



United States Mission to the OSCE

Response to EU statement on Death Penalty in the United States

As delivered by Chargé d'Affaires Carol Fuller
to the Permanent Council, Vienna
February 10, 2010

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

As we have said on numerous occasions, 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, nor does capital punishment violate any OSCE commitments. The people of the United States, acting through their freely elected representatives, have chosen, in most states, to continue the use of 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. Indeed, in the matter raised today by the European Union, aspects of the case were reviewed by state appellate courts, the federal District Court on two occasions and by the United States Supreme Court. 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.

While it is important to ensure that the rights of the accused are properly safeguarded, we cannot forget about the victims and the nature of the crimes committed. In this case, Jones was convicted of the 1995 brutal robbery, rape and murder of Ms. Mary Bradford where he also beat and tortured Ms. Bradford's eleven year old daughter under circumstances so graphic and so terrible that I cannot describe them here.

Mister Chairman, the issue of the imposition of the death penalty continues to be the subject of vigorous and open discussion among the American people, and we will report to our authorities in the United States the statement of concern made by the European Union.

Thank you.