

Rt Hon Theresa May MP
The Prime Minister
10 Downing Street
London SW1A 2AA

10 October 2018

Dear Prime Minister,

The death penalty

We are writing to request a meeting with you to discuss the UK government's recent decision not to seek assurances from the US government against the use of the death penalty.

Our government has a long-established position to oppose the death penalty in all circumstances. We should rightly be proud that our national strategy to promote abolition abroad was one of the first of its kind. A fundamental principle of this strategy is that this country must refrain from assisting in the use of the death penalty and from being complicit in executions.

The position of this country in opposing capital punishment is clear, principled and has been adopted by all political parties. This principle has manifested itself in policies not to extradite individuals without assurances that the death penalty will not be imposed, and it has led to successive governments imposing export controls on the materials used in executions. It is therefore astonishing that the government has reneged on this stance on this occasion.

We note the statements made in the House of Commons by Ben Wallace MP on 23 July 2018 that in deciding not to seek death penalty assurances from the US government the UK consulted its Overseas Security and Justice Assistance Guidance (OSJA). The failure of the OSJA policy to prevent this kind of action suggests the policy is inadequate, and again highlights the question recently raised by the Home Affairs Committee as to "whether the Overseas Security and Justice Assistance guidance is fit for purpose".

Mr Wallace's statement and the lack of action to seek assurances against the death penalty call into question the UK government's sincerity and integrity in upholding international human rights. It also strikes a blow in practical terms against efforts to eradicate the death penalty.

As a matter of principle we must respect and uphold human rights. The prohibition on the death penalty is absolute and there should be no circumstances in which the UK may be complicit in legitimising its application. This principle is universal and we seek an assurance from you that it will be applied in all instances, irrespective of the nature of the request for British assistance and irrespective of nationality, including in cases where the person in question is stateless.

Yours sincerely,

Frances Crook

Frances Crook, Chief Executive, Howard League for Penal Reform
Kate Allen, Director, Amnesty International UK
Lord Carlile of Berriew CBE, QC
Andrea Coomber, Director, JUSTICE
Ben Emmerson QC, Matrix Chambers
Professor Carolyn Hoyle, University of Oxford
Parvais Jabbar, Co-Executive Director, Death Penalty Project
Dr Bharat Malkani, Senior Lecturer, School of Law and Politics, Cardiff University
Dr Mai Sato, University of Reading
Professor William A. Schabas, Middlesex University
Dr Lizzie Seal, Reader in Criminology, University of Sussex
Corey Stoughton, Acting Director, Liberty
Professor Jon Yorke, Director of the Centre for Human Rights, Birmingham City University