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Execution of Child offenders: Time to end a shameful practice

The execution of people for crimes committed when they were children must finally be consigned to history, Amnesty International said today as it launched a two-year action aimed at stopping such executions by the end of 2005.

"International developments towards outlawing the death penalty for child offenders makes us believe that our aim is within reach", Amnesty International said.

Child offenders are people convicted of crimes committed when they were below the age of 18. In a report issued today, Amnesty International documents executions of such offenders in eight countries since 1990: China, the Democratic Republic of the Congo, Iran, Nigeria, Pakistan, Saudi Arabia, the United States of America, and Yemen. Most of these countries have now changed their laws to ban the use of death penalty against children, leaving the USA as the only country which openly acknowledges executing child offenders and which claims for itself the right to do so.

"The USA promotes itself as global human rights champion, yet it accounts for 13 of the 19 known executions of child offenders reported since 1998" Amnesty International continued, "As other violators drop away, the United States could be said to be the least progressive country in the world on this issue."

Three more prisoners -- Edward Capetillo, Raul Villarreal and Efrain Perez -- are scheduled to be executed in the United States before the end of June for crimes committed when they were 17.

In a second report issued today, Amnesty International highlights the case of Nanon Williams, on death row in the USA for a crime committed when he was 17. His case also illustrates wider problems in US capital cases, including inadequate defence representation and the state's use of unreliable evidence. Amnesty International is calling for Nanon Williams to be granted a new trial to answer the doubts about his guilt that have arisen since the trial. This time, in line with international law, the death penalty should not be an option.

The Inter-American Commission on Human Rights has concluded that the prohibition on the execution of child offenders has become a norm of jus cogens, binding on all countries, and equivalent to the ban on torture and genocide. A recent meeting of Nobel Peace laureates described the execution of child offenders as "unconscionable". Four US Supreme Court Justices, one short of a majority, have said that the execution of people who were under 18 at the time of the crime is a "shameful practice" and a "relic of the past".

Characteristics of youth such as immaturity, impulsiveness, poor judgment, susceptibility to peer pressure, and a vulnerability to the domination or example of elders, together with a young person's capacity for rehabilitation and change, lie behind the global ban on the use of the death penalty for the crimes of children. Scientific evidence indicates that brain development continues into a person's 20s.

"Killing child offenders is to kill hope for the future. Almost every country in the world has abandoned this counsel of despair. The minority must be persuaded that they are operating on the wrong side of history". Amnesty International concluded.

Background information

A long-standing principle of international law prohibits the use of the death penalty against child offenders, those who were under 18 years old at the time of the crime. Today, 192 countries have ratified the UN Convention on the Rights of the Child, one of the treaties which ban such executions.

Since 1990, there have been 34 executions of child offenders recorded worldwide in eight countries, 19 of them in the USA. Of the eight countries, Yemen, Pakistan and China have now abolished this use of the death penalty, although there are still some problems in enforcing the law in the latter two. A bill raising the minimum age for the imposition of the death penalty to 18 was approved by the Iranian parliament in December 2003 and is now awaiting approval by the country's Council of Guardians. The Democratic Republic of the Congo has abolished the special military courts that resulted in a child being executed in 2000. Amnesty International has not recorded any such executions in Saudi Arabia since 1992 or in Nigeria since 1997. Child offenders also remain under sentence of death in the Philippines and Sudan.

For more information on Amnesty International action against the death penalty on child offenders, please see:

Stop Child Executions! Ending the death penalty for child offenders:
<http://web.amnesty.org/library/Index/ENGA500012004>

Dead Wrong: The case of Nanon Williams, child offender facing execution on flawed evidence:
<http://web.amnesty.org/library/Index/ENGAMR510022004>.

USA: Evolving standards of decency: <http://web.amnesty.org/library/Index/ENGAMR510032004>

Amnesty International web site on death penalty: <http://web.amnesty.org/pages/deathpenalty-index-eng>

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