

[1] DATA ON WOMEN ON DEATH ROW

WOMEN ON DEATH ROW

Although women currently make up less than **5% of the global death row population (representing 500 to 1000 women on death row)**, analysis of their profiles, backgrounds, and crimes for which they were sentenced to death deserves particular attention as it reveals the significant existence of **gender biases in capital punishment proceedings**¹.

In 2023, we know that **there are women on death row in at least 42 countries** (71 % of retentionist and abolitionist in practice countries with more than 3 people on death row) and because of a lack of transparency in some countries, we have no data for 8 countries².

WOMEN'S EXECUTION

Women have been executed in the last 10 years in the following countries: Afghanistan, China, Egypt, Gambia, Indonesia, Iraq, Iran, Jordan, Kuwait, North Korea, Oman, Saudi Arabia, Somalia, and the United States.

China executed at least an approximately 20 to 100 women per year in recent years (CCDPW)

Iran executed at least 164 women between January 2010 and October 2021 (IHR)

Saudi Arabia executed 31 women between 2010 and 2021 (ESOHR and Reprieve)

[2] PROFILE OF WOMEN SENTENCED TO DEATH

Analysis of the profiles of women sentenced to death reveals that a large majority are from **ethnic and racial minorities**, are **non-literate**, have **intellectual or psychological disabilities**, and have **experienced gender-based violence**. In some regions, such as Gulf and Southeast Asian states, the majority of those sentenced to death are migrants³.

[3] CRIMES FOR WHICH WOMEN ARE SENTENCED TO DEATH

MURDER

The first crime for which women are sentenced to death worldwide is murder. Many of these crimes involve murders of family members in a **context of gender-based violence**⁴. Due to a lack of knowledge on gender-sensitive mitigation of the criminal justice system, domestic abuse is not often considered as mitigating factor in sentencing.

DRUG OFFENSE

Drug-related offense is the second most common reason for women to be on death row, particularly in Asia and Middle East⁵. Many women tend to work in the drug market due to economic and social marginalization. Some women sentenced to death for drug trafficking have been victims of romance scams (Feigning romantic intentions to gain their affection and trust before using tricks to manipulate them).

OFFENSE INVOLVING SEXUAL MORALITY

Women are disproportionately sentenced to death for adultery. In jurisdictions that apply Sharia law, *zina*, the criminalization of consensual sexual relations outside marriage, is used disproportionately to convicted women compared to men.

Other crimes for which women are sentenced to death include terrorism, prostitution, blasphemy, kidnapping, armed robbery, and witchcraft.

Gender-based bias permeates criminal legal systems. Gender biases manifest themselves in the investigative stage by law enforcement biases; at the trial stage, in which a fair trial may be unavailable for women facing harsh socio-economic deprivation and little access to education; and in sentencing, when women defendants are sentenced to death after being prevented from arguing that gender and patriarchy affected their criminal

¹ Cornell Center on the Death Penalty Worldwide, (2018), Judged for more than her crime.

² World Coalition Against the Death Penalty (2023), Mapping of Women on Death Row.

³ Cornell Center on the Death Penalty Worldwide, (2018), Judged for more

than her crime.

⁴ Ibid.

⁵ Ibid.

[4] GENDER DISCRIMINATION ON DEATH ROW

Women have **specific needs** which are not always addressed on death row. These include sexual and reproductive health, medical and mental health care, harm reduction services for substance abusers and protection from gender-based violence, among others. Also, female prisoners are exposed to a **risk of gender –based violence while incarcerated**.

“National criminal justice systems and prisons, and to some extent international law itself, are largely designed by men and for men and often overlook women’s specific needs and vulnerabilities.”

Cornell Center on the Death Penalty Worldwide, Judged for more than her crime, 2018

The **Bangkok Rules**, adopted in 2010, are the first set of rules tailored to the treatment of women prisoners. They complement existing international standards on the treatment of prisoner such as Mandela Rules.

[5] UGANDA CASE STUDY

In 2022 there were 3 women on death row in Uganda (FHRI and PRI Uganda). In 2018 there were 11. According to Amnesty, in 2021 at least 135 people were on death row in the country. Women therefore represent between 2 and 8% of death row prisoners. Of the 3 women currently on death row, all have been convicted of the crime of murder, often carried out in the context of gender-based violence. Despite prevalence of domestic violence, courts fail to consider realities of spousal abuse to mitigate culpability of women defendants.

[6] WOMEN, TORTURE AND THE DEATH PENALTY

TORTURE TO FORCE A CONFESSION

Women victims of gender-based violence, who are over-represented on death row, are at **risk of making false confessions when subjected to coercive interrogations**, especially those carried out by men.

DETENTION CONDITION

Violence against women in detention – including **gender and sexual abuse and harassment, inappropriate touching during searches, rape, and sexual coercion** – can rise to the level of torture or cruel, inhuman, or degrading treatment or punishment.

[7] KEY ADVOCACY MESSAGES

Pending full abolition of the death penalty:

(1) **Commute** the sentences of women sentenced to death for killing close family members who perpetrated gender-based violence against them and for women sentenced to death for drug trafficking and other offenses that do not involve the loss of human life.

(2) Ensure that the criminal legal system **takes full account of any mitigating factors linked to women’s background** including evidence of prior abuse and psychosocial and intellectual disabilities.

(3) Ensure that all persons facing the death penalty have their **right to free and effective legal representation** respected.

(4) Prevent the detention and prosecution of women for “moral and sexual” crimes and of people for their sexual orientation and decriminalize such offenses.

(5) In accordance with the Mandela and Bangkok Rules, adopt **gender-sensitive policies regarding the detention of women**, ensuring their safety and security before trial, during admission to prison, and while incarcerated.

[8] RESOURCES

📖 Read more about this

- [Judged for More Than Her Crime: a Global Overview of Women Facing the Death Penalty \(Cornell Center on the Death Penalty Worldwide\)](#)
- [No One Believed me: A Global Overview of Women Facing the Death Penalty for Drug Offenses \(Cornell Center on the Death Penalty Worldwide\)](#)
- [Silently Silenced: State-Sanctioned Killing of Women \(Monash University\)](#)
- [Detailed factsheet, Invisible reality of women sentenced to death \(World Coalition Against the Death Penalty\)](#)
- [Mapping of Women on Death Row \(World Coalition Against the Death Penalty\)](#)