

10 December 1998

Further information on UA 292/98 (AMR 51/93/98, 10 November 1998) and follow-up (AMR 51/100/98, 1 December 1998) - Death Penalty / Prison Conditions

USA (Oklahoma) Tuan Anh NGUYEN, aged 38, former refugee from Vietnam
John Wayne DUVALL, aged 47
John Walter CASTRO, Native American

Early on 10 December 1998, Human Rights Day, the State of Oklahoma executed Tuan Anh Nguyen, a mentally ill former refugee from Vietnam. It was his 39th birthday and the 50th anniversary of the Universal Declaration of Human Rights (UDHR).

Tuan Nguyen, who has spoken very little over the past few years, reportedly made no special requests for his final meal; nor did he ask for a minister to be by his side in the death chamber. The execution was carried out by lethal injection.

Tuan Nguyen became the 496th prisoner to be put to death in the USA since executions resumed there in 1977 and the 64th person to be executed this year.

John Duvall and John Castro remain scheduled for execution on 17 December and 7 January respectively.

The violation of the UDHR-proclaimed right to life and freedom from cruel, inhuman or degrading treatment or punishment is compounded by conditions in H-Unit, the supermaximum security facility in Oklahoma State Penitentiary where the state's male death row prisoners are held. Amnesty International has described conditions in H-Unit as constituting cruel, inhuman or degrading treatment in violation of international standards.

Inmates with execution dates are transferred to solitary confinement in "high-max" double-doored punishment cells for the 60 days prior to execution, and reportedly subjected to a strip-search and a "shakedown" (full search) of their cell every two to three days.

An action is now also running for another death row prisoner in Oklahoma. Sean Sellers is set to die on 4 February 1999 for crimes committed when he was just 16 years old (see UA 305/98, AMR 51/101/98, 3 December 1998).

Those who wish to may send letters to the Governor expressing regret at Tuan Nguyen's execution. Appeals may also continue on behalf of John Duvall and John Castro by telephone/e-mail/telegram/fax/airmail letters in English or your own language:

- expressing deep concern at the scheduled execution of John Duvall on 17 December and John Castro on 7 January 1999, and urging that their sentences be commuted to more humane alternatives;
- expressing sympathy for the victims of crime and their relatives, but noting that an increasing number of relatives of murder victims in the United States of America are speaking out against the death penalty as brutalizing and unhelpful in coming to terms with the loss of their loved ones;
- noting the world trend away from the death penalty, and pointing out that the 50th anniversary of the Universal Declaration of Human Rights remains an opportune moment for the authorities to take a moral lead in breaking the cycle of violence in the USA and exploring humane alternatives to the death penalty.

APPEALS TO:

(for appeals on John Walter Castro only)

Oklahoma Pardon and Parole Board
4040 N. Lincoln Street, Suite 219
Oklahoma City, OK 73105-5221, USA

Telephone: + 1 405 427 8601

Faxes: + 1 405 427 6648

Salutation: Dear Board Members

(For appeals on both prisoners)

Governor Frank Keating
212 State Capitol
Oklahoma City, OK 73105, USA

Telegrams: Governor Keating, Oklahoma City, OK, USA

Telephone: + 1 405 521 2342

Faxes: + 1 405 521 3353

E-mails: governor@oklaosf.state.ok.us

Salutation: Dear Governor

Appeals may also be written to James Saffle:

- expressing concern that John Duvall and John Castro are being kept in 60-day solitary lockdown in high-max punishment cells, and calling for a reversal of this excessively punitive policy which represents a further deterioration in conditions in H-Unit, in which international standards are already breached.

James L. Saffle
Director, Oklahoma Department of Corrections
PO Box 11400, Oklahoma City, OK 73136, USA

Faxes: + 1 405 425 2578

Salutation: Dear Sir

COPIES TO:

Daily Oklahoman, 9000 North Broadway, PO Box 25125, Oklahoma City, OK 73125, USA.

Faxes: + 1 405 475 3183 / 231 3513

Tulsa World, 315 South Boulder Avenue, Tulsa, OK 74103, USA.

Faxes: + 1 918 581 8353

and to diplomatic representatives of USA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.