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EUROPEAN UNION

**OSCE Permanent Council Nr 843
Vienna, 9 December 2010**

EU statement on death penalty in the United States

The EU opposes the use of capital punishment in all cases and under all circumstances and calls for a global moratorium as a first step towards its universal abolition, in line with resolutions adopted by the United Nations General Assembly on 18 December 2007 and on 18 December 2008.

The EU has learned that there has been a stay of the execution of Mr Stephen West in the State of Tennessee. Mr West had an execution date of 30 November but has been given the opportunity to challenge the State's execution procedures in court.

The EU notes that there is strong evidence to suggest that Mr West suffers from severe mental illness. We note with great concern that it appears that this mitigating evidence has not been fully considered by the courts. The EU considers that the execution of people with mental disorders is contrary to minimum human rights standards set out in several international instruments.

Furthermore, the EU takes note of the fact that Mr West has spent some 23 years on death row. The EU is of the opinion that long periods of time under the constant threat of death can lead to severe mental trauma for inmates subjected to such conditions.

While we are aware of the suffering of the victims of violent crime and their families, we recall that, with capital punishment, any miscarriage of justice, from which no legal system is immune, represents an irreversible loss of human life. The EU believes that the abolition of the death penalty is essential to protect human dignity and to the progressive development of human rights. The EU considers capital punishment cruel and inhuman. Furthermore, it has not been found to act as a deterrent. While the EU fully respects the democratic process of other countries, the concern for human integrity and human dignity, which has inspired us to abolish capital punishment, obviously applies to all human beings.

Taking account of these factors, the EU calls upon the appropriate authorities in the State of Tennessee to grant Mr West relief from the death penalty.

The EU trusts that the Government of the United States of America will ensure that the appropriate authorities in the State of Tennessee will be informed of this statement.

The candidate countries TURKEY, CROATIA*, the FORMER YUGOSLAV REPUBLIC OF MACEDONIA* and ICELAND**, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA, MONTENEGRO and SERBIA, the European Free Trade Association countries and members of the European Economic Area LIECHTENSTEIN and NORWAY, as well as UKRAINE, the REPUBLIC OF MOLDOVA, AZERBAIJAN and SAN MARINO align themselves with this statement.

*Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

** Iceland continues to be a member of the EFTA and the European Economic Area.