
PROPOSAL OF THE GENERAL ASSEMBLY OF THE
SOCIETE INTERNATIONALE DE DEFENSE SOCIALE

**FOR A RESOLUTION ON MERCENARY ACTIVITIES:
A NEW THREAT TO THE PEACE
AND SECURITY OF MANKIND**

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**FOR A RESOLUTION ON
A MORATORIUM ON
THE DEATH PENALTY**

SiDS SOCIETE
INTERNATIONALE
DE DEFENSE
SOCIALE
POUR UNE POLITIQUE CRIMINELLE HUMANISTE

iSSD INTERNATIONAL
SOCIETY
OF SOCIAL
DEFENCE
AND HUMANE CRIMINAL POLICY

société dotée de statut consultatif auprès du Conseil économique et social des Nations Unies
society in consultative status with the Economic and Social Council of the United Nations

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1. Mercenary activities and the phenomenon of delegating military activities to private security companies have been increasing significantly on all five continents. The *Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the rights of peoples to self-determination*¹, the United Nations General Assembly as well as many civil society organizations have condemned the impunity with which human rights violations are treated as well as the lack of an effective application of national and international regulations of military law.

2. The particular cruelty of situations such as the recruitment of minors and new problems regarding, for instance, the fraudulent use of subsidiaries which are legally established in one country, work out of another country and recruit personnel from a third, greatly preoccupy the International Society of Social Defence.

3. Therefore, in our capacity as a scientific organization promoting humane criminal policies, we wish to join the United Nations and other international organizations in stressing the urgent need to ratify the *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*, drafted in 1989 and ratified by 28 countries, the need for a full revision and reinforcement of the said Convention as well as the need for a greater commitment by the international community to combat this phenomenon on a world level.

San Pedro Martir, Toledo, 22 September 2007

1 Promoted by the Office of the High Commissioner of the United Nations for Human Rights, see <http://www.ohchr.org/spanish/issues/mercenaries/wgissues.htm>

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1. In 2007, the international movement for the abolition of the death penalty made significant progress when a proposal for a resolution regarding a moratorium on the death penalty was submitted to the United Nations.

The death penalty is still applied in many countries around the world including the USA and China, the biggest in terms of size and political influence, which are permanent members of the United Nations of the Security Council.

2. However, the historic trend towards the progressive reduction of the death penalty in the world is now clear and irreversible: the number of abolitionist countries, *de jure* or *de facto*, has increased to 130. Even in those countries who have most often resorted to capital punishment, we can observe a tendency to limit the number of executions. Finally, in the countries of the European Union, the death penalty is only a remote memory and is often explicitly banned by their Constitutions.

3. The debate on the death penalty has traditionally focused on ethical and utilitarian arguments. However, it is today undeniable that such a penalty is equivalent to a negation of our modern perception of human rights which is based on the respect of human life and human dignity.

Public opinion is also becoming more sensitive to the issue; the spectacular presentation of cases involving the death penalty by the media and the subsequent offense to human dignity has created a deep sense of repulsion around the world.

4. We should also not forget that the Statute of the International Criminal Court formally sanctions the refusal of the international community to punish even the most serious war crimes and crimes against humanity with death. 50 years after the Nuremberg

trials this constitutes a major step towards the humanization of international criminal law.

5. On September 28th, at the initiative of Italy and Portugal, a meeting of the Ministers of Foreign Affairs of the 95 countries that have signed the request for a moratory, will be held at the UN headquarters.

In this context and at the end of its 15th International Congress (Toledo, 20-22 September 2007), the General Assembly of the Société internationale de défense sociale, a movement for the promotion of a humane criminal policy which also draws inspiration from the teachings of Cesare Beccaria, wishes to express its firm and unanimous support of the proposal for a moratorium on the death penalty, as a first step towards the complete abolition of capital punishment worldwide.

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