



EUROPEAN UNION
DELEGATION TO THE UNITED STATES OF AMERICA

The Head of Delegation

Washington, 2 September 2010
D(2010) 863 LV/ame

Governor Arnold Schwarzenegger
State Capitol
1st Fl.
Sacramento, CA 95814

Fax: (916) 445-4633
558 3160

Subject: COHOM COTRA: Terms of Reference for a demarche on probable execution of one prisoner on death row in the Unites States. Albert Greenwood Brown (CALIFORNIA, US)

Dear Governor Schwarzenegger ,

The European Union takes note of the fact that Mr. Albert Greenwood Brown is to be executed in the State of California on September 29, 2010. The European Union, represented by the Delegation of the European Union in the United States, wishes to make an urgent humanitarian appeal on behalf of Mr. Brown.

The European Union 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. We believe that the elimination of the death penalty is fundamental to the protection of human dignity, and to the progressive development of human rights.

The European Union considers that nations, which have not as yet abolished the use of capital punishment, should not impose this punishment when a de facto moratorium has been in place for an extended period. The execution of Mr. Brown would break the de-facto moratorium in the State of California, where the last execution took place on January 17, 2006.

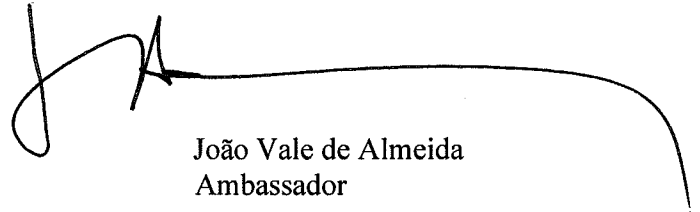
The European Union also notes that on November 20, 2008, the United Nations General Assembly adopted a resolution on the death penalty, which reaffirms its Resolution adopted in December 2007, expressly asking all nations that still use the death penalty to institute a moratorium on executions with a view to abolishing the practice.

Furthermore, the European Union takes note of the fact that Mr. Brown has spent nearly 30 years on death row. The EU considers long periods of time under the constant threat of death to be extreme. Indeed, such conditions of confinement can lead to severe mental trauma and physical deterioration in many inmates.

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. We believe that any miscarriage of justice, or failure of the judicial system in the application of the death penalty, represents an irreparable loss of human life.

Taking account of these factors, we respectfully urge you, Governor, to continue the de-facto moratorium currently in place within the State of California and to exercise all powers vested in your office to commute the sentence of Mr. Albert Greenwood Brown to life in prison.

Sincerely,

A handwritten signature in black ink, consisting of a stylized initial 'J' followed by a long horizontal line that curves downwards at the end.

João Vale de Almeida
Ambassador