

# **Addressing the Controversy of the Death Penalty**

## *Middle School General Assembly*

### **I. Introduction**

The General Assembly, founded in 1945 after World War II, is the main policymaking and representative organ of the United Nations (UN). Comprising all 193 Member States of the UN, it provides a unique forum for multilateral discussion of international issues including peace and security. Each country has one vote, and they vote on questions or issues like the election of the members of the Security Council or budgetary matters and even the admission to new members. Its meetings are held from September to December or whenever there is an urgent topic that needs to be discussed at a certain time.

Seventy years ago, only 14 countries in the world had abolished the death penalty. Today, 82% of the world has abolished the death penalty. However, many countries still apply it to its “most serious crimes”, which include drug crimes. The UN advocates to its complete abolition since applying it to drug crimes, for example, does not deter people from doing them nor does it protect people from drug abuse (“The Secretary-General”). The death penalty has been known to be discriminating against the poor and people of color, as well as risking the execution of innocent people (“Death Penalty Focus”). In the United States, 1 out of 25 people sentenced to death are innocent and that is just what researchers have found from the many other innocents who died unknown (Levy). The US is the only western country to continue with the death penalty practice, although it has been banned in 21 states and not used as often. On the other hand, countries like China, Iran, Saudi Arabia, and Iraq are calculated to have at least 100 executions per year. It is not very clear how many executions China has since its statistics are a state secret, but it is calculated to have more than a thousand. Some methods of execution are beheading, hanging, lethal injection and even shooting (Reality Check Team).

### **II. History and Description of the Issue**

#### *Vocabulary*

To comprehend more about the death penalty, also known as capital punishment, some key concepts must be defined. The act of carrying out a death sentence is known as an execution. Inmates awaiting execution for committing a capital crime have a special placement called a Death Row. Furthermore, there are different types of executions; beheading, hanging, lethal injection, electrocution, lethal gas and by firing squad. The most common in the US is the lethal injection which is inflicted by an intravenous injection of one or more lethal substances to the convicted person. Before the creation of the lethal injection, the US’s executions were known for the electric chair, also known as the Gruesome Gertie in some states. It quickly became one of the Cultural symbols of the US. The electric chair consists of a wooden chair with metal rods that attach to the convict’s body and then let a 2,000-volt shock which is intended to cause death. The death penalty

the convict receives is sometimes chosen by the convict himself or it is sentenced depending on what is constitutional at the moment ("Methods of Execution").

## *Origins and Causes*

The death penalty has been around since the Eighteenth Century B.C in the Code of King Hammurabi of Babylon. Their death sentences included crucifixion, drowning, beating to death, burning alive, and impalement. Later on, in the Tenth Century A.D, hanging, boiling, burning at the stake, hanging, beheading, drawing, and quartering became famous all over the world, especially in Europe where kingdoms took place. Since then, the death penalty's purpose has been to punish people for their actions in order to maintain order amongst a society. Some of the crimes committed were marrying a Jew, stealing, cutting down a tree and many more, making the number of executions roar through the years. The death penalty came to America because of Britain's influence. Little did they know it would become part of the US's symbols in the following years. At first, only very severe crimes recieved a death sentence, but like in Europe, small crimes like stealing grapes and killing chickens became suitable for capital punishment over the years ("Early History of the Death Penalty").

Today, the death penalty is still used as a method to punish certain crimes. Depending on the country, the death penalty can be given for drug-related offenses or terrorism-related acts of murder. Even though in the US the death penalty is seen as a violation of the Eighth Amendment bar on "cruel and unusual punishments", it is still used as a method for protection to its citizens. Some people think that an atrocious crime deserves an equally grave penalty. Countries, where capital punishment is legal, keep it this way because they think they are preventing people from taking revenge into their own hands. However, the death penalty has been criticized more over the years, coming down from an 80% acceptance to a 60% acceptance in the US (S.M).

## *Impact*

The death penalty has always caused a lot of controversies since its effectiveness has not been really proven. There are no numbers to prove that killing convicts has stopped others from committing similar crimes. On one hand, the death penalty goes against one of the most important human rights, the right to life. Also, some of the methods to execute a convict have known to be very painful making convicts die a very painful death ("The Death Penalty - the Arguments for and Against"). For example, Jimmy Lee Gray, who was executed with a lethal gas, caused controversy because of the suffering that Gray exhibited. He purposely injured himself with a metal rod in the gas chamber rather than keep dying from the gas. After that execution, the gas chamber in Mississippi where Gray was executed, was decommissioned in 1998 ("Jimmy Lee Gray"). Furthermore, the major issue against capital punishment is the question if they are executing the right person. Mistakes happen sometimes in law, making possible the execution of many innocent people that are unable to prove it. However, there are some arguments for the death penalty. If someone murders someone else they have given up their human rights, and the only punishment strong enough to sentence the penalty is by being taken the guaranty to live. If a murderer is sentenced to death it means he can never kill anyone ever again and maybe influence others to not do it ("The Death Penalty - the Arguments for and Against").

The death penalty is also very criticized because of the impacts it has on the economy. The country's financial resources go to death sentences instead of going to preventative measures that would help increase public safety ("Death Penalty Focus"). In the US, states that practice the death penalty spend about 3.54% from their overall state budget while states that do not, spend 2.93% in the overall law system ("State Studies on Monetary Costs"). Through the years the cost of the death penalty has been constantly increasing, mainly because of the change of public opinion, the law, and the new scientific improvements for new, more humane, methods. In the state of Oregon, non-death penalty murder cases cost about \$1,525,869 US Dollars, while capital punishment cases cost about \$2,560,730 US Dollars. The death penalty cost taxpayers much more, making it one of the many reasons US states have begun abolishing it (Collins and Kaplan).

