



## General Assembly

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### Seventy-ninth session

#### Agenda item: Moratorium on the execution of the death penalty

Sponsors: Argentina, Australia, Austria, Belgium, Canada, Croatia, Denmark, Ecuador, Fiji, France, Italy, Mongolia, Nepal, Norway, Poland, Portugal, South Africa, Spain, Sweden, United Kingdom

*The General Assembly,*

*Recognizing* that the death penalty is a violation of human rights,

*Taking note* that the death penalty goes against the human rights listed in many constitutions as well as the international human rights from groups and organizations such as The International Commission of Jurists (ICJ), and Amnesty International,

*Stressing* the importance of equal jurisdiction,

*Recognizing* that some states are not able to abolish the death penalty immediately,

*Concerning* strongly about the irreversibility of the death penalty,

*Concerned* that human rights are being violated in the period between the death sentencing and the execution of the death penalty because of the condition of correctional facilities,

*Recognizing* that human rights should not be violated by the state,

*Recognizing* that offenders possess the fundamental right to seek a retrial,

*Recognizing* the importance of minimum standards,

*Emphasizing* the importance of the offender's right to a fair trial without discrimination towards any race, gender, or other minorities such as ethnicity,

*Stressing* the importance of the role diplomatic and consular missions can play to prevent death sentences from being carried out,

*Believing* that full abolition is the only way to ensure human rights,

*Emphasizing* the importance of increasing awareness internationally to promote the abolishment and moratorium of the death penalty,

*Believing* that the death penalty should be progressively restricted to protect human rights,

*Emphasizing* the importance of leadership towards the death penalty,

*Stressing* the importance for countries to respect the international frameworks,

*Emphasizing* the role missions can play by observing and being informed about court cases that could lead to a death sentence,

*Believing* that opportunities to share ideas and opinions would be effective ways of raising awareness on the violation death penalty has on human rights,

*Recognizing* that there can be alternative forms of punishment of the death penalty,

*Believing* that instating the death moratorium is necessary to protect human rights,

*Recognizing* the importance of discussing the death penalty in order to set standards of using existing frameworks,

*Emphasizing* that disclosure of information related to the death penalty leads to encouraging equal jurisdiction and examining the impacts of the death penalty,

*Supporting* the contribution of governmental and nongovernmental organizations to building higher awareness for the abolishment of the death penalty;

1. *Reaffirms* in respecting human rights and guarantees the right to life for all,
2. *Recognizes* that the death penalty undermines human dignity,
3. *Takes note* that wrongful convictions are irreversible,
4. *Affirms* that every human being is born with basic human rights,
5. *Takes into consideration* that rehabilitation and education are alternatives to the death penalty:
  - a. to implement moral education by non-profit organizations decided by each country to spread awareness and to promote the abolition of the death penalty,
  - b. to receive reports from aid-receiving countries before giving aid to create rehabilitation centers in accordance with the guideline of human rights in each country;
6. *Recommends* all Member States to adopt a dual review system to improve the transparency of trials and prevent wrongful convictions,
7. *Recommends* all Member States to follow the minimum standards,

8. *Encourages* all Member States to implement a fair trial for all persons without discrimination in the following,
9. *Notes with deep regret* that the death penalty system is not completely fair in these ways:
  - a. being discriminatory in choosing who gets the death penalty,
  - b. the irreversibility of the death penalty in the case where an innocent person may be sentenced;
10. *Recommends* all Member States to adopt a 5-year suspension of the death penalty with revision after the period has passed regarding:
  - a. if the death penalty was necessary,
  - b. a report of the status of the country, including its crime rates;
11. *Reaffirms* the sovereignty of each country, including the right to establish appropriate legal penalties within the scope of international law obligation,
12. *Recalls* the duty of Member States, regardless of their political, economic, and cultural systems, to promote and protect all human rights and fundamental freedoms,
13. *Urges* all Member States to work for a full abolition of the death penalty,
14. *Calls upon* all retentionist countries:
  - a. to progressively restrict the use of the death penalty and not to impose capital punishment for offenses committed by persons below 19 years of age or whose age above 18 years at the time of the commission of the crime cannot be accurately determined, on pregnant women or on persons with mental or intellectual disabilities,
  - b. to create an annual report including the following:
    - i. their number of executed people,
    - ii. how they have been executed each year,
    - iii. why they were executed,
    - iv. treatment of the prisoners,
    - v. process to trial;
15. *Calls upon* retentionist countries to progressively restrict the use of the death penalty and reduce the number of offenses in which it can be imposed,
16. *Emphasizes* the importance of domestic and international leadership and political leadership towards the abolitions of the death penalty,
17. *Calls upon* retentionist countries to respect international frameworks (especially the aforementioned minimum standards) that stipulate protective measures ensuring the rights of those sentenced to death,
18. *Invites* Member States, the United Nations, relevant specialized agencies, regional and subregional organizations to hold networking activities amongst the youth and adults alike to cultivate discussion on the death penalty,
19. *Requests* Member States to make the effort to educate about the cruelty of the death penalty and its violation of human rights,

20. *Stresses* that life sentence, amongst other forms of punishment, can be alternative forms of punishment of the death penalty,
21. *Urges* all Member States to instate the moratorium on death penalty in order to protect fundamental human rights,
22. *Emphasizes* the importance of maintaining judicial equality through cooperation with relative organizations both governmental and nongovernmental,
23. *Decides* to continue discussing the topic “Moratorium on the execution of the death penalty” to improve the understanding of the death penalty including cultural, religious, historical, economic, and security backgrounds, and to gradually set the standards of using existing frameworks at the 80th Session,
24. *Requests* Member States, the United Nations, relevant specialized agencies, and regional and subregional organizations to cooperate with international actors at a local level.