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Agenda item 5 (g)

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS:
CRIME PREVENTION AND CRIMINAL JUSTICE

France, Germany, Greece, Ireland, Italy*, Portugal,
Spain and Sweden*: draft resolution

Capital punishment

The Economic and Social Council,

Recalling General Assembly resolutions 2857 (XXVI) of 20 December 1971,
32/61 of 8 December 1977, 39/118 of 14 December 1984 and 44/128 of
15 December 1989,

Recalling its own resolutions 1745 (LIV) of 16 May 1973, 1930 (LVIII) of
6 May 1975, 1984/50 of 25 May 1984 and 1990/51 of 24 July 1990,

Having considered the fifth quinquennial report of the Secretary-General
on capital punishment and implementation of the safeguards guaranteeing
protection of the rights of those facing the death penalty, 1/ submitted to
it in pursuance of its resolution 1990/51 of 24 July 1990 and its
decision 1994/206 of 3 February 1994,

Conscious of the fact that only 63 Governments replied to the
questionnaire which the Secretary-General sent to them asking them to provide
the information required for the preparation of the fifth quinquennial report,

* In accordance with rule 72 of the rules of procedure of the Economic
and Social Council.

1/ E/1995/78 and Add.1 and Add.1/Corr.1.

1. Invites Member States to reply to the questionnaire which the Secretary-General will send them with a view to the preparation of the sixth quinquennial report in the year 2000, providing him with the information requested;

2. Notes that, during the period covered by the Secretary-General's report, an increasing number of countries abolished the death penalty and others followed a policy of reducing the number of capital offences and declared that they had not sentenced any offender to that penalty, while others retained it, which, according to the report, indicates a considerable movement towards the de jure and de facto abolition of capital punishment;

3. Requests the Commission on Crime Prevention and Criminal Justice to keep the question of capital punishment constantly under study;

4. Requests the Secretary-General, in preparing the sixth quinquennial report, to draw on all available data, including current criminological research, and to invite the comments of specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council on this question;

5. Recommends that the quinquennial reports of the Secretary-General, like the one submitted to the Economic and Social Council in 1995, should continue to cover also the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.
