



EU PRESIDENCY  
4200 Linnean Avenue NW  
Washington DC 20008

November 19, 2004

Secretary of the Board  
Board of Pardons  
333 Market Street, 15th Floor  
Harrisburg, PA 17126-0333

Distinguished Members of the Board,

The European Union has learned that Mr. George Banks is to be executed in the State of Pennsylvania on 2 December, 2004. On behalf of the European Union, The Netherlands, as the current Presidency, together with Luxembourg, the subsequent Presidency, and the European Commission would like to make an urgent humanitarian appeal to spare the life of Mr. George Banks.


The European Union opposes the death penalty in all cases and accordingly aims at its universal 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 capital punishment, this penalty should not be imposed on persons suffering from a mental disorder. Mr. Banks has a long history of severe mental illness. He has been diagnosed with paranoid psychosis and was hospitalised for evaluation prior to his arrest for capital murder.


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 them 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 2004/67 adopted at 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 form of mental disorder or to execute any such person."

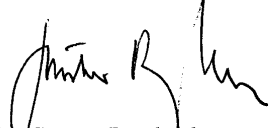
The European Union appreciates that the State of Pennsylvania upheld a *de facto* moratorium for more than 5 years. We would regret if this moratorium were terminated with the execution of Mr. George Banks.

We therefore respectfully urge you, distinguished Members of the Board of Pardons of Pennsylvania, as we have also urged Governor Rendell, to take these factors into account and to exercise all the powers vested in your Board to grant Mr. Banks relief from the death penalty.

Sincerely,

  
Boudewijn Van Eenennaam  
Ambassador of  
the Netherlands

  
Arlette Conzemius  
Ambassador of  
Luxembourg

  
Dr Guenter Burghardt  
Ambassador, Head of Delegation  
of the European Commission