



General Assembly

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Seventy-ninth session

Agenda item: Moratorium on the execution of the death penalty

Sponsors: Algeria, Botswana, Brazil, Denmark, Germany, Ghana, Indonesia, Israel, Malaysia, 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,

Affirming 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,

1. *Calls upon* Member States to establish a moratorium with a view on abolishing the death penalty, with exception for the severest crimes;
2. *Calls upon* retentionist states the gradual reduction of the death penalty through the implementation of life imprisonment;

3. Requests all Member States to make available the following information of 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,
 - f. Information on any scheduled execution;
4. Calls 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. The right to legal assistance,
 - d. Adequate access to legal counsel at every stage of the proceedings,
 - e. 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 offences committed by the following persons:
 - a. Persons below 18 years of age,
 - b. Pregnant women,
 - c. Mothers with newborns until they reach 12 months considering their mental state,
 - d. Persons with mental or intellectual disabilities;
6. *Calls upon* States that have abolished the death penalty to share their experience with other countries
7. Decides to continue consideration of the matter at its eighty-first session under the item entitled "Promotion and protection of human rights."
8. Urges more economically developed countries or international organizations to provide fundings for the implementation of:
 - a. Rehabilitation of individuals who convicted relatively lighter crimes (example), and those who have been previously or falsely convicted of the death penalty,
 - b. Establishing facilities for the nurturing of offsprings;