



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

### **Response to the EU Regarding the Execution of Ramiro Hernandez Llanas**

As delivered by Deputy Chief of Mission Gary Robbins  
to the Permanent Council, Vienna  
April 10, 2014

On April 9, 2014, the State of Texas executed Ramiro Hernandez-Llanas for the murder of 48-year old history professor Glen Lich and the rape of Lera Lich on October 14, 1997, at their home in Kerr County, Texas.

Mr. Hernandez was one of 51 Mexican nationals named in the International Court of Justice's Avena decision, wherein the court held that the United States had failed to comply with the consular notification and access provisions of the Vienna Convention on Consular Relations (VCCR). With respect to Mr. Hernandez, the International Court of Justice found that he was not informed of his option to have the Mexican Consulate notified of his arrest in accordance with the VCCR. The International Court of Justice ordered the United States to provide "review and reconsideration" of the 51 Mexican nationals' convictions and sentences in order to determine whether they were actually prejudiced by the VCCR violations identified in the decision.

The United States takes its international obligations under the Avena judgment and the VCCR seriously and has communicated these important interests to Texas authorities. The Department of State urged Texas to take into consideration the Avena judgment and the VCCR violation in determining whether to grant a reprieve of Mr. Hernandez's execution and remains committed to working to uphold the United States' international obligations under the Avena judgment and under the VCCR.

The United States respects the concerns of the European Union regarding the imposition of the death penalty in this case, but reminds the European Union that 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.

We recognize that there is intense public discussion and debate on the issue of the death penalty both within and among nations. That debate continues this week at the OSCE. While we respect the views shared by persons who seek to abolish capital punishment or to impose moratoriums on its use, the ultimate decision regarding this issue must be addressed through the domestic democratic processes of individual States and be consistent with their obligations under international law – those of the United States are.

Thank you, Mr. Chairman.