



DEMOCRACY  
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PROJECT

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**UN General Assembly approves landmark text on death penalty,  
affirms practice of censuring human rights violators**

**All ‘no action’ motions fail; Pushback strong on both issues**

The 62<sup>nd</sup> United Nations General Assembly passed a landmark text calling for a moratorium on the death penalty and reaffirmed the practice of censuring some of the most serious human rights violators despite continued pushback by states opposed to both measures. Resolutions censuring four governments for human rights violations - Myanmar, Iran, Belarus, and North Korea –were passed, continuing UN scrutiny of these states from previous years.

For the first time in several years, all “no action” motions – a procedural mechanism used to end consideration of a resolution – were rejected in both the Third Committee and the General Assembly, though only by narrow margins in the case of Iran. Despite failed efforts to address the issue of capital punishment in 1994 and 1999, governments reached a historic agreement to restrict the use of the death penalty on the eve of the 60<sup>th</sup> anniversary of the Universal Declaration of Human Rights.

The latest study of UN voting patterns conducted by the Democracy Coalition Project, a public policy research and advocacy organization, analyzes UN member states according to the number of votes they cast on five resolutions considered barometers of a country’s approach to key human rights issues before the UN. The results range from a score of 5 (positive votes on all five resolutions) to -5 (negative on all five resolutions). A government’s absence from a vote or a vote to abstain was given a value of zero.

“The majority in the international community continues to insist that some of the most egregious human rights violators be held to account by the world’s premier international body,” said Ted Piccone, Executive Director of the Democracy Coalition Project. “It is now time for states to consider additional grave human rights situations around the world. It is especially important that the new Universal Periodic Review mechanism designed to examine the human rights records of all UN member states be taken seriously.”

This year's scorecard looked at five key resolutions:

- **“Moratorium on the use of the death penalty,”** Resolution A/RES/62/149, championed by Italy and introduced by a broad cross-regional coalition of 74 countries,<sup>1</sup> calls on states that still use the death penalty to establish a moratorium on executions with a view to abolishing the death penalty; progressively restrict the use of the death penalty and reduce the number of offences for which it may be imposed; respect international standards that safeguard the rights of the condemned; and provide the Secretary-General with information relating to the use of capital punishment and the observance of safeguards. After a heated two-day debate, the historic measure was approved by a vote of 104 in favor to 54 against, with 29 abstentions.
- **“Situation of human rights in the Islamic Republic of Iran,”** A/RES/62/168, introduced by Canada, Australia, Croatia, the United States, Israel, Palau, New Zealand, Micronesia (Federated States of), Moldova, Monaco, the former Yugoslav Republic of Macedonia, and the European Union, expresses deep concern at ongoing systematic violations of human rights and fundamental freedoms of the people of that country and calls upon the government of Iran to fully respect its human rights obligations in a number of ways.<sup>2</sup> Motions to adjourn the debate by the government of Iran in both the Third Committee and the plenary were rejected by a margin of one and four votes, respectively. The resolution was approved by a vote of 73 in favor to 53 against, with 55 abstentions.
- **“Situation of human rights in Belarus,”** A/RES/62/169, introduced by Canada, Australia, Japan, the United States, Israel, and the European Union, expressed concern about the continued use of the criminal justice system to silence political opposition and human rights defenders, which include arbitrary detention, lack of due process, and closed political trials of leading opposition figures and human rights defenders. It calls on the government of Belarus to immediately and unconditionally release all individuals detained for politically motivated crimes

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<sup>1</sup> The resolution was introduced by the following countries: Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Bosnia-Herzegovina, Brazil, Bulgaria, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guinea-Bissau, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Philippines, Poland, Portugal, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, and Venezuela.

<sup>2</sup> These include: the elimination of amputations, flogging and other forms of torture and inhuman punishment; the abolition of public executions; the abolition of stoning as a method of executions; the abolition of executions of persons who at the time of their offence were under the age of 18; the elimination of all forms of discrimination and violence against women, girls, ethnic, linguistic, and religious minorities; and an end to harassment, intimidation, and persecution of political opponents and human rights defenders, including the release of persons imprisoned arbitrarily or on the basis of their political views.

and insists the Government cooperate with the Human Rights Council and the Organization for Security Cooperation in Europe (OSCE). A motion to adjourn the debate failed in the Third Committee by 65 in favor, 79 against with 31 abstentions. The resolution was approved in the plenary by 72 in favor, 33 against, with 78 abstentions.

- **“Situation of human rights in Myanmar,”** A/RES/62/222, introduced by the European Union, Albania, Australia, Bosnia and Herzegovina, Canada, Croatia, Iceland, Norway, Israel, Turkey, Liechtenstein, Moldova, the former Yugoslav Republic of Macedonia, Serbia, Monaco, Montenegro, New Zealand, Republic of Korea, and the United States, strongly condemned the use of violence against peaceful demonstrators who had been exercising their rights to freedom of opinion and expression. The Government was called upon to desist from further arrests and violence against peaceful protesters, and to release all political prisoners without conditions. The Government was also called on to ensure full respect for all human rights and fundamental freedoms and to give serious consideration to recommendations and proposals put forward by the Special Adviser to the Secretary-General. A motion to adjourn the debate called by the Government of Myanmar in the Third Committee was rejected by a vote of 88 against to 54 in favor, with 34 abstentions. The resolution was approved in the General Assembly by a vote of 85 in favor, 22 against, with 47 abstentions.
- **“Situation of human rights in the Democratic People’s Republic of Korea,”** A/RES/62/167, introduced by the European Union, Albania, Andorra, Australia, Canada, Bosnia and Herzegovina, Croatia, Iceland, Norway, Israel, Turkey, Moldova, the former Yugoslav Republic of Macedonia, Switzerland, Serbia, Monaco, Montenegro, Liechtenstein, Palau, Micronesia (Federated States of), Japan, and the United States, expresses very serious concern at continuing reports of systematic, widespread and grave violations of civil, political, economic, and sociocultural rights in that country. The government was strongly urged to fully respect all human rights and fundamental freedoms, and to cooperate with the Special Rapporteur in the DPRK. The resolution was approved by a vote of 101 in favor, 22 against, and 59 abstentions.

