

United States Mission to the OSCE



Right of Reply to EU on Death Penalty

As delivered by Acting Deputy Chief of Mission Elisabeth Rosenstock-Siller
to the Permanent Council, Vienna
October 7, 2021

Thank you, Madam Chair.

Since my EU colleague has mentioned my country, I'd like to utilize my right of reply. We are aware of Mr. Ernest Johnson's execution on October 5. Similar to many OSCE participating States, the United States has a federal system of government and executions are an issue that fall into either state or federal jurisdiction depending on the particularities of the case. Mr. Johnson's case was entirely under state jurisdiction. As my delegation has noted in the past, international law does not prohibit capital punishment, and each country, and in the case of the United States, each state in the union—as well as our federal government—may make its own choice on this matter.

At the federal level, all executions are currently halted pending a multi-pronged review of certain federal execution policies and procedures. The Biden-Harris administration has been clear that reviewing the federal death penalty is a priority and this multi-pronged review constitutes an important part of that process. President Biden supports legislatively ending the death penalty at the federal level and incentivizing states to follow the federal government's example.

Thank you, Madam Chair.

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