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USA under the international spotlight as two more executions due on Tuesday

Halting the two executions -- one federal, one state -- scheduled for next Tuesday would present an opportunity for the USA to begin to remedy the damage done to its international reputation, Amnesty International said today.

"The continuing protests during President Bush's European visit show how the USA's use of the death penalty is tarnishing the country's international image," the organization added, noting how this was also recently acknowledged by US diplomats.

"Judicial killing in the USA is once again under a global spotlight," Amnesty International said. "Here are two more chances for US officialdom to show that their country's claims to be world human rights champion are more than just empty rhetoric."

Juan Raul Garza is set to become the second federal prisoner put to death by the US Government in eight days, despite a decision by the Inter-American Commission on Human Rights that his execution would be a "deliberate and egregious" violation of US obligations under international law. The IACHR cited unfair evidence introduced at the 1993 trial which resulted in an "arbitrary and capricious" death sentence.

The case also raises once again the question -- posed last year by US government statistics -- of whether race, ethnicity, or the location of a crime are factors determining who receives a federal death sentence. Juan Garza is a Mexican-American man prosecuted in one of the handful of jurisdictions accounting for the vast majority of federal capital prosecutions.

"The Attorney General is giving out contradictory signals, giving the green light for Juan Garza's execution on the one hand and on the other ordering further studies into the question of bias, the results of which could yet benefit Garza," Amnesty International said

A report published last week by the Justice Department -- widely criticized for its substance and timing -- claimed no racial bias exists in the federal capital justice system. However, yesterday, a Senate subcommittee was told that a comprehensive study would be conducted into the question of the widespread disparities in the system.

"The government can't have it both ways," Amnesty International continued. "Either the system is fair or it is not. If there are any doubts about its evenhandedness, the execution of Juan Garza would be an unconscionable act."

Gerardo Valdez, a Mexican national on death row in Oklahoma, is also due to be put to death on Tuesday 19 June. As with most of the more than 90 foreign nationals on death row in the USA, he was denied his rights to consular assistance after arrest.

"The Oklahoma parole board has urged Governor Frank Keating to commute this death sentence, and his legal advisors are reported to have acknowledged the treaty violation in the case," Amnesty International said, noting that the Mexican government and the European Union have also intervened.

"The Governor must do the right thing and grant clemency to Gerardo Valdez. President Bush must do likewise in the case of Juan Garza."

Another man, Jay Scott, is scheduled for execution tonight in Ohio despite the undisputed fact that he suffers from paranoid schizophrenia. In the past two months Jay Scott has twice come minutes from execution. Amnesty International has been appealing for the execution to be stopped, this time permanently. The UN Commission on Human Rights has repeatedly called on countries not to use the death penalty against people who suffer "from any form of mental disorder".

Background

The issue of consular rights for foreign nationals in the US capital justice system was brought before the International Court of Justice by Germany last year following the execution of two German nationals. The Court is due to rule on the case shortly.

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