



EU PRESIDENCY

19 September 2005

**EU PRESIDENCY
3100 Massachusetts Avenue, NW
Washington DC**

Governor Mitch Daniels
Office of the Governor
Indianapolis
Indiana 46204-2797

Dear Governor Daniels

CASE OF MR ALAN MATHENY

The European Union has learned that Mr Alan Matheny is to be executed in the State of Indiana on 28 September 2005. On behalf of the European Union, the United Kingdom, as the current Presidency, together with Austria, the subsequent Presidency, and the European Commission would like to make an urgent humanitarian appeal to spare the life of Mr Alan Matheny.

The European Union opposes the death penalty in all cases and accordingly aims at its global abolition, seeking a global moratorium on the death penalty as a first step. The European Union considers that in those countries which have not yet abolished the death penalty, this penalty should not be imposed on persons suffering from a severe mental disorder. Mr Matheny has a long history of severe mental illness. He has been diagnosed with schizophreniform disorder and a severe paranoid personality disorder with psychotic delusions. The EU notes that doctors have assessed that these conditions completely impair his perception of reality.

The EU strongly believes that the execution of persons suffering from a mental disorder is contrary to widely accepted human rights norms and in contradiction to the minimum standards of human rights set forth in several international human rights instruments. Among these are United Nations Economic and Social Council (ECOSOC) resolution 1989/64 of 24 May 1989 on the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty as

well as Resolution 2005/59 adopted by the last session of the United Nations Commission on Human Rights. This resolution specifically urges all states still maintaining the death penalty "not to impose the death penalty on a person suffering from any mental or intellectual disabilities or to execute any such person".

We therefore respectfully urge you, Governor, as we have also urged the members of the Board of Paroles of Indiana, to take these factors into account and to exercise all the powers vested in your office to grant Mr Matheney relief from the death penalty.

Sincerely

Sir David Manning
Ambassador of the
United Kingdom

Eva Nowotny
Ambassador of
Austria

John Bruton
Ambassador, Head of
Delegation of the
European Commission

