



## EUROPEAN UNION

### OSCE Permanent Council Nr 870 Vienna, 23 June 2011

## EU statement on the death penalty and consular access in the US

It is with deep regret that the EU has learned that Mr Humberto Leal is due to be executed in the State of Texas on 7 July 2011. Although Mr Leal is a Mexican citizen, the Texas authorities failed to notify him of his right to contact a Mexican consulate at the time of his arrest, as required by the Vienna Convention on Consular Relations. The right to consular notification and assistance is intended to redress the inherent disadvantages facing detained foreign nationals in any country. The EU is concerned that, if Mr Leal is executed before receiving the remedy to which he is entitled, an undisputed international obligation will be breached.

The EU opposes the use of capital punishment in all cases and under all circumstances, and calls for a global moratorium as a first step towards its universal abolition, in line with resolutions adopted by the United Nations General Assembly in 2007, 2008 and on 21 December 2010. Furthermore, the EU considers the respect for treaty based rights to be of vital importance both nationally and within the international community.

Accordingly, the EU calls on the appropriate authorities in the State of Texas to grant Mr Leal a reprieve from the death penalty pending legislative action to bring

the United States into compliance with its treaty obligations and that Mr Leal receives the remedy to which he is entitled.

The EU trusts that the Government of the United States of America will ensure that the appropriate authorities in the State of Texas will be informed of this statement.

The candidate countries TURKEY, CROATIA\*, the FORMER YUGOSLAV REPUBLIC OF MACEDONIA\*, MONTENEGRO\* and ICELAND\*\*, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA and SERBIA, the European Free Trade Association country LIECHTENSTEIN, member of the European Economic Area, as well as the REPUBLIC OF MOLDOVA, AZERBAIJAN, ANDORRA and SAN MARINO align themselves with this statement.

\*Croatia, the Former Yugoslav Republic of Macedonia and Montenegro continue to be part of the Stabilisation and Association Process.

\*\*Iceland continues to be a member of the EFTA and the European Economic Area.