The resolution addressing the situation in the DPRK drew the most support from a broad cross-regional group of states, including many states traditionally unsupportive of country-specific resolutions. Twenty-five Asian states voted in favor of the resolution including Cambodia, Sri Lanka, Bahrain, and Saudi Arabia, which did not support the other country resolutions. All of the Pacific Island states voted for the resolution except for the Solomon Islands, which abstained. The vast majority of African and Latin American and Caribbean states either voted in favor of the resolution or abstained or were absent.<sup>3</sup> Several states belonging to the cross-regional grouping, the Organization of

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<sup>3</sup> Twelve states from Africa voted for the resolution: Ghana, Burundi, Equatorial Guinea, Kenya, Liberia, Lesotho, Malawi, Madagascar, Mauritania, Morocco, Eritrea, and Tanzania. Fourteen states from Latin America and the Caribbean voted for the resolution: Brazil, Costa Rica, Belize, Chile, Argentina, Peru, Uruguay, Honduras, Mexico, Grenada, Panama, Paraguay, El Salvador, and the Bahamas.

the Islamic Conference (OIC), were also in favor of this year's resolution on the DPRK. They included Afghanistan, Bahrain, Bangladesh, Jordan, Kazakhstan, Morocco, Lebanon, and Saudi Arabia.

Action on Myanmar also drew cross-regional support but to a lesser extent. The large majority of African states either abstained or were absent from the vote; only nine African states voted for the resolution and five voted against it.<sup>4</sup> Asian and OIC member states split almost equally four ways between those within each group that voted in favor, those which voted against, those which abstained, and those that were absent from the vote. The majority of Latin American states either voted in favor or abstained from the vote on Myanmar. Only Venezuela and Cuba voted against, and six other Latin American states were absent from the vote. An unusually large number of states – thirty-eight – were absent from this year's vote on the situation in Myanmar in part due to its close proximity to end-of-year holidays.

The resolutions on Belarus and Iran drew less support from Southern states. Only a small group of African states, a few Asian states, and less than half of Latin American states voted in favor of both resolutions. In the case of Belarus, the large majority of African states abstained altogether; the large majority of Asian and OIC states either abstained or voted against it. In the case of Iran, an even larger majority of states from all three groups voted against the resolution, followed by a sizeable group that abstained. In both cases, the majority of Latin American states abstained. While the large majority of OIC states opposed the resolution on Iran, a substantial minority either abstained/absent or voted yes.<sup>5</sup>

The discussion on the human rights situation in Iran sparked debate over the practice of tabling country-specific resolutions, which some countries continue to oppose. Pakistan argued that such resolutions were politically motivated and called for delegations to support the motion to adjourn the debate. Iran argued that the appropriate fora for considering human rights situations was the UN Human Rights Council and tabled a motion to adjourn the debate. After the motion failed, Venezuela introduced an amendment to water down the text by removing operative paragraph five, which called on the Secretary-General to examine the human rights situation in the country and submit a comprehensive report to the Assembly. The amendment was ultimately rejected.

The majority of states that belong to the Community of Democracies and its UN Democracy Caucus, while not coordinating positions as a group, continue to support country resolutions against human rights violators. This ad hoc cross-regional group, for example, accounted for between 87% to 95% of the “yes” votes needed to approve these resolutions.

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<sup>4</sup> Those in favor were: Benin, Burundi, Comoros, Nigeria, Ghana, Madagascar, Mauritania, Mauritius, and Morocco. Those voting against were Algeria, Egypt, Libya, Sudan, and Zimbabwe.

<sup>5</sup> Albania voted yes. Benin, Brunei-Darussalam, Burkina Faso, Cameroon, Chad, Cote d'Ivoire, Gabon, Guinea-Bissau, Guyana, Iraq, Jordan, Mali, Mauritania, Mozambique, Nigeria, Sierra Leone, Suriname, Uganda, and United Arab Emirates abstained or were absent.

The debate over the death penalty resolution revolved around strong criticism by states opposed to the measure pointing to the legality of capital punishment in international law and the right of states to carry out the punishment for serious crimes based on their own judicial system. Nonetheless, a sizeable number of African states (including Burkina-Faso, Algeria, Benin, Mali, Madagascar, Mauritius, and South Africa), Latin American states (including Argentina, Brazil, Colombia, Guatemala, Honduras, Mexico), several Asian states (Nepal, Cambodia, Philippines, and Sri Lanka), the EU and Russia supported the resolution. Half of African states abstained or opposed it. The majority of Asian, Caribbean, and OIC countries opposed the text, including Japan and India, as well as the United States.

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