

15 August 2001

AI Index AMR 51/120/2001 - News Service Nr. 144

USA: Discriminatory, arbitrary and internationally illegal. Execution of juvenile offender due tonight

Less than 48 hours after the UN Committee on the Elimination of Racial Discrimination urged the USA to ensure that 'no death penalty is imposed as a result of racial bias', Texas is set to kill a juvenile offender whose case has been tainted by racism and other impropriety, Amnesty International said today, hours before the scheduled execution of Napoleon Beazley.

The organization has today written to the Governor of Texas, Rick Perry, urging him to use his power of reprieve to halt the execution (which contravenes the international ban on the death penalty against juvenile offenders), and to ask the state Board of Pardons and Paroles to reconsider their decision to vote against clemency.

"There is growing worldwide concern about the USA's selective contempt for international treaties and agreements," Amnesty International added. "What happens in the next few hours in Texas will either add fuel to that concern or offer hope that the United States can become a full partner in the international community's efforts to protect fundamental human rights."

In its letter, Amnesty International gives the Governor numerous reasons why he should intervene, including:

Napoleon Beazley was 17 at the time of the crime, and therefore his execution will flout international law, binding on the USA and on Texas. Outside of the United States, only Iran and the Democratic Republic of Congo (DRC) are reported to have executed juvenile offenders

in the past four years. Earlier this year, the DRC commuted the death sentences of five children.

There is evidence of racial bias in the selection and composition of the original trial jury, at least one member of which harboured profound prejudice against African Americans.

Napoleon Beazley's two co-defendants have repeatedly stated that they gave false testimony against Beazley in order to themselves avoid the death penalty. Their testimony was central to the state's bid to have the jury vote that Napoleon Beazley would always pose a future risk to society, even in prison;

Napoleon Beazley's record on death row provides overwhelming evidence that the prediction of "future dangerousness" was wrong. This should not be surprising given that it was reached on the basis of false testimony;

The lawyer who handled Napoleon Beazley's initial appeal has just admitted that his representation and investigation of the case was inadequate.

Background

Napoleon Beazley's lawyer is still pursuing appeals in the courts, which could yet stop the execution.

Earlier, Amnesty International wrote to President Bush, calling on him to oppose this execution, as he is obliged to do under international law. The organization has received no indication that the President has made any such intervention.

*For further information on this case, please see *Too young to vote, old enough to be executed*, Amnesty International's report on this case. (<http://www.web.amnesty.org/ai.nsf/index/amr511052001>)*

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