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**STATEMENT BY MR. VLADIMIR ZHEGLOV,
DEPUTY PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1243rd MEETING OF THE OSCE PERMANENT COUNCIL**

10 October 2019

In connection with World Day Against the Death Penalty

Mr. Chairperson,

Today is the 17th occasion that we celebrate World Day Against the Death Penalty. This type of punishment has not been applied in Russia for over 20 years. Death sentences have not been enforced since 1996 – from the moment Russia joined the Council of Europe and assumed its obligations in this area. There has been a comprehensive moratorium on the use of this type of punishment since 1999. In 2009, the Constitutional Court of the Russian Federation finally ruled that as a result of the moratorium in our country, firm guarantees of the human right not to be subjected to the death penalty had been provided.

At the same time, this does not mean that we support the legislative abolition of the death penalty being imposed on other countries. In this case, it is important to bear in mind the cultural, historical, legal and other contexts of States' development.

The key issues to consider are the methods of execution, which drugs are used to carry out the execution, and whether the risk of causing additional suffering amounting to torture has been ruled out.

In this regard, the situation in the United States of America continues to cause considerable alarm. After a 16-year break, the United States decided to resume the application of the death penalty at the federal level, whereas this practice had continued throughout this period at the state level. The public condemned this decision. We focused on this subject in detail in September. Separately, I should just like to mention the statement by the American Civil Liberties Union that the death penalty in the United States is characterized by racial prejudice. According to US lawyers, the systemic racism in the application of the death penalty in the country has gained an anti-Semitic component. For example, according to the authoritative publication *The Times of Israel*, the Texas Court of Criminal Appeals granted the appeal of US prisoner Randy Halprin, an ethnic Jew, for a stay of execution. The reason for this was the fact that the sentencing judge of the Dallas County Court is an anti-Semite. It would obviously be worth bringing this to the attention of the Personal Representative of the OSCE Chairperson-in-Office on Combating Anti-Semitism, Rabbi Andrew Baker.

Deep concern has also been reported over the use in the United States of methods of capital punishment akin to torture. An example of this is the execution of Russell Bucklew in Missouri on 1 October. Back in April, the US Supreme Court gave the green light to the authorities of this state to carry

out the sentence, despite the fact that the pentobarbital injection would have caused the prisoner extreme pain owing to his poor health. At the same time, the Eighth Amendment to the US Constitution, which stipulates that “cruel and unusual punishments [shall not be] inflicted”, was interpreted by the judges “creatively”: purportedly, this amendment “does not guarantee a prisoner a painless death”. The suffering of a dying man, as the judges explained, should not be excessive. But the point at which this line is crossed, and the point at which suffering becomes torture for a prisoner, is open to question.

Judicial errors contribute to this tragic situation, when innocent people are sentenced to death and their basic right to life is grossly violated. For example, according to the US non-governmental organization Death Penalty Information Center, of the 1,507 people executed in the United States since 1976, some sixteen could have been innocent. However, they cannot be brought back to life.

We must also not forget about children whose parents have already been executed or sentenced to death. All this takes a huge toll on the psychological health of the child. It is no wonder that this year the World Coalition Against the Death Penalty is focusing specifically on children as unseen victims of the death penalty.

In this regard, we again call on the US Government to respect its international obligations to eliminate the torture and cruel treatment and punishment of prisoners and to remember the value of human life.

Thank you for your attention.