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**BY FAX ONLY**

The Honourable George W Bush  
Governor of Texas  
USA

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24 January 2000

Dear Governor

On behalf of more than one million Amnesty International members across some 100 countries, I am writing to you in your capacity not only as a Governor who took office on a promise to make Texas a "beacon" state, but also as a presidential contender in a country which claims to be a shining light for human rights in the world.

There is indeed no doubt that in the next few hours, a spotlight of an international nature will be focussed on the USA -- specifically on your office, and the power invested in you to reprieve those condemned to death in Texas. After those hours have passed, citizens and governments across the world will be able to make their own assessment of the respect for global human rights standards held, not only by the highest executive officer of an individual US state, but also by a potential future leader on the world stage.

Tomorrow, 25 January 2000, Glen Charles McGinnis is scheduled to be put to death in Texas for shooting dead a 30-year-old woman named Leta Ann Wilkerson when he was 17 years old. Amnesty International does not seek to excuse that crime or belittle the suffering it has caused Ms Wilkerson's relatives and friends. It seeks only that your state comply with international law and global standards of justice.

There exists an unequivocal international legal and moral consensus prohibiting the execution of child offenders -- those who commit crimes when under 18 years old. However heinous the crime, the execution of a child offender, which denies the possibility of rehabilitation or reform, is contrary to contemporary standards of justice and humane treatment. The ban on the use of the death penalty against child offenders commands such widespread respect in all corners of the globe that it has become a principle of customary international law, binding on all jurisdictions in all countries, regardless of which international treaties those countries have or have not ratified, and regardless of any conditions attached to those ratifications.

The statistics speak for themselves, and show the United States to be almost alone in executing people for crimes they committed as children. Since 1990, 22 child offenders are known to have been executed in the world. Twelve of these executions were carried out in the USA. The other 10 were carried out in Iran, Nigeria, Pakistan, Saudi Arabia and Yemen. Yemen has since abolished this use of the death penalty, as did China in 1997 in order that it be in compliance with its international treaty obligations.

Since October 1997, the known total of child offenders executed in the world is seven. Six were of these executions were carried out in the United States. The other took place in Iran. If Glen

McGinnis is executed, Texas will join the Commonwealth of Virginia and the Islamic Republic of Iran as the only three jurisdictions in the world known to have executed three child offenders in the past decade.

Amnesty International notes that as recently as last week, your spokesperson, Linda Edwards, told the *Dallas Morning News* that you believe the death penalty to be a deterrent. Yet the universally recognized characteristics of children -- immaturity, impulsiveness, lack of self-control, poor judgement, and a vulnerability to the domination or example of elders -- render any intended goals of deterrence or retribution inapplicable in their case. It is recognition of this, coupled with the understanding that a child has a greater capacity for change, which motivates the internationally accepted principle that children must never pay for their crimes with their lives.

We further note last week's statement by US Attorney General Janet Reno in which she said: "I have inquired for most of my adult life about studies that might show the death penalty is a deterrent. And I have not seen any research that would substantiate that point." If she is right, which Amnesty International strongly believes that she is, and the death penalty does not even deter adults from committing capital crimes, how can it possibly do so for children?

In a speech you made in March last year to the *Right Choices for Youth Conference* in Austin, you said that "we know society must do a better job at teaching values. Our children need the strong foundation of values to make the right choices in life and achieve their greatest potential." Amnesty International respectfully asks you: how will killing Glen McGinnis help to teach other children the value of life?

At the youth conference, you also said that "the strength of society must be measured by the values its people share". Amnesty International urges you to place that sentiment into a global context. The citizens of the world, as expressed through the international agreements entered into and overwhelmingly acted upon by their governments, have established a shared value, namely that it is both ineffective and unjust to write off the lives of children who commit crimes, no matter how shocking those crimes are.

In this first month of the 21<sup>st</sup> century, this universally held value goes to the very heart of a modern definition of compassion, a word by which you have chosen to characterize both your governorship and your presidential challenge. We urge you to exercise the leadership required to give that word genuine meaning for Glen McGinnis by stopping his execution.

Yours sincerely

Pierre Sané  
Secretary General

