



## **United States Mission to the OSCE**

### **Response to the EU statement concerning the case of Terrence Williams in Pennsylvania**

As delivered by Ambassador Ian Kelly  
the Permanent Council, Vienna  
September 20, 2012

We are aware of the concern of the EU and other participating States regarding the use of the death penalty in the United States.

As the United States has consistently noted, international law does not prohibit the death penalty or otherwise require imposition of a moratorium on executions with a view toward its abolition. The International Covenant on Civil and Political Rights (ICCPR), to which the United States is a party, provides for imposition of the death penalty for the most serious crimes when carried out pursuant to a final judgment rendered by a competent court, and accompanied by appropriate procedural safeguards and the observance of due process. This includes the right to seek pardon or commutation of sentence in all cases. The imposition of the death penalty, in appropriate circumstances, has also been upheld by the United States Supreme Court.

The death penalty continues to be the subject of open discussion among the American people. In fact, a New York Times editorial discussed the Terrance Williams case on September 13 and noted that a Pennsylvania state commission is currently studying whether to recommend that Pennsylvania abolish the death penalty within its borders. Moreover, the Philadelphia Court of Common Pleas is considering ordering a stay of Mr. Williams' execution scheduled for October 3. Whether or not it does so, Mr. Williams will have had more than twenty-six years of appeal, since his sentencing 1986 to pursue appeal of his conviction and sentencing, in the exercise of his due process rights.

Thank you, Mr. Chairman.