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United States Mission to the OSCE

Right of Reply to EU Regarding New Hampshire's Abolition of the Death Penalty

As delivered by Chargé d'Affaires, a.i. Harry R. Kamian
to the Permanent Council, Vienna
June 6, 2019

In response to the statement issued by the European Union, I would like to exercise my Right of Reply.

On May 30th, the New Hampshire state legislature voted to override Governor Chris Sununu's veto of a bill repealing the death penalty, a number of U.S. states have abolished the death penalty, and others have established a moratorium or otherwise stopped imposing it.

International law does not prohibit capital punishment, and each country – and in the case of the United States, each state in the union – may make its own choice on this policy matter. The decision on whether or not to use capital punishment must be addressed through the domestic democratic processes of individual countries.

In our case, the American people, acting through their elected representatives at both the federal and state level, enact the laws authorizing, limiting, or abolishing the death penalty for the most serious crimes.

Let us all recall that the *International Covenant on Civil and Political Rights* specifically recognizes the authority of countries to impose the death penalty for “the most serious crimes,” in accordance with the law in force at the time of the commission of the crime, when carried out pursuant to a final judgment rendered by a competent court; and in accordance with the applicable provisions of the Covenant, including requisite safeguards and fair trial guarantees.

We reaffirm our longstanding position on the legality of the death penalty when imposed and carried out in a manner consistent with a state's international obligations. The United States is committed to complying with our Constitution, other domestic laws, and our international

obligations, and we encourage other countries that employ the death penalty to comply with their international obligations as well.

Thank you, Mr. Chair.