



United States Mission to the OSCE
**Response to the EU statement concerning
the case of Michael Ryan in Nebraska**

As delivered by Ambassador Ian Kelly
to the Permanent Council, Vienna
February 9, 2012

We are aware of the EU's concern regarding the use of the death penalty in the United States and note the letter sent to Governor Heineman and the State Parole Board of Nebraska by the EU Delegation to the United States on behalf of Mr. Michael Ryan.

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.

Thank you, Mr. Chairman.