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Further information on EXTRA 85/00 (AMR 51/174/00, 14 November 2000) - Death penalty / Legal concern

USA (Federal) Juan Raul Garza, Hispanic, aged 44

On 7 December, President Clinton stayed Juan Raul Garza's execution, scheduled for 12 December 2000. Juan Garza was set to become the first federal prisoner to be executed in the USA since 1963.

In a statement, President Clinton said that he had stopped the execution for six months, until June 2001, "to allow the Justice Department time to gather and properly analyze more information about racial and geographic disparities in the federal death penalty system".

On 12 September, the US Justice Department released the findings of its review of the federal capital justice system. Its statistics showed widespread geographical and racial disparities in the application of the federal death penalty.

While Amnesty International welcomes the fact that Juan Garza will not be killed on 12 December, the organization regrets that President Clinton did not find the political courage to commute the death sentence and declare a moratorium on executions. In effect, he has simply shunted the decision on the first federal execution on to his successor (see Amnesty International news release, *President Clinton passes the buck on federal execution*, AMR 51/183/00, 8 December).

On 3 November, Amnesty International had sent President Clinton a 43-page memorandum, setting out the organization's concerns regarding both the federal death penalty and the federal government's responsibility when states apply the death penalty in violation of international standards. (See *Memorandum to President Clinton - An appeal for human rights leadership as first federal execution looms* (AMR 51/158/00), available with an open letter to President Clinton (AMR 51/164/00) on www.amnesty.org). The memorandum gave detailed recommendations, including commutation of all federal death sentences and a moratorium on federal executions. The President has not yet replied to Amnesty International.

In his 7 December statement, President Clinton reiterated his support for the death penalty, and indicated that he was opposed to a moratorium. He has asked that the Attorney General report to the President by the end of April 2001 on the Justice Department's analysis of the racial and geographic disparities apparent in the federal capital justice system.

No further action by the UA Network is requested. Many thanks to all who sent appeals.