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USA: Killing hope, confirming hypocrisy - Texas executes another child offender

The execution of Napoleon Beazley last night in Texas for a crime he committed when he was 17 starkly demonstrates the cruel and arbitrary nature of the death penalty, and the arrant hypocrisy of the USA's claims to be the world's most progressive force for human rights, Amnesty International said today.

"International law respected across the world unequivocally prohibits the use of the death penalty against child offenders -- people who were under 18 years old at the time of their crimes," Amnesty International said. "What makes Napoleon Beazley's execution all the more appalling is that it took place in the same month that the USA described itself at the United Nations as 'the global leader in child protection'," the organization added.

Napoleon Beazley's lawyer had appealed for a stay of execution -- in the courts and to the Governor of Texas -- pending an imminent ruling by the US Supreme Court on whether "standards of decency" in the USA have evolved to the extent that executing people with mental retardation is now unconstitutional. If the Court rules that such a national consensus has emerged, it could undermine its 1989 decision allowing child offenders to be put to death and lead to a ruling that a national consensus also exists against the execution of child offenders.

Texas was not prepared to wait. Refusing to intervene, Governor Rick Perry stated: "To delay his punishment would be to delay justice". "In so doing he ensured that the international illegality of the execution would be compounded with a further twist of extreme arbitrariness," Amnesty International said.

Yesterday, shortly before Napoleon Beazley was killed, the Missouri Supreme Court stayed the execution of Christopher Simmons, which had been set for next week. Simmons, like Beazley, was sentenced to death for a crime committed when he was 17. The Missouri court issued the stay pending the Supreme Court decision on the mental retardation issue, on the same argument developed by Napoleon Beazley's lawyer.

"This shows the shocking arbitrariness of the death penalty," Amnesty International said. "One life is spared in Missouri, the other extinguished in Texas. How could this brutal injustice ever be explained to Napoleon Beazley's family?"

Six Nobel Peace laureates were among the tens of thousands of people and organizations who appealed for clemency for Napoleon Beazley. One of them was Archbishop Desmond Tutu, who wrote to the Texas Board of Pardons and Paroles: *"I am astounded that Texas and a few other states in the United States take children from their families and execute them [...] Spare the child. Spare the family. Spare the community. Spare us all the degradation of the death of another child offender, when by opening the hope of a future for him and his family, you give hope to us all."*

"Last night Texas once again chose to kill hope," Amnesty International said, noting the statement of one of the seven Board members who had voted for clemency. On learning of the execution, Board member Paddy Burwell said: "I'm really apprehensive that this is a day we're going to be sorry about for a long time. I just feel like something really wrong has happened".

Background

Napoleon Beazley, an African American convicted by an all-white jury for killing a white man, becomes the 10th child offender to be executed in the USA since 1995. Six of them were killed in Texas. In the same period, seven child offenders were reported to have been executed in the rest of the world combined, three in Iran, two in Pakistan, one in Democratic Republic of Congo, and one in Nigeria. Last year, President Musharraf of Pakistan announced that he would commute the death sentences of all child offenders in Pakistan.

For more information please visit <http://www.news.amnesty.org>:

USA: Too young to vote, old enough to be executed. AMR 51/105/2001, July 2001

USA: In whose best interests? AMR 51/063/2002, 24 April 2002.

USA: Hypocrisy or human rights? Time to choose. AMR 51/075/2002, 15 May 2002

UN General Assembly Special Session on Children. AI news release, IOR 41/017/2002, 14 May 2002.

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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>

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