



75^e session de l'Assemblée générale des Nations Unies

3^e Commission

Item 72

Introductory Statement Resolution on the Moratorium on the use of the death penalty

New York, 17 November 2020

Statement read by H.E. Ms Pascale Baeriswyl, Permanent Representative

Madam Chair,

On behalf of Mexico and my own country Switzerland in our capacity as **Co-facilitators of the Resolution on the moratorium on the use of the death penalty**, I have the honor to deliver this introductory statement on behalf of the Inter-Regional Taskforce, comprised of the following countries: Albania, Angola, Argentina, Australia, Benin, Brazil, Chile, Micronesia, Mongolia, New Zealand, Norway, Serbia, United Kingdom of Great Britain and Northern Ireland as well as the European Union and its Member States Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

This draft resolution, tabled in the Third Committee as document L.41 is largely built on previous adopted General Assembly resolutions on this matter since 2007. The focus of this resolution is on **the moratorium on the use of the death penalty** and not on its abolition.

First, I would like to **thank the delegations for their committed participation** during the six informal consultations we held, in particular under the challenging circumstances of online negotiations.

Conscious that the death penalty remains a **sensitive topic with a diversity of views**, having a constructive exchange with all Member States has been a priority for us. Transparency and inclusivity have guided our efforts and the high number of participating delegations is a testimony to the importance of debating this matter at the multilateral level.

During the process all proposals were carefully analyzed and considered. Those that are in line with the resolution's aim have been included.

Language was therefore added or adjusted in the following paragraphs:

- In PP9 a reference to the **role that civil society** plays in the debate on this issue has been added;
- PP11 notes **the reductions in reported executions as well as the increase in commutations of death sentences** throughout the world;
- PP12 emphasizes the **need to improve prison conditions** in accordance with the Nelson Mandela rules;
- In PP13, the resolution incorporates - for the first time - a **gender perspective**;
- PP15 includes a reference to the work of the **treaty bodies**;
- OP3 welcomes the **commutation of death sentences** among other steps taken to limit the application of the death penalty;
- OP6c) adds **amnesties and pardons** regarding the availability of relevant information;
- OP6d) strengthens the **protection of minors**;
- And OP6g) includes language on the provision of information **to families, children, legal representatives and the inmates themselves**.

As co-facilitators we undertook efforts to find compromise proposals and had in-depths discussions during the informal consultations and bilaterally, including on the sovereignty paragraph. In our view, the resolution **fully respects the principle of sovereignty of states** in compliance with international law and the exercise of their sovereign powers. PP1 provides that this resolution is guided by the purposes and principles contained in the UN Charter which includes the principle of sovereignty. Therefore, the operational paragraph on sovereignty was not included in the draft resolution.

Madam Chair,

The resolution we present today encourages debates and discussions without prejudice of their results and without imposing anything. In line with the mandates of the UN General Assembly and its Third Committee as well as according to the worldwide development regarding the abolition of the death penalty, **the main aim of this resolution is to invite all States to establish a moratorium on executions**.

Coming from different traditional, cultural and religious backgrounds and representing a variety of legal systems, the supporters of this resolution share the conviction that proclaiming a moratorium on the use of the death penalty contributes to increase the respect for human dignity. Presenting a resolution on this topic in the Third Committee is a statement that the death penalty is a human rights issue. Indeed, applying a moratorium on the use of the death penalty enhances the protection of human rights, first and foremost the full respect of the right to life.

It is worthy to note that more than four out of five countries worldwide have either abolished the death penalty or do not apply it. This confirms that globally, there is a steady trend of moving away from the application of the death penalty. Therefore, we would like to **call on all Member States to support this important initiative** on the moratorium on the use of death penalty by joining the group of 74 co-sponsors of the resolution and by supporting its successful adoption.

I thank you.