

20 June 2001

Further information on EXTRA 29/01 (AMR 51/074/2001, 23 May 2001) - Death penalty / Legal concern**USA (Federal) Juan Raul GARZA, Latino, aged 44**

On 19 June, Juan Raul Garza became the second federal prisoner to be executed in the USA in eight days. President George W. Bush had denied clemency the previous day.

The execution went ahead despite a call from the Inter-American Commission on Human Rights to commute Raul Garza's death sentence because the government had used improper evidence at the trial (see original EXTRA). The Commission sent an urgent communiqué to the US Government on 14 June reminding it that "the United States will perpetrate a grave and irreparable violation of the fundamental right to life under Article 1 of the American Declaration, should it proceed with Mr Garza's execution...".

On 6 June, less than two weeks before the execution, the Justice Department released a supplementary report to its September survey on the federal death penalty system. The September survey had revealed widespread racial and geographic disparities in federal capital sentencing. Although the 6 June supplement offered no serious analysis of these troubling statistics, Attorney General John Ashcroft used it to declare that the federal death penalty was free of bias and that the execution of Juan Garza could go ahead. However, the Justice Department has at the same time announced that a study of the disparities will be carried out.

Amnesty International is deeply saddened that the US Government has allowed the execution of a man whose case raised the very issues that the study that has now been announced is to examine. Once again US authorities have shown themselves to be contemptuous of international standards, and willing to sacrifice fairness for finality in their relentless pursuit of judicial killing.

In a 19 June editorial, printed before the execution, the *New York Times* wrote: "The fact that the government refused to postpone this execution until it had completed a long-overdue review of racial and geographic disparities in the administration of the federal death penalty is indefensible. The Justice Department pledged last week to complete the study, but neither Attorney General John Ashcroft nor the president seems willing to delay Mr. Garza's execution. Instead they appear content to execute a defendant under a system whose fairness they are still reviewing." The editorial noted that the death penalty "increasingly makes the United States a pariah among the world's democracies."

For further information, see *USA under the international spotlight as two more executions due on Tuesday*, AMR 51/085/2001, 14 June; *Open letter to the US Attorney General concerning the imminent execution of Juan Raul Garza*, AMR 51/088/2001, 15 June; and *USA: Second federal execution in eight days as fairness is sacrificed for finality*, AMR 51/090/2001, 19 June 2001.

Juan Raul Garza becomes the second federal prisoner executed since the USA resumed judicial killing in 1977. He was also the 37th prisoner executed in the United States this year, and the 720th executed nationwide since 1977.

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