



EUROPEAN UNION  
DELEGATION TO THE UNITED STATES OF AMERICA

The Head of Delegation

Washington, 31 May 2011  
D(2011) 1636 BW/ip

The Honorable  
Rick Perry  
Governor  
State of Texas  
State Insurance Building  
1100 San Jacinto  
Austin, Texas 78701

Fax: 512 463 5571

Dear Governor Perry,

The European Union takes note of the fact that Mr Milton Mathis is to be executed in the State of Texas on 21 June, 2011. 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 Mathis.

The European Union recognises the serious nature of the crime involved, and wishes to express its sincere sympathies to the surviving family and friends of the victims. However, the European Union does not believe that their loss will be mitigated by the death of Mr Mathis.

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.

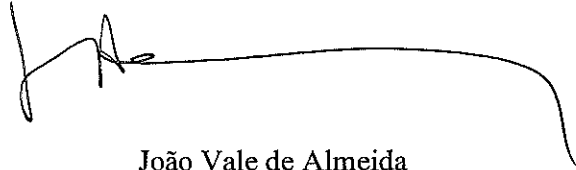
In the present case, the European Union notes with concern that there is evidence to suggest that Mr Mathis is intellectually disabled. The United States Supreme Court has ruled in *Atkins v. Virginia* that the execution of mentally retarded prisoners is a violation of the US Constitution. Given the concerns about the mental capacity of Mr Mathis, we ask that you grant clemency in this case.

The EU considers that the execution of people with mental disorders is contrary to widely accepted human rights norms and is in contradiction of the minimum standards of human rights set forth 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, in addition to

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".

We therefore respectfully urge you, Governor, to take these factors into account and to commute the sentence of Mr Milton Mathis to life in prison.

Sincerely,

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

João Vale de Almeida  
Ambassador