



REPRESENTATION PERMANENTE DE LA FRANCE
AUPRES DE L'O.S.C.E

Working session 15 “Rule of law II, including: Exchange of views on the question of abolition of capital punishment; Prevention of torture; Protection of human rights and fighting terrorism”

France’s statement

Translated from the French

I back the declaration of the European Union.

1) The campaign against the death penalty is a long-term struggle but it is a universal cause that is winning. The resolutions adopted by the United Nations General Assembly in recent years confirm this trend: the majority of United Nations Member States support the establishment of a universal moratorium. In December 2012, the Assembly General’s biennial resolution calling for a universal moratorium on the death penalty was adopted by an ever more ample majority (111 votes for, 41 against and 34 abstaining).

In March 2013, France, which launched in October 2012 a universal campaign for abolition of the death penalty, tabled along with Benin, Costa Rica, Moldova and Mongolia an initiative at the Human Rights Council.

In June, the World Conference Against the Death Penalty, organized by the association "Together Against the Death Penalty" (ECPM) in Madrid and sponsored by France, Spain, Switzerland and Norway, demonstrated that global awareness is growing on all continents, regardless of the type of political regime, the level of development, or cultural heritage.

On 27 September, alongside the United Nations General Assembly ministerial week in New York, several regional organizations met during a side event organized by France, Benin, Costa Rica and Mongolia, and reiterated their commitment to the advancement of death penalty abolition.

2) The OSCE, which has made human dignity one of its core values, should not trail behind in this struggle. The use of the death penalty is contrary to all the values of the human dimension.

The leaders of countries still applying the death penalty have a particular responsibility. They need to lead from the front with regard to their public opinions. To refuse to publicly stand against the death penalty for fear of public opinion is, as Robert Badinter would say, “to fan the flames of collective distress and deny public opinion the defence of reason”. In reality, no research or study has ever established any sort of correlation between the presence or absence of the death penalty and a change in the number of bloody crimes. And moreover, “to use the death penalty against terrorists is, for a democracy, to adopt their values”. It should be recalled that international criminal justice does not provide for the death penalty even for criminals guilty of the worst atrocities.

To take up what our Minister of Foreign Affairs said during the Madrid Congress on this subject, “not only do politicians need courage, but this is also a field where the courage of politicians pays off and it is recognized, several years later, that they were right.”

3) It is essential that the ODIHR maintain this debate with the authorities of countries that have not abolished capital punishment and with civil society, highlighting the inhumane aspects of the death penalty, discussing criminal proceedings leading to it and recalling the content of international instruments concerning the abolition of this ultimate punishment.

We call upon all States employing the death penalty to observe a moratorium and launch reflection on this cruel and inhumane punishment.