

# 8<sup>th</sup> WORLD CONGRESS AGAINST THE DEATH PENALTY

15-18 NOVEMBER 2022  
BERLIN, GERMANY



## 8th World Congress against the death penalty – Berlin

### RESOLUTION ON THE NEED FOR TRANSPARENCY IN THE IMPOSITION AND APPLICATION OF THE DEATH PENALTY

#### MOBILISATION OF BAR ASSOCIATIONS

We, the Paris Bar Association, founding member of the World Coalition against the Death Penalty, the International Bar Association's Human Rights Institute (IBAHRI), the German Bar Association (Deutscher Anwaltverein - DAV),<sup>1</sup> on the occasion of the 8th World Congress against the Death Penalty, to be held in Berlin from 15 to 18 November 2022,

#### Noting that,

- Despite the growing number of abolitionist States, several countries do not provide official information on their use of the death penalty. Some countries classify information on the death penalty as a State secret, making its disclosure an act of treason.
- In some countries, executions are carried out in secret without prior notice to the families of the convicted persons, their lawyers and sometimes even the convicted person themselves.
- The lack of transparency in the imposition and application of the death penalty has direct consequences for the enjoyment of the human rights of those facing the death penalty as well as for others.
- Without transparency, it is impossible to ensure that those in detention and awaiting execution are treated humanely and receive appropriate procedural and legal protection in accordance with applicable international law.
- A lack of transparency in the imposition and application of the death penalty limits the ability of lawyers to fully carry out their professional duties in the best interests of their clients facing the death penalty.

<sup>1</sup> The Paris Bar Association, the IBAHRI, and the German Bar Association oppose the death penalty in all circumstances and call for universal abolition.

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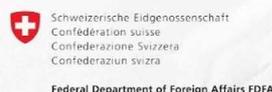
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## Recalling that,

- Bar Associations and professional organisations of lawyers have a key role to play in advocating for the abolition of the death penalty and the establishment of a moratorium, as well as having an essential role in defending the right to a fair trial.
- Lawyers are one of the main safeguards to ensure the effectiveness of the rule of law, the respect of consular rights, effective and transparent administration of justice and the protection of the rights of those facing the death penalty or sentenced to death.

## Call upon Bar Associations and professional organisations of lawyers from all countries, both abolitionist and retentionist, to:

- Uphold respect for transparency in retentionist States concerning data relating to the imposition and application of the death penalty, in particular relating to persons sentenced to death and executed, the crimes for which they have been convicted, the method of execution used and the cases in which an amnesty or pardon has been granted.
- Advocate for the right to a fair trial and due process for all those facing the death penalty without discrimination, including the right of defence counsel to have regular access to their client and to all evidence against them.
- Participate in international advocacy for transparency in the imposition and enforcement of the death penalty and abolition worldwide.

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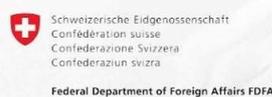
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