



EUROPEAN UNION

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EU statement on the occasion of the European and World Day against the Death Penalty - 10 October

On the occasion of the European and World Day against the Death Penalty, 10 October 2019, the European Union would like to draw the attention of the Permanent Council to the joint Declaration by Federica Mogherini, European Union High Representative for Foreign Affairs and Security Policy and Marija Pejčinović Burić, Secretary General of the Council of Europe, issued today, in which they stated:

“The European Union (EU) and the Council of Europe firmly oppose the death penalty at all times and in all circumstances. The death penalty is a cruel, inhuman and degrading punishment contrary to the right to life. The death penalty means revenge, not justice, and its abolition contributes to the enhancement of human dignity.

142 countries, representing 74% of the UN member states, have already stopped using the death penalty, either by removing it from their penal code or not carrying out executions for a long time. The abolitionist trend is continuing, with the number of death sentences and executions also falling. In 2018, executions were carried out in 20 countries, representing a historic low of 10% of the countries in the world.

The Council of Europe member states which have not yet acceded to Protocols No 6 and 13 to the European Convention on Human Rights are called upon to do so without delay. The Council of Europe and the EU once again urge Belarus to abolish the death penalty and join the community of nations that have chosen to replace vengeance with human dignity. They also invite those observers to the Council of Europe who have not

yet abolished death penalty to engage in dialogue on the obstacles blocking their path towards abolition.

The EU and the Council of Europe encourage all countries to join the global Alliance for Torture-Free trade, which currently involves 62 States committed to restricting the trade in goods used to carry out torture and the death penalty. Global cooperation against the death penalty can trigger change. It will also help to fight international organized crime, since abolitionist states will often not extradite suspects to countries where they could face capital punishment.

An ever-growing majority of people and leaders share the view that the death penalty is no better a deterrent to crime than other punishments, and that it does not contribute to public safety. The death penalty disproportionately affects members of vulnerable groups, who cannot afford experienced defence lawyers, and death row prisoners continue to represent the most marginalized sections of society.

The impact of this cruel punishment also affects the relatives of people subjected to the death penalty, first and foremost their children. Denying children and families a burial or cremation violates their human rights, notably their right to be free from cruel, inhuman and degrading treatment. Children who have lost parents because of executions suffer deep and lasting grief and trauma. No-one is better placed than these unseen victims to understand the impact the death penalty can have.

The EU and the Council of Europe recognize the importance of a fully-informed public debate about the death penalty. It has been shown that the more people know about the execution process, the arguments for abolition and alternatives to capital punishment, the more they agree with abolition”.

The EU welcomes the continued focus on the issue of the death penalty also within the OSCE. At this year’s OSCE Human Dimension Implementation Meeting the EU once again repeated its call for universal abolition of the death penalty.

We commend ODIHR's work in monitoring trends and new developments regarding human rights standards and practices among OSCE participating States related to the death penalty. We welcome the recently published annual report "The Death Penalty in the OSCE Area" and its focus on the relationship between the death penalty and the right to life, as well as its examination of the prohibition of torture and cruel, inhuman or degrading treatment or punishment in this context. We encourage all OSCE participating States to provide ODIHR with timely and relevant information.

We recall our commitment undertaken in the 1991 Moscow Document to "make available to the public information regarding the use of the death penalty". As such, the EU remains deeply concerned about the lack of transparency surrounding the use of the death penalty in Belarus, which runs counter to the principle of the rule of law and leaves families of the convicted and the public in the dark. The continued application of the death penalty also contradicts Belarus' stated willingness to engage with the international community, including the EU and the Council of Europe, on this matter.

The EU also deeply regrets the recent decision of the US Federal Government to resume executions, following a de facto moratorium of 16 years. This contradicts the growing trend to abolish the death penalty both in the United States and globally.

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 as well as UKRAINE, GEORGIA, ANDORRA, SAN MARINO and AUSTRALIA align themselves with this statement.

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