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## **USA: As President Bush visits China, he should reflect on an execution looming at home**

*During President Bush's current visit to China, where earlier today he said that "no nation is exempt from the demands of human dignity", he should reflect upon the fact that an execution due in his own country next week would be illegal in China and would not occur in most nations of the world, Amnesty International said today.*

*Alexander Williams is scheduled for lethal injection on Monday in Georgia for a crime committed when he was 17 years old. International law prohibits the execution of child offenders -- people who were under 18 at the time of the crime. Although China accounts for a majority of the world's executions each year, it abolished the death penalty for child offenders in March 1997 in line with its treaty obligations.*

*"Since that date, the USA has continued to ignore its international obligations on this fundamental human rights issue", Amnesty International said, noting that the USA has executed nine child offenders, 60 per cent of the known world total, in the past five years.*

*Before he left for China, President Bush told his country that he would urge the Chinese authorities to "embrace the universal demands of human dignity...and the rights and value of every life".*

*"In the coming days President Bush should turn that sentiment towards preventing an execution in the USA which would flout commonly held standards of justice and decency", Amnesty International said. The organization wrote to President Bush yesterday calling on him to intervene in the case of Alexander Williams.*

*"The affront to international standards does not stop at the question of Alexander Williams's age", the organization continued. "He was denied his right to adequate trial representation, and he suffers from serious mental illness for which he has been forcibly medicated on death row."*

*Alexander Williams was scheduled to be executed yesterday. He was granted a stay until 25 February by the Georgia Board of Pardons and Paroles in order that they could have more time to consider the case. Such a reprieve is a rare event in Georgia, which has executed five prisoners in the past four months.*

*"The Board members are evidently feeling the pressure to do the right thing", Amnesty International said. "An appeal for clemency from the President of their country would carry great weight and could be just what is needed to give them the courage to commute this death sentence".*

### **Background information**

*Alexander Williams was represented at trial by a lawyer who failed to investigate the substantial mitigating evidence available. In 2000, five of the surviving eight trial jurors signed affidavits saying that if they had been presented with evidence of Alexander Williams's mental illness and history of childhood abuse they would not have voted for the death penalty.*

*Williams's mental illness, including paranoid schizophrenia, has worsened during his 15 years on death row. An appeal pending before the US Supreme Court argues that Alexander Williams has been rendered "synthetically sane" by forcible medication. The execution of the insane is unconstitutional in the USA.*

*The United Nations High Commissioner for Human Rights, Mary Robinson, yesterday appealed for Alexander Williams's death sentence to be commuted. Her urgent appeal follows those of two UN Special Rapporteurs, the Inter-American Commission on Human Rights, the European Union and the Council of Europe. There have been many calls for clemency from inside the USA also, including from the Children's Defense Fund, the National Alliance for the Mentally Ill and the American Bar Association.*

*Amnesty International has documented 15 executions of child offenders in the world since March 1997: nine in the USA, one in the Democratic Republic of Congo, three in Iran and two in Pakistan. President Musharraf of Pakistan told Amnesty International in December that he would commute the death sentences of all child offenders on death row in his country.*

*The letter to President Bush can be viewed at:*

<http://web.amnesty.org/ai.nsf/recent/amr510382002>

*The report "USA: Crying out for clemency: The case of Alexander Williams, mentally ill and on death row" can be viewed at:*

<http://web.amnesty.org/ai.nsf/Index/AMR511392000?OpenDocument&of=COUNTRY>

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW web : <http://www.amnesty.org>

AMR 51/038/2002

### **Letter to President Bush**

George W Bush Ref.: TG AMR 51/2002.28

The President

The White House

Office of the President

1600 Pennsylvania Avenue

Washington, DC 20500

USA 20 February 2002

Dear Mr President

I am writing to draw your urgent attention to the case of Alexander Williams, who is facing execution in Georgia in violation of international law. He was due to be put to death this evening, but yesterday the state Board of Pardons and Paroles issued a stay of execution to allow it more time to consider the case. The execution is now scheduled for 25 February. Amnesty International urges you to take the opportunity opened up by this reprieve to make an intervention in this case in the interests of justice and decency, and the reputation of your country.

Alexander Williams was 17 years old at the time of the crime -- the murder of 16-year-old Aleta Carol Bunch in 1986. International law prohibits the use of the death penalty against child offenders -- people who were under 18 at the time of the offence. This principle is enshrined in the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. In August 2000, the United Nations Sub-Commission on the Promotion and Protection of Human Rights affirmed that the imposition of the death penalty on those aged under 18 at the time of the commission of the offence is contrary to customary international law. It is a principle that is almost universally respected outside the United States.

In your Radio Address to the Nation on 16 February, in anticipation of your visit to China on 21 and 22 February, you stated that you would be expressing your hope to the Chinese government that their country will embrace the universal demands of human dignity... and the rights and value of every life. It is perhaps an appropriate moment then, as you visit China in the days leading up to Alexander Williams's scheduled execution, to reflect upon the USA's shameful record on the use of the death penalty against child offenders. China, which accounts for the majority of the world's judicial executions each year, amended its Criminal Law in March 1997 to abolish the use of the death penalty against defendants who were under 18 at the time of the crime. It was a step that left your country yet more isolated on this fundamental principle of international human rights law and placed an even greater obligation on the US Government to ensure that the United States makes the same move.

However, since China amended its law in this way, the USA has accounted for nine of the 15 executions of child offenders known in the world during this period. Three of the other documented executions were carried out in Iran, one in Democratic Republic of Congo, and two in Pakistan. In December last year, President Musharraf announced to Amnesty International that he would commute the death sentences of all child offenders on death row in his country in line with legislation enacted in 2000 abolishing this use of the death penalty.

While Amnesty International recognizes that you do not have the same power of commutation in relation to condemned prisoners in individual US states, we have little doubt that an appeal for clemency from you to the Georgia authorities would carry great weight.

Amnesty International also draws your attention to the fact that Alexander Williams has been diagnosed with serious mental illness since he has been on death row, including paranoid schizophrenia. He has been forcibly medicated with anti-psychotic drugs, which raises serious questions of medical ethics and doubts about whether he would be considered legally sane in the absence of such medication. In any event, his execution would fly in the face of repeated resolutions by the United Nations Commission on Human Rights

calling on retentionist countries not to impose the death penalty, or carry it out, on anyone suffering from Aany form of mental disorder@.

At his trial, Alexander Williams was represented by a lawyer who failed to investigate substantial mitigating evidence to present to the jury. In 2000, five of the surviving eight jurors from the trial signed affidavits saying that if they had been presented with evidence of Alexander Williams=s mental illness and history of abuse they would not have voted for imposition of the death penalty.

We submit that once again the human rights reputation of your country is at stake as a result of its violation of international standards in pursuit of the death penalty. This particular case has led to widespread international concern. Earlier today, the United Nations High Commissioner for Human Rights, Mary Robinson, called for Alexander Williams=s death sentence to be commuted. She pointed to his age at the time of the crime, as well as the evidence of his mental illness and of his inadequate legal representation. Her statement followed earlier appeals from the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the UN Special Rapporteur on the independence of judges and lawyers.

The Inter-American Commission on Human Rights has issued Aprecautionary measures@ to your administration calling for the execution of Alexander Williams not to go ahead until the Commission has examined the case.

In addition, on 15 February, the Secretary General of the Council of Europe appealed to the Board to halt the execution Ain the name of human decency@. His appeal came a day after the European Union called for clemency.

We urge you to make a clear and public intervention in this case by urging the Georgia authorities to commute the death sentence of Alexander Williams.

Yours sincerely

For Irene Khan, Secretary General

