



United States Mission to the OSCE

Response to the European Union's Statement on the Death Penalty

As delivered by Acting Deputy Chief of Mission Casey Christensen
to the Permanent Council, Vienna
December 17, 2009

We want to thank the European Union for its expression of concern regarding the death penalty in the United States.

The use of the death penalty in the United States is a decision of democratically elected governments at the federal and individual State levels and is not prohibited by international law. Capital punishment does not violate any OSCE commitments. The people of the United States, acting through their freely elected representatives, have chosen, in most States, not to abolish the death penalty.

The U.S. judicial system provides exhaustive protections to ensure that the death penalty is not applied in an extra-judicial, summary, or arbitrary manner. The U.S. Supreme Court has repeatedly held that capital punishment itself does not violate the U.S. Constitution. However, capital punishment may only be carried out subject to the extensive due process and equal protection requirements and after exhaustive appeals.

Regarding the case noted by the European Union, we would like to point out that Mr. Bordelon had freely confessed to the rape and murder of his twelve-year old stepdaughter and has waived his right to all mandatory appeals. We will ensure that the appropriate authorities in the State of Louisiana be informed of the EU statement about his case.

Madame Chairwoman, the issue of the imposition of the death penalty continues to be the subject of vigorous and open discussion among the American people.

Thank you, Madam Chair.