



General Assembly

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Agenda item: Moratorium on the execution of the death penalty

Sponsors: Bangladesh, China, Cuba, India, Iran, Ireland, Jamaica, Japan, Netherlands, Russia, Saudi Arabia, Switzerland, Thailand, Turkiye, United Arab Emirates, United States of America and Viet Nam

The General Assembly,

Noting with deep concern that national sovereignty is being increasingly overlooked in discussions regarding the death penalty, disregarding the diverse contexts and situations faced by different countries in determining their legal frameworks,

Reaffirming the principle of non-interference in the domestic affairs of sovereign states in which each country has the right to determine its own legal and judicial practices in accordance with its national circumstances and obligations,

Believing the importance of respecting religious values and their role in shaping the legal framework, as these different values guide the formulation of laws and contribute to the moral foundations of justice systems,

Emphasizing the critical importance of holding fair trials and maintaining an unbiased legal system in order to ensure equality before the law for all individuals,

Recalling the annex to the 1984 resolution adopted by ECOSOC, which sets minimum standards for the executions of death penalty in retentionist states,

Recognizing that serious crimes demand serious consequences to ensure justice and uphold societal order,

Recognizing the importance of reforming the legal system and ensuring fairness in the procedures in order to limit miscarriages of the death penalty,

Reaffirming the importance of exempting pregnant women from execution to safeguard the life of the child,

Convinced of the state's responsibility to provide adequate assistance for the children of offenders sentenced to the death penalty,

Approving the increasing number of Member States that have introduced age restrictions to the death penalty in order to ensure that it is not applied to individuals under 18,

Recognizing the importance of taking into account the offender's circumstances such as mental health when conducting trials,

Recognizing the importance of making the death penalty only applicable for the most serious crimes,

Deploring that discriminatory beliefs contribute to wrongful accusations which could potentially lead to unjust executions of innocent individuals.

1. *Reaffirms* the sovereign right of all countries to develop their own legal systems, including determining appropriate legal penalties, in accordance with their international law obligations;
2. *Encourages* Member States to moderate the death penalty to the most serious of crimes and mitigate the number of crimes applicable to it, and also welcomes the steps taken by Member States to restrain the number of offenses for which the death penalty may be imposed, as well as the measures taken to limit its application,
3. *Encourages* Member States to promote impartiality in legal proceedings in order to ensure that every individual has equal access to justice and protection under the law,
4. *Stresses* the *necessity* of respecting the religious contexts of each member state in discussing the abolishment of the death penalty in order to protect national sovereignty;
5. *Affirms* that currently, in some Member States, retribution through the death penalty is essential in providing a proportionate response for the most serious crimes;
6. *Suggests* Member States to gather experts to investigate the case if there is a possibility of the offender sentenced to the death penalty having mental illness;
7. *Further encourages* Member States to implement a five year moratorium which would be concluded with a retrial at the end for offenders under the age of 18 who got sentenced to the death penalty in order to reduce the number of executions for juveniles;
8. *Requires* Member States to implement a moratorium for pregnant women sentenced to the death penalty so that the execution is not carried out at least until the child is born,
9. *Confirms* the importance of Member States to ensure the protection of the child in cases where the parent is executed for the purpose of safeguarding the child's rights and future,
10. *Calls upon* Member States to establish safeguards in legal proceedings to protect the rights of individuals facing the death penalty by ensuring the following:
 - a) The right to appeal to a court of higher jurisdiction
 - b) The right to have competent legal representation at all stages of the judicial process;
11. *Encourages* Member States to minimize the number of wrongful executions and improve clarity in the justice system by ensuring the following:

- a) The death penalty is limited to cases when the guilt of the person charged is based upon clear evidence,
 - b) The punishment is only applicable to the most serious crimes, which is determined by domestic conferences with experts to define most serious crimes
 - c) The punishment may only be imposed for crimes which are prescribed by law at the time of its commission,
 - d) The punishment is not carried out while pending any other proceeding relating to pardon or commutation of the sentence;
12. *Suggests* nations to make efforts for capacity building:
- a) *Invites* Member States to utilize new technologies such as forensic testing during the investigation process to eradicate miscarriages within the justice system,
 - b) *Requires* Member States to enhance the training of legal officials in order to eradicate discriminatory beliefs that contribute to unfair legal outcomes;
13. *Encourages* Member States to improve the education for the general public including legal officers on the following topics;
- a) Drug trafficking,
 - b) Mental illness,
 - c) Discriminatory beliefs;
14. *Further requests* nations to establish crime prevention programs giving monetary aid to the financially vulnerable and improving the welfare system;
15. *Advises* nations to give necessary support to the victims and their families such as:
- a) Psychological counselling,
 - b) Legal Assistance,
 - c) Monetary aid.