



EUROPEAN UNION  
DELEGATION TO THE UNITED STATES OF AMERICA

The Ambassador

Washington, 10 October 2022

The Honorable J. Kevin Stitt  
Office of the Governor  
2300 N. Lincoln Blvd.  
Suite 212  
Oklahoma City, OK 73105

Dear Governor Stitt,

We write to express our grave concern over the Oklahoma Attorney General's recent setting of 25 execution dates, which began with James Coddington's execution on August 25 and are set to continue with the execution of Benjamin Cole on October 20.

As the European Union and EU Member State Ambassadors to the United States, we respectfully urge you to implement a moratorium on these executions and to review all cases, especially those that involve mental illnesses, intellectual disability, and innocence claims.

Mr. Governor, as also highlighted in the recent case of Julius Jones, clemency and compassion do not lead to further crime or to social disapproval. If anything, they demonstrate political and moral leadership and courage. We want to take this opportunity to express again our gratitude for your commutation of Julius Jones' sentence in November 2021. Additionally, we applaud your recent 60-day stay of execution for Richard Glossip.

But the above cases are not, alas, isolated ones. In the United States alone, and in spite of one of the most advanced legal systems in the world, over 190 death row inmates have been exonerated since 1973, after new evidence exposed their innocence. One can only imagine how many others have been executed before such evidence could come to light. The capacity of any democracy to ensure that potentially egregious miscarriages of justice do not result in the irrevocable taking of a life – the ultimate and cruellest of punishments – is what should foundationally distinguish us from authoritarian political systems.

For this and other important reasons, the European Union and its Member States have abolished capital punishment in all circumstances. We have done so while effectively prosecuting serious crime and staunchly standing by victims and their families. Even in European countries where the majority of citizens was in favor of the death penalty before its abolition, public opinion turned firmly and rapidly against capital punishment after it was extinguished. The EU considers the death penalty as a cruel and unusual form of punishment, which is degrading to our moral dignity as human beings while bringing no true justice to the victims of heinous crimes. Equally important, there is no evidence to suggest that the death penalty deters crime any more than other forms of punishment, such as life in prison. Numerous world studies have demonstrated this fact. In the United States itself, the most recent statistics from the Federal Bureau of Investigation Uniform Crime Report (2019)

demonstrate that the murder rate was 25% higher in states with the death penalty than in those that have abolished it.

If all of the executions currently scheduled in your state are carried out as planned, 58% of Oklahoma's death row would be put to death. This would be unprecedented in Oklahoma's history and would, moreover, go against the growing trend of states imposing moratoriums and abolishing capital punishment. Mr. Governor, we hope you will use your powers to reverse this trend and to allow Oklahoma to join the majority of U.S. states, 36 to date, which have imposed moratoriums, not carried out an execution in five or more years, or abolished the death penalty completely.

Our plea to you is even more pressing as we understand that at least half of those with upcoming execution dates have innocence claims, intellectual disabilities, or severe mental illness. In Oklahoma alone, 10 innocent people were exonerated from death row between 1973 and 2022. Mr. Glossip and others with innocence claims must have their cases heard to the fullest extent in order to protect their due process rights and to reduce the real risk that innocent individuals may be executed.

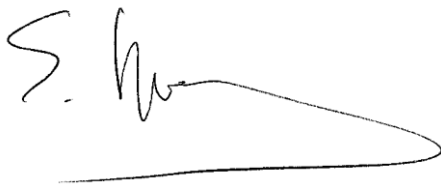
It is equally vital to ensure that those with intellectual disabilities are also not executed, in keeping with the 2002 U.S. Supreme Court ruling in *Atkins v. Virginia*. We understand that there is currently one individual with an intellectual disability, four with schizophrenia, and seven with other mental illnesses scheduled to be executed in Oklahoma over the next two years. The European Union believes that the execution of persons suffering from mental illness or intellectual disability is particularly abhorrent and is contrary to widely accepted human rights norms and standards. In jurisdictions where capital punishment has not yet been abolished, we ask authorities to ensure that, at a minimum, the death penalty is not imposed on individuals suffering from mental illness.

We note that the Oklahoma Death Penalty Review Commission recommended a moratorium on executions in 2017, after concluding that several innocent people had been sentenced to death. It additionally suggested 40 significant reforms that should be implemented before further executions are carried out. We understand that these recommendations, which include addressing racial bias in capital punishment sentences, have not yet been implemented. We also understand that a legal case on the constitutionality of Oklahoma's lethal injection protocol is currently underway.

Mr. Governor, taking the above considerations into account, we respectfully urge you to exercise all powers vested in your office to impose a moratorium on executions.

We look forward to continuing our close cooperation with the State of Oklahoma in all fields and to working with you and your staff to further promote EU-Oklahoma relations.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Lambrinidis', with a long, sweeping horizontal line extending to the right from the end of the signature.

Stavros Lambrinidis, Ambassador of the European Union to the United States

Guenther Salzmann, Chargé d’Affaires ad interim, Embassy of Austria in the United States

Jean-Arthur Régibeau, Ambassador of Belgium to the United States

Georgi Panayotov, Ambassador of the Republic of Bulgaria to the United States

Pjer Šimunović, Ambassador of the Republic of Croatia to the United States

Marios Lysiotis, Ambassador of the Republic of Cyprus to the United States

Miloslav Stašek, Ambassador of the Czech Republic to the United States

Christina Markus Lassen, Ambassador of Denmark to the United States

Kristjan Prikk, Ambassador of Estonia to the United States

Dr. Emily Haber, Ambassador of the Federal Republic of Germany to the United States

Mikko Hautala, Ambassador of Finland to the United States

Philippe Etienne, Ambassador of France to the United States

Alexandra Papadopoulou, Ambassador of the Hellenic Republic to the United States

Geraldine Byrne Nason, Ambassador of Ireland to the United States

Mariangela Zappia, Ambassador of Italy to the United States

Māris Selga, Ambassador of the Republic of Latvia to the United States

Audra Plepytė, Ambassador of Lithuania to the United States

Nicole Bintner-Bakshian, Ambassador of the Grand Duchy of Luxembourg to the United States

Melanie Bonnici Bennett, Chargé d’Affaires ad interim, Embassy of the Republic of Malta in the United States

André Haspels, Ambassador of the Kingdom of the Netherlands to the United States

Marek Magierowski, Ambassador of Poland to the United States

Francisco Duarte Lopes, Ambassador of Portugal to the United States

Andrei Muraru, Ambassador of Romania to the United States

Radovan Javorčík, Ambassador of the Slovak Republic to the United States

Darja Ferlez, Chargé d’Affaires ad interim, Embassy of the Republic of Slovenia in the United States

Santiago Cabanas, Ambassador of Spain to the United States

Karin Olofsdotter, Ambassador of Sweden to the United States