77th session of the General Assembly of the United Nations
3rd Commission
Item 68

General comment by Switzerland, on behalf of New Zealand
Moratorium on the use of the death penalty

New York, 11th November 2022

Mr. President,

I have the honor to deliver this statement on behalf of New Zealand and my own country, Switzerland.

Our countries thank Australia and Costa Rica for the inclusive and transparent negotiation process for draft resolution L.44 calling for a moratorium on the use of the death penalty.

New Zealand and Switzerland are opposed to the death penalty in all places and under all circumstances. We stress that capital punishment violates the fundamental right to life and infringes human dignity. In line with this position, we will vote in favour of the resolution, which we have supported since its introduction. We call on all states to do the same. We are convinced that the outcome of the vote will echo the global trend towards a death penalty-free world. Today, four out of five states in the world have abolished the death penalty or are observing a moratorium on its use.

Furthermore, our countries are pleased that, the draft resolution contains important new provisions that aim, in particular, to improve the conditions of detention of persons sentenced to death, transparency in the use of the death penalty, and fair trial guarantees.
On the other hand, we deeply regret the adoption of an amendment reaffirming the sovereign right of States to develop their own legal systems, including determining appropriate sentences. Like the draft resolution before us, which refers to the UN Charter in its first preambular paragraph, we of course recognise the sovereignty of States. However, this amendment does not correspond to the spirit and purpose of this resolution. New Zealand and Switzerland consider the death penalty from the perspective of human rights. Yet the amendment seeks to dilute the scope of the resolution by suggesting that sovereignty takes precedence over the universality of human rights, a position that we strongly oppose.

Thank you.