



**COUNCIL OF  
THE EUROPEAN UNION**



Brussels, 21 August 2007  
12397/07 (Presse 191)  
P 070/07

**Declaration by the Presidency on behalf of the European Union  
on the 400th execution in Texas**

The European Union notes with great regret the upcoming execution in the State of Texas which would be the 400<sup>th</sup> since the reinstatement of the death penalty in 1976. Therefore, the European Union strongly urges Governor Rick Perry to exercise all powers vested in his office to halt all upcoming executions and to consider the introduction of a moratorium in the State of Texas.

The European Union is unreservedly opposed to the use of capital punishment under all circumstances and has consistently called for the universal abolition of this punishment. We believe that elimination of the death penalty is fundamental to the protection of human dignity, and to the progressive development of human rights. We further consider this punishment to be cruel and inhumane. There is no evidence to suggest that the use of the death penalty serves as a deterrent against violent crime and the irreversibility of the punishment means that miscarriages of justice - which are inevitable in all legal systems – cannot be redressed. Consequently, the death penalty has been abolished throughout the European Union.

**P R E S S**

In countries that maintain the use of capital punishment, the European Union seeks the progressive restriction of both its scope and the number of offences for which capital punishment may be employed, as defined in several human rights instruments.

In this regard, the European Union welcomes the United States Supreme Court rulings of June 2002 and March 2005 declaring the execution of persons with mental retardation and the execution of juveniles respectively, to be unconstitutional. The European Union urges the US authorities to extend these restrictions, in particular, to the execution of persons with severe mental illness. The European Union welcomes the US commitment to the Vienna Convention on Consular Relations (VCCR). However, the European Union regrets the US decision to withdraw from the Optional Protocol of the VCCR, which gives the ICJ jurisdiction over disputes arising from the convention.

The EU appreciates and values its co-operation with the US on a wide range of human rights concerns around the world. The European Union therefore takes this opportunity to renew its call for a moratorium to be placed on the application of the death penalty, by both the US federal and state authorities, in anticipation of its legal abolition.

The Candidate Countries Turkey, Croatia\* and the former Yugoslav Republic of Macedonia\*, the Countries of the Stabilisation and Association Process and potential candidates Bosnia and Herzegovina, Montenegro, Serbia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova, Armenia and Azerbaijan align themselves with this declaration.

\* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.