



**THE HOLY SEE**  
**Human Dimension Implementation Meeting**  
*Working Session 8: Rule of law:*  
*Exchange of views on the question of abolition of capital punishment*  
**Friday, September 25, 2015**

Mr. Moderator,

The Holy See's position on the death penalty has developed and been clearly elaborated in recent decades. Saint John Paul II called into question the use of the death penalty, as a matter of fact (Encyclical Letter *Evangelium Vitae*, n. 56), in accordance with the teaching of the *Catechism of the Catholic Church* (n. 2267). Pope Francis recently expressed to the President of the Commission against the death penalty that "today capital punishment is unacceptable, however serious the condemned persons' crime may have been. It is an offence to the inviolability of life and to the dignity of the human person which contradicts God's plan for man and for society and his merciful justice, and it fails to conform to any just purpose of punishment" (*Letter of His Holiness Pope Francis to the President of the International Commission against Death Penalty*, 20 March 2015). In his yesterday's statement at the Joint Session of the United States Congress, the Pope also emphasized that the global abolition of the death penalty is the best way, "since every life is sacred, every human person is endowed with an inalienable dignity, and society can only benefit from the rehabilitation of those convicted of crimes." He then offered "encouragement to all those who are convinced that a just and necessary punishment must never exclude the dimension of hope and the goal of rehabilitation" (*Address of Pope Francis at the Joint Session of the United States Congress*, 24 September 2015).

Considering the practical circumstances found in many, if not most, States, and as a result of steady improvements in the organization of the penal system, it appears evident nowadays that means other than the death penalty "... are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons." For that reason, "public authority must limit itself to such means, because they better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person" (*Evangelium Vitae*, n. 56).

Pope Francis has on several occasions called for the abolition of the death penalty in all its forms, but also for the improvement of the conditions of imprisonment in respect of human dignity, adding moreover, that even "life imprisonment, as well as those sentences which, due to their duration, render it impossible for the condemned to plan a future in freedom, may be considered hidden death sentences," and denouncing at the same time the

“so called extrajudicial and summary executions” (*Letter of His Holiness Pope Francis to the President of the International Commission Against the Death Penalty, 20 March 2015*).

One should also keep in mind, as Pope Francis pointed out, that “States take life not only through the death penalty and through war, but also when, in order to justify their crimes, public officials take refuge in the shadow of State prerogatives. So-called extrajudicial or extra-legal executions are homicides deliberately committed by certain States and by their agents, often passed off as clashes with criminals or presented as the unintended consequences of the reasonable, necessary and proportionate use of force in applying the law” (*Address of Pope Francis to the Delegates of the International Association of Penal Law, 23 October 2014*).

Political and legislative initiatives currently promoted in a growing number of countries to eliminate the death penalty, as well as continuing substantive progress made in conforming penal law both to the human dignity of prisoners and the effective maintenance of public order, are moving in the right direction.

Mr. Moderator,

The position of the Holy See on this issue is based on respect for the dignity of every human person, justice and the promotion of the common good, positive principles in which there is a growing convergence in international human rights law and jurisprudence. Two negative considerations, furthermore, underwrite this position, namely: the fact that no clear positive effect of deterrence results from the application of the death penalty and the tragic irreversibility of this form of punishment which does not permit for eventual corrections in the case of wrongful convictions.

In conclusion, my Delegation is convinced that bloodless means of defending the common good and upholding justice are not only possible and praiseworthy but also constitute more humane forms of punishment.

Thank you, Mr. Moderator.