



EUROPEAN UNION  
DELEGATION TO THE UNITED STATES OF AMERICA

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The Head of Delegation

Washington, 24 January 2018  
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The Honorable Kay Ivey  
Governor of Alabama  
Alabama State Capitol  
600 Dexter Avenue  
Montgomery AL 36130

Fax: 334 353 0004

**Subject: Execution of Mr Vernon Madison**

Dear Governor Ivey,

The European Union takes note of the fact that Vernon Madison has been sentenced to death and is to be executed on January 25, 2018. The EU, represented by its Delegation to the United States, wishes to make an urgent humanitarian appeal on behalf of Mr. Madison on the grounds of evidence of his major neurocognitive disorder (dementia).

The EU is opposed to the use of capital punishment under all circumstances and accordingly aims at its universal abolition, seeking a global moratorium on the death penalty as a first step. It is the EU position that the elimination of the death penalty is fundamental to the protection of human dignity, and to the *progressive development of human rights*.

By its very nature, the execution of the death penalty means that any miscarriage of justice or failure in its application cannot be reversed. No legal system is immune from error, nor is there any reliable evidence to support the argument that the death penalty is a deterrent to serious crime more effective than imprisonment.

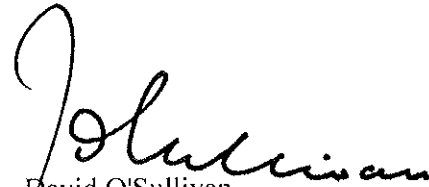
The EU considers that in countries which have not yet abolished the death penalty, it should not be imposed on persons suffering from any mental illness or having an intellectual disability. We note with concern that there is undisputed evidence that Mr. Madison has suffered multiple strokes, including a thalamic stroke resulting in encephalomalacia, that have damaged multiple parts of his brain, including those responsible for memory. As a result Mr. Madison has no memory of his capital offense. His reduced cognitive faculties mean he now has a tested IQ of 72, placing him in the borderline range of intelligence.

The EU supports international norms on this matter. The execution of persons suffering from any mental illness or having an intellectual disability is in contradiction to the minimum standards of human rights, as set forth in several international human rights instruments, including the United Nations Economic and Social Council (ECOSOC) Resolution 1989/64 of 24 May, 1989, on the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.

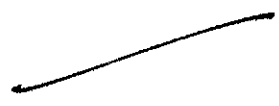
The EU recognises the serious nature of the crime involved, and wishes to express its sincere sympathy to the family and friends of the victim, but we do not believe that the use of the death penalty could bring relief to their suffering.

The European Union respectfully requests your assistance to ensure that Mr. Madison's case is reconsidered in the light of his mental disability.

Yours sincerely,

A handwritten signature in black ink, appearing to read "O'Sullivan". The signature is written in a cursive style with a large initial "O".

David O'Sullivan  
Ambassador

A single horizontal line drawn in black ink, positioned below the signature and name.