



EUROPEAN UNION

OSCE Human Dimension Implementation Meeting 2013
Warsaw, 2 October 2013

EU statement – Working Session 15
RULE OF LAW II; ABOLITION OF CAPITAL PUNISHMENT;
PREVENTION OF TORTURE

Ms Moderator,

I am honored to speak on behalf of the European Union.

The rule of law is one of the fundamental principles on which the EU is founded. A key objective for the EU is therefore to strengthen the rule of law both at international and national level.

The EU strongly and unequivocally opposes the death penalty at all times and in all circumstances, even when backed by due process in a democratic society. The cruel, inhuman and degrading aspects of the death penalty are not mitigated by a democratic process.

We are encouraged by the growing momentum towards the abolition of the death penalty worldwide, but we are not complacent. The EU will therefore continue its long-standing campaign against the death penalty, including within in the OSCE. We regret that two OSCE participating States, Belarus and the United States, are not following the global trend.

Capital punishment is inhumane and unnecessary. No compelling evidence exists to show that the death penalty serves as a deterrent to crime. Furthermore, any miscarriage of justice could lead to the killing by state authorities of an innocent person. It is undeniable that wrongful convictions do occur and innocent people are put to death.

The EU encourages all States who still practice the death penalty or retain it in law to abolish it.

Like capital punishment, torture can never be justified. Torture and ill-treatment are among the most abhorrent violations of human rights and human dignity and should be eradicated. Nevertheless torture still occurs even in OSCE participating States and partner States. In the fight against torture a full toolbox of measures should be applied covering all aspects, including prevention, rehabilitation of the victims and bringing the perpetrators to justice.

The EU therefore urges all OSCE participating States to implement fully the United Nations resolutions on torture, and to give strong consideration to ratifying all international conventions and protocols on torture, the death penalty and enforced disappearances.

The EU commends the OSCE and ODIHR for their efforts to prevent torture in particular by capacity building efforts at field level, and encourages the OSCE to further increase these efforts. The prohibition against the use of torture is absolute. Torture must not be applied under any circumstances, not even when faced with threats against national security including terrorist activity.

In the field of counter- terrorism, the EU is determined to safeguard human rights in its own efforts and seeks to enhance the capacity of partner countries to strengthen the criminal justice systems based on respect of the rule of law and human rights.

We commend the efforts of OSCE in providing support to participating States to ensure respect of human rights and OSCE commitments in countering terrorism. The EU would like to see these efforts expanded further, given the continuing violations occurring in various OSCE participating States.

Thank you Ms Moderator

The Candidate Countries Turkey, the former Yugoslav Republic of Macedonia*, Montenegro*, Iceland+ and Serbia*, the Countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, and the EFTA country Liechtenstein, member of the European Economic Area, as well as the Republic of Moldova, Andorra and San Marino, align themselves with this statement.

** the former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be*

part of the Stabilisation and Association Process.

+ Iceland continues to be a member of the EFTA and of the European Economic Area.