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USA: Amnesty International's Secretary General to meet condemned prisoners in Texas

Amnesty International's Secretary General, Pierre Sané, will tomorrow tour the death row in Texas, Ellis Unit 1, which houses the State's 440 condemned men. It is the first time the human rights organization's top official member has visited a death row.

"I have not come to Texas today to excuse the crimes for which these men are imprisoned," Mr Sané said, "but for the state of Texas to take their lives by judicial murder is horrific. These men are still our fellow human beings and should be allowed to maintain their most fundamental right -- the right to their lives."

As most of the world turns its back on executions, Texas is increasing its pace of killing at an alarming rate. By far the highest number of executions in the USA take place in Texas. To date, 137 of the 415 executions in the USA took place in the state; 30 of the 57 executions carried out in 1997 took place in Texas.

Amnesty International is appalled that Texas shows no sign of slowing the pace of executions. On 8 October Rickey Green is scheduled for execution, followed by Kenneth Ransom on 28 October and Aua Lauti on 4 November.

"The conveyor belt of death in Texas must stop," Mr Sané said. "It is time for Texas to stop the killing."

This is in contrast to the majority of the world's countries which have now ceased to execute their own citizens. In the past 20 years 20 countries have abolished capital punishment including South Africa, Hungary and Paraguay. Many other nations have made commitments to stop the killing.

Amnesty International also remains extremely concerned with the standard of legal representation provided to many of those on death row at their original trial.

"There can be no more serious act of government than the deliberate killing of a human being. Yet the state of Texas has taken the lives of 137 of its citizens after, in many cases, providing them with pitifully low standards during the trial and appeal process. Even to the point when the defending lawyer slept during the trial," Mr Sané said.

Texas death row inmate George McFarland was represented by a lawyer who slept during the trial. Judge Doug Shaver, who presided over McFarland's trial, later stated: "*The Constitution says everyone's entitled to the attorney of their choice. The Constitution doesn't say the lawyer has to be awake*". McFarland remains on death row.

The attorney of Jesus Romero, when pleading that the jury should not impose a death sentence, made one simple, inadequate statement: *“You are an extremely intelligent jury. You’ve got a man’s life in your hands. You can take it or not. That’s all I have to say”*. Romero was executed in Texas in 1992.

During his visit Pierre Sané has requested to meet with juvenile offender Robert Carter and Mexican national Cesar Fierro.

Robert Carter was sentenced to death for a crime committed when he was 17-years-old. The USA is one of only five countries known to have executed juvenile offenders in the past 10 years (the other four are Iran, Pakistan, Saudi Arabia and Yemen). The USA is one of two states that have not ratified the United Nations Convention on the Rights of the Child, which forbids the execution of those under 18 at the time of the offence. The other country is Somalia.

Details of cases

Robert Carter was sentenced to death after his attorney had failed to inform the jury of many of the mitigating factors such as his *“significant mental retardation”* or his extremely impoverished and abusive upbringing. When calling for a death sentence, the prosecuting attorney described life imprisonment as a *“slap on the wrist”* and stated *“doesn’t it say a lot about Mr Carter’s probability to do violence when nobody can come forward to say a good word about him except his mother”*. Robert Carter’s defence lawyers had failed to call any character witnesses except his mother even though many were available. The jury took just 10 minutes to decide upon a sentence of death.

César Fierro, a Mexican national, was convicted and sentenced to death on the basis of the testimony of a 16-year-old criminal who admitted he had psychological problems and a confession coerced from Fierro by threatening his mother (who was in custody with the Mexican police) with torture. César Fierro, as a citizen of Mexico, was entitled under the Vienna Convention on Consular Relations (1963) to be informed that he had the right to contact the Mexican Embassy and ask for assistance. The Texas authorities failed to inform him of this right.

The USA ratified, without reservations, the Vienna Conventions in 1969. However, in the case of Mexican national Irineo Montoya, executed by Texas on 18 June 1997, the authorities claimed that, as it was not actually Texas that signed the Convention (the Federal government has responsibility for the ratification of international law) it was not bound by it.

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A press conference will be held immediately following the visit at 1.00 pm local time outside Huntsville prison.