



## General Assembly

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### Seventy-ninth session

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

Sponsors: Austria, Croatia, Denmark, France, Germany, Israel, Nepal, Poland, Portugal and Mexico

*The General Assembly,*

*Reaffirming* the Universal Declaration of Human Rights, the International Covenant on Civil Political Rights, and the Convention on the Rights of the Child, which collectively reaffirm the intrinsic dignity and equal inalienable rights of all individuals of the human family as the base of freedom and justice in the world,

*Recalling* the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims at the abolition of death penalty,

*Recalling also* its resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010, 67/176 of 20 December 2012, 69/186 of 18 December 2014, 71/187 of 19 December 2016, 73/175 of 17 December 2018 and 75/183 of 16 December 2020 on the question of a moratorium on the use of the death penalty, in which the General Assembly called upon States that still maintain the death penalty to establish a moratorium on executions with a view to abolishing it,

*Emphasizing* that the right to life is the supreme right of human rights, fundamental for human dignity and other human rights that must be protected,

*Emphasizing* that the continued implementation of the death penalty constitutes a grave affront to the intrinsic right to life, which stands as the foundation of human justice,

*Recognizing* that unfair judicial system and legislation can deprive the right to life of socially vulnerable inherent people including children and women,

*Stressing* that international moratorium on the death penalty can contribute to the protection of right to life, elaboration of discussion and accumulation of data related to death penalty and international agreement,

*Noting with concerns* that socially vulnerable people are more likely to become the victim of false and unlawful death penalty sentences,

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

*Emphasizes* that the current lack of transparency in the use of death penalty has consequence of directly violating individual's right to life,

*Noting satisfaction* with the work done by OHCHR,

1. *Concerns* the current continued application of death penalty;
2. *Stresses* that punishable crimes of death penalty must obey the definition defined in ICCPR, except under the condition explained in Article 10;

3. *Call upon* member states who haven't done so to ratify to the Second Optional Protocol to the International Covenant on Civil and Political Rights;
4. *Call upon* member states who have abolished death penalty in the past not to reintroduce them to protect the human rights including the right to life;
5. *Encourages* member states to protect the vulnerable national citizens under their jurisdiction within their honourable territories through legal and fair law system;
6. *Requests* nations to provide assistance to socially vulnerable such as the dispatch of translator with in the law court;
7. *Call upon* all states to protect the right of person to exercise their rights when facing death penalty and other legal punishment by complying with international obligations;
8. *Welcomes* the steps taken by some States to reduce the number of offences for which the death penalty may be imposed, as well as steps taken to limit its application, including by commuting death sentences;
9. *Call upon* member states to adopt the following measures at all levels of government and within their respective national authorities under their jurisdiction to ensure the gradual yet consistent implementation of the moratorium on the death penalty, thereby enhancing the fairness of their legal system and safeguarding inherent human rights including the right to life;
  - a. To suspend the execution of death penalty at all levels,
  - b. To provide comprehensive legal information regarding the application of the death penalty, including but not limited to the number of individuals in the current death row and the location of their detention, their conditions such as their mental condition, pregnancy status, age, religious affiliation, and the reason for their sentence,
  - c. To facilitate discussions regarding the moratorium on the death penalty, with the aim of promoting international recognition and enhancing understanding of their citizens to ensure that all perspectives are represented and the awareness is raised world-wide,
  - d. To facilitate educational initiatives and awareness campaigns aimed at promoting the fundamental shift in mindsets of their citizens regarding the death penalty, with the goal of advancing a more enlightened and humane perspective, in alignment with the universal principle of human rights and the preservation of human dignity, as accepted by the United Nations and its member states;
10. *Call upon* nations to provide a report including following information to the OHCHR, while allowing nations to execute death penalty for most serious crimes, confirming the need of the implementation of death penalty in certain member states who are in an unstable condition including civil wars and terrorism within their honorable territories:
  - a. The legal reason of the application of death penalty,
  - b. The method used for the execution of death penalty,
  - c. The information listed in the Sub-clause b of Article 6;
11. *Confirms* the importance of implementing new alternative regulations in place of the death penalty including the elaboration on the content of life imprisonment to facilitate the work of jurisdiction within honorable member state's territories;
12. *Requests* member states that have succeeded in the moratorium or the abolishment of the death penalty to provide the following assistance to countries in need;

- a. A step-by-step guideline for the discontinuance of the death penalty.
13. Requests member states who are economic affordable to provide following aid to promote alternative legal legislation of death penalty thorough OHCHR:
    - a. Financial support,
    - b. Provision of knowledge regarding the legislation,
    - c. Dispatch of experts;
  14. *Requests* the office of the High Commissioners for Human Rights to continue and initiate research campaigns to investigate the deterrence effect of death penalties on crimes rate;
  15. *Requests* member states and relevant organization to continue the research over the most humane way of the execution of death penalty and its deterrence;