



Research Report

Human Rights Council (HRC)

Issue 1: Promoting the global abolition
of the death penalty to uphold the right
to life

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Introduction

When we think of the most extreme form of punishment for a crime, human minds tend to instantly conjure up the image of an execution. From the violent and torturous methods present throughout history to fictional depictions of executions via electric chair, hanging, or beheading, most individuals would be inclined to agree that death is the most permanent and severe sentencing. Despite often being enacted behind closed doors, within death chambers far from the public's scrutiny, these executions are not a fictional event designed to bring thrill or entertainment, but rather a crime against a person's dignity and fundamental human rights.

On an international scale, the death penalty is still actively practised in various countries. In spite of the various NGOs, public demonstrations, and moral arguments against the use of capital punishment, there are still individuals who are being forced to take their final breaths. As a global community, we have already taken various measures to ensure that the livelihoods of each individual are as fulfilling and safe as possible. Yet these efforts are often insufficient, leading to unnecessary tragedies in war, governmental neglect, and, of course, the death penalty. Multilateral cooperation is the most critical tool within the United Nations' capabilities, and therefore must be used to tackle humanitarian issues to protect the right to life of each person.

Definition of Key Terms

Death Penalty (Capital Punishment):

A severe punishment under the law that sentences an individual to death for a certain crime.

Execution:

The action of carrying out a death sentence on a condemned person. Various methods can be used during an execution, though they usually tend to minimize suffering and humiliation.

Extrajudicial Execution/Killings:

Deliberate and unlawful killings of individuals by the state or other relevant government actors without going through due process.

Moratorium:

The authorization to postpone or temporarily prohibit an activity for a certain period of time, in this context referring to the death penalty.

Retentionist States:

States that retain the death penalty in their legal code and actively hold executions for ordinary crimes such as murder. Oftentimes, they justify this practice as retribution or as a deterrent.

Right to Life:

The fundamental and inalienable right of each individual to be able to live in safety without being killed arbitrarily by another individual. This right is protected by the law.

The Principle of Non-Refoulement:

An international principle that prohibits states from returning or expelling individuals to a territory in which they face the possibility of torture, persecution, and cruel treatment.

Background

Since the dawn of civilization, the death penalty has been in place to serve as a form of punishment for any crime deemed worthy by the state. The first recorded death penalty dates back to 16th-century BCE Egypt, in which a member of the nobility was found guilty of performing magic. Earlier in the 18th-century BCE, the Code of King Hammurabi set capital punishment for 25 distinct crimes. Some forms of the death penalty play an iconic role in world history, such as the French guillotine of the 18th-20th century or crucifixion, often used in the 6th-4th century BCE by various civilizations, and most known through the Crucifixion of Jesus Christ. Overall, it is evident that capital punishments, despite their controversy, are a crucial part of human history that has evolved alongside civilization. Therefore, its use in the modern day must also be evaluated with a contemporary lens.

Currently, there are approximately 55 countries that retain the use of the death penalty, with China being the world's leading executioner. However, it is speculated that the true extent of its use is unknown, seeing as it is considered a secret by the state. Other nations with the highest use of the death penalty include Saudi Arabia, Iran, Iraq, and Yemen. On the other hand, roughly 144 countries have abolished the death penalty entirely, whilst some hold unique laws and exceptions. The federal government of the United States of America retains the use of the death penalty, yet multiple states, including Washington and New York, have abolished it.

International Mechanisms, Instruments, and Laws

- *International Covenant on Civil and Political Rights (ICCPR)*

A foundation treaty adopted by the UN in 1966 that legally binds over 175 parties to the protection of human rights. Part II Article 6(1) recognises the inherent right to life protected by law, and states that no individual will arbitrarily be deprived of life.

- *Universal Declaration of Human Rights*

A crucial declaration in the furtherment of human rights on an international scale, adopted by the UN in 1948. The right to life is protected in Article 3, whilst the right to live without being “subjected to torture or to cruel, inhumane, degrading treatment or punishment” is protected in Article 5.

- *Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty*
Adopted in 1989, this international treaty aimed to abolish the death penalty and acted as a subsidiary agreement to the ICCPR. However, Article 2 provides an exception allowing reservations for retaining the death penalty during wartime in the event of the most serious crime of military nature.
- *Convention Against Torture*
A legally binding international treaty adopted in 1984 and effective since 1987 that aims to prevent torture and other cruel, inhumane, and degrading treatment or punishment. This convention emphasises non-refoulement and holds no exceptions under any circumstance including wartime.

Abolition Movement

The first country to officially abolish the death penalty was Venezuela in 1863, the shift towards limiting capital punishment had been in place for years. Following the Age of Enlightenment in Europe, a movement began in the late 18th century to limit the crimes that were punishable by death. The state of Pennsylvania restricted capital punishment to first-degree murder in 1794, whilst Michigan became the first US state to completely abolish the death penalty by 1846. Nations in Europe began to slowly abolish capital punishment for crimes other than those against military code in the early 20th century, with the number of abolitionist states increasing by more than threefold by the 1970s-1990s. A major contributor to this shift in laws was the emergence of various international agreements, treaties, and instruments that deemed capital punishment an international human rights issue.

Methods of Execution

The death penalty has come in various forms across history, though in the modern day common methods include lethal injection, hanging, beheading, firing squad, and nitrogen gas asphyxiation. In comparison to other torturous methods such as disembowelment, burning at the stake, or boiling alive, these methods are deemed as more humane and are therefore the first choice of most death penalty-enforcing countries.

