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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,  
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,  
AT THE 1276th MEETING OF THE OSCE PERMANENT COUNCIL**

23 July 2020

**Capital punishment in the United States of America**

Mr. Chairperson,

We once again wish to express our concern over the resumption of federal executions in the United States of America. After a 17-year hiatus in such executions, no fewer than three inmates were put to death in the course of last week alone: Daniel Lewis Lee, Wesley Ira Purkey and Dustin Lee Honken. A further execution is scheduled for 28 August, namely, that of Keith Dwayne Nelson.

Moreover, the death penalty continues to be applied at the state level, too, with seven southern states accounting for over half of such executions: Texas, Oklahoma, Arizona, Missouri, Alabama, Florida and Virginia. According to data from the Death Penalty Information Center (an NGO), seven people have been executed in five states this year so far; three further death row inmates are due to be executed before the close of the year.

I would remind you that federal-level executions in the United States have been delayed in the past for humanitarian reasons. For example, in November 2019, Judge Tanya S. Chutkan of the US District Court for the District of Columbia halted the execution of four inmates because she disapproved of the method by which they were to be put to death, namely, by injection with pentobarbital – a method causing excessive pain, as she argued. Incidentally, it was precisely this method that was used in the aforementioned executions of Mr. Lee, Mr. Purkey and Mr. Honken. Neither injection with midazolam, which is actively used for the same purpose, nor the electric chair, which to this day continues to be employed in the United States, can be counted among the most humane methods of taking a person's life. We would recall that ill-treatment, not to mention torture, during administration of the death penalty is unacceptable and must be ruled out altogether. In support of this we may invoke the Eighth Amendment to the US Constitution, which lays down that "cruel and unusual punishments [shall not be] inflicted".

Moreover, Article 2 of the US Constitution [*recte*: the second paragraph of the preamble to the US Declaration of Independence] guarantees the right to life. The miscarriages of justice that inevitably occur from time to time when dealing with such complex criminal cases are a flagrant violation of that basic right and rob those who are potentially innocent of their lives. Thus, as reported by the aforementioned Death Penalty Information Center, 170 people sentenced to death have been found innocent since 1973, with three

such exonerations occurring in this year so far. However, these figures could be much higher, bearing in mind that it is extremely difficult now to establish how many innocent people have in fact been executed.

I wish to emphasize here that the methods used to administer the death penalty in the United States, along with the risk of its discriminatory use and the possibility of wrongful convictions, are very much a source of concern for the OSCE Office for Democratic Institutions and Human Rights (ODIHR). These points are raised, in particular, in an ODIHR background paper from 2019 entitled “The Death Penalty in the OSCE Area”.

We reiterate our appeal to the US Government to honour its international obligations on eliminating the torture and cruel treatment or punishment of prisoners, and to be mindful of the value of human life.

Thank you for your attention.