

WRITTEN QUESTION E-3106/08
by Ashley Mote (NI)
to the Commission

Subject: Is the death penalty in the Lisbon Treaty or not?

Can the Commission please clarify the confusion that has arisen over the inclusion, or not, of the death penalty in the Lisbon Treaty?

Professor Schachtschneider, Humanities Faculty, University of Nuremberg, has been quoted in a recent issue of *Executive Intelligence Review* saying that the Lisbon Treaty re-introduces the death penalty.

Since the Italian government has been trying to have the death penalty abolished worldwide through the United Nations, were they aware of this fact when they signed the Lisbon Treaty? And does the Commission agree that, depending on the answer to this question, the Italian Parliament might take an even more sceptical view of the Lisbon Treaty than it has already?

Is the Commission aware that confusion over the re-introduction of the death penalty arises from the fact that the references are in footnotes to footnotes, the last one of which says that the death penalty would be available 'in the case of war, riots, upheaval'?

Given the curious, almost clandestine, way in which the death penalty has featured, can the Commission please define 'riots and upheaval'? Who will decide? Would strikes, protests on the streets, even votes in national parliaments against continuing membership of the EU be categorised as 'upheaval'?

Is the Commission finally coming to fear the manner of its going?

If not, why slide the death penalty into the Lisbon Treaty in such an extraordinary and underhand way that it has taken academics many weeks to uncover?