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UNHRC: Topic #2- Capital Punishment

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The use of capital punishment has historically been used across societies and cultures as a punishment and deterrent for committing crimes.<sup>1</sup> However, over the past several decades, the use has declined significantly; currently, 170 countries have either completely banned the use of the death penalty or stopped the practice entirely.<sup>2</sup> In 2007, the United Nations officially adopted resolution 62/149, which created an official UN “moratorium” officially calling for the abolition of use of the death penalty.<sup>3</sup> The UNHRC official stance is that capital punishment is “not consistent with the right to life and the right to live free from torture or cruel, inhuman or degrading treatment or punishment.”

While the majority of countries have abolished their legal systems' use of the death penalty, there is a small, but not insignificant, number of countries that continue to carry out executions around the world. China, Iran, Saudi Arabia, and the United States have some of the highest rates of executions, often citing the practice as a matter of domestic policy or cultural tradition.<sup>4</sup> The human rights group Amnesty International has repeatedly disputed the claim that capital punishment serves as an effective deterrent against crime. Instead, it creates systemic discrimination and can result in politically motivated and/or corrupt legal procedures as well as judicial error.<sup>5</sup> Amnesty International also documented examples of how the death penalty has been used against non-violent offenders, such as in the case of drug-related charges, as well as minors and individuals with intellectual disabilities.

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<sup>1</sup> <https://deathpenaltyinfo.org/resources/high-school/about-the-death-penalty/history-of-the-death-penalty>

<sup>2</sup> <https://www.ohchr.org/en/topic/death-penalty>

<sup>3</sup> <https://docs.un.org/en/A/RES/62/149>

<sup>4</sup> <https://deathpenaltyinfo.org/policy-issues/policy/international/executions-around-the-world>

<sup>5</sup> <https://www.amnesty.org/en/what-we-do/death-penalty/>



Despite the UN moratorium on capital punishment, there is still no universally accepted practice when it comes to the use of the death penalty, and the issue remains divisive within the international community. The challenge for the UNHRC is how to promote universal human rights and standards while respecting national sovereignty and different legal systems.

Guiding questions for research:

1. What should the international community do to dissuade countries that engage in the death penalty?
2. What should the UNHRC do to protect human rights rights and pursue justice at trials for those on death row
3. How does the United Nations ensure/enforce its moratorium on the death penalty?
4. What is your country's stance on capital punishment, and why?
5. What can be done to promote alternatives to capital punishment?

As always, please remember to include proper citations, and remember that all position papers will be submitted through Turnitin; the use of Generative AI is prohibited, and will lead to the loss of any awards. Please don't hesitate to reach out to me at [edehart@mail.yu.edu](mailto:edehart@mail.yu.edu) with any questions or concerns you may have. I'm looking forward to reading your Topic papers and meeting you all in February at the conference!

All the best,

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