



EUROPEAN UNION
DELEGATION TO THE UNITED STATES OF AMERICA

The Head of Delegation

Washington, 04 November 2010
D(2010) 1064 BW/lda

The Honorable
Phil Bredesen
Governor
State of Tennessee
State Capitol
Nashville, TN 37243-0001

Fax: 615 532 9711

**Subject: Demarche on probable execution of one prisoner on death row in the
Unites States. Mr. Stephen West (TENNESSEE, US)**

Dear Governor Bredesen,

The European Union takes this opportunity to make an urgent humanitarian appeal on behalf of Mr. Stephen West, who is scheduled to be executed in the State of Tennessee on November 9, 2010.

The European Union fully appreciates the serious nature of the crime that lies at the heart of this matter, and wishes to express its sincere sympathies to the surviving family and friends of the victims. However, the European Union does not believe their loss will be mitigated by the death of Mr. West.

The European Union is opposed to the use of capital punishment under all circumstances and 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.

In the present case, the European Union notes with grave concern that there is strong evidence to suggest that Mr. West suffers severely from mental illness. We understand that Mr. West has been diagnosed as being affected by a number of debilitating mental illnesses, including paranoid schizophrenia and schizoaffective disorder. We further note that it appears that this mitigating evidence has not been fully considered by the courts.

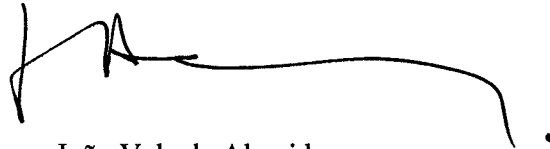
The European Union considers that the execution of people with mental disorders is contrary to minimum human rights standards set out in several international instruments. Among these are the United Nations Economic and Social Council (ECOSOC) Resolution 1996/15 on the safeguards guaranteeing protection of the rights of those facing the death penalty and Resolution 2005/59, adopted by the United Nations Commission on Human Rights, which specifically urges all states that still maintain the

death penalty “Not to impose the death penalty on a person suffering from any mental or intellectual disabilities or to execute any such person”.

Furthermore, the European Union takes note of the fact that Mr. West has spent around twenty three years on death row. The EU considers that long periods of time under the constant threat of death can lead to severe mental trauma and physical deterioration for inmates living under such conditions.

We therefore respectfully urge you, Governor, to take these factors into account and to commute the sentence of Mr. West.

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and a long horizontal stroke that ends in a small dot.

João Vale de Almeida
Ambassador