



United States Mission to the OSCE

Response to the EU statement concerning the case of Garry Thomas Allen in Oklahoma

As delivered by Chargé d'Affaires Gary Robbins
to the Permanent Council, Vienna
November 1, 2012

Thank you, Mr. Chairman.

We are aware of the EU's concern regarding the imposition of the death penalty in the United States in general and in the case of Garry Thomas Allen in Oklahoma. Mr. Allen pled guilty to and was convicted of first-degree murder for the 1986 killing of his girlfriend outside an Oklahoma City day-care center.

As the United States has consistently noted, international law does not prohibit the death penalty. 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. While we respect the views shared by persons who seek to abolish capital punishment or to impose moratoria on its use, the ultimate decision regarding this issue must be made through the domestic democratic processes of individual States and be consistent with their obligations under international law.

Thank you, Mr. Chairman.