, Sudan, Somalia, Yemen and Brunei.



The UJA Institute for the Rule of Law

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mechanisms and legal security to ensure that they can continue to defend the rights of their clients without risking their own lives.

#### **More about UJA-IROL**

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*The Institute for the Rule of Law of the International Association of Lawyers (UIA-IROL) promotes the Rule of Law and supports and defends, in particular, (1) lawyers, judges and human rights defenders who are harassed, threatened and/or persecuted in the exercise of their professions, (2) the independence of the legal and judicial professions, and (3) the UN Basic Principles on the Role of Lawyers, especially in defense of human rights.*

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