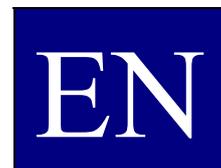




**COUNCIL OF
THE EUROPEAN UNION**



Brussels, 12 February 2009
6360/09 (Presse 38)
P 20

**Declaration by the Presidency on behalf of the EU concerning
the execution of Steve Henley**

The European Union strongly condemns the execution of Steve Henley, which was carried out on February 4, in Riverbend prison, Nashville, Tennessee. Mr. Henley was sentenced to death for the 1985 killings of Fred and Edna Stafford. Since that time, Mr. Henley had maintained his innocence. In fact, he was indicted based on the testimony of his co-defendant.

The execution of Mr. Henley ended the de facto moratorium observed by the State of Tennessee pending the Supreme Court of the United States' decision in *Baze v. Rees*. The Court's ruling on April 16, 2008 allowed for the resumption of executions by lethal injection across the United States of America.

P R E S S

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The European Union reaffirms that it has long opposed the application of the death penalty, regardless of the circumstances. The EU is consequently striving towards its abolition throughout the world, seeking a global moratorium on the death penalty as a first step.

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

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.

With this in mind, the European Union urges the re-establishment of the de facto moratorium on the use of capital punishment in the State of Tennessee .

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

* Croatia continues to be part of the Stabilisation and Association Process.