



EUROPEAN UNION

OSCE Permanent Council No. 1394 Vienna, 13 October 2022

EU Statement on the European and World Day against the Death Penalty

1. On the occasion of the 10th October European and World Day against the Death Penalty, we recall the joint statement issued by the EU High Representative, on behalf of the European Union, and the Secretary-General of the Council of Europe firmly reiterating our unequivocal opposition to the death penalty at all times, in all places and in all circumstances.
2. In 2022, the day was dedicated to reflecting on the relationship between the use of the death penalty and torture. As detailed in the 2021 and previous OSCE/ODIHR background papers, “the death penalty inevitably leads to violations of both the right to life and the prohibition of torture and other ill-treatment”.
3. Inhuman and degrading treatment is inherent to the death penalty. Death row contributes to the long-term physical and psychological suffering. The mental anguish of anticipating execution, as well as brutal methods of execution, may amount to torture or other ill-treatment. Criminal justice systems that use capital punishment cause severe mental and physical suffering not only to the person concerned, but also to their family, victims’ family members, as well as the many other individuals involved in carrying out executions
4. The European Union encourages all states to join the Global Alliance for Torture-Free Trade, which was launched in 2017 and currently involves 62 states committed to restricting the trade in goods used to carry out torture and capital punishment.

5. The steady worldwide decline in the number of states still applying the death penalty confirms the global trend towards abandoning this cruel, inhuman and ineffective punishment. A minority of 18 countries, 9% of the total number of UN Member States, still carried out executions in 2021.
6. The EU welcomes the official abolition of the death penalty in Kazakhstan in June 2022. Moreover, we commend Kazakhstan for the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights in December 2021, which aims to abolish the death penalty worldwide.
7. The European Union deplores the amendment to the Criminal Code of Belarus extending capital punishment to “attempted terrorist acts”, adopted with the aim to step up political repression.
8. We welcome the 8th world congress against the death penalty to be held in Berlin, in November. This congress will be an opportunity to reflect and raise awareness against capital punishment.
9. The EU reaffirms its strong opposition to the use of the death penalty at all times, in all places and in all circumstances. The death penalty violates the inalienable right to life enshrined in the Universal Declaration of Human Rights and is the ultimate cruel, inhuman and degrading punishment. Moreover, its enhanced discriminatory nature on the basis of ethnicity, race, religion or belief, and gender disproportionately affects persons in vulnerable situations. Miscarriages of justice, inevitable in any judicial system, are irreversible. Capital punishment also fails to act as a deterrent to crime.
10. The EU will continue its long-standing campaign against the death penalty, including within the OSCE. We call on the two participating States that still maintain the death penalty in law and in practice, as well as on relevant OSCE Partners for Cooperation, to introduce a moratorium on executions as a first step towards abolition.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO*, SERBIA*, ALBANIA*, UKRAINE and REPUBLIC OF MOLDOVA, the Potential Candidate Country BOSNIA and HERZEGOVINA*, the EFTA country ICELAND,

member of the European Economic Area, as well as ANDORRA, MONACO and SAN MARINO align themselves with this statement.

* Republic of North Macedonia, Montenegro, Serbia, Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.