



General Assembly

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Agenda item 68 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cabo Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Sao Tome and Principe, Serbia, Sierra Leone, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu and Venezuela (Bolivarian Republic of): draft resolution

Moratorium on the use of the death penalty

The General Assembly,

Guided by the purposes and principles contained in the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights² and the Convention on the Rights of the Child,³

Reaffirming its resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010 and 67/176 of 20 December 2012

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 1577, No. 27531.



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,

Welcoming Human Rights Council decisions 18/117 of 28 September 2011⁴ and 22/117 of 21 March 2013⁵ and resolutions 22/11 of 21 March 2013⁶ and 26/2 of 26 June 2014,⁷

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

Convinced that a moratorium on the use of the death penalty contributes to respect for human dignity and to the enhancement and progressive development of human rights, and considering that there is no conclusive evidence of the deterrent value of the death penalty,

Noting ongoing local and national debates and regional initiatives on the death penalty, as well as the readiness of an increasing number of Member States to make available to the public information on the use of the death penalty, and welcoming in this regard the decision by the Human Rights Council in its resolution 26/2 to convene biennial high-level panel discussions in order to further exchange views on the question of the death penalty,

Welcoming the increasing number of accessions to and ratifications of the Second Optional Protocol to the International Covenant on Civil and Political Rights by States, aiming at the abolition of the death penalty,⁸

Noting the technical cooperation among Member States, as well as the role of relevant United Nations entities and human rights mechanisms in supporting State efforts to establish moratoriums on the death penalty, and the work of the special procedure mandate holders in addressing human rights issues relating to the death penalty,

1. *Expresses its deep concern* about the continued application of the death penalty;
2. *Welcomes* the report of the Secretary General on the implementation of resolution 67/176⁹ and the recommendations contained therein;
3. *Also 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;
4. *Further welcomes* the decisions made by an increasing number of States, at all levels of government, to apply a moratorium on executions, followed in many cases by the abolition of the death penalty;
5. *Calls upon* all States:

⁴ See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53A* and corrigendum (A/66/53/Add.1 and Corr.1), chap. III.

⁵ *Ibid.*, *Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. IV, sect. B.

⁶ *Ibid.*, sect. A.

⁷ *Ibid.*, *Sixty-ninth Session, Supplement No. 53 (A/69/53)*, chap. IV, sect. A.

⁸ United Nations, *Treaty Series*, vol. 1642, No. 14668.

⁹ A/69/288.

(a) To respect international standards that provide safeguards guaranteeing protection of the rights of those facing the death penalty, in particular the minimum standards, as set out in the annex to Economic and Social Council resolution 1984/50 of 25 May 1984, as well as to provide the Secretary General with information in this regard;

(b) To comply fully with their international obligations, in particular with those under article 36 of the 1963 Vienna Convention on Consular Relations,¹⁰ particularly the right to receive information on consular assistance within the context of a legal procedure;

(c) To make available relevant information, disaggregated by sex, age and other criteria, with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row and the number of executions carried out, and the number of death sentences reversed, commuted on appeal and in which amnesty or pardon has been granted, which can contribute to possible informed and transparent national and international debates, including on the obligations of States pertaining to the use of the death penalty;

(d) To progressively restrict the use of the death penalty and not to impose capital punishment for offences committed by persons below 18 years of age, on pregnant women and on persons with mental or intellectual disabilities;

(e) To reduce the number of offences for which the death penalty may be imposed;

(f) Not to extend the use of the death penalty to crimes to which it does not currently apply;

(g) To establish a moratorium on executions with a view to abolishing the death penalty;

6. *Calls upon* States which have abolished the death penalty not to reintroduce it, and encourages them to share their experience in this regard;

7. *Calls upon* States that have not yet done so to consider acceding to or ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;⁸

8. *Requests* the Secretary General to report to the General Assembly at its seventy-first session on the implementation of the present resolution;

9. *Decides* to continue consideration of the matter at its seventy-first session under the item entitled "Promotion and protection of human rights".

¹⁰ United Nations, *Treaty Series*, vol. 596, No. 8638.