



General Assembly

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Seventy-ninth session

Agenda item: Moratorium on the execution of the death penalty

Sponsor: Algeria, Botswana, Brazil, Germany, Ghana, Indonesia, Israel, Malaysia, Mexico, Republic of Korea, South Sudan, Sri Lanka, Ukraine

The General Assembly,

Expressing its satisfaction to the International Covenant on Civil and Political Rights,

Emphasizing that any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable,

Stressing the importance of protecting the human rights regardless of the nation's political, cultural, or economic status,

Regretting the status quo where not all people are able to have fair trials,

Taking into consideration the need of transparency for the process of sentence of death penalty,

Recognizing the role of national human rights institutions and civil society in contributing to ongoing local and national debates and regional initiatives on the death penalty,

Noting with deep concern that namely failure to respect fair trial guarantees in proceedings resulting in the imposition of the death penalty could constitute a violation of the right to life,

Emphasizing the need to ensure that persons facing the death penalty have access to justice without discrimination of any kind,

Noting with deep concern that poor and economically vulnerable persons, foreign nationals, persons exercising their human rights, and persons belonging to religious or ethnic minorities are disproportionately represented,

Noting that transparent reporting and access to information regarding the use of the death penalty and criminal prosecutions can expose discriminatory practices or impact in the imposition and application of the death penalty,

Recalling that, particularly in cases of capital punishment, States must guarantee transparency in order to ensure that all persons benefit from due process guarantees,

Acknowledging that all states are respected for their sovereignty and have the right to carry out law enforcement on the basis of legal and social context of each country,

Recognizing that arbitrary and misuse of death penalty could result in a human rights violation,

Reaffirming that the nations under the definition of a More Economically Developed Country (MEDC) are nations with GNI per Capita between \$4516 and \$14,005, and nations under the definition of a Less Economically Developed Country (LEDC) are nations with GNI per Capita of \$1145 or less,

1. *Calls upon* Member States to establish a moratorium with a view on abolishing the death penalty with exception for the most serious crimes, with advice on what it should be from international organizations,
2. *Requests* retentionist states the gradual reduction of the death penalty through the implementation of life imprisonment with life with and without parole:
 - a. Relatively lighter crimes within the boundaries of the conviction of the death penalty will be convicted life imprisonment with life with parole,
 - b. Relatively heavier crimes within the boundaries of the conviction of the death penalty will be convicted life imprisonment with life without parole;
3. *Requests* all Member States to make available the following information about their country:
 - a. The number of persons sentenced to death,
 - b. The number of persons on death row and the location of their detention,
 - c. The number of executions carried out,
 - d. The number of death sentences reversed or commuted on appeal or in which amnesty or pardon has been granted,
 - e. The procedures of executions;
4. *Calles upon* all Member States to ensure the following for any trial leading to the imposition of the death penalty:
 - a. Compliance with internationally recognized fair trial guarantees,
 - b. A fair and public trial with information made available on the sex, age, disability, and race of the convicted,
 - c. Adequate access to legal counsel at every stage of the proceedings,
 - d. No discrimination of any kind, including for persons belonging to minorities and foreign nationals;
5. *Calls upon* all States to progressively restrict the use of the death penalty and not to impose capital punishment for offenses committed by the following persons:
 - a. Persons below 18 years of age,
 - b. Pregnant women,
 - c. Persons with mental or intellectual disabilities;
6. *Calls upon* States that have abolished the death penalty to share their experience with other countries,
7. *Urges* to continue consideration of the matter at its eighty-first session under the item entitled “Promotion and protection of human rights” in the execution of the death penalty,
8. *Recommends* More Economically Developed Countries, to financially support, Less Economically Developed Countries, for actions such as but not limited to:
 - a. Improvement of the conditions of the death row inmates, ensuring that the detainees are treated humanely, and in accordance with international law,
 - b. Rehabilitation of criminals who were formerly convicted of the death penalty, and were re-trialed to a different penalty,
 - c. Supporting newborns with mothers on death row;

9. *Recommends* that Member States develop educational programs in each nation based on international guidelines to raise public awareness about the ethical, legal, and economic implications of the death penalty, fostering a societal shift towards abolition, with nations conducting internal research on the materials of these guidelines to produce educational materials suited to their specific context.