



EUROPEAN UNION

OSCE Permanent Council No. 1296 Vienna, 17 December 2020

EU Statement on Federal Executions in the United States

The European Union deeply regrets the decision announced by the outgoing US Administration to proceed with three federal executions through January 20, 2021. If carried out, these executions would be adding to the ten federal executions since July 14, following a long standing de facto federal moratorium of 17 years and would counter the overall trend against the death penalty in the US and in the world.

We note with concern that the execution of up to 13 people in a six month period would mean that the outgoing US Administration resorted to the federal death penalty more often than any other since 1896. In contrast, we positively assess that in 2020 only five states -Alabama, Georgia, Missouri, Tennessee and Texas- carried out judicial killings –seven- producing the lowest number of executions by the states since 1983.

Last Thursday, 10 December -International Human Rights day- Brandon Bernard was executed by the US Federal Government for a murder committed by his co-defendant when Brandon was only 18, barely an adult. The execution was carried out notwithstanding the fact that five of the jurors who originally convicted Mr. Bernard to the death penalty, in 2000, changed their position.

On 12 January 2021, the outgoing Administration plans to execute Lisa Montgomery, a woman with severe mental illness who has suffered domestic violence and extreme sexual abuse from early childhood.

Furthermore, we deplore that new regulations, announced by the US Justice Department to take effect on Christmas Eve, would reintroduce highly controversial methods of execution such as hanging, the electric chair, the gas chamber and the firing squad.

The European Union reaffirms its strong opposition to the use of the death penalty at all times and in all circumstances. The death penalty violates the inalienable right to life enshrined in the Universal Declaration of Human Rights and is the ultimate cruel, inhuman and degrading punishment. Miscarriages of justice, inevitable in any judicial system, are irreversible. Capital punishment also fails to act as a deterrent to crime.

We recall that at the 2020 OSCE Ministerial Council, all OSCE participating States committed themselves to safeguarding the rights, and protecting the human rights, of all persons deprived of their liberty, including those facing the death penalty, in accordance with their international obligations.

The EU will continue its long-standing campaign against the death penalty, including within the OSCE. We call on the two participating States that still maintain the death penalty in law and in practice, as well as on relevant OSCE Partners for Cooperation, to introduce a moratorium on executions as a first step towards full abolition.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO*, SERBIA* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND, LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA, ANDORRA and SAN MARINO align themselves with this statement.

* Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.