In this endeavour to allow those sentenced a painless death, many popular methods have been abandoned or placed under scrutiny. One such example is the electric chair, which has led to

extremely violent deaths that often caused the eyeballs of the victim to pop out and rest on their cheeks. Despite this violence, the electric chair was the successor developed to be more humane in comparison to hanging in the USA. In line with this trend, it was later replaced with the lethal injection, which was seen to be more humane than the electric chair. Lethal injections come in both one-drug and multi-drug forms, with the latter involving sedatives, paralytic drugs, and finally a drug to stop the heart. However, ethical questions regarding this form of execution have been raised, such as the true painlessness of the procedure or the possibility of extreme pain towards the victim in the event of a medical error.

Capital Punishment for Juveniles

There are only 7 known countries that practice capital punishment against juveniles, those being China, Democratic Republic of Congo, Pakistan, Iran, Yemen, Nigeria, and Saudi Arabia. However, before the Supreme Court's ruling in 2005 regarding *Roper vs. Simmons* that declared the execution of juvenile offenders unconstitutional, the USA was one of the most prominent executioners of under-18s. In recent years, Iran has executed the most juveniles, leading to an August 2015 report by the UN Secretary-General on the human rights in Iran to state their concern "at the frequency of executions, especially for drug-related offences and of juvenile offenders". Oftentimes, in many of these countries, the execution of juveniles is extrajudicial that involve coercion, false claims, torture, and untruthful confessions forced out of the child. Most nations, including those with the death penalty in effect, do not execute juveniles in accordance with the UN Convention on the Rights of the Child.

Major Countries and Organisations Involved

Amnesty International

An independent international human rights organisation with over 10 million members that actively advocates against the death penalty in all forms. Their main opposition to capital punishment lies in the belief that it violates the right to life and the right to live free from torture or cruel, inhuman or degrading treatment or punishment, both of which are protected under the Universal Declaration of Human Rights. Currently, they not only provide information and moral arguments against capital punishment, but have also successfully stopped the execution of countless death-row prisoners through campaigns targeted at individual cases.

Islamic Republic of Iran

Iran's legal system closely follows the guidelines of Sharia law, which some interpret to enforce/permit the use of the death penalty. To abide by these teachings, Iran enforces capital punishment for roughly over 80 crimes, including murder, burglary, blasphemy, homosexuality, and drug offences. This does not mean that implementing capital punishment to this degree is permitted/endorsed by all Islamic countries/parties. In recent years, Iran's excessive use of the death penalty has raised significant alarm, with roughly 1000 executions being carried out in the first 9 months of 2025, at roughly 9 hangings per day. Many of these executions were for drug offences, which do not meet the requirements of the death penalty according to international law.

People's Republic of China

China is the world's top executioner, with estimates in the thousands for individuals sentenced to death per year. However, the exact details and figures or details of China's executions are unknown due to their status as state secrets. Chinese laws enforce the death penalty for crimes such as drug offences, which are not seen as "the most serious" in the eyes of international law, which make up the majority of their executions, as well as murder.

The Council of Europe (CoE)

Not to be confused with the European Union (EU), the CoE and its 46 Member States have been a leading advocate and pioneer in the abolishment of capital punishment worldwide, creating a death penalty-free zone within its borders and holding its last execution in 1977. Their main cause is the protection of human rights, democracy, and the rule of law, which includes the

abolition of the death penalty. In 1983, they adopted the first legally binding instrument that unconditionally prohibited capital punishment in peacetime, titled the “Protocol No. 6 to the European Convention on Human Rights (ECHR)”.

World Coalition Against the Death Penalty (WCADP)

The WCADP is an alliance of over 150 NGOs, local authorities, bar associations, and unions that actively fight against the death penalty and ultimately aim for its complete abolition on an international scale. Founded in Rome on May 13th, 2002, they support their member organisations across the globe to take the next step towards abolition in these specific contexts. This can range from relatively minor actions, such as seeking to reduce the use of capital punishment for crimes such as drug offences, or larger steps towards its final goal, such as advocating for its complete abolishment.

Possible Solutions

Delegates representing abolitionist states may wish to build upon pre-existing treaties and international laws to promote the global abolition of the death penalty. Some treaties have not yet been ratified by various countries, or lack certain details that delegates may wish to add. Overall, this strategy should aim to strengthen the national laws in order to more strictly abide by international laws and promote stronger interpretations of current treaties. Of course, retentionist states will also have a say on this issue as a whole. Delegates who represent such countries may choose to strengthen certain procedures in accordance with current international law, whilst allowing countries to decide for themselves whether or not the death penalty should be abolished. Targeting issues such as a lack of fair trials, transparency, or mandatory death sentences may be what delegates wish to take.

Introducing moratoria on a global scale may be another solution that delegates propose. This would allow countries to revise legislation whilst temporarily postponing death sentences, as well as promoting debate on the ethics of capital punishment. This solution may be appealing to both abolitionist and retentionist states, as it allows for diplomacy and revision. Promoting transparency amongst countries that retain the death penalty may be another solution that satisfies both retentionist and abolitionist nations. These methods all revolve around strengthening human rights whilst allowing nations to retain judgment over their laws.

Overall, delegates should remember to understand and consider the various nuances regarding the issue as a whole in the efforts to promote the global abolition of the death penalty. To come to a solution that satisfies all Member States, solutions must not be one-sided but take steps to ensure the protection of human rights.

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