

Forum: Human Rights Council

Issue: Death Penalty

Introduction

The death penalty also known as capital punishment is a form of punishment where a convicted criminal is executed by the state. Crimes punishable by the death penalty are referred to as capital crimes. The death penalty though once popular is a contemporary issue of contention. The current secretary general of the UN Ban-Ki Moon has stated ‘the death penalty has no place in the 21st century’. Over 160 members of the UN have abolished the death penalty or no longer practice it. However, it is still practiced in 36 including some in the developed world such as the US and Saudi Arabia. Almost all nations including those that practice the death penalty prohibit the killing of people who were under the age of 18 at the time of their crime. However, nations like Iran and Saudi Arabia carry out these executions despite the fact it goes against international law.

Some critics of the death penalty have argued that it is a form of unnecessarily cruel punishment and is a violation of human rights as laid out by the universal declaration of human rights (UDHR). Critics have argued the death penalty violates a person's right to live without fear and their right to life and liberty.

Key terms

Declaration of Human rights: A declaration adopted by the UN general assembly in 1948 in Palais de Chaillot, Paris.

Death penalty / Capital Punishment: Punishment by death

United Nations: The United Nations is an intergovernmental organization to promote international co-operation.

Key issues

The ability to execute is a great and dangerous power for a state to have. States have been known to misuses powers and the death penalty has been used in controversial and possibly illegal ways. Saudi Arabia recently crucified a young man for criticizing the government. This is only one example of the death penalty being misused in the nation. Saudi Arabia habitually beheads and hangs people for minor infractions. Another key issue with the death penalty is there is no way to be sure the person being executed is truly guilty. There have been numerous cases where an innocent man or woman has been wrongfully killed.

Background

The death penalty is an ancient practice dating as far back as ancient China and ancient Babylon. For centuries it went on with little consideration for human rights or personal freedoms. The movement to abolish the death penalty began in the ninetieth century and was made into a formal movement in the twentieth century with the creation of the UDHR. The countries with the most executions are China, Iran, and Saudi Arabia. All these countries have been accused of executing citizens for fallacious reasons.

The main reason given for the use of the death penalty is to deter criminals. This reason is invalid as studies have conducted the death penalty does nothing to reduce crime. The main reason given against the death penalty is that it is a violation of the rights of all citizens.

Major parties involved

The United Nations and its bodies have been involved with the death penalty. The main body of the UN involved in monitoring the use of the death penalty is the United Nations Human Rights Council. This body has monitored the use of capital punishment throughout the world and has advocated for the universal abolishment of the death penalty.

Amnesty International has monitored the use of the death penalty all across the world collecting data. They have specifically criticized nations like Saudi Arabia where numerous people who have committed minor crimes have been executed.

Attempts to solve the issue

There have been several votes on moratoriums to stop the death penalty. Examples include the UN General Assembly resolution 62/148 of 2007 and the UN general Assembly Resolution 65/206. In all cases the resolutions were passed and a temporary ban should have been implemented on all executions. This was largely disregarded by some states.

Sources

"Death Penalty." *Amnesty International*. Amnesty International, 2015. Web. 1 Dec. 2015.

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

"Death Penalty ProCon.org." *ProConorg Headlines*. Procon.org, 13 Nov. 2015. Web. 01 Dec.

2015. <<http://deathpenalty.procon.org/>>.

OHCHR. "Death Penalty." *United Nations Human Rights Office of the High Commission*.

OHCHR, 2015. Web. 1 Dec. 2015.

<<http://www.ohchr.org/EN/Issues/DeathPenalty/Pages/DPIIndex.aspx>>.

Reggio, Michael. "History of the Death Penalty." *PBS Frontline*. PBS, n.d. Web. 01 Dec. 2015.

<<http://www.pbs.org/wgbh/pages/frontline/shows/execution/readings/history.html>>.