The countries that are more affected by the death penalty are the ones in which they keep practicing it. Some of those countries are; China, Iran, Saudi Arabia, Iraq, the United States, Pakistan, Yemen, North Korea, Vietnam, Japan, and Libya. Unlike other countries, China has a law in which all death sentences are private and confidential, not even the convicts family knows the sentence until it occurs. Also, China does use firing squads for executions which is seen as unethical around the world and has taken the lives of thousands of convicts. Japan's system is similar to the Chinese one, death sentences are maintained in complete secrecy but in this case, not even the convict knows when the execution is being held. Japan uses hanging as its method of execution. Setting China aside, there were about 680 executions in 2010, half of them taking place in Iran. In Saudi Arabia, executions are beheadings with a sword which is very inhumane. There was even a case where a convict was beheaded and his head was sewn back to its body. Then, authorities hung his body to a pole in a public place (Rogers and Chalabi).

### **III. International Response and Bloc Analysis**

The General Assembly has tried to address the issue of the death penalty in various occasions, trying to convince countries to abolish its practice completely. However, delegates in favor of the death penalty constantly argue against it. In 2007, the General Assembly passed a resolution on a moratorium on executions. This meant that the death penalty was going to be suspended globally for a certain amount of time. Nations in favor of the death penalty agreed to this resolution, claiming that the practice was not illegal under international human rights legislation and that it was the sovereign right of each country to determine its own judicial system. In 2019, the delegate of Saudi Arabia argued the death penalty should not be a matter of international laws. The delegate of China agreed with the delegate of Saudi Arabia, adding that capital punishment is entirely up to national governments. Both delegates claim that just trials are being held and executions are only happening in very serious cases. Japan also claimed that the country would not sign anything if the mention of the death penalty is not removed (United Nations). In various resolutions (2007, 2008, 2010, 2012 and 2013) the General Assembly accomplished to reduce the number of crimes considered applicable for capital punishment. According to the UN right now, capital punishment is only applicable for intentional killing.

Other UN organizations, like the Office of the High Commissioner for Human Rights, have also tried to come with solutions for the death penalty. 160 member states have abolished the death



penalty with the help of the OHCHR which looks for the preservation of the Human Rights. In 1984, Safeguards that guaranteed the protection of the rights of convicts with a death sentence were established by the UN Economic and Social Council ("Death Penalty"). Also, the International Narcotics Control Board and other drug control bodies have tried to eliminate death sentences from drug-related crimes ("The Secretary-General").

Some NGO's working to abolish the death penalty are Amnesty International, World Coalition, Reprieve, Death Penalty Information Center, National Coalition to Abolish the Death Penalty, Amicus, Anti-Death Penalty Asia Network, Death Penalty Focus, etc.

## IV. Committee Mission

### *Mission*

Throughout the debate of possible ways to reduce the number of countries where the death penalty is legal, delegates must keep in mind the main goal of the committee is to provide security without having to turn to capital punishment. To achieve this, delegates should seek help from country's governments and NGOs. Death penalty is a problem happening in many countries worldwide, but delegates must remember that it differs within countries. While in the US there are about 20-50 executions per year, China executes more than a thousand people per year. Delegates should understand the different perspectives from the different countries that still sentence with capital punishment to provide accurate solutions. Also, realize why certain countries still believe that capital punishment is the only way to maintain peace and security in their country. Even convicts should receive a humane punishment for their actions that does not require them losing their life. Apart from the human effects the death penalty causes, delegates should also discuss how the death penalty affects the economy of certain countries.

The purpose of the General Assembly is to discuss possible solutions to create peace and security worldwide with the help of governments and NGOs. It is the General Assembly's job to take effective measures against any threats to the peace and to suppress any acts of aggression in any country. This organ of the UN wants to provide international laws, programs or any kind of help for the wellbeing of citizens worldwide.

### *Questions for Further Consideration*

1. How does the death penalty affect the Declaration of Human Rights?
2. Do the death penalty results balance out the mistaken executions?
3. What impact does the death penalty have on countries's economies?
  - a. Does it differ in countries where it is legal than in countries where it is not?
4. How can all countries compromise in a better solution than capital punishment?
5. What crimes are "serious enough" to receive a death sentence?
6. How can the UN interfere to convince national governments to abolish the death penalty?
7. What are certain countries facing in order for them to believe that the only way to maintain order is with capital punishment?

## V. Annotated links for further research

- a) Country Links

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[UN Member States](#): This link provides an overview of each country in the context of the United Nations.

[The World Factbook](#): Provides information of all the nations of the world by the Central Intelligence Agency.

## b) Committee Links

<https://www.un.org/en/ga/> :This is the link to the General Assembly webpage. It provides the committee's mission as well as current events.

## c) Topic Links

<http://www.deathpenaltyworldwide.org/links.cfm> :This link provides links to NGO's webpages.

<https://deathpenaltyinfo.org/> :This is a link to a death penalty NGO. It provides statistics and information about the death penalty worldwide, focusing more on the US.

<https://criminal.findlaw.com/criminal-procedure/recent-death-penalty-statistics.html> :Provides statistics of the number of executions per year in the USA as well as additional information about the death penalty.

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